



Environment Protection (Sea Dumping) Regulations 1983

Statutory Rules 1983 No. 8 as amended

made under the

Environment Protection (Sea Dumping) Act 1981

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taking into account amendments up to SLI 2009 No. 57

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1 Name of Regulations [see Note 1]

These Regulations are the *Environment Protection (Sea Dumping) Regulations 1983*.

2 Interpretation

In these Regulations, *the Act* means the *Environment Protection (Sea Dumping) Act 1981*.

3 Reports of relevant conduct — prescribed information

For paragraph 15 (3) (d) of the Act, the prescribed information for a report of relevant conduct is the following:

- (a) the name and address of the person giving the report;
- (b) the date of the relevant conduct and the time at which it took place (in Eastern Standard Time);
- (c) the depth of water where the relevant conduct took place;
- (d) the co-ordinates of the site where the relevant conduct took place (specified in degrees, minutes and seconds of latitude and longitude) as determined by reference to the Geocentric Datum of Australia, worked out as accurately as possible in the particular case;
- (e) the name (if any) and the registration or other identifying mark or marking of the vessel, aircraft or platform from or on which the relevant conduct took place;
- (f) the name of the owner and of the person in charge of the aircraft, vessel or platform from or on which the relevant conduct took place;
- (g) the name of the person or persons whose conduct facilitated, caused or constituted the relevant conduct;
- (h) a description of the method used in carrying out the relevant conduct;
- (i) the reason for the relevant conduct;
- (j) if controlled material (other than a vessel, aircraft or platform) was dumped into the sea, incinerated at sea,

loaded for dumping or incineration, or placed as part of an artificial reef placement — the following information about the controlled material (worked out as accurately as possible in the particular case):

- (i) a general description;
 - (ii) its chemical composition;
 - (iii) its form;
 - (iv) its volume or mass;
 - (v) the method of packaging or containment (if any);
- (k) if a vessel, aircraft or platform was dumped into the sea, incinerated at sea, loaded for dumping or incineration, or placed as part of an artificial reef placement — the following information about the vessel, aircraft or platform:
- (i) whether it was a vessel, an aircraft or a platform;
 - (ii) its name (if any) and its registration or other identifying mark or marking;
 - (iii) its dimensions (including mass), worked out as accurately as possible in the particular case;
 - (iv) the method of packaging or containment (if any).

4 Prescribed courts

The court specified in Column 1 of Schedule 1 opposite to the State or Territory specified in Column 2 of Schedule 1 is declared to be a prescribed court in relation to that State or Territory for the purposes of section 33 of the Act.

5 Fees for applications

- (1) For subsection 40 (1) of the Act, this regulation prescribes the fees to be paid for an application for a permit or for any other application under the Act.
- (2) For an application for a permit to dump dredged or excavated material into any part of the sea, the following fees are prescribed:
 - (a) if the volume of the material exceeds 100 000 m³ — \$23 500;

- (b) if the volume of the material does not exceed 100 000 m³ — \$10 000.
- (3) For an application for a permit described in this subregulation, the following fees are prescribed:
 - (a) a permit to dump a vessel into any part of the sea — \$12 700;
 - (b) a permit to dump a platform into any part of the sea — \$12 700;
 - (c) an artificial reef permit — \$10 000;
 - (d) a permit to dump into any part of the sea any controlled material for which a fee is not prescribed under this regulation — \$5 000;
 - (e) a permit to bury a person at sea — \$1 675.
- (4) For an application to the Minister to vary a permit granted under the Act, the prescribed fee is \$860.

Note For applications made before the commencement of regulation 5, as substituted by the *Environment Protection (Sea Dumping) Amendment Regulations 2009 (No. 1)*, see regulation 4 of those Regulations.

5B Fees — time for payment

For subsection 40 (2) of the Act, the time for payment of the fee for an application mentioned in regulation 5 is a time not later than 30 days after the application is made but before the permit or variation is granted.

6 Service of notices

A notice to an applicant for a permit under subsection 18 (3) of the Act or to the holder of a permit under subsection 20 (1) or 21 (2) of the Act shall be served by being sent by post to the person concerned at the address shown on his application for the permit or, if he has, in relation to that application or permit, notified the Minister in writing of another address for service of such notices, at that other address.

Schedule 1 Prescribed courts

(regulation 4)

Column 1 Court	Column 2 State or Territory
Land and Environment Court	State of New South Wales
Supreme Court of Victoria	State of Victoria
Supreme Court of Queensland	State of Queensland
Supreme Court of South Australia	State of South Australia
Supreme Court of Western Australia	State of Western Australia
Supreme Court of Tasmania	State of Tasmania
Supreme Court of the Australian Capital Territory	Australian Capital Territory
Supreme Court of the Northern Territory of Australia	Northern Territory
Supreme Court of Norfolk Island	Norfolk Island
Supreme Court of Christmas Island	Territory of Christmas Island
Supreme Court of the Territory of Cocos (Keeling) Islands	Territory of Cocos (Keeling) Islands

Notes to the *Environment Protection (Sea Dumping) Regulations 1983*

Note 1

The *Environment Protection (Sea Dumping) Regulations 1983* (in force under the *Environment Protection (Sea Dumping) Act 1981*) as shown in this compilation comprise Statutory Rules 1983 No. 8 amended as indicated in the Tables below.

For all relevant information pertaining to application, saving or transitional provisions *see* Table A.

Table of Instruments

Year and number	Date of notification in <i>Gazette</i> or FRLI registration	Date of commencement	Application, saving or transitional provisions
1983 No. 8	4 Feb 1983	6 Mar 1984 (<i>see Gazette</i> 1984, No. S85)	
1984 No. 423	13 Dec 1984	17 Dec 1984	—
2001 No. 199	27 July 2001	27 July 2001	—
2009 No. 57	16 Apr 2009 (<i>see</i> F2009L01220)	17 Apr 2009	R. 4

Table of Amendments

Table of Amendments

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

Provision affected	How affected
R. 1	rs. 2001 No. 199
R. 2A.....	ad. 1984 No. 423 rep. 2001 No. 199
R. 3	rs. 2001 No. 199
R. 4	am. 2001 No. 199
R. 5	rs. 2001 No. 199; 2009 No. 57
R. 5A.....	ad. 2001 No.199 rep. 2009 No. 57
R. 5B.....	ad. 2001 No.199 am. 2009 No. 57
Schedule 1	
Heading to Schedule 1.....	rs. 2001 No. 199
Schedule 2.....	ad. 2001 No. 199 rep. 2009 No. 57

Table A Application, saving or transitional provisions

Select Legislative Instrument 2009 No. 57

4 Transitional

Despite the repeal by these Regulations of regulations 5 and 5A of the *Environment Protection (Sea Dumping) Regulations 1983*, those regulations continue to have effect in relation to applications for permits, and any other applications, made before the commencement of these Regulations.
