



Great Barrier Reef Marine Park Amendment (Capital Dredge Spoil Dumping) Regulation 2015

Select Legislative Instrument No. 71, 2015

I, General the Honourable Sir Peter Cosgrove AK MC (Ret'd),
Governor-General of the Commonwealth of Australia, acting with the
advice of the Federal Executive Council, make the following regulation.

Dated 28 May 2015

Peter Cosgrove
Governor-General

By His Excellency's Command

Greg Hunt
Minister for the Environment

OPC61124 - B

Contents

1	Name	1
2	Commencement	1
3	Authority	1
4	Schedules.....	1
Schedule 1—Amendments		2
<i>Great Barrier Reef Marine Park Regulations 1983</i>		<i>2</i>

No. 71, 2015	<i>Great Barrier Reef Marine Park Amendment (Capital Dredge Spoil Dumping) Regulation 2015</i>	<i>i</i>
OPC61124 - B		

1 Name

This is the *Great Barrier Reef Marine Park Amendment (Capital Dredge Spoil Dumping) Regulation 2015*.

2 Commencement

- (1) Each provision of this instrument specified in column 1 of the table commences, or is taken to have commenced, in accordance with column 2 of the table. Any other statement in column 2 has effect according to its terms.

Commencement information		
Column 1	Column 2	Column 3
Provisions	Commencement	Date/Details
1. The whole of this instrument	The day after this instrument is registered.	2 June 2015

Note: This table relates only to the provisions of this instrument as originally made. It will not be amended to deal with any later amendments of this instrument.

- (2) Any information in column 3 of the table is not part of this instrument. Information may be inserted in this column, or information in it may be edited, in any published version of this instrument.

3 Authority

This instrument is made under the *Great Barrier Reef Marine Park Act 1975*.

4 Schedules

Each instrument that is specified in a Schedule to this instrument is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this instrument has effect according to its terms.

No. 71, 2015 *Great Barrier Reef Marine Park Amendment (Capital Dredge Spoil Dumping) Regulation 2015* 1
OPC61124 - B

Schedule 1—Amendments

Great Barrier Reef Marine Park Regulations 1983

1 After regulation 88R

Insert:

88RA Limitation on granting permission for dumping

Limitation on dumping

- (1) Despite any other provision in this Part, the Authority must not grant a permission for an activity if the Authority is satisfied that the activity would constitute or involve prohibited dumping.
- (2) Subregulation (1) applies in relation to the following applications for permission:
 - (a) an application made, or taken to have been made, before the day the *Great Barrier Reef Marine Park Amendment (Capital Dredge Spoil Dumping) Regulation 2015* commences, but not decided before that day;
 - (b) an application made, or taken to have been made, on or after the day that Regulation commences.

Prohibited dumping

- (3) In this regulation, ***prohibited dumping*** means dumping, in the Marine Park, an amount of capital dredge spoil material that prior to its excavation was, in situ, more than 15 000 cubic metres in volume.
- (4) However, ***prohibited dumping*** does not include burying a pipe, cable or tube with capital dredge spoil material if the material had been excavated to create the trench in which the pipe, cable or tube was laid.

Capital dredge spoil material

- (5) In this regulation, ***capital dredge spoil material*** means material excavated as a result of dredging:
 - (a) to create new channels, basins, ports, berths or other areas; or

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- (b) to enlarge or deepen existing channels, basins, ports, berths or other areas; or
 - (c) to remove material unsuitable for foundations; or
 - (d) to create trenches for pipes, cables or tubes; or
 - (e) for any other purpose incidental to creating a void.
- (6) However, ***capital dredge spoil material*** does not include material excavated as a result of dredging carried out for the sole purpose of:
- (a) maintaining an existing channel, basin, port, berth or other area for its intended use; or
 - (b) protecting human life or property.

2 At the end of Division 2A.8

Add:

88ZVA Revocation of permission—North Queensland Bulk Ports Corporation Limited

- (1) Despite any other provision in this Part, the permission granted by the Authority on 31 January 2014 in relation to North Queensland Bulk Ports Corporation Limited (permit number G14/34897.1) is revoked.
- (2) The revocation takes effect on the day the *Great Barrier Reef Marine Park Amendment (Capital Dredge Spoil Dumping) Regulation 2015* commences.
- (3) This regulation is repealed on the day after the day mentioned in subregulation (2).