

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

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Note: This table relates only to the provisions of this instrument as originally made.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Each instrument that is specified in a Schedule to this instrument is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this instrument has effect according to its terms.

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.

| Zone 2 of reserve | |
| --- | --- |
| Item | Description |
| 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.

| Zone 3 of reserve | |
| --- | --- |
| Item | Description |
| 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.

| Zone 4 of reserve | |
| --- | --- |
| Item | Description |
| 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.

| Zone 5 of reserve | |
| --- | --- |
| Item | Description |
| 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 |
| 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 |
| 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 |