

Cruise Ship Operations within the Great Barrier Reef

(Revision 1) February 2018

Objective

To provide for sustainable cruise ship operations, including their associated tourist programs, within the Great Barrier Reef while ensuring the protection of the Great Barrier Reef's outstanding universal value.

Target audience

This policy will guide protected area managers on matters relating to cruise ship operations within the Great Barrier Reef and inform cruise ship operators, booking agents and tourists about these management arrangements.

Purpose

1. The Great Barrier Reef Marine Park Authority and the Queensland Parks and Wildlife Service (the managing agencies) support ecologically sustainable cruise ship operations within the Great Barrier Reef in accordance with this policy, and encourages the cruise ship industry to contribute to the protection of the Great Barrier Reef and presentation of the outstanding universal value of the Great Barrier Reef World Heritage Area.

Related legislation / standards / policy

Commonwealth or International

2. *Great Barrier Reef Marine Park Act 1975*
3. *Great Barrier Reef Marine Park Regulations 1981*
4. *Great Barrier Reef Marine Park Zoning Plan 2003*
5. *Cairns Area Plan of Management 1998*
6. *Hinchinbrook Plan of Management 2004*
7. *Whitsundays Plan of Management 1998*
8. *Environmental Impact Management: Permits System 2017*
9. *Marine Tourism Contingency Plan 2014*
10. *Great Barrier Reef Region Strategic Assessment Program Report 2015*
11. *Great Barrier Reef Biodiversity Conservation Strategy 2013*
12. *Protection of the Sea (Prevention of Pollution from Ships) Act 1983*
13. *United Nations Convention on Law of the Sea 1982*
14. *Biosecurity Act 2015*

Queensland

15. *Marine Parks Act 2004*
16. *Marine Parks Regulation 2006*
17. *Marine Parks (Great Barrier Reef Coast) Zoning Plan 2004*
18. *Nature Conservation Act 1992*
19. *Nature Conservation (Administration) Regulation 2006*
20. *Nature Conservation (Protected Areas Management) Regulation 2006*
21. *Transport Operations (Marine Safety) Act 1994*
22. *Transport Operations (Marine Pollution) Regulation 2008*

Context

23. In 1981, the Great Barrier Reef was inscribed on the World Heritage Area List of the Convention Concerning the Protection of the World Cultural and Natural Heritage on the basis of its natural outstanding universal value.
24. The Australian Government has an international responsibility to protect, conserve, present and transmit the outstanding universal value of the Great Barrier Reef World Heritage Area to future generations. It is acknowledged that tourism operators provide the primary vehicle for the presentation of the Great Barrier Reef World Heritage Area to visitors.
25. The Great Barrier Reef Marine Park Authority has a responsibility to protect the Great Barrier Reef Marine Park and the Queensland Parks and Wildlife Service has a responsibility to protect the Great Barrier Reef Coast Marine Park (including internal waters of Queensland). Both the Great Barrier Reef Marine Park Authority and Queensland Parks and Wildlife Service (the managing agencies) have developed joint management arrangements and usually jointly assess applications for Marine Parks permits to use or enter these areas in order to conduct a tourist program in the Great Barrier Reef.
26. The managing agencies acknowledge the continuing sea country management and custodianship of the Great Barrier Reef by Aboriginal and Torres Strait Islander Traditional Owners.
27. The Great Barrier Reef is an iconic tourism destination and a popular cruise ship destination. The number of cruise ships visiting the Great Barrier Reef continues to increase and the vessel size and number of passengers being carried is also increasing.
28. This policy applies to cruise ship operations and their associated tourist programs. There are two types of cruise ship operations: smaller expedition style cruise ships that carry less than 150 passengers and who conduct all their own tourist programs and larger cruise ships carrying more passengers who may limit their tourist program activities to sightseeing and cruising, and use local tourism operations to provide most of the tourism experience for their cruise ship passengers. This policy does not apply to other styles of shipping, for example, cargo ships, which may carry limited passengers without conducting a tourist program; or 'apartment' style ships which provide accommodation only.
29. Potential environmental benefits to the Great Barrier Reef from cruise ship operations include world class standards of operation, presentation of this World Heritage Area to visitors, and economic contributions in the form of the Commonwealth Environmental Management Charge (EMC) which is used to support management of the Great Barrier Reef and to protect and improve its resilience. On a regional scale, there are potential economic benefits to the local tourism industry, resorts and mainland townships.
30. Potential environmental risks posed to the Great Barrier Reef by cruise ships include collision with marine habitats (including coral reefs); damage from anchors; disturbance and vessel strikes to marine species; biosecurity threats associated with discharge of ballast water and marine pests attached to vessel hulls; and impacts from large groups of people, such as waste and pollution, which may directly affect the health of the Great Barrier Reef. A ship grounding or spill of any hazardous or noxious substance (including oil) has the potential to cause extensive, long-term damage to the environment, economic activity and socio-cultural activities in the region and may carry significant human health and safety risks. These environmental risks and other risks such as reputational risks are managed through appropriate risk management measures. These measures are undertaken by the relevant agencies. For example, environmental risks such as damage from anchors are considered by the managing agencies when making decisions on permissions.
31. This policy acknowledges that the Commonwealth Government's Australian Maritime Safety Authority (AMSA), Maritime Border Command, and the Department of Agriculture and Water Resources and the Queensland Government's Maritime Safety Queensland and Department of Agriculture and Fisheries also manage aspects of cruise ship operations in the Great Barrier Reef. These agencies focus on risks such as safety and biosecurity matters.
32. International vessels are a risk for the introduction of unwanted pests and diseases to enter Australia through biofouling and in [ballast water](#). The *Biosecurity Act 2015* prescribes how ballast water should be managed within Australian seas and the Australian Ballast Water Management Requirements provide further explanation regarding how to comply with the legislation whilst operating a vessel in Australian waters. National Biofouling Management Guidelines are also designed to support vessel operators manage and control biofouling risks to the Great Barrier Reef.

33. In recognition of the outstanding universal value of the Great Barrier Reef World Heritage Area, and the need to protect it from potential shipping impacts, the International Maritime Organization (IMO) has designated the Great Barrier Reef as a Particularly Sensitive Sea Area (PSSA). AMSA, the Great Barrier Reef Marine Park Authority, and Maritime Safety Queensland administer special measures under international and domestic law to regulate ship activities in the Great Barrier Reef Region.
34. This policy is subject to the United Nations Convention on Law of the Sea 1982. This policy is not intended to impede the international law right of innocent passage through the territorial sea except to the extent permitted by the Convention.
35. This policy is subject to the *Great Barrier Reef Marine Park Act 1975* (Cth) and *Marine Parks Act 2004* (Qld) and all legislative instruments made pursuant to these Acts. This policy is not intended to extend the jurisdiction of either managing agency.
36. This policy should also be read in conjunction with all applicable Commonwealth and Queensland legislation, policies and supporting information. For example, the *Transport Operations (Marine Safety) Act 1994* (Qld).
37. The managing agencies work in partnership with Traditional Owners, the tourism industry, the fishing industry, scientists, local government and community groups to conserve the environment, biodiversity and heritage values of the Great Barrier Reef and promote ecologically sustainable use.

General principles

38. The managing agencies consider cruise ship operations to be an acceptable use of the Great Barrier Reef and will continue to encourage such use provided it is conducted in an ecologically sustainable manner.
 - a. Ecologically sustainable use is permitted where it is consistent with the long-term protection and conservation of the environment, biodiversity and heritage values of the Great Barrier Reef. The potential impacts of the conduct proposed on the environment and on the social, cultural and heritage values of the Great Barrier Reef are considered by the managing agencies when deciding whether or not to grant a Marine Parks permit.

Specific principles

Access

39. Due to the size of cruise ships (i.e. at least 70 metres), the *Great Barrier Reef Marine Park Act 1975* require these vessels to carry a licensed pilot in designated Compulsory Pilotage Areas to provide for safer navigation through the waters of the Commonwealth Great Barrier Reef Marine Park. The locations of the Compulsory Pilotage Areas are described in the *Great Barrier Reef Marine Park Regulations 1983*.
40. The managing agencies may grant Marine Parks permits allowing cruise ships access to the General Use Zone and other zones within the Shipping Areas under the relevant Zoning Plans, and access to other zones and locations, including a planning area, when transiting to or from designated anchorages or using transit corridors.

Planning Areas

41. The managing agencies may grant Marine Parks permits allowing for cruise ship operations to be conducted in high use or sensitive planning areas which are covered by Plans of Management (the Plans). These planning areas are offshore Cairns and Port Douglas, Hinchinbrook and the Whitsundays. These Plans provide cruise ship access through a booking system to the Planning Areas and identify specific areas that can be accessed by a cruise ship. Where appropriate the Plans have limits on the number of cruise ships allowed to book to the relevant planning area on any one day. Access to locations for ancillary vessels is based on the group and vessel size.
42. At the time of making this policy the definition of a 'ship' in the Cairns Area and Hinchinbrook Plans of Management means 'a vessel that has an overall length of more than 70 metres'. This policy and the amended Whitsundays Plan of Management define a cruise ship as 'a vessel that is at least 70 metres'. The Great Barrier Reef Marine Park Authority intends to align the definitions when reviewing the other plans of management.

Designated anchorages

43. The Great Barrier Reef Marine Park Authority provides a network of designated anchorages [[map of designated anchorages](#)] for cruise ships throughout the Great Barrier Reef Marine Park to limit damage from anchoring, while allowing closer access to reefs and islands in order to enhance the passenger's experience of the Great Barrier Reef.
 - a. There are a range of anchorages to allow for different styles of operations. Most cater for all size vessels; however, the anchorages in the Far North region (Remote Natural Area) are predominantly for smaller, expedition style ships (up to 120 metres carrying up to 150 people).
 - b. Designated anchorages are described in the [Great Barrier Reef Marine Park Regulations 1983](#).
44. The managing agencies will consider the appropriateness of any new designated anchorages on a case-by-case basis. Ecosystem, social, cultural, heritage, economic, and ease and safety of access considerations are taken into account by the managing agencies when considering the appropriateness of new designated anchorages; and consultation would be conducted with Traditional Owners, other State and Federal government agencies, Great Barrier Reef-related industries and businesses, and the community.

Booking arrangements

45. The managing agencies provide an [online booking system](#) for the planning areas and anchorages.
46. Cruise ship operators, or their booking agent must make a prior booking to conduct a cruise ship operation to a designated anchorage and to planning areas.
 - a. A booking to a designated anchorage within a planning area is automatically recorded as a booking to the planning area within which the relevant anchorage is located.
 - b. Designated anchorage bookings can be made up to three years prior to the date of the call.
 - c. Generally, only one cruise ship may be booked per designated anchorage at any one time.

Note: Detailed requirements relating to bookings are available on the Great Barrier Reef Marine Park Authority's [website](#).

Transit corridors

47. The Great Barrier Reef Marine Park Authority has provided for nine [cruise ship transit corridors](#) to allow direct access between the inner passage of the Great Barrier Reef Marine and the Coral Sea. In addition, these corridors can also provide for scenic opportunities for their visitors. Use of these transit corridors should be carried out in accordance with any relevant AMSA Pilot Advisory Notices for these areas.
48. The Great Barrier Reef Marine Park Authority intends to pursue legislative amendments to include a schedule of the transit corridors in the *Great Barrier Reef Marine Park Regulations 1983*, similar to the schedule of designated anchorages.

Waste discharge

49. The managing agencies encourage best practice waste management be undertaken by cruise ship operators and expect cruise ship operators will comply with all relevant Annexes of the International Marine Pollution Convention (MARPOL 73/78). These obligations relate to vessel sewage, and oil and air pollution and are given effect in Australia by the *Protection of the Sea (Prevention of Pollution from Ships) Act 1983* and in Queensland by the *Transport Operations (Marine Pollution) Act 1995*.
Note: further information about MARPOL is available on the Great Barrier Reef Marine Park Authority's [website](#).
50. In addition, due to concern about the tidal range and flow between all the small bays, reefs and islands, managing agencies require through permission conditions that any waste is not discharged when operating within the Whitsunday Planning Area.
51. The managing agencies prohibit the discharge of waste within the Great Barrier Reef Marine Park, such as litter (including plastics, fishing nets and lines), oil products (except for where the oil content is part of a mixture containing less than 15 parts in 1,000,000 parts) and food waste (except fresh fish or fish parts caught in the Marine Park).

Provision of tourist program activities and use of ancillary vessels

52. Cruise ships and their ancillary vessels (i.e. tenders) listed in a Marine Parks permit can be used to conduct tourist program activities, such as sightseeing, snorkelling or diving. Ancillary vessels may also transfer passengers. Permits will include additional requirements for use of ancillary vessels, including that they remain generally within three nautical miles of the primary vessel. Use of other ancillary craft such as jetskis, semi-submersibles or helicopters would need to be assessed through a permit application process.
53. To capitalise on local knowledge, cruise ship operators are encouraged to engage local tourism operators from areas adjacent to the Marine Park to provide a greater range of tourism experiences for their visitors.

Matters relating to Marine Parks permits

54. Matters relating to Marine Parks permits, including application fees, assessment of applications, permission conditions and the length of the permit term, are described in the *Environmental Impact Management: permission system*.

Environmental Management Charge (EMC)

55. Pursuant to the Great Barrier Reef Marine Park Regulations 1983, the holder of a chargeable permission is in most cases required to collect an EMC from visitors to the Great Barrier Reef Marine Park, and remit the amount collected to the Great Barrier Reef Marine Park Authority.
56. In relation to the EMC, the Great Barrier Reef Marine Park Authority takes the position that:
 - a. The requirement to obtain a permission and collect the EMC does not apply to foreign flagged vessels to the extent that this requirement may interfere with the international law right of innocent passage.
 - b. Foreign flagged cruise ships carrying paying tourists and which cruise, maintain a stationary position or anchor at any point of their operation in the Great Barrier Reef Marine Park, for purposes other than ordinary navigation, force majeure or distress; are not in innocent passage.
57. Cruise ship passengers who are visitors are only required to pay the EMC for the first three days of an extended tour after entering the Great Barrier Reef Marine Park.
 - a. If visitors undertake any tourist activity in the Great Barrier Reef Marine Park with another tour operator on those first three days, they are generally exempt from paying EMC a second time.
 - b. Cruise ship operators who hold a chargeable permission are obliged to complete and submit quarterly EMC returns to the Great Barrier Reef Marine Park Authority, regardless of whether or not EMC has been collected in a relevant quarter.

Contingency arrangements

58. The managing agencies will make reasonable efforts to support the continuity of cruise ship operations when an area within the Great Barrier Reef is impacted by a severe environmental incident. The [Marine Tourism Contingency Plan](#) clarifies the options that the managing agencies and cruise ship operators can consider within the regulatory framework.

Compliance matters

59. Cruise ship operators are required to take reasonable steps to prevent or minimise harm to the Great Barrier Reef and must report any grounding or direct impact with submerged habitats to the managing agencies, AMSA, and Maritime Safety Queensland. Vessel strikes or collisions with marine mammals and turtles must also be reported through the [marine strandings hotline](#). Cruise ship operators should also be aware of reporting obligations under other Acts such as the *Navigation Act 2012* and the *Protection of the Sea (Prevention of Pollution from Ships) Act 1983*.
60. The managing agencies may take appropriate action, such as modifying Marine Parks permit conditions (without prior consent in the case of demonstrated environmental harm), suspending or revoking a Marine Parks permit, issuing infringement notices, or imposing financial penalties to ensure cruise ship operators remain compliant with their relevant Marine Parks permit, EMC obligations and other Marine Parks legislation including plans of management. Serious offences may result in prosecution in court.

Best practice

61. The managing agencies will work in partnership with the cruise ship operators to foster stewardship and explore best practice in this Particularly Sensitive Sea Area and continuously improve the interpretation and presentation of the outstanding universal value of the Great Barrier Reef World Heritage Area.
62. The managing agencies promote [high standard tourism](#) and [responsible reef practices](#) for a range of activities undertaken by all users of the Great Barrier Reef, including working with [local indigenous communities](#).

Implementation

63. The managing agencies will continue to permit cruise ship operations in line with this policy noting any major changes are intended to be implemented through staged implementation (for example, to align the definition of cruise ship operation across all the plans of management to include ships of 70 metres, to place the description of the transit corridors in Great Barrier Reef Marine Park Regulations).

Definitions

Compulsory Pilotage Area has the meaning given in the *Great Barrier Reef Marine Park Act 1975*.

Cruise ship means a large ship that has an overall length of at least 70 metres and which is a cruise ship (within the ordinary meaning of the phrase).

Designated anchorage has the meaning given in Schedule 1 of the *Great Barrier Reef Marine Park Regulations 1983*.

Environmental Management Charge (EMC) has the same meaning as 'charge' in the *Great Barrier Reef Marine Park Act 1975* (Cth).

Garbage has the meaning given in the *Great Barrier Reef Marine Park Act 1975* which is taken from Part IIIC of the *Protection of the Sea (Prevention of Pollution from Ships) Act 1983*.

General Use Zone has the meaning given in the Zoning Plan.

Great Barrier Reef for the purpose of this policy means:

- The Commonwealth Great Barrier Reef Marine Park, including Commonwealth islands
- The Queensland Great Barrier Reef Coast Marine Park excluding the internal waters of Queensland, and including island National Parks within the Great Barrier Reef World Heritage Area.

Great Barrier Reef Coast Marine Park means the Queensland Great Barrier Reef Coast Marine Park established pursuant to the *Marine Parks Act 2004* (Qld).

Great Barrier Reef Marine Park means the Commonwealth Great Barrier Reef Marine Park established by the *Great Barrier Reef Marine Park Act 1975* (Cth).

Great Barrier Reef Region has the meaning given in the *Great Barrier Reef Marine Park Act 1975* (Cth).

Great Barrier Reef World Heritage Area means the area as described in Schedule 1 of the *Great Barrier Reef Marine Park Act 1975* (Cth).

Internal waters have the meaning given in the *Seas and Submerged Lands Act 1973*.

Managing agencies refers to the principal partner agencies in the management of the Great Barrier Reef, being the Great Barrier Reef Marine Park Authority and the Queensland Parks and Wildlife Service.

Marine Parks permit means a permission issued by the managing agencies pursuant to the *Great Barrier Reef Marine Regulations 1983* (Cth) and the *Marine Parks Regulations 2006* (Qld) to use or enter one or more zones in the Great Barrier Reef.

Matters of national environmental significance are those matters listed in Division 1, Part 3 of the *Environment Protection and Biodiversity Conservation Act 1999*.

Overall length has the same meaning given in the *Great Barrier Reef Marine Park Act 1975* (generally it is 110 per cent of the length as shown on the vessel's load-line certification).

Particularly Sensitive Sea Area is an area of the marine environment that is given special protection through action by the International Maritime Organization (IMO) because of its significance for recognised ecological, socio-economic, cultural heritage or scientific attributes that may be at risk of damage from international shipping activities.

Permittee means a person, company or entity issued with a current Marine Parks permit by the managing agencies.

Planning Area has the meaning given in the *Cairns Area Plan of Management 1998*, *Hinchinbrook Plan of Management 2004* and *Whitsundays Plan of Management 1998*.

Plan of Management has the meaning given by the *Great Barrier Reef Marine Park Act 1975* (Cth).

Regulations means the *Great Barrier Reef Marine Regulations 1983* (Cth) and the *Marine Parks Regulations 2006* (Qld).

Remote Natural Area has the meaning given in the *Great Barrier Reef Marine Park Zoning Plan 2003*.

Ship has the meaning as the Zoning Plan.

Shipping Area has the meaning given in the Zoning Plans.

Severe environmental incident has the meaning given in the Marine Tourism Contingency Plan for the Great Barrier Reef Marine Park 2014.

Transfer passenger has the meaning given in the *Great Barrier Reef Marine Park Regulations 1983*.

Transit corridors are areas, in addition to the shipping areas, where cruise ships are able to transit between the inner passage in the Great Barrier Reef Marine Park and the Coral Sea pursuant to a Marine Parks permit.

Tourist program has the meaning given in the *Great Barrier Reef Marine Park Act 1975* (Cth) and *Marine Parks Act 2004* (Qld).

Visitor has the meaning given in the *Great Barrier Reef Marine Park Regulations 1983*.

Waste has the meaning given in the *Great Barrier Reef Marine Park Act 1975* (Cth).

Zone has the meaning given in the *Great Barrier Reef Marine Park Act 1975* (Cth) and *Marine Parks Act 2004* (Qld).

Zoning Plans means the *Great Barrier Reef Marine Park Zoning Plan 2003* (Cth) and the *Marine Parks (Great Barrier Reef Coast) Zoning Plan 2004* (Qld).

Supporting information

1. A [map](#) of designated anchorages and transit corridors. Great Barrier Reef Marine Park Authority (2015). Also refer to [Appendix A](#).
2. Australian Government Great Barrier Reef Marine Park Authority (2014). Marine Tourism Contingency Plan for the Great Barrier Reef Marine Park.

Further information

Director, Policy and Planning, 07 4750 0700 web-tourism@gbmpa.gov.au

Great Barrier Reef Marine Park Authority

280 Flinders Street or PO Box 1579

Townsville QLD 4810 Australia

Phone: + 61 7 4750 0700

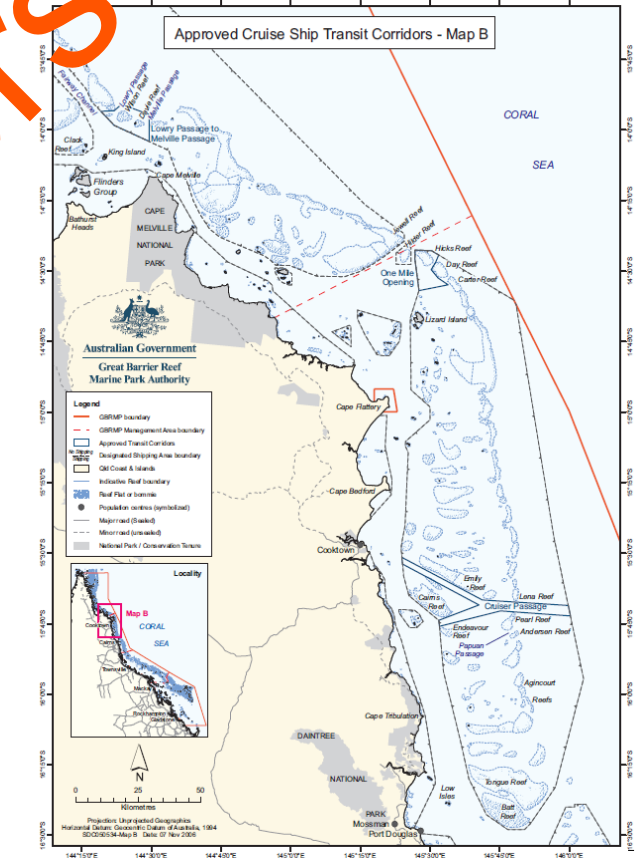
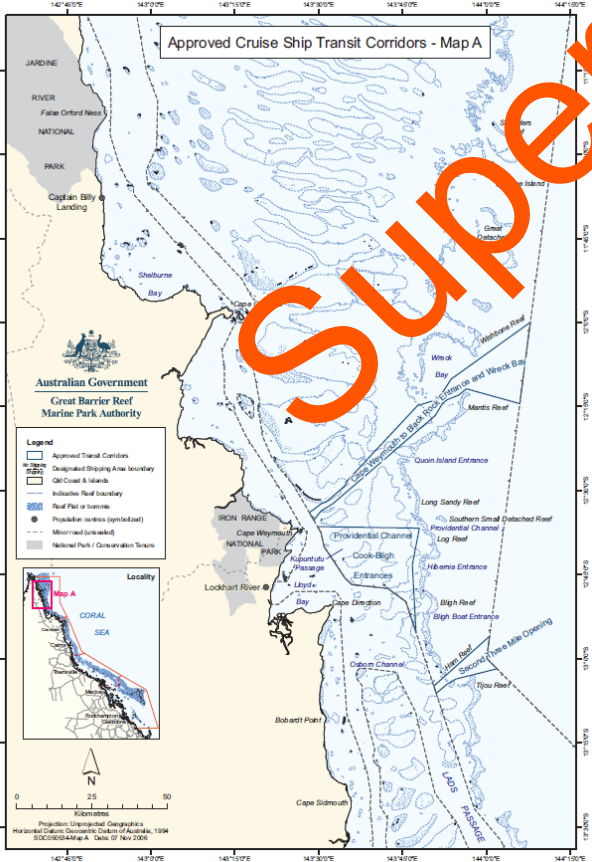
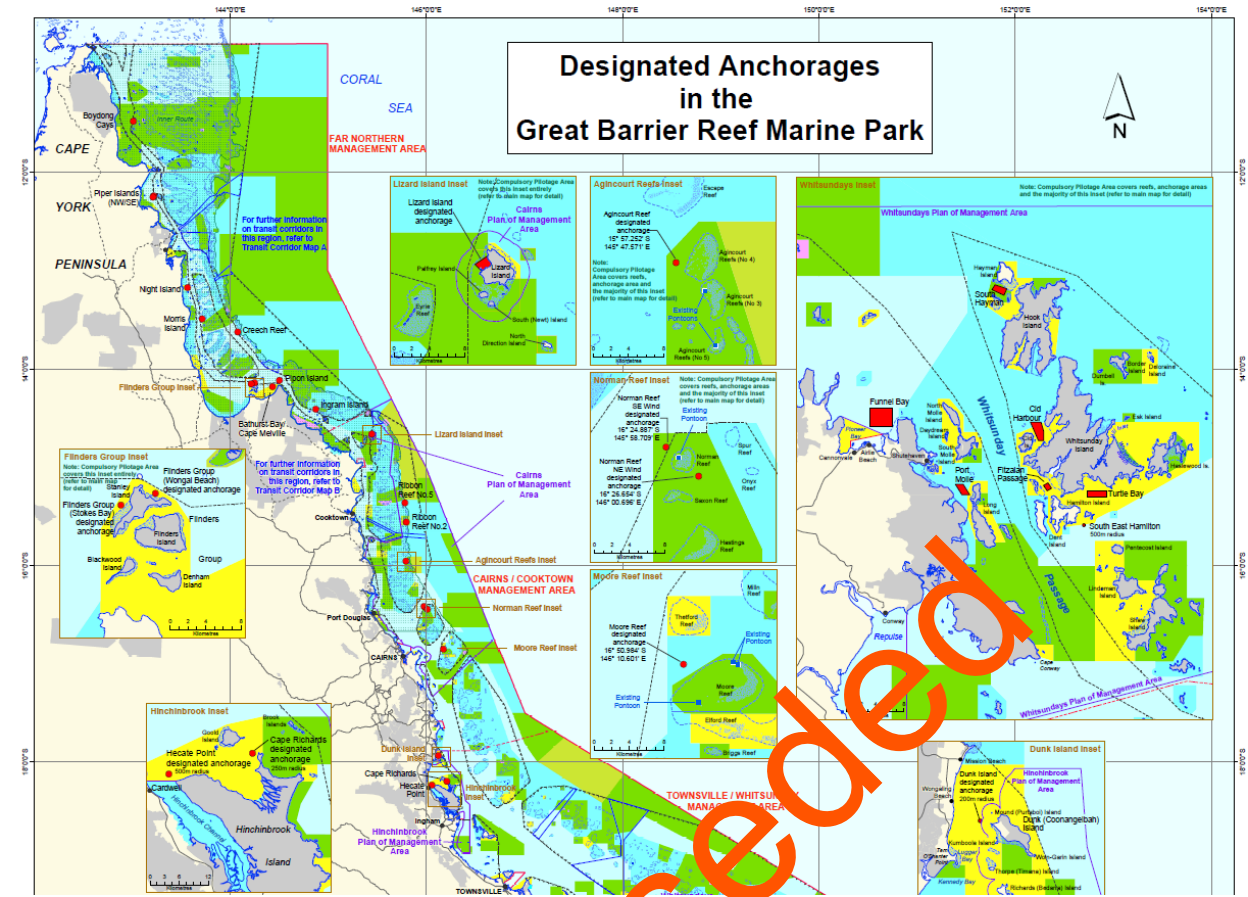
Email: info@gbmpa.gov.au

www.gbrmpa.gov.au

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Appendix A – Excerpt of map of designated anchorages and transit corridors



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