



# **Great Barrier Reef Marine Park Amendment (Special Management Areas) Regulation 2015**

## **Select Legislative Instrument No. 68, 2015**

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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 regulation.

Dated 14 May 2015

Peter Cosgrove  
Governor-General

By His Excellency's Command

Greg Hunt  
Minister for the Environment

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*OPC60749 - A*



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## **1 Name**

This is the *Great Barrier Reef Marine Park Amendment (Special Management Areas) Regulation 2015*.

## **2 Commencement**

This instrument commences on the day after it is registered.

## **3 Authority**

This instrument is made under the *Great Barrier Reef Marine Park Act 1975*.

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Each instrument that is specified in a Schedule to this instrument is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this instrument has effect according to its terms.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

### *Great Barrier Reef Marine Park Regulations 1983*

#### **1 At the end of regulation 45**

Add:

; (j) Maritime Cultural Heritage Protection SMA.

#### **2 After regulation 65B**

Insert:

#### **66 Maritime Cultural Heritage Protection SMA—declaration**

An area described in Part 1 or 2 of Table 66 is declared to be a Maritime Cultural Heritage Protection SMA having the name set out in the Part heading.

#### **Table 66 Maritime Cultural Heritage Protection SMA**

*Table 66, Part 1 Catalina A24-25 Maritime Cultural Heritage Protection SMA*

The area bounded by a notional line commencing at 17°12.825'S, 146°12.134'E then running progressively:

- |   |  |
|---|--|
| 1 | east along the parallel to 17°12.825'S, 146°12.704'E;  |
| 2 | south along the meridian to 17°13.395'S, 146°12.704'E; |
| 3 | west along the parallel to 17°13.395'S, 146°12.134'E;  |
| 4 | north along the meridian to the point of commencement. |

*Table 66, Part 2 Catalina A24-24 Maritime Cultural Heritage Protection SMA*

The area bounded by a notional line commencing at 19°49.988'S, 148°18.734'E then running progressively:

- |   |  |
|---|--|
| 1 | east along the parallel to 19°49.988'S, 148°19.304'E;  |
| 2 | south along the meridian to 19°50.558'S, 148°19.304'E; |

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3	west along the parallel to 19°50.558'S, 148°18.734'E;
4	north along the meridian to the point of commencement.

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### **66A Maritime Cultural Heritage Protection SMAs—special management provisions**

- (1) In this regulation:

***fishing or collecting*** has the meaning given by the Zoning Plan.

***under way***: a vessel is taken to be ***under way*** only if the vessel is being propelled (whether by engine, sail or human power) through the water in a forward direction and is not adrift.

***wreck*** has the meaning given by the Zoning Plan.

- (2) A person must not:
- (a) enter a wreck; or
  - (b) approach within 100 metres of a wreck (other than in a non-submersible vessel or aircraft);
- in a Maritime Cultural Heritage Protection SMA without the written permission of the Authority.
- (3) A person must not, without the written permission of the Authority, operate a vessel in a Maritime Cultural Heritage Protection SMA, other than for the purpose of transiting through the SMA to a place outside the SMA:
- (a) by the most direct and reasonable route; and
  - (b) in such a manner that the vessel is under way at all times when it is in the SMA.
- (4) A person must not anchor or attempt to anchor a vessel, or deploy the vessel's anchoring equipment, in a Maritime Cultural Heritage Protection SMA without the written permission of the Authority.
- (5) A person must not undertake fishing or collecting in a Maritime Cultural Heritage Protection SMA.

Note: See sections 38BA and 38BB of the Act for, respectively, an offence and a civil penalty provision that apply to a person who engages in conduct that contravenes this regulation.

### 3 After regulation 88V

Insert:

#### **88VA Limitations on granting permissions to enter or use Maritime Cultural Heritage Protection SMAs—special management provisions**

(1) In this regulation:

*cultural heritage purposes* means one or more of the following:

- (a) to carry out cultural heritage research;
- (b) to carry out cultural heritage monitoring;
- (c) to carry out works to stabilise wrecks;
- (d) to carry out photography, filming or sound recording that will improve public education about, or understanding of, cultural heritage;
- (e) to carry out ceremonial activities directly relevant to cultural heritage;
- (f) to carry out activities incidental to an activity covered by paragraphs (a) to (e).

*wreck* has the meaning given by the Zoning Plan.

(2) The Authority must not grant a permission to a person to use or enter a Maritime Cultural Heritage Protection SMA other than for cultural heritage purposes.