



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Note: This table relates only to the provisions of this instrument as originally made.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Each instrument that is specified in a Schedule to this instrument is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this instrument has effect according to its terms.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

Zone 1 of reserve—sanctuary zone

Item	Description
	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

Zone 3 of reserve—habitat protection zone	
Item	Description
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