

Environment Protection and Biodiversity Conservation Amendment (Macquarie Island Marine Park) Proclamation 2023

I, General the Honourable David Hurley AC DSC (Retd), Governor‑General of the Commonwealth of Australia, acting with the advice of the Federal Executive Council, make the following Proclamation.

Signed and Sealed with the

Great Seal of Australia on

19/06/2023

David Hurley

Governor‑General

By His Excellency’s Command

Tanya Plibersek

Minister for the Environment and Water

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1 Name

This instrument is the *Environment Protection and Biodiversity Conservation Amendment (Macquarie Island Marine Park) Proclamation 2023*.

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 | 1 July 2023. | 1 July 2023 |

Note: This table relates only to the provisions of this instrument as originally made.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 subsection 350(1) of the *Environment Protection and Biodiversity Conservation Act 1999*.

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Each instrument that is specified in a Schedule to this instrument is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this instrument has effect according to its terms.

Schedule 1—Amendments

Proclamation ‑ Macquarie Island Marine Park

1 Paragraph (a)

Omit “specified in the Schedule to be a Park”, substitute “described in clause 3 of Schedule 1 to be a Commonwealth reserve”.

2 Paragraph (b)

Omit “Park” (first occurring), substitute “reserve”.

3 Paragraph (c)

Omit “Park”, substitute “reserve”.

4 At the end of paragraph (c)

Add:

; and (d) specify that the reserve has the following purposes:

(i) to protect and conserve biodiversity and other natural, cultural and heritage values;

(ii) to provide for ecologically sustainable use that supports positive social and economic outcomes; and

(e) assign the reserve to IUCN category II (national park); and

(f) divide the reserve into the zones identified in Schedule 1; and

(g) assign each zone to an IUCN category specified for the zone in Schedule 1.

5 Schedule

Repeal the Schedule, substitute:

Schedule 1—Macquarie Island Marine Park

Note: See paragraphs (a), (f) and (g).

1 Definitions

Note: A number of expressions used in this Schedule are defined in the *Environment Protection and Biodiversity Conservation Act 1999*, including exclusive economic zone and IUCN category.

In this Schedule:

***coastal waters*** means, in relation to a State, that part of the sea that is included in the coastal waters of the State (within the meaning of the *Coastal Waters (State Powers) Act 1980*).

2 Geographic coordinates

Geographic coordinates in this Schedule are expressed in terms of Geocentric Datum of Australia 1994.

Note: The Geocentric Datum of Australia 1994 (also known as GDA94) was published in Gazette No. GN 35 of 6 September 1995.

3 Area of reserve

The Macquarie Island Marine Park consists of an area in the Southern Ocean that is enclosed by:

(a) the boundary of the outer limit of Australia’s exclusive economic zone adjacent to Macquarie Island; and

(b) the boundary of the seaward limit of the coastal waters around Macquarie Island.

4 Zones for reserve

(1) The Macquarie Island Marine Park is divided into the following zones:

(a) the sanctuary zone described in clause 5;

(b) the national park zone described in clause 6;

(c) the habitat protection zone described in clause 7.

(2) The sanctuary zone described in clause 5 is assigned to IUCN category Ia (strict nature reserve).

(3) The national park zone described in clause 6 is assigned to IUCN category II (national park).

(4) The habitat protection zone described in clause 7 is assigned to IUCN category IV (habitat/species management area).

5 Zone 1 of reserve—sanctuary zone

Zone 1 of the reserve (also identified as semacsan01) consists of an area east of Macquarie Island that is bounded by the line commencing at the point described in item 1 of the following table and running progressively as described in the table.

| Zone 1 of reserve—sanctuary zone | |
| --- | --- |
| Item | Description |
| 1 | The point of latitude 54°00′00″S, longitude 159°05′00″E |
| 2 | South‑easterly along the geodesic to its intersection with the outer edge of the exclusive economic zone closest to the point of latitude 54°58′01.01″S, longitude 164°38′42.07″E |
| 3 | Generally southerly along the outer edge of the exclusive economic zone to the point closest of latitude 56°30′37.74″S, longitude 164°03′25.04″E |
| 4 | North‑westerly along the geodesic to the point on the seaward limit of the coastal waters around Bishop and Clerk Islands closest to latitude 55°10′23.16″S, longitude 158°40′35.03″E |
| 5 | Anti‑clockwise around the seaward limit of the coastal waters around Bishop and Clerk Islands to the point closest to latitude 55°06′40.56″S, longitude 158°35′23.65″E |
| 6 | North‑westerly along the geodesic to the point on the seaward limit of the coastal waters around Macquarie Island closest to latitude 54°45′04.42″S, longitude 158°41′24.15″E |
| 7 | Anti‑clockwise around the seaward limit of the coastal waters around Macquarie Island to the point closest to latitude 54°29′23.00″S, longitude 158°46′29.01″E |
| 8 | North‑easterly along the geodesic to the point on the seaward limit of the coastal waters around Judge and Clerk Island closest to latitude 54°21′25.00″S, longitude 158°54′24.61″E |
| 9 | Anti‑clockwise around the seaward limit of the coastal waters around Judge and Clerk Islands to the point closest to latitude 54°20′58.75″S, longitude 159°05′00″E |
| 10 | North along that meridian of longitude 159°05′00″E to the point of commencement |

6 Zone 2 of reserve—national park zone

Zone 2 of the reserve (also identified as semacnpz02) consists of an area that is bounded by the line commencing at the point described in item 1 of the following table and running progressively as described in the table.

| Zone 2 of reserve—national park zone | |
| --- | --- |
| Item | Description |
| 1 | The point of latitude 52°42′26″S, longitude 161°09′04″E |
| 2 | South‑westerly along the geodesic to the point of latitude 54°03′59.68″S, longitude 159°25′00″E |
| 3 | South‑easterly along the geodesic to its intersection with the outer edge of the exclusive economic zone closest to the point of latitude 54°58′01.01″S, longitude 164°38′42.07″E |
| 4 | Anti‑clockwise along the outer edge of the exclusive economic zone to the point closest to latitude 56°30′37.74″S, longitude 164°03′25.04″E |
| 5 | North‑westerly along the geodesic to the point of latitude 55°13′0.65″S, longitude 158°50′ 00″E |
| 6 | South along the meridian of longitude 158°50′00″E to its intersection by the parallel of latitude 57°00′00″S |
| 7 | West along the parallel of latitude 57°00′00″S to its intersection by the meridian of longitude 158°2′15″E |
| 8 | North along the meridian of longitude 158°02′15″E to its intersection by the parallel of latitude 53°53′57″S |
| 9 | North‑easterly along the geodesic to the point latitude 52°42′26″S, longitude 159°16′50″E |
| 10 | East along the parallel of latitude 52°42′26″S to the point of commencement |

7 Zone 3 of reserve—habitat protection zone

Zone 3 of the reserve (also identified as semachpz03) consists of an area west of Macquarie Island that is bounded by the line commencing at the point described in item 1 of the following table and running progressively as described in the table.

| Zone 3 of reserve—habitat protection zone | |
| --- | --- |
| Item | Description |
| 1 | The point of latitude 52°42′26″S, longitude 159°16′50″E |
| 2 | East along the parallel of latitude 52°42′26″S to its intersection by the meridian of longitude 161°09′04″E |
| 3 | South‑westerly along the geodesic to the point of latitude 54°03′59.68″S, longitude 159°25′00″E |
| 4 | North‑westerly along the geodesic to the point of latitude 54°00′00″S, longitude 159°05′00″E |
| 5 | South along that meridian of longitude 159°05′00″E to the point on the seaward limit of the coastal waters around Judge and Clerk Islands closest to latitude 54°20′58.75″S, longitude 159°05′00″E |
| 6 | Anti‑clockwise around the seaward limit of the coastal waters around Judge and Clerk Island to the point closest to latitude 54°21′25.00″S, longitude 158°54′24.61″E |
| 7 | South‑westerly along the geodesic to the point on the seaward limit of the coastal waters around Macquarie Island closest to latitude 54°29′23.00″S, longitude 158°46′29.01″E |
| 8 | Anti‑clockwise around the seaward limit of the coastal waters around Macquarie Island to the point closest to latitude 54°45′04.42″S, longitude 158°41′24.15″E |
| 9 | South‑easterly along the geodesic to the point on the seaward limit of the coastal waters around Bishop and Clerk Island closest to latitude 55°06′40.56″S, longitude 158°35′23.65″E |
| 10 | Anti‑clockwise around the seaward limit of the coastal waters around Bishop and Clerk Islands to the point closest to latitude 55°10′23.16″S, longitude 158°40′35.03″E |
| 11 | South‑easterly along the geodesic to the point of latitude 55°13′00.65″S to its intersection by the meridian of longitude 158°50′00″E |
| 12 | South along the meridian of longitude 158°50′00″E to its intersection by the parallel of latitude 57°00′00″S |
| 13 | West along the parallel of latitude 57°00′00″S to its intersection by the meridian of longitude 158°02′15″E |
| 14 | North along the meridian of longitude 158°02′15″E to its intersection by the parallel of latitude 53°53′57″S |
| 15 | North‑easterly along the geodesic to the point of commencement |