



Community Bulletin

INDIAN OCEAN TERRITORIES

Cocos Lagoon now designated as 'partially smooth'

Number: D60/2018

Date: 16 October 2018

Relevant: Cocos (Keeling) Islands

Topic: Community Information – Notification of reclassification of waters within CKI Lagoon

In May 2018, the Australian Maritime Safety Authority (AMSA) sought feedback on the proposed Cocos (Keeling) Islands (CKI) Designation of Waters Ordinance 2018 (the Ordinance) to designate the waters within the CKI Lagoon as 'partially smooth waters' for the purposes of schedule 1 of the *Marine Safety (Domestic Commercial Vessel) National Law 2012* (the National Law). The new Ordinance commenced on 4 October 2018. The Ordinance and a chart outlining the area now designated as partially smooth is attached.

Benefits to domestic commercial vessel operators in CKI Lagoon

Reclassifying the waters in the lagoon will have benefits for the community, including local tourism operators, by making it less onerous to meet vessel survey requirements and enabling smaller 'non-survey' vessels to access a number of AMSA's general exemptions, including [Exemption 02](#), [Exemption 03](#), [Exemption 38](#), and [Exemption 40](#).

Previously, owners of Class 2, 3 or 4 vessels that are less than 12 metres in length (or less than 7.5 metres in the case of Exemption 03) operating in the Lagoon have been ineligible to access these general exemptions. These vessels were required to hold a National Law certificate of survey and certificate of operation, or apply to AMSA for a specific exemption. These arrangements have restricted the operational flexibility intended to be provided under the National Law framework.

Owners of Class 2, 3 and 4 vessels can now access the regulatory requirements available to operators of like domestic commercial vessels operating on similar waterways on and around Australia's mainland.

Owners of vessels eligible under Exemption 02 (division 2, 3, 4 or 6) need to apply to AMSA for the exemption and the vessel needs to meet the design, construction and equipment standards for non-survey in [NSCV Part G](#). Operators can apply for non-survey approval by completing AMSA's online application form [AMSA579](#).

Owners of vessels eligible for Exemption 40 can apply for approval by completing AMSA's online application form [AMSA523](#).

No application is required to operate without a certificate of operation under [Exemption 03](#).

Additionally, owners of vessels that are ineligible for an exemption from the survey need only to meet the construction and equipping standards that apply to vessels operating in partially smooth waters, rather than the requirements of the restricted offshore operations designation (C waters, which automatically applied to the CKI Lagoon). These vessels must be surveyed by an accredited marine surveyor. A list of surveyors is available on the [AMSA website](#).

More information

For more information on the requirements that apply to domestic commercial vessels operating in CKI waters, please contact AMSA Connect on 1800 627 484, or email Mr Chris Battel, AMSA Liaison Officer (Region West) at chris.battel@amsa.gov.au.

A handwritten signature in blue ink, appearing to read 'Harriet Spring', is positioned above the typed name.

Harriet Spring
Indian Ocean Territories Branch
16 October 2018



Cocos (Keeling) Islands Designation of Waters Ordinance 2018

Ordinance No. 2, 2018

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 Ordinance.

Dated 27 September 2018

Peter Cosgrove
Governor-General

By His Excellency's Command

Sussan Ley
Assistant Minister for Regional Development and Territories
Parliamentary Secretary to the Deputy Prime Minister and Minister for Infrastructure,
Transport and Regional Development

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1 Name

This Ordinance is the *Cocos (Keeling) Islands Designation of Waters Ordinance 2018*.

2 Commencement

- (1) Each provision of this Ordinance 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 Ordinance	The day after this Ordinance is registered.	4 October 2018

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

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

3 Authority

This Ordinance is made under the *Cocos (Keeling) Islands Act 1955*.

4 Designation of waters as partially smooth waters

- (1) The object of this section is to designate waters for the purposes of the definition of ***partially smooth waters*** in the Dictionary in Part B of the National Standard for Commercial Vessels as defined in section 6 of Schedule 1 to the *Marine Safety (Domestic Commercial Vessel) National Law Act 2012*.

Note: The Standard deals with the operation of domestic commercial vessels in partially smooth waters.

- (2) The waters within the area described in Schedule 1 are designated as partially smooth waters.
- (3) The area described in Schedule 1 is described by reference to the World Geodetic System 1984 datum.

Schedule 1—Area containing partially smooth waters

Note: See section 4.

The area containing partially smooth waters is the area bounded by the line starting at the point described in item 1 of the following table and running sequentially as described in the table.

Area containing partially smooth waters	
Item	Description
1	The northernmost point on the high water line at Ujong Tanjong, on West Island (Pulu Panjang), closest to the point 12°08.084'S 096°49.248'E
2	North-easterly along the loxodrome to its intersection by the high water line on the western point of Direction Island (Pulu Tikus) closest to the point 12°05.433'S 096°52.633'E
3	Along that high water line generally northerly, north-easterly, easterly and south-easterly around the northern and eastern coastline of the island to the south-eastern point closest to the point 12°05.600'S 096°53.261'E
4	Southerly along the loxodrome to its intersection by the high water line on the north-eastern coast of Home Island closest to the point 12°06.417'S 096°53.349'E
5	Along that high water line generally southerly and south-easterly along the eastern coastline of the island to the point closest to 12°07.336'S 096°54.345'E
6	South-easterly along the loxodrome to its intersection by the high water line of the island Pulu Ampang closest to the point 12°07.574'S 096°54.516'E
7	Along that high water line generally south-easterly along the eastern coastline of the island to the point closest to 12°07.684'S 096°54.573'E
8	South-easterly along the loxodrome to its intersection by the high water line of Pulu Wa-idas closest to the point 12°07.784'S 096°54.609'E
9	South-easterly along the loxodrome to its intersection by the high water line of Pulu Belekok closest to the point 12°07.837'S 096°54.647'E
10	South-easterly along the loxodrome to its intersection by the high water line of Pulu Kembang closest to the point 12°08.001'S 096°54.704'E
11	South-easterly along the loxodrome to its intersection by the high water line of the island Pulu Cepelok closest to the point 12°08.109'S 096°54.747'E
12	Along that high water line generally south-easterly along the eastern coastline of the island to the point closest to 12°08.563'S 096°55.137'E
13	South-easterly along the loxodrome to its intersection by the high water line of the island Pulu Pandan closest to the point 12°08.716'S 096°55.216'E
14	Along that high water line generally south-easterly, southerly and south-westerly along the eastern coastline of the island to the point closest to 12°09.005'S 096°55.262'E
15	South-westerly along the loxodrome to its intersection by the high water line of Pulu Siput closest to the point 12°09.257'S 096°55.203'E
16	South-easterly along the loxodrome to its intersection by the high water line of South Island closest to the point 12°09.573'S 096°55.251'E
17	Along that high water line generally south-easterly, southerly and south-westerly along the eastern coastline of the island to the point closest to 12°12.528'S 096°53.653'E
18	Westerly along the loxodrome to its intersection by the high water line of West Island (Pulu Panjang) closest to the point 12°12.416'S 096°50.927'E

Area containing partially smooth waters

Item Description

19	Along that high water line generally westerly, north-westerly, northerly and north-easterly along the western coastline of the island to the starting point
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Note: A loxodrome is a line of constant bearing, intersecting all meridians at the same oblique angle. On hydrographic charts based on the Mercator projection it appears as a straight line.

