



Australian Government

Great Barrier Reef  
Marine Park Authority

# Whitsundays Plan of Management

*Reprinted as in force December 2008 and includes Amendment 2008 (No. 1)*

December 2008





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Marine Park Authority**

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# Whitsundays Plan of Management 1998

as amended

made under Part VB of the

*Great Barrier Reef Marine Park Act 1975*

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THE GREAT BARRIER REEF MARINE PARK AUTHORITY, having regard to the protection of world heritage values of the Great Barrier Reef Marine Park and the precautionary principle referred to in section 3.5.1 of the Intergovernmental Agreement on the Environment (a copy of which is set out in the Schedule to the *National Environment Protection Council Act 1994*), prepares the following plan of management under part VB of the *Great Barrier Reef Marine Park Act 1975*.

This compilation was prepared on 18 December 2008  
taking into account amendments up to *Whitsundays Plan of Management  
Amendment 2008 (No. 1)*

Prepared by the Office of Legislative Drafting and Publishing,  
Attorney-General's Department, Canberra



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## Foreword

The Great Barrier Reef Marine Park Authority has prepared the *Whitsundays Plan of Management 1998* (the **Plan**) to protect and conserve the values of a particular area of the Great Barrier Reef Marine Park associated with the area around the Whitsunday Island Group, while allowing for a range of use opportunities. The area is referred to as the Planning Area, and geographical details about the area are contained in the Plan.

The Great Barrier Reef is one of the world's last healthy reef systems and one of Australia's most popular natural tourist attractions. Over half a million people visit the area of the Marine Park described in the Plan each year. A diverse range of activities take place in the Planning Area. The area makes up 1% of the total area of the Marine Park and is one of the most important tourism destinations on the Queensland coast. It receives more than one-third of all visitors who travel to the Great Barrier Reef and is recognised as a significant presentation area for Great Barrier Reef world heritage values.

Visitors to the Planning Area are attracted by the spectacular scenery of the numerous islands (most of which are national parks), fringing reefs and offshore reefs. The reefs and islands support a huge range of animal and plant life, including protected species such as humpback whales, dugongs, loggerhead turtles, beach stone-curlews and Proserpine rock-wallabies. The Planning Area includes sites of Aboriginal cultural significance, such as the unique rock art paintings at Nara Inlet, and sites of importance in the history of European presence in the area.

Tourism and recreation are the major uses of the Planning Area. It is therefore an important area for educating and informing visitors from around Australia and the world about world heritage values. In addition, the Planning Area is also used for commercial fishing and collecting, research and education, traditional hunting, and shipping.

The *Great Barrier Reef Marine Park Act 1975* (the **Act**), the *Great Barrier Reef Marine Park Regulations 1983*, the *Great Barrier Reef Marine Park Zoning Plan 2003* and this Plan provide the statutory foundation for managing use of the Planning Area. Management of the Planning Area is achieved through partnerships with stakeholder groups and joint management arrangements with various Queensland Government agencies, in particular the Queensland Environmental Protection Agency which includes the Queensland Parks and Wildlife Service. The Plan regulates some matters also mentioned in the Zoning Plan, but does not otherwise affect the Zoning Plan.

The Authority believes that this Plan must be complemented by other actions to ensure use can occur without threatening the values of the Planning Area. To this end, the Authority encourages the joint day-to-day management arrangements, widespread use of best environmental practices and cooperative working arrangements among the management agencies and Marine Park stakeholder groups.

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The Plan identifies significant values in the Planning Area that require immediate protection, the issues associated with protecting those values, and the management measures that will be used to address them. In future it may be necessary to modify the Plan in response to new information obtained through programs that are in place to monitor protected species (eg humpback whales, dugongs and seabirds), fringing reefs (eg anchor damage and recovery), site visitation and changing community attitudes.

Under section 54 of the Act, the Authority will prepare a Great Barrier Reef Outlook Report every 5 years, with the first report due to be given to the Minister by 30 June 2009. The report will include analysis of the effectiveness of management of the Marine Park, including the effectiveness of plans of management, and will provide a basis for review of the Plan. The Authority will make amendments to the Plan as required, subject to a period of public comment. To date the Plan has been amended in 1999, 2002 and 2005.

Part 1 of the Plan outlines the values, issues and management strategies. Part 2 deals with enforcement provisions.

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## **Part 1                      Management of the Whitsunday    Planning Area**

### **Division 1                Preliminary**

#### **1.1            Name of this Plan**

This Plan is the *Whitsundays Plan of Management 1998*.

#### **1.2            Application of this Plan**

This Plan applies to the area of the Marine Park inside the Planning Area.

*Note* **Planning Area** is defined in Schedule 9.

#### **1.3            Intent of this Plan**

- (1) The intent of this Plan, in conjunction with other management mechanisms, is to protect and conserve identified values of the Planning Area, while allowing for reasonable opportunities to access and use the Planning Area.
- (2) Section 39Y of the Act sets out the following objects of plans of management:
  - (a) to ensure, for particular areas of the Marine Park in which the Authority considers that nature conservation values, cultural and heritage values, or scientific values are, or may be, threatened, that appropriate proposals are developed to reduce or eliminate the threats;
  - (b) to ensure management for the recovery and continued protection and conservation of species and ecological communities that are, or may become:
    - (i) extinct; or
    - (ii) extinct in the wild; or
    - (iii) critically endangered; or
    - (iv) endangered; or
    - (v) vulnerable; or
    - (vi) conservation dependent;
  - (c) to ensure that activities within areas of the Marine Park are managed on the basis of ecologically sustainable use;
  - (d) to provide a basis for managing the uses of a particular area of the Marine Park that may conflict with other uses of the area or with the values of the area;
  - (e) to provide for the management of areas of the Marine Park in conjunction with community groups in circumstances where those groups have a special interest in the areas concerned;
  - (f) to enable people using the Marine Park to participate in a wide range of recreational activities.

## Clause 1.4

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- (3) Subsection 39Z (1) of the Act states that:

‘The Authority in preparing management plans must have regard to:

- (a) the protection of world heritage values of the Marine Park; and
- (b) the precautionary principle.’

*Note* Subsection 39Z (2) of the Act defines *the precautionary principle* to have the same meaning as in section 3.5.1 of the Intergovernmental Agreement on the Environment. (The Agreement is set out in full in the Schedule to the *National Environment Protection Council Act 1994*).

The principle is:

‘Where there are threats of serious or irreversible environmental damage, lack of full scientific certainty should not be used as a reason for postponing measures to prevent environmental degradation.’.

- (4) The Authority does not intend that this Plan will impair or extinguish any native title rights in the Planning Area.

### 1.4 Interpretation

- (1) Unless the contrary intention appears, a term defined in Schedule 9 has the meaning given by that schedule.
- (2) A reference in this Plan to a reef or other place, followed by an identification number in brackets (for example, ‘Line Reef (19-128)’), is a reference to the reef or place depicted and numbered in the map entitled *MPZ10 - Whitsunday*, published by the Authority in April 2006.
- (3) If 2 Locations described in this Plan overlap, the boundary between them, in the area of overlap, is taken to be the median line between their boundaries as described.
- (4) If, for this Plan, an area has as its seaward boundary a notional line every point on which is a particular distance seaward from a reef or coastline (for example, the coastal 1 500 metre line) but the area does not extend all the way around the reef or coastline, the lateral boundaries of the area are the lines that are perpendicular to the reef or coastline at each end of the area unless otherwise stated.
- (5) If part of the boundary of a Location extends beyond the Planning Area, the Location boundary is taken to be the boundary of the Planning Area.
- (6) In this Plan, all geographic coordinates are expressed in terms of the Geocentric Datum of Australia 1994 (GDA94), published in *Gazette* No. GN 35 of 6 September 1995.

*Note 1* A specific reef Location mentioned in this Plan generally refers to the area within the 500 metre line of the reef, including the reef.

*Note 2* The intertidal areas and most of the islands are managed by the Queensland Environmental Protection Agency.

*Note 3* The Commonwealth island of Eshelby Island (20-012) and the southern part of Dent Island (20-058), and their intertidal areas, are managed by the Authority.

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## **Division 2            Nature conservation**

### **Subdivision 1        General**

#### **1.5            Overview**

- (1) The Authority considers protection of the natural values of the Marine Park to be an essential consideration of management. Use that threatens, or may be reasonably expected to threaten, natural values will be managed.
- (2) Nature conservation values of the Planning Area that the Authority considers are, or may be, threatened include the following:
  - (a) corals and associated biota;
  - (b) marine animals, plants and habitat;
  - (c) birds nesting or roosting in, or adjacent to, the Planning Area;
  - (d) scenic integrity;
  - (e) water quality.
- (3) To reduce or eliminate the threats to nature conservation values in the Planning Area, areas of unique or outstanding nature conservation value will be assigned high levels of protection and, in some cases, access may be limited as a result of more detailed site planning.

### **Subdivision 2        Corals and associated biota conservation**

#### **1.6            Values**

The Authority has identified the following values relating to corals and associated biota in the Planning Area:

- (a) corals and associated biota are an integral part of the Marine Park and the Great Barrier Reef World Heritage Area;
- (b) the relatively clear waters of the northern part of the Planning Area have allowed for the growth and development of extensive and diverse reef structures and corals that are relatively uncommon on fringing reefs;
- (c) surveys of fringing reefs have identified a number of reefs of outstanding species richness, coral cover, uniqueness and aesthetic appeal;
- (d) a previously undescribed coral species (*Goniastrea* sp.) has been recorded at Double Bay, and a species of sponge (*Rhabdermia sorokinae*) has been recorded at Deloraine Island reef.

#### **1.7            Issues**

The Authority has identified the following issues relating to corals and associated biota in the Planning Area:

- (a) fringing reefs are a limited resource throughout the Marine Park and especially in the Planning Area — this relatively scarce resource has important conservation and aesthetic values;

### Clause 1.8

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- (b) the accessibility of fringing reefs make them vulnerable to degradation from excessive human use, particularly damage from anchoring, diving, reef walking and collecting;
- (c) there is a higher risk that anchoring equipment associated with larger vessels will cause greater damage to coral and associated biota;
- (d) coral and associated biota have the potential to be affected by run-off from adjacent coastal development;
- (e) species of biota that are thought to have only limited geographic distribution (for example, *Goniastrea* sp., *Rhabderemia sorokinae*) require protection.

## 1.8 Strategies

- (1) Zoning protects various habitats for various purposes. Taking coral is prohibited if it is done without a relevant permission under the Zoning Plan — however, more explicit and enforceable regulation is required to address the effects of activity such as anchor damage.

*Note* Taking coral includes damaging or collecting coral. See the definition of **taking** in the Zoning Plan.

- (2) The Authority expects that people will anchor with due care to avoid damage to coral, including by:
  - (a) anchoring in sand, away from coral, if available; and
  - (b) using a reef pick appropriate to the size of the vessel; and
  - (c) when hauling in, motoring toward the anchor.
- (3) The Authority has developed the following additional strategies to reduce or eliminate threats to coral and associated biota in the Planning Area:
  - (a) making it an offence to knowingly, recklessly or negligently damage or anchor on coral in the Planning Area;
  - (b) areas of coral reef that are most susceptible to damage, and known sites for rare species of biota, have been identified as no anchoring areas and marked appropriately (see subclause 2.12 (3));
  - (c) restricting where large vessels and ships can anchor (see clause 2.4 and subclause 2.12 (4));
  - (d) the number of relevant permissions for a tourist program that rely on daily anchoring in the Planning Area has been capped;
  - (e) the number of relevant permissions for a tourist program that involve reef walking in the Planning Area has been capped, except at:
    - (i) Hardy Reef; and
    - (ii) Black Island Reef;
  - (f) all harvest fisheries and aquaculture operations have been relocated to areas outside the Planning Area.

*Note 1* Best environmental practices for anchoring are encouraged by the Authority.

*Note 2* As part of its reef protection program, the Authority continues to monitor corals and associated biota and to develop conservation measures for the Planning Area.

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## **Subdivision 3            Dugongs and marine turtles**

### **1.9            Values**

The Authority has identified the following values in relation to dugongs and marine turtles in the Planning Area:

- (a) dugongs and marine turtles are an integral part of the Marine Park and the Great Barrier Reef World Heritage Area;
- (b) several species of marine turtle inhabit the area;
- (c) seagrass beds occur in many areas and support a rich and diverse fauna and flora, providing sheltered, nutrient-rich habitat and grazing areas for dugongs and marine turtles, and provide important nurseries for a variety of marine life.

### **1.10          Issues**

The Authority has identified the following issues relating to dugongs and marine turtles in the Planning Area:

- (a) the following are protected species:
  - (i) dugong (*Dugong dugon*);
  - (ii) flatback turtle (*Natator depressus*);
  - (iii) green turtle (*Chelonia mydas*);
  - (iv) hawksbill turtle (*Eretmochelys imbricata*);
  - (v) loggerhead turtle (*Caretta caretta*);
- Note* See the Regulations for provisions declaring protected species.
- (b) marine turtles are highly susceptible to human interference at nesting sites;
- (c) marine turtles and dugongs are occasionally injured by vessels;
- (d) dugong populations throughout the southern Marine Park are severely depleted and under pressure from a variety of activities such as habitat loss, gill-netting, traditional hunting, incidental kills and illegal taking;
- (e) seagrass and mangrove communities are important to a variety of marine life and may be depleted by inappropriate human activity.

### **1.11          Strategy**

To reduce or eliminate the threats to dugongs and marine turtles in the Planning Area, the taking of protected species is prohibited other than in accordance with section 5.3 of the Zoning Plan.

*Note 1* This strategy is supported by the Giru Dala Aboriginal Council of Elders.

*Note 2* Traditional use of marine resource agreements are currently being developed by traditional owner groups whose sea country includes the Planning Area.

*Note 3* **taking** has the same meaning as in the Zoning Plan — see Schedule 9. In the Zoning Plan, **taking** is defined as follows:



## Clause 1.12

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**taking** an animal, plant or marine product includes:

- (a) removing, gathering, catching, capturing, killing, destroying, dredging for, raising, carrying away, bringing ashore, interfering with and obtaining (by any other means) the animal, plant or marine product; and
- (b) attempting to do anything mentioned in paragraph (a).

*Note 4* The document published by the Authority and entitled *Great Barrier Reef Marine Park Authority Position Statement on conservation of dugongs in the Great Barrier Reef Marine Park* can be found on the Authority's website at <http://www.gbrmpa.gov.au>.

*Note 5* The document published by the Authority and entitled *Marine Turtles in the Great Barrier Reef World Heritage Area: A compendium of information and basis for the development of policies and strategies for the conservation of marine turtles* can be found on the Authority's website at <http://www.gbrmpa.gov.au>.

## Subdivision 4 Whales and dolphins

### 1.12 Values

The Authority has identified the following values relating to whales and dolphins in the Planning Area:

- (a) whales and dolphins are an integral part of the Marine Park and the Great Barrier Reef World Heritage Area;
- (b) the Planning Area is an important calving ground for humpback whales which migrate north from the Southern Ocean during winter;
- (c) several species of dolphin inhabit the area.

### 1.13 Issues

The Authority has identified the following issues relating to marine animals, plants and habitat in the Planning Area:

- (a) the following are protected species;
  - (i) humpback whale (*Megaptera novaeangliae*);
  - (ii) Australian snubfin dolphin (*Orcaella heinsohni*);
  - (iii) Indo-Pacific hump-backed dolphin (*Sousa chinensis*);

*Note* See the Regulations for provisions declaring protected species.

- (b) adult whales and calves may be disturbed by vessels and aircraft at close range;
- (c) dolphins are occasionally injured by vessels.

### 1.14 Strategy

As part of its management of activities in the Planning Area, the Authority continues to monitor marine animals, plants and habitat and to develop conservation measures that address the interaction of vessels, aircraft and people with whales and dolphins.

*Note 1* See the Regulations for restrictions that apply. Additional restrictions apply within the Whale Protection Area described in the Regulations.

*Note 2* The document published by the Authority and entitled *Operational Policy on Whale and Dolphin Conservation in the Great Barrier Reef Marine Park* can be found on the Authority's website at <http://www.gbrmpa.gov.au>.

*Note 3* Best environmental practices for whale and dolphin watching activities are encouraged by the Authority.

## **Subdivision 5      Bird conservation**

### **1.15      Values**

The Authority has identified the following values relating to birds nesting or roosting in the Planning Area:

- (a) birds are an integral part of the Marine Park and the Great Barrier Reef World Heritage Area;
- (b) the area is recognised internationally as an important stopover area for migratory birds;
- (c) there are a number of significant bird sites in the area (listed in the table in Schedule 6).

### **1.16      Issues**

The Authority has identified the following issues relating to birds nesting or roosting in the Planning Area:

- (a) seabirds nesting in colonies and roosting on sandspits, and shorebirds feeding at mudflats, are susceptible to disturbance from human activity;
- (b) the Authority considers that the following species are, or may become, vulnerable in the Planning Area:
  - (i) beach stone-curlew (*Esacus neglectus*);
  - (ii) black-naped tern (*Sterna sumatrana*);
  - (iii) bridled tern (*Sterna anaethetus*);
  - (iv) crested tern (*Sterna bergii*);
  - (v) lesser crested tern (*Sterna bengalensis*);
  - (vi) eastern reef egret (*Egretta sacra*);
  - (vii) pied cormorant (*Phalacrocorax varius*);
  - (viii) pied imperial-pigeon (*Ducula bicolor*);
  - (ix) osprey (*Pandion haliaetus*) and white-bellied sea-eagle (*Haliaeetus leucogaster*).

### **1.17      Strategy**

The Authority's strategy to manage the threats to birds nesting or roosting in, or adjacent to, the Planning Area is to limit the approach of vessels and aircraft during periods when the birds are most vulnerable (see clause 2.11).

*Note 1* Buffers around significant bird sites are measured from high water.

*Note 2* Best environmental practices for visiting islands and observing seabirds are encouraged by the Authority.

*Note 3* As part of its threatened species conservation program, the Authority continues to monitor and develop bird conservation measures within the Planning Area.

**Clause 1.18**

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## **Division 3 Culture and heritage**

### **1.18 Values**

The Authority considers that the following cultural and heritage values exist in the Planning Area:

- (a) the relationship of traditional owners with the marine environment as demonstrated by the existence of sites of spiritual significance to those people and their conduct of traditional subsistence activities in the Planning Area (e.g. traditional hunting);
- (b) evidence of the history of Aboriginal occupation of the islands, including a quarry of international significance, a nationally significant rock art site, other rock art sites, middens and stone fish traps;

*Note* Four of these sites are specifically referred to in the Register of the National Estate kept under the *Australian Heritage Council Act 2003*.

- (c) relics of European occupation of the islands that are associated with early exploration and industry, in particular, timber felling, milling, mining, grazing, early tourism, shipwrecks, tramways, fence lines, sheds and tools associated with past grazing activities, timber extraction and indications of early resort development;
- (d) the Dent Island lighthouse and light station.

*Note* The Dent Island Lightstation was established in 1879 and is significant as an intact representation of the building style of that period. The Authority works cooperatively with the current leaseholder, and other stakeholders, to ensure best practice environmental management on the island. The Dent Island Lightstation is on the Register of the National Estate under the *Australian Heritage Council Act 2003*.

### **1.19 Issues**

The Authority considers that the following principles are important to the protection of cultural and heritage values in the Planning Area:

- (a) maintaining the natural values of the Planning Area to support its cultural and heritage values and uses;
- (b) ensuring that growing use of parts of the Planning Area does not have an adverse impact on:
  - (i) contemporary cultural and heritage values in the area; and
  - (ii) cultural and heritage values of traditional owners; and
  - (iii) the use of the Planning Area by traditional owners;
- (c) ensuring that there are no adverse effects on places of high cultural and heritage value for traditional owners as a result of inappropriate use of the Planning Area;
- (d) protecting sites of cultural and heritage significance from degradation.

### **1.20 Strategies**

- (1) To reduce or eliminate the threats to cultural and heritage values in the Planning Area, sites of significant cultural and heritage value are assigned levels of high protection and, in some cases, following site planning, access to such sites may be limited.

- (2) Regular consultation with traditional owners will continue to ensure that cultural and heritage values are identified and appropriately managed.
- (3) The Authority is working with traditional owner groups to develop traditional use of marine resources agreements.

*Note* See the Regulations for further information on traditional use of marine resources agreements.

- (4) The Authority has developed a heritage strategy under the requirements of the *Environment Protection and Biodiversity Conservation Regulations 2000*.

*Note* The document published by the Authority and entitled *Great Barrier Reef Marine Park Heritage Strategy* can be found on the Authority's website at <http://www.gbrmpa.gov.au>.

## **Division 4            Use of the Planning Area**

### **Subdivision 1        Overview**

#### **1.21        Values**

The Planning Area is one of the most important tourism areas on the Queensland coast and receives more than a third of all visitors to the Great Barrier Reef. While tourism activity is the predominant use of the Planning Area, the Authority has identified a broad range of existing uses in the Planning Area including recreation; education; marine facilities; commercial fishing; traditional fishing, hunting and gathering; shipping and port activities; and research.

#### **1.22        Issues**

The Authority considers the following matters to be important in the way in which it manages use of the Planning Area:

- (a) ensuring that all activities in the Planning Area are ecologically sustainable and undertaken in accordance with best environmental practices;
- (b) ensuring that cultural and recreational use of the Planning Area is not inappropriately displaced by growth in commercial use of the Planning Area;
- (c) minimising disturbance to users caused by noisy and intrusive activities in the Planning Area;
- (d) ensuring that the remote qualities of some sites are not inadvertently lost through unplanned increases in use;
- (e) maintaining the range of opportunities for both frequent and infrequent users of the Planning Area;
- (f) ensuring that public access and the operation of vessels at popular anchorages is not constrained by the installation of privately owned facilities;

**Clause 1.23**

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- (g) managing intensive use to ensure it does not devalue visitor experience at popular destinations;
- (h) managing the spatial distribution of tourist programs throughout the Planning Area;
- (i) preventing the scenic integrity of the Planning Area from being compromised by coastal development and the inappropriate installation of facilities in the Planning Area;
- (j) managing the effect of harvest fishing and aquaculture operations on other users of the Planning Area for the following reasons:
  - (i) aquaculture operations may require exclusive use of large areas and may displace other users of the Planning Area;
  - (ii) commercial collecting is perceived by many users of the Planning Area as incompatible with tourism and recreational use;
  - (iii) the relatively limited extent of natural reef development (made up of mostly fringing reefs) in the Planning Area and the high levels of longstanding tourism and recreational use accentuates the effects of the activities mentioned in subparagraphs (i) and (ii);
- (k) managing the impact of tourism on other users of the Planning Area for the following reasons:
  - (i) actual tourism use of the Planning Area is less than the potential level of use that is already permitted under current relevant permissions for tourist programs;
  - (ii) impacts reported at many sites suggest that levels of use are already approaching the limits of environmentally sustainable use.

**1.23 Strategies**

- (1) The Authority utilises the following strategies for managing Planning Area use:
  - (a) generally focussing highest levels of use on the Hardy, Molle and Inner Whitsunday units referred to in the map in Part 2 of Schedule 1 to ensure that the limited resources being managed are used most effectively;
  - (b) restricting the operation of vessels and aircraft in setting areas described in Table 1 (see clause 2.4);
  - (c) restricting the operation of certain activities in setting areas to limit the potential for conflict at remote or low use sites (see clause 2.14).
- (2) With increasing levels of visitation to the Planning Area there is environmental damage and an increase in competing activities. To manage the impact on the Area, and to continue to provide a range of recreation opportunities, the Authority has set limits on vessel length, group size, types of craft, facilities and certain activities in reefal and coastal waters of the Planning Area. These waters have been assigned 'settings', referred to in column 2 of Table 1, based on their values, existing use and management requirements. Column 3 of the table sets out a description of the setting. Column 4 of the table specifies the maximum group size for a setting and

column 5 specifies the maximum overall length that vessels who visit the setting area may have.

**Table 1 Setting descriptions**

Item	Setting	Description	Maximum group size (including crew)	Maximum overall length of vessel (metres)
1	Setting 1 (Developed)	Areas in this setting are immediately adjacent to urban areas and resorts. They are the access points to the Planning Area and a focus for intensive tourism and recreation. The areas are heavily used by a wide range of craft, and contain permanent facilities (for example, marinas, jetties and boat ramps).	No limit	70
2	Setting 2 (High use)	This is a natural setting that may have high levels of visitation. The areas in this setting are easily accessed, and appropriate facilities (for example, pontoons, moorings, markers) may be required to manage impacts and assist in visitor appreciation of the area. The areas are regularly visited by larger vessels and aircraft.	No limit	35
3	Setting 3 (Moderate use)	This is a natural setting that may have moderate levels of visitation, with appropriate moorings and management facilities to manage impacts. The areas in this setting are occasionally visited by larger vessels and aircraft.	40 people	35
4	Setting 4 (Natural)	This is a natural setting that has low levels of visitation. The areas in this setting are generally free from facilities, larger vessels and aircraft.	15 people	35
5	Setting 5 (Protected)	This is a protected natural setting that has areas of outstanding or unique conservation value and areas of special management concern. Operations conducted in these areas are limited and managed according to individual site plans.	15 people	20

*Note* Site plans can be found on the Authority's website at <http://www.gbrmpa.gov.au>.

**Clause 1.24**

**Subdivision 2 Sensitive sites**

**1.24 Setting 5 areas**

- (1) A number of sites in the Planning Area which possess unique or outstanding nature conservation values, cultural and heritage values or scientific values have been designated as setting 5 areas to protect those values. Areas designated as setting 5 areas are set out in column 2 of Table 2 (see item 5 of Schedule 2). Column 3 sets out the significant values of each area.

**Table 2 Setting 5 areas and their significant values**

Item	Setting 5 area	Significant values
1	Cow and Calf Islands	Conservation: inshore fringing reef, mangrove A remote area of scientific interest
2	Deloraine Island	Conservation: fringing reef, rare sponge species Remote area
3	Double Bay East	Conservation: fringing reef, rare coral species Mainland coastal area of scientific interest
4	Eshelby Island Little Eshelby Island	Conservation: seabird nesting and roosting Commonwealth island with lighthouses etc. Preservation Zone
5	Haslewood and Lupton Islands (including Turrum Island)	Conservation: seagrass beds, turtle feeding and nesting, seabird nesting and roosting, fringing reef, including deepwater bommies Source reef for Whitsundays
6	Hill Inlet (including northern end of Whitehaven Beach)	Conservation: mangroves, seabird nesting Scenic value: unique silica sand inlet and delta (a visual icon for the Whitsundays) Cultural significance

*Note* The values listed in this table are not exhaustive. They indicate the significance of each setting 5 area.

*Capping of permissions*

- (2) The Authority will not grant any new permissions for tourism operations to access a setting 5 area.

*Note* Information about the way tourism permissions are managed can be found in the document published by the Authority and entitled *Managing Tourism Permissions to Operate in the Great Barrier Reef Marine Park (Including Allocation, Latency and Tenure)*. The document can be found on the Authority's website at <http://www.gbrmpa.gov.au>.

- (3) The Authority may give to an operator conducting a cultural tour as part of a tourism operation under a relevant permission in the Planning Area, permission to access a setting 5 area for the purposes of the cultural tour, if:
- (a) the operator is a traditional owner or a traditional owner group; or
  - (b) the operator is conducting the tour in collaboration with a traditional owner or a traditional owner group.

- (4) To avoid doubt, a relevant permission mentioned in subclause (3) includes a permission that is granted under subclause 1.36 (1).
- (5) For subclause (3):  
*cultural tour* means:
  - (a) a visit to a site or an area of cultural or heritage significance to traditional owners; and
  - (b) includes the presentation to visitors of educational material about the cultural practices or beliefs of traditional owners in relation to the site or area.

### **1.25 Other sensitive sites**

- (1) Other sensitive sites in the Planning Area may be identified and the need for management strategies for sensitive or heavily used sites in the Planning Area may arise from time to time. These will be developed through detailed site planning, with input from key stakeholders.
- (2) If the Authority develops a management strategy for a sensitive site in the Planning Area that requires amendment of this Plan, the Authority will seek public comment on the proposed amendment.

## **Subdivision 3 Moorings and tourist facilities**

### **1.26 Policy overview — moorings and tourist facilities**

- (1) Many moorings and tourist facilities exist in the Planning Area, particularly in setting 1 areas, but also at Hardy Reef and several other popular destinations in the Planning Area. A number of public moorings and reef protection markers have also been installed in the Planning Area to protect the fragile reefs while providing continued access to popular destinations.
- (2) Public moorings are not limited by this Plan.
- (3) The installation of moorings and tourist facilities at popular destinations may result in the exclusion and displacement of other users.
- (4) The Authority recognises that it may be appropriate to provide some level of access to operators who wish to access public moorings on a regular basis. The Authority will only agree to grant such access after the requirements of broader community access have been considered.
- (5) The installation of any mooring, pontoon or tourist facility is subject to the application, assessment and decision-making processes under the Regulations for a relevant permission to install a mooring, pontoon or tourist facility or operate a tourist program. The processes under the Regulations include an assessment of the suitability of the proposed installation site for a mooring, pontoon or tourist facility.



**Clause 1.27**

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*Marine tourism contingency*

- (6) If a permitted tourist program or facility is located in a place in the Planning Area and the place is severely damaged by a severe environmental incident, the Authority may permit the program or the facility to be temporarily relocated.

*Note* The document published by the Authority and entitled *Marine Tourism Contingency Plan for the Great Barrier Reef Marine Park*, and the Temporary Relocation Application Form, can be found on the Authority's website at <http://www.gbrmpa.gov.au>.

**1.27 Limit on moorings**

- (1) The Authority will not grant a new permission for a mooring to be installed in the Planning Area.
- (2) Subclause (1) does not apply to the grant of a relevant permission for the installation of:
- (a) a mooring in a setting 1 area; or
  - (b) a mooring in the Location described as Hardy Reef; or
  - (c) a mooring as part of its temporary relocation under subclause 1.26 (6).

**1.28 Limit on tourist facilities**

The Authority will not grant a new permission for a tourist facility to be installed in the Planning Area, except:

- (a) in a setting 1 area; or
- (b) in the Location described as Hardy Reef; or
- (c) as part of its temporary relocation under subclause 1.26 (6).

**Subdivision 4 Limits on activities**

**1.29 Aerobatics, motorised watersports and high-speed vessels**

- (1) Aerobatics are not allowed in a setting area other than a setting 1 area (see subclause 2.15 (1)).
- (2) The operation of a vessel for a motorised water sport, or the operation of a high-speed vessel, is not allowed in a setting area, unless that area is:
- (a) a setting 1 area; or
  - (b) a designated water sports area (see subclauses 2.8 (1) and 2.15 (2)).

*Note* For the meaning of *high-speed vessel* and *motorised water sport*, see Schedule 9.

- (3) The use of high-speed vessels in a setting area, particularly personal watercraft, is permissible if the vessel is only transiting the area (see subclause 2.15 (3)). The Authority will monitor the operation of vessels used in this way to ensure that the vessels are being used as a legitimate means of transport, and that the vessels do not adversely affect other users of the Planning Area or the values of the Area.

### **1.30 Fishing or collecting as part of a tourist program**

Fishing or collecting as part of a tourist program is not allowed in the Langford/Black Islands Area (see clause 2.13).

## **Subdivision 5 Management of tourist programs**

### **1.31 General**

- (1) In order to protect the nature conservation, cultural and heritage values of the Planning Area it has been necessary to manage the number of tourist programs accessing the Planning Area.
- (2) A large number of different types of tourism operations are permitted to operate in the Planning Area. The Plan lists the types of tourism operations for which relevant permissions are granted. This approach requires clear definition of particular types of tourism operations (see clause 1.32), and has been adopted because tourism operations are more numerous, and cumulative in effect, than other uses in the Planning Area.
- (3) Generally, tourism operations involving aircraft or vessels are either standard tour operations or regional tour operations, depending on the approved level of access to the Planning Area (see clause 1.32).
- (4) Certain tourism operations have met specific criteria and are permitted to have access above the limits set out in Part 2. The level of access was determined by taking into account the levels of use of the Planning Area before the commencement of the Plan in 1998, and permission for the access was given on the basis of the specified criteria (which can be viewed in earlier versions of the Plan) being met.

*Note* Earlier versions of this Plan can be found on the ComLaw website at <http://www.comlaw.gov.au>.

- (5) The level of access provided by a relevant permission is subject to assessment and the decision of the Authority in accordance with the Regulations.

### **1.32 Types of tourism operations — access rights and operational requirements**

#### *Interpretation*

- (1) This clause is subject to a contrary intention in the Plan.
- (2) The limits on the access rights for a person conducting a tourism operation are set out in Part 2. However, the person's relevant permission may increase or decrease those limits (see, for example, subclauses 2.4 (8), 2.5 (3) and 2.14 (4)).

**Clause 1.32**

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*Categories of tourism operation*

- (3) The categories of tourism operation in the Planning Area are as follows:
- (a) a bareboat operation;
  - (b) a Bowen operation;
  - (c) a craftless operation;
  - (d) a cruise ship operation;
  - (e) a hire operation;
  - (f) a long range roving operation;
  - (g) a non-motorised operation;
  - (h) a passenger transport operation;
  - (i) a regional tour operation;
  - (j) a standard tour operation;
  - (k) a support service operation.

*Note* The categories of tourism operation are defined in Schedule 9.

*Bareboat operation — access right*

- (4) The access right of a bareboat operation is up to daily access to the Planning Area without a booking in accordance with the terms of a relevant permission, subject to provisions relating to bareboats in the Regulations.

*Note* The number of permissions that allow bareboat operations access to the Planning Area has been capped: see clause 1.35.

*Bowen operation — access rights and requirement*

- (5) The access rights and operational requirements of a Bowen operation are either:
- (a) all of the following, in accordance with the terms of a relevant permission:
    - (i) that it operate from Bowen;
    - (ii) passengers who are part of the operation must embark or disembark at Bowen;
    - (iii) up to daily access to the Planning Area without a booking; or
  - (b) as otherwise provided for through an allocation process:
    - (i) that occurred before the commencement of this clause; and
    - (ii) that allocated the rights set out in the operator's relevant permission.

*Note* The number of permissions that allow Bowen operations access to the Planning Area has been capped: see clause 1.35.

*Craftless operation — access right*

- (6) The access right of a craftless operation is up to daily access to the Planning Area without a booking in accordance with the terms of a relevant permission, subject to the same access and activity conditions as the permitted vessel or aircraft that is being used.

*Cruise ship operation — access rights and requirements*

- (7) The access rights and operational requirements of a cruise ship operation are the following, in accordance with the terms of a relevant permission:
- (a) up to 50 days access to the Planning Area with a booking (see subclauses 2.5 (1) and (2));
  - (b) a booking required to anchor at a designated cruise ship anchorage (see paragraph 2.4 (7) (a));
  - (c) access to a designated cruise ship anchorage, with access limited to one ship at a time except at the Turtle Bay cruise ship anchorage (see subclause 2.4 (9));
  - (d) a requirement not to access any parts of the Planning Area that are outside the General Use Zone and Shipping Areas except when the cruise ship operation is transiting to or from a cruise ship anchorage, or anchored at such an anchorage (see subclause 2.8 (2));
  - (e) a requirement not to operate tenders in the Planning Area, except to transfer passengers, by the most direct reasonable route, between the cruise ship and:
    - (i) a place outside the Planning Area; or
    - (ii) a tourist facility within, or partly within, the Planning Area (see subclause 2.8 (3)).

*Hire operation — access rights and requirement*

- (8) The access rights and operational requirements of a hire operation are the following, in accordance with the terms of a relevant permission:
- (a) up to daily access to the Planning Area without a booking;
  - (b) the operation is limited to operating in a setting 1 area (see subclause 2.14 (3)).

*Note 1* See Schedule 9 for definitions of *hire craft* and *hire equipment*.

*Note 2* Paragraph (8) (b) does not limit users of hire craft or hire equipment provided by a hire operation.

*Long range roving operation — access rights and requirements*

- (9) The access rights and operational requirements of a long range roving operation are the following, in accordance with the terms of a relevant permission:
- (a) up to 100 days access to the Planning Area each year;
  - (b) access under paragraph (a) is limited to 2 visits per Location in any 7-day period (with the visit or visits together being no longer than 48 hours in duration);
  - (c) it may exceed setting limits only if:
    - (i) the terms of a relevant permission allow it to exceed setting limits; and
    - (ii) the operation is not operating in accordance with paragraph (e);
  - (d) it must not carry more than 30 passengers in addition to crew unless operating in circumstances described in paragraph (e);

**Clause 1.32**

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- (e) it may carry more than 30 passengers up to 10 days per year if:
  - (i) the operation complies with group size setting limits; and
  - (ii) the operator has notified the Authority, in writing, about such an operation before conducting the operation.

*Note* The number of permissions that allow long range roving operations access to the Planning Area has been capped: see clause 1.35.

*Non-motorised operation — access right*

- (10) The access right of a non-motorised operation is up to daily access to the Planning Area without a booking, in accordance with the terms of a relevant permission.

*Passenger transport operation — access rights*

- (11) The access rights of a passenger transport operation are the following, in accordance with the terms of a relevant permission;
  - (a) up to daily access to the Planning Area without a booking;
  - (b) the operation is limited to setting 1 areas, except when transiting the Planning Area.

*Regional tour operation (vessels) — access rights*

- (12) The access rights of a regional tour operation involving a vessel are either:
  - (a) both of the following, in accordance with the terms of a relevant permission;
    - (i) up to daily access without a booking to the Planning Area;
    - (ii) it may exceed setting limits if the terms of a relevant permission allow it to exceed setting limits (see subclause 2.4 (8)); or
  - (b) as otherwise provided for through an allocation process:
    - (i) that occurred before the commencement of this clause; and
    - (ii) that allocated the rights set out in the operator's relevant permission.

*Note* The number of permissions that allow regional tour operations access to the Planning Area has been capped: see clause 1.35.

*Regional tour operation (aircraft) — access rights and requirements*

- (13) The access rights and operational requirements of a regional tour operation involving an aircraft are either:
  - (a) all of the following, in accordance with the terms of a relevant permission;
    - (i) up to daily access without a booking to the Planning Area;
    - (ii) access under subparagraph (i) is limited to 2 visits per Location (with the visit or visits together being no longer than 48 hours in duration) in any 7-day period, unless operating to a regular aircraft landing area (see subclause 2.7 (1));

- (iii) it must not conduct scenic flights in the Planning Area as part of a tourist program if the scenic flight is conducted below 1000 feet (above ground or water) (see subclause 2.7 (2));
- (iv) it may exceed setting limits only if the terms of a relevant permission allow it to exceed the setting limits (see subclause 2.4 (8)); or
- (b) as otherwise provided for through an allocation process:
  - (i) that occurred before the commencement of this clause; and
  - (ii) that allocated the rights set out in the operator's relevant permission.

*Standard tour operation (vessel) — access right*

- (14) The access rights of a standard tour operation involving a vessel are:
  - (a) up to 50 days access each year to the Planning Area subject to a booking, in accordance with the terms of a relevant permission (see subclauses 2.5 (1) and (2)); or
  - (b) as otherwise provided for through an allocation process:
    - (i) that occurred before the commencement of this clause; and
    - (ii) that allocated the rights set out in the operator's relevant permission.

*Note* There are only 20 bookings available per day for vessels and aircraft to access the Planning Area: see clause 1.33.

*Standard tour operation (aircraft) — access rights*

- (15) The access rights of a standard tour operation involving an aircraft are either:
  - (a) both of the following, in accordance with the terms of a relevant permission:
    - (i) up to 50 days access each year to the Planning Area subject to a booking (see subclauses 2.5 (1) and (2));
    - (ii) access under subparagraph (i) is limited to 2 visits per Location (with the visit or visits together being no longer than 48 hours in duration) in any 7-day period, unless operating to a regular aircraft landing area (see subclause 2.7 (1)); or
  - (b) as otherwise provided for through an allocation process:
    - (i) that occurred before the commencement of this clause; and
    - (ii) that allocated the rights set out in the operator's relevant permission.

*Support service operation (vessel or aircraft) — access right*

- (16) The access right of a support service operation involving a vessel or an aircraft is up to daily access to the Planning Area without a booking, in accordance with the terms of a relevant permission.

**Clause 1.33**

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**1.33 Bookings**

- (1) This Plan sets out when access to the Planning Area or a part of the Planning Area is not permitted without a booking.
- (2) The total number of bookings for standard tour operations to operate in the Planning Area is 20 per day.
- (3) The total number of bookings for cruise ships to operate in the Planning Area is 3 per day.

*Note* Information on how to make a booking can be found on the Authority's website at <http://www.gbrmpa.gov.au>.

**1.34 Permissions for tourism operations — policy overview**

- (1) This Plan limits the activities that can take place in the Planning Area and limits certain conversions between types of tourism operation, while allowing for growth in tourist visitation to the area and greater flexibility for most tourist programs.
- (2) The Authority intends that only relevant permissions that are consistent with this Plan will be granted by it for tourism operations in the Planning Area. Requirements and procedures for applications, assessments and decisions (including the review of decisions) for relevant permissions are set out in the Act, the Zoning Plan and the Regulations.

**1.35 Tourism permissions that are capped**

- (1) The Authority will not grant a new permission for a person to conduct a regional tour operation other than under clause 1.36.
- (2) The Authority will not grant a new permission for a person to conduct a bareboat operation.
- (3) The Authority will not grant a new permission for a person to conduct a long range roving operation.
- (4) The Authority will not grant a relevant permission for a person to conduct a Bowen operation if the total number of permissions for Bowen operations in force is 10.

*Note 1* The Authority's policy relating to bareboats is contained in the document published by the Authority and entitled *Managing Bareboat Operations in the Great Barrier Reef Marine Park*. The document includes guidance on when conversions between bareboat and crewed vessel operations will be permitted (see also clause 1.41) and can be found on the Authority's website at <http://www.gbrmpa.gov.au>.

*Note 2* The Regulations provide for when a relevant permission ceases to be in force for the purposes of applications for further permissions.

**1.36 Granting new permissions for regional tour operations**

- (1) The Authority will grant up to 15 new permissions for persons to conduct regional tour operations.

**Clause 1.39**

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- (2) Five of the permissions mentioned in subclause (1) may only be granted to persons who are traditional owners in respect of any site or area located in the Planning Area. This will provide opportunities for traditional owners to be involved in tourism in the Planning Area.
- (3) A permission mentioned in subclause (1) may permit a regional tour operation to have daily access to the Planning Area without a booking.
- (4) The Authority will seek community and industry input when determining the timing of the release of the new permissions mentioned in subclause (1). The new permissions or any relevant permissions for a regional tour operation that become available (because they expire, are revoked or are surrendered) may be allocated under the Regulations, using a process of inviting expressions of interest.

*Note* Information about the way tourism permissions are managed by the Authority can be found in the document published by the Authority and entitled *Managing Tourism Permissions to Operate in the Great Barrier Reef Marine Park (Including Allocation, Latency and Tenure)*. The document can be found on the Authority's website at <http://www.gbrmpa.gov.au>.

### **1.37 Fishing or collecting as part of a tourist program**

The Authority will not grant any new permissions for tourist programs that involve fishing or collecting in the Planning Area, except in the following zones:

- (a) the General Use Zone;
- (b) the Habitat Protection Zone.

### **1.38 Reef walking as part of a tourist program**

A relevant permission for a tourist program must not include the activity of reef walking other than at:

- (a) Hardy Reef; and
- (b) Black Island Reef.

### **1.39 Harvest fishing and aquaculture operations**

To address the issues mentioned in paragraph 1.22 (j) associated with harvest fishing and aquaculture operations in the Planning Area, the Authority:

- (a) has relocated all harvest fisheries and aquaculture operations that were permitted to occur under earlier versions of this Plan to areas outside the Planning Area; and
- (b) will not grant any relevant permissions for harvest fishing or aquaculture operations in the Planning Area.

*Note* Earlier versions of this Plan can be found on the ComLaw website at <http://www.comlaw.gov.au>.



**Clause 1.40**

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**1.40 Permission replication and splitting**

- (1) The effective management of the impact of tourism operations in the Planning Area, particularly those that involve anchoring or alighting, relies fundamentally on the limits set by this Plan. Consequently, any attempts to circumvent the limits set by the Plan by, for example, conducting one tourism operation using multiple permissions, will undermine the Plan.
- (2) The Authority will manage permissions and bookings to ensure permission replication or permit splitting does not circumvent the intention of the Plan. The actions needed to address this issue include, but are not limited to:
  - (a) requiring, when granting a permission for a tourism operation, that all relevant permissions for that tourism operation in the Planning Area are surrendered, have been revoked or have expired; and
  - (b) requiring that a person will not hold more than one relevant permission for that tourism operation in the Planning Area; and
  - (c) requiring that more than one person may be granted a relevant permission for a single tourism operation only if each permission for that operation has been assessed as meeting eligibility criteria referred to in earlier versions of this Plan.

*Note* Earlier versions of this Plan can be found on the ComLaw website at <http://www.comlaw.gov.au>.

- (3) Certain tourism operations will not be allowed to operate in the Planning Area on more than 50 days per year.
- (4) The Authority will identify an individual tourism operation on the basis of the primary vessel or aircraft that is used for the operation. The operation of a vessel or aircraft across multiple permissions is not a legitimate basis for exceeding the limit (eg. a limit of 50 days access to the Planning Area per year) that is intended to apply to the tourism operation. The Authority will manage the permit and booking systems to ensure that the intended limits are not undermined.

**1.41 Conversion between bareboat and crewed vessel (regional tour operation) operations**

- (1) The bareboat and crewed vessel fleet are intensive users of the Planning Area. The activities of the fleet are managed to maintain sustainable use of the Planning Area and a range of opportunities for all users.
- (2) The Plan caps the number of crewed vessels (regional tour operations) and the number of bareboats operating in the Planning Area. The Authority intends that the total number of crewed vessels (regional tour operations) and bareboats will not be increased. However, the number of bareboats may be increased by up to 10, provided that there is an equal reduction in the number of crewed vessels (regional tour operations) and vice versa.
- (3) Unless consistent with the circumstances mentioned in subclause (2), the Authority must not convert a relevant permission that has been granted for the purpose of conducting a tourism operation to a permission to conduct a bareboat operation.

*Note* The Authority's policy in relation to the conversion of relevant permissions for bareboat and crewed vessel operations is set out in the document published by the Authority and entitled *Managing Bareboat Operations in the Great Barrier Reef Marine Park*. The document can be found on the Authority's website at <http://www.gbrmpa.gov.au>.

#### **1.42 Conversion between tourism operations**

The Authority must not convert a relevant permission that has been granted for the purposes of any of the following tourism operations to a permission for any other type of operation (whether or not specified in the following list), and must not convert a permission for any other type of operation to a permission for an operation that is listed:

- (a) aircraft operations;
- (b) Bowen operations;
- (c) craftless operations;
- (d) hire operations;
- (e) long range roving operations;
- (f) passenger transport operations
- (g) support service operations.

#### **1.43 Further permissions**

The Authority intends that if:

- (a) a relevant permission (the *original permission*) was granted giving access rights for a tourist program; and
- (b) the access rights were different to the access right restrictions set out in Part 2;

then, when a further permission is granted in respect of the original permission, the access rights may remain the same.

*Note 1* Information about the way tourism permissions are managed by the Authority can be found in the document published by the Authority and entitled *Managing Tourism Permissions to Operate in the Great Barrier Reef Marine Park (Including Allocation, Latency and Tenure)*. The document may be accessed on the Authority's web site at <http://www.gbrmpa.gov.au>.

*Note 2* The Regulations provide for:

- (a) when a relevant permission ceases to be in force for the purposes of applications for further permissions; and
- (b) transfers of permissions.

## Part 2 Enforcement provisions

*Note 1* Regulations may be made providing for giving effect to the enforcement provisions of a plan of management or to the enforcement provisions of an amendment of a plan of management: see s 66 (2) (ba) of the Act.

*Note 2* The Act contains a number of offence provisions relating to zones, including the following:

- (a) section 38A (Zones to be used only for permitted purposes);
- (b) section 38B (Permission requirements to be observed — zoned area);
- (c) section 38C (Contravening conditions of permit or authority — zoned area);
- (d) section 38CA (Zones to be used only for permitted fishing);
- (e) section 38CB (Permission requirements to be observed for fishing — zoned area);
- (f) section 38CC (Contravening conditions of permit or authority in relation to fishing — zoned area);
- (g) section 38M (Zones to be used only by permitted ships);
- (h) section 38MA (Permission requirements to be observed for ships — zoned area);
- (i) section 38MB (Contravening conditions of permit or authority in relation to ships — zoned area).

### Division 1 Preliminary

#### 2.1 How many people on a vessel

A calculation of the number of people that a vessel is carrying for the purposes of a provision in this Part must include each person on board the vessel who is aged 4 years or older.

*Note* The following persons must be included in the calculation if they are on board a vessel:

- (a) officers and members of the vessel's crew;
- (b) any person on board the vessel who is to help with an activity associated with the use of the vessel (for example, a tour guide or diving instructor).

#### 2.3 When this Part does not apply

- (1) Nothing in this Part prohibits or restricts anything being done:
  - (a) by a law-enforcement authority of the Commonwealth or Queensland for its work; or
  - (b) for observation or surveillance by, or on behalf of, an authority of the Commonwealth or Queensland; or
  - (c) in accordance with Part 5 of the Zoning Plan; or
  - (d) in accordance with a relevant permission, granted under the Regulations, authorising the carrying on of an activity not mentioned in, or considered by the Authority in the preparation of, this Plan.

*Note* Part 5 of the Zoning Plan is about additional purposes for use and entry, such as saving life, dealing with an environmental emergency, and managing the Marine Park.

- (2) If the Authority gives written permission to do something for the purpose of research, nothing in this Part prevents or restricts anything being done in accordance with the written permission.

- (3) This Part does not apply to the installation or use of a navigation aid.

### **2.3A Permissions must be consistent with this Plan**

The Authority must not grant a relevant permission to use or enter the Planning Area that is inconsistent with this Plan.

## **Division 2                    General restrictions on the operation of vessels and aircraft**

### **2.4 Vessels not to be operated in certain setting areas**

- (1) A person must not operate a ship in a setting area.  
*Note 1* Setting areas are set out in Schedule 2.  
*Note 2* **Ship** is defined in Schedule 9.
- (2) Subject to subclause (3), a person must not operate a vessel that has an overall length of more than 35 metres in a setting 2 area.
- (3) A person may operate a vessel that has an overall length that is not more than 70 metres in the part of the area described in paragraph (a) of item 2 of Schedule 2 that is Hardy Reef if the vessel is operating to a mooring or pontoon.
- (4) A person must not operate, in a setting 3 area, a vessel that:
- (a) is more than 35 metres in overall length; or
  - (b) is carrying more than 40 people.
- (5) A person must not operate, in a setting 4 area, a vessel that:
- (a) is more than 35 metres in overall length; or
  - (b) is carrying more than 15 people.
- (6) A person must not operate, in a setting 5 area, a vessel:
- (a) that has an overall length of more than 20 metres; or
  - (b) carrying more than 15 people.
- (7) However, subclauses (1) to (6) do not prevent:
- (a) a ship that has a booking for a cruise ship anchorage anchoring at the anchorage even if the anchorage is in a setting area that the ship would not, except for this paragraph, be permitted to operate in; or
  - (b) a large vessel anchoring at a cruise ship anchorage even if the anchorage is in a setting area that the vessel would not, except for this paragraph, be permitted to operate in; or
  - (c) a vessel transferring passengers at a cruise ship anchorage; or
  - (d) a vessel transiting a setting area that the vessel would not, except for this paragraph, be permitted to operate in.
- (8) If a relevant permission allows a person to operate a vessel in a setting area in a way that does not comply with subclause (1), (2), (3), (4), (5) or (6) then, despite any of those subclauses, the permission prevails.

**Clause 2.5**

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- (9) Except in the Turtle Bay cruise ship anchorage, a person must not anchor a ship at a cruise ship anchorage at which another ship is already anchored.
- (10) In subclause (3), a vessel that is operating as part of a tourism operation is *operating to a mooring or pontoon* if the vessel:
  - (a) remains attached to the mooring or pontoon during the operation; or
  - (b) if it is not attached as mentioned in paragraph (a) — is not attached to the mooring or pontoon during the operation because it is transiting the Marine Park to or from the mooring or pontoon by the most direct reasonable route.

**2.5 Operation of tourism operations in the Planning Area**

- (1) A person must not conduct a particular tourism operation in the Planning Area on more than 50 days per year if the operation involves the use of a vessel or aircraft.
- (2) A person must not conduct a tourism operation in the Planning Area without a booking if the operation involves the use of a vessel or aircraft.
- (3) If a relevant permission allows a person access to the Planning Area to conduct a tourism operation, and the access given in the permission is either:
  - (a) different to subclause (1); or
  - (b) does not comply under subclause (2);then, despite subclause (1) or (2), the permission prevails.

**2.5A Passenger transport operations**

A person conducting a passenger transport operation must ensure that:

- (a) the operation is conducted using the most direct reasonable routes in transporting passengers on a vessel or aircraft throughout the Planning Area; and
- (b) on the route, the vessel or aircraft does not stop except:
  - (i) to pick up passengers; or
  - (ii) for passengers to disembark at their destination; or
  - (iii) in the case of an emergency.

**2.5B Support service operations**

A person conducting a support service operation must ensure that a vessel or aircraft used to conduct the operation:

- (a) is not operated in continuous association with the vessel or aircraft being serviced as part of the support service operation; and
- (b) does not remain associated with the vessel or aircraft being serviced for longer than is necessary to provide the service; and
- (c) is used only to offer services (excluding, for example, sale of food and drink) that are essential to the continued safe and effective operation of the vessel or aircraft being serviced; and

- (d) is not used to transport a person for the purpose of tourism.

## **2.7 Limits on operation of aircraft**

- (1) A person must not operate an aircraft in a Location more than twice per week, except to land at, or take off from:
  - (a) Hamilton Island Airport, the Lindeman Island airstrip or the Whitsunday airstrip; or
  - (b) in the case of a Location mentioned in Schedule 7 — the regular aircraft landing area for that Location.
- (2) A person must not operate an aircraft for scenic flights, as part of a tourist program, below 1 000 feet (above ground or water) in the Planning Area.

## **2.8 Limits on use of certain kinds of vessel**

- (1) A person must not operate a high-speed vessel as part of a tourist program in a setting area, unless that area is:
  - (a) a setting 1 area; or
  - (b) a designated water sports area.

*Note* Restrictions apply to vessels operating in a setting area: see clause 2.4.

- (2) A person must not operate a ship as part of a tourist program in the Planning Area except:
  - (a) in the General Use Zone; or
  - (b) in a Shipping Area; or
  - (c) to anchor at, or transit to or from, a cruise ship anchorage.

*Note* The General Use Zone and the Shipping Areas are set out in the Schedule to the Zoning Plan.

- (3) A person must not operate a ship's tender as part of a tourist program in the Planning Area except to transfer passengers, by the most direct reasonable route, between the ship and:
  - (a) a place outside the Planning Area; or
  - (b) a tourist facility within, or partly within, the Planning Area.

# **Division 3 Wildlife protection**

## **2.11 Activities near significant bird sites**

- (1) A person must not operate an aircraft, below 1 500 feet (above ground or water), to approach within 1 000 metres of a significant bird site during the restriction period mentioned for that site.

*Note* The significant bird sites, and the restriction period for each site, are set out in the table in Schedule 6.

- (2) A person must not operate a vessel at a speed greater than 6 knots within 200 metres of a significant bird site during the restriction period mentioned for that site.

**Clause 2.12**

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- (3) A person must not operate a vessel to approach within 200 metres of the following significant bird sites, between 1 October and 31 December in a year:
- (a) East Rock;
  - (b) Edwin Rock;
  - (c) Olden Rock.

**2.12 Protecting coral**

- (1) A person must not damage coral.
- (2) The conduct prohibited by subclause (1) does not include:
- (a) damaging coral by anchoring, if the person who anchors takes reasonable care to avoid damaging the coral, and an anchor of the kind commonly called a reef pick is used; or
  - (b) taking coral in accordance with a relevant permission.
- (3) A person must not anchor a vessel, an aircraft, or any other facility in a no anchoring area.

*Note* The no anchoring areas are set out in Schedule 5.

- (4) A person must not anchor a ship in a setting area, except at a cruise ship anchorage and with a booking.

*Note* Setting areas are set out in Schedule 2.

**Division 4                      Other activities**

**2.13 Fishing or collecting**

A person must not fish or collect as part of a tourist program in the Langford/Black Islands Area.

*Note* The Langford/Black Islands Area is set out in Schedule 8.

**2.14 Certain commercial activities**

- (1) Except in a setting 1 area, a person must not carry on a retail operation in the Planning Area.
- Note* Setting areas are set out in Schedule 2. Setting 1 areas are set out in item 1 of that Schedule.
- (2) Except in a setting 1 area, a person must not carry on an operation involving the selling of services in the Planning Area.
- (3) Except in a setting 1 area, a person must not carry on a hire operation in the Planning Area.
- (4) However, subclauses (1), (2) and (3) do not prevent a person from conducting a support service operation in accordance with a relevant permission.

## **2.15 Aerobatics and motorised water sports**

- (1) A person must not operate an aircraft for aerobatics in a setting area, except a setting 1 area.

*Note 1* Setting areas are set out in Schedule 2. Setting 1 areas are set out in item 1 of that Schedule.

*Note 2* A setting area includes airspace to a height of 915 metres.

- (2) A person must not operate a vessel for a motorised water sport in a setting area, unless the area is:
- (a) a setting 1 area; or
  - (b) a designated water sports area.

*Note* Restrictions apply to vessels operating in a setting area: see clause 2.4.

- (3) However, a person may operate a vessel (including a high-speed vessel) to transit a setting area if the person is not, during the transiting, operating the vessel for motorised water sports.



## **Schedule 1      The Planning Area**

(clauses 1.2 and 2.3A)

### **Part 1      Geographic description of area**

The Planning Area is areas 1 and 2 described below, and, at any point, extends vertically to 915 metres above the ground or water surface.

#### **1.      Area 1 — Gloucester, Molle, Whitsunday, Repulse and Lindeman Units**

Area 1 is the area of the Great Barrier Reef Marine Park bounded by a line commencing at the intersection of the mainland coastline at mean low water and the meridian 148°27.181' E (at or about 20°03.602' S, 148°27.181' E) then running progressively as described in the following table:

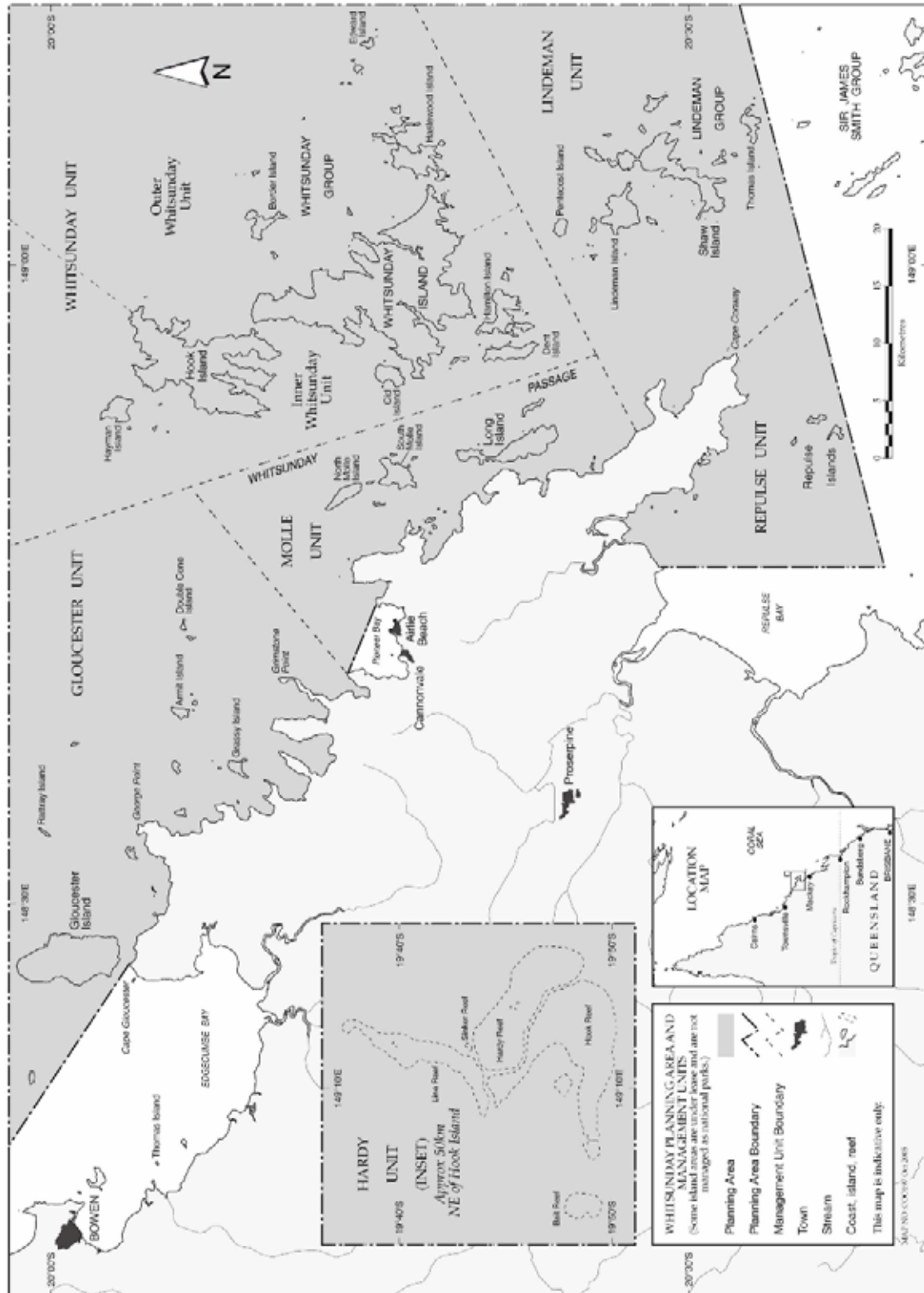
<b>Item</b>	<b>Description</b>
1	North-westerly along the geodesic to 19°58.025' S, 148°18.597' E
2	Easterly along the geodesic to 19°57.924' S, 149°12.296' E
3	Southerly along the geodesic to 20°32.341' S, 149°12.263' E
4	Westerly along the geodesic to 20°39.169' S, 148°45.825' E
5	North along the meridian to the intersection of the mainland coastline at mean low water (at or about 20°28.791' S, 148°45.825' E)
6	Northerly along the mainland coastline at mean low water to the intersection of the mainland coastline at mean low water and the meridian 148°44.017' E (at or about 20°15.217' S, 148°44.017' E)
7	North-westerly along the geodesic to the intersection of the mainland coastline at mean low water and the meridian 148°40.870' E (at or about 20°13.880' S, 148°40.870' E)
8	North-westerly along the mainland coastline at mean low water to the point of commencement

#### **2.      Area 2 – Hardy Unit**

Area 2 is the area of the Great Barrier Reef Marine Park bounded by a line commencing at 19°36.324' S, 149°02.713' E then running progressively as described in the following table:

<b>Item</b>	<b>Description</b>
1	Easterly along the geodesic to 19°36.241' S, 149°17.746' E
2	Southerly along the geodesic to 19°51.024' S, 149°17.846' E
3	Westerly along the geodesic to 19°51.141' S, 149°02.780' E
4	Northerly along the geodesic to the point of commencement

Part 2 Map of area



## Schedule 2 Setting areas

(Table 1, clause 2.4, subclauses 2.8 (1) and 2.12 (4) and clauses 2.14 and 2.15)

Setting areas are as set out in this Schedule and, at any point, extend vertically to 915 metres above the ground or water surface.

### 1. Setting 1 areas

Setting 1 areas are the following areas:

- (a) Hayman Island Resort — the area bounded by a line commencing at the intersection of the Hayman Island coastline at mean low water and the meridian  $148^{\circ}53.657' E$  (at or about  $20^{\circ}03.798' S$ ,  $148^{\circ}53.657' E$ ) then running progressively as described in the following table:

Item	Description
1	Southerly along the geodesic to the intersection of the coastal line of Langford Island and the parallel $20^{\circ}05.271' S$ (at or about $20^{\circ}05.271' S$ , $148^{\circ}53.123' E$ )
2	North-westerly along the coastal line of Langford Island to the intersection of the meridian $148^{\circ}52.375' E$ (at or about $20^{\circ}04.639' S$ , $148^{\circ}52.375' E$ )
3	Northerly along the geodesic to the intersection of the Hayman Island coastline at mean low water and the parallel $20^{\circ}03.515' S$ (at or about $20^{\circ}03.515' S$ , $148^{\circ}52.702' E$ )
4	Easterly along the Hayman Island coastline at mean low water to the point of commencement

- (b) Dingo Beach Settlement — the area bounded by a line commencing at the intersection of the mainland coastline at mean low water and the meridian  $148^{\circ}29.024' E$  (at or about  $20^{\circ}04.704' S$ ,  $148^{\circ}29.024' E$ ) then running progressively as described in the following table:

Item	Description
1	North-easterly along the geodesic to the intersection of the coastal 500 metre line of the mainland and the meridian $148^{\circ}29.447' E$ (at or about $20^{\circ}04.320' S$ , $148^{\circ}29.447' E$ )
2	South-easterly along the coastal 500 metre line of the mainland to the intersection of the meridian $148^{\circ}30.029' E$ (at or about $20^{\circ}04.597' S$ , $148^{\circ}30.029' E$ )
3	Southerly along the geodesic to the intersection of the mainland coastline at mean low water and the meridian $148^{\circ}29.835' E$ (at or about $20^{\circ}05.350' S$ , $148^{\circ}29.835' E$ )
4	North-westerly along the mainland coastline at mean low water to the point of commencement

- (c) Earlando Resort — the area bounded by a line commencing at the intersection of the mainland coastline at mean low water and the meridian  $148^{\circ}34.636' E$  (at or about  $20^{\circ}08.557' S$ ,  $148^{\circ}34.636' E$ ) then running progressively as described in the following table:

Item	Description
1	Southerly along the geodesic to the intersection of the mainland coastline at mean low water and the parallel $20^{\circ}09.275' S$ (at or about $20^{\circ}09.275' S$ , $148^{\circ}34.634' E$ )
2	Northerly along the mainland coastline at mean low water to the point of commencement

- (d) Hook Island Observatory and Resort — the area bounded by a line commencing at the intersection of the Hook Island coastline at mean low water and the parallel  $20^{\circ}09.931' S$  (at or about  $20^{\circ}09.931' S$ ,  $148^{\circ}56.582' E$ ) then running progressively as described in the following table:

Item	Description
1	South-easterly along the geodesic to the intersection of the coastal 500 metre line of Hook Island (at or about $20^{\circ}10.051' S$ , $148^{\circ}56.852' E$ )
2	North-easterly along the geodesic to the intersection of the Hook Island coastline at mean low water and the meridian $148^{\circ}57.075' E$ (at or about $20^{\circ}09.439' S$ , $148^{\circ}57.075' E$ )
3	South-westerly along the Hook Island coastline at mean low water to the point of commencement

- (e) Daydream and South Molle Island Resorts — the area bounded by a line commencing at the intersection of the Daydream Island coastline at mean low water and the meridian  $148^{\circ}48.874' E$  (at or about  $20^{\circ}15.082' S$ ,  $148^{\circ}48.874' E$ ) then running progressively as described in the following table:

Item	Description
1	North along the meridian to the intersection of the coastal 500 metre line of Daydream Island (at or about $20^{\circ}14.730' S$ , $148^{\circ}48.874' E$ )
2	Easterly along the geodesic to the intersection of the Mid Molle Island coastline at mean low water and the meridian $148^{\circ}49.759' E$ (at or about $20^{\circ}14.725' S$ , $148^{\circ}49.759' E$ )
3	Easterly along the geodesic to the intersection of the coastal 1 500 metre line of North Molle Island and the coastal 1 500 metre line of South Molle Island (at or about $20^{\circ}14.588' S$ , $148^{\circ}50.688' E$ )
4	Southerly along the geodesic to the intersection of the South Molle Island coastline at mean low water and the meridian $148^{\circ}50.863' E$ (at or about $20^{\circ}15.389' S$ , $148^{\circ}50.863' E$ )
5	South-westerly along the South Molle Island coastline at mean low water to the intersection of the South Molle Island coastline at mean low water and the parallel $20^{\circ}16.296' S$ (at or about $20^{\circ}16.296' S$ , $148^{\circ}49.544' E$ )

Item	Description
6	Westerly along the geodesic to the intersection of the coastal 500 metre line of Daydream Island and the meridian 148°48.845' E (at or about 20°16.038' S, 148°48.845' E)
7	North-westerly along the coastal 500 metre line of Daydream Island to the intersection of the parallel 20°15.201' S (at or about 20°15.201' S, 148°48.454' E)
8	East along the parallel to the intersection of the Daydream Island coastline at mean low water (at or about 20°15.201' S, 148°48.745' E)
9	North-easterly along the Daydream Island coastline at mean low water to the point of commencement

- (f) Happy and Palm Bay Resorts, Long Island — the area bounded by a line commencing at the intersection of the Long Island coastline at mean low water and the parallel 20°20.681' S (at or about 20°20.681' S, 148°50.852' E) then running progressively as described in the following table:

Item	Description
1	West along the parallel to the intersection of the coastal 500 metre line of Long Island (at or about 20°20.681' S, 148°50.511' E)
2	Northerly along the coastal 500 metre line of Long Island to the intersection of the parallel 20°19.102' S (at or about 20°19.102' S, 148°50.553' E)
3	East along the parallel to the intersection of the Long Island coastline at mean low water (at or about 20°19.102' S, 148°51.010' E)
4	Southerly along the Long Island coastline at mean low water to the point of commencement

- (g) Hamilton Island and Dent Passage — the area bounded by a line commencing at the intersection of the Dent Island coastline at mean low water and the meridian 148°55.686' E (at or about 20°20.217' S, 148°55.686' E) then running progressively as described in the following table:

Item	Description
1	North-easterly along the geodesic to the intersection of the coastal 500 metre line of Hamilton Island and the meridian 148°56.937' E (at or about 20°19.588' S, 148°56.937' E)
2	South-easterly along the coastal 500 metre line of Hamilton Island to the intersection of the coastal 500 metre line of U/N Island (20-059) (at or about 20°22.251' S, 148°58.116' E)
3	South-westerly along the coastal 500 metre line of U/N Island (20-059) to the intersection of the coastal 500 metre line of Hamilton Island (at or about 20°22.598' S, 148°57.591' E)
4	South-westerly along the coastal 500 metre line of Hamilton Island to the intersection of the meridian 148°57.199' E (at or about 20°22.949' S, 148°57.199' E)

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Item	Description
5	Westerly along the geodesic to the intersection of the Dent Island coastline at mean low water and the meridian 148°56.365' E (at or about 20°22.914' S, 148°56.365' E)
6	Northerly along the Dent Island coastline at mean low water to the point of commencement

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- (h) Paradise Bay Resort, Long Island — the area bounded by a line commencing at the intersection of the Long Island coastline at mean low water and the parallel 20°23.616' S (at or about 20°23.616' S, 148°51.743' E) then running progressively as described in the following table:

Item	Description
1	South-westerly along the geodesic to the intersection of the coastal 500 metre line of Long Island and the parallel 20°23.796' S (at or about 20°23.796' S, 148°51.456' E)
2	North-westerly along the coastal 500 metre line of Long Island to the intersection of the parallel 20°23.441' S (at or about 20°23.441' S, 148°51.069' E)
3	North-easterly along the geodesic to the intersection of the Long Island coastline at mean low water and the parallel 20°23.267' S (at or about 20°23.267' S, 148°51.333' E)
4	South-easterly along the Long Island coastline at mean low water to the point of commencement

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- (i) Lindeman Island Resort — the area bounded by a line commencing at the intersection of the Lindeman Island coastline at mean low water and the meridian 149°02.113' E (at or about 20°27.676' S, 149°02.113' E) then running progressively as described in the following table:

Item	Description
1	South along the meridian to the intersection of the coastal 500 metre line of Lindeman Island (at or about 20°27.956' S, 149°02.113' E)
2	Easterly along the coastal 500 metre line of Lindeman Island to the point at or about 20°27.716' S, 149°02.963' E
3	Northerly along the geodesic to the intersection of the Lindeman Island coastline at mean low water and the parallel 20°27.428' S (at or about 20°27.428' S, 149°02.860' E)
4	Westerly along the Lindeman Island coastline at mean low water to the point of commencement

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## 2. Setting 2 areas

Setting 2 areas are the following areas, to the extent that an area described in this item is not included in an area described in a setting 1 area:

- (a) Hardy, Hook and Line Reefs — the area bounded by a line commencing at the 1 500 metre line of Hardy Reef and the parallel 19°43.268' S (at or about 19°43.268' S, 149°13.994' E) then running progressively as described in the following table:

Item	Description
1	Southerly along the 1 500 metre line of Hardy Reef to the intersection of the 1 500 metre line of Hook Reef (at or about 19°49.260' S, 149°16.027' E)
2	Westerly along the geodesic to the intersection of the reef edge of Hook Reef and the parallel 19°49.012' S (at or about 19°49.012' S, 149°15.206' E)
3	North-westerly along the reef edge of Hook Reef to the intersection of the meridian 149°11.622' E (at or about 19°45.884' S, 149°11.622' E)
4	West along the parallel to the 1 500 metre line of Hook Reef (at or about 19°45.884' S, 149°07.120' E)
5	North-easterly along the 1 500 metre line of Hook Reef to the intersection of the 1 500 metre line of Line Reef (at or about 19°44.172' S, 149°07.931' E)
6	Northerly along the 1 500 metre line of Line Reef to the intersection of the parallel 19°43.268' S (at or about 19°43.268' S, 149°07.587' E)
7	East along the parallel to the point of commencement

- (b) Black Island — the area enclosed within the coastal 100 metre line of Black Island;

- (c) Cid Harbour, Whitsunday Island — the area bounded by a line commencing at the intersection of the Whitsunday Island coastline at mean low water and the parallel 20°16.222' S (at or about 20°16.222' S, 148°55.841' E) then running progressively as described in the following table:

Item	Description
1	North-westerly along the geodesic to the intersection of the Cid Island coastline at mean low water and the parallel 20°15.926' S (at or about 20°15.926' S, 148°55.335' E)
2	North-westerly along the Cid Island coastline at mean low water to the intersection of the Cid Island coastline at mean low water and the meridian 148°54.772' E (at or about 20°15.212' S, 148°54.772' E)
3	North along the meridian to the intersection of the coastal 1 500 metre line of Cid Island (at or about 20°14.310' S, 148°54.772' E)
4	Easterly along the coastal 1 500 metre line of Cid Island to the intersection of the coastal 1 500 metre line of Whitsunday Island (at or about 20°14.340' S, 148°55.406' E)
5	Northerly along the coastal 1 500 metre line of Whitsunday Island to the intersection of the parallel 20°14.249' S (at or about 20°14.249' S, 148°55.401' E)
6	East along the parallel to the intersection of the Whitsunday Island coastline at mean low water (at or about 20°14.249' S, 148°56.262' E)

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Item	Description
7	South-easterly along the Whitsunday Island coastline at mean low water to the intersection of the Whitsunday Island coastline at mean low water and the meridian 148°56.510' E (at or about 20°14.639' S, 148°56.510' E)
8	South-easterly along the geodesic to the intersection of the Whitsunday Island coastline at mean low water and the meridian 148°57.203' E (at or about 20°14.975' S, 148°57.203' E)
9	South-westerly along the Whitsunday Island coastline at mean low water to the point of commencement

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- (d) Whitehaven Beach, Whitsunday Island — the area bounded by a line commencing at the intersection of the Whitsunday Island coastline at mean low water and the meridian 149°03.519' E (at or about 20°17.570' S, 149°03.519' E) then running progressively as described in the following table:

Item	Description
1	North along the meridian to the intersection of the coastal 500 metre line of Whitsunday Island (at or about 20°17.279' S, 149°03.519' E)
2	Westerly along the coastal 500 metre line of Whitsunday Island to the intersection of the meridian 149°02.789' E (at or about 20°17.041' S, 149°02.789' E)
3	South-westerly along the geodesic to the intersection of the Whitsunday Island coastline at mean low water and the parallel 20°17.233' S (at or about 20°17.233' S, 149°02.587' E)
4	Easterly along the Whitsunday Island coastline at mean low water to the point of commencement

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- (e) Southern Whitsunday Island — the area bounded by a line commencing at the intersection of the Whitsunday Island coastline at mean low water and the meridian 148°57.805' E (at or about 20°19.730' S, 148°57.805' E) then running progressively as described in the following table:

Item	Description
1	South-westerly along the geodesic to the intersection of the Fitzalan Island coastline at mean low water and the meridian 148°57.695' E (at or about 20°19.794' S, 148°57.695' E)
2	Southerly along the Fitzalan Island coastline at mean low water to the intersection of the Fitzalan Island coastline at mean low water and the meridian 148°57.657' E (at or about 20°19.899' S, 148°57.657' E)
3	Westerly along the Fitzalan Island coastline at mean low water to the intersection of the Fitzalan Island coastline at mean low water and the parallel 20°19.868' S (at or about 20°19.868' S, 148°57.565' E)
4	South-westerly along the geodesic to the intersection of the coastal 500 metre line of Hamilton Island (at or about 20°19.919' S, 148°57.475' E)

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Item	Description
5	Easterly along the coastal 500 metre line of Hamilton Island to the intersection of the coastal 1 500 metre line of Whitsunday Island (at or about 20°20.382' S, 148°58.745' E)
6	Easterly along the coastal 1 500 metre line of Whitsunday Island to the intersection of the meridian 149°02.844' E (at or about 20°19.729' S, 149°02.844' E)
7	North along the meridian to the intersection of the Whitsunday Island coastline at mean low water (at or about 20°18.617' S, 149°02.844' E)
8	Westerly along the Whitsunday Island coastline at mean low water to the point of commencement

### 3. Setting 3 areas

Setting 3 areas are the following areas, to the extent that an area described in this item is not included in an area described in a setting 1 area or a setting 2 area:

- (a) Hardy Reef Complex — the area enclosed by the 1 500 metre line of the reefs set out in the following table:

Item	Reef
1	Line Reef (19-128)
2	Sinker Reef (19-133)
3	Hook Reef (19-136)
4	Barb Reef (19-136b)
5	U/N Reef (19-136c)
6	Bait Reef (19-137)

- (b) Langford/Black Islands Complex — the area bounded by a line commencing at the intersection of the Hayman Island coastline at mean low water and the meridian 148°52.850' E (at or about 20°02.188' S, 148°52.850' E) then running progressively as described in the following table:

Item	Description
1	North-westerly along the geodesic to the intersection of the coastal 1 500 metre line of Hayman Island and the meridian 148°52.389' E (at or about 20°01.470' S, 148°52.389' E)
2	Southerly along the coastal 1 500 metre line of Hayman Island to the intersection of the coastal 1 500 metre line of Langford and Bird Islands (at or about 20°04.131' S, 148°51.667' E)
3	Southerly along the coastal 1 500 metre line of Langford and Bird Islands to the intersection of the coastal 1 500 metre line of Hook Island (at or about 20°06.602' S, 148°52.452' E)

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Item	Description
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| 4  | Southerly along the coastal 1 500 metre line of Hook Island to the intersection of the parallel 20°07.361' S (at or about 20°07.361' S, 148°52.148' E)   |
| 5  | East along the parallel to the intersection of the Hook Island coastline at mean low water (at or about 20°07.361' S, 148°53.032' E)   |
| 6  | Northerly along the Hook Island coastline at mean low water to the intersection of the Hook Island coastline at mean low water and the parallel 20°04.210' S (at or about 20°04.210' S, 148°54.339' E) |
| 7  | North-westerly along the geodesic to the intersection of the Hayman Island coastline at mean low water and the meridian 148°53.657' E (at or about 20°03.798' S, 148°53.657' E)                        |
| 8  | Southerly along the geodesic to the intersection of the coastal line of Langford Island and the parallel 20°05.271' S (at or about 20°05.271' S, 148°53.123' E)  |
| 9  | North-westerly along the coastal line of Langford Island to the intersection of the coastal line of Langford Island and the meridian 148°52.375' E (at or about 20°04.639' S, 148°52.375' E)           |
| 10 | Northerly along the geodesic to the intersection of the Hayman Island coastline at mean low water and the parallel 20°03.502' S (at or about 20°03.502' S, 148°52.705' E)                              |
| 11 | Northerly along the Hayman Island coastline at mean low water to the point of commencement   |
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- (c) North Hook Island — the area bounded by a line commencing at the intersection of the Hook Island coastline at mean low water and the meridian 148°55.345' E (at or about 20°03.711' S, 148°55.345' E) then running progressively as described in the following table:

Item	Description
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|---|--|
| 1 | North along the meridian to the intersection of the coastal 1 500 metre line of Hook Island (at or about 20°02.819' S, 148°55.345' E)                  |
| 2 | Easterly along the coastal 1 500 metre line of Hook Island to the intersection of the meridian 148°57.837' E (at or about 20°02.757' S, 148°57.837' E) |
| 3 | South along the meridian to the intersection of the Hook Island coastline at mean low water (at or about 20°03.671' S, 148°57.837' E)                  |
| 4 | Westerly along the Hook Island coastline at mean low water to the point of commencement  |
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- (d) Saba Bay — the area bounded by a line commencing at the intersection of the Hook Island coastline at mean low water and the meridian 148°57.406' E (at or about 20°06.445' S, 148°57.406' E) then running progressively as described in the following table:

Item	Description
1	South-westerly along the geodesic to the intersection of the Hook Island coastline at mean low water and the parallel 20°06.858' S (at or about 20°06.858' S, 148°56.555' E)
2	North-easterly along the Hook Island coastline at mean low water to the point of commencement

- (e) Clarke's Cove — the area bounded by a line commencing at the intersection of the mainland coastline at mean low water and the parallel 20°09.287' S (at or about 20°09.287' S, 148°34.635' E) then running progressively as described in the following table:

Item	Description
1	South-easterly along the geodesic to the intersection of the mainland coastline at mean low water and the meridian 148°35.088' E (at or about 20°09.891' S, 148°35.088' E)
2	North-westerly along the mainland coastline at mean low water to the point of commencement

- (f) South Hook Island — the area bounded by a line commencing at the intersection of the Hook Island coastline at mean low water and the meridian 148°55.919' E (at or about 20°10.720' S, 148°55.919' E) then running progressively as described in the following table:

Item	Description
1	South along the meridian to the intersection of the coastal 1 500 metre line of Hook Island (at or about 20°11.644' S, 148°55.919' E)
2	Westerly along the coastal 1 500 metre line of Hook Island to the intersection of the meridian 148°52.365' E (at or about 20°10.506' S, 148°52.365' E)
3	North-easterly along the geodesic to the intersection of the Hook Island coastline at mean low water and the meridian 148°52.962' E (at or about 20°09.743' S, 148°52.962' E)
4	Easterly along the Hook Island coastline at mean low water to the point of commencement

- (g) Cateran Bay, Border Island — the area bounded by a line commencing at the intersection of the Border Island coastline at mean low water and the meridian 149°01.382' E (at or about 20°09.355' S, 149°01.382' E) then running progressively as described in the following table:

Item	Description
1	Easterly along the geodesic to the intersection of the Border Island coastline at mean low water and the meridian 149°02.231' E (at or about 20°09.032' S, 149°02.231' E)
2	Westerly along the Border Island coastline at mean low water to the point of commencement

- (h) Woodwark Bay, Mainland — the area bounded by a line commencing at the intersection of the mainland coastline at mean low water and the parallel 20°10.417' S (at or about 20°10.417' S, 148°38.755' E) then running progressively as described in the following table:

Item	Description
1	South-easterly along the geodesic to the intersection of the mainland coastline at mean low water and the meridian 148°40.089' E (at or about 20°11.587' S, 148°40.089' E)
2	North-westerly along the mainland coastline at mean low water to the point of commencement

- (ia) Molle Channel — the area bounded by a line commencing at the intersection of the mainland coastline at mean low water and the meridian 148°44.017' E (at or about 20°15.217' S, 148°44.017' E) then running progressively as described in the following table:

Item	Description
1	North-westerly along the geodesic to the intersection of the coastal 1 500 metre line of the mainland and the meridian 148°43.189' E (at or about 20°14.865' S, 148°43.189' E)
2	North-easterly along the coastal 1 500 metre line of the mainland to the intersection of the coastal 1 500 metre line of Pioneer Rocks (at or about 20°13.372' S, 148°44.550' E)
3	Easterly along the coastal 1 500 metre line of Pioneer Rocks to the intersection of the coastal 1 500 metre line of Almora Islet (at or about 20°13.158' S, 148°46.230' E)
4	South-easterly along the coastal 1 500 metre line of Almora Islet to the intersection of the coastal 1 500 metre line of the mainland (at or about 20°13.941' S, 148°47.088' E)
5	South-easterly along the coastal 1 500 metre line of the mainland to the intersection of the coastal 1 500 metre line of Daydream Island (at or about 20°15.745' S, 148°47.899' E)
6	Northerly along the coastal 1 500 metre line of Daydream Island to the intersection of the coastal 1 500 metre line of North Molle Island (at or about 20°14.378' S, 148°48.342' E)

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Item	Description
7	Northerly along the coastal 1 500 metre line of North Molle Island to the intersection of the meridian 148°48.194' E (at or about 20°12.074' S, 148°48.194' E)
8	South-easterly along the geodesic to the intersection of the North Molle Island coastline at mean low water and the meridian 148°48.619' E (at or about 20°12.818' S, 148°48.619' E)
9	South-easterly along the North Molle Island coastline at mean low water to the intersection of the North Molle Island coastline at mean low water and the meridian 148°49.751' E (at or about 20°14.544' S, 148°49.751' E)
10	Southerly along the geodesic to the intersection of the Mid Molle Island coastline at mean low water and the meridian 148°49.759' E (at or about 20°14.725' S, 148°49.759' E)
11	Westerly along the geodesic to the intersection of the coastal 500 metre line of Daydream Island and the meridian 148°48.874' E (at or about 20°14.730' S, 148°48.874' E)
12	South along the meridian to the intersection of the Daydream Island coastline at mean low water (at or about 20°15.082' S, 148°48.874' E)
13	South-westerly along the Daydream Island coastline at mean low water to the intersection of the Daydream Island coastline at mean low water and the parallel 20°15.201' S (at or about 20°15.201' S, 148°48.745' E)
14	West along the parallel to the intersection of the coastal 500 metre line of Daydream Island (at or about 20°15.201' S, 148°48.454' E)
15	South-easterly along the coastal 500 metre line of Daydream Island to the intersection of the meridian 148°48.845' E (at or about 20°16.038' S, 148°48.845' E)
16	Easterly along the geodesic to the intersection of the South Molle Island coastline at mean low water and the parallel 20°16.296' S (at or about 20°16.296' S, 148°49.544' E)
17	South-easterly along the South Molle Island coastline at mean low water to the intersection of the South Molle Island coastline at mean low water and the meridian 148°50.050' E (at or about 20°16.943' S, 148°50.050' E)
18	South-easterly along the geodesic to the intersection of the coastal 1 500 metre line of South Molle and Denman Islands (at or about 20°17.727' S, 148°50.409' E)
19	Westerly along the coastal 1 500 metre line of South Molle Island to the intersection of the coastal 1 500 metre line of White Rock (at or about 20°18.040' S, 148°49.491' E)
20	Southerly along the coastal 1 500 metre line of White Rock to the intersection of the coastal 1 500 metre line of the mainland (at or about 20°18.564' S, 148°49.403' E)
21	South-westerly along the geodesic to the intersection of the mainland coastline at mean low water and the meridian 148°48.992' E (at or about 20°19.294' S, 148°48.992' E)

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Item	Description
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| 22 | North-westerly along the mainland coastline at mean low water to the point of commencement |
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- (ib) Bluff Point — the area bounded by a line commencing at the intersection of the mainland coastline at mean low water and the parallel 20°12.976' S (at or about 20°12.976' S, 148°39.687' E) then running progressively as described in the following table:

Item	Description
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|---|--|
| 1 | East along the parallel to the intersection of the coastal 1 500 metre line of the mainland (at or about 20°12.976' S, 148°40.652' E)                                      |
| 2 | South-easterly along the coastal 1 500 metre line of the mainland to the point at or about 20°14.335' S, 148°41.943' E   |
| 3 | North-westerly along the geodesic to the intersection of the mainland coastline at mean low water and the meridian 148°40.870' E (at or about 20°13.880' S, 148°40.870' E) |
| 4 | North-westerly along the mainland coastline at mean low water to the point of commencement   |
- 

- (j) South Whitsunday Island — the area bounded by a line commencing at the intersection of the Cid Island coastline at mean low water and the parallel 20°15.926' S (at or about 20°15.926' S, 148°55.335' E) then running progressively as described in the following table:

Item	Description
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|---|--|
| 1 | South-easterly along the geodesic to the intersection of the Whitsunday Island coastline at mean low water and the parallel 20°16.222' S (at or about 20°16.222' S, 148°55.841' E)                                       |
| 2 | Southerly along the Whitsunday Island coastline at mean low water to the intersection of the Whitsunday Island coastline at mean low water and the meridian 148°56.231' E (at or about 20°18.438' S, 148°56.231' E)      |
| 3 | Easterly along the geodesic to the intersection of the Whitsunday Island coastline at mean low water and the meridian 148°57.090' E (at or about 20°18.467' S, 148°57.090' E)  |
| 4 | South-easterly along the Whitsunday Island coastline at mean low water to the intersection of the Whitsunday Island coastline at mean low water and the meridian 148°57.805' E (at or about 20°19.730' S, 148°57.805' E) |
| 5 | South-westerly along the geodesic to the intersection of the Fitzalan Island coastline at mean low water and the meridian 148°57.695' E (at or about 20°19.794' S, 148°57.695' E)  |
| 6 | South-westerly along the Fitzalan Island coastline at mean low water to the intersection of the Fitzalan Island coastline at mean low water and the parallel 20°19.868' S (at or about 20°19.868' S, 148°57.565' E)      |

Item	Description
7	South-westerly along the geodesic to the intersection of the coastal 500 metre line of Hamilton Island and the meridian 148°57.475' E (at or about 20°19.919' S, 148°57.475' E)
8	North-westerly along the coastal 500 metre line of Hamilton Island to the intersection of the meridian 148°56.937' E (at or about 20°19.588' S, 148°56.937' E)
9	South-westerly along the geodesic to the intersection of the Dent Island coastline at mean low water and the meridian 148°55.686' E (at or about 20°20.217' S, 148°55.686' E)
10	Southerly along the Dent Island coastline at mean low water to the intersection of the Dent Island coastline at mean low water and the meridian 148°56.365' E (at or about 20°22.914' S, 148°56.365' E)
11	Easterly along the geodesic to the intersection of the coastal 500 metre line of Hamilton Island and the meridian 148°57.199' E (at or about 20°22.949' S, 148°57.199' E)
12	North-easterly along the coastal 500 metre line of Hamilton Island to the intersection of the coastal 500 metre line of U/N Island (20-059) (at or about 20°22.598' S, 148°57.591' E)
13	North-easterly along the coastal 500 metre line of U/N Island (20-059) to the intersection of the coastal 500 metre line of Hamilton Island (at or about 20°22.251' S, 148°58.116' E)
14	Northerly along the coastal 500 metre line of Hamilton Island to the intersection of the coastal 1 500 metre line of Whitsunday Island (at or about 20°20.382' S, 148°58.745' E)
15	Easterly along the coastal 1 500 metre line of Whitsunday Island to the intersection of the coastal 1 500 metre line of Hamilton Island (at or about 20°20.155' S, 148°59.463' E)
16	South-easterly along the coastal 1 500 metre line of Hamilton Island to the intersection of the coastal 1 500 metre line of Perseverance Island (at or about 20°20.226' S, 148°59.541' E)
17	Easterly along the coastal 1 500 metre line of Perseverance Island to the intersection of the coastal 1 500 metre line of Dungurra Island (at or about 20°20.579' S, 149°00.373' E)
18	South-easterly along the coastal 1 500 metre line of Dungurra Island to the intersection of the coastal 1 500 metre line of Surprise Rock (at or about 20°20.992' S, 149°00.770' E)
19	Easterly along the coastal 1 500 metre line of Surprise Rock to the intersection of the parallel 20°21.310' S (at or about 20°21.310' S, 149°02.425' E)
20	Westerly along the coastal 1 500 metre line of Surprise Rock to the intersection of the coastal 1 500 metre line of Dungurra Island (at or about 20°21.654' S, 149°00.782' E)
21	South-westerly along the coastal 1 500 metre line of Dungurra Island to the intersection of the coastal 1 500 metre line of Hamilton Island (at or about 20°22.349' S, 148°59.353' E)

Item	Description
22	South-westerly along the coastal 1 500 metre line of Hamilton Island to the intersection of the coastal 1 500 metre line of U/N Island (20-059) (at or about 20°22.761' S, 148°58.618' E)
23	South-westerly along the coastal 1 500 metre line of U/N Island (20-059) to the intersection of the coastal 1 500 metre line of Hamilton Island (at or about 20°23.236' S, 148°57.825' E)
24	Westerly along the coastal 1 500 metre line of Hamilton Island to the intersection of the coastal 1 500 metre line of Dent Island (at or about 20°23.469' S, 148°56.994' E)
25	North-westerly along the coastal 1 500 metre line of Dent Island to the intersection of the coastal 1 500 metre line of Henning Island and U/N Rock (at or about 20°19.877' S, 148°54.766' E)
26	Northerly along the coastal 1 500 metre line of Henning Island and U/N Rock to the intersection of the coastal 1 500 metre line of Whitsunday Island (at or about 20°18.274' S, 148°54.370' E)
27	North-westerly along the coastal 1 500 metre line of Whitsunday Island to the intersection of the coastal 1 500 metre line of Cid Island (at or about 20°17.152' S, 148°53.866' E)
28	Northerly along the coastal 1 500 metre line of Cid Island to the intersection of the meridian 148°54.772' E (at or 20°14.310' S, 148°54.772' E)
29	South along the meridian to the intersection of the Cid Island coastline at mean low water (at or about 20°15.212' S, 148°54.772' E)
30	South-westerly along the Cid Island coastline at mean low water to the intersection of the Cid Island coastline at mean low water and the parallel 20°16.210' S (at or about 20°16.210' S, 148°54.356' E)
31	Easterly along the Cid Island coastline at mean low water to the point of commencement

- (k) South-eastern Whitsunday Island — the area bounded by a line commencing at the intersection of the Whitsunday Island coastline at mean low water and the meridian 149°02.844' E (at or about 20°18.617' S, 149°02.844' E) then running progressively as described in the following table:

Item	Description
1	South along the meridian to the intersection of the coastal 1 500 metre line of Whitsunday Island (at or about 20°19.729' S, 149°02.844' E)
2	North-easterly along the coastal 1 500 metre line of Whitsunday Island to the intersection of the coastal 1 500 metre line of Teague Island (at or about 20°19.307' S, 149°03.676' E)
3	North-easterly along the geodesic to the intersection of the Teague Island coastline at mean low water and the meridian 149°04.144' E (at or about 20°18.624' S, 149°04.144' E)



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Item	Description
4	Northerly along the Teague Island coastline at mean low water to the intersection of the Teague Island coastline at mean low water and the meridian 149°04.040' E (at or about 20°18.041' S, 149°04.040' E)
5	North-easterly along the geodesic to the intersection of the Haslewood Island coastline at mean low water and the parallel 20°17.727' S (at or about 20°17.727' S, 149°04.160' E)
6	Northerly along the Haslewood Island coastline at mean low water to the intersection of the Haslewood Island coastline at mean low water and the parallel 20°16.296' S (at or about 20°16.296' S, 149°04.524' E)
7	West along the parallel to the intersection of the coastal 1 500 metre line of Haslewood Island (at or about 20°16.296' S, 149°03.546' E)
8	Southerly along the coastal 1 500 metre line of Haslewood Island to the intersection of the coastal 1 500 metre line of Martin Islet (at or about 20°16.416' S, 149°03.544' E)
9	South-westerly along the coastal 1 500 metre line of Martin Islet to the intersection of the coastal 1 500 metre line of Whitsunday Island (at or about 20°16.735' S, 149°03.280' E)
10	North-westerly along the coastal 1 500 metre line of Whitsunday Island to the intersection of the coastal 1 500 metre line of Lagoon Rock (at or about 20°16.623' S, 149°03.160' E)
11	North-easterly along the coastal 1 500 metre line of Lagoon Rock to the intersection of the parallel 20°16.276' S (at or about 20°16.276' S, 149°03.390' E)
12	West along the parallel to 20°16.276' S, 149°02.846' E
13	South-westerly along the geodesic to the intersection of the Whitsunday Island coastline at mean low water and the parallel 20°16.817' S (at or about 20°16.817' S, 149°02.236' E)
14	South-easterly along the Whitsunday Island coastline at mean low water to the intersection of the Whitsunday Island coastline at mean low water and the parallel 20°17.233' S (at or about 20°17.233' S, 149°02.587' E)
15	North-easterly along the geodesic to the intersection of the coastal 500 metre line of Whitsunday Island (at or about 20°17.041' S, 149°02.789' E)
16	Easterly along the coastal 500 metre line of Whitsunday Island to the intersection of the meridian 149°03.519' E (at or about 20°17.279' S, 149°03.519' E)
17	South along the meridian to the intersection of the Whitsunday Island coastline at mean low water (at or about 20°17.570' S, 149°03.519' E)
18	South-westerly along the Whitsunday Island coastline at mean low water to the point of commencement

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- (l) Tongue Bay — the area bounded by a line commencing at the intersection of the Whitsunday Island coastline at mean low water and the parallel 20°14.099' S (at or about 20°14.099' S, 149°00.723' E) then running progressively as described in the following table:

Item	Description
1	Easterly along the geodesic to the intersection of the Whitsunday Island coastline at mean low water and the parallel 20°14.195' S (at or about 20°14.195' S, 149°01.339' E)
2	Westerly along the Whitsunday Island coastline at mean low water to the point of commencement

- (m) Pandanus Bay — the area bounded by a line commencing at the intersection of the Pelican Island coastline at mean low water and the parallel 20°20.256' S (at or about 20°20.256' S, 148°51.396' E) then running progressively as described in the following table:

Item	Description
1	South-easterly along the geodesic to 20°20.312' S, 148°51.438' E
2	Southerly along the geodesic to 20°20.874' S, 148°51.463' E
3	Southerly along the geodesic to the intersection of the Long Island coastline at mean low water and the parallel 20°21.151' S (at or about 20°21.151' S, 148°51.315' E)
4	Northerly along the Long Island coastline at mean low water to the point of commencement

- (n) Kennedy Sound — the area bounded by a line commencing at the intersection of the Lindeman Island coastline at mean low water and the parallel 20°27.194' S (at or about 20°27.194' S, 149°03.933' E) then running progressively as described in the following table:

Item	Description
1	Easterly along the geodesic to the intersection of the Shaw Island coastline at mean low water and the parallel 20°27.126' S (at or about 20°27.126' S, 149°04.492' E)
2	Southerly along the Shaw Island coastline at mean low water to the intersection of the Shaw Island coastline at mean low water and the parallel 20°28.650' S (at or about 20°28.650' S, 149°04.149' E)
3	South-westerly along the geodesic to the intersection of the Shaw Island coastline at mean low water and the meridian 149°02.275' E (at or about 20°30.184' S, 149°02.275' E)
4	Northerly along the geodesic to the intersection of the Seaforth Island coastline at mean low water and the meridian 149°01.975' E (at or about 20°28.477' S, 149°01.975' E)
5	Northerly along the Seaforth Island coastline at mean low water to the intersection of the Seaforth Island coastline at mean low water and the meridian 149°02.113' E (at or about 20°28.013' S, 149°02.113' E)

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Item	Description
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|---|--|
| 6 | North along the meridian to the intersection of the coastal 500 metre line of Lindeman Island (at or about 20°27.956' S, 149°02.113' E)                                      |
| 7 | Easterly along the coastal 500 metre line of Lindeman Island to the intersection of the meridian 149°02.963' E (at or about 20°27.716' S, 149°02.963' E)                     |
| 8 | Northerly along the geodesic to the intersection of the Lindeman Island coastline at mean low water and the meridian 149°02.860' E (at or about 20°27.428' S, 149°02.860' E) |
| 9 | Easterly along the Lindeman Island coastline at mean low water to the point of commencement  |
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- (o) Mackerel Bay — the area bounded by a line commencing at the intersection of the Hook Island coastline at mean low water and the meridian 148°58.034' E (at or about 20°04.295' S, 148°58.034' E) then running progressively as described in the following table:

Item	Description
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|---|---|
| 1 | Southerly along the geodesic to the intersection of the Hook Island coastline at mean low water and the parallel 20°05.650' S (at or about 20°05.650' S, 148°57.537' E) |
| 2 | Northerly along the Hook Island coastline at mean low water to the point of commencement  |
- 

- (p) Roberta Bay — the area bounded by a line commencing at the intersection of the Shaw Island coastline at mean low water and the meridian 149°05.932' E (at or about 20°29.481' S, 149°05.932' E) then running progressively as described in the following table:

Item	Description
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|---|--|
| 1 | South-westerly along the geodesic to the intersection of the Shaw Island coastline at mean low water and the parallel 20°30.236' S (at or about 20°30.236' S, 149°04.662' E) |
| 2 | North-easterly along the Shaw Island coastline at mean low water to the point of commencement  |
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- (q) Eastern Border Island — the area bounded by a line commencing at the intersection of the Border Island coastline at mean low water and the parallel 20°09.388' S (at or about 20°09.388' S, 149°02.696' E) then running progressively as described in the following table:

Item	Description
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|---|---|
| 1 | Southerly along the geodesic to the intersection of the Border Island coastline at mean low water and the parallel 20°10.659' S (at or about 20°10.659' S, 149°02.616' E) |
| 2 | Northerly along the Border Island coastline at mean low water to the point of commencement  |
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#### 4. Setting 4 areas

Setting 4 areas are within the coastal 1 500 metre line of any island, islet rock or stretch of coastline, to the extent that such an area is not included in an area described in another item of this Schedule.

#### 5. Setting 5 areas

Setting 5 areas are the following areas:

- (a) Eshelby Islands — the area enclosed within the coastal 500 metre line of the following:
- (i) Eshelby Island;
  - (ii) Little Eshelby Island;
- (b) Deloraine Island — the area enclosed within the coastal 500 metre line of Deloraine Island;
- (c) Double Bay East — the area bounded by a line commencing at the intersection of the mainland coastline at mean low water and the meridian 148°37.101' E (at or about 20°12.966' S, 148°37.101' E) then running progressively as described in the following table:

Item	Description
1	Northerly along the geodesic to the intersection of the mainland coastline at mean low water and the parallel 20°11.603' S (at or about 20°11.603' S, 148°37.663' E)
2	Southerly along the mainland coastline at mean low water to the point of commencement

- (d) Hill Inlet — the area bounded by a line commencing at the intersection of the Whitsunday Island coastline at mean low water and the parallel 20°14.324' S (at or about 20°14.324' S, 149°01.577' E) then running progressively as described in the following table:

Item	Description
1	East along the parallel to the intersection of the coastal 500 metre line of Whitsunday Island (at or about 20°14.324' S, 149°01.866' E)
2	Southerly along the coastal 500 metre line of Whitsunday Island to the intersection of the parallel 20°15.824' S (at or about 20°15.824' S, 149°02.039' E)
3	West along the parallel to the intersection of the Whitsunday Island coastline at mean low water (at or about 20°15.824' S, 149°01.733' E)
4	Northerly along the Whitsunday Island coastline at mean low water to the point of commencement

- (e) Haslewood and Lupton Islands — the area bounded by a line commencing at the intersection of the Haslewood Island coastline at mean low water and the meridian 149°06.162' E (at or about 20°15.068' S, 149°06.162' E) then running progressively as described in the following table:

Item	Description
1	North along the meridian to the intersection of the coastal 100 metre line of Haslewood Island (at or about 20°15.008' S, 149°06.162' E)
2	Southerly along the coastal 100 metre line of Haslewood Island to the intersection of the meridian 149°05.106' E (at or about 20°18.405' S, 149°05.106' E)
3	North along the meridian to the intersection of the Haslewood Island coastline at mean low water (at or about 20°18.331' S, 149°05.106' E)
4	Northerly along the Haslewood Island coastline at mean low water to the point of commencement

- (f) Cow and Calf Islands — the area bounded by a line commencing at the intersection of the mainland coastline at mean low water and the parallel 20°24.853' S (at or about 20°24.853' S, 148°50.141' E) then running progressively as described in the following table:

Item	Description
1	South-easterly along the coastal 500 metre line of Cow and Calf Islands to the intersection of the mainland coastline at mean low water and the parallel 20°26.628' S (at or about 20°26.628' S, 148°51.319' E)
2	North-westerly along the mainland coastline at mean low water to the point of commencement

## Schedule 3 Locations

(clause 1.4, subclauses 2.7 (1) and 2.16 (2), paragraph 2.17 (2) (b) and Schedule 9)

Locations are as follows, and, at any point, extend vertically to 500 metres above the ground or water surface:

Column 1 Reef, islands islet, rock, embayment or unnamed stretch of coastline	Column 2 Description of unnamed coastline
Almora Islet (20-045)	–
Anchorage Bay (20-102d)	The stretch of coastline between Burning Point and unnamed point
Andersons/Woodcutter Bays (20-062)	The stretch of coastline between Spit Point and unnamed point
Ann Islets (20-087)	–
Apostle Bay (20-041b/c)	The stretch of coastline between Peter Head and unnamed point
Armit Island (20-022)	–
Bait Reef (19-137)	–
Bauer Bay (20-042a)	The stretch of coastline between The Causeway and Deeded Point
Baynham Island (20-091)	–
Beach 25 (20-041i)	The stretch of coastline between Fitzalan Point and unnamed point
Billbob Bay (20-102j)	The stretch of coastline between southern point and south-western point of Shaw Island
Bird Island (20-019b)	–
Black Island (20-017)	–
Blue Pearl Bay (20-014c)	The stretch of coastline between Castle Rock and Dolphin Point
Bluff Bay (20-703e)	The stretch of coastline between Grimston Point and Bluff Point
Boat Port (20-090a)	The stretch of coastline between Thumb Point and Thora Point
Border Island (20-067)	–
Brush Island (20-098)	–
Butterfly Bay/Maureen's Cove (20-028g)	The stretch of coastline between Alcyonaria Point and unnamed point
Calf Island (20-065)	–
Cane Cocky's Cove (20-046)	The stretch of coastline between The Beak

<b>Column 1</b> <b>Reef, islands islet, rock, embayment or unnamed stretch of coastline</b>	<b>Column 2</b> <b>Description of unnamed coastline</b>
	and Coral Point
Cape Rock (20-207)	–
Catseye Bay (20-057a)	The stretch of coastline between north-western and north-eastern point of Hamilton Island
Chance Bay (20-041g)	The stretch of coastline between unnamed point and Craig Point
Chrome Rock (20-094)	–
Cid Harbour (20-708b)	–
Coconut Bay (20-090b)	The stretch of coastline between Picaninny Point and Thumb Point
Cole Island (20-086)	–
Comston Island (20-093)	–
Cow Island (20-064)	–
Daydream Island (20-035)	–
Defiance Island (20-203)	–
Defiance Reefs (20-204)	–
Deloraine Island (20-089)	–
Denman Island (20-044)	–
Dent Island West (20-058b)	The stretch of coastline between southern and northern point of Dent Island
Dent Passage (20-057d, 20-058a)	The stretch of coastline between southern and northern point of Hamilton Island and the stretch of coastline between northern and southern point of Dent Island
Double Bay East (20-703c)	The stretch of coastline between unnamed point and unnamed point
Double Bay West (20-703b)	The stretch of coastline between unnamed point and unnamed point
Double Cone Island (20-024)	–
Double Rocks (20-018)	–
Driftwood Bay (20-057b)	The stretch of coastline between south-eastern and south-western point of Hamilton Island
Dugong Inlet (20-041o)	The stretch of coastline between Jones Point and Daniell Point
Dumbell Island (20-068)	–
Earlando Coast (20-702b)	The stretch of coastline between unnamed point and unnamed point

<b>Column 1</b> <b>Reef, islands islet, rock, embayment or unnamed stretch of coastline</b>	<b>Column 2</b> <b>Description of unnamed coastline</b>
East Neck Bay (20-102h)	The stretch of coastline between unnamed point and eastern point of Shaw Island
East Repulse Island (20-209)	–
East Rock (20-054)	–
Edward Island (20-075)	–
Edwin Rock (20-026)	–
Eshelby Island (20-012)	–
Esk Island (20-070)	–
Fairlight Rock (20-235)	–
Fish/Palm Bays (20-060b)	The stretch of coastline between Fire Point and Humpy Point
Funnel Bay (20-703g)	The stretch of coastline between Mandalay Point and Pioneer Point
Gap Beach (20-090d)	The stretch of coastline between Thora Point and Cape Lachlan
Genesta Bay (20-713d)	The stretch of coastline between Round Head and Cape Conway
Gloucester Island (20-003)	–
Grassy Island (20-030)	–
Gulnare Inlet (20-041j)	The stretch of coastline between unnamed point and unnamed point
Gumbrell Island (20-020)	–
Hamilton Island East (20-057c)	The stretch of coastline between north-eastern and south-eastern point of Hamilton Island
Happy Bay (20-060a)	The stretch of coastline between Humpy Point and South Head
Hardy Reef (19-135)	–
Harold Island (20-074)	–
Hayman Island East (20-014b)	The stretch of coastline between Dolphin Point and Groper Point
Hayman Island Resort (20-014a)	The stretch of coastline between Groper Point and Castle Rock
Henning Island (20-053)	–
Hill Inlet (20-041r)	The stretch of coastline between Tongue Point and the northern point of Whitehaven Beach
Homestead Bay (20-039, 20-040b)	The stretch of coastline between Gilling Point and north-eastern point of Cid Island



<b>Column 1</b>	<b>Column 2</b>
<b>Reef, islands islet, rock, embayment or unnamed stretch of coastline</b>	<b>Description of unnamed coastline</b>
Hook Reef (19-136)	–
Hunt Channel (20-037, 20-040a, 20-041m)	The stretch of coastline between Loriard Point and Hughes Point and the stretch of coastline between north-eastern point of Cid Island and Gilling Point
Ireby Island (20-071)	–
Jester Rock (20-088)	–
Keyser Island (20-232)	–
Lagoon Rock (20-076)	–
Langford Island/Spit (20-019a)	–
Lindeman Island East (20-090e)	The stretch of coastline between Cape Lachlan and Dalwood Point
Line Reef (19-128)	–
Little Armit Island (20-023)	–
Little Eshelby Island (20-013)	–
Little Grassy Island (20-027)	–
Little Lindeman Island (20-099)	–
Long Rock (20-233)	–
Low Island (20-029)	–
Low Rock (20-047)	–
Luncheon, Manta Ray and Pinnacle Bays (20-028h)	The stretch of coastline between an unnamed point and Pinnacle Point
Lupton Island East (20-078f/g)	The stretch of coastline between Pallion Point and southern point of Lupton Island
Mackerel Bay (20-028i)	The stretch of coastline between Pinnacle Point and unnamed point
Macona Inlet (20-028c)	The stretch of coastline between southern point of Hook Island and Turtle Head Rock
Maher Island East (20-102a)	The stretch of coastline between Jesuit Point and unnamed point
Maher Island West (20-102a)	The stretch of coastline between unnamed point and Jesuit Point
Mansell Island (20-096)	–
May's Bay (20-041p)	The stretch of coastline between Daniell Point and unnamed point
Mid Molle Island (20-034)	–
Middle Island (19-106)	–
Moon Island (20-041f)	–

<b>Column 1</b> <b>Reef, islands islet, rock, embayment or unnamed stretch of coastline</b>	<b>Column 2</b> <b>Description of unnamed coastline</b>
Nara Inlet (20-028j)	The stretch of coastline between Turtle Head Rock and unnamed point
Neck Bay (20-103b/c)	The stretch of coastline between unnamed point and unnamed point
Nellie Bay (20-016)	The stretch of coastline between unnamed point and George Point
Nicolson Island (20-081)	–
North Molle Island (20-033)	–
North Repulse Island (20-208)	–
Olden Island (20-021)	–
Pandanus Bay (20-060g)	The stretch of coastline between South Head and unnamed point
Paradise Bay (20-060e)	The stretch of coastline between south-eastern point of Long Island and unnamed point
Pentecost Island (20-085)	–
Peter Bay (20-041a)	The stretch of coastline between unnamed point and Peter Head
Petrel Islet (20-069)	–
Pig Bay (20-078c/d)	The stretch of coastline between southern point of Haslewood Island and Solway Passage
Pine Island (20-061)	–
Pioneer Bay (20-703f)	The stretch of coastline between Bluff Point and Mandalay Point
Pioneer Rocks (20-032)	–
Plantation Bay (20-090c)	The stretch of coastline between Dalwood Point and Picaninny Point
Planton Island (20-043)	–
Perseverance Island (20-055)	–
Puritan Bay (20-713c)	The stretch of coastline between unnamed point and Round Head
Queen Margrethe Bay (20-102g)	The stretch of coastline between eastern point of Shaw Island and unnamed point
Rattray Island (19-110)	–
Repair Island (20-049a)	–
Repulse Bay East (20-715b)	The stretch of coastline between Cape Conway and Rocky Point

<b>Column 1</b>	<b>Column 2</b>
<b>Reef, islands islet, rock, embayment or unnamed stretch of coastline</b>	<b>Description of unnamed coastline</b>
Repulse Bay West (20-715c)	The stretch of coastline between Rocky Point and Midge Point
Ripple Rocks (20-206)	–
Roberta Bay (20-102f)	The stretch of coastline between unnamed point and unnamed point
Rooper Inlet (20-052)	The stretch of coastline between unnamed point and Stripe Point
Saba Bay (20-028a)	The stretch of coastline between unnamed point and Hook Passage
Saddleback Island (20-015)	–
Sandy Bay (20-060c/d)	The stretch of coastline between unnamed point and Fire Point
Sawmill Bay (20-041n)	The stretch of coastline between Hughes Point and Jones Point
Seaforth Island (20-095)	–
Shoal Bay (20-010)	The stretch of coastline between Cape Gloucester and unnamed point
Shute Harbour (20-710b)	The stretch of coastline between Coral Point and unnamed point
Shute Island (20-048)	–
Sidney Island (20-092)	–
Sillago Island (20-072)	–
Sinker Reef (19-133)	–
South Molle Island East (20-042c)	The stretch of coastline between Deeded Point and Roma Point
South Molle Island West (20-042b)	The stretch of coastline between Roma Point and The Causeway
South Repulse Island (20-210)	–
Spitfire Rock (20-097)	–
St. Helen Rock (20-236)	–
Steen's Beach (20-028f)	The stretch of coastline between Cockatoo Point and Alcyonaria Point
Stockyard Beach (20-078b)	The stretch of coastline between Solway Passage and unnamed point
Stonehaven Anchorage (20-028e)	The stretch of coastline between Baird Point and Cockatoo Point
Surprise Rock (20-083)	–
Swamp Bay (20-707b)	The stretch of coastline between Green Point and The Beak

Column 1	Column 2
Reef, islands islet, rock, embayment or unnamed stretch of coastline	Description of unnamed coastline
Tancred Island (20-049b)	–
Teague Island (20-082)	–
Thomas Island (20-234)	–
Tongue Bay (20-041d)	The stretch of coastline between unnamed point and Tongue Point
Trammel Bay (20-710c)	The stretch of coastline between Stripe Point and Spit Point
Triangle Island (20-100)	–
Turtle Bay (20-041h)	The stretch of coastline between Craig Point and unnamed point
Turtle Island (20-059)	–
unnamed (20-025)	The stretch of coastline between George Point and unnamed point
unnamed (20-028b)	The stretch of coastline between Hook Passage and southern point of Hook Island
unnamed (20-028d)	The stretch of coastline between unnamed point and Baird Point
unnamed (20-041a)	The stretch of coastline between Hook Passage and unnamed point
unnamed (20-041e)	The stretch of coastline between Solway Passage and unnamed point
unnamed (20-041h)	The stretch of coastline between unnamed point and Fitzalan Point
unnamed (20-041q)	The stretch of coastline between unnamed point and Hook Passage
unnamed (20-060f)	The stretch of coastline between unnamed point and southern point of Long Island
unnamed (20-084)	–
unnamed (20-102e)	The stretch of coastline between unnamed point and southern point of Shaw Island
unnamed (20-102i)	The stretch of coastline between south-western point of Shaw Island and Burning Point
unnamed (20-707b)	The stretch of coastline between Pioneer Point and Green Point
unnamed (20-713b)	The stretch of coastline between unnamed point and unnamed point
Volskow Island (20-231)	–

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<b>Column 1</b> <b>Reef, islands islet, rock, embayment or unnamed stretch of coastline</b>	<b>Column 2</b> <b>Description of unnamed coastline</b>
Waite Bay (20-078e)	The stretch of coastline between southern point of Lupton Island and southern point of Haslewood Island
White Rock (20-051)	–
Whitehaven Beach (20-041t)	The stretch of coastline between the northern point of Whitehaven Beach and Solway Passage
Windy Bay (20-078a)	The stretch of coastline between unnamed point and Pallion Point
Wirrainbeia Island (20-073)	–
Woodwark Bay (20-703d)	The stretch of coastline between unnamed point and Grimston Point
Workington Island (20-079)	–
Yellow Rock (20-101)	–
Young Island (20-056)	–
Yvonne's Coves (20-041k/l)	The stretch of coastline between unnamed point and Loriard Point

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## Schedule 4 Designated water sports area

(subclauses 2.8 (1) and 2.15 (4) and Schedule 9)

The designated water sports area of the Whitsunday Planning Area is the area bounded by a line commencing at 20°12.807' S, 148°47.668' E then running progressively as described in the following table:

Item	Description
1	Easterly along the geodesic to the intersection of the North Molle Island coastline at mean low water and the parallel 20°12.806' S, 148°48.573' E)
2	South-easterly along the North Molle Island coastline at mean low water to its intersection with the meridian 148°49.522' E (at or about 20°14.530' S, 148°49.522' E)
3	South along the meridian to 20°14.727' S, 148°49.522' E
4	Westerly along the geodesic to 20°14.730' S, 148°48.874' E
5	South along the meridian 148°48.874' E to its intersection with the Daydream Island coastline at mean low water (at or about 20°15.082' S, 148°48.874' E)
6	Southerly along the Daydream Island coastline at mean low water to its intersection with the meridian 148°48.855' E (at or about 20°15.644' S, 148°48.855' E)
7	Westerly along the geodesic to 20°15.644' S, 148°47.668' E
8	Northerly along the geodesic to the point of commencement

## Schedule 5 No anchoring areas

(subclause 2.12 (3))

The no anchoring areas are as follows:

- (a) Bait Reef — the area bounded by a line commencing at the northernmost point of the northernmost coral in the series of flat-topped coral pinnacles known as ‘the Stepping Stones’ (at or about 19°48.420’ S, 149°03.803’ E) then running progressively as described in the following table:

Item	Description
1	South-easterly along the geodesic to the intersection of the reef edge of Bait Reef and the meridian 149°04.680’ E (at or about 19°49.285’ S, 149°04.680’ E)
2	South along the meridian to the intersection of the 100 metre line of Bait Reef (at or about 19°49.340’ S, 149°04.680’ E)
3	North-westerly along the 100 metre line of Bait Reef to the intersection of the 100 metre line of Bait Reef and the parallel 19°48.420’ S (at or about 19°48.420’ S, 149°03.698’ E)
4	Easterly along the geodesic to the point of commencement

- (b) Manta Ray Bay — the area bounded by a line commencing at 20°03.558’ S, 148°57.180’ E then running progressively as described in the following table:

Item	Description
1	Easterly along the geodesic to the intersection of the Hook Island coastline at mean low water and the meridian 148°57.505’ E (at or about 20°03.557’ S, 148°57.505’ E)
2	South-westerly along the Hook Island coastline at mean low water to the intersection of the Hook Island coastline at mean low water and the parallel 20°03.751’ S (at or about 20°03.751’ S, 148°57.181’ E)
3	Northerly along the geodesic to the point of commencement

*Note* The next paragraph in this schedule is paragraph (d).

- (d) Blue Pearl Bay — the area bounded by a line commencing at the intersection of the Hayman Island coastline at mean low water and the meridian 148°52.693’ E (at or about 20°02.895’ S, 148°52.693’ E) then running progressively as described in the following table:

Item	Description
1	Northerly along the geodesic to the reef protection marker at or about 20°02.851’ S, 148°52.700’ E
2	North-easterly along the geodesic to the reef protection marker at or about 20°02.788’ S, 148°52.830’ E

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Item	Description
3	Northerly along the geodesic to the reef protection marker at or about 20°02.625' S, 148°52.865' E
4	Northerly along the geodesic to the reef protection marker at or about 20°02.482' S, 148°52.872' E
5	Northerly along the geodesic to the reef protection marker at or about 20°02.267' S, 148°52.798' E
6	North-easterly along the geodesic to the intersection of the Hayman Island coastline at mean low water and the parallel 20°02.219' S (at or about 20°02.219' S, 148°52.837' E)
7	Southerly along the Hayman Island coastline at mean low water to the point of commencement

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- (e) Langford Island — the area bounded by a line commencing at the intersection of the Langford Island coastline at mean low water and the meridian 148°52.375' E (at or about 20°04.661' S, 148°52.375' E) then running progressively as described in the following table:

Item	Description
1	Easterly along the geodesic to the reef protection marker at or about 20°04.667' S, 148°52.437' E
2	South-easterly along the geodesic to the reef protection marker at or about 20°04.788' S, 148°52.634' E
3	South-easterly along the geodesic to the reef protection marker at or about 20°04.917' S, 148°52.824' E
4	South-easterly along the geodesic to the reef protection marker at or about 20°05.032' S, 148°53.002' E
5	South-westerly along the geodesic to the intersection of the Langford Island spit (One Foot Island) coastline at mean low water and the parallel 20°05.076' S (at or about 20°05.076' S, 148°52.972' E)
6	North-westerly along the Langford Island coastline at mean low water to the point of commencement

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- (f) Butterfly Bay — the area bounded by a line commencing at the intersection of the Hook Island coastline at mean low water and the parallel 20°04.318' S (at or about 20°04.318' S, 148°55.211' E) then running progressively as described in the following table:

Item	Description
1	Easterly along the geodesic to the reef protection marker at or about 20°04.351' S, 148°55.435' E
2	Easterly along the geodesic to the reef protection marker at or about 20°04.362' S, 148°55.539' E
3	North-easterly along the geodesic to the reef protection marker at or about 20°04.308' S, 148°55.605' E



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Item	Description
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|---|--|
| 4 | South-easterly along the geodesic to the reef protection marker at or about 20°04.420' S, 148°55.755' E  |
| 5 | North-easterly along the geodesic to the reef protection marker at or about 20°04.295' S, 148°55.873' E  |
| 6 | North-easterly along the geodesic to the reef protection marker at or about 20°04.141' S, 148°55.938' E  |
| 7 | North-easterly along the geodesic to the intersection of the Hook Island coastline at mean low water and the parallel 20°04.119' S (at or about 20°04.119' S, 148°55.977' E) |
| 8 | Westerly along the Hook Island coastline at mean low water to the point of commencement  |
- 

- (g) Maureen's Cove — the area bounded by a line commencing at the intersection of the Hook Island coastline at mean low water and the meridian 148°56.012' E (at or about 20°04.102' S, 148°56.012' E) then running progressively as described in the following table:

Item	Description
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- |   |  |
|---|--|
| 1 | North-easterly along the geodesic to the reef protection marker at or about 20°04.080' S, 148°56.045' E                  |
| 2 | Easterly along the geodesic to the reef protection marker at or about 20°04.117' S, 148°56.148' E                        |
| 3 | Easterly along the geodesic to the reef protection marker at or about 20°04.081' S, 148°56.347' E                        |
| 4 | Northerly along the geodesic to the reef protection marker at or about 20°03.906' S, 148°56.372' E                       |
| 5 | North-easterly along the geodesic to the Hook Island coastline at mean low water at or about 20°03.863' S, 148°56.427' E |
| 6 | South-westerly along the Hook Island coastline at mean low water to the point of commencement                            |
- 

- (h) Luncheon Bay — the area bounded by a line commencing at the intersection of the Hook Island coastline at mean low water and the meridian 148°56.645' E (at or about 20°03.800' S, 148°56.645' E) then running progressively as described in the following table:

Item	Description
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- |   |   |
|---|---|
| 1 | Northerly along the geodesic to the reef protection marker at or about 20°03.780' S, 148°56.645' E      |
| 2 | Easterly along the geodesic to the reef protection marker at or about 20°03.787' S, 148°56.715' E       |
| 3 | South-easterly along the geodesic to the reef protection marker at or about 20°03.868' S, 148°56.818' E |
| 4 | Easterly along the geodesic to the reef protection marker at or about 20°03.855' S, 148°57.059' E       |
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Item	Description
5	North-easterly along the geodesic to the intersection of the Hook Island coastline at mean low water and the parallel 20°03.751' S (at or about 20°03.751' S, 148°57.181' E)
6	Westerly along the Hook Island coastline at mean low water to the point of commencement

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- (i) Pinnacle Bay — the area bounded by a line commencing at the intersection of the Hook Island coastline at mean low water and the meridian 148°57.540' E (at or about 20°03.553' S, 148°57.540' E) then running progressively as described in the following table:

Item	Description
1	Easterly along the geodesic to the reef protection marker at or about 20°03.548' S, 148°57.562' E
2	South-easterly along the geodesic to the reef protection marker at or about 20°03.620' S, 148°57.665' E
3	Easterly along the geodesic to the reef protection marker at or about 20°03.565' S, 148°57.818' E
4	Easterly along the geodesic to The Pinnacles at or about 20°03.566' S, 148°57.897' E
5	South-westerly along the geodesic to the intersection of the Hook Island coastline at mean low water and the meridian 148°57.837' E (at or about 20°03.671' S, 148°57.837' E)
6	North-westerly along the Hook Island coastline at mean low water to the point of commencement

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- (j) Cateran Bay — the area bounded by a line commencing at the intersection of the Border Island coastline at mean low water and the meridian 149°01.821' E (at or about 20°09.323' S, 149°01.821' E) then running progressively as described in the following table:

Item	Description
1	North-easterly along the geodesic to the reef protection marker at or about 20°09.303' S, 149°01.835' E
2	South-easterly along the geodesic to the reef protection marker at or about 20°09.411' S, 149°01.999' E
3	North-easterly along the geodesic to the reef protection marker at or about 20°09.315' S, 149°02.083' E
4	Northerly along the geodesic to the reef protection marker at or about 20°09.135' S, 149°02.155' E
5	North-easterly along the geodesic to the intersection of the Border Island coastline at mean low water and the parallel 20°09.128' S (at or about 20°09.128' S, 149°02.187' E)
6	South-westerly along the Border Island coastline at mean low water to the point of commencement

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- (k) Sunlovers Bay — the area bounded by a line commencing at the intersection of the Daydream Island coastline at mean low water and the parallel 20°15.175' S (at or about 20°15.175' S, 148°48.759' E) then running progressively as described in the following table:

Item	Description
1	North-westerly along the geodesic to the reef protection marker at or about 20°15.146' S, 148°48.742' E
2	North-easterly along the geodesic to the reef protection marker at or about 20°15.053' S, 148°48.799' E
3	South-easterly along the geodesic to the intersection of the Daydream Island coastline at mean low water and the meridian 148°48.820' E (at or about 20°15.068' S, 148°48.820' E)
4	South-westerly along the Daydream Island coastline at mean low water to the point of commencement

- (l) North Stonehaven Bay — the area bounded by a line commencing at the intersection of the Hook Island coastline at mean low water and the parallel 20°05.228' S (at or about 20°05.228' S, 148°54.344' E) then running progressively as described in the following table:

Item	Description
1	Southerly along the geodesic to the reef protection marker at or about 20°05.253' S, 148°54.325' E
2	South-easterly along the geodesic to the reef protection marker at or about 20°05.340' S, 148°54.407' E
3	Southerly along the geodesic to the reef protection marker at or about 20°05.478' S, 148°54.410' E
4	Southerly along the geodesic to the reef protection marker at or about 20°05.687' S, 148°54.422' E
5	South-westerly along the geodesic to the intersection of the Hook Island coastline at mean low water and the parallel 20°05.800' S (at or about 20°05.800' S, 148°54.393' E)
6	Northerly along the Hook Island coastline at mean low water to the point of commencement

- (m) South Stonehaven Bay — the area bounded by a line commencing at the intersection of the Hook Island coastline at mean low water and the parallel 20°05.842' S (at or about 20°05.842' S, 148°54.373' E) then running progressively as described in the following table:

Item	Description
1	Southerly along the geodesic to the reef protection marker at or about 20°05.903' S, 148°54.392' E
2	South-easterly along the geodesic to the reef protection marker at or about 20°06.035' S, 148°54.490' E
3	South-westerly along the geodesic to the reef protection marker at or about 20°06.178' S, 148°54.364' E

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<b>Item</b>	<b>Description</b>
4	Westerly along the geodesic to the reef protection marker at or about 20°06.201' S, 148°54.185' E
5	Westerly along the geodesic to the reef protection marker at or about 20°06.215' S, 148°54.122' E
6	South-westerly along the geodesic to the reef protection marker at or about 20°06.303' S, 148°54.015' E
7	South-westerly along the geodesic to the intersection of the Hook Island coastline at mean low water and the meridian 148°53.969' E (at or about 20°06.362' S, 148°53.969' E)
8	North-easterly along the Hook Island coastline at mean low water to the point of commencement

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- (n) False Nara — the area bounded by a line commencing at the intersection of the Hook Island coastline at mean low water and the parallel 20°10.174' S (at or about 20°10.174' S, 148°53.258' E) then running progressively as described in the following table:

<b>Item</b>	<b>Description</b>
1	Northerly along the geodesic to the reef protection marker at or about 20°10.052' S, 148°53.225' E
2	North-westerly along the geodesic to the reef protection marker at or about 20°09.978' S, 148°53.185' E
3	Westerly along the geodesic to the reef protection marker at or about 20°09.945' S, 148°53.059' E
4	North-westerly along the geodesic to the intersection of the Hook Island coastline at mean low water and the meridian 148°52.962' E (at or about 20°09.743' S, 148°52.962' E)
5	South-easterly along the Hook Island coastline at mean low water to the point of commencement

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## Schedule 6      Significant bird sites with restriction periods

(clause 2.11)

Significant bird sites for the Planning Area, and the restriction period that applies to each site, are as set out in the following table:

**Item    Site**

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**Part 1 — Sites to which restriction period applies for whole year**

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- 1 Bird Island
- 2 East Rock
- 3 Edwin Rock
- 4 Eshelby Island
- 5 Little Eshelby Island

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**Part 2 — Sites to which restriction period applies from beginning of 1 October until end of 31 March in each year**

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- 6 Armit Island (southern beach only)
  - 7 Double Cone Island (western island only)
  - 8 Grassy Island (southern beach only)
  - 9 Little Armit Island
  - 10 Olden Rock (south of Olden Island)
  - 11 Shaw Island (beach east of Burning Point)
  - 12 South Repulse Island (western beach only)
- 

*Note 1* The islands, rocks and beaches listed in the table have been identified by the Queensland Environmental Protection Agency as significant bird sites, particularly for nesting or roosting which predominantly occurs during the restriction period.

*Note 2* The species diversity and conservation status of each species, and the number of each species, combine to determine the significance of a site.

## Schedule 7 Regular aircraft landing areas

(paragraph 2.7 (1) (b))

*Note* Locations extend vertically to 500 feet above the ground or water surface (see Schedule 3).

Regular aircraft landing areas are as follows for the specified Locations:

- (a) Hardy Reef — the area enclosed by the 500 metre line of Hardy Reef (19-135);
- (b) Bait Reef — the area enclosed by the 500 metre line of Bait Reef (19-137);
- (c) Hayman Island Resort, Langford Island/Spit and Black Island — the area bounded by a line commencing at the intersection of the Hayman Island coastline at mean low water and the meridian 148°53.657' E (at or about 20°03.798' S, 148°53.657' E) then running progressively as described in the following table:

Item	Description
1	Southerly along the geodesic to the intersection of the coastal line of Langford Island and the parallel 20°05.271' S (at or about 20°05.271' S, 148°53.123' E)
2	North-westerly along the coastal line of Langford Island to the intersection of the coastal line of Langford Island and the meridian 148°52.368' E (at or about 20°04.644' S, 148°52.368' E)
3	Northerly along the geodesic to the intersection of the Hayman Island coastline at mean low water and the parallel 20°03.502' S (at or about 20°03.502' S, 148°52.705' E)
4	Easterly along the Hayman Island coastline at mean low water to the point of commencement

- (d) Daydream Island — the area enclosed within the coastal 500 metre line of Daydream Island;
- (e) Bauer Bay and Mid Molle Island — the area bounded by a line commencing at the intersection of the South Molle Island coastline at mean low water and the meridian 148°49.896' E (at or about 20°15.252' S, 148°49.896' E) then running progressively as described in the following table:

Item	Description
1	Northerly along the geodesic to the intersection of the Mid Molle Island coastline at mean low water and the meridian 148°49.890' E (at or about 20°15.192' S, 148°49.890' E)
2	Northerly along the Mid Molle Island coastline at mean low water to the intersection of the Mid Molle Island coastline at mean low water and the parallel 20°15.127' S (at or about 20°15.127' S, 148°49.927' E)
3	Easterly along the geodesic to 20°15.128' S, 148°50.947' E

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Item	Description
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- |   |  |
|---|--|
| 4 | South along the meridian to the intersection of the South Molle Island coastline at mean low water (at or about 20°15.402' S, 148°50.946' E) |
| 5 | Westerly along the South Molle Island coastline at mean low water to the point of commencement   |
- 

- (f) Cid Harbour, Sawmill Bay, Hunt Channel and Dugong Inlet — the area bounded by a line commencing at the intersection of the Whitsunday Island coastline at mean low water and the parallel 20°16.222' S (at or about 20°16.222' S, 148°55.841' E) then running progressively as described in the following table:

Item	Description
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- |   |  |
|---|--|
| 1 | North-westerly along the geodesic to the intersection of the Cid Island coastline at mean low water and the parallel 20°15.926' S (at or about 20°15.926' S, 148°55.335' E)  |
| 2 | Northerly along the Cid Island coastline at mean low water to the intersection of the Cid Island coastline at mean low water and the meridian 148°55.171' E (at or about 20°15.178' S, 148°55.171' E)                    |
| 3 | North-easterly along the geodesic to the intersection of the Whitsunday Island coastline at mean low water and the parallel 20°14.249' S (at or about 20°14.249' S, 148°56.262' E)                                       |
| 4 | South-easterly along the Whitsunday Island coastline at mean low water to the intersection of the Whitsunday Island coastline at mean low water and the meridian 148°56.510' E (at or about 20°14.639' S, 148°56.510' E) |
| 5 | South-easterly along the geodesic to the intersection of the Whitsunday Island coastline at mean low water and the parallel 20°15.313' S (at or about 20°15.313' S, 148°56.922' E)                                       |
| 6 | South-westerly along the Whitsunday Island coastline at mean low water to the point of commencement  |
- 

- (g) Whitehaven Beach — the area bounded by a line commencing at the intersection of the Whitsunday Island coastline at mean low water and the parallel 20°16.307' S (at or about 20°16.307' S, 149°01.954' E) then running progressively as described in the following table:

Item	Description
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- |   |   |
|---|---|
| 1 | North-easterly along the geodesic to the intersection of the coastal 1 000 metre line of Whitsunday Island and the meridian 149°02.529' E (at or about 20°16.192' S, 149°02.529' E) |
| 2 | South-easterly along the coastal 1 000 metre line of Whitsunday Island to the intersection of the parallel 20°16.791' S (at or about 20°16.791' S, 149°02.930' E)                   |
| 3 | South-westerly along the geodesic to the intersection of the Whitsunday Island coastline at mean low water and the meridian 149°02.529' E (at or about 20°17.181' S, 149°02.529' E) |
-

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Item	Description
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- |   |   |
|---|---|
| 4 | North-westerly along the Whitsunday Island coastline at mean low water to the point of commencement |
|---|---|
- 

- (h) Chance Bay and Moon Island — the area bounded by a line commencing at the intersection of the Whitsunday Island coastline at mean low water and the meridian 149°02.844' E (at or about 20°18.617' S, 149°02.844' E) then running progressively as described in the following table:

Item	Description
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- |   |   |
|---|---|
| 1 | South-westerly along the geodesic to the intersection of the U/N Island (20-041d) coastline at mean low water and the meridian 149°02.808' E (at or about 20°18.701' S, 149°02.808' E)                                    |
| 2 | Southerly along the U/N Island (20-041d) coastline at mean low water to the intersection of the U/N Island (20-041d) coastline at mean low water and the meridian 148°02.724' E (at or about 20°18.924' S, 148°02.724' E) |
| 3 | Westerly along the geodesic to the intersection of the Whitsunday Island coastline at mean low water and the meridian 149°01.391' E (at or about 20°19.346' S, 149°01.391' E)   |
| 4 | North-easterly along the Whitsunday Island coastline at mean low water to the point of commencement   |
- 

- (i) Happy Bay and Fish/Palm Bays — the area bounded by a line commencing at the intersection of the Long Island coastline at mean low water and the parallel 20°20.682' S (at or about 20°20.682' S, 148°50.850' E) then running progressively as described in the following table:

Item	Description
------	-------------

- |   |  |
|---|--|
| 1 | West along the parallel to 20°20.681' S, 148°50.560' E   |
| 2 | Northerly along the geodesic to 20°20.091' S, 148°50.380' E  |
| 3 | Northerly along the geodesic to 20°19.102' S, 148°50.576' E  |
| 4 | East along the parallel to the intersection of the Long Island coastline at mean low water (at or about 20°19.104' S, 148°51.012' E) |
| 5 | Southerly along the Long Island coastline at mean low water to the point of commencement   |
- 

- (j) Dent Passage — the area bounded by a line commencing at the intersection of the Dent Island coastline at mean low water and the meridian 148°55.686' E (at or about 20°20.217' S, 148°55.686' E) then running progressively as described in the following table:

Item	Description
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- |   |   |
|---|---|
| 1 | Easterly along the geodesic to the intersection of the Hamilton Island coastline at mean low water and the meridian 148°56.927' E (at or about 20°19.884' S, 148°56.927' E) |
|---|---|
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Item	Description
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- |   |   |
|---|---|
| 2 | Southerly along the Hamilton Island coastline at mean low water to the intersection of the Hamilton Island coastline at mean low water and the meridian 148°57.194' E (at or about 20°22.679' S, 148°57.194' E) |
| 3 | Westerly along the geodesic to the intersection of the Dent Island coastline at mean low water and the meridian 148°56.365' E (at or about 20°22.914' S, 148°56.365' E)   |
| 4 | Northerly along the Dent Island coastline at mean low water to the point of commencement  |
- 

- (k) Plantation Bay and Seaforth Island— the area bounded by a line commencing at the intersection of the Lindeman Island coastline at mean low water and the meridian 149°02.860' E (at or about 20°27.428' S, 149°02.860' E) then running progressively as described in the following table:

Item	Description
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- |   |  |
|---|--|
| 1 | Southerly along the geodesic to 20°27.824' S, 149°02.947' E  |
| 2 | Westerly along the geodesic to the intersection of the Seaforth Island coastline at mean low water and the parallel 20°28.018' S (at or about 20°28.018' S, 149°02.266' E)                                     |
| 3 | Westerly along the Seaforth Island coastline at mean low water to the intersection of the Seaforth Island coastline at mean low water and the meridian 149°02.113' E (at or about 20°28.013' S, 149°02.113' E) |
| 4 | Northerly along the geodesic to the intersection of the Lindeman Island coastline at mean low water and the meridian 149°02.113' E (at or about 20°27.676' S, 149°02.113' E)                                   |
| 5 | Easterly along the Lindeman Island coastline at mean low water to the point of commencement  |
-

## Schedule 8 Langford/Black Islands Area

(subclause 1.4 (1), clause 2.13 and Schedule 9)

The Langford/Black Islands Area is the area bounded by a line commencing at the intersection of the Hayman Island coastline at mean low water and the meridian 148°53.657' E (at or about 20°03.798' S, 148°53.657' E) then running progressively as described in the following table:

Item	Description
1	South-easterly along the geodesic to the intersection of the Hook Island coastline at mean low water and the parallel 20°04.726' S (at or about 20°04.726' S, 148°54.109' E)
2	South-easterly along the Hook Island coastline at mean low water to the intersection of the Hook Island coastline at mean low water and the meridian 148°54.344' E (at or about 20°05.228' S, 148°54.344' E)
3	Westerly along the geodesic to the intersection of the coastal line of Langford Island/Spit and the parallel 20°05.271' S (at or about 20°05.271' S, 148°53.123' E)
4	North-westerly along the coastal line of Langford Island/Spit to the intersection of the Langford Island/Spit coastline at mean low water and the meridian 148°52.375' E (at or about 20°04.639' S, 148°52.375' E)
5	Northerly along the geodesic to the intersection of the Arkhurst Island coastline at mean low water and the parallel 20°03.592' S (at or about 20°03.592' S, 148°52.345' E)
6	Northerly along the Arkhurst Island coastline at mean low water to the intersection of the Arkhurst Island coastline at mean low water and the meridian 148°52.385' E (at or about 20°03.501' S, 148°52.385' E)
7	Northerly along the geodesic to the intersection of the Hayman Island coastline at mean low water and the parallel 20°02.219' S (at or about 20°02.219' S, 148°52.837' E)
8	South-easterly along the Hayman Island coastline at mean low water to the point of commencement

## Schedule 9 Definitions

*Note* Terms used in this Plan and also in the Act have the same meaning in the Plan as in the Act: see the *Legislative Instruments Act 2003*, subsection 13 (1). Terms used in this Plan that are defined in the Act are noted below and a cross reference given to the Act. See, for example, the definition of *aircraft* below.

**100 metre line**, in relation to a reef, means the notional line every point on which is 100 metres seaward from the nearest point of the reef edge.

**500 metre line**, in relation to a reef, means the notional line every point on which is 500 metres seaward from the nearest point of the reef edge.

**1 500 metre line**, in relation to a reef, means the notional line every point on which is 1 500 metres seaward from the nearest point of the reef edge.

**Act** means the *Great Barrier Reef Marine Park Act 1975*.

**aircraft** has the meaning given by subsection 3 (1) of the Act.

**aircraft operation** means a tourist program that uses an aircraft.

**aquaculture operation** has the same meaning as in the Zoning Plan.

*Note* ‘Aquaculture’ has a corresponding meaning to that of *aquaculture operation* — see section 18A of the *Acts Interpretation Act 1901* and paragraph 13 (1) (a) of the *Legislative Instruments Act 2003*.

**Authority** has the meaning given by subsection 3 (1) of the Act.

**bareboat** has the same meaning as in the Regulations.

**bareboat operation** has the same meaning as in the Regulations.

**Bowen operation** means an operation that:

- (a) is part of a tourist program that operates from Bowen; and
- (b) comprises activities permitted under one relevant permission; and
- (c) at any one time, uses only one primary vessel.

*Note* A vessel identification number (a *VIN*) may be attached to a relevant permission allowing an operator to use the particular vessel or aircraft that displays the VIN in the Planning Area. Information about VINs can be found on the Authority’s website at <http://www.gbrmpa.gov.au>.

**coastal line**, in relation to the coastline of the mainland or an island, means the line every point of which is seaward from:

- (a) the nearest point of the mainland or island, at low water; or
- (b) if there is a fringing reef wholly or partly along the mainland or wholly or partly around the island — the nearest point of the reef edge of the fringing reef.

**coastal 100 metre line**, in relation to the coastline of the mainland or an island, means the notional line every point on which is 100 metres seaward from:

- (a) the nearest point of the mainland or island, at low water; or
- (b) if there is a fringing reef wholly or partly along the mainland or wholly or partly around the island — the nearest point of the reef edge of the fringing reef.

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**coastal 500 metre line**, in relation to the coastline of the mainland or an island, means the notional line every point on which is 500 metres seaward from:

- (a) the nearest point of the mainland or island, at low water; or
- (b) if there is a fringing reef wholly or partly along the mainland or wholly or partly around the island — the nearest point of the reef edge of the fringing reef.

**coastal 1 000 metre line**, in relation to the coastline of the mainland or an island, means the notional line every point on which is 1 000 metres seaward from:

- (a) the nearest point of the mainland or island, at low water; or
- (b) if there is a fringing reef wholly or partly along the mainland or wholly or partly around the island — the nearest point of the reef edge of the fringing reef.

**coastal 1 500 metre line**, in relation to the coastline of the mainland or an island, means the notional line every point on which is 1 500 metres seaward from:

- (a) the nearest point of the mainland or island, at low water; or
- (b) if there is a fringing reef wholly or partly along the mainland or wholly or partly around the island — the nearest point of the reef edge of the fringing reef.

**conversion**, from a relevant permission (the *first permission*) authorising conduct of a tourist program to a relevant permission (the *second permission*) authorising conduct of another tourist program, means the process of the Authority granting the second permission:

- (a) to take effect immediately after the first permission is surrendered or revoked; and
- (b) to remain in force for the remainder of the period that the first permission would have had if it had not been surrendered or revoked.

**craftless operation** means an operation that:

- (a) is part of a tourist program; and
- (b) comprises activities permitted under one relevant permission; and
- (c) does not use a vessel or aircraft; and
- (d) may use, as part of the conduct of the operation, vessels or aircraft of other operations.

*Note* For example, a craftless operation may operate from a beach or by using another vessel in ‘piggy back’ fashion to go to the reef. A dive school is an example of this type of operation.

**crewed vessel operation** means a tourist program that uses a crewed vessel, except a ship.

**cruise ship anchorage** has the same meaning as in the Regulations.

**cruise ship operation** means an operation that:

- (a) is part of a tourist program; and
- (b) comprises activities permitted under one relevant permission; and

(c) at any one time, uses only one ship.

*Note 1* This Schedule defines *ship*.

*Note 2* A vessel identification number (a *VIN*) may be attached to a relevant permission allowing an operator to use the particular vessel or aircraft that displays the VIN in the Planning Area. Information about VINs can be found on the Authority's website at <http://www.gbrmpa.gov.au>.

***daily access*** means access for each day in a year.

*Note* This Schedule defines *year*.

***day*** means a period of 24 hours commencing at midnight.

***designated water sports area*** means the area described in Schedule 4.

***discharge*** has the meaning given by subsection 38J (7) of the Act.

***facility*** means a facility for a tourist program (within the meaning given by subsection 3A (5) of the Act).

***fishing or collecting*** has the same meaning as in the Zoning Plan.

***General Use Zone*** has the meaning it has in Division 2.2 of the Zoning Plan.

***group size setting limits***, in relation to a vessel or aircraft in a setting area, means the maximum number of people that, under Table 1, may be carried on the vessel or aircraft into the setting area.

***Habitat Protection Zone*** has the meaning it has in Division 2.3 of the Zoning Plan.

***harvest fishery*** has the same meaning as in the Zoning Plan.

***high-speed vessel*** means a personal watercraft, hovercraft or wing-in-ground-effect, or a vessel of any kind if operated faster than 35 knots.

***hire craft*** means a motorised vessel:

- (a) that has an overall length that is not more than 6 metres; and
- (b) that is made available for timeshare, hire or charter without a master or crew.

*Note* Examples of vessels that might come within the definition of *hire craft* include dinghies, half-cabin boats or personal watercraft.

***hire equipment*** means a non-motorised craft — for example, a kayak, a paddleboard, or a windsurfer — that is available for timeshare, hire or charter without a master or crew.

***hire operation*** means an operation that:

- (a) is part of a tourist program; and
- (b) comprises activities permitted under one relevant permission; and
- (c) uses hire craft or hire equipment.

***Langford/Black Islands Area*** means the area described in Schedule 8.

***large vessel*** means a vessel that has an overall length of more than 35 metres, but not more than 70 metres.

***Location*** means the area within:

- (a) the 500 metre line of a reef referred to in column 1 of Schedule 3; or
- (b) the coastal 500 metre line of an island, islet or rock referred to in column 1 of Schedule 3; or

- (c) the coastal 500 metre line of an embayment or unnamed stretch of coastline referred to in column 1 of Schedule 3, as described in column 2 of that schedule.

*Note* A Location includes airspace above the area to 500 feet above ground or water.

**long range roving operation** means an operation that:

- (a) is part of a tourist program; and
- (b) comprises activities permitted under one relevant permission; and
- (c) uses a vessel that:
  - (i) has an overall length of not more than 35 metres; and
  - (ii) has been surveyed for overnight use with provision for 8 or more sleeping berths; and
  - (iii) has a master and crew; and
- (d) is limited to providing a whole of vessel charter to a single client, without taking bookings from individual passengers or agents; and
- (e) is not advertised or promoted as having regular destinations, routes or timetables; and
- (f) at any one time, uses only one primary vessel.

*Note* A vessel identification number (a *VIN*) may be attached to a relevant permission allowing an operator to use the particular vessel or aircraft that displays the VIN in the Planning Area. Information about VINs can be found on the Authority's website at <http://www.gbrmpa.gov.au>.

**Marine Park** has the meaning given by subsection 3 (1) of the Act.

**mooring** means a permanently located facility that is designed solely for mooring a vessel or aircraft, and includes the mooring buoy, tackle and point of attachment to the seabed.

**motorised water sport** has the same meaning as in the Regulations.

**new permission** means a relevant permission that does not arise out of a permission that was in existence before the commencement of Schedule 1 to the *Whitsundays Plan of Management Amendment 2008 (No. 1)*.

**no anchoring area** means an area described in Schedule 5.

**non-motorised operation** means an operation that:

- (a) is part of a tourist program; and
- (b) comprises activities permitted under one relevant permission; and
- (c) uses a non-motorised craft; and
- (d) uses a guide as part of the operation.

**overall length** has the meaning given by subsections 3 (7) and (8) of the Act.

**passenger transport operation** means an operation that:

- (a) is part of a tourist program; and
- (b) comprises activities permitted under one relevant permission; and
- (c) transports passengers between a Location and a place outside the Planning Area using the most direct reasonable route; and
- (d) does not stop except:
  - (i) to pick up passengers; or

- (ii) for passengers to disembark at their destination; or
- (iii) in the case of an emergency; and
- (e) at any one time, uses only one primary vessel or aircraft.

*Note* A vessel identification number (a *VIN*) may be attached to a relevant permission allowing an operator to use the particular vessel or aircraft that displays the *VIN* in the Planning Area. Information about *VIN*s can be found on the Authority's website at <http://www.gbrmpa.gov.au>.

***per week*** means in any period of 7 consecutive days.

***per year*** means in any period of 365 consecutive days.

***personal watercraft*** has the same meaning as in the Regulations.

***Planning Area*** means the Whitsunday Planning Area.

***reef*** has the same meaning as in the Zoning Plan.

***reef edge*** has the same meaning as in the Zoning Plan.

***regional tour operation*** means an operation that:

- (a) is part of a tourist program; and
- (b) comprises activities permitted under one relevant permission; and
- (c) at any one time, uses only one primary vessel or aircraft; and
- (d) if using a vessel — uses a vessel that has an overall length of not more than 70 metres.

*Note* A vessel identification number (a *VIN*) may be attached to a relevant permission allowing an operator to use the particular vessel or aircraft that displays the *VIN* in the Planning Area. Information about *VIN*s can be found on the Authority's website at <http://www.gbrmpa.gov.au>.

***regular aircraft landing area*** means an area described in Schedule 7.

***Regulations*** means the *Great Barrier Reef Marine Park Regulations 1983*.

***relevant permission*** has the same meaning as in the Regulations.

*Note* See subregulation 3 (1).

***restriction period***, for a significant bird site, means:

- (a) for a site mentioned in Part 1 of the table in Schedule 6 — a whole year; and
- (b) for a site mentioned in Part 2 of the table in Schedule 6 — the period beginning on 1 October and ending at the end of 31 March.

***setting 1 area*** means an area described in item 1 of Schedule 2.

***setting 2 area*** means an area described in item 2 of Schedule 2.

***setting 3 area*** means an area described in item 3 of Schedule 2.

***setting 4 area*** means an area described in item 4 of Schedule 2.

***setting 5 area*** means an area described in item 5 of Schedule 2.

***setting area*** means an area described in Schedule 2.

***ship*** means a vessel that has an overall length of more than 70 metres.

***Shipping Area*** has the same meaning as in the Zoning Plan.

***significant bird site*** means an island, islet, rock, inlet or bay mentioned in the table in Schedule 6.

**standard tour operation** means an operation that:

- (a) is part of a tourist program; and
- (b) comprises activities permitted under one relevant permission; and
- (c) at any one time, uses only one primary vessel or aircraft; and
- (d) if using a vessel — uses a vessel that has an overall length of not more than 70 metres.

*Note* A vessel identification number (a **VIN**) may be attached to a relevant permission allowing an operator to use the particular vessel or aircraft that displays the VIN in the Planning Area. Information about VINs can be found on the Authority's website at <http://www.gbrmpa.gov.au>.

**support service operation** means an operation that:

- (a) is part of a tourist program; and
- (b) comprises activities permitted under one relevant permission; and
- (c) uses a vessel or aircraft to service another vessel or aircraft (the **supported vessel or aircraft**) to enable the supported vessel or aircraft to continue operating safely and effectively; and
- (d) does not operate in continuous association with the supported vessel or aircraft; and
- (e) does not remain associated with the supported vessel or aircraft for longer than is necessary to provide the support service; and
- (f) at any one time, uses only one primary vessel or aircraft.

*Note 1* The following are examples of the types of services that a support service operation may offer:

- (a) delivering spare parts or equipment;
- (b) landing torn sails for repair;
- (c) medivac support;
- (d) assisting in pollution control.

*Note 2* A vessel identification number (a **VIN**) may be attached to a relevant permission allowing an operator to use the particular vessel or aircraft that displays the VIN in the Planning Area. Information about VINs can be found on the Authority's website at <http://www.gbrmpa.gov.au>.

**taking** has the same meaning as in the Zoning Plan.

**tourism operation** means any of the following:

- (a) a bareboat operation;
- (b) a Bowen operation;
- (c) a craftless operation;
- (d) a cruise ship operation;
- (e) a hire operation;
- (f) a long range roving operation;
- (g) a non-motorised operation;
- (h) a passenger transport operation;
- (i) a regional tour operation;
- (j) a standard tour operation;
- (k) a support service operation.

**tourist facility** has the meaning given by subsection 3A (4) of the Act.



***tourist program*** has the same meaning as in subsection 3A (3) of the Act, modified so that the reference to a zoning plan in that subsection is a reference to a plan of management.

***traditional owner*** has the same meaning as in regulation 33 of the Regulations, modified so that the reference to the Zoning Plan in that regulation is a reference to this Plan of Management.

***traditional owner group*** has the same meaning as in regulation 33 of the Regulations, modified so that the reference to the Zoning Plan in that regulation is a reference to this Plan of Management.

***transiting*** means in transit, by the most direct reasonable route, to a place outside the area concerned.

***vessel*** has the meaning given by subsection 3 (1) of the Act.

***Whitsunday Planning Area*** means the area:

- (a) circumscribed by the geographical coordinates in Part 1 of Schedule 1;  
and
- (b) depicted generally in the map in Part 2 of Schedule 1.

***year*** means a period of 365 consecutive days.

***Zoning Plan*** means the *Great Barrier Reef Marine Park Zoning Plan 2003*.

## Notes to the *Whitsundays Plan of Management 1998*

### Note 1

The *Whitsundays Plan of Management 1998* (in force under Part VB of the *Great Barrier Reef Marine Park Act 1975*) as shown in this compilation is amended as indicated in the Tables below.

Under the *Legislative Instruments Act 2003*, which came into force on 1 January 2005, it is a requirement for all non-exempt legislative instruments to be registered on the Federal Register of Legislative Instruments.

### Table of Instruments

Title	Date of notification in <i>Gazette</i> or FRLI registration	Date of commencement	Application, saving or transitional provisions
Whitsundays Plan of Management	22 June 1998 (see <i>Gazette</i> 1998, No. S292)	22 June 1998 (a)	
<i>Whitsundays Plan of Management Amendment 1999</i> (No. 1)	12 Oct 1999 (see <i>Gazette</i> 1999, No. S481)	12 Oct 1999 (see s. 2)	—
<i>Whitsundays Plan of Management Amendment 2002</i> (No. 1)	6 June 2002 (see <i>Gazette</i> 2002, No. S179)	6 June 2002 Part 2: 7 June 2002 (see s. 2 and (a) below)	—
<i>Whitsundays Plan of Management Amendment 2005</i> (No. 1)	15 Nov 2005 (see F2005L03456)	16 Nov 2005	—
<i>Whitsundays Plan of Management Amendment 2008</i> (No. 1)	15 Dec 2008 (see F2008L04591)	Ss. 1–3: 16 Dec 2008 Schedules 1 and 2: 18 Dec 2008 (see s. 2 (b))	—

(a) This Plan in its original form (except Part 2 — Enforcement Provisions) commenced on 22 June 1998. Part 2 — Enforcement Provisions commenced on 7 June 2002 (see s. 39ZF (1) of the *Great Barrier Reef Marine Park Act 1975* and Part 11 (r. 177) of the *Great Barrier Reef Marine Park Regulations 1983*).

**Table of Amendments****Table of Amendments**

ad. = added or inserted   am. = amended   rep. = repealed   rs. = repealed and substituted

<b>Provision affected</b>	<b>How affected</b>
Foreword.....	am. 2005 No. 1 rs. 2008 No. 1
<b>Part 1</b>	
Part 1 .....	rs. 1999 No. 1; 2008 No. 1
<b>Division 1</b>	
C. 1.1 .....	rs. 1999 No. 1; 2008 No. 1
C. 1.2 .....	rs. 1999 No. 1 am. 2002 No. 1 rs. 2008 No. 1
Note to c. 1.2.....	ad. 2002 No. 1 rs. 2008 No. 1
C. 1.3 .....	rs. 1999 No. 1 am. 2002 No. 1 rs. 2008 No. 1
C. 1.4 .....	rs. 1999 No. 1 am. 2002 No. 1 rs. 2008 No. 1
Note 1 to c. 1.4.....	rs. 2005 No. 1; 2008 No. 1
<b>Division 2</b>	
<b>Subdivision 1</b>	
C. 1.5 .....	rs. 1999 No. 1; 2008 No. 1
Note 1 to c. 1.5 (4) .....	rs. 2005 No. 1 rep. 2008 No. 1
<b>Subdivision 2</b>	
C. 1.6 .....	rs. 1999 No. 1 am. 2002 No. 1; 2005 No. 1 rs. 2008 No. 1
C. 1.7 .....	rs. 1999 No. 1 am. 2002 No. 1; 2005 No. 1 rs. 2008 No. 1
Note 1 to c. 1.7 (3) (a).....	am. 2002 No. 1 rs. 2005 No. 1 rep. 2008 No. 1
Note 2 to c. 1.7 (3) (a).....	ad. 2005 No. 1 rep. 2008 No. 1
C. 1.8 .....	rs. 1999 No. 1; 2008 No. 1
Note 1 to Table in c. 1.8.....	rs. 2005 No. 1; 2008 No. 1
<b>Subdivision 3</b>	
C. 1.9 .....	rs. 1999 No. 1; 2008 No. 1
Note to c. 1.9 (1) (b).....	rs. 2002 No. 1 rep. 2008 No. 1
Note to c. 1.9 (1) (d).....	ad. 2002 No. 1 rs. 2005 No. 1 rep. 2008 No. 1
C. 1.10 .....	rs. 1999 No. 1 am. 2002 No. 1; 2005 No. 1 rs. 2008 No. 1
C. 1.11 .....	rs. 1999 No. 1 am. 2002 No. 1 rs. 2008 No. 1

**Table of Amendments**

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<b>Provision affected</b>	<b>How affected</b>
<b>Subdivision 4</b>	
C. 1.12 .....	rs. 1999 No. 1; 2002 No. 1; 2008 No. 1
C. 1.13 .....	rs. 1999 No. 1 am. 2002 No. 1 rs. 2008 No. 1
C. 1.14 .....	rs. 1999 No. 1 am. 2002 No. 1 rs. 2008 No. 1
<b>Subdivision 5</b>	
C. 1.15 .....	rs. 1999 No. 1; 2008 No. 1
C. 1.16 .....	ad. 2008 No. 1
C. 1.17 .....	ad. 2008 No. 1
<b>Division 3</b>	
C. 1.18 .....	ad. 2008 No. 1
C. 1.19 .....	ad. 2008 No. 1
C. 1.20 .....	ad. 2008 No. 1
<b>Division 4</b>	
<b>Subdivision 1</b>	
C. 1.21 .....	ad. 2008 No. 1
C. 1.22 .....	ad. 2008 No. 1
C. 1.23 .....	ad. 2008 No. 1
<b>Subdivision 2</b>	
C. 1.24 .....	ad. 2008 No. 1
C. 1.25 .....	ad. 2008 No. 1
<b>Subdivision 3</b>	
C. 1.26 .....	ad. 2008 No. 1
C. 1.27 .....	ad. 2008 No. 1
C. 1.28 .....	ad. 2008 No. 1
<b>Subdivision 4</b>	
C. 1.29 .....	ad. 2008 No. 1
C. 1.30 .....	ad. 2008 No. 1
<b>Subdivision 5</b>	
C. 1.31 .....	ad. 2008 No. 1
C. 1.32 .....	ad. 2008 No. 1
C. 1.33 .....	ad. 2008 No. 1
C. 1.34 .....	ad. 2008 No. 1
C. 1.35 .....	ad. 2008 No. 1
C. 1.36 .....	ad. 2008 No. 1
C. 1.37 .....	ad. 2008 No. 1
C. 1.38 .....	ad. 2008 No. 1
C. 1.39 .....	ad. 2008 No. 1
C. 1.40 .....	ad. 2008 No. 1
C. 1.41 .....	ad. 2008 No. 1
C. 1.42 .....	ad. 2008 No. 1
C. 1.43 .....	ad. 2008 No. 1
<b>Part 2</b>	
Heading to Part 2 .....	rs. 1999 No. 1
Part 2 .....	rs. 1999 No. 1
Note 1 to Part 2 .....	rs. 1999 No. 1

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ad. = added or inserted   am. = amended   rep. = repealed   rs. = repealed and substituted

<b>Provision affected</b>	<b>How affected</b>
Note 2 to Part 2.....	rs. 1999 No. 1; 2005 No. 1
<b>Division 1</b>	
Heading to Div. 1 of Part 2..	ad. 1999 No. 1
C. 2.1 .....	rs. 1999 No. 1; 2008 No. 1
C. 2.2 .....	rs. 1999 No. 1 rep. 2008 No. 1
C. 2.3 .....	rs. 1999 No. 1 am. 2002 No. 1; 2005 No. 1
Note to c. 2.3 (1) .....	rs. 2005 No. 1; 2008 No. 1
C. 2.3A.....	ad. 2008 No. 1
<b>Division 2</b>	
Heading to Div. 2 of Part 2..	ad. 1999 No. 1
C. 2.4 .....	rs. 1999 No. 1 am. 2002 No. 1 rs. 2008 No. 1
Note to c. 2.4 (5) .....	ad. 2002 No. 1 rep. 2008 No. 1
C. 2.5 .....	rs. 1999 No. 1; 2002 No. 1 am. 2008 No. 1
C. 2.5A.....	ad. 2002 No. 1
C. 2.5B.....	ad. 2002 No. 1
C. 2.6 .....	rs. 1999 No. 1 rep. 2008 No. 1
C. 2.7 .....	rs. 1999 No. 1
C. 2.8 .....	rs. 1999 No. 1 am. 2002 No. 1; 2005 No. 1; 2008 No. 1
Note to c. 2.8 (2) .....	rs. 2005 No. 1
<b>Division 3</b>	
Heading to Div. 3 of Part 2..	ad. 1999 No. 1
C. 2.9 .....	rs. 1999 No. 1 rep. 2005 No. 1
C. 2.10 .....	rs. 1999 No. 1 am. 2002 No. 1 rep. 2008 No. 1
Note 1 to c. 2.10 (1) .....	ad. 1999 No. 1 rep. 2008 No. 1
Note 2 to c. 2.10 (1) .....	ad. 1999 No. 1 am. 2002 No. 1 rep. 2008 No. 1
Note to c. 2.10 (4) .....	ad. 2002 No. 1 rep. 2008 No. 1
C. 2.11 .....	ad. 1999 No. 1
Note to c. 2.11(1) .....	rs. 2008 No. 1
C. 2.12 .....	ad. 1999 No. 1 am. 2002 No. 1; 2005 No. 1
Note to c. 2.12 (4) .....	ad. 2005 No. 1
Note 1 to c. 2.12 (4) .....	ad. 1999 No. 1 rep. 2005 No. 1
Note 2 to c. 2.12 (4) .....	ad. 1999 No. 1 rep. 2002 No. 1
<b>Division 4</b>	
Div. 4 of Part 2 .....	ad. 1999 No. 1

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<b>Provision affected</b>	<b>How affected</b>
Heading to c. 2.13.....	rs. 2002 No. 1
C. 2.13 .....	ad. 1999 No. 1 am. 2002 No. 1 rs. 2005 No. 1
C. 2.14 .....	ad. 1999 No. 1 am. 2002 No. 1
C. 2.15 .....	ad. 1999 No. 1 am. 2002 No. 1; 2008 No. 1
Div. 5 of Part 2 .....	ad. 2002 No. 1 rep. 2008 No. 1
C. 2.16 .....	ad. 2002 No. 1 rep. 2008 No. 1
C. 2.17 .....	ad. 2002 No. 1 rep. 2008 No. 1
C. 2.18 .....	ad. 2002 No. 1 rep. 2008 No. 1
C. 2.19 .....	ad. 2002 No. 1 rep. 2008 No. 1
C. 2.20 .....	ad. 2002 No. 1 rep. 2008 No. 1
Note to c. 2.20 (1) .....	rs. 2005 No. 1 rep. 2008 No. 1
C. 2.21 .....	ad. 2002 No. 1 rep. 2008 No. 1
C. 2.22 .....	ad. 2002 No. 1 rep. 2008 No. 1
Heading to c. 2.23.....	rs. 2005 No. 1 rep. 2008 No. 1
C. 2.23 .....	ad. 2002 No. 1 am. 2005 No. 1 rep. 2008 No. 1
Heading to c. 2.24.....	rs. 2005 No. 1 rep. 2008 No. 1
C. 2.24 .....	ad. 2002 No. 1 am. 2005 No. 1 rep. 2008 No. 1
Note to c. 2.24.....	rs. 2005 No. 1 rep. 2008 No. 1
C. 2.25 .....	ad. 2002 No. 1 rep. 2008 No. 1
C. 2.26 .....	ad. 2002 No. 1 rep. 2008 No. 1
C. 2.27 .....	ad. 2002 No. 1 rep. 2008 No. 1
Note to c. 2.27.....	rs. 2005 No. 1 rep. 2008 No. 1
C. 2.28 .....	ad. 2002 No. 1 am. 2005 No. 1 rep. 2008 No. 1
Map.....	rep. 2008 No. 1
<b>Schedule 1</b>	
Heading to Schedule 1.....	rs. 1999 No. 1; 2002 No. 1; 2005 No. 1; 2008 No. 1
Schedule 1 .....	am. 1999 No. 1 rs. 2002 No. 1; 2008 No. 1

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<b>Provision affected</b>	<b>How affected</b>
<b>Schedule 2</b>	
Heading to Schedule 2.....	rs. 2005 No. 1; 2008 No. 1
Schedule 2.....	am. 1999 No. 1 rs. 2002 No. 1; 2008 No. 1
<b>Schedule 3</b>	
Heading to Schedule 3.....	rs. 2005 No. 1; 2008 No. 1
Schedule 3.....	rs. 2002 No. 1 am. 2005 No. 1
<b>Schedule 4</b>	
Heading to Schedule 4.....	rs. 2005 No. 1; 2008 No. 1
Schedule 4.....	am. 1999 No. 1 rs. 2002 No. 1; 2008 No. 1
<b>Schedule 5</b>	
Heading to Schedule 5.....	rs. 2005 No. 1; 2008 No. 1
Schedule 5.....	am. 1999 No. 1 rs. 2002 No. 1; 2008 No. 1
<b>Schedule 6</b>	
Schedule 6.....	rs. 1999 No. 1 rep. 2002 No. 1 ad. 2008 No. 1
<b>Schedule 7</b>	
Heading to Schedule 7.....	rs. 2005 No. 1; 2008 No. 1
Schedule 7.....	rs. 2002 No. 1; 2008 No. 1
<b>Schedule 8</b>	
Schedule 8.....	rs. 1999 No. 1; 2002 No. 1; 2008 No. 1
<b>Schedule 9</b>	
Note to Schedule 9.....	rs. 2005 No. 1
Schedule 9.....	rs. 1999 No. 1 am. 2002 No. 1; 2005 No. 1; 2008 No. 1