

Ship operational discharge positions from “nearest land”

The purpose of this Marine Notice is to remind ship owners, operators, relevant seagoing personnel and agents of the need to ensure that the specified nautical mile (nm) distances from “nearest land” are taken into account when undertaking any discharge around the Australian coastline in compliance with the International Convention for the Prevention of Pollution from Ships (MARPOL 73/78). The Australian Maritime Safety Authority (AMSA) is particularly concerned at the high number of pollution incidents that have occurred where ships undertaking discharges while *en route* are clearly not located beyond the specified distance from the nearest land.

The MARPOL definition for nearest land is:

“The term “from the nearest land” means from the baseline from which the territorial sea of the territory in question is established in accordance with international law, except that, for the purposes of the present Convention “from the nearest land” off the north eastern coast of Australia shall mean from a line drawn from a point on the coast of Australia in

latitude 11 degrees 00’ South, longitude 142 degrees 08’ East

to a point in latitude 10 degrees 35’ South, longitude 141 degrees 55’ East,

thence to a point latitude 10 degrees 00’ South, longitude 142 degrees 00’ East,

thence to a point latitude 9 degrees 10’ South, longitude 143 degrees 52’ East,

thence to a point latitude 9 degrees 00’ South, longitude 144 degrees 30’ East,

thence to a point latitude 10 degrees 41’ South, longitude 145 degrees 00’ East,

thence to a point of latitude 13 degrees 00’ South longitude 145 degrees 00’ East,

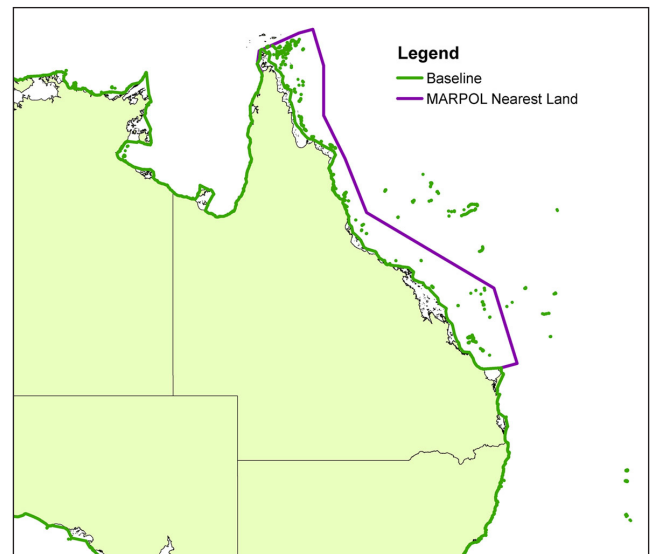
thence to a point latitude 15 degrees 00’ South, longitude 146 degrees 00’ East,

thence to a point latitude 17 degrees 30’ South, longitude 147 degrees 00’ East,

thence to a point latitude 21 degrees 00’ South, longitude 152 degrees 55’ East,

thence to a point latitude 24 degrees 30’ South, longitude 154 degrees 00’ East,

thence to a point on the coast of Australia in latitude 24 degrees 42’ South, longitude 153 degrees 15’ East.”



The Australian baselines are given effect under the *Commonwealth Seas and Submerged Lands Act 1973* and the detailed geographic coordinates are contained in Proclamations under this Act (Gazette No. S 29, Wednesday, 9 February 1983 and Gazette No. S 57, Tuesday, 31 March 1987).



Many discharge standards in MARPOL 73/78 require ships to be a specified distance from nearest land before a discharge at sea can be undertaken. The term "nearest land" is defined in the Annexes to MARPOL 73/78 as the baseline from which the territorial sea is measured. It should be recognised that baselines do not always follow the low water mark. Straight baselines are often designated across bays, harbours, deeply indented coastlines and fringing reefs. There are 393 straight baselines around Australia and its offshore territories. Large areas enclosed within straight baselines existing near major shipping routes include off Dampier in Western Australia, the Gulfs area near Adelaide, and offshore islands covering all approaches to Darwin and Hobart. The only exception to the measurement from the baseline is off the north-eastern coast of Australia, where "nearest land" is defined by a line drawn between a series of co-ordinates that encompasses the entire Great Barrier Reef and the shipping routes through the Torres Strait, requiring discharges to be made much further out to sea in these areas.

To assist in identifying where the Australian baselines are positioned, most smaller scale navigation charts produced before 2000 show the straight baselines and since 2001 the territorial sea limit of 12 nm is shown. Alternatively, baseline information can be obtained from the Australian Seafarers Handbook (available from the Australian Hydrographic Service hydro.marketing@defence.gov.au) or via the Geoscience Australia website <https://www.ga.gov.au/amsis>.

The discharge of residues from cargoes of oil or substances carried in an oil medium must only be undertaken when the ship is outside 50 nm from

the nearest land (and when all other requirements are complied with) in accordance with Annex I of MARPOL 73/78. Ships must be also located out to sea beyond the distance specified in MARPOL 73/78 when undertaking tank washing discharges in accordance with Annex II, sewage discharges in accordance with Annex IV, and garbage or cargo residue discharges in accordance with Annex V. Ships undertaking operational discharges at sea must plan the voyage route to ensure that the ship remains outside the specified distance from the nearest land at all times during the discharge.

Record books and voyage details of ships are regularly examined by AMSA inspectors and any ship found to have been undertaking discharges inside the specified distance will be subject to an investigation by AMSA with a view to commencing legal proceedings. Significant penalties apply for pollution violations in Australian waters.



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Internet address for all current Marine Notices:
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