



# **Environment Protection and Biodiversity Conservation (Heard Island and McDonald Islands Marine Reserve) Amendment Proclamation 2024**

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I, the Honourable Sam Mostyn AC, Governor-General of the Commonwealth of Australia, acting with the advice of the Federal Executive Council, make the following regulations.

Dated                      05 December 2024

Sam Mostyn AC  
Governor-General

By Her 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 (Heard Island and McDonald Islands Marine Reserve) Amendment Proclamation 2024*.

# 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	24 January 2025.	24 January 2025

Note: This table relates only to the provisions of this instrument as originally made.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Each instrument that is specified in a Schedule to this instrument is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this instrument has effect according to its terms.

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## Schedule 1—Amendments

### *Environment Protection and Biodiversity Conservation (Heard Island and McDonald Islands Marine Reserve) Proclamation 2002*

#### 1 Paragraph (a)

Repeal the paragraph, substitute:

- (a) declare the area specified in clause 3 of Schedule 1 to be a Commonwealth reserve for the purposes of:
  - (i) the protection and conservation of biodiversity and other natural, cultural and heritage values; and
  - (ii) ecologically sustainable use that supports positive social and economic outcomes; and

#### 2 Paragraph (c)

Omit “and seabed”.

#### 3 After paragraph (c)

Insert:

- (ca) specify that the seabed to a depth of 1000 metres that is under the sea included within the declared area is within the reserve; and

#### 4 Paragraph (d)

Repeal the paragraph, substitute:

- (d) assign the reserve to the IUCN category IV (habitat/species management area); and
- (e) divide the reserve into the zones identified in Schedule 1; and
- (f) assign each zone to an IUCN category specified for the zone in Schedule 1.

#### 5 Schedule 1

Repeal the Schedule, substitute:

### **Schedule 1—Heard Island and McDonald Islands Marine Reserve**

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

#### 1 Definitions

Note: A number of expressions used in this Schedule are defined in the *Environment Protection and Biodiversity Conservation Act 1999*, including the following:

- (a) exclusive economic zone;
- (b) IUCN category;
- (c) territorial sea.

In this Schedule:

***Australia-France maritime delimitation line*** means the line commencing at the point identifier HMI-CS-1 in the table in Part 1 of Schedule 3 to the *Seas and*

*Submerged Lands (Limits of Continental Shelf) Proclamation 2012* and running progressive as described in that table to point identifier HMI-CS-8.

**2 Geographic coordinates standard**

Geographic coordinates in this Schedule are determined by reference to the International Terrestrial Reference Frame (2000), as defined by the International Earth Rotation and Reference Systems Service at epoch 1 January 2000.

Note: For the purposes of this instrument, the International Terrestrial Reference Frame (2000) is taken to be equivalent to the World Geodetic Datum 1984 (WGS84).

**3 Area of reserve**

The Heard Island and McDonald Islands Marine Reserve consists of an area in the Southern Ocean that:

- (a) is enclosed by:
  - (i) the boundary of the outer limit of Australia’s exclusive economic zone adjacent to Heard Island and McDonald Islands; and
  - (ii) the Australia-France maritime delimitation line adjacent to Heard Island and McDonald Island; and
- (b) includes the land that forms Heard Island and McDonald Islands; and
- (c) includes the zones described in clauses 5 to 13.

**4 Zones for reserve**

- (1) The Heard Island and McDonald Islands Marine Reserve is divided into the zones described in clauses 5 to 13.
- (2) The zones described in clauses 5 to 8 are assigned to IUCN category Ia (strict nature reserve).
- (3) The zones described in clauses 9 to 12 are assigned to IUCN category II (national park).
- (4) The zone described in clause 13 is assigned to IUCN category IV (habitat/species management area).

**5 Zone 1 of reserve—strict nature reserve**

Zone 1 of the reserve (also identified as HIMISAN01) consists of an area 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	
Item	Description
1	The point of latitude 51°30'35"S, longitude 71°15'40"E
2	North-westerly along the geodesic to the intersection of the meridian of longitude 71°10'00"E and the Australia-France maritime delimitation line
3	South-westerly along the Australia-France maritime delimitation line to latitude 51°36'00"S
4	Easterly along the parallel to latitude 51°36'00"S, longitude 71°00'00"E
5	North-easterly along the geodesic to the point of commencement

**6 Zone 2 of reserve—strict nature reserve**

Zone 2 of the reserve (also identified as HIMISAN02) consists of an area bounded by the line commencing at the point described in item 1 of the following table and running progressively as described in the table.

<b>Zone 2 of reserve</b>	
<b>Item</b>	<b>Description</b>
1	The point of latitude 51°50'00"S, longitude 70°54'00"E
2	South-easterly along the geodesic to latitude 52°25'30"S, longitude 71°32'30"E
3	South-easterly along the geodesic to latitude 52°40'00"S, longitude 72°00'00"E
4	North-easterly along the geodesic to latitude 52°30'51"S, longitude 72°23'26"E
5	North-easterly along the geodesic to latitude 52°07'08"S, longitude 71°56'24"E
6	North-westerly along the geodesic to latitude 51°38'00"S, longitude 71°24'00"E
7	South-westerly along the geodesic to the point of commencement

**7 Zone 3 of reserve—strict nature reserve**

Zone 3 of the reserve (also identified as HIMISAN03) consists of an area bounded by the line commencing at the point described in item 1 of the following table and running progressively as described in the table.

<b>Zone 3 of reserve</b>	
<b>Item</b>	<b>Description</b>
1	The point of latitude 52°57'00"S, longitude 72°08'00"E
2	South-easterly along the geodesic to latitude 53°03'00"S, longitude 72°14'30"E
3	South along the meridian to latitude 53°30'00"S, longitude 72°14'30"E
4	East along the parallel of latitude 53°30'00"S to longitude 74°12'00"E
5	North along the meridian of longitude 74°12'00"E to its intersection by the outer limit of the territorial sea
6	Anti-clockwise along the outer limit of the territorial sea to longitude 74°12'00"E
7	North along the meridian to latitude 53°01'00"S, longitude 74°12'00"E
8	North along the meridian to latitude 52°04'00"S, longitude 74°12'00"E
9	North-westerly along the geodesic to the intersection of the meridian of longitude 73°17'00"E and the Australia-France maritime delimitation line
10	South-westerly along the Australia-France maritime delimitation line to longitude 72°17'00"E
11	South-easterly along the geodesic to latitude 51°43'54"S, longitude 72°54'56"E
12	South-easterly along the geodesic to latitude 52°08'00"S, longitude 73°20'00"E
13	South along the meridian of longitude 73°20'00"E to its intersection by the outer limit of the territorial sea
14	Anti-clockwise along the outer limit of the territorial sea to longitude 72°48'00"E
15	North-westerly along the geodesic to latitude 52°33'28"S, longitude 72°26'21"E
16	South-westerly along the geodesic to latitude 52°52'28"S, longitude 72°18'09"E
17	South-westerly along the geodesic to the point of commencement



**8 Zone 4 of reserve—strict nature reserve**

Zone 4 of the reserve (also identified as HIMISAN04) consists of an area bounded by the line commencing at the point described in item 1 of the following table and running progressively as described in the table.

<b>Zone 4 of reserve</b>	
<b>Item</b>	<b>Description</b>
1	The point of latitude 51°55'00"S, longitude 75°35'09"E
2	East along the parallel of latitude 51°55'00"S to longitude 76°30'00"E
3	North along the meridian to latitude 51°46'27"S, longitude 76°30'00"E
4	East along the parallel of latitude 51°46'27"S to longitude 76°35'42"E
5	South-easterly along the geodesic to latitude 51°55'00"S, longitude 76°53'46"E
6	East along the parallel of latitude 51°55'00"S to the outer limit of the exclusive economic zone
7	Anti-clockwise along the outer limit of the exclusive economic zone to the Australia-France maritime delimitation line
8	South-westerly along the Australia-France maritime delimitation line to longitude 75°00'00"E
9	South-easterly along the geodesic to latitude 50°40'00"S, longitude 75°30'18"E
10	West along the parallel of latitude 50°40'00"S to longitude 74°41'00"E
11	South-easterly along the geodesic to the point of commencement

**9 Zone 5 of reserve—national park**

Zone 5 of the reserve (also identified as HIMINP05) consists of an area bounded by the line commencing at the point described in item 1 of the following table and running progressively as described in the table.

<b>Zone 5 of reserve</b>	
<b>Item</b>	<b>Description</b>
1	The point of intersection of the meridian of longitude 76°14'16"E and the outer limit of the exclusive economic zone
2	North along the meridian of longitude 76°14'16"E to latitude 55°15'50"S
3	West along the parallel of latitude 55°15'50"S to longitude 73°19'09"E
4	North along the meridian of longitude 73°19'09"E to latitude 54°21'08"S
5	West along the parallel of latitude 54°21'08"S to longitude 69°30'00"E
6	North along the meridian of longitude 69°30'00"E to the intersection of the Australia-France maritime delimitation line
7	Anti-clockwise along the Australia-France maritime delimitation line to the intersection of the exclusive economic zone
8	Anti-clockwise along the outer edge of the exclusive economic zone to the point of commencement

**10 Zone 6 of reserve—national park**

Zone 6 of the reserve (also identified as HIMINP06) consists of an area 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 6 of reserve	
Item	Description
1	The point of latitude 52°07'08"S, longitude 71°56'24"E
2	South-easterly along the geodesic to latitude 52°30'51"S, longitude 72°23'26"E
3	South-easterly along the geodesic to latitude 52°33'28"S, longitude 72°26'21"E
4	South-easterly along the geodesic to its intersection by the outer limit of the territorial sea with the meridian of longitude 72°48'00"E
5	Clockwise along the outer limit of the territorial sea to the meridian of longitude 73°20'00"E
6	North along the meridian of longitude 73°20'00"E to latitude 52°08'00"S
7	North-westerly along the geodesic to latitude 51°43'54"S, longitude 72°54'56"E
8	South-westerly along the geodesic to the point of commencement

**11 Zone 7 of reserve—national park**

Zone 7 of the reserve (also identified as HIMINP07) consists of an area 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 7 of reserve	
Item	Description
1	The point of latitude 53°03'44"S, longitude 78°10'09"E
2	South along the meridian of longitude 78°10'09"E to latitude 54°38'36"S
3	East along the parallel of latitude 54°38'36"S to the outer limit of the exclusive economic zone
4	Anti-clockwise along the outer limit of the exclusive economic zone to its intersection with the parallel of latitude 53°03'44"S
5	West along the geodesic to the point of commencement

**12 Zone 8 of reserve—national park**

Zone 8 of the reserve (also identified as HIMINP08) consists of an area 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 8 of reserve	
Item	Description
1	The point of latitude 52°10'17"S, longitude 74°21'39"E
2	North-westerly along the geodesic to latitude 52°04'00"S, longitude 74°12'00"E
3	South along the meridian of longitude 74°12'00"E to latitude 53°01'00"S
4	East along the parallel of latitude 53°01'00"S to longitude 74°21'39"E

**Zone 8 of reserve**

Item	Description
5	North along the meridian to the point of commencement

**13 Zone 9 of reserve—habitat/species management area**

Zone 9 of the reserve (also identified as HIMIHP09) consists of an area 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 9 of reserve**

Item	Description
1	The point of latitude 54°21'08"S, longitude 69°30'00"E
2	East along the parallel of latitude 54°21'08"S to longitude 73°19'09"E
3	South along the meridian of longitude 73°19'09"E to latitude 55°15'50"S
4	East along the parallel of latitude 55°15'50"S to longitude 76°14'16"E
5	South along the meridian of longitude 76°14'16"E to its intersection by the outer limit of the exclusive economic zone
6	Anti-clockwise along the outer limit of the exclusive economic zone to latitude 54°38'36"S
7	West along the parallel of latitude 54°38'36"S to longitude 78°10'09"E
8	North along the meridian of longitude 78°10'09"E to latitude 53°03'44"S
9	East along the parallel of latitude 53°03'44"S to its intersection by the outer limit of the exclusive economic zone
10	Anti-clockwise along the outer limit of the exclusive economic zone to latitude 51°55'00"S
11	West along the parallel of latitude 51°55'00"S to longitude 76°53'46"E
12	North-westerly along the geodesic to latitude 51°46'27"S, longitude 76°35'42"E
13	West along the parallel of latitude 51°46'27"S to longitude 76°30'00"E
14	South along the meridian of longitude 76°30'00"E to latitude 51°55'00"S
15	West along the parallel of latitude 51°55'00"S to longitude 75°35'09"E
16	South along the meridian of longitude 75°35'09"E to latitude 53°01'00"S
17	West along the parallel of latitude 53°01'00"S to longitude 74°21'39"E
18	West along the parallel of latitude 53°01'00"S to longitude 74°12'00"E
19	South along the meridian of longitude 74°12'00"E to its intersection with the outer limit of the territorial sea
20	Clockwise along the outer limit of the territorial sea to the meridian of longitude 74°12'00"E
21	South along the meridian of longitude 74°12'00"E to latitude 53°30'00"S
22	West along the parallel of latitude 53°30'00"S to longitude 72°14'30"E
23	North along the meridian of longitude 72°14'30"E to latitude 53°03'00"S
24	North-westerly along the geodesic to latitude 52°57'00"S, longitude 72°08'00"E
25	North-easterly along the geodesic to latitude 52°52'28"S, longitude 72°18'09"E
26	North-easterly along the geodesic to latitude 52°33'28"S, longitude 72°26'21"E
27	North-westerly along the geodesic to latitude 52°30'51"S, longitude 72°23'26"E
28	South-westerly along the geodesic to latitude 52°40'00"S, longitude 72°00'00"E
29	North-westerly along the geodesic to latitude 52°25'30"S, longitude 71°32'30"E

## Schedule 1 Amendments

<b>Zone 9 of reserve</b>	
<b>Item</b>	<b>Description</b>
30	North-westerly along the geodesic to latitude 51°50'00"S, longitude 70°54'00"E
31	North-easterly along the geodesic to latitude 51°38'00"S, longitude 71°24'00"E
32	North-westerly along the geodesic to latitude 51°30'35"S, longitude 71°15'40"E
33	South-westerly along the geodesic to latitude 51°36'00"S, longitude 71°00'00"E
34	Westerly along the parallel of latitude 51°36'00"S to its intersection with the Australia-France maritime delimitation line
35	Anti-clockwise along the Australia-France maritime delimitation line to longitude 69°30'00"E
36	South along the meridian to the point of commencement