



Queensland

*Marine Parks Act 1982*

# Marine Parks Regulation 1990

Reprinted as in force on 17 March 2006

Reprint No. 11

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## Queensland

# Marine Parks Regulation 1990

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# Marine Parks Regulation 1990

[as amended by all amendments that commenced on or before 17 March 2006]

## Part 1 Preliminary

### 1 Short title

This regulation may be cited as the *Marine Parks Regulation 1990*.

### 2 Definitions

In this regulation—

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

**1km line**, around a reef, means the line every point of which is 1km seaward from the seaward edge of the reef.

**2km line**, around a reef, means the line every point of which is 2km seaward from the seaward edge of the reef.

**aircraft** means a machine or device that can derive support in the atmosphere from the reactions of the air or from buoyancy; it includes a helicopter but does not include a hovercraft.

**apparatus** means any net, dilly, crab pot, crayfish pot, dredge, implement, gear, equipment, contrivance, device, trap, spear or spear gun used or capable of being used to take any fish or marine product or a part of any of those things, and any hook, rod, line or underwater breathing equipment whether self-contained or not.

**Cairns/Cooktown Management Area** means the area consisting of the areas mentioned and described in schedule 8.

***coastal 20m line***, around the mainland, means the line every point of which is 20m seaward from the mainland at high water.

***coastal 100m line***—

- 1 The *coastal 100m line* around the mainland is the line every point of which is 100m seaward from the mainland at low water.
- 2 However, to the extent there is a fringing reef around the mainland, the *coastal 100m line* is the line every point of which is 100m seaward from the seaward edge of the fringing reef.

***coastal 500m line***—

- 1 The *coastal 500m line* around an island, the mainland, a rock or a group of rocks, is the line every point of which is 500m seaward from the island, the mainland, the rock or the group of rocks, at low water.
- 2 However, to the extent there is a fringing reef around the island, the mainland, the rock or the group of rocks, the *coastal 500m line* is the line every point of which is 500m seaward from the seaward edge of the fringing reef.

***coastal 1km line***—

- 1 The *coastal 1km line* around an island is the line every point of which is 1km seaward from the island at low water.
- 2 However, to the extent there is a fringing reef around the island, the *coastal 1km line* is the line every point of which is 1km seaward from the seaward edge of the fringing reef.

***coastal 5km line***—

- 1 The *coastal 5km line* around an island or the mainland is the line every point of which is 5km seaward from the island or the mainland at low water.
- 2 However, to the extent there is a fringing reef around the island or the mainland, the *coastal 5km line* is the line every point of which is 5km seaward from the seaward edge of the fringing reef.

***coastal line***, in relation to an island or the mainland, means a line that—

- (a) runs along the island or mainland at high water; and
- (b) at each point where a mouth of a river, creek or stream meets the island or mainland at high water, joins 1 side of the mouth to the other side of the mouth in a straight line.

***designated area*** means an area within a zone set aside by the zoning plan for special management.

***environmental impact statement*** means a report analysing the environmental effects of a proposal on a marine park.

***Far Northern Management Area*** means the area consisting of the areas mentioned and described in schedule 9.

***farming facility*** means a facility for the farming of marine resources.

***firearm*** means a firearm within the meaning of the *Firearms and Offensive Weapons Act 1979*, and includes—

- (a) a gun or other weapon—
  - (i) that is capable of propelling a projectile by means of an explosive; or
  - (ii) that is capable of propelling a projectile by any other means and which if used in a normal manner is capable of causing bodily harm; or
  - (iii) that is capable of discharging a blank fire cartridge;
- (b) a gun or weapon designed or adapted for the discharge of any noxious, corrosive, or irritant liquid, powder, gas, chemical or substance capable of causing bodily harm;
- (c) any thing whatsoever declared by order in council to be a firearm for the purposes of the *Firearms and Offensive Weapons Act 1979*;
- (d) a gun, weapon or other thing which, if any part or parts thereof were replaced or defect therein or condition thereof were remedied or rectified, would be a gun, weapon or thing defined in paragraph (a), (b) or (c);

but does not include—

- (e) a long-bow;
- (f) a crossbow;
- (g) a spear gun;
- (h) an explosive-powered tool as defined in the *Construction Safety Act 1971*;
- (i) a power head or similar device designed or intended for use in, though or under water;
- (j) a captive bolt weapon or humane killer of the captive-bolt type designed and used solely for the humane killing of live stock;

when not used as a weapon.

***fringing reef***, in relation to an island or the mainland, means a reef that adjoins, overlaps or is in close proximity to the island or the mainland at low water.

***GBR Coast Marine Park*** means the marine park mentioned and described in schedule 5.

***GBR Coast Marine Park (interim)*** means the marine park mentioned and described in schedule 4, part 3.

***H.A.T.*** means highest astronomical tide.

***highest astronomical tide*** means the highest level of the tides that can be predicted to occur 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.

***landing area*** means an area for the landing of aircraft.

***L.A.T.*** means lowest astronomical tide.

***litter*** means any kind of rubbish, refuse or garbage, and any matter that, when in a marine park, causes, contributes to or tends to the defacement or defilement of that marine park.

***lowest astronomical tide*** means the lowest level of the tides that can be predicted to occur 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.

***Mackay/Capricorn Management Area*** means the area consisting of the areas mentioned and described in schedule 6.

***mangrove forest*** means a community of mangroves that—

- (a) has a continuous canopy; and
- (b) an obvious outer boundary.

***mangrove line***, for a mangrove forest, means a line that—

- (a) runs along the outer boundary of the forest; and
- (b) at each point where there is a gap in the outer boundary of the forest, runs along—
  - (i) if the gap is caused by a mouth of a river, creek or stream—the line that joins 1 side of the river, creek or stream to the other side by running in the general trend of the outer boundary of the forest; or
  - (ii) if subparagraph (i) does not apply—
    - (A) if the gap is near the mainland—the mainland at high water; or
    - (B) if the gap is near an island—the island at high water.

***marine park*** means a marine park established or continued under the Act.

***objects and sites of significance*** means objects and sites within a marine park, which are of scientific, cultural or other significance.

***outer boundary***—

- 1 The *outer boundary* of a mangrove forest is the boundary formed by the line that connects the trunks of the outermost mangroves in the forest.
- 2 For paragraph 1, the line that connects the trunks of the outermost mangroves in the forest must disregard any

prop roots that extend further out from the trunk of any of the mangroves.

***Outer Islands Management Area*** means the area consisting of the areas mentioned and described in schedule 10.

***permission*** means a permission under this regulation to enter or use a marine park.

***place*** includes any tidal land, tidal waters, building or other structure (including a pier, wharf, jetty, quay, or other like structure), other premises of any kind, an aircraft, a vehicle or vessel.

***power-head*** means a device by means of which a fish may be taken, being a device that may be attached to a spear or spear gun and that consists of or contains an explosive charge.

***special permission*** means a permission under this regulation to enter or use a marine park to carry out a tourism activity for which public notice is required to be given or an environmental impact statement is requested.

***temporary restricted area*** means an area so declared under section 27.

***territorial sea baseline*** has the meaning given under the *Seas and Submerged Lands Act 1973* (Cwlth) by proclamation in Gazette No. S 29 (Cwlth) dated 9 February 1983 at pages 2 to 14 as amended by proclamation in Gazette No. S 57 (Cwlth) dated on 31 March 1987 at page 35.

***the Act*** means the *Marine Parks Act 1982*.

***Townsville/Whitsunday Management Area*** means the area consisting of the areas mentioned and described in schedule 7.

***Trinity Inlet fish habitat area*** means the Trinity Inlet fish habitat area—

- (a) declared under the *Fisheries Regulation 1995*; and
- (b) as it was immediately before the commencement of schedule 5.<sup>1</sup>

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<sup>1</sup> The Trinity Inlet fish habitat area as it was immediately before the commencement of schedule 5 is shown on plan FHA-003 [Revision 2]. See the *Fisheries Regulation 1995*, schedule 7 (Fish habitat areas), section 68 (Trinity Inlet).

**unzoned area** means an area of a marine park in respect of which no zoning plan is in force.

**vehicle** includes an off-road vehicle, caravan or trailer.

**vessel** includes a ship, boat, hovercraft or hulk and any vehicle that is capable of use on or in water whether floating or submersible and whether or not self-propelled.

**zone** means a zone created by a zoning plan.

### **3 Notes in text**

A note in the text of this regulation is part of the regulation.

### **4 References to latitudes and longitudes**

The latitudes and longitudes used to describe an area mentioned in this regulation are worked out using—

- (a) for an area mentioned in schedule 4, part 1—the Australian Geodetic Datum 1984, commonly called ‘AGD84’, defined in the technical report by Allman J S and Veebstra C titled ‘Geodetic Model of Australia 1982’, Technical Report 33, published in 1984 by the Commonwealth Department of Resources and Energy, Division of National Mapping;<sup>2</sup> or
- (b) for an area mentioned in schedule 4, part 2, or schedule 6, 7, 8 or 9—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.

### **4A References to H.A.T., high water etc.**

- (1) A reference in this regulation 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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<sup>2</sup> The report may be inspected, during office hours on business days, at the southern regional office of the Department of Natural Resources and Mines located at the Landcentre, Cnr Vulture and Main Streets, Woolloongabba, Qld.

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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, cliff, 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.

- (3) In this section—

***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 regulation.

#### **4B References to relevant mangrove line**

- (1) This section applies if schedule 6, 7, 8 or 9 states that the boundary of an area described in the schedule runs along the relevant mangrove line.
- (2) The relevant mangrove line is the mangrove line for the mangrove forest that is between—
  - (a) the point at which the boundary of the area starts to run along the mangrove line; and
  - (b) the point at which the boundary of the area stops running along the mangrove line.



- (3) For subsection (2), the mangrove forest is taken to be a continuous forest between the 2 points mentioned in the subsection even if there is a gap in the forest.

#### **4C References to bracketed reef numbers**

- (1) In schedules 6, 7, 8 and 9, a reference to a bracketed reef number after a description of a reef is included to provide additional information for identifying the reef.
- (2) In this section—  
*reef number* means the word ‘reef’ followed by a sequence of numbers separated by a dash.

### **5 Fees**

- (1) Subject to subsection (2) and section 5A, the fees payable for—
- (a) assessing an application for a permission to carry out a tourism activity in a marine park are set out in schedule 1, part A; and
  - (b) assessing an application for the continuation of a permission mentioned in paragraph (a) are set out in schedule 2, part A.
- (2) The fee payable for assessing an application for a permission, or the continuation of a permission, to carry out an activity mentioned in more than 1 item in schedule 1, part A or schedule 2, part A is the higher or highest of the fees payable for the assessment.
- (3) The fees payable for a permission, or the continuation of a permission, to carry out a commercial whale watching program in a marine park are set out in schedule 3.
- (4) Subject to subsection (5) and section 5A, the fees payable for—
- (a) assessing an application for a special permission are set out in schedule 1, part B; and

- (b) assessing an application for the continuation of a special permission are set out in schedule 2, part B.
- (5) The fee payable for assessing an application for a special permission or the continuation of a special permission may be another amount the chief executive considers to be reasonable that is less than the amount otherwise payable.

## **5A Indexation of fees**

- (1) This section applies to an application made on or after 1 January 1998 for a permission or the continuation of a permission mentioned in section 5(1) or (4).
- (2) The fee for the application is an amount worked out using the formula—

**scheduled fee x CPI**

**119.1**

- (3) In the formula—

***scheduled fee*** is the fee for the application set out in schedule 1 or 2.

***CPI*** is the all groups consumer price index for Brisbane (calculated using the reference base year 1989–1990) published by the Australian Statistician for the financial year ending before the calendar year in which the application is made.

- (4) In working out the fee under the formula, any part of the result under \$10 must be ignored.

*Example—*

If after applying the formula, the result is \$1214, the fee is \$1210.

## **Part 1A Declaration of marine parks**

### **5B Area declared to be marine park**

Each area of tidal waters and tidal land described in schedule 4 is set apart and declared as a marine park.<sup>3</sup>

### **5C Constituents of marine park**

For section 15 of the Act, the following are taken to be in a marine park and, for the purposes of the Act, part of an area described in schedule 4—

- (a) the subsoil beneath tidal land in the area to a depth of 1000m below the surface of the area;
- (b) the airspace above the area to a height of 915m above the surface of the area.

### **5D Name of marine park**

Each area set apart and declared as a marine park in schedule 4 has the name given to it in the schedule.

## **Part 1B Amalgamation of marine parks**

### **5E Amalgamation of particular marine parks**

- (1) The pre-existing marine parks are amalgamated.
- (2) The amalgamated marine park is—
  - (a) named the ‘Great Barrier Reef Coast Marine Park’; and
  - (b) described in schedule 5.
- (3) If there is any inconsistency between a boundary of the amalgamated marine park provided for in schedule 5 and the

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<sup>3</sup> The latitudinal and longitudinal positions used in the schedule to describe the area are described using the Australian Geodetic Datum 1984.

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boundary of a pre-existing marine park, the boundary of the amalgamated marine park is taken to be the boundary of the pre-existing marine park to the extent of the inconsistency.<sup>4</sup>

*Note—*

The latitudes and longitudes used to describe a boundary of a pre-existing marine park may have been worked out using a system other than the system used to describe the boundaries of the amalgamated marine park.

(4) In this section—

***amalgamated marine park*** means the marine park amalgamated under subsection (1).

***pre-existing marine park*** means each of the following—

- (a) Mackay/Capricorn Marine Park;
- (b) Townsville/Whitsunday Marine Park;
- (c) Cairns Marine Park;
- (d) Trinity Inlet/Marlin Coast Marine Park;
- (e) GBR Coast Marine Park (interim).

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4 For the boundaries for a pre-existing marine park, see—

- (a) for the Mackay/Capricorn Marine Park—the repealed instrument made as an order in council under the Act and gazetted on 27 August 1988 at pages 3657 and 3658;
- (b) for the Townsville/Whitsunday Marine Park—the repealed instrument made as an order in council under the Act and gazetted on 3 October 1987 at page 395;
- (c) for the Cairns Marine Park—the repealed *Marine Parks (Cairns) Order 1992*;
- (d) or the Trinity Inlet/Marlin Coast Marine Park—schedule 4, part 2, of this regulation;
- (e) for the GBR Coast Marine Park (interim)—schedule 4, part 3, of this regulation.

## **Part 2                      Zoning plans**

### **6                      Contents of zoning plan**

- (1) A zoning plan prepared under the Act, or with respect to a marine park shall comprise such maps and other documents as the chief executive determines to be appropriate for the purposes of section 17 of the Act.
- (2) Without limiting the generality of subsection (1), a zoning plan may include, within any zone, designated areas.

### **7                      Designated areas**

- (1) For the purpose of giving effect to the provisions of the zoning plan in respect of a designated area, the chief executive may from time to time by public notice—
  - (a) specify the boundary details of the area so designated; and
  - (b) specify the requirements which shall apply to the designated area; and
  - (c) fix the day on which the specific requirements of the zoning plan in relation to the designated area shall come into operation; and
  - (d) fix the day on which, or the period during which, such specific requirements shall cease to operate.
- (2) The chief executive may, in respect of an area designated under subsection (1), from time to time by public notice vary the boundary details, specific requirements or the day on which, or the period during which, such specific requirements shall cease to operate.
- (3) Public notice, for the purposes of this section, means publication—
  - (a) in the gazette; and
  - (b) in a newspaper that circulates throughout Queensland.

**8 Saving**

Nothing in a zoning plan shall be construed as permitting the taking of any animal or plant or permitting any activity that is prohibited by any Act or other law.

**Part 3 Permission to enter or use a marine park****8A Entry and use of zones and designated areas**

A person must not enter or use a zone or designated area other than—

- (a) under a permission under this regulation; or
- (b) for a purpose for which the person may enter or use the zone or designated area under a zoning plan; or
- (c) under section 14.

Maximum penalty—100 penalty units.

**9 Application for permission to enter or use marine park**

- (1) An application for a permission must be in writing.
- (2) An application must specify—
  - (a) the name and address of the person (or persons) making the application; and
  - (b) the location in the marine park that is to be entered or used; and
  - (c) the purposes for which the location is to be entered or used; and
  - (d) the proposed place of entry, movements within the marine park and the places where the proposed use is to be carried out; and
  - (e) the period in respect of which the permission is sought; and

- (f) the means of transport to be used in respect of the use of, or entry to or departure from the marine park; and
  - (g) the apparatus to be used within the marine park.
- (3) Also, an application for a permission to enter or use a zone or designated area of a marine park for research must include the following information—
  - (a) the purpose of the research;
  - (b) a brief description of how the research is to be undertaken, including, in particular—
    - (i) a description of the sequence and location of any fieldwork to be carried out in the marine park; and
    - (ii) an explanation of the experimental design and methods of analysis to be used in the research; and
    - (iii) the number, quantity and description of any specimens of animals, plants or other marine products to be taken for the research; and
    - (iv) the methods to be used in taking the specimens mentioned in subparagraph (iii);
  - (c) the frequency and duration of visits to the zone or designated area for the research.
- (4) A zoning plan for a marine park may provide for other requirements for an application for a permission for an area within the marine park.
- (5) The chief executive may request an applicant for a permission to give the chief executive further written particulars (including an environmental impact statement) as the chief executive may reasonably require to properly consider the application.
- (6) The particulars requested under subsection (5) must be given to the chief executive within 21 days after the request, or such longer period as the chief executive allows.
- (7) If a fee is payable under section 5(1) or (4), the chief executive must, by written notice, ask the applicant to pay the fee within 60 days of the giving of the notice, or such longer period as the chief executive allows.

- (8) If the applicant fails to comply with subsection (5), (6) or (7), the application lapses.

**9AA Advertising of application in particular circumstances**

- (1) This section applies if the chief executive considers that the grant of an application for a permission may restrict the reasonable use of a part of the marine park by persons other than the applicant.
- (2) The chief executive may give the applicant a written notice stating—
- (a) that the applicant must give public notice of the application within a stated period; and
  - (b) the information that must be included in the notice the subject of the public notice.
- (3) The applicant must—
- (a) give the public notice; and
  - (b) ensure the notice the subject of the public notice—
    - (i) includes the stated information; and
    - (ii) invites interested persons to make written submissions to the chief executive, in relation to the application—
      - (A) at an address stated in the notice; and
      - (B) within a stated period of not less than 30 days.
- (4) Before deciding whether to grant or refuse the permission the subject of the application, the chief executive must consider any written submissions received by the chief executive in response to the public notice.
- (5) An applicant gives public notice for this section if the applicant ensures a notice is published on at least 2 days in a 14 day period in each of the following—
- (a) the gazette;
  - (b) a newspaper that circulates throughout the State;



- (c) a local newspaper that circulates in the part of the State that is adjacent to the part of the marine park to which the application relates.

**9AB Matters chief executive may or must consider for considering application**

- (1) In considering an application for a permission, the chief executive may consider any relevant matter for the application.
- (2) Without limiting subsection (1), the chief executive must have regard to the following—
  - (a) the objectives of the zone or the marine park for which the application is made;
  - (b) the orderly and proper management of the marine park for which the application is made;
  - (c) the conservation of the natural or cultural resources of the marine park for which the application is made;
  - (d) any management plan for the marine park, for which the application is made, that is approved by the Minister under section 17;
  - (e) the existing use and amenity, and the future or desirable use and amenity, of the location, and areas adjacent to the location, for which the application is made;
  - (f) the size, extent and location of any proposed use in relation to the way the location, and the areas adjacent to the location, are being used;
  - (g) the likely effects of any proposed use in the location for which the application is made on—
    - (i) the areas adjacent to the location; and
    - (ii) the environment;
  - (h) the proposed means of access to and egress from the marine park;
  - (i) the use and adequacy of provisions for mooring, landing, parking, loading and unloading a vehicle, vessel or aircraft;

- (j) the nature of the equipment to be used for the proposed use;
  - (k) the arrangements for the removal, upon the expiration of the permission, of the structure, landing area, farming facility or vessel or any other thing that is to be built, assembled, constructed or fixed in position for the proposed use;
  - (l) the arrangements for making good any damage caused by the proposed activity to the marine park for which the application is made;
  - (m) any fee or other amount that is overdue for payment by the applicant as the holder of a permission for which the fee or amount is payable;
  - (n) if the application relates to an undeveloped project, the cost of which will be large—the capacity of the applicant to satisfactorily develop the project.
- (3) A zoning plan for a marine park may state other matters the chief executive must also have regard to when considering an application for a permission for an area within the marine park.

## **9A When fee payable—commercial whale watching program**

- (1) This section applies if—
- (a) a person applies for a permission, or the continuation of a permission, to carry out a commercial whale watching program in a marine park; and
  - (b) the chief executive decides to grant the application.
- (2) The chief executive must, by written notice, ask the applicant to pay the appropriate fee within 60 days of the giving of the notice.
- (3) The applicant must pay the fee before the permission is granted.
- (4) If the applicant does not pay the fee within the stated period, the application is taken to have lapsed.

**10 Grant or refusal of permission**

- (1) If a person applies to the chief executive for a permission and has complied with any request duly made by the chief executive for further particulars in relation to the application and has paid all fees applicable, the chief executive must, by notice in writing—
  - (a) grant such permission subject to any conditions necessary for the attainment of the objects and purposes of the Act; or
  - (b) refuse to grant such permission.
- (2) Without limiting the conditions the chief executive may impose on a permission, the chief executive may impose the following conditions on a permission—
  - (a) a condition that provides for an indemnity for the State against any liability for loss or damage that is suffered by any person and is caused, whether directly or indirectly, by the activities carried out under the permission;
  - (b) a condition that provides for the compensation or reimbursement of any loss or expense incurred by the chief executive in relation to activities carried out under the permission.
- (3) If a permission has been granted subject to conditions pursuant to subsection (1), the chief executive may vary those conditions or impose additional conditions if the chief executive considers that the conditions, as so varied or added to, are necessary for the attainment of the objects and purposes of the Act.
- (4) A permission remains in force for the period specified in the permission unless it is sooner surrendered or revoked.

**10A Restrictions on grant of permission**

- (1) The chief executive must not grant a permission to carry out a commercial whale watching program in the following areas of special interest for whales<sup>5</sup>—
  - (a) Queensland waters between latitude 24°30' south (approximately 20km north of Sandy Cape) and latitude 25°30' south (approximately 35km north of Inskip Point) if there are 20 current permits for the area;
  - (b) Queensland waters between latitude 25°30' south (approximately 35km north of Inskip Point) and latitude 27°05' south (approximately 6km south of Cape Moreton) including all waters in Moreton Bay west of Moreton, North Stradbroke and South Stradbroke Islands if there are 3 current permits for the area;
  - (c) Queensland waters south of latitude 27°05' south (approximately 6km south of Cape Moreton) excluding all waters in Moreton Bay west of Moreton, North Stradbroke and South Stradbroke Islands.
- (2) A reference in subsection (1) to a number of current permits is a reference to the number of any 1 or both of the following types of permits—
  - (a) a commercial whale watching permit under the *Nature Conservation Act 1992*;
  - (b) a permission under this regulation.
- (3) After the commencement of this subsection, the chief executive must not grant a permission to feed dolphins in a marine park or a zone of a marine park.
- (4) However, the chief executive must not refuse to renew, or cancel, a permission under this regulation, in force at the commencement of this subsection, merely because the chief executive may no longer grant a permission to feed dolphins in a marine park or a zone of a marine park.

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5 Maps showing the boundaries of the areas of special interest for whales are included in the Management Program for the Conservation and Management of Whales and Dolphins (Order Cetacea) in Queensland 1997—2001 approved by the Minister on 8 October 1997. A copy of the management program is available for inspection or purchase at the department's head office and regional offices.

**11 Revocation of permission**

- (1) The chief executive may, by notice in writing, revoke or suspend a permission on the failure of the holder of the permission to comply with any provision, condition or restriction to which the permission was subject.
- (2) The chief executive may exercise the chief executive's power of revocation or suspension notwithstanding that the person to whom the permission has been granted has not been proceeded against for any offence constituted by failure to comply with any provision, condition or restriction to which the permission was subject.
- (3) If a permission is revoked or suspended, the person to whom the permission was granted is not entitled to claim or receive any compensation in respect of such revocation or suspension or any expense the person may have incurred in acting or with a view to taking action under the permission.

**12 Variation of permission**

- (1) If a permission has been granted subject to conditions and it appears to the chief executive that (by reason of circumstances that were not foreseen and were not reasonably foreseeable at the time when the permission was granted), damage, degradation or disruption to the physical environment, or the living resources, of the marine park has occurred or there is an imminent threat that such damage, degradation or disruption will occur, the chief executive may revoke, suspend, vary the conditions of or impose additional conditions upon, the permission.
- (2) If the chief executive revokes or suspends a permission, varies conditions or imposes conditions on the permission under subsection (1) or section 10(2), the chief executive shall, as soon as practicable, notify the person to whom the permission was granted of the fact.

**13 Continuation of permission**

If—

- (a) at any time before a permission ceases to be in force, the person to whom that permission was granted applies for

a further permission of the same kind in relation to the carrying on of the same activity in the same zone or area; and

- (b) the application has not been granted or refused before the expiration of the period specified in the permission as the period during which the permission remains in force;

the permission shall, notwithstanding the expiration of the original period, remain in force until the application is granted or refused.

### **13A Requirements about giving authorisations under permission**

- (1) This section applies if a permission includes a condition that the holder of the permission may authorise another person to carry out an activity that may be lawfully carried out under the permission for a stated period.

- (2) The holder of the permission may give the authorisation only by giving the other person a written notice stating the relevant matters for the authorisation.

- (3) In this section—

***relevant matters***, for an authorisation, means the following—

- (a) the name of the person to whom the authorisation is given;
- (b) the date on which the authorisation was given;
- (c) the nature of the activity the person is authorised to carry out under the authorisation.

### **13B Effect of authorisations given under permission**

- (1) A person to whom an authorisation is given under a permission may carry out an activity that is stated in the notice given to the person under section 13A(2).

- (2) For subsection (1)—

- (a) the person to whom the authorisation is given is taken to have been granted a permission for the activity; and

- (b) the permission is taken to be subject to the conditions that are imposed on the permission under which the authorisation was given and that are relevant to the activity.
- (3) To remove doubt, a person who gives an authorisation under a permission may still carry out, under the permission, any activity for which the person has given an authorisation under the permission.

## **14 Entry in emergency**

Notwithstanding the provisions of any zoning plan a person may, with or without a vessel, vehicle or aircraft, enter a zone for the purpose of—

- (a) saving a life or avoiding the risk of injury to a human being;
- (b) locating or securing the safety of a vehicle, vessel or aircraft which is, or may be, endangered by stress of weather or by navigational or operational hazards;
- (c) law enforcement;
- (d) dealing with an emergency involving a serious threat to the environment, including, in particular, dealing with, under an Act, an emergency threat of pollution to the marine environment;
- (e) to remove or salvage, under an Act, a vessel or an aircraft, or a section of a vessel or an aircraft, or other wreck, that is wrecked, stranded, sunk or abandoned and poses an emergency threat to the marine environment or safety.

## **Part 4                      Management plans and                                  programs of works**

### **15        Preparation**

The chief executive may prepare, with respect to an area set apart and declared as a marine park or any zone or designated area thereof—

- (a) a management plan; and
- (b) a program of works.

### **16        Contents**

- (1) A management plan shall set out particulars of the manner in which it is proposed to manage the marine park, zone or designated area.
- (2) A program of works shall include a schedule of work proposed to be undertaken during a particular period.
- (3) In the preparation of a management plan or program of works, the chief executive shall have regard to the following objectives—
  - (a) the encouragement and regulation of the use and enjoyment of the marine park, zone or designated area by the public; and
  - (b) the protection and conservation within the marine park, zone or designated area of marine products and objects and sites of significance.

### **17        Approval of plans and programs**

- (1) Every management plan or program of works prepared by the chief executive must be given to the Minister who may approve the management plan or program of works submitted to the Minister.
- (2) A management plan or program of works has force and effect under the Act when it is approved by the Minister.



**18 Amendment etc. of plans and programs**

- (1) The chief executive may from time to time prepare amendments to a management plan or program of works approved by the Minister or prepare a management plan or program of works in substitution for a plan or program approved by the Minister or for any part thereof.
- (2) Every such amendment to a management plan or program of works shall be furnished to the Minister and, if approved by the Minister, shall have effect in substitution for the previous plan or program.

**Part 5 Conduct of persons****18A Chief executive may give directions for carrying out activities in a zone**

- (1) This section applies if—
  - (a) a zoning plan states a person may enter or use a zone within a marine park by giving notice to the chief executive; and
  - (b) a person gives the chief executive a notice under the zoning plan stating the person intends to enter or use an area within the zone.
- (2) The chief executive may give the person a written notice that includes a direction about how the person may enter or use the area in the zone, or the marine park, if the direction is reasonably necessary for the protection or preservation of the marine park or property or other things in the marine park.<sup>6</sup>

**19 Removal of materials etc. prohibited**

A person must not, without a permission—

- (a) remove or cause to be removed from a marine park any ballast, rock, stone, shingle, gravel, boulders, clay, earth,

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<sup>6</sup> See section 42 (Offences and penalties).

silt, mud, star sand, shell grit, coral limestone or other material whatsoever, or disturb or cause to be disturbed any such material in a marine park; or

- (b) deposit or cause to be deposited in a marine park any filling or other material; or
- (c) do or cause to be done any act which may cause a direct and substantial alteration to the physico-chemical environment in a marine park.

## **20 Discharging etc. of wastes**

- (1) A person must not, otherwise than in accordance with a permission given for the purposes of this regulation, discharge or deposit household, industrial, commercial or any other waste in a marine park.
- (2) Subject to the requirements of any zoning plan or a permission given pursuant to section 22, subsection (1) does not apply—
  - (a) to the discharging or depositing of waste in a zone where the relevant zoning plan makes provision for the zone to be used or entered for that purpose;
  - (b) to the discharging of offal, from a fish caught within a marine park, from a vessel or an aircraft.

## **21 Building prohibited**

A person must not, without a permission, erect or cause to be erected any structure in a marine park.

## **22 Living on vessels, vehicles, aircraft or structures**

A person must not, without a permission, use a vessel, vehicle, aircraft or structure in a marine park for the purpose of a dwelling.

## **23 Littering prohibited**

A person must not deposit litter in a marine park.

**24 Abandonment of vessels, vehicles or aircraft**

A person must not without a permission cast, place, leave or abandon or cause to be cast, placed, left or abandoned in a marine park any vessel, vehicle or aircraft.

**25 Introduction of animals, marine products or plants**

Except as provided in section 26, a person must not, without a permission, introduce or cause to be introduced into a marine park any animals, marine products or plants.

**26 Entry of domestic animals into particular areas**

- (1) This section is subject to the provisions of any applicable zoning plan.
- (2) The chief executive may—
  - (a) declare an area within a marine park to be a prescribed area for this section; and
  - (b) cause notices to be displayed stating the entry of any of the following (each a *prohibited animal* for the prescribed area) is prohibited—
    - (i) any domestic animal;
    - (ii) an animal of a particular class of domestic animals.
- (3) A person must not bring a prohibited animal for a prescribed area into the prescribed area.
- (4) Also, a person must not bring a domestic animal onto tidal land that is—
  - (a) within the GBR Coast Marine Park; and
  - (b) adjacent to—
    - (i) the Capricornia Cays National Park; or
    - (ii) the Whitsunday Islands National Park.<sup>7</sup>

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<sup>7</sup> The Capricornia Cays National Park is shown as lot 402 on plan NPW546 and the Whitsunday Islands National Park is shown as lot 428 on plan NPW621. See the *Nature Conservation (Protected Areas) Regulation 1994*, schedule 2 (National parks).

- (5) Neither subsection (3) nor (4) applies if the animal—
- (a) is kept, at all times, on board a vessel, vehicle or aircraft that is permitted to be in the area; or
  - (b) is in the prescribed area or on the tidal land under a tourist program; or
  - (c) is a guide dog or a guide dog trainee.

- (6) In this section—

**guide dog** see the *Guide Dogs Act 1972*, section 3

**guide dog trainee** see the *Guide Dogs Act 1972*, section 3.

**tourist program** has the meaning given by the *Great Barrier Reef Marine Park Act 1975* (Cwlth), section 3A(3).<sup>8</sup>

## **26A Entry of vehicles into particular areas**

- (1) This section is subject to the provisions of any applicable zoning plan.
- (2) The chief executive may—
- (a) declare an area within a marine park to be a prescribed area for this section; and
  - (b) cause notices to be displayed stating the entry of any of the following (each a **prohibited vehicle** for the prescribed area) is prohibited—
    - (i) any vehicle;
    - (ii) a vehicle in relation to which a permission has not been obtained.
- (3) A person must not bring a prohibited vehicle for a prescribed area into the prescribed area.

## **26B Lighting of fires in particular areas**

- (1) This section is subject to the provisions of any applicable zoning plan.

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<sup>8</sup> *Great Barrier Reef Marine Park Act 1975* (Cwlth), section 3A (Interpretation of zoning plans)

- (2) The chief executive may—
  - (a) declare an area within a marine park to be a prescribed area for this section; and
  - (b) cause notices to be displayed stating the lighting of fires in the prescribed area is prohibited.
- (3) A person must not light a fire—
  - (a) in a prescribed area; or
  - (b) on tidal land that is—
    - (i) within the GBR Coast Marine Park; and
    - (ii) adjacent to—
      - (A) the Capricornia Cays National Park; or
      - (B) the Whitsunday Islands National Park.<sup>9</sup>
- (4) Subsection (3) does not apply to a person—
  - (a) lighting or using a portable cooking or heating appliance that is self-contained; or
  - (b) lighting or smoking a smoking product.
- (5) In this section—
 

***smoking product*** see the *Tobacco and Other Smoking Products Act 1998*, schedule.<sup>10</sup>

## 27 Temporary restricted areas

- (1) The chief executive may, by public notice, declare any area within a marine park to be a temporary restricted area for 1 or more of the following purposes—
  - (a) conservation of 1 or more species;

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9 The Capricornia Cays National Park is shown as lot 402 on plan NPW546 and the Whitsunday Islands National Park is shown as lot 428 on plan NPW621. See the *Nature Conservation (Protected Areas) Regulation 1994*, schedule 2 (National parks).

10 Under the *Tobacco and Other Smoking Products Act 1998*, schedule (Dictionary)—***smoking product*** means a tobacco product, herbal cigarette or loose smoking blend. The schedule also defines *tobacco product*, *herbal cigarette* and *loose smoking blend*.

- (b) conservation of natural resources;
  - (c) protection of cultural or heritage values;
  - (d) public safety;
  - (e) emergency situations requiring immediate management action.
- (2) Public notice for the purposes of this section, means—
  - (a) publication in the gazette and in a newspaper that circulates throughout Queensland; or
  - (b) if the chief executive considers that an emergency exists, such notice by way of signs, radio announcements or otherwise, as is practicable in the circumstances.
- (3) Without a permission, a person—
  - (a) must not enter or remain in a temporary restricted area;
  - (b) must remove from the temporary restricted area any vessel, vehicle or aircraft.
- (4) An area declared as a temporary restricted area shall, unless the declaration is earlier revoked by the chief executive, remain as such for—
  - (a) the period of 120 days from the date of its declaration; or
  - (b) such lesser time as is specified in the notice by the chief executive; or
  - (c) with the concurrence of the Governor in Council, such longer period as may be specified by notice.
- (5) The chief executive may, by public notice—
  - (a) revoke a declaration under subsection (1) at any time; or
  - (b) extend a declaration under subsection (1) for a further period, of not more than 60 days, if the extension is made before the declaration ends under subsection (4).

## **28 Signs to be obeyed**

A person must obey and comply with any direction expressed in a sign or notice erected pursuant to section 26 or 27.

**30 Use of firearms**

- (1) A person must not use any firearm in an marine park.
- (2) Subsection (1) does not apply where a person uses a firearm for the purpose of protecting the person or other persons from shark attack.

**31 Trading and other activities**

A person must not, in a marine park, without a permission—

- (a) conduct any trade or business, or conduct a fete or stall; or
- (b) advertise any product or service; or
- (c) conduct any public entertainment or public meeting; or
- (d) organise or promote any contest or competition for speedboats, hovercraft or self-propelled vehicles; or
- (e) organise or promote any spearfishing contest or competition other than those arranged by and restricted to bona fide members of a single club or association and involving fewer than 30 participants.

**32 Disorderly behaviour**

A person must not behave in a disorderly, improper, indecent or unseemly manner within a marine park.

**32A Motorised watersports**

- (1) This section applies only if a zoning plan for a marine park states that it applies to the marine park or part of the marine park.
- (2) A person must not enter or use the marine park, or the part of the marine park stated in the zoning plan, to participate in a motorised watersport including, for example, water skiing, jetskiing or paraflying.

Maximum penalty—20 penalty units.

- (3) However, subsection (2) does not apply to a person using a jetski in the marine park to carry passengers between locations at a speed of less than 4kn.

## **Part 6 Marine products**

### **33 Prohibition on taking marine products in marine parks**

- (1) Subject to subsection (2), a person must not in a zone or designated area within a marine park—
- (a) use or have in the person's possession, apparatus the use of which in that zone or designated area is not permitted under the zoning plan, unless that apparatus is stowed away and unavailable for immediate use;
  - (b) take or have in the person's possession any marine product the taking of which in that zone or designated area is not permitted.
- (2) Subsection (1) does not apply if—
- (a) the person holds a permission for the taking of the marine products specified in such permission from the zone or designated area of a zone in a marine park for the purposes of research or marine park management; or
  - (b) the person holds a permission for the use of specified devices, explosives or substances in taking marine products for the purpose of research or marine park management.

### **34 Offences relating to spearfishing**

- (1) A person must not, in a marine park, use for the purpose of spearfishing—
- (a) an underwater breathing apparatus; or
  - (b) a power-head.



- (2) Subsection (1) does not apply where a person uses a power-head for the purpose of protecting the person or other persons from a shark attack.

### **35 Prohibition on taking large cod or groper**

A person must not, otherwise than in accordance with a permission, given for the purposes of this section, take, or have in possession in the marine park, a fish of a species of the Family *Serranidae* subfamily *Epinephelinae* (gropers and cods) and having a total length exceeding 1200mm.

## **Part 7 Inspectors**

### **36 Appointment of inspectors**

- (1) The chief executive may, by instrument in writing appoint—
- (a) any officer or person employed by a department of the government or any local government; or
  - (b) any police officer;
- as an inspector for the purposes of this Act.
- (2) An appointment as an inspector may be made by the appointment of the holder of an office without naming the holder and, in every such case, each successive holder of that office shall during his or her continuance in that office be an inspector in terms of such appointment.
- (3) The appointment of any person as an inspector pursuant to the *Marine Parks Regulation 1983* shall continue as if the appointment was made under this regulation.
- (4) The chief executive may by instrument in writing terminate the appointment of an inspector.

**37 Identity cards**

- (1) The chief executive shall cause to be issued to each inspector an identity card bearing thereon the name, signature and photograph of that inspector.
- (2) A person whose appointment as an inspector is terminated shall forthwith return his or her identity card to the chief executive.

**38 Powers of inspectors**

- (1) An inspector at any time may—
  - (a) for the purposes of the Act, enter any place in a marine park;
  - (b) make such examination, investigation or inquiry as is necessary to ascertain whether the provisions of the Act are being complied with in respect to any place in a marine park;
  - (c) question, for the purposes of the Act, a person found by the inspector in any place in a marine park or found by the inspector in possession of any apparatus, to ascertain whether the Act is being complied with and require a person so found to answer the questions put;
  - (d) require a person found by the inspector committing an offence against the Act or who the inspector believes on reasonable grounds has committed an offence against the Act, or whose name and address are reasonably required for the purposes of the Act, to state the person's full name and the address of the person's usual place of residence and, if the inspector considers it necessary, the name and address of the usual place of residence of any other person and if the inspector suspects on reasonable grounds that the name and address so stated is false, may require evidence of the correctness thereof;
  - (e) direct a person found by the inspector unlawfully in a marine park or zone or location within a marine park or who has committed or is committing an offence against the Act to leave the marine park or the zone or location within a marine park or to desist from committing the

offence, and the person shall comply with such direction;

- (f) require a person to produce to the inspector a permission or other authority under the Act granted and issued to that person or alleged by that person to have been granted and issued to the person, or any record, list or other writing that is required under the Act to be kept or exhibited by that person or that is, in the opinion of the inspector, material to any examination, investigation or inquiry under paragraph (b) and inspect, examine and take copies of or extracts therefrom;
- (g) for the purposes of the Act, stop any person, vessel, vehicle or aircraft in a marine park;
- (h) search any place in a marine park if the inspector suspects on reasonable grounds that an offence against the Act has been or is being committed or is likely to be committed or that there is likely to be in that place any marine product, apparatus, or other thing of any kind with respect to which that offence was or is being committed or is likely to be committed or that will afford evidence as to the commission of that offence, and may break open and search every bag, package, bottle or other receptacle of any kind in that place;
- (i) seize and detain any marine product (and any bag, package, bottle or other receptacle containing it) or any apparatus in respect of which an offence against the Act has been or is being committed or in respect of which the inspector suspects on reasonable grounds that an offence has been or is being committed or that the inspector believes will afford evidence as to the commission of that offence;
- (j) remove any marine product or any apparatus seized by the inspector under the Act from the place where it was seized to such place as the inspector determines, or may allow that marine product or apparatus to remain at the place of seizure and in the latter case make such arrangements as the inspector considers necessary to protect it;
- (k) call to the inspector's aid—

- (i) another inspector or a police officer in a case where the inspector is obstructed or has reasonable grounds to believe that the inspector will be obstructed in the exercise of the inspector's powers or the performance of the inspector's functions and duties;
  - (ii) a person who the inspector thinks is competent to assist the inspector in the exercise of the inspector's powers or the performance of the inspector's functions and duties;
- (l) use such force as is reasonably necessary in the exercise of the powers or the performance of the functions and duties conferred or imposed upon the inspector by the Act;
- (m) by notice in writing, require—
  - (i) any person found by the inspector in possession of any apparatus or marine product that the inspector is, under the Act, authorised to seize, to deliver the same to the inspector or to a third person specified in the notice at the place and within the time specified therein;
  - (ii) the holder of a permit or other authority under the Act to notify the inspector forthwith upon that holder's arrival in the port specified in the notice and of all marine products in the holder's possession;
  - (iii) the holder of a permit or other authority under the Act upon the notification referred to in subparagraph (ii) being given, to produce for inspection by the inspector or a third person specified in the notice such marine products notified as being in the holder's possession as are specified in the notice.
- (2) For the purposes of gaining entry to any place in the marine park an inspector may call to the inspector's aid such persons as the inspector thinks necessary and those persons, while acting in aid of an inspector in the lawful exercise by the inspector of the inspector's power of entry, shall have a like power of entry.

- (3) Where an inspector makes any requirement of a person in pursuance of section 38(1) or (2) the inspector must, if required by that person, produce his or her identity card for inspection by that person.
- (4) A person is not obliged under the Act to answer any question or give any information or evidence tending to incriminate the person.

### **39 Report by inspector**

Upon the seizure or detention of any marine product or apparatus by an inspector, the inspector must within 14 days submit a written report to the chief executive setting out—

- (a) the circumstances of the seizure or detention;
- (b) the arrangements made by the inspector for the temporary safe keeping or protection of the marine product or apparatus so detained or seized.

### **40 Return of marine products or apparatus**

A marine product or apparatus which has been seized or detained by an inspector must be returned, where practicable, to the person to whom it was taken within 12 months from the date of such seizure or detention except where such marine product or apparatus—

- (a) is required by the chief executive for any proceeding for an offence against the Act which is not finally determined, in which case, but subject always to paragraph (b), it shall be returned within 30 days of the final determination of such proceedings; or
- (b) is forfeited in accordance with the provisions of the Act or a zoning plan.

## **Part 8                      Miscellaneous**

### **42            Offences and penalties**

- (1) A person who contravenes or fails to comply with any provision of this regulation commits an offence against this regulation.
- (2) A person who—
  - (a) fails to do that which the person is directed or required to do; or
  - (b) does that which the person is forbidden to do;by a person acting under the authority of this regulation commits an offence against this regulation.
- (3) A person who fails to comply with a condition imposed on him or her by the chief executive, being a condition to which the grant of a permission under this regulation was made subject, commits an offence against this regulation.
- (4) A person who commits an offence against this regulation is liable to a penalty not exceeding 100 penalty units.

### **43            Liability for offences**

If, by the use of a vessel or aircraft, an offence is committed against any section, each of the following persons commits the offence and punishable accordingly, whether or not the person did the act that constitutes the offence—

- (a) the master or other person in charge of the vessel, or the person in charge of the aircraft, at the time the offence is committed;
- (b) the owner of the vessel or aircraft (including each person who is co-owner of, or an owner of any part or share in, the vessel or aircraft) at the time the offence is committed.

### **44            Giving of notices**

Without prejudice to any other method of giving notice, the chief executive may give a notice to a person by sending the

notice by post addressed to the person at his or her last known place of residence or business.

## Part 9

# Transitional provisions for Marine Parks and Other Legislation Amendment and Repeal Regulation (No. ..) 2004

### 44A Definitions for pt 9

In this part—

***amendment regulation*** means the *Marine Parks and Other Legislation Amendment and Repeal Regulation (No. ..) 2004*.

***commencement*** means the commencement of section 44B.

***GBR Coast Zoning Plan*** means the *Marine Parks (Great Barrier Reef Coast) Zoning Plan 2004*.

***pre-amalgamation marine park*** means each of the following—

- (a) Mackay/Capricorn Marine Park;
- (b) Townsville/Whitsunday Marine Park;
- (c) Cairns Marine Park;
- (d) Trinity Inlet/Marlin Coast Marine Park;
- (e) GBR Coast Marine Park (interim).

***relevant permission*** means a permission that relates to an area within a pre-amalgamation marine park.

***relevant zone***, for an area, means the zone within the GBR Coast Marine Park that the area is in immediately after the commencement.

***unamended regulation*** means this regulation as in force before the commencement.

**44B Continuing effect of relevant permissions**

- (1) This section applies to a relevant permission in force immediately before the commencement.
- (2) The permission continues in effect—
  - (a) as if it was granted for the GBR Coast Marine Park; and
  - (b) as if it authorises the activities for which it was granted—
    - (i) in the area stated on the permission; and
    - (ii) subject to the condition that the permission does not authorise a person to enter or use a part of the GBR Coast Marine Park for a purpose if the GBR Coast Zoning Plan does not authorise the chief executive to grant a person a permission to enter or use the part of the marine park for the purpose; and
  - (c) as if a reference in the permission to a zone of a pre-amalgamation marine park were a reference to the relevant zone for the area stated on the permission.
- (3) Subsection (2) has effect in relation to the permission only for the term of the permission.

**44C Applications in progress for permissions**

- (1) This section applies to an application for a permission to carry out an activity in an area within a pre-amalgamation marine park if the application is not finally decided before the commencement.
- (2) The application is taken to have been refused if, under the GBR Coast Zoning Plan, the chief executive is not authorised to grant a permission for the activity for the relevant zone for the area.
- (3) The application is taken to have been withdrawn if a person may, under the GBR Coast Zoning Plan, enter or use the relevant zone for the area to carry out the activity without permission.
- (4) If the application is not an application to which subsection (2) or (3) applies, the application is taken to be an application for



a permission to enter or use the same area within the relevant zone for the area to carry out the activity.

**44D Particular previously authorised conduct still authorised—first 120 days after commencement**

- (1) This section applies if—
  - (a) immediately before the commencement, a person was authorised to enter or use an area within the GBR Coast Marine Park for a purpose without permission; and
  - (b) immediately after the commencement, the person requires a permission to enter or use the area for the purpose; and
  - (c) the purpose does not involve fishing or collecting of a type for which a permission is required for the area, after the commencement.
- (2) The person may, without a permission, continue to enter or use the area for the purpose.
- (3) Subsection (2) has effect only for the first 120 days after the commencement.
- (4) In this section—

*fishing or collecting* has the meaning given by the *Great Barrier Reef Marine Park Zoning Plan 2003* (Cwlth).

**44E Particular previously authorised conduct still authorised—after first 120 days after commencement**

- (1) This section applies if—
  - (a) immediately before the commencement, a person was authorised to enter or use an area within the GBR Coast Marine Park for a purpose without permission; and
  - (b) immediately after the commencement, the person requires a permission to enter or use the area for the purpose; and
  - (c) the person applies, under part 3, for a permission to enter or use the area for the purpose during the first 120 days after the commencement; and

- (d) the person has complied with any requirements in relation to the application for the permission under part 3 or the GBR Coast Zoning Plan, part 6;<sup>11</sup> and
  - (e) the application for the permission has not been withdrawn and has not lapsed; and
  - (f) the chief executive has not granted or refused to grant the permission.
- (2) The person may, without a permission, continue to enter or use the area for the purpose after the 120 days expire.
- (3) Subsection (2) has effect until the chief executive grants or refuses to grant the permission.

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11 GBR Coast Zoning Plan, part 6 (Requirements for particular applications for permissions)

## **Schedule 1      Fees for assessment of application for permission to carry out tourism activity**

section 5(1) and (4)

### **Part A**

	\$
1    Activity that requires the use of an aircraft or vessel with a capacity of—	
(a)   1–24 passengers . . . . .	440.00
(b)   25–50 passengers . . . . .	640.00
(c)   51–100 passengers . . . . .	1 150.00
(d)   101–150 passengers . . . . .	1 920.00
(e)   151 or more passengers. . . . .	3 200.00
2    Activity that requires the use of a facility or structure in a marine park . . . . .	1 400.00
3    Activity not mentioned in item 1 or 2 . . . . .	440.00

### **Part B**

	\$
4    Activity for which—	
(a)   public notice is required to be given. . . . .	5 120.00
(b)   an environmental impact statement must be prepared	
(i)   for an activity in the GBR Coast Marine Park .	69 130.00
(ii)   for an activity in another marine park. . . . .	25 600.00

## **Schedule 2      Fees for assessment of application for continuation of permission to carry out tourism activity**

section 5(1) and (4)

### **Part A**

	\$
1    Activity that requires the use of an aircraft or vessel with a capacity of—	
(a)    1–24 passengers . . . . .	440.00
(b)    25–50 passengers . . . . .	510.00
(c)    51–100 passengers . . . . .	700.00
(d)    101–150 passengers . . . . .	1 020.00
(e)    151 or more passengers. . . . .	1 280.00
Activity that requires the use of a facility or structure in a marine park . . . . .	1 400.00
3    Activity not mentioned in item 1 or 2 . . . . .	440.00

### **Part B**

	\$
4    Activity for which—	
(a)    public notice is required to be given. . . . .	1 920.00
(b)    an environmental impact statement must be prepared . . . . .	3 200.00

**Schedule 3      Fees for permission, or  
continuation of permission, to  
carry out a commercial whale  
watching program**

section 5(3)

		\$
1	Permit for vessel with a length of—	
	(a) 15m or less . . . . .	558.00
	(b) more than 15m but not more than 20m . . . . .	893.00
	(c) more than 20m . . . . .	1 674.00
2	Daily fee for each passenger—	
	(a) passenger less than 5 years . . . . .	nil
	(b) passenger 5 years or more but less than 15 years . . .	1.35
	(c) passenger 15 years or more . . . . .	2.55

## **Schedule 4      Areas declared to be marine parks**

sections 5B and 5D

### **Part 1                      Moreton Bay Marine Park**

#### **1           Name of marine park**

The name Moreton Bay Marine Park is assigned to the area set apart and declared as a marine park in section 2.

#### **2           Area declared to be marine park**

- (1) The area of tidal waters and tidal land (other than freehold tidal land) enclosed by the boundary that—
  - (a) starts at the most easterly point of H.A.T. level at Caloundra Head; and
  - (b) then runs in a generally south-easterly direction along a geodesic that is tangential to, and connects with, an arc of 3n miles radius from 26°58.80' south, 153°29.00' east (Flinders Reef), at a point on the arc generally north-east of its centre; and
  - (c) then runs in a generally south-easterly and then generally southerly direction along the arc to the parallel of latitude 26°58.80' south (the most easterly point of the arc); and
  - (d) then runs in a generally southerly direction along a geodesic to a point 3n miles east of the most easterly point of North Stradbroke Island; and
  - (e) then runs in a generally southerly direction along a line 3n miles seaward of the eastern side of North Stradbroke Island and South Stradbroke Island to a point 3n miles east of the most easterly point of the Gold Coast Seaway rock wall on South Stradbroke Island; and

**Schedule 4 (continued)**

- (f) then runs in a westerly direction along the parallel of latitude to the most easterly point of the H.A.T. line on the Gold Coast Seaway rock wall on South Stradbroke Island; and
- (g) then runs in a generally westerly and then generally north-westerly direction along the H.A.T. line along the southern edge of the rock wall to the intersection of the H.A.T. line by the 27°56.00' south parallel of latitude on the western side of South Stradbroke Island; and
- (h) then runs in a westerly direction along the parallel of latitude to the point where it intersects the 153°25.15' east meridian; and
- (i) then runs in a generally northerly direction along successive geodesics that run in turn to each of the following points—
  - (i) 27°55.08' south, 153°24.73' east;
  - (ii) 27°53.79' south, 153°24.22' east;
  - (iii) 27°53.12' south, 153°24.33' east;
  - (iv) 27°52.77' south, 153°24.55' east;
  - (v) 27°52.59' south, 153°24.73' east;
  - (vi) 27°51.98' south, 153°24.54' east; and
- (j) then runs in a generally south-westerly direction along successive geodesics that run in turn to each of the following points—
  - (i) 27°52.13' south, 153°23.91' east;
  - (ii) 27°52.45' south, 153°23.72' east;
  - (iii) 27°52.60' south, 153°23.56' east;
  - (iv) 27°52.64' south, 153°23.37' east;
  - (v) 27°52.69' south, 153°23.14' east; and
- (k) then runs in a generally south-westerly direction along a geodesic to the point 27°52.85' south, 153°22.93' east, under the bridge linking Jabiru Island to Oxley Drive, Paradise Point; and

**Schedule 4 (continued)**

- (l) then runs in a generally southerly direction along successive geodesics that run in turn to each of the following points—
  - (i) 27°52.97' south, 153°22.90' east;
  - (ii) 27°53.31' south, 153°22.88' east; and
- (m) then runs in a generally southerly direction along a geodesic to the point on the eastern bank of Coombabah Creek at which the H.A.T. line is intersected by an imaginary extension of the northern property boundary of lot 7V on W311837 (Daisy Elms Park); and
- (n) then runs in a generally south-westerly direction along the H.A.T. line along the south-eastern bank of Coombabah Creek and Coombabah Lake to the intersection of the H.A.T. line by the north-eastern side of the Gold Coast Highway bridge spanning Coombabah Creek at Helensvale; and
- (o) then runs in a generally north-westerly direction along the north-eastern side of the bridge to the intersection of the north-eastern side of the bridge by the H.A.T. line on the north-western bank of Coombabah Creek; and
- (p) then runs in a generally north-easterly direction along the H.A.T. line on the north-western side of Coombabah Lake and Coombabah Creek to the most easterly point of lot 65 on W3134, Helensvale; and
- (q) then runs in a generally westerly direction along a geodesic to the H.A.T. line at the most southerly point of lot 322 on RP81555; and
- (r) then runs in a generally north-easterly and then generally northerly direction along the H.A.T. line to the most north-easterly point of the H.A.T. line on the south bank of Hope Harbour in the vicinity of Boykambil, Hope Island; and
- (s) then runs in a generally northerly direction along successive geodesics that run in turn to each of the following points—
  - (i) 27°52.15' south, 153°22.84' east;



**Schedule 4 (continued)**

- (ii) 27°51.70' south, 153°22.85' east;
  - (iii) 27°51.56' south, 153°22.76' east;
  - (iv) 27°51.39' south, 153°22.60' east;
  - (v) 27°51.31' south, 153°22.12' east;
  - (vi) 27°51.12' south, 153°21.83' east; and
  - (t) then runs in a generally north-westerly direction along a geodesic that passes through the most westerly point of the boundary of lot 2 on RP50850 to the intersection of the geodesic by the H.A.T. line on the north bank of the north branch of the Coomera River; and
  - (u) then runs in a generally easterly and then generally northerly direction along the H.A.T. line to the point where the boundary started.
- (2) However, the area does not include the following non-freehold tidal waters and tidal land—
- (a) in the vicinity of Jabiru Island—the bridge that connects Broadwater Avenue and Oxley Drive to Jabiru Island;
  - (b) in the vicinity of the unnamed creek immediately south of Hope Harbour—all areas upstream from the eastern side of the Boykambil Esplanade road crossing;
  - (c) in the vicinity of the Pimpama River—all areas upstream from the eastern side of the Kerkin Road crossing;
  - (d) in the vicinity of Behm Creek—all areas upstream from the eastern side of the Stapylton-Jacobs Well Road crossing;
  - (e) in the vicinity of Logan River—all areas upstream from a geodesic drawn between the most easterly point of the boundary of lot 94 on S31102 and a point on the H.A.T. line on the south-eastern bank of Logan River south-east (at a bearing of 135°) of the most easterly point of the boundary of lot 94 on S31102;
  - (f) in the vicinity of Weinam Creek—the area of Special Lease No. 50765A over lot 200 on SL12672;

**Schedule 4 (continued)**

- (g) in the vicinity of Moogurrapum Creek—all areas upstream from a geodesic drawn between the most southerly point of lot 101 on RP887472 and the most westerly point of lot 992 on RP894060;
- (h) in the vicinity of Eprapah Creek—all areas upstream from the north-eastern side of the Cleveland-Redland Bay Road crossing;
- (i) in the vicinity of Toondah Harbour—lot 19 on CP904126;
- (j) in the vicinity of Ross Canal, Raby Bay—all areas landward of a geodesic drawn between the most north-easterly point of the H.A.T. line on the western side of the mouth of Ross Canal and the most north-westerly point of the H.A.T. line on the eastern side of the mouth of Ross Canal;
- (k) in the vicinity of Endeavour Canal, Raby Bay—all areas landward of a geodesic drawn between the most north-easterly point of the H.A.T. line on the western side of the mouth of Endeavour Canal and the most north-westerly point of the H.A.T. line on the eastern side of the mouth of Endeavour Canal;
- (l) in the vicinity of Hilliards Creek—all areas upstream from a geodesic drawn between the most southerly point of lot 3 on RP 219149 and the most westerly point of lot 2 on RP165282;
- (m) in the vicinity of Wood Canal, Birkdale—all areas upstream from a geodesic drawn between the most easterly point of the H.A.T. line on the western side of the mouth of Wood Canal and the most westerly point of the H.A.T. line on the eastern side of the mouth of Wood Canal;
- (n) in the vicinity of Tingalpa Creek—all areas upstream from the north-eastern side of the Brisbane to Cleveland railway line crossing;
- (o) in the vicinity of Lota Creek—all areas upstream from the eastern side of the Brisbane to Cleveland railway line crossing;

**Schedule 4 (continued)**

- (p) in the vicinity of Manly Boat Harbour—all areas landward of a geodesic drawn between the most easterly point of the H.A.T. line on the rock wall forming the northern side of the entrance to Manly Boat Harbour and the most northerly point of the H.A.T. line on the rock wall forming the southern side of the entrance to Manly Boat Harbour;
- (q) in the vicinity of Fisherman Islands and Brisbane River—all areas landward of the boundary that—
  - (i) starts at the most easterly point of the H.A.T. line on the existing Fisherman Islands rock wall; and
  - (ii) then runs in a generally north-easterly direction to the point 27°21.27' south, 153°12.07' east; and
  - (iii) then runs in a generally north-westerly direction along a geodesic to the point 27°20.68' south, 153°11.00' east, on the north-western side of the Brisbane River Entrance Channel; and
  - (iv) then runs in a generally south-westerly direction along a geodesic to the most easterly end of the northern boundary of lot 41 on SL482 in the vicinity of Luggage Point;
- (r) in the vicinity of Luggage Point—lot 41 on SL482;
- (s) in the vicinity of Jubilee Creek—lot 52 on SL3587;
- (t) in the vicinity of the Brisbane Airport proposed cross-runway extension—all areas landward of the boundary that—
  - (i) starts on the H.A.T. line at the intersection of the H.A.T. line with the meridian 153°07.56' east; and
  - (ii) then runs in a generally north-westerly direction along a geodesic to the point 27°20.55' south, 153°06.91' east; and
  - (iii) then runs in a generally south-westerly direction along a geodesic to the point 27°20.74' south, 153°06.56' east; and

**Schedule 4 (continued)**

- (iv) then runs in a generally south-easterly direction along a geodesic to the point of intersection between the H.A.T. line and the meridian  $153^{\circ}06.88'$  east;
- (u) in the vicinity of Shultz Canal (Kedron Brook Floodway), Brisbane Airport—all areas upstream from a geodesic drawn between the most easterly point of the H.A.T. line on the western side of the mouth of Shultz Canal and the most northerly point of the H.A.T. line in the vicinity of Jacksons Creek on the eastern side of the mouth of Shultz Canal;
- (v) in the vicinity of Nundah Creek—all areas upstream from the northern side of the Gateway Arterial Road crossing;
- (w) in the vicinity of Cabbage Tree Creek—all areas upstream of the boundary that—
  - (i) starts on the H.A.T. line at Shorncliffe, in the vicinity of Baxters Jetty, at the intersection of the H.A.T. line by an imaginary extension of the south-western side of Sunday Street, Shorncliffe; and
  - (ii) then runs in a generally south-easterly direction along a geodesic that forms a continuation of the imaginary extension of the south-western side of Sunday Street, to the mid channel line of Cabbage Tree Creek; and
  - (iii) then runs in a generally south-westerly direction along the mid channel line to the point of juncture of the mid channel line with the mid channel line of Nundah Creek; and
  - (iv) then runs in a generally south-westerly direction along a geodesic to the most northerly point of the H.A.T. line in the vicinity of the juncture of the south bank of Cabbage Tree Creek and the south-western bank of Nundah Creek;
- (x) in the vicinity of Bald Hills Creek—all areas upstream from a geodesic formed by an imaginary extension of

**Schedule 4 (continued)**

the south-western property boundary of lot 232 on SL3085 in a generally south-easterly direction to the H.A.T. line on the eastern bank of Bald Hills Creek;

- (y) in the vicinity of Pine River—all areas upstream from a line 50m downstream from, and parallel to, the eastern side of the Bruce Highway (Gympie Arterial Road) crossing;
- (z) the 2 bridges in the vicinity of Hays Inlet that connect Clontarf and Brighton;
- (za) in the vicinity of Hays Inlet—all areas upstream from the eastern side of the Anzac Avenue road crossing;
- (zb) in the vicinity of Scarborough Boat Harbour—all areas landward of a geodesic drawn between the most easterly point of the H.A.T. line on the rock wall forming the northern side of the entrance to Scarborough Boat Harbour and the most westerly point of the H.A.T. line on the rock wall forming the southern side of the entrance to Scarborough Boat Harbour;
- (zc) in the vicinity of Newport Waterways Canal Estate—all areas upstream from a geodesic drawn between the most northerly point of the H.A.T. line on the western side of the mouth of Albatross Canal and the most north-westerly point of the H.A.T. line on the eastern side of the mouth of Albatross Canal;
- (zd) in the vicinity of the Little Burpengary Creek—all areas upstream from a geodesic formed by an imaginary extension of the northern property boundary of lot 31 on RP133297 in a generally westerly direction to the H.A.T. line on the western bank of Little Burpengary Creek;
- (ze) in the vicinity of the Burpengary Creek—all areas upstream from a geodesic formed by an imaginary extension of the eastern property boundary of lot 1 on RP51144 in a generally northerly direction to the H.A.T. line on the northern bank of Burpengary Creek;
- (zf) in the vicinity of the Caboolture River—all areas upstream from a geodesic formed by an imaginary

**Schedule 4 (continued)**

extension of the north-eastern property boundary of lot 24 on S31125 in a generally north-westerly direction to the H.A.T. line on the northern bank of Caboolture River;

- (zg) in the vicinity of King Johns Creek—all areas upstream from the south-western side of the Beachmere Road;
  - (zh) the bridge that connects Benabrow Avenue, Bellara, Bribie Island to the Caboolture-Bribie Island Road at Toorbul;
  - (zi) in the vicinity of the western branch of Bells Creek—all areas upstream of the western branch of Bells Creek from the parallel of latitude that passes through the most northerly point of lot 10 on RP812042, west of the most northerly point of lot 10 on RP812042;
  - (zj) in the vicinity of the northern branch of Bells Creek—all areas upstream from a geodesic formed by an imaginary extension of the northern property boundary of lot 14 on RP857217 in a generally westerly direction to the H.A.T. line on the western bank of the creek;
  - (zk) in the vicinity of Lamerough Creek, Golden Beach—all areas upstream from the eastern side of Landsborough Parade;
  - (zl) in the vicinity of Dux Creek—all areas upstream from a geodesic drawn between the most southerly point of the H.A.T. line on the northern side of the mouth of Dux Creek and the most westerly point of the H.A.T. line on the southern side of the mouth of Dux Creek;
  - (zm) in the vicinity of Newport Waterways—lots 11, 31 and 41 on SP175931.
- (3) Also, the area includes the following freehold tidal waters and tidal land—
- (a) all tidal waters and tidal land of lot 212 on WD5230 and lot 4 on RP841229 (Phil Hill Environmental Park);
  - (b) in the vicinity of Behm Creek—all tidal waters and tidal land of lot 495 on W311031 and lot 258 on WD943;

**Schedule 4 (continued)**

- (c) all tidal waters and tidal land of lot 4 on RP184503 (Point Halloran Conservation Area);
- (d) all tidal waters and tidal land of R244 (Geoff Skinner Reserve);
- (e) in the vicinity of Glass Mountain Creek—all tidal lands and tidal waters of lot 24 on C31539, lot 2 on RP93905, lot 26 on C31778 and lot 35 on C311542.

## **Part 2                      Trinity Inlet/Marlin Coast Marine Park**

### **3            Name of marine park**

Trinity Inlet/Marlin Coast Marine Park.

### **4            Area of marine park**

The Trinity Inlet/Marlin Coast Marine Park consists of the tidal waters and tidal land within the boundaries of the management areas described in sections 5 to 7, but does not include—

- (a) protected areas dedicated or declared under the *Nature Conservation Act 1992*; and
- (b) alienated tidal land, other than alienated tidal land mentioned in this part.

## Schedule 4 (continued)

**5 Trinity Inlet management area**

- (1) The Trinity Inlet management area consists of—
  - (a) the Trinity Inlet fish habitat area<sup>12</sup> as it was immediately before the commencement of the *Marine Parks (Trinity Inlet/Marlin Coast) Zoning Plan 2001*, section 9; and
  - (b) Ellie Point sand reserve, the boundary of which—
    - (i) starts at the H.A.T. line on the right bank of the Barron River at the point 16°52' south and 145°46' east; and
    - (ii) then runs along the geodesic line towards the most northerly point of False Cape until the intersection with the L.A.T line on the western side of Trinity Inlet; and
    - (iii) then runs in a southerly direction along the L.A.T. line to a point due east of Ellie Point; and
    - (iv) then runs due west to Ellie Point; and
    - (v) then runs from Ellie Point to the south eastern corner of lot 51 on plan NR3159; and
    - (vi) then follows the eastern boundary of lot 51 on plan NR3159 to the point where the boundary started.
- (2) The Trinity Inlet management area includes the alienated tidal land within the following—
  - (a) lots 1 to 4 on plan C19823;
  - (b) lot 92 on plan NR3051;
  - (c) lot 146 on plan NR7874;
  - (d) lot 151 on plan NR4172;
  - (e) the part of lot 1 on RP736304 within the Trinity Inlet fish habitat area.

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12 See the *Fisheries Regulation 1995*, schedule 7, section 71 (Trinity Inlet) and plan FHA-003.

*Fisheries Regulation 1995*, schedule 7, section 71 was renumbered as schedule 7, section 68 under the *Fisheries Amendment Regulation (No. 4) 2003*, s 22(3).



**Schedule 4 (continued)**

- (3) The Trinity Inlet management area does not include the following—
- (a) the area within 10m either side of the centre-line of the vehicular track that traverses lot 151 on plan NR4172 to Swallows Landing;
  - (b) 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;
  - (c) the sand stockpile area on lot 1 on RP736304.

**6 Marlin Coast management area**

- (1) The Marlin Coast management area consists of—
- (a) the Marlin Coast between White Cliffs and the Barron River, the boundary of which—
    - (i) starts at the most easterly point on the mainland at the right bank of the mouth of the Barron River at the H.A.T. line; and
    - (ii) then runs in a north-easterly direction for approximately 10km until it reaches the point 16°48.5' south and 145°50.5' east; and
    - (iii) then runs in a north-westerly direction for approximately 5.5km until it reaches the point 16°47' south and 145°46' east; and
    - (iv) then runs along the 5km line in a generally northerly and north-westerly direction to its intersection with the 500m line around Korea Reef (16-080); and
    - (v) then follows the 500m line around Korea Reef in a south-westerly direction to the most southerly point of the 500m line; and
    - (vi) then runs in a generally westerly direction to the most southerly point of the 500m line around Yule Reef (16-081); and

**Schedule 4 (continued)**

- (vii) then runs in a south-westerly direction along the geodesic line to the H.A.T. line at the most easterly point of White Cliffs; and
  - (viii) then runs in a generally southerly and south-easterly direction along the H.A.T. line on the mainland to the point where the boundary started on the right bank of the Barron River; and
- (b) Half Moon Creek, the boundary of which—
- (i) starts on the right bank of the mouth of Half Moon Creek at the north eastern corner of lot 50 on plan USL9567; and
  - (ii) then runs along the eastern boundary of the lot in a southerly direction to the north-eastern corner of lot 34 on plan USL9567 where the boundaries of the 2 lots meet; and
  - (iii) then runs in a southerly and easterly direction along the eastern boundary of lot 34 on plan USL9567 to the north-eastern corner of lot 3 on plan USL9661; and
  - (iv) then runs in a southerly and westerly direction to the most northerly corner of lot 187 on plan NR6708; and
  - (v) then follows the eastern boundary of the lot in a southerly direction to the eastern boundary of lot 3 on plan USL9661; and
  - (vi) then runs in a southerly and westerly direction along the boundary of the lot to the eastern boundary of lot 188 on plan NR6708; and
  - (vii) then runs in a south-westerly direction along the eastern boundary of the lot to the southern boundary of lot 3 on plan USL9661; and
  - (viii) then runs in a westerly and northerly direction along the southern boundary of the lot to the south-eastern corner of lot 2 on plan USL9661; and

**Schedule 4 (continued)**

- (ix) then runs in a westerly and northerly direction along the southern boundary of the lot to the most westerly corner of lot 27 on plan USL9569; and
  - (x) then runs in a northerly and then south-easterly direction along the western boundary of the lot to the left bank of Half Moon Creek; and
  - (xi) then runs downstream along the left bank of Half Moon Creek to the creek mouth; and
  - (xii) then crosses the mouth of the creek to the point where the boundary started on the right bank of Half Moon Creek; and
- (c) Yorkeys Creek and Richters Creek, the boundary of which—
- (i) starts at the north-eastern corner of lot 105 on plan USL9612 at a point where the lot meets the esplanade and the H.A.T. line; and
  - (ii) then runs generally southerly following the seaward boundary to the south-eastern corner of the lot; and
  - (iii) then runs in a southerly direction to the mouth of Richters Creek; and
  - (iv) then follows the right bank of Richters Creek upstream to the south western corner of lot 121 on plan NR840892; and
  - (v) then follows the boundary of the lot in an easterly direction to the north-western corner of lot 235 on plan NR5479; and
  - (vi) then runs in a south-easterly direction along the boundary of the lot to a point where the south-eastern corner of the lot meets Acacia Street, Holloways Beach; and
  - (vii) then follows the south-western alignment of Acacia Street generally southerly to Poinsettia Street; and

**Schedule 4 (continued)**

- (viii) then runs in a southerly direction along Poinsettia Street to Casuarina Street; and
- (ix) then runs in a southerly direction along Casuarina Street to the south-eastern corner of lot 1 on plan USL9604; and
- (x) then runs in a westerly and northerly direction along the boundary of the lot to the boundary of lot 120 on CP857579; and
- (xi) then runs in a generally westerly direction around the boundary of the lot to the boundary of lot 115 on plan NR3359; and
- (xii) then runs in a southerly and westerly direction along the boundary of the lot to the right bank of Thomatis Creek; and
- (xiii) then runs in a north-easterly direction crossing Thomatis Creek to the left bank where the southern corner of lot 16 on plan USL9940 meets the creek; and
- (xiv) then follows the boundary of the lot in a north-westerly and easterly direction to the right bank of Richters Creek; and
- (xv) then crosses Richters Creek to the left bank; and
- (xvi) then follows the left bank of Richters Creek downstream to the northern boundary of lot 12 on plan USL9940; and
- (xvii) then runs easterly along the northern boundary of the lot to Richters Creek; and
- (xviii) then runs along the left bank of Richters Creek to the most southerly corner of lot 139 on plan NR3818; and
- (xix) then follows the western boundary of the lot in a northerly direction to lot 105 on plan USL9612; and
- (xx) then follows the western boundary of the lot to the point where the boundary started; and

**Schedule 4 (continued)**

- (d) Barr Creek, the boundary of which—
  - (i) starts at the right bank at the mouth of Barr Creek at the most north-easterly corner of lot 72 on RP714006; and
  - (ii) crosses Barr Creek to the north-western boundary of lot 2 on RP857530; and
  - (iii) then follows the boundary of the lot in a south-westerly direction to the eastern boundary of lot 49 on plan N157300; and
  - (iv) then runs in a southerly and easterly direction to the eastern boundary of lot 15 on plan USL9633; and
  - (v) then follows the south-eastern boundary of the lot to the south-eastern boundary of lot 147 on plan NR4789; and
  - (vi) then follows the boundary in a south westerly and northerly direction to the north-western boundary of lot 15 on plan USL9633; and
  - (vii) then follows the left bank to the mouth of Barr Creek; and
  - (viii) then runs in a southerly direction crossing the mouth of Barr Creek to the point where the boundary started; and
- (e) Barron River and Redden Creek, the boundary of which—
  - (i) starts at the most easterly point on the right bank of the mouth of the Barron River at the H.A.T. line; and
  - (ii) then follows the right bank of the Barron River upstream to a point 50m downstream from the Cook Highway bridge; and
  - (iii) then crosses the Barron River; and
  - (iv) then follows the left bank of the Barron River downstream to the left bank of Redden Creek; and

**Schedule 4 (continued)**

- (v) then follows the left bank of Redden Creek downstream to the mouth of the creek; and
  - (vi) then runs due south to the right bank of Redden Creek; and
  - (vii) then follows the right bank of the creek upstream to its intersection with the Barron River; and
  - (viii) then runs downstream along the left bank of the Barron River to the mouth of the Barron River; and
  - (ix) then runs in a south-easterly direction crossing the Barron River to the point where the boundary started on the right bank of the river.
- (2) The Marlin Coast management area does not include the tidal waters and tidal land of the rivers, creeks and streams within its boundaries other than the tidal waters and tidal land of Half Moon Creek, Yorkeys Creek, Richters Creek, Barr Creek, Redden Creek and the Barron River mentioned in subsections (1)(b), (c), (d) and (e).

**7 Wonga Beach management area**

- (1) The Wonga Beach management area consists of—
- (a) the area between the Mossman River and a point on the mainland approximately 4km south of the mouth of the Daintree River, the boundary of which—
    - (i) starts at the H.A.T. line at the most north-easterly corner of lot 5 on USL8735 on the right bank at the mouth of the Mossman River; and
    - (ii) then runs due east along the geodesic line to the 5km line; and
    - (iii) then runs generally northerly, north-easterly and north-westerly along the 5km line to the point 16°20' south and 145°28' east; and
    - (iv) then runs along the geodesic line in a north-westerly direction to the H.A.T. line at the point 16°19' south and 145°24.5' east; and

**Schedule 4 (continued)**

- (v) then runs generally southerly, south-easterly and south-westerly along the H.A.T line to the point where the boundary started on the right bank of the mouth of the Mossman River; and
- (b) Saltwater Creek, the boundary of which—
  - (i) starts at the south-eastern corner of lot 5 on plan SR906 at the H.A.T. line; and
  - (ii) then runs in a westerly and then northerly direction along the southern boundary of the lot to the right bank of Coop Creek; and
  - (iii) then runs in a northerly line across Coop Creek to the intersection of the left bank of Coop Creek and the southern boundary of lot 10 on plan N157233; and
  - (iv) then follows the southern boundary of the lot in an easterly direction to the southern boundary of lot 6 on plan SR412; and
  - (v) then follows the boundary of the lot to the south-eastern corner of lot 6 on RP712142; and
  - (vi) then runs in a northerly direction along the eastern boundary of the lot to the point on the right bank of Saltwater Creek directly east of the point where the anabranch diverges; and
  - (vii) then runs north across Saltwater Creek to the left bank; and
  - (viii) then runs downstream along the left bank of Saltwater Creek to the boundary of lot 1 on plan USL8767; and
  - (ix) then runs in a clockwise direction around the northern boundary of the lot to the boundary of lot 1 on plan USL8674; and
  - (x) then runs westerly along the northern boundary of the lot to the meridian of longitude 145° 24.5' east; and

**Schedule 4 (continued)**

- (xi) then runs north along the meridian to the southern boundary of lot 42 on plan SR6; and
- (xii) then runs east then north along the eastern boundary to the north-eastern corner of the lot; and
- (xiii) then runs due east to the H.A.T. line; and
- (xiv) then runs in a southerly direction along the H.A.T. line to the left bank of the mouth of Saltwater Creek; and
- (xv) then crosses Saltwater Creek and follows the H.A.T. line to the point where the boundary started; and
- (c) the Mossman River, the boundary of which—
  - (i) starts at the most easterly intersection of the mainland at the H.A.T. line with the most north-easterly corner of lot 5 on plan USL8735 on the right bank of the mouth of the Mossman River; and
  - (ii) then runs upstream along the right bank of the Mossman River, following the northern, western and southern boundaries of lot 5 on plan USL8735 to a point where the lot meets lot 1 on plan C9641; and
  - (iii) then runs in a south-easterly direction around the boundary of the lot to the most north-westerly corner of lot 3 on plan C9641; and
  - (iv) then runs in a southerly direction along the western boundary of the lot and the adjoining lots 4, 5, 6, 7, 8 and 9 on plan C9641 to the most south-westerly corner of lot 9 on plan C9641; and
  - (v) then runs in a straight line to the north-eastern corner of lot 1 on RP720137; and
  - (vi) then runs in a south-westerly direction along the northern boundary of the lot to the north-eastern corner of lot 11 on RP709171; and



**Schedule 4 (continued)**

- (vii) then runs in a south-westerly direction along the northern boundary of the lot and the adjoining lot to the west to the most north-easterly corner of lot 12 on RP709171; and
- (viii) then runs in a south-westerly direction along the northern boundary of the lot to its most north-westerly corner; and
- (ix) then runs in a straight line to the most north-easterly corner of lot 265 on plan N15783; and
- (x) then follows the northern and then the eastern boundary of the lot to its most south-westerly corner; and
- (xi) then runs in a southerly direction to the north-eastern corner of lot 1 on plan RL1156 where it meets the south-western corner of lot 4 on plan T4371; and
- (xii) then runs in a westerly direction along the northern boundary of lot 1 on plan RL1156 to the most north-westerly corner of the lot; and
- (xiii) then crosses the Mossman River to the most south-easterly corner of lot 5 on RP711228 on the left bank of the river; and
- (xiv) then runs in a northerly direction along the eastern boundary of the lot to the southern boundary of lot 7 on RP715390; and
- (xv) then runs in an easterly and northerly direction along the southern and eastern boundary of the lot to the most south-westerly corner of lot 1 on plan USL8787; and
- (xvi) then runs in a generally easterly direction along the boundary of the lot to the south-western corner of lot 382 on plan SR864; and
- (xvii) then runs in an easterly direction along the southern boundary of the lot; and

**Schedule 4 (continued)**

- (xviii) then runs in a straight line to the mouth of the Mossman River; and
  - (xix) then runs due south crossing the mouth of the river to the point where the boundary started on the right bank.
- (2) The Wonga Beach management area does not include the tidal waters and tidal land of the rivers, creeks and streams within its boundaries, other than the tidal waters and tidal land of Saltwater Creek and the Mossman River mentioned in subsection (1)(b) and (c).

## **Part 3                      Great Barrier Reef Coast Marine Park (interim)**

### **8            Name of marine park**

Great Barrier Reef Coast Marine Park (interim).

### **9            Area of marine park**

- (1) The Great Barrier Reef Coast Marine Park (interim) consists of tidal waters and tidal land within the following areas—
- (a) Mackay/Capricorn Management Area;
  - (b) Townsville/Whitsunday Management Area;
  - (c) Cairns/Cooktown Management Area;
  - (d) Far Northern Management Area;
  - (e) Outer Islands Management Area.
- (2) However, the Great Barrier Reef Coast Marine Park (interim) does not include the following—
- (a) freehold tidal waters and tidal land;
  - (b) tidal waters and tidal land the subject of a lease under the *Land Act 1994* that is granted in perpetuity;

**Schedule 4 (continued)**

- (c) tidal waters and tidal land within any of the following—
  - (i) Mackay/Capricorn Marine Park;
  - (ii) Townsville/Whitsunday Marine Park;
  - (iii) Cairns Marine Park;
  - (iv) Trinity Inlet/Marlin Coast Marine Park;
- (d) an area that was a protected area under the *Nature Conservation Act 1992* immediately before the commencement of this part.

## **Schedule 5      Great Barrier Reef Coast Marine Park**

section 5E

### **1      Description of area of marine park**

- (1) The Great Barrier Reef Coast Marine Park consists of tidal waters and tidal land within the following areas—
  - (a) Mackay/Capricorn Management Area;
  - (b) Townsville/Whitsunday Management Area;
  - (c) Cairns/Cooktown Management Area;
  - (d) Far Northern Management Area;
  - (e) Outer Islands Management Area.
- (2) However, the Great Barrier Reef Coast Marine Park does not include—
  - (a) freehold tidal waters and tidal land, other than the part of lot 1 on RP736304 that is within the Trinity Inlet fish habitat area;
  - (b) tidal waters and tidal land the subject of a lease under the *Land Act 1994* that is granted in perpetuity;
  - (c) an area that was a protected area under the *Nature Conservation Act 1992* immediately before the commencement of this schedule.

## **Schedule 6      Mackay/Capricorn Management Area**

section 2, definition *Mackay/Capricorn Management Area*

### **1      Rodds Bay segment**

Tidal waters and tidal land within the following boundary—

- from where the mainland at high water intersects latitude 24°24.910' south<sup>13</sup>
- then generally northerly along the coastal line along the mainland to where it intersects latitude 24°25.904' south
- then generally northerly along the mainland at high water to the most eastern point where it intersects latitude 23°56.405' south<sup>14</sup>
- then easterly along a geodesic to the most northern point where the coastal 500m line around the mainland intersects the longitude that runs through the most northern point of Richards Point at low water
- then generally south-easterly along the coastal 500m line around the mainland to the most northern point where it intersects longitude 151°43.063' east<sup>15</sup>
- then north-easterly along a geodesic to the most western point where latitude 24°00.405' south intersects the coastal 500m line around the mainland<sup>16</sup>
- then generally north-easterly, south-easterly, north-easterly and south-easterly along the coastal 500m

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13 Latitude 24°24.910' south is the southern boundary of the Great Barrier Reef Region.

14 The most eastern point where the mainland at high water intersects latitude 23°56.405' south is near Canoe Point.

15 The most northern point where the coastal 500m line around the mainland intersects longitude 151°43.063' east is at Rodds Peninsula.

16 The most western point where latitude 24°00.405' south intersects the coastal 500m line around the mainland is on the western side of Clews Point.

**Schedule 6 (continued)**

line around the mainland to the most eastern point where it intersects latitude 24°01.285' south<sup>17</sup>

- then south-easterly along a geodesic to where the coastal 500m line around the mainland intersects the longitude that passes through the most northern point of Round Hill Head at low water
- then south-easterly along the coastal 500m line around the mainland to where it intersects latitude 24°25.904' south
- then east along latitude 24°25.904' south to where it intersects the coastal 5km line around the mainland
- then south-easterly along the coastal 5km line around the mainland to where it intersects latitude 24°24.910' south
- then west along latitude 24°24.910' south to where it intersects the mainland at high water.

**2 Keppel Bay segment**

Tidal waters and tidal lands within the following boundary—

- from where the eastern side of Facing Island at high water intersects latitude 23°52.525' south<sup>18</sup>
- then generally northerly along the coastal line along Facing Island to the most western point where it intersects longitude 151°20.063' east<sup>19</sup>

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17 The most eastern point where the coastal 500m line around the mainland intersects latitude 24°01.285' south is just east of Bustard Head.

18 The eastern side of Facing Island at high water intersects latitude 23°52.525' south near Settlement Point.

19 The most western point where the coastal line along Facing Island intersects longitude 151°20.063' east is near North Point.

**Schedule 6 (continued)**

- then generally westerly along a geodesic to the most eastern point of Curtis Island at H.A.T.<sup>20</sup>
- then generally northerly, westerly and southerly along Curtis Island at H.A.T. to where it intersects latitude 23°44.905' south
- then west along latitude 23°44.905' south to where it intersects Kangaroo Island at high water<sup>21</sup>
- then generally north-westerly along Kangaroo Island at high water to the most northern point where it intersects longitude 151°08.463' east
- then north-westerly along a geodesic to where latitude 23°42.405' south intersects the mainland at high water
- then north-westerly along the mainland at high water to where it intersects longitude 151°05.363' east on the southern bank of the Black Swan Creek
- then north along longitude 151°05.363' east to where it intersects the northern bank of the Black Swan Creek at high water
- then generally easterly and north-westerly along the mainland at high water to the most northern point where it intersects longitude 151°05.363' east
- then north-westerly along a geodesic to where latitude 23°38.705' south intersects the northern bank of Munduran Creek at high water<sup>22</sup>
- then generally north-westerly, northerly, north-westerly and south along the mainland at high water to where it

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20 The most eastern point of Curtis Island at H.A.T. is near Southend.

21 Latitude 23°44.905' south intersects Kangaroo Island at high water near Friend Point.

22 Latitude 23°38.705' south intersects the northern bank of Munduran Creek at high water near the mouth of the creek.

**Schedule 6 (continued)**

intersects the latitude that passes through the highest point of South Hill on Balaclava Island<sup>23</sup>

- then west along the latitude that passes through the highest point of South Hill on Balaclava Island, to the most eastern point where the latitude intersects Balaclava Island at high water
- then generally northerly and north-westerly along Balaclava Island at high water to where it intersects intersects longitude 150°55.863' east<sup>24</sup>
- then generally north-westerly along a geodesic to latitude 23°26.725' south, longitude 150°54.143' east
- then generally south-westerly along a geodesic to where the mainland at high water intersects latitude 23°28.905' south<sup>25</sup>
- then generally northerly along the coastal line along the mainland to where it intersects latitude 23°19.266' south<sup>26</sup>
- then northerly along a geodesic to where the mainland at high water intersects latitude 23°18.416' south<sup>27</sup>
- then generally northerly along the coastal line along the mainland to where it intersects latitude 23°12.416' south<sup>28</sup>

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23 The mainland at high water intersects the latitude that passes through the highest point of South Hill on Balaclava Island (approximately latitude 23°34.902' south) on the eastern bank of Conner Creek.

24 Balaclava Island at high water intersects longitude 150°55.863' east near Cardigan Point.

25 The mainland at high water intersects latitude 23°28.905' south near Cattle Point.

26 The coastal line along the mainland intersects latitude 23°19.266' south on the southern bank of the unnamed inlet at Keppel Sands, at approximately longitude 150°47.550' east.

27 The mainland at high water intersects latitude 23°18.416' south on the northern bank of the unnamed inlet at Keppel Sands, at approximately longitude 150°47.616' east.

28 The coastal line along the mainland intersects latitude 23°12.416' south on the southern bank of The Causeway at Shoal Bay, at approximately longitude 150°47.266' east.



**Schedule 6 (continued)**

- then north-easterly along a geodesic to where the mainland at high water intersects latitude 23°12.283' south<sup>29</sup>
- then generally northerly along the coastal line along the mainland to where it intersects latitude 23°09.805' south<sup>30</sup>
- then east along latitude 23°09.805' south to where it intersects longitude 150°48.063' east
- then north along longitude 150°48.063' east to where it intersects latitude 23°09.305' south
- then west along latitude 23°09.305' south to where it intersects the mainland at high water
- then generally northerly along the coastal line along the mainland to where it intersects latitude 23°08.208' south<sup>31</sup>
- then northerly along a geodesic to where the mainland at high water intersects latitude 23°08.208' south<sup>32</sup>
- then northerly along the coastal line along the mainland to where it intersects latitude 23°08.196' south<sup>33</sup>
- then east along latitude 23°08.196' south to where it intersects the coastal 20m line around the mainland
- then generally northerly along the coastal 20m line around the mainland to where it intersects latitude 23°06.234' south

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29 The mainland at high water intersects latitude 23°12.283' south on the northern bank of The Causeway at Shoal Bay, at approximately longitude 150°47.466' east.

30 The coastal line along the mainland intersects latitude 23°09.805' south on the southern boundary of the Rosslyn Bay Boat Harbour area.

31 The coastal line along the mainland intersects latitude 23°08.208' south on the southern side of Yeppoon Inlet (on Beak Bridge), at approximately longitude 150°45.090' east.

32 The mainland at high water intersects latitude 23°08.208' south on the northern side of Yeppoon Inlet, at approximately longitude 150°45.054' east.

33 The coastal line along the mainland intersects latitude 23°08.196' south on the south-eastern corner of lot 65 on plan LN2191 (Anzac Parade).

**Schedule 6 (continued)**

- then west along latitude 23°06.234' south to where it intersects the mainland at high water
- then generally northerly along the coastal line along the mainland to where it intersects latitude 22°59.905' south
- then generally northerly along the mainland at high water to where it intersects latitude 22°55.905' south<sup>34</sup>
- then generally south-easterly along a geodesic to the most northern point of the coastal 500m line around Conical Rocks
- then south-easterly along the coastal 500m line around Conical Rocks to its most eastern point
- then south-easterly along a geodesic to the most northern point of the coastal 500m line around Outer Rocks
- then south-easterly the coastal 500m line around Outer Rocks to its most eastern point
- then south-easterly along a geodesic to the most northern point of the coastal 500m line around The Child
- then generally south-easterly along a geodesic to the most eastern point of the coastal 500m line around The Child
- then south-easterly along a geodesic to the most northern point of the coastal 500m line around Egg Rock
- then south-easterly along the coastal 500m line around Egg Rock to its most eastern point
- then south-easterly along a geodesic to the most northern point where the coastal 500m line around Curtis Island intersects the longitude that passes through the most northern point of Cape Capricorn at low water

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34 The mainland at high water intersects latitude 22°55.905' south near Water Park Point.

**Schedule 6 (continued)**

- then south-easterly along the coastal 500m line around Curtis Island to the most eastern point where it intersects the latitude that passes through the most northern point of Cape Capricorn at low water
- then south-easterly along a geodesic to the most northern point of the coastal 500m line around Rundle Island
- then south-easterly along the coastal 500m line around Rundle Island to its most eastern point
- then southerly along a geodesic to where Facing Island at low water intersects longitude 151°20.063' east<sup>35</sup>
- then easterly along the latitude that passes through where Facing Island at low water intersects longitude 151°20.063' east, to where the latitude intersects the coastal 5km line around the mainland
- then generally south-easterly along the coastal 5km line around the mainland to where it intersects the geodesic that passes through the following points—
  - (a) where latitude 23°52.525' south intersects the eastern side of Facing Island at high water;<sup>36</sup>
  - (b) latitude 23°50.905' south, longitude 151°27.563' east
- then south-westerly along that geodesic to where latitude 23°52.525' south intersects the eastern side of Facing Island at high water.

**3 Broad Sound Segment**

Tidal waters and tidal land within the following boundary—

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35 Facing Island at low water intersects longitude 151°20.063' east near North Point.

36 Latitude 23°52.525' south intersects the eastern side of Facing Island at high water near Settlement point.

**Schedule 6 (continued)**

- from where latitude 22°55.905' south intersects the mainland at high water<sup>37</sup>
- then generally northerly along the coastal line along the mainland to where it intersects the north-western point of Inner Head<sup>38</sup>
- then northerly along a geodesic to the most southern point of Perforated Point at high water<sup>39</sup>
- then generally northerly along the coastal line along the mainland to where it intersects longitude 149°48.864' east<sup>40</sup>
- then south along longitude 149°48.864' east to where it intersects the mainland at H.A.T.
- then generally north-westerly along the mainland at H.A.T. to where it intersects latitude 22°09.906' south<sup>41</sup>
- then east along latitude 22°09.906' south to the most western point where it intersects the mainland at high water
- then generally northerly and north-westerly along the mainland at high water to the most eastern point where it intersects latitude 21°29.205' south
- then easterly along a geodesic to latitude 21°29.202' south, longitude 149°17.226' east
- then northerly along the relevant mangrove line to latitude 21°29.064' south, 149°17.046' east<sup>42</sup>

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37 Latitude 22°55.905' south intersects the mainland at high water near Water Park Point.

38 The coastal line along the mainland intersects the north-western point of Inner Head at approximately latitude 22°31.400' south, longitude 150°45.350' east.

39 The most southern point of Perforated Point is at approximately latitude 22°28.638' south, longitude 150°44.850' east.

40 The coastal line along the mainland intersects longitude 149°48.864' east near Charon Point.

41 The mainland at H.A.T. intersects latitude 22°09.906' south near Clairview Bluff.

42 Latitude 21°29.064' south, longitude 149°17.046' east is on the southern side of the unnamed inlet in southern Llewellyn Bay.

**Schedule 6 (continued)**

- then north along longitude 149°17.046' east to where it intersects latitude 21°28.554' south<sup>43</sup>
- then easterly along the relevant mangrove line to where the mainland at high water intersects longitude 149°17.406' east<sup>44</sup>
- then generally northerly along the coastal line along the mainland to where it intersects longitude 149°18.24' east<sup>45</sup>
- then generally westerly along the relevant mangrove line to latitude 21°24.106' south, longitude 149°17.064' east<sup>46</sup>
- then north-westerly along a geodesic to latitude 21°23.736' south, longitude 149°16.920' east<sup>47</sup>
- then generally northerly and easterly along the relevant mangrove line to where longitude 149°17.520' east intersects the mainland at high water on the northern side of Sarina Inlet
- then generally northerly along the coastal line along the mainland to where it intersects longitude 149°18.780' east<sup>48</sup>
- then westerly along a geodesic to where the mainland at high water intersects longitude 149°18.648' east<sup>49</sup>

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43 Longitude 149°17.046' east intersects latitude 21°28.554' south on the northern side of the unnamed inlet in southern Llewellyn Bay.

44 The mainland at high water intersects longitude 149°17.406' east at approximately latitude 21°28.494' south.

45 The coastal line along the mainland intersects longitude 149°18.24' east on the southern side of Sarina Inlet.

46 Latitude 21°24.106' south, longitude 149°17.064' east is on the southern side of Sarina Inlet.

47 Latitude 21°23.736' south, longitude 149°16.920' east is on the northern side of Sarina Inlet.

48 The coastal line along the mainland intersects longitude 149°18.780' east on the southern side of Castrades Inlet, at approximately latitude 21°22.362' south.

49 The mainland at high water intersects longitude 149°18.648' east on the northern side of Castrades Inlet, at approximately latitude 21°22.356' south.

**Schedule 6 (continued)**

- then generally northerly along the coastal line along the mainland to where it intersects latitude 21°20.366' south<sup>50</sup>
- then northerly along a geodesic to where the mainland at high water intersects latitude 21°20.346' south<sup>51</sup>
- then generally northerly along the coastal line along the mainland to where it intersects latitude 21°19.156' south<sup>52</sup>
- then northerly along a geodesic to where the mainland at high water intersects latitude 21°19.086' south<sup>53</sup>
- then generally northerly along the coastal line along the mainland to where it intersects latitude 21°17.982' south<sup>54</sup>
- then north-westerly along a geodesic to where the mainland at high water intersects latitude 21°17.940' south<sup>55</sup>
- then generally northerly along the coastal line along the mainland to where it intersects latitude 21°17.906' south
- then east along latitude 21°17.906' south to where it intersects the coastal 5km line around the mainland

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50 The coastal line along the mainland intersects latitude 21°20.366' south just north of Mick Ready Beach, at approximately longitude 149°17.748' east.

51 The mainland at high water intersects latitude 21°20.346' south just south of Point Vector, at approximately longitude 149°17.766' east.

52 The coastal line along the mainland intersects latitude 21°19.158' south on the southern side of Breens Creek at Salonika Beach, at approximately longitude 149°17.562' east.

53 The mainland at high water intersects latitude 21°19.086' south on the northern side of Breens Creek at Salonika Beach, at approximately longitude 149°17.574' east.

54 The coastal line along the mainland intersects latitude 21°17.982' south on the southern side of the unnamed inlet at Half Tide Beach, at approximately longitude 149°17.616' east.

55 The mainland at high water intersects latitude 21°17.940' south on the northern side of the unnamed inlet at Half Tide Beach, at approximately longitude 149°17.544' east.

**Schedule 6 (continued)**

- then southerly along the coastal 5km line around the mainland to where it intersects the geodesic that passes through the following points—
  - (i) where latitude 21°29.205' south intersects the mainland at high water;
  - (ii) the most western point of the coastal 500m line around Cullen Islet
- then north-easterly along that geodesic to the most western point of the coastal 500m line around Cullen Islet
- then north-easterly along the coastal 500m line around Cullen Islet to its most northern point
- then north-easterly along a geodesic to the most western point of the coastal 500m line around Prudhoe Island
- then north-westerly and south-westerly along the coastal 500m line around Prudhoe Island to its most eastern point
- then easterly along a geodesic to the most northern point of the coastal 500m line around Hotspur Island
- then easterly along a geodesic to the most western point of the coastal 500m line around Vernon Rocks
- then generally north-easterly, easterly and south-easterly along the coastal 500m line around Vernon Rocks to its most eastern point
- then south-easterly along a geodesic to the most western point of Sullivan Rock at high water
- then south-easterly along a geodesic to the most northern point of the coastal 500m line around the unnamed island near latitude 21°55.905' south, longitude 150°41.063' east
- then southerly along the coastal 500m line around the unnamed island near latitude 21°55.905' south, longitude 150°41.063' east, to where the line intersects the coastal 500m line around High Peak Island

**Schedule 6 (continued)**

- then easterly and southerly along the coastal 500m line around High Peak Island to its most southern point
- then southerly along a geodesic to the most eastern point of the coastal 500m line around Cheviot Island
- then southerly along a geodesic to the most northern point of the coastal 500m line around the most northern island in the Clara Group
- then south-easterly along the coastal 500m line around the most northern island in the Clara Group to where it intersects the coastal 500m line around the most eastern island in the Clara Group
- then southerly along the coastal 500m line around the most eastern island in the Clara Group to its most eastern point
- then southerly along a geodesic to where the coastal 5km line around the mainland intersects the geodesic that passes through the following points—
  - (a) the most eastern point of the coastal 500m line around the most eastern island in the Clara Group of islands;
  - (b) the most northern point of the coastal 500m line around Split Island
- then southerly along the geodesic that passes through the following points—
  - (a) the most eastern point of the coastal 500m line around the most eastern island in the Clara Group of islands;
  - (b) the most northern point of the coastal 500m line around Split Island;to where the geodesic intersects the coastal 5km line around the mainland
- then generally southerly along the coastal 5km line around the mainland to where it intersects the geodesic that passes through the following points—



**Schedule 6 (continued)**

- (i) the most eastern point where the mainland at high water intersects latitude 22°55.905' south;<sup>56</sup>
- (ii) the most northern point of the coastal 500m line around Conical Rocks
- then north-westerly along that geodesic to the most eastern point where latitude 22°55.905' south intersects the mainland at high water.

**4 Mackay Segment**

Tidal waters and tidal land within the following boundary—

- from where the mainland at high water intersects latitude 21°12.706' south<sup>57</sup>
- then northerly along the coastal line along the mainland to where it intersects the most northern boundary of Bakers Creek Conservation Park<sup>58</sup>
- then east along the latitude that passes through where the coastal line along the mainland intersects the most northern boundary of Bakers Creek Conservation Park, to where the latitude intersects the coastal 20m line around the mainland
- then generally northerly along the coastal 20m line around the mainland to where it intersects latitude 21°08.906' south<sup>59</sup>
- then east along latitude 21°08.906' south to where it intersects the coastal 5km line around the mainland

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56 The most eastern point where the mainland at high water intersects latitude 22°55.905' south is near Water Park Point.

57 The mainland at high water intersects latitude 21°12.706' south on the northern bank at the mouth of Bakers Creek.

58 Bakers Creek Conservation Park is shown as lot 537 on plan NPW856. See the *Nature Conservation (Protected Areas) Regulation 1994*, schedule 3 (Conservation parks).

59 The coastal 20m line around the mainland intersects latitude 21°08.906' south on the southern bank at the mouth of the Pioneer River.

**Schedule 6 (continued)**

- then generally southerly along the coastal 5km line around the mainland to where it intersects latitude 21°106.000' south
- then west along latitude 21°106.000' south to where it intersects longitude 149°16.364' east
- then south-westerly along a geodesic to where the mainland at high water intersects latitude 21°12.706' south.

**5 Cumberland Islands Segment**

Tidal waters and tidal land within the following boundary—

- from where latitude 21°03.806' south intersects the mainland at high water
- then northerly along the coastal line along the mainland to where it intersects longitude 149°12.540' east<sup>60</sup>
- then north-westerly along a geodesic to where the mainland at high water intersects longitude 149°12.432' east<sup>61</sup>
- then northerly along the coastal line along the mainland to where it intersects longitude 149°10.866' east<sup>62</sup>
- then south-westerly along a geodesic to where the mainland at high water intersects longitude 149°10.783' east<sup>63</sup>

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60 The coastal line along the mainland intersects longitude 149°12.540' east on the eastern side of the unnamed inlet at Slade Bay, at approximately latitude 21°04.626' south.

61 The mainland at high water intersects longitude 149°12.432' east on the western side of the unnamed inlet at Slade Bay, at approximately latitude 21°04.530' south.

62 The coastal line along the mainland intersects longitude 149°10.866' east on the eastern side of the unnamed inlet at Eimeo, at approximately latitude 21°02.133' south.

63 The mainland at high water intersects longitude 149°10.783' east on the western side of the unnamed inlet at Eimeo, at approximately latitude 21°02.133' south.

**Schedule 6 (continued)**

- then northerly along the coastal line along the mainland to where it intersects longitude 149°10.410' east<sup>64</sup>
- then south-westerly along a geodesic to where the mainland at high water intersects longitude 149°10.284' east<sup>65</sup>
- then northerly along the coastal line along the mainland to where it intersects latitude 21°00.086' south<sup>66</sup>
- then northerly along the mainland at high water to where it intersects latitude 20°39.723' south<sup>67</sup>
- then east along that latitude 20°39.723' south to where it intersects longitude 148°45.814' east
- then north-easterly along a geodesic to latitude 20°33.907' south, longitude 149°07.064' east
- then easterly along a geodesic to latitude 20°40.906' south, longitude 150°10.063' east
- then south-easterly along a geodesic to the most northern point of the coastal 500m around Blackcombe Island
- then generally south-easterly and southerly along the coastal 500m line around Blackcombe Island to its most southern point
- then south-easterly along a geodesic to the most northern point of the coastal 500m line around Wigton Island
- then south-easterly along the coastal 500m line around Wigton Island to its most eastern point

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64 The coastal line along the mainland intersects longitude 149°10.410' east on the eastern side of the unnamed inlet at Sunset Bay, at approximately latitude 21°02.220' south.

65 The mainland at high water intersects longitude 149°10.284' east on the western side of the unnamed inlet at Sunset Bay, at approximately latitude 21°02.244' south.

66 The coastal line along the mainland intersects latitude 21°00.086' south near Shoal Point.

67 The mainland at high water intersects latitude 20°39.723' south near Midge Point.

**Schedule 6 (continued)**

- then easterly along a geodesic to the most northern point of the coastal 500m line around Calder Island
- then easterly and southerly along the coastal 500m line around Calder Island to its most eastern point
- then south-easterly along a geodesic to the most northern point of the coastal 500m line around Penrith Island
- then generally south-easterly, southerly, westerly and north-westerly around the coastal 500m line around Penrith Island to its most western point
- then westerly along a geodesic to the most southern point of the coastal 500m line around Derwent Island
- then north-westerly along the coastal 500m line around Derwent Island to its most western point
- then westerly along a geodesic to the most southern point of the coastal 500m line around St. Bees Island
- then generally south-westerly along the geodesic that passes through the following points—
  - (a) the most southern point of the coastal 500m line around St. Bees Island;
  - (b) latitude 21°00.086' south, longitude 149°12.064' east;
 to where the geodesic intersects the coastal 5km line around the mainland
- then generally south-easterly along the coastal 5km line around the mainland to where it intersects latitude 21°03.806' south
- then west along latitude 21°03.806' south to where it intersects the mainland at high water.

**6 Capricorn–Bunker Segment**

Tidal waters and tidal land within the following boundary—

**Schedule 6 (continued)**

- from latitude 24°14.904' south, longitude 152°40.062' east
- then north-westerly along a geodesic to latitude 23°44.905' south, longitude 151°55.063' east
- then west along latitude 23°44.905' south to where it intersects longitude 151°30.063' east
- then north along longitude 151°30.063' east to where it intersects latitude 22°59.905' south
- then east along latitude 22°59.905' south to where it intersects the geodesic that passes through the following points—
  - (a) latitude 22°29.905' south, longitude 151°30.062' east;
  - (b) latitude 23°09.905' south, longitude 152°10.062' east
- then south-easterly along that geodesic to latitude 23°09.905' south, longitude 152°10.062' east
- then south-easterly along a geodesic to latitude 24°14.904' south, longitude 153°05.062' east
- then west along latitude 24°14.904' south to where it intersects longitude 152°40.062' east.

## **Schedule 7      Townsville/Whitsunday Management Area**

section 2, definition *Townsville/Whitsunday Management Area*

### **1      Whitsundays Segment**

Tidal waters and tidal land within the following boundary—

- from where latitude 20°39.727' south intersects the mainland at high water<sup>68</sup>
- then northerly along the mainland at high water to where it intersects longitude 148°47.764' east<sup>69</sup>
- then generally northerly along the coastal line along the mainland to where it intersects longitude 148°46.326' east<sup>70</sup>
- then south along longitude 148°46.326' east to where it intersects the latitude that passes through the most southern point of Repair Island
- then east along the latitude that passes through the most southern point of Repair Island to where it intersects longitude 148°47.280' east
- then north along longitude 148°47.280' east to where it intersects latitude 20°17.610' south
- then easterly along a geodesic to latitude 20°17.526' south, longitude 148°47.634' east
- then northerly along a geodesic to the most southern point of Coral Point at high water

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68 Latitude 20°39.727' south intersects the mainland at high water near Midge Point.

69 The mainland at high water intersects longitude 148°47.764' east on the southern bank of Rooper Inlet.

70 The coastal line along the mainland intersects longitude 148°46.326' east on the northern bank of Shute Bay.

**Schedule 7 (continued)**

- then generally northerly and westerly along the mainland at high water to where it intersects longitude 148°44.034' east<sup>71</sup>
- then generally south-westerly along a geodesic to latitude 20°15.706' south, longitude 148°41.564' east
- then south along longitude 148°41.564' east to where it intersects the mainland at high water
- then southerly along the mainland at high water to where it intersects longitude 148°41.418' east<sup>72</sup>
- then westerly and northerly along the relevant mangrove line to where latitude 20°16.374' south intersects the mainland at high water<sup>73</sup>
- then generally northerly along the mainland at high water to where it intersects latitude 20°04.407' south<sup>74</sup>
- then east along latitude 20°04.407' south to where it intersects the coastal 5km line around the mainland
- then generally north-westerly along the coastal 5km line around the mainland to where it intersects the latitude that passes through the most northern point of Cape Gloucester at low water
- then east along the latitude that passes through the most northern point of Cape Gloucester at low water to the most northern point of Cape Gloucester at low water
- then north-easterly along a geodesic to the most southern point where longitude 148°27.464' east intersects the coastal 500m line around Gloucester Island

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71 The mainland at high water intersects longitude 148°44.034' east at Mandalay Point.

72 The mainland at high water intersects longitude 148°41.418' east just west of Scrubby Hill.

73 Latitude 20°16.374' south intersects the mainland at high water on the western side of Pioneer Bay.

74 The mainland at high water intersects latitude 20°04.407' south near Adelaide Point.

**Schedule 7 (continued)**

- then generally north-westerly, northerly and north-easterly along the coastal 500m line around Gloucester Island to its most northern point
- then easterly along a geodesic to the most northern point of the coastal 500m line around Rattray Island
- then generally south-easterly and southerly along the coastal 500m line around Rattray Island to its most eastern point
- then south-easterly along a geodesic to the most northern point of the coastal 500m line around Eshelby Island
- then generally south-easterly and southerly along the coastal 500m line around Eshelby Island to its most eastern point
- then easterly along a geodesic to the most northern point of the coastal 500m line around Hayman Island
- then generally south-easterly along the coastal 500m line around Hayman Island to its most eastern point
- then south-easterly along a geodesic to the most northern point where longitude 148°55.364' east intersects Hook Island at low water<sup>75</sup>
- then easterly along a geodesic to the most northern point where Hook Island at low water intersects longitude 148°57.663' east
- then north-easterly along a geodesic to latitude 20°03.307' south, longitude 148°58.064' east
- then south-easterly along a geodesic to latitude 20°07.657' south, longitude 149°05.264' east
- then south-easterly along a geodesic to the most northern point of the coastal 500m line around Edward Island

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<sup>75</sup> The most northern point where longitude 148°55.364' east intersects Hook Island at low water is on the western side of Butterfly Bay.



**Schedule 7 (continued)**

- then generally south-easterly along the coastal 500m line around Edward Island to the most northern point where it intersects the coastal 500m line around Yiundalla Island
- then generally easterly, south-easterly and south-westerly along the coastal 500m line around Yiundalla Island to its most southern point
- then south-westerly along a geodesic to the most northern point of the coastal 500m line around Mansell Island
- then generally south-easterly, southerly and south-westerly along the coastal 500m line around Mansell Island to its most southern point
- then southerly along the geodesic that passes through the following points—
  - (a) the most southern point of the coastal 500m line around Mansell Island;
  - (b) the most eastern point of the coastal 500m line around Fairlight Rock;
 to where the geodesic intersects the geodesic that passes through the following points—
  - (c) latitude 20°33.907' south, longitude 149°07.064' east;
  - (d) latitude 20°40.906' south, longitude 150°10.063' east
- then north-westerly along the geodesic that passes through the following points—
  - (a) latitude 20°33.907' south, longitude 149°07.064' east;
  - (b) latitude 20°40.906' south, longitude 150°10.063' east;
 to latitude 20°33.907' south, longitude 149°07.064' east
- then south-westerly along a geodesic to latitude 20°39.727' south, longitude 148°45.814' east

**Schedule 7 (continued)**

- then west along latitude 20°39.727' south to where it intersects the mainland at high water.

**2 Bowen to Abbot Point Segment**

Tidal waters and tidal land within the following boundary—

- from where latitude 20°00.707' south intersects the mainland at high water
- then generally northerly along the coastal line along the mainland to where it intersects longitude 148°13.434' east<sup>76</sup>
- then north-westerly along a geodesic to where the mainland at high water intersects longitude 148°13.302' east<sup>77</sup>
- then generally northerly along the coastal line along the mainland to where it intersects longitude 148°10.212' east<sup>78</sup>
- then south-westerly along a geodesic to where the mainland at high water intersects longitude 148°10.158' east<sup>79</sup>
- then generally westerly along the coastal line along the mainland to where it intersects longitude 148°09.870' east<sup>80</sup>

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76 The coastal line along the mainland intersects longitude 148°13.434' east on the eastern side of the mouth of the Don River, at approximately latitude 19°57.900' south.

77 The mainland at high water intersects longitude 148°13.302' east on the western side of the mouth of the Don River, at approximately latitude 19°57.840' south.

78 The coastal line along the mainland intersects longitude 148°10.212' east on the eastern side of the mouth of an unnamed creek, at approximately latitude 19°57.060' south.

79 The mainland at high water intersects longitude 148°10.158' east on the western side of the mouth of an unnamed creek, at approximately latitude 19°57.066' south.

80 The coastal line along the mainland intersects longitude 148°09.870' east on the eastern side of the mouth of an unnamed creek, at approximately latitude 19°57.000' south.

**Schedule 7 (continued)**

- then westerly along a geodesic to where the mainland at high water intersects longitude 148°09.828' east<sup>81</sup>
- then generally westerly along the coastal line along the mainland to where it intersects longitude 148°08.694' east<sup>82</sup>
- then south-westerly along a geodesic to where the mainland at high water intersects longitude 148°08.472' east<sup>83</sup>
- then generally westerly along the coastal line along the mainland to where the mainland at high water intersects longitude 148°06.464' east
- then north along longitude 148°06.464' east to where it intersects the coastal 5km line around the mainland
- then generally south-easterly along the coastal 5km line around the mainland to where it intersects latitude 20°00.707' south
- then west along latitude 20°00.707' south to where it intersects the mainland at high water.

**3 Cape Upstart Segment**

Tidal waters and tidal land within the following boundary—

- from where the mainland at high water intersects longitude 148°02.164' east

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81 The mainland at high water intersects longitude 148°09.828' east on the western side of the mouth of an unnamed creek, at approximately latitude 19°57.000' south.

82 The coastal line along the mainland intersects longitude 148°08.694' east on the eastern side of the mouth of the Euri Creek, at approximately latitude 19°56.772' south.

83 The mainland at high water intersects longitude 148°08.472' east on the western side of the mouth of the Euri Creek, at approximately latitude 19°56.868' south.

**Schedule 7 (continued)**

- then generally northerly along the coastal line along the mainland to where it intersects longitude 148°01.026' east<sup>84</sup>
- then south-easterly along a geodesic to where the mainland at high water intersects longitude 148°01.044' east<sup>85</sup>
- then generally westerly along the coastal line along the mainland to where it intersects longitude 148°00.132' east<sup>86</sup>
- then south-westerly along a geodesic to where the mainland at high water intersects longitude 148°00.090' east<sup>87</sup>
- then generally northerly along the coastal line along the mainland to where it intersects latitude 19°52.800' south<sup>88</sup>
- then north-westerly along a geodesic to where the mainland at high water intersects latitude 19°52.692' south<sup>89</sup>

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84 The coastal line along the mainland intersects longitude 148°01.026' east on the eastern side of the unnamed inlet at Curlewis Bay, at approximately latitude 19°54.684' south.

85 The mainland at high water intersects longitude 148°01.044' east on the western side of the unnamed inlet at Curlewis Bay, at approximately latitude 19°54.7140' south.

86 The coastal line along the mainland intersects longitude 148°00.132' east on the eastern side of the mouth of Branch Creek, at approximately latitude 19°55.392' south.

87 The mainland at high water intersects longitude 148°00.090' east on the western side of the mouth of Branch Creek, at approximately latitude 19°55.446' south.

88 The coastal line along the mainland intersects latitude 19°52.800' south on the eastern side of the mouth of the Elliot River, at approximately longitude 147°53.442' east.

89 The mainland at high water intersects latitude 19°52.692' south on the western side of the mouth of the Elliot River, at approximately longitude 147°53.124' east.

**Schedule 7 (continued)**

- then generally northerly along the coastal line along the mainland to where it intersects latitude 19°46.966' south<sup>90</sup>
- then north-westerly along a geodesic to where the mainland at high water intersects latitude 19°46.916' south<sup>91</sup>
- then generally northerly along the coastal line along the mainland to where it intersects latitude 19°45.907' south<sup>92</sup>
- then generally northerly along the mainland at high water to where it intersects longitude 147°40.064' east
- then generally northerly along the coastal line along the mainland to where it intersects latitude 19°46.066' south<sup>93</sup>
- then north-westerly along a geodesic to where the mainland at high water intersects latitude 19°48.984' south<sup>94</sup>
- then generally northerly along the coastal line along the mainland to where it intersects latitude 19°43.506' south<sup>95</sup>

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90 The coastal line along the mainland intersects latitude 19°46.966' south on the southern side of the mouth of the unnamed inlet on the eastern side of Cape Upstart, at approximately longitude 147°50.900' east.

91 The mainland at high water intersects latitude 19°46.916' south on the northern side of the mouth of the unnamed inlet on the eastern side of Cape Upstart, at approximately longitude 147°50.850' east.

92 The coastal line along the mainland intersects latitude 19°45.907' south on the eastern side of Cape Upstart.

93 The coastal line along the mainland intersects latitude 19°46.066' south on the eastern side of the mouth of Rocky Ponds Creek.

94 The mainland at high water intersects latitude 19°48.984' south on the western side of the mouth of Rocky Ponds Creek, at approximately longitude 147°39.648' east.

95 The coastal line along the mainland intersects latitude 19°43.506' south on the southern side of the mouth of Groper Creek, at approximately longitude 147°35.250' east.

**Schedule 7 (continued)**

- then north-easterly along a geodesic to where the mainland at high water intersects latitude 19°42.816' south<sup>96</sup>
- then generally northerly along the coastal line along the mainland to where it intersects latitude 19°41.406' south<sup>97</sup>
- then northerly along a geodesic to where the mainland at high water intersects latitude 19°40.194' south<sup>98</sup>
- then generally northerly along the coastal line along the mainland to where it intersects latitude 19°38.808' south<sup>99</sup>
- then north-westerly along a geodesic to where the mainland at high water intersects latitude 19°38.748' south<sup>100</sup>
- then generally northerly along the coastal line along the mainland to where it intersects latitude 19°37.932' south<sup>101</sup>

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96 The mainland at high water intersects latitude 19°42.816' south on the northern side of the mouth of Groper Creek, at approximately longitude 147°35.538' east.

97 The coastal line along the mainland intersects latitude 19°41.406' south on the southern side of the mouth of the Burdekin River, at approximately longitude 147°36.258' east.

98 The mainland at high water intersects latitude 19°40.194' south on the northern side of the mouth of the Burdekin River, at approximately longitude 147°36.318' east.

99 The coastal line along the mainland intersects latitude 19°38.808' south on the southern side of the mouth of the unnamed inlet between the Burdekin River and Rita Island, at approximately longitude 147°35.400' east.

100 The mainland at high water intersects latitude 19°38.748' south on the northern side of the mouth of the unnamed inlet between the Burdekin River and Rita Island, at approximately longitude 147°35.232' east.

101 The coastal line along the mainland intersects latitude 19°37.932' south on the southern side of the mouth of an unnamed creek on Rita Island, at approximately longitude 147°34.440' east.

**Schedule 7 (continued)**

- then north-westerly along a geodesic to where the mainland at high water intersects latitude 19°37.782' south<sup>102</sup>
- then generally northerly along the coastal line along the mainland to where it intersects latitude 19°37.716' south<sup>103</sup>
- then north-easterly along a geodesic to where the mainland at high water intersects latitude 19°37.686' south<sup>104</sup>
- then generally northerly along the coastal line along the mainland to where it intersects latitude 19°36.330' south<sup>105</sup>
- then northerly along a geodesic to where the mainland at high water intersects latitude 19°35.850' south<sup>106</sup>
- then generally northerly along the coastal line along the mainland to where it intersects latitude 19°31.734' south<sup>107</sup>

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102 The mainland at high water intersects latitude 19°37.782' south on the northern side of the mouth of an unnamed creek on Rita Island, at approximately longitude 147°34.374' east.

103 The coastal line along the mainland intersects latitude 19°37.716' south on the southern side of the mouth of an unnamed creek on Rita Island, at approximately longitude 147°34.380' east.

104 The mainland at high water intersects latitude 19°37.686' south on the northern side of the mouth of an unnamed creek on Rita Island, at approximately longitude 147°34.446' east.

105 The coastal line along the mainland intersects latitude 19°36.330' south on the southern side of the mouth of the Burdekin River Anabranch, at approximately longitude 147°34.326' east.

106 The mainland at high water intersects latitude 19°35.850' south on the northern side of the mouth of the Burdekin River Anabranch, at approximately longitude 147°34.326' east.

107 The coastal line along the mainland intersects latitude 19°31.734' south on the southern side of the mouth of Plantation Creek, at approximately longitude 147°32.718' east.

**Schedule 7 (continued)**

- then south-westerly along a geodesic to where the mainland at high water intersects latitude 19°31.872' south<sup>108</sup>
- then generally northerly along the coastal line along the mainland to where it intersects latitude 19°31.776' south<sup>109</sup>
- then north-westerly along a geodesic to where the mainland at high water intersects latitude 19°31.716' south<sup>110</sup>
- then generally northerly along the coastal line along the mainland to where it intersects latitude 19°31.092' south<sup>111</sup>
- then north-westerly along a geodesic to where the mainland at high water intersects latitude 19°31.020' south<sup>112</sup>
- then generally northerly along the coastal line along the mainland to where it intersects latitude 19°29.484' south<sup>113</sup>

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108 The mainland at high water intersects latitude 19°31.872' south on the northern side of the mouth of Plantation Creek, at approximately longitude 147°32.376' east.

109 The coastal line along the mainland intersects latitude 19°31.776' south on the southern side of the mouth of the unnamed inlet between Plantation Creek and Mud Creek, at approximately longitude 147°32.316' east.

110 The mainland at high water intersects latitude 19°31.716' south on the northern side of the mouth of the unnamed inlet between Plantation Creek and Mud Creek, at approximately longitude 147°32.298' east.

111 The coastal line along the mainland intersects latitude 19°31.092' south on the southern side of the southern mouth of Mud Creek, at approximately longitude 147°31.854' east.

112 The mainland at high water intersects latitude 19°31.020' south on the northern side of the southern mouth of Mud Creek, at approximately longitude 147°31.794' east.

113 The coastal line along the mainland intersects latitude 19°29.484' south on the southern side of the northern mouth of Mud Creek, at approximately longitude 147°30.996' east.



**Schedule 7 (continued)**

- then south-westerly along a geodesic to where the mainland at high water intersects latitude 19°29.478' south<sup>114</sup>
- then generally northerly along the coastal line along the mainland to where it intersects latitude 19°27.930' south<sup>115</sup>
- then south-westerly along a geodesic to where the mainland at high water intersects latitude 19°28.020' south<sup>116</sup>
- then generally northerly along the coastal line along the mainland to where it intersects latitude 19°27.942' south<sup>117</sup>
- then north-westerly along a geodesic to where the mainland at high water intersects latitude 19°27.924' south<sup>118</sup>
- then generally northerly along the coastal line along the mainland to where it intersects latitude 19°26.897' south
- then east along latitude 19°26.897' south to where it intersects the coastal 5km line around the mainland
- then generally southerly along coastal 5km line around the mainland to where it intersects longitude 148°02.164' east
- then south along longitude 148°02.164' east to where it intersects the mainland at high water.

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114 The mainland at high water intersects latitude 19°29.478' south on the northern side of the northern mouth of Mud Creek, at approximately longitude 147°30.864' east.

115 The coastal line along the mainland intersects latitude 19°27.930' south on the southern side of the mouth of Kalamia Creek, at approximately longitude 147°29.598' east.

116 The mainland at high water intersects latitude 19°28.020' south on the northern side of the mouth of Kalamia Creek, at approximately longitude 147°29.370' east.

117 The coastal line along the mainland intersects latitude 19°27.942' south on the southern side of the mouth of Alva Creek, at approximately longitude 147°29.256' east.

118 The mainland at high water intersects latitude 19°27.924' south on the northern side of the mouth of Alva Creek, at approximately longitude 147°29.250' east.

## Schedule 7 (continued)

**4 Bowling Green Bay Segment and Cleveland Bay**

Tidal waters and tidal land within the following boundary—

- from where latitude 19°26.897' south intersects the mainland at high water<sup>119</sup>
- then generally northerly along the mainland at high water to the most northern point of Cape Cleveland at high water
- then southerly along the coastal line along the mainland to where it intersects longitude 147°01.368' east on the western side of Cape Cleveland<sup>120</sup>
- then southerly along the relevant mangrove line to where latitude 19°12.996' south intersects the mainland at high water on the western side of Cape Cleveland
- then southerly along the coastal line along the mainland to where it intersects latitude 19°14.940' south on the eastern side of Cleveland Bay
- then southerly along the relevant mangrove line to latitude 19°18.108' south, longitude 146°57.498' east<sup>121</sup>
- then south-westerly along a geodesic to latitude 19°18.132' south, longitude 146°57.318' east<sup>122</sup>
- then westerly along the relevant mangrove line to latitude 19°18.132' south, longitude 146°55.668' east<sup>123</sup>

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119 Latitude 19°26.897' south intersects the mainland at high water on the eastern side of Cape Bowling Green.

120 Longitude 147°01.368' east intersects the mainland at high water on the southern side of Red Rock Point (which is on the western side of Cape Cleveland).

121 Latitude 19°18.108' south, longitude 146°57.498' east is on the eastern side of the mouth of Crocodile Creek.

122 Latitude 19°18.132' south, longitude 146°57.318' east is on the western side of the mouth of Crocodile Creek.

123 Latitude 19°18.132' south, longitude 146°55.668' east is on the eastern side of the mouth of Alligator Creek.

**Schedule 7 (continued)**

- then westerly along a geodesic to latitude 19°18.138' south, longitude 146°55.584' east<sup>124</sup>
- then westerly along the relevant mangrove line to latitude 19°17.436' south, longitude 146°51.828' east<sup>125</sup>
- then south-westerly along a geodesic to latitude 19°17.448' south, longitude 146°51.792' east<sup>126</sup>
- then westerly along the relevant mangrove line to latitude 19°17.394' south, longitude 146°51.786' east<sup>127</sup>
- then north-westerly along a geodesic to latitude 19°17.358' south, longitude 146°51.768' east<sup>128</sup>
- then westerly along the relevant mangrove line to where the mainland at high water intersects the geodesic that passes through the following points—
  - (a) where longitude 146°51.465' east intersects the mainland at low water;
  - (b) latitude 19°07.598' south, longitude 147°00.065' east
- then generally north-easterly along that geodesic to latitude 19°07.598' south, longitude 147°00.065' east
- then south along longitude 147°00.065' east to where it intersects the coastal 5km line around the mainland
- then generally south-easterly along the coastal 5km line around the mainland to where it intersects the geodesic that passes through the following points—

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124 Latitude 19°18.138' south, longitude 146°55.584' east is on the western side of the mouth of Alligator Creek.

125 Latitude 19°17.436' south, longitude 146°51.828' east is on the eastern side of the eastern mouth of Sandfly Creek.

126 Latitude 19°17.448' south, longitude 146°51.792' east is on the western side of the eastern mouth of Sandfly Creek.

127 Latitude 19°17.394' south, longitude 146°51.786' east is on the eastern side of the western mouth of Sandfly Creek.

128 Latitude 19°17.358' south, longitude 146°51.768' east is on the western side of the western mouth of Sandfly Creek.

**Schedule 7 (continued)**

- (a) where the coastal 500m line around the mainland intersects the longitude that passes through the most northern point of Cape Cleveland at high water;
- (b) where the coastal 500m line around the mainland intersects the longitude that passes through the most northern point of Cape Bowling Green at high water
- then south-easterly along that geodesic to where the coastal 500m line around the mainland intersects the longitude that passes through the most northern point of Cape Bowling Green at high water
- then north along the longitude that passes through the most northern point of Cape Bowling Green at high water to where it intersects the coastal 5km line around the mainland
- then generally southerly along the coastal 5km line around the mainland to where it intersects latitude 19°26.897' south on the eastern side of Cape Bowling Green
- then west along latitude 19°26.897' south to where it intersects the mainland at high water.

**5 Halifax Bay and Magnetic Island Segment**

Tidal waters and tidal land within the following boundary—

- from where longitude 146°47.465' east intersects the coastal 20m line around the mainland
- then northerly along the coastal 20m line around the mainland to where it intersects latitude 19°12.107' south
- then west along latitude 19°12.107' south to where it intersects the mainland at high water

**Schedule 7 (continued)**

- then generally northerly and westerly along the mainland at high water to where it intersects longitude 146°45.465' east<sup>129</sup>
- then generally north-westerly and northerly along the coastal line along the mainland to where it intersects longitude 146°42.792' east
- then westerly along the relevant mangrove line to where longitude 146°42.468' east intersects the mainland at high water<sup>130</sup>
- then westerly along the coastal line along the mainland to where it intersects latitude 19°11.616' south<sup>131</sup>
- then westerly along a geodesic to latitude 19°11.664' south, longitude 146°42.012' east<sup>132</sup>
- then westerly along the relevant mangrove line to where longitude 146°41.334' east intersects the mainland at high water
- then generally northerly along the coastal line along the mainland to where it intersects longitude 146°39.240' east<sup>133</sup>
- then south-westerly along a geodesic to where the mainland at high water intersects latitude 19°10.722' south<sup>134</sup>

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129 The mainland at high water intersects longitude 146°45.465' east near the eastern bank of Shelley Creek.

130 Longitude 146°42.468' east intersects the mainland at high water just east of the mouth of the Bohle River.

131 The coastal line along the mainland intersects latitude 19°11.616' south on the eastern side of the mouth of the Bohle River, at approximately longitude 146°42.180' east.

132 Latitude 19°11.664' south, longitude 146°42.012' east is on the western side of the mouth of the Bohle River.

133 The coastal line along the mainland intersects longitude 146°39.240' east on the eastern side of the mouth of the Black River, at approximately latitude 19°10.770' south.

134 The mainland at high water intersects latitude 19°10.722' south on the western side of the mouth of the Black River, at approximately longitude 146°38.994' east.

**Schedule 7 (continued)**

- then generally northerly along the coastal line along the mainland to where it intersects latitude 18°51.738' south<sup>135</sup>
- then northerly along a geodesic to where the mainland at high water intersects latitude 18°51.540' south<sup>136</sup>
- then generally northerly along the coastal line along the mainland to where it intersects latitude 18°45.912' south<sup>137</sup>
- then north-westerly along a geodesic to where the mainland at high water intersects latitude 18°45.822' south<sup>138</sup>
- then generally northerly along the coastal line along the mainland to where it intersects latitude 18°37.566' south<sup>139</sup>
- then north-westerly along a geodesic to where the mainland at high water intersects latitude 18°37.236' south<sup>140</sup>
- then generally northerly along the coastal line along the mainland to where it intersects latitude 18°34.708' south

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135 The coastal line along the mainland intersects latitude 18°51.738' south on the southern side of the mouth of Cattle Creek at high water, at approximately longitude 146°16.440' east.

136 The mainland at high water intersects latitude 18°51.540' south on the northern side of the mouth of Cattle Creek at high water, at approximately longitude 146°16.452' east.

137 The coastal line along the mainland intersects latitude 18°45.912' south on the southern side of the mouth of Palm Creek, at approximately longitude 146°17.118' east.

138 The mainland at high water intersects latitude 18°45.822' south on the northern side of the mouth of Palm Creek, at approximately longitude 146°17.022' east.

139 The coastal line along the mainland intersects latitude 18°37.566' south on the southern side of the mouth of the unnamed inlet at Cassady, at approximately longitude 146°20.202' east.

140 The mainland at high water intersects latitude 18°37.236' south on the northern side of the mouth of the unnamed inlet at Cassady, at approximately longitude 146°19.950' east.

**Schedule 7 (continued)**

- then east along latitude 18°34.708' south to where it intersects the coastal 5km line around the mainland
- then generally southerly along the coastal 5km line around the mainland to where it intersects the most western point of the coastal 500m line around Magnetic Island
- then generally north-easterly, easterly, and southerly along the coastal 500m line around Magnetic Island to its most north-eastern point
- then south-easterly along a geodesic to where latitude 19°07.598' south intersects the coastal 1km line around Magnetic Island
- then generally south-westerly along the coastal 1km line around Magnetic Island to where it intersects longitude 146°50.195' east
- then generally south-westerly along a geodesic to latitude 19°13.547' south, longitude 146°47.465' east
- then south along longitude 146°47.465' east to where it intersects the coastal 20m line around the mainland.

**6 Hinchinbrook Segment**

Tidal waters and tidal land within the following boundary—

- from where the mainland at high water intersects longitude 146°19.055' east<sup>141</sup>
- then generally northerly along the mainland at high water to where it intersects latitude 18°16.620' south
- then east along latitude 18°16.620' south to the coastal 20m line around the mainland
- the generally north-westerly along the coastal 20m line around the mainland to where it intersects the latitude

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141 The mainland at high water intersects longitude 146°19.055' east near the mouth of the Herbert River.

**Schedule 7 (continued)**

that passes through the most western point of Hinchinbrook Island at low water<sup>142</sup>

- then west along the latitude that passes through the most western point of Hinchinbrook Island at low water to where it intersects the mainland at high water
- then generally northerly along the coastal line along the mainland to where it intersects latitude 18°05.136' east<sup>143</sup>
- then north-easterly along a geodesic to where the mainland at high water intersects latitude 18°05.022' south<sup>144</sup>
- then generally northerly along the coastal line along the mainland to where it intersects longitude 146°03.102' east<sup>145</sup>
- then easterly along a geodesic to where the mainland at high water intersects longitude 146°03.228' east<sup>146</sup>
- then generally northerly along the coastal line along the mainland to where it intersects latitude 17°59.586' south<sup>147</sup>

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142 The coastal 20m line around the mainland intersects the latitude that passes through the most western point of Hinchinbrook Island at low water near Hecate Point.

143 The coastal line along the mainland intersects latitude 18°05.136' south on the southern side of the mouth of Murray River, at approximately longitude 146°01.578' east.

144 The mainland at high water intersects latitude 18°05.022' south on the northern side of the mouth of Murray River, at approximately longitude 146°01.740' east.

145 The coastal line along the mainland intersects longitude 146°03.102' east on the western side of the mouth of the Tully River, at approximately latitude 18°01.818' south.

146 The mainland at high water intersects longitude 146°03.228' east on the eastern side of the mouth of the Tully River, at approximately latitude 18°01.836' south.

147 The coastal line along the mainland intersects latitude 17°59.586' south on the southern side of the mouth of Hull Heads, at approximately longitude 146°04.470' east.



**Schedule 7 (continued)**

- then north-easterly along a geodesic to where the mainland at high water intersects latitude 17°59.430' south<sup>148</sup>
- then generally northerly along the coastal line along the mainland to where it intersects latitude 17°52.808' south
- then east along latitude 17°52.808' south to where it intersects the coastal 5km line around the mainland
- then generally southerly along the coastal 5km line around the mainland to where it intersects the geodesic that passes through the following points—
  - (a) the most western point of Hinchinbrook Island at low water;<sup>149</sup>
  - (b) where latitude 18°09.408' south intersects the coastal 500m line around Goold Island near Hayman Point
- then north-easterly along that geodesic to where latitude 18°09.408' south intersects the coastal 500m line around Goold Island near Hayman Point
- then generally north-easterly and easterly along the coastal 500m line around Goold Island to its most northern point
- then easterly along a geodesic to the most western point of the coastal 500m line around North Island
- then easterly along the coastal 500m line around North Island 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

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148 The mainland at high water intersects latitude 17°59.430' south on the northern side of the mouth of Hull Heads, at approximately longitude 146°04.542' east.

149 The most western point of Hinchinbrook Island at low water is near Hecate Point.

**Schedule 7 (continued)**

- then southerly along the coastal 500m line around Middle Island to where it intersects the coastal 500m line around South Island
- then southerly along the coastal 500m line around South Island to its most southern point
- then southerly along a geodesic to the most northern point of the coastal 500m line around Eva Island
- then generally south-easterly, southerly and south-westerly along the coastal 500m line around Eva Island to its most southern point
- then southerly along a geodesic to the most eastern point where Hinchinbrook Island at low water intersects latitude 18°25.108' south<sup>150</sup>
- then east along latitude 18°25.108' south to where it intersects the coastal 5km line around the mainland
- then generally southerly along the coastal 5km line around the mainland to where it intersects latitude 18°29.908' south
- then south-westerly along a geodesic to where the mainland at low water intersects longitude 146°19.055' east<sup>151</sup>
- then south along longitude 146°19.055' east to where it intersects the mainland at high water.

**7 Family Islands Segment**

Tidal waters and tidal land within the following boundary—

- from the most western point of the coastal 500m line around Dunk Island
- then generally north-easterly along the coastal 500m line around Dunk Island to the most southern point

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150 The most eastern point where Hinchinbrook Island at low water intersects latitude 18°25.108' south is near Hillcock Point.

151 The mainland at low water intersects longitude 146°19.055' east near Herbert River.

**Schedule 7 (continued)**

where it intersects the coastal 500m line around Mound Island

- then generally north-westerly, northerly, easterly and south-easterly along the coastal 500m line around Mound Island to the most northern point where it intersects the coastal 500m line around Dunk Island
- then generally north-easterly, easterly, south-easterly and southerly along the coastal 500m line around Dunk Island to the most northern point where it intersects the coastal 500m line around Woln Garin Island
- then generally south-easterly, southerly, westerly and north-westerly along the coastal 500m line around Woln Garin Island to the most southern point where it intersects the coastal 500m line around Dunk Island
- then generally westerly and north-westerly along the coastal 500m line around Dunk Island to the most southern point where it intersects the longitude that passes through the most eastern point of the coastal 500m line around Wheeler (Toolgbar) Island
- then south along the longitude that passes through the most eastern point of the coastal 500m line around Wheeler (Toolgbar) Island to the most eastern point of the coastal 500m line around Wheeler (Toolgbar) Island
- then south-easterly along a geodesic to the most northern point of the coastal 500m line around Smith (Kurrambah) Island
- then generally south-easterly, easterly and south-westerly along the coastal 500m line around Smith (Kurrambah) Island to the most northern point where it intersects the coastal 500m line around Bowden (Budg-Joo) Island
- then generally south-easterly along the coastal 500m line around Bowden (Budg-Joo) Island to the most eastern point where it intersects the coastal 500m line around Hudson (Coolah) Island

**Schedule 7 (continued)**

- then generally southerly, south-westerly, westerly and north-westerly along the coastal 500m line around Hudson (Coolah) Island to its most western point
- then north-westerly along a geodesic to the most southern point of the coastal 500m line around Coombe Island
- then generally westerly and north-westerly along the coastal 500m line around Coombe Island to its most western point
- then north-westerly along a geodesic to the most southern point of the coastal 500m line around Wheeler (Toolgbar) Island
- then generally westerly and north-westerly along the coastal 500m line around Wheeler (Toolgbar) Island to its most western point
- then north-westerly along a geodesic to the most southern point of the coastal 500m line around Richards (Bedarra) Island
- then generally north-westerly, northerly and north-easterly along the coastal 500m line around Richards (Bedarra) Island to its most northern point
- then north-westerly along a geodesic to the most southern point of the coastal 500m line around Thorpe (Timana) Island
- then generally north-westerly, northerly and north-easterly along the coastal 500m line around Thorpe (Timana) Island to its most northern point
- then northerly along a geodesic to the most western point of the coastal 500m line around Dunk Island.

**8 Palm Islands Segment**

Tidal waters and tidal land within the following boundary—

- from the most northern point of the coastal 500m line around Pelorus Island

**Schedule 7 (continued)**

- then generally south-easterly and southerly along the coastal 500m line around Pelorus Island to its most eastern point
- then south-easterly along a geodesic to the most northern point where longitude 146°35.765' east intersects the coastal 500m line around Great Palm Island
- then south-easterly along a geodesic to the most northern point of the coastal 500m line around Hayman Rock
- then generally south-easterly, southerly and south-westerly along the coastal 500m line around Hayman Rock to the most southern point where it intersects the coastal 500m line around Great Palm Island
- then generally southerly along the coastal 500m line around Great Palm Island to where it intersects the latitude that passes through the most northern point of the coastal 500m line around Paluma Rock
- then east along the latitude that passes through the most northern point of the coastal 500m line around Paluma Rock to where the latitude intersects the most northern point of coastal 500m line around Paluma Rock
- then generally easterly and south-easterly along the coastal 500m line around Paluma Rock to its most eastern point
- then south-easterly along a geodesic to the most northern point of the coastal 500m line around Albino Rock
- then generally south-easterly and southerly along the coastal 500m line around Albino Rock to its most eastern point
- then southerly along a geodesic to the most eastern point of the coastal 500m line around Chilcott Rocks

**Schedule 7 (continued)**

- then generally south-westerly and westerly along the coastal 500m line around Chilcott Rocks to its most southern point
- then south-westerly along a geodesic to the most eastern point of the coastal 500m line around Havannah Island
- then generally south-westerly, westerly and north-westerly along the coastal 500m line around Havannah Island to the most southern point where it intersects the coastal 500m line around Fly Islet
- then generally westerly and north-westerly along the coastal 500m line around Fly Islet to its most western point
- then north-westerly along a geodesic to the most southern point of the coastal 500m line around Dido Rock
- then generally north-westerly along the coastal 500m line around Dido Rock to its most western point
- then north-westerly along a geodesic to the most southern point of the coastal 500m line around Orpheus Island
- then generally north-westerly and northerly along the coastal 500m line around Orpheus Island to the most western point where it intersects the coastal 500m line around Pelorus Island
- then generally north-westerly, northerly and north-easterly along the coastal 500m line around Pelorus Island to its most northern point.

## **Schedule 8      Cairns/Cooktown Management Area**

section 2, definition *Cairns/Cooktown Management Area*

### **1      Mulgrave Johnstone Segment**

- (1) Tidal waters and tidal land, other than tidal waters and tidal land mentioned in subsection (2), within the following boundary—
- from where the mainland at H.A.T. intersects latitude 17°52.808' south
  - then generally northerly along the mainland at H.A.T. to the most northern point of False Cape at H.A.T.
  - then north-westerly along a geodesic to the most eastern point of the southern bank at the mouth of the Barron River at H.A.T.
  - then north-easterly along a geodesic to the most western point of the 2km line around Green Island Reef (reef 16-049)
  - then generally north-easterly, easterly, and south-easterly along the 2km line around Green Island Reef (reef 16-049) to its most eastern point
  - then southerly along a geodesic to the most northern point where the coastal 5km line around Little Fitzroy Island intersects the geodesic that passes through the following points—
    - (a) the most northern point of the coastal 500m line around Little Fitzroy Island;
    - (b) the most eastern point of the 2km line around Green Island Reef (reef 16-049)
  - then generally south-easterly along the coastal 5km line around Little Fitzroy Island to the most eastern point where it intersects the coastal 5km line around Fitzroy Island

**Schedule 8 (continued)**

- then generally south-westerly along the coastal 5km line around Fitzroy Island to its most southern point
- then south-easterly along a geodesic to the most northern point of the 1km line around the unnamed reef around Normanby Island and Mabel Island (reef 17-012)
- then generally south-easterly along the 1km line around the unnamed reef around Normanby Island and Mabel Island (reef 17-012) to the most northern point where it intersects the 1km line around the unnamed reef around Round Island and Russell Island (reef 17-013)
- then generally southerly along the 1km line around the unnamed reef around Round Island and Russell Island (reef 17-013) to the line's most southern point
- then west along the latitude that passes through the most southern point of the 1km line around the unnamed reef around Round Island and Russell Island (reef 17-013) to where the latitude intersects the coastal 5km line around the mainland
- then generally southerly along the coastal 5km line around the mainland to where it intersects latitude 17°39.408' south
- then south-westerly along a geodesic to the most eastern point of the 500m line around South Barnards Islands Reef (reef 17-046)<sup>152</sup>
- then south-westerly along the geodesic that passes through the following points—
  - (a) the most eastern point of the 500m line around South Barnard Islands Reef (reef 17-046);
  - (b) the most eastern point of the 500m line around King Reef (reef 17-048);

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152 The most eastern point of the 500m line around South Barnards Islands Reef (reef 17-046) is adjacent to Sisters Islands.



**Schedule 8 (continued)**

to where the geodesic intersects the coastal 5km line around the mainland

- then generally southerly along the coastal 5km line around the mainland to where it intersects latitude 17°52.808' south
  - then west along latitude 17°52.808' south to where it intersects the mainland at H.A.T.
- (2) For subsection (1), the Mulgrave Johnstone Segment does not include tidal waters or tidal land within the following areas—
- (a) the part of North Maria Creek that is upstream of the western boundary of Maria Creek National Park;<sup>153</sup>
  - (b) the part of Liverpool Creek that is upstream of the northern boundary of Kurrimine Beach National Park;<sup>154</sup>
  - (c) the part of Mourilyan Creek that is south of latitude 17°40.908' south;
  - (d) the part of the Mourilyan Harbour that is—
    - (i) upstream of the following line—
      - from the most southern point of Goodman Point at H.A.T.
      - then southerly along a geodesic to the most southern point of Goodman Point at high water<sup>155</sup>

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153 The most western point of Maria National Park is on the southern bank of North Maria Creek.

Maria National Park is shown as lot 1445 on plan NPW191. See the *Nature Conservation (Protected Areas) Regulation 1994*, schedule 2 (National parks).

154 Kurrimine Beach National Park is shown as lot 1608 on plan NPW23. See the *Nature Conservation (Protected Areas) Regulation 1994*, schedule 2 (National parks).

155 The most southern point of Goodman Point at high water is on the northern bank at the entrance to Mourilyan Harbour.

**Schedule 8 (continued)**

- then southerly along a geodesic to the most northern point of the mainland at high water<sup>156</sup>
  - then southerly along a geodesic to the most northern point of the mainland at H.A.T.;<sup>157</sup> and
- (ii) downstream of the following line—
- from latitude 17°36.008' south, longitude 146°06.165' east
  - then south-easterly along a geodesic to latitude 17°36.508' south, longitude 146°06.465' east
  - then south along longitude 146°06.465' east to where it intersects latitude 17°36.908' south
  - then easterly along a geodesic to latitude 17°37.208' south, longitude 146°07.865' east;
- (e) the part of Ninds Creek that is upstream of the road crossing at Coquette Point Road;
- (f) the part of the Johnstone River that is upstream of longitude 146°02.592' east;
- (g) the part of the Russell River that is upstream of a line that is 500m downstream from where the river intersects Babinda Creek;
- (h) the part of the Mulgrave River that is upstream of longitude 145°55.272' east.

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156 The most northern point of the mainland at high water is on the southern bank at the entrance to Mourilyan Harbour.

157 The most northern point of the mainland at H.A.T. is on the southern bank at the entrance to Mourilyan Harbour.

**Schedule 8 (continued)****2 Trinity Inlet Segment**

- (1) Tidal waters and tidal land, other than tidal waters or tidal land mentioned in subsection (2), within the following areas—
- (a) the Trinity Inlet fish habitat area;
  - (b) the area that is known as Ellie Point sand reserve and has the following boundary—
    - from latitude 16°51.909' south, longitude 145°46.065' east<sup>158</sup>
    - then easterly along a geodesic to the most northern point of False Cape at L.A.T.<sup>159</sup>
    - 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 along a geodesic 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—
    - (i) lots 1 to 4 on plan C19823;
    - (ii) lot 92 on plan NR3051;
    - (iii) lot 146 on SP129134;
    - (iv) lot 151 on plan NR4172.

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

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

**Schedule 8 (continued)**

- (2) For subsection (1), the Trinity Inlet segment does not include tidal waters or tidal land within the following areas—
- (a) the area within 10m either side of the centre-line of the vehicular track that crosses lot 151 on plan NR4172;
  - (b) 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;
  - (c) the sand stockpile area on lot 1 on RP736304.

**3 Marlin Coast Segment**

Tidal waters and tidal land within the following areas—

- (a) the area 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 generally northerly and north-westerly along the mainland at H.A.T. to where it intersects the most eastern point of White Cliffs
  - then north-easterly along a geodesic to the most southern point of the 500m line around Yule Reef (reef 16-081)
  - then generally north-easterly along a geodesic to the most southern point of the 500m line around Korea Reef (reef 16-080)
  - then generally northerly along the 500m line around Korea Reef (reef 16-080) to where it intersects the coastal 5km line around the mainland
  - then generally southerly along the coastal 5km line around the mainland to where it intersects latitude 16°46.908' south<sup>160</sup>
  - then south-easterly along a geodesic to latitude 16°48.408' south, longitude 145°50.565' east

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160 The coastal 5km line around the mainland intersects latitude 16°46.908' south at approximately longitude 145°46.065' east.

**Schedule 8 (continued)**

- then south-westerly along a geodesic to the most eastern point of the right bank at the mouth of the Barron River at H.A.T.;
- (b) the parts of the 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 where it intersects 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
  - 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.;
- (c) the part of Barr Creek within the following boundary—

**Schedule 8 (continued)**

- from the most north-eastern corner of lot 72 on RP714006<sup>161</sup>
  - 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 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;
- (d) 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.

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<sup>161</sup> The most north-eastern corner of lot 72 on RP714006 is on the right bank at the mouth of Barr Creek.

**Schedule 8 (continued)**

- 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 Beach 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 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 north-western corner 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

**Schedule 8 (continued)**

- 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 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.



**Schedule 8 (continued)**

- (e) the part of Half Moon Creek within the following boundary—
- from the north-eastern corner of lot 50 on plan USL9567<sup>162</sup>
  - 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

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<sup>162</sup> The north-eastern corner of lot 50 on plan USL9567 is on the right bank at the mouth of Half Moon Creek.

**Schedule 8 (continued)**

- 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 it meets the north-eastern corner of lot 50 on plan USL9567.

**4 Port Douglas Segment**

- (1) Tidal waters and tidal land, other than tidal waters or tidal land mentioned in subsection (2), within the following boundary—
- from the most eastern point of White Cliffs at H.A.T.
  - then generally northerly along the mainland at H.A.T. to the most eastern point where it intersects latitude 16°23.509' south<sup>163</sup>
  - then east along latitude 16°23.509' south to where it intersects the coastal 5km line around the mainland
  - then generally southerly along the coastal 5km line around the mainland to the most northern point where it intersects the 500m line around Korea Reef (reef 16-080)
  - then generally south-easterly and south-westerly along the 500m line around Korea Reef (reef 16-080) to its most southern point
  - then south-westerly along a geodesic to the most southern point of the 500m line around Yule Reef (reef 16-081)
  - then south-westerly along a geodesic to the most eastern point of White Cliffs at H.A.T.

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<sup>163</sup> The most eastern point where the mainland at H.A.T. intersects latitude 16°23.509' south is near the southern bank at the mouth of the Mossman River.

**Schedule 8 (continued)**

- (2) For subsection (1), the Port Douglas Segment, does not include tidal waters or tidal land within the following areas—
- (a) the area within the following boundary—
- from the most eastern corner of lot 128 on plan SR804927<sup>164</sup>
  - then westerly along a geodesic to the most north-western corner of lot 126 on plan SR868
  - then south-easterly along a geodesic to the most eastern point of the outer boundary of the mangrove forest that adjoins Magazine Island
  - then generally southerly and south-westerly along the outer boundary of the mangrove forest that adjoins Magazine Island to its most southern point
  - then southerly along a geodesic to the most eastern point of the outer boundary of the mangrove forest that adjoins lot 126 on plan SR868
  - then generally southerly, south-easterly and south-westerly along the outer boundary of the mangrove forest that adjoins lot 126 on plan SR868 to where the boundary intersects the southern boundary of lot 122 on CP890712
  - then south-easterly along the southern boundary of lot 122 on CP890712 to its south-eastern corner<sup>165</sup>
  - then generally northerly along the mainland at H.A.T. to where it intersects the eastern corner of lot 128 on plan SR804927;
- (b) the part of Dicksons Inlet that is west of the eastern boundary of the Captain Cook Highway;
- (c) the part of the Mowbray River that is upstream from a line that is 100m seawards of the bridge crossing on the Captain Cook Highway.

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164 The most eastern point of lot 128 on plan SR804927 is on the eastern bank at the mouth of Dicksons Inlet.

165 The most south-eastern point of lot 122 on CP890712 is on the mainland at H.A.T.

**Schedule 8 (continued)****5 Wonga Beach Segment**

Tidal waters and tidal land within the following areas—

- (a) the area within the following boundary—
- from the most north-eastern corner of lot 5 on plan USL8735<sup>166</sup>
  - 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 the western boundary of 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

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<sup>166</sup> The most 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.

**Schedule 8 (continued)**

- then southerly along a geodesic to the north-eastern corner of lot 1 on plan RL1156<sup>167</sup>
- 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<sup>168</sup>
- 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.

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

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

**Schedule 8 (continued)**

- then generally north-easterly, northerly and north-easterly along the mainland at H.A.T. to where it intersects latitude 16°18.909' south<sup>169</sup>
  - then south-easterly along a geodesic to where latitude 16°19.909' south intersects the coastal 5km line around the mainland<sup>170</sup>
  - then generally southerly along the coastal 5km line around the mainland to where it intersects the latitude that passes through the most north-eastern corner of lot 5 on plan USL8735<sup>171</sup>
  - then west along the latitude that passes through the north-eastern corner of lot 5 on plan USL8735 to where it intersects the most north-eastern corner of the lot;
- (b) 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 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 it meets the south-eastern corner of lot 6 on RP712142

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169 The mainland at H.A.T. intersects latitude 16°18.909' south at approximately longitude 145°24.565' east.

170 Latitude 16°19.909' south intersects the coastal 5km line around the mainland at approximately longitude 145°28.065' east.

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

**Schedule 8 (continued)**

- 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 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.

**Schedule 8 (continued)****6 Daintree Segment**

- (1) Tidal waters and tidal land, other than tidal waters and tidal land mentioned in subsection (2), within the following boundary—
- from where latitude 16°18.909' south intersects the mainland at H.A.T.
  - then generally northerly along the mainland at H.A.T. to the most eastern point of the north bank of the Annan River at H.A.T.
  - then south-easterly along a geodesic to where latitude 15°33.209' south intersects the geodesic that passes through the following points—
    - (a) the most northern point of the 500m line around Gubbins Reef (reef 15-063);
    - (b) the most western point of the 500m line around Egret Reef (reef 15-013)
  - then southerly along that geodesic to the most northern point of the 500m line around Gubbins Reef (reef 15-063)
  - then south-easterly and southerly along the 500m line around Gubbins Reef (reef 15-063) to its most eastern point
  - then easterly along a geodesic to the most northern point of the 1km line around West Hope Island Reef (reef 15-064)
  - then easterly along a geodesic to the most northern point of the 1km line around East Hope Island Reef (reef 15-065)
  - then generally south-easterly and south-westerly along the 1km line around East Hope Island Reef (reef 15-065) to its most southern point
  - then south-westerly along a geodesic to the most southern point of the 1km line around West Hope Island Reef (reef 15-064)



**Schedule 8 (continued)**

- then south-easterly along a geodesic to latitude 16°14.909' south, longitude 145°35.565' east
  - then south-westerly along a geodesic to the most eastern point of the 500m line around Low Islets Reef (reef 16-028)
  - then south-westerly, westerly and north-westerly along the 500m line around Low Islets Reef (reef 16-028) to its most northern point
  - then north-westerly along a geodesic to where the mainland at low water intersects latitude 16°18.909' south
  - then west along latitude 16°18.909' south to where it intersects the mainland at H.A.T.
- (2) For subsection (1), the Daintree Segment does not include tidal waters or tidal land within the following areas—
- (a) the part of the Annan River that is upstream from the downstream side of the bridge near Lung Island;<sup>172</sup>
  - (b) the part of the Esk River that is south of latitude 15°34.309' south;
  - (c) the part of Fritz Creek that is west of the western boundary of Cedar Bay National Park;<sup>173</sup>
  - (d) the parts of Gap Creek, Russell Creek, Hislop Creek and Willie Creek that are upstream of where the creeks intersect the Bloomfield-Rossville Road;
  - (e) the part of the Bloomfield River that is upstream from the latitude that passes through the most southern point of Split Island at low water;
  - (f) the parts of the Daintree River and its tributaries that are upstream from where the river intersects Barratt Creek.

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<sup>172</sup> The downstream side of the bridge near Lung Island is on the Cooktown Development Road.

<sup>173</sup> Cedar Bay National Park is shown as lot 212 on plan NPW370. See the *Nature Conservation (Protected Areas) Regulation 1994*, schedule 2 (National parks).

**Schedule 8 (continued)****7 Endeavour Segment**

- (1) Tidal waters and tidal land, other than tidal waters and tidal land mentioned in subsection (2), within the following boundary—
  - from the most eastern point of the north bank of the Annan River at H.A.T.
  - then generally northerly along the mainland at H.A.T. to the most northern point where it intersects longitude 145°20.345' east
  - then north along longitude 145°20.345' east to where it intersects latitude 15°13.409' south
  - then east along latitude 15°13.409' south to where it intersects the coastal 5km line around the mainland
  - then generally south-easterly along the coastal 5km line around the mainland to where it intersects the latitude that passes through the most eastern point of South Cape Bedford
  - then southerly along a geodesic to the most western point of the 500m line around Egret Reef (reef 15-013)
  - then southerly along a geodesic to where latitude 15°33.209' south intersects the geodesic that passes through the following points—
    - (a) the most northern point of the 500m line around Gubbins Reef (reef 15-063);
    - (b) the most western point of the 500m line around Egret Reef (reef 15-013)
  - then north-westerly along a geodesic to the most eastern point of the north bank of the Annan River at H.A.T.
- (2) For subsection (1), the Endeavour Segment does not include tidal waters or tidal land within the following areas—
  - (a) the area south of the following line—

**Schedule 8 (continued)**

- from where the eastern boundary of the Endeavour River National Park meets the Endeavour River<sup>174</sup>
- then generally easterly along the outer boundary of the mangrove forest that adjoins the south bank of the Endeavour River to where the boundary intersects the western bank at the mouth of Racecourse Creek
- then southerly along the outer boundary of the mangrove forest that adjoins the western bank of Racecourse Creek to where the boundary meets the old railway line that ran along the south bank of the Endeavour River
- then generally easterly, north-easterly and northerly along the old railway line that ran along the south bank of the Endeavour River to where the railway line intersects the line that extends the southern boundary of Furneaux Street at Cooktown across the Endeavour River
- then northerly along a geodesic to the most eastern point of the outer boundary of the mangrove forest that adjoins the eastern bank of the middle mouth of Chinaman Creek
- then northerly along a geodesic to latitude 15°27.719' south, longitude 145°14.483' east
- then east along latitude 15°27.719' south to the most western point where it intersects the coastal 100m line around the mainland
- then generally northerly, north-easterly and easterly along the coastal 100m line around the mainland to where it intersects the longitude that passes through where Saunders Street in Cooktown intersects the Esplanade in Cooktown

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<sup>174</sup> The Endeavour River National Park is shown as lot 206 on plan NPW530. See the *Nature Conservation (Protected Areas) Regulation 1994*, schedule 2 (National parks).

**Schedule 8 (continued)**

- then south along the longitude that passes through where Saunders Street in Cooktown intersects the Esplanade in Cooktown, to the most northern point where the longitude intersects the mainland at H.A.T.;
- (b) the part of the Endeavour River that is upstream from the line that is 100m downstream from the Endeavour Bridge crossing of the Cooktown-McIvor River Road;
- (c) the part of the right branch of the Endeavour River that is upstream of where the branch intersects Barratt Creek.

**8 Starcke Segment**

- (1) Tidal waters and tidal land, other than tidal waters and tidal land mentioned in subsection (2), within the following boundary—
  - from the most northern point where the mainland at H.A.T. intersects longitude 145°20.345' east
  - then generally northerly along the mainland at H.A.T. to where it intersects latitude 14°59.909' south
  - then east along latitude 14°59.909' to where it intersects longitude 145°22.900' east
  - then generally northerly along a geodesic to latitude 14°55.109' south, longitude 145°22.164' east
  - then west along latitude 14°55.109' south to where it intersects longitude 145°19.554' east
  - then south-westerly along a geodesic to latitude 14°57.156' south, longitude 145°18.005' east
  - then south along a geodesic to where the mainland at H.A.T. intersects longitude 145°18.005' east
  - then generally northerly along the mainland at H.A.T. to the most eastern point where it intersects the geodesic that passes through the following points—

**Schedule 8 (continued)**

- (a) latitude 14°18.179' south, longitude 145°39.064' east;
- (b) latitude 14°39.906' south, longitude 144°56.565' east<sup>175</sup>
- then north-easterly along that geodesic to where it intersects the most eastern point of the coastal 500m line around Howick Island
- then south-easterly along a geodesic to the most northern point of the coastal 500m line around Nymph Island
- then easterly along a geodesic to the most northern point of the coastal 500m line around Lizard Island
- then south-easterly along the coastal 500m line around Lizard Island to its most eastern point
- then south-easterly along a geodesic to the most northern point of the coastal 1km line around North Direction Island
- then south-easterly along the coastal 1km line around North Direction Island to its most eastern point
- then southerly along a geodesic to the most northern point of the 500m line around Kedge Reef (reef 14-144)
- then generally south-easterly along the 500m line around Kedge Reef (reef 14-144) to its most eastern point
- then south-easterly along a geodesic to the most northern point of the coastal 500m line around High Rock
- then generally south-easterly and southerly along the coastal 500m line around High Rock to its most southern point

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175 Latitude 14°39.906' south, longitude 144°56.565' east is near the mouth of the Jeannie River.

**Schedule 8 (continued)**

- then generally southerly along a geodesic to the most eastern point of the 1km line around Helsdon Reef (reef 14-135)
  - then generally south-westerly and southerly along the 1km line around Helsdon Reef (reef 14-135) to its most southern point
  - then south-westerly along a geodesic to the most eastern point of the 500m line around Two Islands Reef (reef 15-002)
  - then southerly along a geodesic to the most eastern point of the 500m line around Three Islands Reef (reef 15-005)
  - then generally south-westerly and westerly along the 500m line around Three Islands Reef (reef 15-005) to its most southern point
  - then south-westerly along a geodesic to where latitude 15°13.409' south intersects the coastal 5km line around the mainland
  - then west along latitude 15°13.409' south to where it intersects longitude 145°20.345' east
  - then south along longitude 145°20.345' east to the most northern point where it intersects the mainland at H.A.T.
- (2) For subsection (1), the Starcke Segment does not include tidal waters or tidal land within the following areas—
- (a) the part of the Starcke River that is upstream of longitude 144°58.315' east;
  - (b) the part of the McIvor River that is upstream of where the river intersects the Morgan River.

## Schedule 9      Far Northern Management Area

section 2, definition *Far Northern Management Area*

### 1      Far Northern Management Area

Tidal waters and tidal land within the following boundary—

- from the most eastern point where the mainland at high water intersects the geodesic that passes through the following points—
  - (a) latitude 14°18.179' south, longitude 145°39.064' east;
  - (b) latitude 14°39.910' south, longitude 144°56.565' east<sup>176</sup>
- then northerly along the coastal line along the mainland to where it intersects longitude 144°54.360' east<sup>177</sup>
- then generally westerly along the relevant mangrove line to where the mainland at high water intersects longitude 144°49.950' east
- then westerly along the coastal line along the mainland to where it intersects longitude 144°49.638' east
- then westerly along the relevant mangrove line to where the mainland at high water intersects longitude 144°49.098' east
- then westerly along the coastal line along the mainland to where it intersects longitude 144°48.432' east<sup>178</sup>

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176 Latitude 14°39.910' south, longitude 144°56.565' east is near the mouth of the Jeannie River.

177 The coastal line along the mainland intersects longitude 144°54.360' east near Murdoch Point.

178 The coastal line along the mainland intersects longitude 144°48.432' east just east of the mouth of Rocky Creek.

**Schedule 9 (continued)**

- then westerly along the relevant mangrove line to where the mainland at high water intersects longitude 144°46.914' east<sup>179</sup>
- then northerly along the coastal line along the mainland to where it intersects longitude 144°44.490' east<sup>180</sup>
- then westerly along the relevant mangrove line to where the mainland at high water intersects longitude 144°41.082' east<sup>181</sup>
- then generally northerly along the coastal line along the mainland to where it intersects longitude 144°24.372' east<sup>182</sup>
- then south-westerly along a geodesic to where the mainland at high water intersects longitude 144°24.318' east<sup>183</sup>
- then generally westerly along the coastal line along the mainland to where it intersects longitude 144°20.364' east<sup>184</sup>
- then westerly along a geodesic to where the mainland at high water intersects longitude 144°20.280' east<sup>185</sup>

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179 The mainland at high water intersects longitude 144°46.914' east just west of the mouth of Rocky Creek.

180 The coastal line along the mainland intersects longitude 144°44.490' east just west of Red Point.

181 The mainland at high water intersects longitude 144°41.082' east just east of Cape Bowen.

182 The coastal line along the mainland intersects longitude 144°24.372' east on the eastern side of the mouth of an unnamed inlet at Bathurst Bay, at approximately latitude 14°16.230' south.

183 The mainland at high water intersects latitude 14°16.260' south on the western side of the mouth of an unnamed inlet at Bathurst Bay, at approximately longitude 144°24.318' east.

184 The coastal line along the mainland intersects latitude 14°18.378' south on the eastern side of the mouth of an unnamed inlet at Bathurst Bay, at approximately longitude 144°20.364' east.

185 The mainland at high water intersects longitude 144°20.280' east on the western side of the mouth of an unnamed inlet at Bathurst Bay, at approximately latitude 14°18.390' south.



**Schedule 9 (continued)**

- then generally westerly along the coastal line along the mainland to where it intersects latitude 14°18.630' south<sup>186</sup>
- then generally westerly along the relevant mangrove line to latitude 14°24.324' south, longitude 144°08.670' east<sup>187</sup>
- then westerly along a geodesic to latitude 14°24.350' south, longitude 144°08.500' east<sup>188</sup>
- then generally westerly along the relevant mangrove line to latitude 14°28.842' south, longitude 144°01.908' east<sup>189</sup>
- then south-westerly along a geodesic to latitude 14°28.900' south, longitude 144°01.750' east<sup>190</sup>
- then generally westerly along the relevant mangrove line to latitude 14°29.760' south, longitude 143°56.802' east<sup>191</sup>
- then north-westerly along a geodesic to latitude 14°29.676' south, longitude 143°56.436' east<sup>192</sup>

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186 The coastal line along the mainland intersects latitude 14°18.630' south on the eastern side of Princess Charlotte Bay.

187 Latitude 14°24.324' south, longitude 144°08.670' east is on the eastern side of the mouth of the Normanby River.

188 Latitude 14°24.350' south, longitude 144°08.500' east is on the western side of the mouth of the Normanby River.

189 Latitude 14°28.842' south, longitude 144°01.908' east is on the eastern side of the mouth of the Bizant River.

190 Latitude 14°28.900' south, longitude 144°01.750' east is on the western side of the mouth of the Bizant River.

191 Latitude 14°29.760' south, longitude 143°56.802' east is on the eastern side of the mouth of the North Kennedy River.

192 Latitude 14°29.676' south, longitude 143°56.436' east is on the western side of the mouth of the North Kennedy River.

**Schedule 9 (continued)**

- then generally westerly and northerly along the relevant mangrove line to where the mainland at high water intersects longitude 143°50.748' east<sup>193</sup>
- then generally northerly along the coastal line along the mainland to where it intersects latitude 14°04.200' south<sup>194</sup>
- then north-easterly along a geodesic to where the mainland at high water intersects latitude 14°04.074' south<sup>195</sup>
- then generally northerly along the coastal line along the mainland to where it intersects latitude 13°46.194' south<sup>196</sup>
- then north-westerly along a geodesic to where the mainland at high water intersects latitude 13°46.152' south<sup>197</sup>
- then generally northerly along the coastal line along the mainland to where it intersects latitude 13°42.234' south<sup>198</sup>

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193 The mainland at high water intersects longitude 143°50.748' east on the western side of Princess Charlotte Bay.

194 The coastal line along the mainland intersects latitude 14°04.200' south on the southern side of the mouth of the Stewart River, at approximately longitude 143°41.508' east.

195 The mainland at high water intersects latitude 14°04.074' south on the northern side of the mouth of the Stewart River, at approximately longitude 143°41.562' east.

196 The coastal line along the mainland intersects latitude 13°46.194' south on the southern side of the mouth of the inlet at Colmer Point, at approximately longitude 143°32.304' east.

197 The mainland at high water intersects latitude 13°46.152' south on the northern side of the mouth of the inlet at Colmer Point, at approximately longitude 143°32.286' east.

198 The coastal line along the mainland intersects latitude 13°42.234' south on the southern side of the mouth of the Chester River, at approximately longitude 143°32.706' east.

**Schedule 9 (continued)**

- then northerly along a geodesic to where the mainland at high water intersects latitude 13°42.108' south<sup>199</sup>
- then generally northerly along the coastal line along the mainland to where it intersects latitude 13°33.822' south<sup>200</sup>
- then north-westerly along a geodesic to where the mainland at high water intersects latitude 13°33.786' south, longitude 143°34.470' east<sup>201</sup>
- then generally northerly along the coastal line along the mainland to where it intersects latitude 13°33.462' south<sup>202</sup>
- then north-easterly along a geodesic to where the mainland at high water intersects latitude 13°33.420' south<sup>203</sup>
- then generally northerly along the coastal line along the mainland to where it intersects latitude 13°32.616' south<sup>204</sup>
- then north-westerly along a geodesic to where the mainland at high water intersects latitude 13°32.460' south<sup>205</sup>

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199 The mainland at high water intersects latitude 13°42.108' south on the northern side of the mouth of the Chester River, at approximately longitude 143°32.724' east.

200 The coastal line along the mainland intersects latitude 13°33.822' south on the southern side of an unnamed inlet just south of the Nesbit River, at approximately longitude 143°34.482' east.

201 The mainland at high water intersects latitude 13°33.786' south on the northern side of an unnamed inlet just south of the Nesbit River, at approximately longitude 143°34.470'.

202 The coastal line along the mainland intersects latitude 13°33.462' south on the southern side of the mouth of an unnamed inlet just south of the Nesbit River, at approximately longitude 143°34.836' east.

203 The mainland at high water intersects latitude 13°33.420' south on the northern side of the mouth of an unnamed inlet just south of the Nesbit River, at approximately longitude 143°34.866' east.

204 The coastal line along the mainland to where it intersects latitude 13°32.616' south on the southern side of the mouth of the Nesbit River, at approximately longitude 143°35.256' east.

205 The mainland at high water intersects latitude 13°32.460' south on the northern side of the mouth of the Nesbit River, at approximately longitude 143°35.190' east.

**Schedule 9 (continued)**

- then generally northerly along the coastal line along the mainland to where it intersects latitude 13°30.972' south<sup>206</sup>
- then north-westerly along a geodesic to where the mainland at high water intersects latitude 13°30.936' south<sup>207</sup>
- then generally northerly along the coastal line along the mainland to where it intersects latitude 13°22.542' south<sup>208</sup>
- then north-westerly along a geodesic to where the mainland at high water intersects latitude 13°22.524' south<sup>209</sup>
- then generally northerly along the coastal line along the mainland to where it intersects longitude 143°31.842' east<sup>210</sup>
- then westerly along the relevant mangrove line to where the mainland at high water intersects longitude 143°27.648' east
- then westerly along the coastal line along the mainland to where it intersects longitude 143°26.700' east
- then westerly along the relevant mangrove line to where the mainland at high water intersects latitude 12°53.430' south on the western side of Lloyd Bay

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206 The coastal line along the mainland intersects latitude 13°30.972' south on the southern side of the mouth of the inlet at Campbell Point, at approximately longitude 143°35.112' east.

207 The mainland at high water intersects latitude 13°30.936' south on the northern side of the mouth of the inlet at Campbell Point, at approximately longitude 143°34.968' east.

208 The coastal line along the mainland intersects latitude 13°22.542' south on the southern side of the mouth of the inlet at Friendly Point, at approximately longitude 143°34.938' east.

209 The mainland at high water intersects latitude 13°22.524' south on the northern side of the mouth of the inlet at Friendly Point, at approximately longitude 143°34.896' east.

210 The coastal line along the mainland intersects longitude 143°31.842' east on the eastern side of Lloyd Bay.

**Schedule 9 (continued)**

- then northerly along the coastal line along the mainland to where it intersects latitude 12°50.220' south<sup>211</sup>
- then north-easterly along a geodesic to where the mainland at high water intersects latitude 12°50.184' south<sup>212</sup>
- then northerly along the coastal line along the mainland to where it intersects longitude 143°24.654' east<sup>213</sup>
- then westerly along the relevant mangrove line to where the mainland at high water intersects longitude 143°21.588' east
- then westerly along the coastal line along the mainland to where it intersects longitude 143°20.772' east
- then westerly along the relevant mangrove line to where the mainland at high water intersects latitude 12°32.694' south<sup>214</sup>
- then northerly along the coastal line along the mainland to where it intersects longitude 143°17.496' east<sup>215</sup>
- then westerly along the relevant mangrove line to where the mainland at high water intersects longitude 143°17.304' east<sup>216</sup>

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211 The coastal line along the mainland intersects latitude 12°50.220' south on the southern side of the mouth of the Claudie River, at approximately longitude 143°21.420' east.

212 The mainland at high water intersects latitude 12°50.184' south on the northern side of the mouth of the Claudie River, at approximately longitude 143°21.528' east.

213 The coastal line along the mainland intersects longitude 143°24.654' east just west of Aylen Hills.

214 The mainland at high water intersects latitude 12°32.694' south on the western side of Weymouth Bay.

215 The coastal line along the mainland intersects longitude 143°17.496' east just east of the mouth of Horse Creek.

216 The mainland at high water intersects longitude 143°17.304' east near the mouth of Horse Creek.

**Schedule 9 (continued)**

- then northerly along the coastal line along the mainland to where it intersects longitude 143°17.166' east<sup>217</sup>
- then westerly along the relevant mangrove line to where the mainland at high water intersects latitude 12°30.654' south<sup>218</sup>
- then northerly along the coastal line along the mainland to where it intersects latitude 12°29.772' south<sup>219</sup>
- then north-easterly along a geodesic to where latitude 12°29.616' south intersects the outer boundary of the mangrove forest that adjoins the northern side of the mouth of the Pascoe River<sup>220</sup>
- then northerly along the coastal line along the mainland to where it intersects longitude 143°09.774' east<sup>221</sup>
- then westerly along the relevant mangrove line to where the mainland at high water intersects latitude 12°20.598' south on the western side of Temple Bay
- then northerly along the coastal line along the mainland to where it intersects latitude 12°10.344' south<sup>222</sup>
- then northerly along a geodesic to where the mainland at high water intersects latitude 12°09.462' south<sup>223</sup>

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217 The coastal line along the mainland intersects longitude 143°17.166' east just east of the mouth of Hurdle Creek.

218 The mainland at high water intersects latitude 12°30.654' south just west of the mouth of Hurdle Creek.

219 The coastal line along the mainland intersects latitude 12°29.772' south on the relevant mangrove line on the southern side of the mouth of the Pascoe River, at approximately longitude 143°16.266' east.

220 Latitude 12°29.616' south intersects the outer boundary of the mangrove forest that adjoins the northern side of the mouth of the Pascoe River at approximately longitude 143°16.316' east.

221 The coastal line along the mainland intersects longitude 143°09.774' east on the eastern side of Temple Bay.

222 The coastal line along the mainland intersects latitude 12°10.344' south on the southern side of the mouth of the Olive River, at approximately longitude 143°05.694' east.

223 The mainland at high water intersects latitude 12°09.462' south on the northern side of the mouth of the Olive River, at approximately longitude 143°05.586' east.

**Schedule 9 (continued)**

- then northerly along the coastal line along the mainland to where it intersects latitude 11°57.276' south<sup>224</sup>
- then westerly along the relevant mangrove line to where the mainland at high water intersects longitude 143°12.840' east<sup>225</sup>
- then westerly along the coastal line along the mainland to where it intersects longitude 143°12.558' east
- then westerly along the relevant mangrove line to latitude 11°58.404' south, longitude 143°10.392' east<sup>226</sup>
- then westerly along a geodesic to where longitude 143°10.164' east intersects the outer edge of the mangrove forest that adjoins the western side of the mouth of the MacMillan River<sup>227</sup>
- then westerly along the coastal line along the mainland to where it intersects latitude 11°53.706' south<sup>228</sup>
- then westerly along the relevant mangrove line to where the mainland at high water intersects longitude 142°59.442' east<sup>229</sup>
- then westerly along the coastal line along the mainland to where it intersects longitude 142°58.704' east<sup>230</sup>

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224 The coastal line along the mainland intersects latitude 11°57.276' south on the eastern side of Waterhole Bay.

225 The mainland at high water intersects longitude 143°12.840' east on the western side of Waterhole Bay

226 Latitude 11°58.404' south, longitude 143°10.392' east is on the eastern side of the mouth of the MacMillan River.

227 Longitude 143°10.164' east intersects the outer boundary of the mangrove forest that adjoins the western side of the mouth of the MacMillan River at approximately latitude 11°58.392' south.

228 The coastal line along the mainland intersects latitude 11°53.706' south on the eastern side of Shelburne Bay.

229 The mainland at high water intersects longitude 142°59.442' east just east of White (Wolona) Point.

230 The coastal line along the mainland intersects longitude 142°58.704' east just west of White (Wolona) Point.

**Schedule 9 (continued)**

- then westerly along the relevant mangrove line to where the mainland at high water intersects longitude 142°54.384' east<sup>231</sup>
- then northerly along the coastal line along the mainland to where it intersects longitude 142°53.526' east<sup>232</sup>
- then westerly along the relevant mangrove line to where the mainland at high water intersects longitude 142°51.378' east
- then northerly along the coastal line along the mainland to where it intersects longitude 142°42.918' east<sup>233</sup>
- then north-westerly along a geodesic to where Turtle Head Island at high water intersects longitude 142°42.384' east<sup>234</sup>
- then northerly along Turtle Head Island at high water to where it intersects latitude 10°54.840' south<sup>235</sup>
- then westerly along a geodesic to where Trochus Island at high water intersects longitude 142°38.322' east<sup>236</sup>
- then westerly along the coastal line along Trochus Island to where it intersects longitude 142°37.458' east<sup>237</sup>

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- 231 The mainland at high water intersects longitude 142°54.384' east on the western side of Shelburne Bay.
- 232 The coastal line along the mainland intersects longitude 142°53.526' east just west of Double (Etatapuma) Point.
- 233 The coastal line along the mainland intersects longitude 142°42.918' east at Sharp Point (approximately latitude 10°57.690' south, longitude 142°42.918' east).
- 234 Turtle Head Island at high water intersects longitude 142°42.384' east at its most south-eastern point (approximately latitude 10°57.432' south, longitude 142°42.384' east).
- 235 Turtle Head Island at high water intersects latitude 10°54.840' south at its most north-western point (approximately latitude 10°54.840' south, longitude 142°39.210' east).
- 236 Trochus Island at high water intersects longitude 142°38.322' east at its most north-eastern point (approximately latitude 10°54.942' south, longitude 142°38.322' east).
- 237 The coastal line along Trochus Island intersects longitude 142°37.458' east at its most north-western point (approximately latitude 10°54.930' south).



**Schedule 9 (continued)**

- then north-westerly along a geodesic to where latitude 10°54.762' south intersects the outer boundary of the mangrove forest that adjoins Newcastle Bay<sup>238</sup>
- then northerly along the outer boundary of the mangrove forest that adjoins Newcastle Bay to where it intersects longitude 142°35.436' east<sup>239</sup>
- then north-westerly along a geodesic to where the mainland at high water intersects latitude 10°49.974' south<sup>240</sup>
- then northerly along the coastal line along the mainland to where it intersects latitude 10°40.910' south<sup>241</sup>
- then east along latitude 10°40.910' south to where it intersects the coastal 5km line around the mainland
- then generally southerly along the coastal 5km line around the mainland to where it intersects the geodesic that passes through the following points—
  - (a) latitude 14°18.179' south, longitude 145°39.064' east;
  - (b) latitude 14°39.910' south, longitude 144°56.565' east
- then south-westerly along that geodesic to the most eastern point where it intersects the mainland at high water.

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238 Latitude 10°54.762' south intersects the outer boundary of the mangrove forest that adjoins Newcastle Bay at approximately latitude 10°54.762' south, longitude 142°37.182' east.

239 The outer boundary of the mangrove forest that adjoins Newcastle Bay intersects longitude 142°35.436' east at the most northern point on the eastern side of Kennedy Inlet (approximately latitude 10°52.080' south, longitude 142°35.436' east).

240 The mainland at high water intersects latitude 10°49.974' south on the western side of Kennedy Inlet at high water, at approximately longitude 142°32.988' east.

241 The coastal line along the mainland intersects latitude 10°40.910' south at the most northern point of Cape York.

Latitude 10°40.910' south is the northern boundary of the Great Barrier Reef Region.

## **Schedule 10      Outer Islands Management Area**

section 2, definition *Outer Islands Management Area*

### **1      Offshore segment**

Tidal waters and tidal land that are—

- (a) within the Great Barrier Reef Region; and
- (b) seaward of the territorial sea baseline.

### **2      Inshore segment**

- (1) Tidal waters and tidal land, other than tidal waters or tidal land mentioned in subsection (2), that are landward of the coastal 5km line around each island that is—
  - (a) within the Great Barrier Reef Region; and
  - (b) landward of the territorial sea baseline; and
  - (c) not within any area mentioned in schedule 6, 7, 8 or 9.
- (2) For subsection (1), the inshore segment does not include the following—
  - (a) tidal waters or tidal land within any of the following—
    - (i) the Port of Gladstone;
    - (ii) the Port of Rockhampton;
    - (iii) the Port of Hay Point;
    - (iv) the Port of Mackay;
    - (v) the Port of Townsville;
  - (b) tidal waters or tidal land, other than tidal waters or tidal land mentioned in paragraph (a), that are landward of the coastal 5km line around an island that is within, or completely surrounded by, a port mentioned in paragraph (a);
  - (c) tidal waters that are, or tidal land that is, landward of the coastal 5km line around Pigeon Island;

**Schedule 10 (continued)**

- (d) tidal waters or tidal land within the port of Abbot Point, other than tidal waters and tidal land that are landward of the coastal 5km line around Middle Island;
- (e) tidal waters or tidal land within an area mentioned in schedule 6, 7, 8 or 9 or section 1 of this schedule.

*Note—*

The limits of the ports mentioned in this item are described in the *Transport Infrastructure (Ports) Regulation 1994*, schedule 1 (Port limits).

## 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 17 March 2006. Future amendments of the Marine Parks Regulation 1990 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
notfdd	= notified	rv	= revised edition
o in c	= order in council	s	= section
om	= omitted	sch	= schedule
orig	= original	sdiv	= subdivision
p	= page	SIA	= Statutory Instruments Act 1992
para	= paragraph	SIR	= Statutory Instruments Regulation 2002
prec	= preceding	SL	= subordinate legislation
pres	= present	sub	= substituted
prev	= previous	unnum	= unnumbered

## 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 to	Effective	Reprint date
1	1997 SL No. 73	1 April 1997	5 June 1997
1A	1997 SL No. 384	1 December 1997	18 February 1998
1B	2001 SL No. 237	1 December 2001	14 December 2001
1C	2001 SL No. 283	21 December 2001	11 January 2001

Reprint No.	Amendments included	Effective	Notes
1D rv	2003 SL No. 137	1 July 2003	
1E	2004 SL No. 116	2 July 2004	
1F	2004 SL No. 238	5 November 2004	
1G	2005 SL No. 13	18 February 2005	
1H	2005 SL No. 152	1 July 2005	
1I	2006 SL No. 40	17 March 2006	

## 5 Tables in earlier reprints

Name of table	Reprint No.
Changed names and titles	1
Corrected minor errors	1
Obsolete and redundant provisions	1
Renumbered provisions	1

## 6 List of legislation

### **Marine Parks Regulation 1990**

made by the Deputy Governor on 16 August 1990

pubd gaz 18 August 1990 pp 2323–43

commenced 19 August 1990 (see s 2)

exp 31 August 2006 (see SIA s 56A(2) and SIR s 5 sch 3)

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

amending legislation—

### **regulations published gazette (pre SL series)—**

1 September 1990 p 104

commenced on date of publication

**Marine Parks Amendment Regulation 1991 SL No. 35**

pubd gaz 27 July 1991 pp 1825–7  
commenced on date of publication

**Marine Parks Amendment Regulation (No. 1) 1993 SL No. 38**

notfd gaz 19 February 1993 pp 597–600  
commenced on date of notification

**Marine Parks Amendment Regulation (No. 2) 1993 SL No. 195**

notfd gaz 4 June 1993 pp 782–5  
commenced on date of notification

**Marine Parks Amendment Regulation (No. 1) 1997 SL No. 73**

notfd gaz 27 March 1997 pp 1333–6  
ss 1–2 commenced on date of notification  
remaining provisions commenced 1 April 1997 (see s 2)

**Environmental Legislation Amendment Regulation (No. 1) 1997 SL No. 379 pts 1–2**

notfd gaz 7 November 1997 pp 967–8  
commenced on date of notification

**Marine Parks Amendment Regulation (No. 2) 1997 SL No. 384**

notfd gaz 14 November 1997 pp 1164–5  
ss 1–2 commenced on date of notification  
remaining provisions commenced 1 December 1997 (see s 2)

**Marine Parks Amendment Regulation (No. 1) 2001 SL No. 237**

notfd gaz 30 November 2001 pp 1179–82  
ss 1–2 commenced on date of notification  
remaining provisions commenced 1 December 2001 (see s 2)

**Environmental Legislation Amendment Regulation (No. 1) 2001 SL No. 283 s 1, pt 6**

notfd gaz 21 December 2001 pp 1482–8  
commenced on date of notification

**Environmental Legislation Amendment Regulation (No. 1) 2003 SL No. 137 pts 1, 3**

notfd gaz 27 June 2003 pp 749–56  
ss 1–2 commenced on date of notification  
remaining provisions commenced 1 July 2003 (see s 2)

**Environmental Legislation Amendment Regulation (No. 1) 2004 SL No. 116 pts 1, 4**

notfd gaz 2 July 2004 pp 705–7  
ss 1–2 commenced on date of notification  
remaining provisions commenced 2 July 2004 (see s 2)

**Marine Parks and Other Legislation Amendment and Repeal Regulation (No. 1) 2004 SL No. 238 pts 1, 3**

notfd gaz 5 November 2004 pp 813–5  
commenced on date of notification  
Note—A regulatory impact statement and explanatory note were prepared

**Marine Parks Amendment Regulation (No. 1) 2005 SL No. 13**

notfd gaz 18 February 2005 pp 596–7  
commenced on date of notification

**Environmental Legislation Amendment Regulation (No. 1) 2005 SL No. 152 pts 1, 5**

notfd gaz 1 July 2005 pp 763–6

ss 1–2 commenced on date of notification

remaining provisions commenced 1 July 2005 (see s 2)

**Marine Parks Amendment Regulation (No. 1) 2006 SL No. 40**

notfd gaz 17 March 2006 pp 1090–1

commenced on date of notification

## 7 List of annotations

**Short title****s 1 prov hdg** amd 2004 SL No. 238 s 5**Commencement****s 2** om R1 (see RA s 37)**Repeal****s 3** om R1 (see RA s 40)**Definitions****prov hdg** sub 2001 SL No. 237 s 4(1)**s 2** prev s 4 renum 2004 SL No. 238 s 6(3)def “**500m line**” ins 2004 SL No. 238 s 6(2)def “**1km line**” ins 2004 SL No. 238 s 6(2)def “**2km line**” ins 2004 SL No. 238 s 6(2)def “**Cairns/Cooktown Management Area**” ins 2004 SL No. 238 s 6(2)def “**coastal 20m line**” ins 2004 SL No. 238 s 6(2)def “**coastal 100m line**” ins 2004 SL No. 238 s 6(2)def “**coastal 500m line**” ins 2004 SL No. 238 s 6(2)

amd 2005 SL No. 13 s 3(2)

def “**coastal 1km line**” ins 2004 SL No. 238 s 6(2)def “**coastal 5km line**” ins 2004 SL No. 238 s 6(2)def “**coastal line**” ins 2004 SL No. 238 s 6(2)def “**Director**” om 1997 SL No. 73 s 4(1)def “**environmental impact statement**” ins 1997 SL No. 73 s 4(2)def “**Far Northern Management Area**” ins 2004 SL No. 238 s 6(2)def “**farming facility**” ins 2004 SL No. 238 s 6(2)def “**fringing reef**” ins 2004 SL No. 238 s 6(2)def “**GBR Coast Marine Park**” ins 2004 SL No. 238 s 6(2)def “**GBR Coast Marine Park (interim)**” ins 2004 SL No. 238 s 6(2)def “**Great Barrier Reef marine park**” ins 1997 SL No. 73 s 4(2)

om 2004 SL No. 238 s 6(1)

def “**H.A.T.**” ins 1997 SL No. 384 s 4def “**highest astronomical tide**” ins 1997 SL No. 384 s 4def “**high water**” ins 2004 SL No. 238 s 6(2)def “**impact assessment study**” om 1997 SL No. 73 s 4(1)def “**landing area**” ins 2004 SL No. 238 s 6(2)def “**L.A.T.**” ins 2001 SL No. 237 s 4(3)def “**lowest astronomical tide**” ins 2001 SL No. 237 s 4(3)

def “**low water**” ins 2004 SL No. 238 s 6(2)  
 def “**Mackay/Capricorn Management Area**” ins 2004 SL No. 238 s 6(2)  
 def “**mangrove forest**” ins 2004 SL No. 238 s 6(2)  
 def “**mangrove line**” ins 2004 SL No. 238 s 6(2)  
 def “**outer boundary**” ins 2005 SL No. 13 s 3(1)  
 def “**Outer Islands Management Area**” ins 2004 SL No. 238 s 6(2)  
 def “**permission**” sub 1997 SL No. 73 s 4  
 def “**special permission**” ins 1997 SL No. 73 s 4(2)  
 def “**territorial sea baseline**” ins 2004 SL No. 238 s 6(2)  
 def “**Townsville/Whitsunday Management Area**” ins 2004 SL No. 238 s 6(2)  
 def “**Trinity Inlet fish habitat area**” ins 2004 SL No. 238 s 6(2)  
 def “**vehicle**” amd 2001 SL No. 237 s 4(2)

**Notes in text**

s 3 ins 2004 SL No. 238 s 7

**References to latitudes and longitudes**

s 4 ins 2004 SL No. 238 s 7

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

s 4A ins 2004 SL No. 238 s 7

**References to relevant mangrove line**

s 4B ins 2004 SL No. 238 s 7

**References to bracketed reef numbers**

s 4C ins 2004 SL No. 238 s 7

**Fees**

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**Indexation of fees**

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**PART 1B—AMALGAMATION OF MARINE PARKS**

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**Designated areas**

s 7 amd 1997 SL No. 73 s 17

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**Entry and use of zones and designated zones**

s 8A ins 1997 SL No. 73 s 7



**Application for permission to enter or use marine park****prov hdg** sub 1997 SL No. 73 s 8(1)**s 9** amd 1993 SL No. 195 s 4; 1997 SL No. 73 ss 8(2)–(3), 17, 18; 2004 SL No. 238 s 9**Advertising of application in particular circumstances****s 9AA** ins 2004 SL No. 238 s 10**Matters chief executive may or must consider for considering application****s 9AB** ins 2004 SL No. 238 s 10**When fee payable—commercial whale watching program****s 9A** ins 1997 SL No. 73 s 9**Grant or refusal of permission****s 10** amd 1997 SL No. 73 s 17, 18; 2004 SL No. 238 s 11**Restrictions on grant of permission****s 10A** ins 1997 SL No. 379 s 3**Revocation of permission****s 11** amd 1997 SL No. 73 s 17, 18**Variation of permission****s 12** amd 1997 SL No. 73 s 17, 18**Continuation of permission****s 13** amd 1997 SL No. 73 s 18**Requirements about giving authorisations under permission****s 13A** ins 2004 SL No. 238 s 12**Effect of authorisations given under permission****s 13B** ins 2004 SL No. 238 s 12**Entry in emergency****s 14** amd 2004 SL No. 238 s 13**Preparation****s 15** amd 1997 SL No. 73 s 17**Contents****s 16** amd 1997 SL No. 73 s 17**Approval of plans and programs****s 17** amd 1997 SL No. 73 s 17**Amendment etc. of plans and programs****s 18** amd 1997 SL No. 73 s 17**Chief executive may give directions for carrying out activities in a zone****s 18A** ins 2004 SL No. 238 s 14**Removal of materials etc. prohibited****s 19** amd 1997 SL No. 73 s 19**Discharging etc. of wastes****s 20** amd 1997 SL No. 73 s 19; 2004 SL No. 238 s 15

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s 21            amd 1997 SL No. 73 s 19

**Living on vessels, vehicles, aircraft or structures**

s 22            amd 1997 SL No. 73 s 19

**Abandonment of vessels, vehicles or aircraft**

s 24            amd 1997 SL No. 73 s 10

**Introduction of animals, marine products or plants**

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**Entry of domestic animals into particular areas**

s 26            amd 1997 SL No. 73 s 17  
                 sub 2004 SL No. 238 s 16

**Entry of vehicles into particular areas**

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s 26B          ins 2004 SL No. 238 s 16

**Temporary restricted areas**

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exp 1 December 1997 (see s 47)

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amd reg pubd gaz 1 September 1990 p 104; 1991 SL No. 35 s 3  
sub 1993 SL No. 195 s 5; 1997 SL No. 73 s 20  
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**SCHEDULE 2—FEE FOR ASSESSMENT OF APPLICATION FOR CONTINUATION OF PERMISSION TO CARRY OUT TOURISM ACTIVITY**

ins 1993 SL No. 195 s 5

sub 1997 SL No. 73 s 20

**SCHEDULE 3—FEE FOR PERMISSION, OR CONTINUATION OF PERMISSION, TO CARRY OUT A COMMERCIAL WHALE WATCHING PROGRAM**

ins 1993 SL No. 195 s 5

sub 1997 SL No. 73 s 20; 2001 SL No. 283 s 12; 2003 SL No. 137 s 6; 2004 SL No. 116 s 8; 2005 SL No. 152 s 10

**SCHEDULE 4—AREAS DECLARED TO BE MARINE PARKS**

ins 1997 SL No. 384 s 7; 2006 SL No. 40 s 3

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**SCHEDULE 9—FAR NORTHERN MANAGEMENT AREA**

**sch 9 (s 1)** ins 2004 SL No. 238 s 22

**SCHEDULE 10—OUTER ISLANDS MANAGEMENT AREA****Offshore segment**

**s 1** ins 2004 SL No. 238 s 22

**Inshore segment**

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