



Underwater Cultural Heritage Act 2018 **(Protected Zones) Declaration Instrument 2019**

I, Sussan Ley, Minister for the Environment, pursuant to subsection 20(1) of the *Underwater Cultural Heritage Act 2018*, hereby declare the areas described in Schedule 1, being areas containing protected underwater cultural heritage, to be protected zones; and the prohibited conduct specified for each area in the Schedule to be prohibited within the corresponding protected zone.

Dated 26 June 2019

Sussan Ley
Minister for the Environment

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1 Name

This instrument is the *Underwater Cultural Heritage Act 2018 (Protected Zones) Declaration Instrument 2019*.

2 Commencement

This instrument commences 1 July 2019 and remain in force for a period of 12 years, unless earlier varied or revoked.

3 Authority

This instrument is made under subsection 20(1) of the *Underwater Cultural Heritage Act 2018*.

4 Definitions

In this instrument:

Act means the *Underwater Cultural Heritage Act 2018*.

Australian waters means those water described in Section 11 of the Act.

WGS84 datum means the World Geodetic System 1984 datum that is used for cartography, geodesy, and satellite navigation purposes and is defined and maintained by the United States National Geospatial-Intelligence Agency (NGA).

5 Schedule

Each Protected Zone specified in a Schedule to this instrument is declared 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—Protected Zones

- (1) So much of the area bounded by an imaginary line forming a circle with a radius of 500 metres the centre of which is at the intersection of Latitude 26° 59' 42" South with Longitude 153° 28' 42" East as defined using WGS84 datum and consists of Australian waters, within which the remains of a vessel and associated articles are located, that appear to be the *Aarhus* (1894).

The following conduct is prohibited within this area:

- (i) Allowing a vessel to become stationary;
 - (ii) Underwater activities; and
 - (iii) Anchoring or mooring vessels.
- (2) So much of the area bounded by an imaginary line forming a circle with a radius of 500 metres the centre of which is at the intersection of Latitude 38° 29' 13" South with Longitude 144° 45' 02" East as defined using WGS84 datum and consists of Australian waters, within which the remains of a vessel and associated articles are located, that appear to be the SS *Alert* (1893).

The following conduct is prohibited within this area:

- (i) Entry of persons or vessels;
 - (ii) Underwater activities;
 - (iii) Anchoring or mooring vessels; and
 - (iv) Fishing including trawling, netting, dredging and pot or trap fishing.
- (3) So much of the area bounded by an imaginary line forming a circle with a radius of 800 metres the centre of which is at the intersection of Latitude 19° 50' 16" South with Longitude 148° 19' 01" East as defined using WGS84 datum and consists of Australian waters, within which the remains of an aircraft and associated articles are located, that appear to be the Catalina *A24-24* (1943).

The following conduct is prohibited within this area:

- (i) Entry of persons or vessels;
 - (ii) Underwater activities;
 - (iii) Anchoring or mooring vessels; and
 - (iv) Release or deposit of objects or materials.
- (4) So much of the area bounded by an imaginary line forming a circle with a radius of 800 metres the centre of which is at the intersection of Latitude 17° 12' 54" South with Longitude 146° 12' 25" East as defined using WGS84 datum and consists of Australian waters, within which the remains of an aircraft and associated articles are located, that appear to be the Catalina *A24-25* (1943).

The following conduct is prohibited within this area:

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- (i) Entry of persons or vessels;
 - (ii) Underwater activities;
 - (iii) Anchoring or mooring vessels; and
 - (iv) Release or deposit of objects or materials.
- (5) So much of the area bounded by an imaginary line forming a circle with a radius of 800 metres the centre of which is at the intersection of Latitude 22° 11' 38" South with Longitude 155° 21' 21" East as defined using WGS84 datum and consists of Australian waters, within which the remains of vessels and associated articles are located, that appear to be the *Cato* and HMS *Porpoise* (1803).

The following conduct is prohibited within this area:

- (i) Entry of persons or vessels;
 - (ii) Underwater activities; and
 - (iii) Anchoring or mooring vessels.
- (6) So much of the area bounded by an imaginary line forming a circle with a radius of 800 metres the centre of which is at the intersection of Latitude 27° 16' 58" South with Longitude 153° 59' 13" East as defined using WGS84 datum and consists of Australian waters, within which the remains of a vessel and associated articles are located, that appear to be the AHS *Centaur* (1943).

The following conduct is prohibited within this area:

- (i) Allowing a vessel to become stationary;
 - (ii) Underwater activities within 200 metres of the sea bed; and
 - (iii) Release or deposit of objects or materials.
- (7) So much of the area bounded by an imaginary line forming a circle with a radius of 50 metres the centre of which is at the intersection of Latitude 38° 44' 38" South with Longitude 146° 40' 39" East as defined using WGS84 datum and consists of Australian waters, within which the remains of a vessel and associated articles are located, that appear to be the *Clonmel* (1841).

The following conduct is prohibited within this area:

- (i) Allowing a vessel to become stationary;
 - (ii) Underwater activities; and
 - (iii) Anchoring or mooring vessels.
- (8) So much of the area bounded by an imaginary line forming a circle with a radius of 500 metres the centre of which is at the intersection of Latitude 11° 50' 40" South with Longitude 96° 49' 13" East as defined using WGS84 datum and consists of Australian waters, within which the remains of a vessel and associated articles are located, that appear to be the SMS *Emden* (1914).

The following conduct is prohibited within this area:

- (i) Entry of persons or vessels;
- (ii) Underwater activities; and

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- (iii) Anchoring or mooring vessels.
- (9) So much of the area bounded by an imaginary line forming a circle with a radius of 800 metres the centre of which is at the intersection of Latitude 38° 07' 20" South with Longitude 148° 43' 51" East as defined using WGS84 datum and consists of Australian waters, within which the remains of a vessel and associated articles are located, that appear to be the SS *Federal* (1901).

The following conduct is prohibited within this area:

- (i) Entry of persons or vessels;
 - (ii) Underwater activities;
 - (iii) Anchoring or mooring vessels; and
 - (iv) Fishing including trawling, netting, dredging and pot or trap fishing.
- (10) So much of the area bounded by an imaginary line forming a circle with a radius of 800 metres the centre of which is at the intersection of Latitude 11° 13' 06" South with Longitude 130° 05' 27" East as defined using WGS84 datum and consists of Australian waters, within which the remains of a vessel and associated articles are located, that appear to be the SS *Florence D* (1942).

The following conduct is prohibited within this area:

- (i) Entry of persons or vessels;
 - (ii) Underwater activities; and
 - (iii) Anchoring or mooring vessels.
- (11) So much of the area bounded by an imaginary line forming a circle with a radius of 500 metres the centre of which is at the intersection of Latitude 18° 16' 12" South with Longitude 147° 22' 58" East as defined using WGS84 datum and consists of Australian waters, within which the remains of a vessel and associated articles are located, that appear to be the *Foam* (1893).

The following conduct is prohibited within this area:

- (i) Entry of persons or vessels;
 - (ii) Underwater activities; and
 - (iii) Anchoring or mooring vessels.
- (12) So much of the area bounded by an imaginary line forming a circle with a radius of 500 metres the centre of which is at the intersection of Latitude 38° 33' 09" South with Longitude 147° 12' 27" East as defined using WGS84 datum and consists of Australian waters, within which the remains of a vessel and associated articles are located, that appear to be the SS *Glenelg* (1900).

The following conduct is prohibited within this area:

- (i) Entry of persons or vessels;
- (ii) Underwater activities;
- (iii) Anchoring or mooring vessels; and
- (iv) Fishing including trawling, netting, dredging and pot or trap fishing.

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- (13) So much of the area bounded by an imaginary line forming a circle with a radius of 500 metres the centre of which is at the intersection of Latitude 19° 21' 59" South with Longitude 148° 03' 25" East as defined using WGS84 datum and consists of Australian waters, within which the remains of a vessel and associated articles are located, that appear to be the *Gothenburg* (1875).

The following conduct is prohibited within this area:

- (i) Entry of persons or vessels;
- (ii) Underwater activities; and
- (iii) Anchoring or mooring vessels.

- (14) So much of the area bounded by an imaginary line forming a circle with a radius of 800 metres the centre of which is at the intersection of Latitude 12° 07' 12" South with Longitude 130° 06' 23" East as defined using WGS84 datum and consists of Australian waters, within which the remains of a vessel and associated articles are located, that appear to be the *I-124* (Submarine) (1942).

The following conduct is prohibited within this area:

- (i) Allowing a vessel to become stationary;
- (ii) Underwater activities;
- (iii) Anchoring or mooring vessels; and
- (iv) Release or deposit of objects or materials.

- (15) So much of the area bounded by an imaginary line forming a circle with a radius of 3200 metres the centre of which is at the intersection of Latitude 26° 05' 58" South with Longitude 111° 04' 22" East as defined using WGS84 datum and consists of Australian waters, within which the remains of a vessel and associated articles are located, that appear to be the HSK *Kormoran* (1941).

The following conduct is prohibited within this area:

- (i) Allowing a vessel to become stationary;
- (ii) Underwater activities within 200 metres of the sea bed; and
- (iii) Release or deposit of objects or materials.

- (16) So much of the area bounded by an imaginary line forming a circle with a radius of 2000 metres the centre of which is at the intersection of Latitude 15° 12' 00" South with Longitude 155° 27' 00" East as defined using WGS84 datum and consists of Australian waters, within which the remains of a vessel and associated articles are located, that appear to be the USS *Lexington* (1942).

The following conduct is prohibited within this area:

- (i) Allowing a vessel to become stationary;
- (ii) Underwater activities within 200 metres of the sea bed; and
- (iii) Release or deposit of objects or materials.

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- (17) So much of the area bounded by an imaginary line forming a circle with a radius of 500 metres the centre of which is at the intersection of Latitude 21° 00' 13" South with Longitude 149° 30' 21" East as defined using WGS84 datum and consists of Australian waters, within which the remains of a vessel and associated articles are located, that appear to be the *Llewellyn* (1919).

The following conduct is prohibited within this area:

- (i) Entry of persons or vessels;
- (ii) Underwater activities; and
- (iii) Anchoring or mooring vessels.

- (18) So much of the area bounded by an imaginary line forming a circle with a radius of 500 metres the centre of which is at the intersection of Latitude 33° 40' 21" South with Longitude 151° 22' 58" East as defined using WGS84 datum and consists of Australian waters, within which the remains of a vessel and associated articles are located, that appear to be the *M-24* (Submarine) (1942).

The following conduct is prohibited within this area:

- (i) Entry of persons or vessels;
- (ii) Underwater activities;
- (iii) Anchoring or mooring vessels; and
- (iv) Release or deposit of objects or materials.

- (19) So much of the area bounded by an imaginary line forming a circle with a radius of 800 metres the centre of which is at the intersection of Latitude 11° 22' 33" South with Longitude 134° 36' 33" East as defined using WGS84 datum and consists of Australian waters, within which the remains of a vessel and associated articles are located, that appear to be the *SS Macumba* (1943).

The following conduct is prohibited within this area:

- (i) Allowing a vessel to become stationary;
- (ii) Underwater activities; and
- (iii) Anchoring or mooring vessels.

- (20) So much of the area bounded by an imaginary line forming a circle with a radius of 800 metres the centre of which is at the intersection of Latitude 17° 12' 04" South with Longitude 146° 17' 18" East as defined using WGS84 datum and consists of Australian waters, within which the remains of a vessel and associated articles are located, that appear to be the *HMCS Mermaid* (1829).

The following conduct is prohibited within this area:

- (i) Entry of persons or vessels;
- (ii) Underwater activities; and
- (iii) Anchoring or mooring vessels.

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- (21) So much of the area bounded by an imaginary line forming a circle with a radius of 2000 metres the centre of which is at the intersection of Latitude 15° 35' 00" South with Longitude 155° 36' 00" East as defined using WGS84 datum and consists of Australian waters, within which the remains of a vessel and associated articles are located, that appear to be the USS *Neosho* (1942).

The following conduct is prohibited within this area:

- (i) Allowing a vessel to become stationary;
- (ii) Underwater activities within 200 metres of the sea bed; and
- (iii) Release or deposit of objects or materials.

- (22) So much of the area bounded by an imaginary line forming a circle with a radius of 500 metres the centre of which is at the intersection of Latitude 11° 22' 19" South with Longitude 143° 59' 16" East as defined using WGS84 datum and consists of Australian waters, within which the remains of a vessel and associated articles are located, that appear to be the HMS *Pandora* (1791).

The following conduct is prohibited within this area:

- (i) Entry of persons or vessels;
- (ii) Underwater activities; and
- (iii) Anchoring or mooring vessels.

- (23) So much of the area bounded by an imaginary line forming a circle with a radius of 800 metres the centre of which is at the intersection of Latitude 11° 41' 30" South with Longitude 134° 36' 40" East as defined using WGS84 datum and consists of Australian waters, within which the remains of a vessel and associated articles are located, that appear to be the *Sanyo Maru* (1937).

The following conduct is prohibited within this area:

- (i) Allowing a vessel to become stationary;
- (ii) Underwater activities; and
- (iii) Anchoring or mooring vessels.

- (24) So much of the area bounded by an imaginary line forming a circle with a radius of 2000 metres the centre of which is at the intersection of Latitude 16° 02' 00" South with Longitude 157° 57' 00" East as defined using WGS84 datum and consists of Australian waters, within which the remains of a vessel and associated articles are located, that appear to be the USS *Simms* (1942).

The following conduct is prohibited within this area:

- (i) Allowing a vessel to become stationary;
- (ii) Underwater activities within 200 metres of the sea bed; and
- (iii) Release or deposit of objects or materials.

- (25) So much of the area bounded by an imaginary line forming a circle with a radius of 800 metres the centre of which is at the intersection of Latitude 26° 14' 39" South with Longitude 111° 12' 48" East as defined using WGS84 datum and consists of Australian waters, within which the remains of a vessel

and associated articles are located, that appear to be the HMAS *Sydney II* (1941).

The following conduct is prohibited within this area:

- (i) Allowing a vessel to become stationary;
- (ii) Underwater activities within 200 metres of the sea bed; and
- (iii) Release or deposit of objects or materials.

- (26) So much of the area bounded by an imaginary line forming a circle with a radius of 800 metres the centre of which is at the intersection of Latitude 19° 18' 16" South with Longitude 147° 37' 19" East as defined using WGS84 datum and consists of Australian waters, within which the remains of a vessel and associated articles are located, that appear to be the SS *Yongala* (1911).

The following conduct is prohibited within this area:

- (i) Entry of persons or vessels;
- (ii) Underwater activities; and
- (iii) Anchoring or mooring vessels.

- (27) So much of the area bounded by an imaginary line forming a circle with a radius of 500 metres the centre of which is at the intersection of Latitude 27° 11' 10" South with Longitude 113° 56' 11" East as defined using WGS84 datum and consists of Australian waters, within which the remains of a vessel and associated articles are located, that appear to be the *Zuytdorp* (1712).

The following conduct is prohibited within this area:

- (i) Entry of persons or vessels;
- (ii) Underwater activities; and
- (iii) Anchoring or mooring vessels.

The areas described in this schedule shall be taken to include the airspace above the area to a height of 152 metres as measured from mean sea level and, to the extent to which the area consists of the surface of any sea, to include the waters beneath the area, the seabed beneath those waters and the subsoil of that seabed.