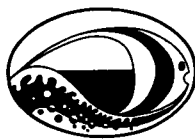
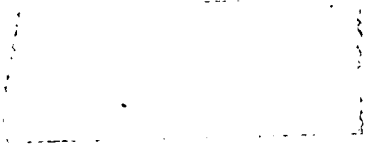


V. 173

**GREAT BARRIER REEF MARINE PARK
CAPRICORNIA SECTION**

ZONING PLAN



GREAT BARRIER REEF MARINE PARK AUTHORITY

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GREAT BARRIER REEF MARINE PARK
CAPRICORNIA SECTION

ZONING PLAN

GREAT BARRIER REEF MARINE PARK AUTHORITY

APRIL 1980

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GREAT BARRIER REEF MARINE PARK AUTHORITY

GREAT BARRIER REEF MARINE PARK - CAPRICORNIA SECTION

ZONING PLAN

PART ONE - PRELIMINARY

1 EFFECT OF ZONING PLAN

This Zoning Plan -

- (a) provides for the division of the Capricornia Section of the Great Barrier Reef Marine Park into zones and assigns a name to each such zone; and
- (b) makes provision with respect to the purposes for which each such zone is to be, or may be, used or entered.

2 INTERPRETATIONS

2.1 In the Zoning Plan unless the contrary intention appears -

"Act" means the Great Barrier Reef Marine Park Act 1975;

"Authority" means the Great Barrier Reef Marine Park Authority;

"Capricornia Section" means the area described in the Schedule to the proclamation made, on 17 October 1979, under sub-section 31(1) of the Act and assigned by that proclamation the name "Great Barrier Reef Marine Park - Capricornia Section";

- "Collecting" means the taking of coral, seashells, marine plants, oyster, pearl-oyster, trochus, green snail, and all other invertebrates, coral limestone, shell-grit and star sand;
- "Commercial fishing vessel" means a fishing vessel liable to be licensed under the Queensland Fisheries Act 1976 as a commercial fishing vessel or a boat liable to be licensed under the Commonwealth Fisheries Act 1952;
- "Coral" means coelenterate animals of the Sub-phylum Anthozoa and for the purposes of the Zoning Plan includes the coelenterate animals of the Families Milleporidae and Stylasteridae of the Class Hydrozoa, Sub-phylum Medusozoa and the animals of the Phylum Bryozoa; and the term also includes the uncompacted skeletons of those animals;
- "Fishing" means the taking of or endeavouring to take fish, including live fish, the spat, spawn and eggs thereof, and the taking of sponges, brachiopods, ascidians, annelid worms, crustaceans, molluscs and echinoderms and the processing and carrying thereof;
- "Manipulative research" means any research which by the nature of its activities will, in the opinion of the responsible agency, result in the serious damage, degradation or disruption of the physical environment or living resources of the Marine Park;
- "Marine plant" means a plant that grows below high water and includes eel-grass and dugong-grass;

- "Marine product" includes oyster, pearl-oyster, trochus, green snail, coral, and all other invertebrates, coral limestone, shell-grit and star sand;
- "Reef edge" means the seaward edge of any reef exposed at Mean Low Water Spring Tide;
- "Ship" means a vessel with a gross tonnage in excess of 500 tonnes;
- "Take" in relation to fish or marine products and marine plants includes remove, gather, catch, capture, kill, destroy, dredge for, raise, carry away, bring ashore or obtain by any means from water, land under water or the foreshore, or permit any of those acts, or to endeavour to carry out any of those acts;
- "Vessel" means a ship, boat, raft or pontoon or any other thing capable of carrying persons or goods through or on water, and includes a hovercraft.

2.2 A reference in a provision of this Plan to the responsible agency is a reference to the person or body having, under regulations made under the Act, a function or functions for the purposes of that provision.

2.3 A reference in this Plan to the Zoning Map is a reference to the map which forms part of this Zoning Plan.

2.4 This Zoning Plan does not apply to islands that form part of Queensland and which are not owned by the Commonwealth.

PART TWO - GENERAL PROVISIONS

3 ZONES

3.1 (1) In accordance with the provisions of the Act, the Capricornia Section is divided into zones in accordance with this clause.

(2) The area or areas described in Column 2 of an item in the following table constitutes, or together constitute, as the case may be, a zone having the name set out in Column 1 of the item.

Item No.	Column 1	Column 2
1	General Use 'A' Zone	The part of the Capricornia Section that is not included within any other zone.
2	General Use 'B' Zone	Subject to clause 2.4 the area bounded by an imaginary line which- (a) commences at a point of Latitude 23°10' South, Longitude 151°56' East; (b) runs thence south-easterly along the geodesic to a point of Latitude 23°53' South, Longitude 152°28' East;

Item	Column 1	Column 2
No.		
		(c) runs thence south along the last mentioned Meridian of Longitude to a point of Latitude $23^{\circ}55'$ South;
		(d) runs thence south-westerly along the geodesic to a point of Latitude $23^{\circ}57'$ South, Longitude $152^{\circ}26'$ East;
		(e) runs thence west along the Parallel of Latitude $23^{\circ}57'$ South to its intersection with Meridian of Longitude $152^{\circ}24'$ East;
		(f) runs thence north-westerly along the geodesic to a point of Latitude $23^{\circ}32'$ South, Longitude $151^{\circ}55'$ East;
		(g) runs thence south-westerly along the geodesic to a point of Latitude $23^{\circ}36'$ South, Longitude $151^{\circ}39'$ East;
		(h) runs thence north-westerly along the geodesic to a point of Latitude $23^{\circ}33'$ South, Longitude $151^{\circ}35'$ East;

Item No.	Column 1	Column 2
		(i) runs thence north along the last mentioned Meridian of Longitude to a point of Latitude $23^{\circ}30'$ South;
		(j) runs thence north-easterly along the geodesic to a point of Latitude $23^{\circ}25'$ South, Longitude $151^{\circ}53'$ East;
		(k) runs thence north-easterly along the geodesic to a point of Latitude $23^{\circ}20'$ South, Longitude $151^{\circ}50'$ East;
		(l) runs thence west along the Parallel of Latitude $23^{\circ}20'$ South to its Intersection with Meridian of Longitude $151^{\circ}40'$ East;
		(m) runs thence north along the last mentioned Meridian of Longitude to a point of Latitude $23^{\circ}15'$ South;
		(n) runs thence north-easterly along the geodesic to a point of Latitude $23^{\circ}10'$ South, Longitude $151^{\circ}52'$ East;

Item No.	Column 1	Column 2
----------	----------	----------

(o) runs thence east along the Parallel of Latitude 23°10' South to the point of commencement;

but does not include the areas within Marine National Park Zone, Scientific Research Zone, or the Preservation Zone.

3 Marine National Park Zone Subject to clause 2.4 the area within an imaginary line drawn one kilometre seaward from the the reef edge of each of the following reefs

- Heron Island Reef
- Wistari Reef

4 Scientific Research Zone Subject to clause 2.4 the area within an imaginary line drawn one kilometre seaward from the reef edge of the following reef

- One Tree Island Reef

Item No.	Column 1	Column 2
5	Preservation Zone	Subject to clause 2.4 the area within an imaginary line drawn one kilometre seaward from the reef edge of each of the following reefs - Wreck Island Reef - Llewellyn Reef

3.2 Notation of Zones on Map

To assist readers of this Plan, the approximate locations of the zones described in clause 3.1 are indicated on the Zoning Map in accordance with the following table:

Column 1	Column 2	
Name of Zone	Notation on Map	
	Colour	Line Symbol
General Use 'A' Zone	Orange	Diagonal black hatching (045° to 225°)
General Use 'B' Zone	Yellow	Diagonal black hatching (135° to 315°)
Marine National Park Zone	Pink	Horizontal black hatching
Scientific Research Zone	Blue	Vertical black hatching
Preservation Zone	Green	Black cross hatching

3.3 Notation of Areas of Restricted Use

(1) Within the General Use 'A' Zone and General Use 'B' Zone the Authority may declare Replenishment Areas. The objective of the Replenishment Area is to provide, for a specified period of time, an area which is closed to any activity which will remove living resources of the Marine Park, to enable the recovery of fish and other resource stocks.

The Replenishment Areas will consist of not more than two of the areas described around and including the following reefs:

- Irving Reef;
- Rock Cod Shoal;
- Innamincka Shoal;
- Boulton Reef;
- Lamont Reef;
- North Reef;
- Polmaise Reef;

These areas are:

(a) the area that includes Irving Reef and the boundary of which

(i) commences at a point of Latitude $23^{\circ}31'$ South, Longitude $151^{\circ}36'$ East;

(ii) runs thence south-easterly along the geodesic to a point of Latitude $23^{\circ}32'$ South, Longitude $151^{\circ}39'$ East;

- (iii) runs thence south along the last mentioned Meridian of Longitude to a point of Latitude $23^{\circ}35'$ South;
 - (iv) runs thence north-westerly along the geodesic to a point of Latitude $23^{\circ}34'$ South, Longitude $151^{\circ}36'$ East;
 - (v) runs thence north along the last mentioned Meridian of Longitude to the point of commencement;
- (b) the area that includes Rock Cod Shoal and the boundary of which
- (i) commences at a point of Latitude $23^{\circ}40'$ South, Longitude $151^{\circ}35'$ East;
 - (ii) runs thence east along the Parallel of Latitude $23^{\circ}40'$ South, to its intersection with Meridian of Longitude $151^{\circ}44'$ East;
 - (iii) runs thence south-westerly along the geodesic to a point of Latitude $23^{\circ}42'$ South, Longitude $151^{\circ}42'$ East;
 - (iv) runs thence west along the Parallel of Latitude $23^{\circ}42'$ South to its intersection with Meridian of Longitude $151^{\circ}36'$ East;

- (v) runs thence north-westerly along the geodesic to the point of commencement;
- (c) the area that includes Innamincka Shoal and the boundary of which:
- (i) commences at a point of Latitude $22^{\circ}57'$ South, Longitude $151^{\circ}45'$ East;
 - (ii) runs thence south-easterly along the geodesic to a point of Latitude $23^{\circ}00'$ South, $151^{\circ}54'$ East;
 - (iii) runs thence south along the last mentioned Meridian of Longitude to a point of Latitude $23^{\circ}03'$ South;
 - (iv) runs thence north-westerly along the geodesic to a point of Latitude $23^{\circ}00'$ South, Longitude $151^{\circ}45'$ East;
 - (v) runs thence north along the last mentioned Meridian of Longitude to the point of commencement;
- (d) the area enclosed within an imaginary line drawn 1 kilometre seawards from the reef edge of any one of the following:
- Boulton Reef;
 - Lamont Reef;
 - North Reef;
 - Polmaise Reef;

(2) Within the General Use 'B' Zone the Authority may declare Seasonal Closure Areas. The objective of the Seasonal Closure Area is to protect from human intrusion, some important bird and turtle nesting areas.

The Seasonal Closure Area will apply to one or more of the following areas, during such part of the period commencing on the first day of October in a year and finishing on the first day of March in the following year, as is specified by the Authority:

- (a) the area enclosed within an imaginary line drawn 1 kilometre seawards of the reef edge of Masthead Island Reef;
- (b) the area enclosed within an imaginary line drawn 1 kilometre seawards of the reef edge of Tryon Island Reef;
- (c) the area enclosed within an imaginary line drawn 1 kilometre seawards of the reef edge of Hoskyn Islands Reef; and
- (d) the area enclosed within an imaginary line drawn 1 kilometre seawards of the reef edge of Fairfax Islands reef;

(3) Within the General Use 'A' Zone, General Use 'B' Zone and the Marine National Park Zone, the responsible agency may declare Reef Appreciation Areas.

The objective of the Reef Appreciation Area is to provide small areas on heavily used reefs, in which the public may observe and appreciate relatively undisturbed marine life. Within such areas, fishing and collecting will not be allowed.

Reef Appreciation Areas shall not incorporate more than 20 per cent of the area of any one reef.

3.4 Notation of Areas of Restricted Use on Map

To assist readers of this Plan, the approximate locations of the Areas of Restricted Use are indicated on the Zoning Map in accordance with the following table:

Column 1	Column 2
Name of Area of Restricted Use	Notation on Map
Replenishment Area	Black dashed line symbol
Seasonal Closure Area	Black dotted line symbol

3.5 Locations of Reef Appreciation Areas are not shown on the Zoning Map.

4 APPLICATIONS FOR CONSENT

Where, in this Plan, provision is made for entry into, or use of, a zone with the consent of the responsible agency, the responsible agency -

- (a) shall, in considering an application for such consent, have regard to -
 - (i) the objectives of the zone;
 - (ii) the orderly and proper management of the zone;
 - (iii) conservation of the living natural resources of the Capricornia Section;
 - (iv) the existing use and amenity, and the future or desirable use and amenity, of the area and of adjoining and adjacent areas;
 - (v) the size, extent and location of any proposed use in relation to any nearby use;
 - (vi) the likely effects of any proposed use on adjoining and adjacent areas; and any likely adverse effects of the proposed use on the environment; and
 - (vii) the proposed means of access to and egress from any use and the adequacy of provisions for aircraft or vessel mooring, landing, parking, loading and unloading; and
- (b) may grant such consent subject to such conditions as it thinks appropriate or may refuse to grant such consent.

PART THREE - ZONE PROVISIONS

5 GENERAL USE 'A' ZONE

5.1 Objectives of the Zone

The objectives of this Zone are:

- (a) to provide opportunities for established uses and activities to continue;
- (b) to provide areas for trawling; and
- (c) to provide for replenishment areas where extractive uses are prohibited for limited periods to enable resource stocks to regenerate.

5.2 Use and Entry

The following are the only purposes for which the General Use 'A' Zone may be used or entered:

- (a) non-extractive recreational activities;
- (b) the construction, conduct and servicing of navigational aids and their ancillary buildings and works;
- (c) except in a Replenishment Area, line fishing (including trolling), bottom trawling and netting (other than in lagoons), for commercial purposes;
- (d) except in a Replenishment Area, non-commercial line fishing (including trolling), spearfishing, and netting other than in lagoons;
- (e) except in a Replenishment Area, trawl fishing;

- (f) in a Replenishment Area, trolling for mackerel species from 1 May to 31 August in each year, and the operation and navigation of vessels for this purpose;
- (g) non-manipulative research;
- (h) except in a Replenishment Area, navigation and operation of vessels;
- (i) the operation of aircraft at an altitude of not less than 150 metres above ground or water;
- (j) the operation of aircraft on the surface, within a designated landing area and at an altitude of less than 150 metres when landing on or flying out of a designated landing area;
- (k) with the consent of the responsible agency -
 - (i) except in a Replenishment Area, collecting;
 - (ii) manipulative research;
 - (iii) the provision of tourist or educational facilities;
 - (iv) the establishment of tourist or educational programs;
 - (v) in a Replenishment Area, the operation and navigation of vessels other than as specified in paragraph (f);
 - (vi) the operation of aircraft on the surface of the Zone or at an altitude of less than 150 metres above ground or water except as specified in paragraph (j);
 - (vii) any purpose consistent with the objectives of the Zone.

6 GENERAL USE 'B' ZONE

6.1 Objectives of the Zone

The objectives of this Zone are:

- (a) to provide opportunities for established uses and activities to continue;
- (b) to protect reefs from the potential effects of trawling and commercial shipping;
- (c) to provide areas where extractive uses are prohibited for limited periods to enable resource stocks to regenerate; and
- (d) to provide for Seasonal Closure areas to protect from human intrusion some important bird and turtle nesting sites.

6.2 Use and Entry

The following are the only purposes for which the General Use 'B' Zone may be used or entered:

- (a) except in Seasonal Closure Areas, non-extractive recreational activities;
- (b) the construction, conduct and servicing of navigational aids and their ancillary buildings and works;
- (c) except in a Replenishment Area, line fishing (including trolling) and netting (other than in lagoons), for commercial purposes;

- (d) in a Replenishment Area, fishing by trolling for mackerel from 1 May to 31 August in each year and the operation and navigation of vessels for this purpose;
- (e) except in a Replenishment Area, a Seasonal Closure Area or a Reef Appreciation Area, non-commercial spearfishing and fishing, other than netting in lagoons;
- (f) except in a Replenishment Area or a Seasonal Closure Area, navigation and operation of vessels, other than ships and trawl fishing vessels;
- (g) except in a Replenishment Area or a Seasonal Closure Area, navigation of a trawl fishing vessel on which all apparatus for the taking of fish by trawling is stowed and secured;
- (h) except in a Seasonal Closure Area, the operation of aircraft at an altitude of not less than 150 metres above ground or water;
- (i) except in a Seasonal Closure Area, the operation of aircraft on the surface, within a designated landing area, and at an altitude of less than 150 metres when landing in or flying out of a designated landing area;
- (j) in a Seasonal Closure Area, the operation of aircraft at an altitude of not less than 300 metres above ground or water;
- (k) with the consent of the responsible agency -
 - (i) collecting;
 - (ii) research and surveys;
 - (iii) the provision of tourist or educational facilities;
 - (iv) the establishment of tourist or educational programs;
 - (v) the navigation and operation of vessels being tourist cruise ships;

- (vi) in a Replenishment Area or a Seasonal Closure Area, the navigation of vessels being trawl fishing vessels, provided that all apparatus for the taking of fish by trawling is stowed and secured;
- (vii) navigation and operation of ships or trawl fishing vessels in the course of research;
- (viii) in a Replenishment Area, the operation of vessels, other than as specified in paragraph (f) above and sub-paragraphs (v), (vi), and (vii) of this paragraph;
- (ix) the operation of aircraft outside a Seasonal Closure Area, on the surface or at an altitude of less than 150 metres above ground or water than as specified in paragraph (i);
- (x) the operation of aircraft within a Seasonal Closure Area, on the surface or at an altitude of less than 300 metres above ground or water;
- (xi) in a Seasonal Closure Area, any purpose for which the Preservation Zone may be used or entered;
- (xii) any other purpose consistent with the objectives of the Zone.

7 MARINE NATIONAL PARK ZONE

7.1 Objective of the Zone

The objective of this Zone is to provide for the protection of the natural resources of the area while allowing the following uses; recreational activities, limited recreational fishing and approved research.

7.2 Use and Entry

The following are the only purposes for which the Marine National Park Zone may be used or entered:

- (a) non-extractive recreational activities, other than those specified below;
- (b) (i) in designated reef walking areas, walking only on reef trails; and
(ii) reef walking other than in designated reef walking areas
- (c) except in Reef Appreciation Areas, recreational line fishing that is carried out by the use of an artificial fly or a lure or by means of equipment not incorporating more than 2 hooks;
- (d) construction, conduct and servicing of navigational aids and their ancillary buildings and works;
- (e) navigation of a commercial fishing vessel on which all apparatus for the taking of fish other than that specified in paragraph (c) above is stowed and secured;
- (f) navigation and operation of tourist cruise ships;
- (g) navigation and operation of vessels other than ships except as provided in paragraphs (e) or (f).

- (h) operation of aircraft, other than operation of aircraft on the surface;
- (i) operation of aircraft on the surface within areas designated by signs as aircraft landing areas;
- (i) with the consent of the responsible agency -
 - (i) research;
 - (ii) the construction and conduct of an underwater observatory;
 - (iii) the provision of tourist or educational facilities;
 - (iv) the establishment of tourist or educational programs;
 - (v) the construction and conduct of mooring facilities for vessels;
 - (vi) the construction and conduct of landing areas for aircraft;
 - (vii) the operation of aircraft on the surface, other than in areas designated as aircraft landing areas;
 - (viii) any other use of the Zone, consistent with the objective of the Zone.

8 SCIENTIFIC RESEARCH ZONE

8.1 Objective of the Zone

The objective of this Zone is to provide an area where approved research can be carried out protected from the influences of recreational activities and resource extraction.

8.2 Use and Entry

The following are the only purposes for which the Scientific Research Zone may be used or entered with the consent of the responsible agency:

- (a) the conduct of a research station;
- (b) research subject to the provisions of clause 8.3;
- (c) any other purpose consistent with the objectives of the Zone.

8.3 Matters to be Taken into Account in the Consideration of Applications for Research

In giving its consent for research within this Zone, the responsible agency shall in addition to the provisions of clause 4, have regard to:

- (a) the environmental impact of the research;
- (b) the need for the long-term conservation of the Reef;
and
- (c) the needs of other researchers.

9 PRESERVATION ZONE

9.1 Objectives of the Zone

The objectives of this Zone are:

- (a) to preserve areas of the Reef in their natural state undisturbed by man except for the purposes of scientific research;
- (b) to provide protection around some islands where important turtle and bird nesting sites occur.

9.2 Use and Entry

The following are the only purposes for which the Preservation Zone may be used or entered:

- (a) scientific research conducted with the consent of the responsible agency, being research that cannot be carried out in any other Zone;
- (b) the operation of an aircraft at an altitude not less than 300 metres above ground or water;
- (c) with the consent of the responsible agency, any other purpose consistent with the objectives of the Zone.

PART FOUR - EXEMPTIONS

10 ACCESS IN SPECIAL CIRCUMSTANCES

In addition to the purposes for which a zone is to be, or may be, used or entered specified in clauses 5, 6, 7, 8 and 9 of this Plan, an aircraft or vessel may enter any part of a zone for the purpose of -

- (a) saving human life or avoiding the risk of injury to a human being;
- (b) locating or securing the safety of a vessel or aircraft which is or may be endangered by stress of weather or by navigational or operational hazards;
- (c) government reconnaissance, surveillance, or law enforcement;
- (d) dealing with an emergency involving a serious threat to the environment.

11 STATUTORY NOTICES

Nothing in the Zoning Plan shall be construed as regulating, restricting, restraining or prohibiting the construction or display of signs or notices required by law.

12 PROTECTED SPECIES

Nothing in the Zoning Plan shall be construed as permitting the taking of any animal or plant protected under Commonwealth or Queensland legislation.

13 APPLICATION OF QUEENSLAND, FEDERAL AND INTERNATIONAL LAW

Nothing in the Zoning Plan shall be construed as permitting any activity otherwise prohibited under the laws of the Commonwealth or Queensland.

Nothing in the Zoning Plan shall have any effect contrary to the provisions of international law.



GREAT BARRIER REEF MARINE PARK AUTHORITY
**GREAT BARRIER REEF MARINE PARK
 CAPRICORNIA SECTION**

ZONING PLAN — ZONING MAP

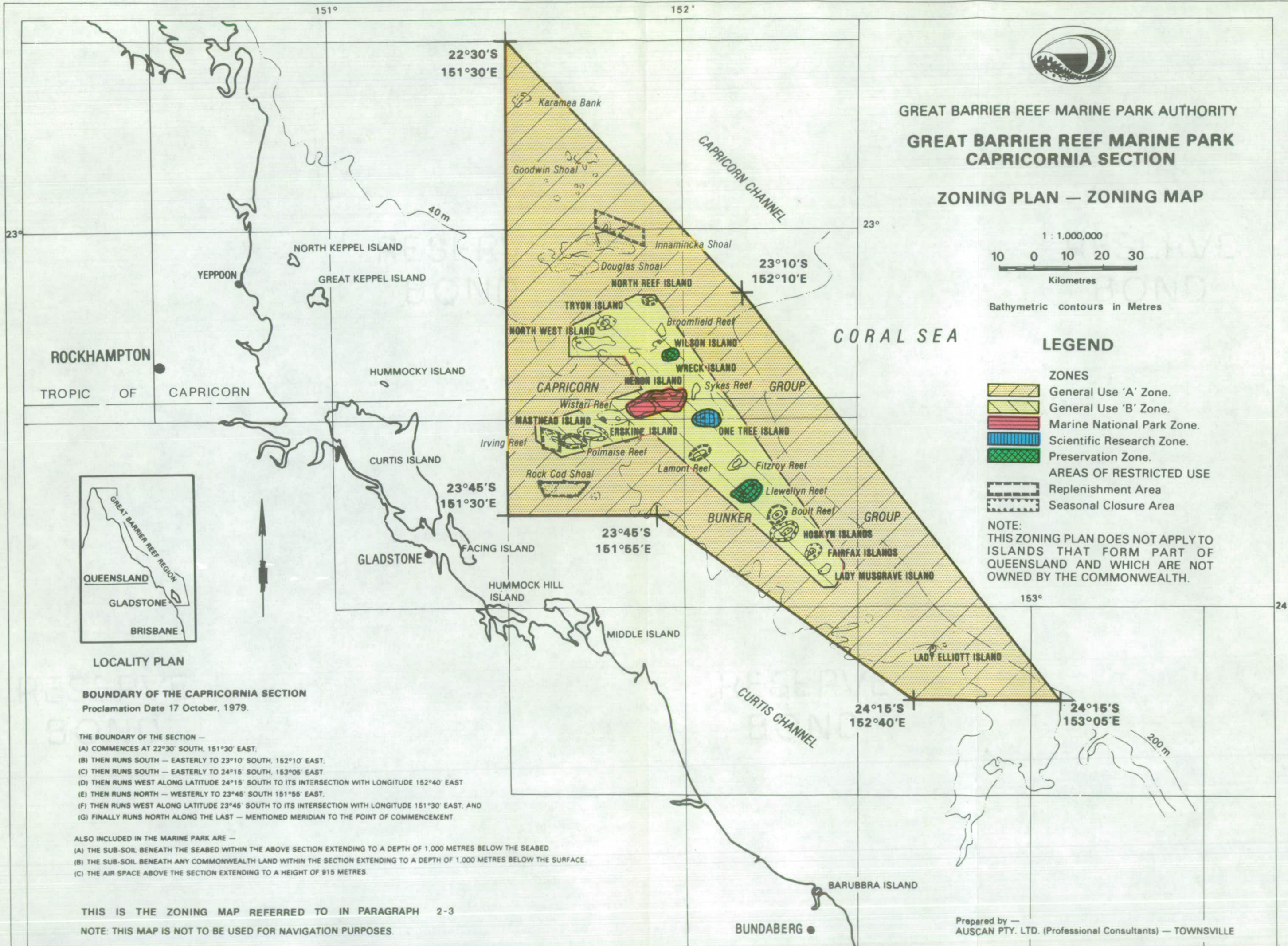


Bathymetric contours in Metres

LEGEND

- ZONES**
- General Use 'A' Zone.
 - General Use 'B' Zone.
 - Marine National Park Zone.
 - Scientific Research Zone.
 - Preservation Zone.
- AREAS OF RESTRICTED USE**
- Replenishment Area
 - Seasonal Closure Area

NOTE:
 THIS ZONING PLAN DOES NOT APPLY TO ISLANDS THAT FORM PART OF QUEENSLAND AND WHICH ARE NOT OWNED BY THE COMMONWEALTH.



LOCALITY PLAN

BOUNDARY OF THE CAPRICORNIA SECTION
 Proclamation Date 17 October, 1979.

- THE BOUNDARY OF THE SECTION —
- (A) COMMENCES AT 22°30' SOUTH, 151°30' EAST.
 - (B) THEN RUNS SOUTH — EASTERLY TO 23°10' SOUTH, 152°10' EAST.
 - (C) THEN RUNS SOUTH — EASTERLY TO 24°15' SOUTH, 153°05' EAST
 - (D) THEN RUNS WEST ALONG LATITUDE 24°15' SOUTH TO ITS INTERSECTION WITH LONGITUDE 152°40' EAST
 - (E) THEN RUNS NORTH — WESTERLY TO 23°45' SOUTH 151°55' EAST.
 - (F) THEN RUNS WEST ALONG LATITUDE 23°45' SOUTH TO ITS INTERSECTION WITH LONGITUDE 151°30' EAST, AND
 - (G) FINALLY RUNS NORTH ALONG THE LAST — MENTIONED MERIDIAN TO THE POINT OF COMMENCEMENT.

- ALSO INCLUDED IN THE MARINE PARK ARE —
- (A) THE SUB-SOIL BENEATH THE SEABED WITHIN THE ABOVE SECTION EXTENDING TO A DEPTH OF 1,000 METRES BELOW THE SEABED.
 - (B) THE SUB-SOIL BENEATH ANY COMMONWEALTH LAND WITHIN THE SECTION EXTENDING TO A DEPTH OF 1,000 METRES BELOW THE SURFACE.
 - (C) THE AIR SPACE ABOVE THE SECTION EXTENDING TO A HEIGHT OF 915 METRES

THIS IS THE ZONING MAP REFERRED TO IN PARAGRAPH 2-3

NOTE: THIS MAP IS NOT TO BE USED FOR NAVIGATION PURPOSES.

Prepared by —
 AUSCAN PTY. LTD. (Professional Consultants) — TOWNSVILLE