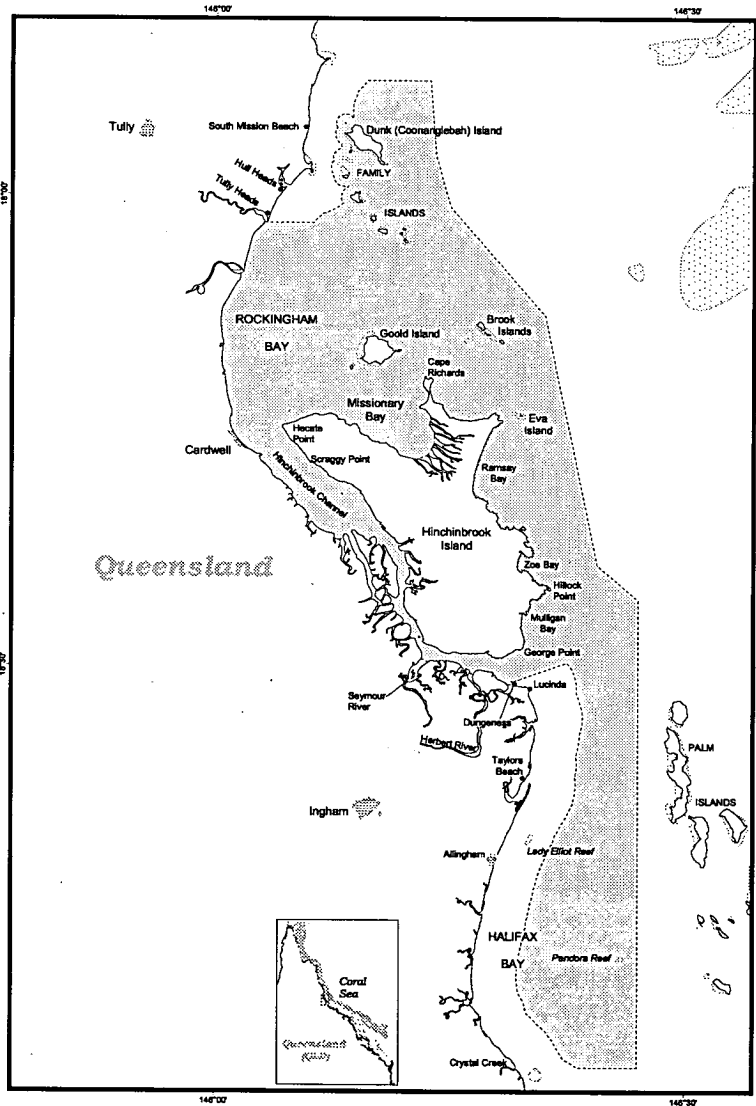




# Hinchinbrook Plan of Management 2001

## Draft



**GREAT BARRIER REEF**  
MARINE PARK AUTHORITY

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# How to read this Plan of Management

This Plan has two parts: **Part 1** and **Part 2**.

- **Part 1** introduces the reader to the values of the Area, the diversity of uses and a range of concerns for the Area. It then explores the key elements of the Plan which the Authority will implement to manage the Area.
- **Part 2** sets out Statutory Policy and the legal provisions which are enforced under the *Great Barrier Reef Marine Park Act 1975* and the Great Barrier Reef Marine Park Regulations.

# Hinchinbrook Plan of Management 2001

The GREAT BARRIER REEF MARINE PARK AUTHORITY, having regard to the protection of World Heritage values of the Great Barrier Reef Marine Park and the precautionary principle mentioned in section 3.5.1 of the Intergovernmental Agreement on the Environment (a copy of which is set out in the Schedule to the *National Environment Protection Council Act 1994*), has prepared the following plan of management under Part VB of the *Great Barrier Reef Marine Park Act 1975*.

Dated 2001

[DRAFT ONLY - NOT FOR SIGNATURE]

## Foreword

The Hinchinbrook area is a place of rugged beauty and inspiration, a place of recreation and relaxation. The area's natural attractions include vast passage landscapes, cloud-covered mountaintops, luxuriant rainforests and small islands with dense tropical vegetation, sandy beaches and fringing reefs. The area contains a diverse array of habitats, which support a range of fauna such as dugong, turtles, dolphins, as well as a host of birds and the occasional migrating whale.

The area has become internationally renowned for offering a relatively untouched nature-based experience where the scenery is superb. Uses of the area are diverse and include bush walking, camping, commercial tourism, cultural activities, recreational fishing and boating and commercial fishing.

The following vision for the Cardwell Hinchinbrook region was developed through community consultation:

*“An ecologically sustainably managed region where World Heritage values are protected with large areas of linked natural vegetation, clean rivers and coastal areas supporting biodiversity; a viable tourism industry with an emphasis on ecotourism; a sustainable fishery; and strong community involvement in management and development, particularly from Aboriginal people; all contributing with equal importance to social, cultural, ecological and economic security.”*

The Great Barrier Reef Marine Park Authority (‘the Authority’) recognises the intrinsic qualities of the area and plans to coordinate the preservation of those qualities in perpetuity, whilst allowing for appropriate levels of nature-based experiences through a range of commercial and recreational opportunities. The provisions contained within the Hinchinbrook Plan of Management (the Plan) provide the Authority with the mechanism to perform this important task.

The *Great Barrier Reef Marine Park Act 1975*, the *Great Barrier Reef Marine Park Regulations 1983*, the Central Section Zoning Plan and this Plan of Management provide the statutory foundation for managing those areas in the Hinchinbrook region that lie within the Great Barrier Reef Marine Park. The Authority believes that the statutory management strategies made under this Plan can be complemented by other actions to ensure wise use whilst protecting the values of the area. Consequently, the Authority encourages widespread use of Best Environmental Practices and cooperative working arrangements with Marine Park stakeholder groups and the public.

The Authority and the Queensland Environmental Protection Agency (primarily the Queensland Parks and Wildlife Service) are joint managers of the Great Barrier Reef World Heritage Area. These management agencies have adopted a coordinated approach to ensure that the values of the region are maintained. This Plan should be read in conjunction with the Hinchinbrook Marine Management Plan, which covers the Queensland marine waters within the Hinchinbrook area.

It is intended that this Plan will be in force indefinitely, however it may be necessary to update the Plan in response to new information and changing community attitudes. Any proposed amendments to this Plan will involve community consultation.

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# Part 1 Management of the Hinchinbrook Planning Area

## Division 1 Preliminary

### 1.1 Name of Plan

This Plan is the *Hinchinbrook Plan of Management 2001*.

### 1.2 The Planning Area and the application of this Plan

This Plan applies to the part of the Great Barrier Reef Marine Park within the Hinchinbrook Planning Area (that is, the area described in Schedule 1).

*Note* The Plan (except Part 2 — Enforcement Provisions) commences on gazettal: see subsection 39ZF (1) of the Act. Part 2 of the Plan commences on the day on which regulations made under paragraph 66 (2) (ba) of the Act declare that the Part takes effect: see the Act, subsection 39ZF (2).

### 1.3 General intent

- (1) The general intent of this Plan is, in conjunction with other management mechanisms, to protect and conserve identified values of the Hinchinbrook Planning Area, while allowing for reasonable opportunities to access and use the Planning Area in an ecologically sustainable manner.
- (2) The Great Barrier Reef Marine Park Authority (the *Authority*) is the administering authority for the *Great Barrier Reef Marine Park Act 1975*. Section 39Y of that Act sets out the objects of plans of management. These are:
  - (a) to ensure, for particular areas of the Marine Park in which the Authority considers that nature conservation values, cultural and heritage values, or scientific values are, or may be, threatened, that appropriate proposals are developed to reduce or eliminate the threats; and
  - (b) to ensure management for the recovery and continued protection and conservation of species and ecological communities that are, or may become:
    - (i) extinct; or
    - (ii) extinct in the wild; or
    - (iii) critically endangered; or
    - (iv) endangered; or
    - (v) vulnerable; or
    - (vi) conservation dependent; and
  - (c) to ensure that activities within areas of the Marine Park are managed on the basis of ecologically sustainable use; and
  - (d) to provide a basis for managing the uses of a particular area of the Marine Park that may conflict with other uses of the area or with the values of the area; and

- (e) to provide for the management of areas of the Marine Park in conjunction with community groups in circumstances where those groups have a special interest in the areas concerned; and
  - (f) to enable people using the Marine Park to participate in a wide range of recreational activities.
- (3) Subsection 39Z (1) of the Act states that the Authority in preparing management plans must have regard to:
- (a) the protection of World Heritage values of the Marine Park; and
  - (b) the precautionary principle.

*Note* Section 39Z of the Act defines *the precautionary principle* to have the same meaning as in section 3.5.1 of the Intergovernmental Agreement on the Environment. (The Agreement is set out in full in the Schedule to the *National Environment Protection Council Act 1994*). The principle is as follows:

Where there are threats of serious or irreversible environmental damage, lack of full scientific certainty should not be used as a reason for postponing measures to prevent environmental degradation.

#### **1.4 Objectives for Hinchinbrook Planning Area**

In addition to the objects of plans of management in subclause 1.3 (2), the Authority has identified additional objects for the Hinchinbrook Planning Area. They are:

- (a) to ensure maintenance of the biodiversity of the Planning Area by managing marine ecosystems in a manner that retains their natural values and ecological integrity; and
- (b) to ensure the conservation of rare, vulnerable or endangered species or communities and their habitats; and
- (c) to ensure that cultural heritage values are protected; and
- (d) to ensure that the wild and natural qualities of the Planning Area are maintained by minimising impacts of recreational and commercial use on these qualities, including minimising disturbance to users caused by noisy and intrusive activities; and
- (e) to ensure that Australia's obligations to protect, conserve, present, rehabilitate and transmit to future generations the outstanding universal values of this portion of the Great Barrier Reef World Heritage Area are upheld.

#### **1.5 Interpretation**

- (1) In this Plan, a term defined in Schedule 9 has the meaning given in that Schedule, unless the context elsewhere in this document indicates otherwise in a particular case.
- (2) A reference in this Plan to an island, reef or other place, followed by an identification number in brackets (for example, South Island (18-008C)), is a reference to the island, reef or place as named and identified in the Great Barrier Reef Marine Park Central Section Zoning Plan (specifically Hinchinbrook Island BRA-Q110 and Dunk Island BRA-Q109 published by the Authority in October 1987).

*Note* If the name of an island, reef or place has changed since it was named and identified in the Great Barrier Reef Marine Park Central Section Zoning Plan, a reference to that

island, reef or place in this Plan is to the island, reef or place as it is currently named and identified.

- (3) A geographic coordinate mentioned in this Plan is to be determined by reference to the Geocentric Datum of Australia (known as *GDA94*), as defined in *Gazette* No. GN 35 of 6 September 1995.

*Note 1* Schedule 9 defines *Location* (which includes *Sensitive Locations*) as an area, which may be an island, reef or other place, described in Schedule 2.

*Note 2* The intertidal areas and the land on most of the islands are managed by the Queensland Parks and Wildlife Service unless leased or privately owned.

*Note 3* The Commonwealth island of South Island (18-008C), and its intertidal area, is managed by the Great Barrier Reef Marine Park Authority.

*Note 4* The Great Barrier Reef Marine Park Authority, under a Memorandum of Understanding with other Commonwealth portfolio agencies, is the lead agency for the Commonwealth in managing and assessing activities in the Great Barrier Reef World Heritage Area.

## **Division 2            Nature Conservation**

### **1.6            Nature Conservation Strategies**

- (1) The Authority considers protection of the nature conservation values of the Marine Park to be a major consideration of management. Use that threatens, or potentially threatens, nature conservation values will be managed to reduce or eliminate threats.
- (2) Strategies to reduce or eliminate the threats to marine animals, plants and habitats in the Planning Area are:
- (a) taking of, or interfering with dugongs, will not be allowed in the Planning Area;
  - (b) managing the number of people on tourism operation vessels or aircraft, and in some cases the size, nature and speed of tourism operation vessels operating in Sensitive Locations in the Planning Area with relatively significant dugong populations;
  - (c) encouraging vessel traffic north-westerly of Hinchinbrook Island and in the Missionary Bay Location to use the marked voluntary transit lanes (see Map 3 in Schedule 8), and travel at the recommended voluntary speed of:
    - (i) 25 knots within transit lanes, including transit lanes over seagrass beds; and
    - (ii) 10 knots over seagrass beds outside transit lanes; and
    - (iii) 10 knots when travelling near a large sea animal, for example, a dugong or a whale;
  - (d) introducing a maximum overall length of 20 metres for all vessels in the Missionary Bay Location, including those transiting the Location.
- (3) Strategies to reduce or eliminate the threats to corals and associated biota in the Planning Area are:
- (a) damaging coral will not be allowed, but:

- (i) in developing regulations, special consideration or exception will be given to the use of a lightweight reef pick, if reasonable care is taken to avoid damaging coral; and
  - (ii) the prohibition will not apply to a person collecting coral in accordance with a relevant permission;
  - (b) areas of coral reef that are most susceptible to damage, and known sites for rare species, will be identified as no-anchoring areas and marked by reef protection markers where appropriate, and anchoring, including the use of diver descent lines and other facilities, will not be allowed within these no-anchoring areas;
  - (c) the Authority, recognising that there is a vessel size where anchoring equipment has a higher risk of causing damage to coral and other marine ecosystems, proposes that no vessel of greater than 35 metres may anchor in a Location, other than in a cruise ship anchorage.
- (4) Subclause (3) does not apply in a situation where human safety is at risk and vessels are seeking a safe anchorage for protection from a severe storm or cyclone.
- (5) Strategies to reduce or eliminate the threats to birds and their habitats in the Planning Area are requiring that a person must not operate:
- (a) an aircraft below 1 500 feet (above ground or water) to approach within 1 000 metres lateral distance of a significant bird site during the restriction period mentioned in Schedule 5 for that site; or
  - (b) a vessel at greater than 6 knots within 200 metres of a significant bird site during the restriction period mentioned in Schedule 5 for that site.

## **Division 3                    Use of the Planning Area**

### **1.7            Use of the Planning Area — General Strategies**

#### *Tourism use*

- (1) This Plan focuses on the protection and conservation of specific ecosystems and species through the management of tourism operations, where activities take place in Great Barrier Reef Marine Park waters of the Planning Area (see Map 1 in Schedule 8).
- (2) An aspect of managing tourism operations in the Planning Area relates to addressing existing permit latency, since the present permitted use of the Planning Area is many times the actual levels of use. This Plan proposes to address the latency in permitted use by managing access to the Planning Area for both permitted tourism operations and new tourism operations, and by establishing a booking system for some tourism operations. The Authority's intent is to review permit latency on the basis of demonstrated use.
- (3) Locations, as set out in Schedule 2, are designated places in the Planning Area that are a focus for specific management. The management setting (see Table 1 and Map 4 in Schedule 8) for each Location reflects the Authority's intent to manage:
  - (a) the number of people per tourism operation visiting a Location; and

- (b) the size of tourism operation vessels visiting a Location.
- (4) Management settings create conditions for tourism operations, such that a tourism operation may not access:
  - (a) any Location, if the vessel used by the operation is greater than 35 metres in length; or
  - (b) a moderate use setting Location if the operation is operating with more than 30 people; or
  - (c) a low use setting Location if the operation is operating with more than 15 people.
- (5) However, the vessel length and group size limits in subclause (4) will not apply to:
  - (a) a vessel transiting through a Location (other than the Missionary Bay Location, where a 20 metre vessel length restriction applies); or
  - (b) large vessels anchoring in, or transiting to or from, a cruise ship anchorage for which a booking has been secured; or
  - (c) a long range roving operation; or
  - (d) a vessel being operated in accordance with an authorisation.
- (6) Also, if a new permission mentions that a person may do a thing despite subclause (4), that subclause does not prevent the person doing that thing according to the permission.

*Other use*

- (7) In relation to aircraft, it is the Authority's intention that:
    - (a) a person will not land in, take off from or taxi an aircraft in a Location; and
    - (b) no helicopter, seaplane or other aircraft will be permitted to land in, take off from or taxi in the Hinchinbrook Island Dugong Protection Area (see Map 3 in Schedule 8).
- Note* Outside of a Location in the Planning Area, an aircraft must not be operated at less than 500 feet above ground or water without a relevant permission (see the Zoning Plan).
- (8) Vessels greater than 20 metres in length will not be permitted to operate in, or transit through, the Missionary Bay Location.
  - (9) Other strategies relating to use of the Planning Area, such as those outlined in clause 1.6, apply to all users of the Planning Area.
  - (10) The Authority intends that:
    - (a) given current levels of recreational use of the Planning Area, management settings will only apply to tourism operations; and
    - (b) a reference to group size will not include transfer passengers.

**Table 1 Management Settings for designated Locations**

<p><b>INTENSIVE USE SETTING</b></p> <p>Immediately adjacent to ports, urban areas and resorts. Locations in intensive use settings are the access points to the parks and may be a focus for intensive tourism and recreation use. Expect these Locations to be heavily used by a wide range of craft, and to contain permanent facilities (for example, jetties and boat ramps). These Locations may have anchorages for large vessels, as defined in Schedule 7.</p>	
Conservation values	Although these are intensively used and developed Locations, they often contain elements of high conservation and cultural value which require protection through intensive management.
Recreation values	Natural harbours or protected anchorages favoured for beach hire, motorised water sports and transfer passengers. Emphasis on access and resort style recreation and tourism.
Management values	<p>These Locations will require detailed assessment of individual development proposals to protect the Great Barrier Reef World Heritage Area values and may require additional site planning to determine appropriate use patterns eg moorings placement, segregated swimming and boating areas. Site plans will be developed as required.</p> <p><i>Note</i> Site management plans for specific sites adjacent to the marine parks (eg the Port of Lucinda) will be developed by the relevant management agency (eg Queensland Parks and Wildlife Service) in consultation with other stakeholders.</p>
Use levels	Maximum number of people per operation (including crew) — no limit on group size. Maximum vessel size — 35 metres, except in cruise ship anchorages, where this limit does not apply.
<p><b>MODERATE USE SETTING</b></p> <p>A natural setting that may have moderate levels of visitation. Locations in moderate use settings are easily accessed, and facilities such as moorings would generally be inappropriate except as management tools to minimise impacts or assist in visitor interpretation of the Location. Expect these Locations to be visited occasionally by large vessels with the number of passengers as stipulated below.</p>	
Conservation values	Although these Locations experience moderate use, they often contain elements of high nature conservation, scientific, cultural and World Heritage value that will require protection through appropriate management arrangements.
Recreation values	Favoured locations for day use and overnight use by smaller vessels. Emphasis on passive recreation, including, in some cases, provision for moderate-sized groups of people.

Management values	Site plans will be developed as required but these Locations are not suitable for beach hire operations, motorised water sports or goods and service vending. However, tourism operators will be able to sell goods (eg food, drink) and services (eg scuba diving, snorkelling) to their passengers. Motorised water sports may be allowed at appropriate areas, adjacent to the Dunk Island Spit and western Goold Island (18-010). When identified in a site plan, certain types of vessels will also be restricted (eg hovercraft).
Use levels	Maximum number of people per operation (including crew) — 30 group size.
<b>LOW USE SETTING</b>	
A natural setting with low levels of visitation. Expect Locations in low use settings to be free from facilities except those required for management purposes.	
Conservation values	High nature conservation, scientific, cultural and World Heritage values associated with seagrass meadows, dugongs, turtles, mangroves, coral reefs, seabird breeding sites and other sensitive habitats or features. Often remote, with access restrictions that aim to maintain low levels of visitation and impact to achieve protection and conservation of values. Management actions will be undertaken to protect and maintain these values.
Recreation values	Favoured locations for locals and small roving vessels. Emphasis on isolation and passive recreation for small groups of people.
Management values	Site plans may be developed if required. Locations are not suitable for beach hire operations, motorised water sports or goods and service vending. However, tourism operators will be able to sell goods (eg food, drink) and services (eg scuba diving, snorkelling) to their passengers. When identified in a site plan, certain types of vessels will also be restricted (eg hovercraft).
Use levels	Maximum number of people per operation (including crew) — 15 group size.

*Note* Subclause 1.7 (10) provides that it is the Authority's intention that the management settings will only apply to tourism operations and that a reference to group size will not include transfer passengers.

## 1.8 Management of tourism operations

- (1) Eleven types of tourism operations have been identified which operate in the Planning Area. These tourism operations and the eligibility criteria for determining their level of access to the Planning Area are set out in Table 2.
- (2) The eligibility criteria to access the Planning Area are based on existing permissions to use the Planning Area, and demonstrated use of the Planning Area of 50 or more days between the commencing day and a date 18 months before that day.
- (3) Tourism operations that meet eligibility criteria (that is, would be classified as a Regional Tour Operation according to Table 2) to access the Planning

Area will be granted 365 day access to the Planning Area and exempted from booking requirements for the Planning Area.

- (4) New tourism operations and tourism operations that do not meet the eligibility criteria (that is, would be classified as a Standard Tour Operation according to Table 2) may, subject to a written permission, operate in the Planning Area for up to 50 days a year with a booking. Bookings will provide access to the Planning Area:
  - (a) for vessel operations — for a maximum of 10 Standard Tour Operations per day; and
  - (b) for aircraft operations — for a maximum of 2 Standard Tour Operations per day.
- (5) Neither bookings nor limits to the number of days entry to the Planning Area are considered necessary for bareboat operations, craftless operations, hire operations, motorised water sports operations, non-motorised craft operations, passenger transport operations or support service operations.
- (6) The Authority recognises that craftless operations, hire operations, non-motorised craft operations, passenger transport operations and support service operations are low impact tourism operations and therefore will not permit conversion from these kinds of operations to other tourism operations.
- (7) The Authority recognises that long range roving operations, motorised water sports operations and aircraft operations have a unique style of operation and impact and therefore will not permit conversion from these kinds of operations to other tourism operations.

## **1.9 Restrictions on installing certain facilities in the Planning Area**

- (1) Recognising that the installation of moorings and tourist facilities at popular destinations may lead to exclusivity and displacement of other users, the number of such facilities permitted in the Planning Area will be capped, except:
  - (a) in an intensive use setting Location; or
  - (b) in an area outside a Location, other than an intensive use setting Location; or
  - (c) a public mooring; or
  - (d) a mooring as part of its temporary relocation or replacement under subclause (2).
- (2) If a place (the *original place*) in the Planning Area is severely damaged by a severe environmental incident, the Authority may:
  - (a) if a permitted tourist facility was, before the incident, installed at the original place — allow the facility to be temporarily relocated to a different place in the Planning Area; or
  - (b) if a permitted tourist facility was, before the incident, installed at the original place and the facility was destroyed by the incident — allow the operator of the facility to temporarily install a new facility in a different place in the Planning Area; or

- (c) if a permitted tourist program normally operates at the original place — allow the program to operate temporarily at a different place in the Planning Area.

#### *Marine Tourism Contingency Plan*

- (3) No permitted tourist facility or permitted tourist program will be allowed to temporarily relocate to a different place in the Planning Area until a Marine Tourism Contingency Plan has been prepared and adopted by the Authority.
- (4) A Marine Tourism Contingency Plan is required to specify:
  - (a) the circumstances in which the Authority will allow a permitted tourist facility or permitted tourist program to temporarily relocate to a different place in the Planning Area; and
  - (b) the places to which a permitted tourist facility or permitted tourist program can relocate.

*Consultation note* The Authority is currently preparing a document to be called the Marine Tourism Contingency Plan which will contain criteria against which an application to temporarily relocate a permitted tourist facility or permitted tourist program will be assessed. The Authority intends that the Contingency Plan will also specify the circumstances in which, and the areas to which, the Authority will allow temporary relocation.

- (5) For subclause (2), a severe environmental incident may be, for example, an oil spill or a cyclone.
- (6) For subclause (2), a permitted tourist facility is a tourist facility the operation of which is authorised by a relevant permission.

*Note* The installation of a tourist facility mentioned in subclauses (1) and (2), or the operation of a tourist program mentioned in paragraph (2) (c), is subject to the application, assessment and decision-making processes under the Regulations for a relevant permission to install a tourist facility or operate a tourist program. The processes under the Regulations include an assessment of the suitability of the proposed installation site for a tourist facility.

### **1.10 Management of certain tourism operations and commercial uses**

#### *Cruise ship operations*

- (1) Cruise ship operations will not be permitted in Locations in the Planning Area, except when anchored at (or transiting to or from) a cruise ship anchorage, as set out in Schedule 7, for which a booking has been secured.
- (2) Standard cruise ship operations (that is, those that do not meet the eligibility criteria set by this Plan) will be required to secure a booking for the Planning Area, with a maximum of 12 bookings to the Planning Area per year for these operations.
- (3) There will be a maximum of 2 bookings for standard cruise ship operations in the Planning Area available per day.
- (4) Cruise ship operations will not be permitted to transit through Sensitive Locations.

### *Bareboat operations*

- (5) The Authority is concerned that there are a limited number of Locations in the Planning Area for bareboats to visit and that there is already a significant number of permissions for bareboats in the Planning Area that remain unused. Because the Authority recognises that it is more environmentally sensitive to have accredited bareboat operations, and guided rather than unguided bareboats, the Authority will:
- (a) cap the number of bareboats permitted to operate in the Planning Area; and
  - (b) not permit the conversion of crewed vessel operations (with a Regional Tour Operation classification) to bareboat operations; and
  - (c) allow bareboat operations to provide sail guides as required; and
  - (d) develop an accreditation and training program which, once implemented, may require compliance by all bareboat operations in the Planning Area.

### *Aircraft operations*

- (6) In addition to strategies relevant to all aircraft in paragraph 1.6 (5) (a) and subclause 1.7 (7), the Authority intends that a person must not operate an aircraft for scenic flights as part of a tourism operation below 1 500 feet (above ground or water) in a Location, except when landing at, or taking off from, Dunk Island Airport.

*Note* Outside of a Location in the Planning Area, an aircraft must not be operated at less than 500 feet above ground or water without a relevant permission (see the Zoning Plan).

### *Other operations and commercial uses*

- (7) Tourism operations using vessels larger than 35 metres will not be allowed to operate their tenders in the Planning Area, except to transfer passengers (by the most direct reasonable route) between their vessel and:
- (a) a place outside the Planning Area; or
  - (b) a tourist facility within, or partly within, the Planning Area.
- (8) Hire operations may only be conducted, and vessels selling goods or services may only be operated, in intensive use setting Locations.
- (9) The Authority intends that a person must not operate a vessel for motorised water sports as part of a tourism operation in a Location, except:
- (a) an intensive use setting Location; or
  - (b) the Dunk Island Location.
- (10) The Authority intends that a person must not operate a high speed vessel as part of a tourism operation in a Location, except:
- (a) an intensive use setting Location; or
  - (b) when conducting a motorised water sports operation — the Dunk Island Location.

*Note* For motorised water sports operation, see Table 2 (c).

### **1.11 Management of certain activities and vessels**

- (1) The Authority intends that a person must not operate a vessel for motorised water sports in a Location, except in:
  - (a) an intensive use setting; or
  - (b) the Dunk Island Location and Goold Island Location.
- (2) The Authority intends that a person must not operate a hovercraft in a Location, except an intensive use setting Location.

### **1.12 Sensitive Location strategies**

- (1) Sensitive Locations, as listed in Schedule 4, have been identified for their special combination of high nature conservation, scientific, cultural and World Heritage values, their present use levels and opportunities, and the need for further specific management provisions.
- (2) The intensity of tourism use will be managed at Sensitive Locations by regulating the number of tourism operation vessels visiting the Sensitive Location on any single day. Management setting provisions (described in Table 1), as well as tourism operation provisions and eligibility criteria (described in Table 2), also apply to Sensitive Locations.
- (3) Tourism operations that meet Sensitive Location eligibility will be exempted from booking requirements and limits on the number of days the Sensitive Location may be entered, providing the number of days allowed does not exceed that granted under an existing permission.
- (4) Tourism operations that meet Sensitive Location eligibility will be exempted from limits on the maximum number of people per vessel or aircraft entering the Sensitive Location, providing the number of people allowed does not exceed that granted under an existing permission.
- (5) Tourism operations that meet Sensitive Location eligibility will be exempted from vessel length limits for the Sensitive Location, providing the vessel length allowed does not exceed that granted under an existing permission.
- (6) The following tourism operations will be required to have a booking to enter a Sensitive Location:
  - (a) new tourism operations (that is, Standard Tour Operations);
  - (b) Regional Tour Operations that cannot satisfy eligibility criteria for access to a Sensitive Location; and
  - (c) long range roving operations.
- (7) The following tourism operations will not be required to have a booking to enter a Sensitive Location:
  - (a) aircraft operations;
  - (b) bareboat operations;
  - (c) craftless operations;
  - (d) hire operations;
  - (e) non-motorised craft operations; and
  - (f) support service operations.

**Table 2 Tourism operations — Access to Planning Area**

**(a) Access to Planning Area and Locations within Planning Area for Standard Tour Operations**

Standard Tourism Operation	Access to Planning Area	Access to Locations other than Sensitive Locations	Access to Sensitive Locations
<p><b>Vessels equal to, or less than, 35 m in length</b></p>	<p>50 days access per year subject to booking.</p>	<p>Access subject to setting restrictions.</p>	<p>Access subject to booking</p>
<p><b>Large vessels of more than 35 m, and less than or equal to 70 m, in length</b></p> <p><i>Note 1</i> Anchoring limited to cruise ship anchorages or outside any Location in the Planning Area.</p> <p><i>Note 2</i> All vessels must book to use cruise ship anchorages.</p>	<p>50 days access per year subject to booking.</p>	<p>No access permitted except when anchoring at, or transiting to or from, a cruise ship anchorage.</p>	<p>No access permitted</p>
<p><b>Large vessels of more than 70 m in length</b></p> <p><b>Cruise Ship Operation</b></p> <p><i>Note 1</i> Anchoring limited to cruise ship anchorages or outside any Location in the Planning Area.</p> <p><i>Note 2</i> All vessels must book to use cruise ship anchorages.</p>	<p>Access is subject to booking, except if transiting</p> <p>There will be a maximum of 12 bookings per year, and 2 bookings per day for cruise ship operations.</p>	<p>No access permitted except when anchoring at, or transiting to or from, a cruise ship anchorage.</p>	<p>No access permitted</p>
<p><b>Aircraft Operation</b></p>	<p>50 days access per year subject to booking.</p>	<ol style="list-style-type: none"> <li>1. Limited to 2 visits (that is, 2 flights, each comprising 1 take-off and 1 landing), totalling no more than 48 hours, per Location in any week.</li> <li>2. No scenic flights below 1 500 feet.</li> </ol>	<ol style="list-style-type: none"> <li>1. No booking required.</li> <li>2. Limited to 2 visits (that is, 2 flights, each comprising 1 take-off and 1 landing), totalling no more than 48 hours, per Location in any week.</li> <li>3. No scenic flights below 1 500 feet.</li> </ol>

(b) **Access to Planning Area and Locations within Planning Area for Regional Tour Operations**

<b>Tourism Operation</b>	<b>Access to Planning Area and Locations other than Sensitive Locations</b>	<b>Access to Sensitive Locations</b>
<p><b>Vessels equal to, or less than, 35 m in length</b></p>	<p>All year access without a booking, if:</p> <ul style="list-style-type: none"> <li>• the operation meets eligibility requirements (see clause 1.14); or</li> <li>• there are special circumstances.</li> </ul>	<p>May be endorsed to operate as currently permitted in specific Sensitive Locations, without a booking, if:</p> <ul style="list-style-type: none"> <li>• the operation operated to the Sensitive Location on at least 1 day in the year before the commencing day; or</li> <li>• there are special circumstances.</li> </ul>
<p><b>Large vessels of more than 35 m and less than, or equal to, 70 m in length</b></p> <p><i>Note 1</i> Anchoring limited to cruise ship anchorages or outside any Location in the Planning Area.</p> <p><i>Note 2</i> All vessels must book to use cruise ship anchorages.</p>	<p>May be endorsed to operate up to existing permitted use if:</p> <ul style="list-style-type: none"> <li>• the operation meets eligibility requirements (see clause 1.14); or</li> <li>• there are special circumstances.</li> </ul>	<p>May be endorsed to operate as currently permitted in specific Sensitive Locations, without a booking, if:</p> <ul style="list-style-type: none"> <li>• the operation operated to the Sensitive Location on at least 1 day in the year before the commencing day; or</li> <li>• there are special circumstances.</li> </ul>
<p><b>Large vessels of more than 70 m in length</b></p> <p><b>Cruise Ship Operation</b></p> <p><i>Note 1</i> Anchoring limited to cruise ship anchorages or outside any Location in the Planning Area.</p> <p><i>Note 2</i> All vessels must book to use cruise ship anchorages.</p>	<p>May be endorsed to operate up to existing permitted use if:</p> <ul style="list-style-type: none"> <li>• the operation meets eligibility requirements (see clause 1.14); or</li> <li>• there are special circumstances.</li> </ul>	<p>May be endorsed to operate as currently permitted in specific Sensitive Locations, without a booking, if:</p> <ul style="list-style-type: none"> <li>• the operation operated to the Sensitive Location on at least 1 day in the year before the commencing day; or</li> <li>• there are special circumstances.</li> </ul>
<p><b>Aircraft Operation</b></p>	<p>All year access without a booking, if</p> <ul style="list-style-type: none"> <li>• the operation meets eligibility requirements (see clause 1.14); or</li> <li>• there are special circumstances.</li> </ul>	<p>May be endorsed to operate as currently permitted in specific Sensitive Locations, without a booking, if:</p> <ul style="list-style-type: none"> <li>• the operation operated to the Sensitive Location on at least 1 day in the year before the commencing day; or</li> <li>• there are special circumstances.</li> </ul>

(c) **Access to Planning Area and Locations within Planning Area for other Tourism operations**

<b>Tourism operation</b>	<b>Access to the Planning Area and Locations</b>
<b>Long Range Roving Operation</b>	<p>100 days access to the Planning Area and Locations other than Sensitive Locations without a booking.</p> <p>Access to Sensitive Locations is subject to a booking.</p> <p>The following permit conditions also apply:</p> <ul style="list-style-type: none"> <li>• maximum vessel length of 35 m;</li> <li>• must be surveyed for overnight operation, with provision for 8 or more sleeping berths;</li> <li>• limited to 30 passengers (not including crew), however, the vessel may carry more than 30 passengers (not including crew) on no more than 10 days per year, subject to group size limits and the operator telling the Authority, in writing, about such an operation before conducting the operation;</li> <li>• up to 2 visits, totalling no more than 48 hours, per Location in any week;</li> <li>• must not operate to a fixed schedule, or advertise or promote a regular destination, route or timetable;</li> <li>• must only operate as a whole vessel charter with a single client, without bookings from individual passengers or agents.</li> </ul>
<b>Hire Operation</b>	<p>All year access to the Planning Area and all Locations without a booking.</p> <p><i>Note</i> For restrictions on hire operations, see subclause 2.15 (3).</p>
<b>Bareboat Operation</b>	<p>All year access to the Planning Area and all Locations without a booking.</p> <p><i>Note</i> No new permissions will be issued for the Planning Area.</p>
<b>Craftless Operation</b>	<p>All year access to the Planning Area and all Locations without a booking.</p> <p><i>Note</i> Craftless operations that use a vessel or aircraft to enter the Planning Area will be limited to the same access and activities permitted for that vessel or aircraft.</p>
<b>Motorised Water Sports Operation</b>	<p>All year access to the Planning Area, and to intensive use setting Locations and Dunk Island Location, without a booking.</p> <p><i>Note</i> For restrictions on motorised water sports operations, see subclause 2.16 (2).</p>
<b>Non-motorised Craft Operation</b>	<p>All year access to the Planning Area and all Locations without a booking.</p> <p><i>Note</i> Non-motorised craft operations must be conducted using a crew or guide — see subclause 2.15 (4).</p>
<b>Passenger Transport Operation</b>	<p>All year access to the Planning Area and Locations, other than Sensitive Locations, without a booking.</p> <p>Access to Sensitive Locations is restricted to 50 days per year and is subject to a booking.</p>
<b>Support Service Operation</b>	<p>All year access to the Planning Area and all Locations without a booking.</p>

*Note 1* This table provides a summary of the types of tourism operations in the Planning Area and the conditions of operation that apply. This table also refers to the eligibility requirements in clause 1.14 that apply to tourism operations. This summary covers most, but not necessarily all, types of tourism operations. Those not covered would require normal assessment processes for the granting of the relevant permissions.

*Note 2* Commercial access to National Parks adjacent to the Planning Area requires a Commercial Activity Permit from the Queensland Parks and Wildlife Service.

## **Division 4                      Transitional arrangements**

### **1.13      Tourism management**

- (1) This Plan provides for:
  - (a) relevant permissions that may be granted to tourism operations; and
  - (b) exemptions to the requirements of the Plan for tourism operations that meet the Plan's required eligibility criteria.
- (2) This approach requires a clear definition of the types of tourism operations operating in the Planning Area (see Table 2), and has been adopted because tourism operations are expected to become more numerous, and cumulative in effect, than other uses of the Planning Area.
- (3) The Authority intends that the only relevant permissions for tourism operations that may be granted in the Planning Area are those consistent with the provisions of this Plan. If a proposal is of the nature of a tourism operation requiring the written permission of the Authority or its delegate under the Zoning Plans and is not provided for in this Plan, then it may lead to a proposal to amend this Plan in accordance with section 39ZG of the Act.
- (4) Requirements and procedures for application, assessment and decisions and review of decisions concerning relevant permissions are otherwise as provided for in the Act and the Regulations.

### **1.14      Eligibility requirements for certain tourism operations**

- (1) The Authority recognises that a number of tourism operations operate daily in the Planning Area and need to be managed, particularly when anchoring or setting down passengers, to protect the nature conservation, scientific, cultural and World Heritage values of the Planning Area. As a result, crewed vessel operations and aircraft operations will be limited to 50 days operation in the Planning Area per year, and will be subject to a booking for the Planning Area (that is, classified as a Standard Tour Operation), unless:
  - (a) they were permitted to operate in the Planning Area on more than 50 days per year on the commencing day; and
  - (b) it can be demonstrated that they were operated in the Planning Area on at least 50 days between the date this Plan commences and a date 18 months before the commencing day.
- (2) However, if special circumstances warrant an exception to the requirement in paragraph (1) (b), the Authority will also consider allowing the exception.

*Note* The types of tourism operations that may be permitted to operate daily in the Planning Area include crewed vessel, aircraft, bareboat, hire, craftless, motorised water sports operations, non-motorised craft operations, passenger transport operations and support service operations. Cruise ship and long range roving operations are not permitted to operate daily in the Planning Area.

## **1.15 Exemptions available to certain tourism operations**

### *Exemptions to the 50 day limit and booking requirement for certain operations*

- (1) This Plan provides exemptions to the booking requirement and the limit of 50 days operation in the Planning Area for bareboat operations, craftless operations, hire operations, long range roving operations, motorised water sports operations, non-motorised craft operations, passenger transport operations and support service operations.

### *Exemptions to the vessel length and group size limits*

- (2) This Plan provides for exemptions to vessel length or group size limits for a Location (including a Sensitive Location) only:
  - (a) for tourism operations that have operated in accordance with a relevant permission; and
  - (b) if there will be no increase in vessel length and group size above the maximum permitted to that Location on the commencing day, or above the setting limit for that Location if greater.
- (3) This Plan provides for exemptions to vessel length or group size limits for a Location (not including Sensitive Locations) for tourism operations, if the applicant demonstrates that:
  - (a) the operation is a Regional Tour Operation; and
  - (b) the applicant has an existing permission (that is, one that is current on the commencing day) to operate above vessel length or group size limits in a particular Location.
- (4) This Plan provides for exemptions to the vessel length or group size limits per vessel for a Sensitive Location for tourism operations, if the applicant:
  - (a) demonstrates that the operation is a Regional Tour Operation; and
  - (b) has an existing permission (that is, one that is current on the commencing day) to operate above vessel length or group size limits in a particular Sensitive Location and did so on at least 1 day between the commencing day and a date 12 months before the commencing day.
- (5) However, if special circumstances warrant an exception to the requirement in paragraph (4) (b) and these are consistent with the management setting intent for the Sensitive Location, the Authority will consider allowing the exception.

## **1.16 Evidentiary requirements for tourism operations**

- (1) When applying for a new permission or authorisation, proof of eligibility may be by:
  - (a) reference to Environmental Management Charge returns held by the Authority before the commencing day; or
  - (b) reference to other official documents or records such as vessel or aircraft log books and passenger manifests or dive logs; or
  - (c) reference to Commercial Activity Permit returns held by the Queensland Parks and Wildlife Service before the commencing day; or

- (d) proof of special circumstances, which may include:
  - (i) personal illness or circumstances that prevented operations that would otherwise have enabled the permission holder to have met the eligibility criteria; or
  - (ii) grant of a relevant permission when the permission holder could not reasonably meet the eligibility criteria but otherwise clearly intended to commence the tourism operation in accordance with that permission.
- (2) A person seeking to prove eligibility by reference to documents or records not held by the Authority before the commencing day will be required to provide satisfactory evidence of:
  - (a) the number of days entry to the Planning Area or Location required for the eligibility criteria; and
  - (b) all tourism operations conducted in the Marine Park during the period in which it is claimed the eligibility criteria are met.
- (3) A person seeking to prove eligibility will be required to make application to the Authority no later than 3 months after the commencing day and provide all relevant supporting information.
- (4) However, for subclause (3), the Authority may consider an application received more than 3 months after the commencing day if special circumstances warrant its doing so.

#### **1.17 Relevant permission replication issues for tourism operations**

- (1) It will not be possible to manage tourism use successfully if a person can hold several relevant permissions for the same purpose using the same vessels or aircraft.
- (2) Therefore, a person will not be able to hold more than 1 relevant tourism operation permission or more than 1 authorisation for the same vessel or aircraft for that tourism operation in the Planning Area.

*Note* A person who holds a relevant permission or authorisation for a Regional Tour Operation for a vessel with an authority allowing more than 50 days entry to a Sensitive Location without a requirement to make a booking will not be able to make a booking for that vessel to enter the Sensitive Location.

## Part 2 Enforcement provisions

*Note 1* Regulations may be made for giving effect to the enforcement provisions of a plan of management or to the enforcement provisions of an amendment of a plan of management. See paragraph 66 (2) (ba) of the Act.

*Note 2* The Act provides for offences in relation to:

- (a) the use or entry of a zone for a purpose other than a purpose permitted under a zoning plan; or
- (b) the use or entry of a zone without a relevant permission where permission is required under the zoning plan; or
- (c) the contravention of a condition to which a relevant permission is subject.

See the Act, sections 38A, 38B and 38C.

### Division 1 Preliminary

#### 2.1 How many people in a tourism operation

- (1) When deciding how many people are participating in a tourism operation, everybody must be counted, including officers and members of the crew, and anybody participating in an activity (for example, a tour guide or diving instructor).
- (2) However, passengers who are simply being transferred from 1 destination to another as part of a passenger transport operation are not part of the tourism operation and are not counted as part of the group size.

#### 2.2 Length of a vessel

For this Part, the length of a vessel is its overall length.

#### 2.3 When this Part does not apply

- (1) Nothing in this Part prohibits or restricts anything being done:
  - (a) by a law-enforcement authority of the Commonwealth or Queensland for its work; or
  - (b) for observation or surveillance by, or on behalf of, an authority of the Commonwealth or Queensland; or
  - (c) in accordance with clause 15 of the Zoning Plan; or
  - (d) in accordance with a relevant permission, granted under the Regulations, authorising the carrying on of an activity not mentioned in, or considered by the Authority in the preparation of, this Plan.

*Note* Clause 15 of the Zoning Plan is about access in special circumstances such as saving life or dealing with an environmental emergency.

*Consultation note* Paragraph 2.3 (1) (d) refers to a proposed amendment of the Regulations which will allow for relevant permissions to be granted that authorise the carrying on of activities involving new technology or innovations that have not been provided for in this Plan and were not considered by the Authority in the course of preparing this Plan.

- (2) If the Authority gives written permission to carry out an activity for the purpose of research, nothing in this Part prevents or restricts that activity being done in accordance with the permission.

## Division 2

## General restrictions for tourism operations

### 2.4 Tourism operation restrictions in certain management setting Locations

- (1) A person must not conduct a tourism operation in a Location using a vessel that is more than 35 metres in length.

*Note* Locations are set out in Schedule 2.

- (2) A person must not operate a tourism operation in a moderate use setting Location, as set out in item 2 of Schedule 3, if more than 30 people are participating in the operation.
- (3) A person must not operate a tourism operation in a low use setting Location, as set out in item 3 of Schedule 3, if more than 15 people are participating in the operation.
- (4) However, subclauses (1), (2) and (3) do not apply to:
  - (a) a vessel in transit through a Location; or
  - (b) a large vessel anchoring in, or transiting to or from, a cruise ship anchorage for which a booking has been secured; or
  - (c) a long range roving operation; or
  - (d) a vessel being operated in accordance with an authorisation.
- (5) Also, if a new permission mentions that a person may do a thing despite subclause (1), (2) or (3), that subclause does not prevent the person doing that thing according to the permission.
- (6) Subject to subclauses (1), (2) and (3), and despite subclause (4), a person must not operate a vessel of more than 20 metres in length in the Missionary Bay Location.

### 2.5 Operation of vessels or aircraft for tourism operations

- (1) A person must not operate a tourism operation in the Planning Area on more than 50 days per year if the operation involves the use of a vessel or aircraft.
- (2) A person must not operate a tourism operation in the Planning Area without a booking if the operation involves the use of a vessel or aircraft.
- (3) Subclauses (1) and (2) do not apply to a person:
  - (a) conducting a tourism operation in accordance with an authorisation; or
  - (b) operating a vessel or aircraft to transit the Planning Area; or
  - (c) conducting a bareboat operation; or
  - (d) conducting a motorised water sports operation; or
  - (e) conducting a non-motorised craft operation; or
  - (f) conducting a long range roving operation; or
  - (g) conducting a craftless operation; or
  - (h) conducting a hire operation; or
  - (i) conducting a passenger transport operation; or

- (j) conducting a support service operation.
- (4) Also, if a new permission allows a person to do a thing despite subclauses (1) and (2), those subclauses do not prevent the person doing that thing according to the permission.

## **2.6 Passenger transport operations**

A person conducting a passenger transport operation must ensure that:

- (a) the operation is conducted using the most direct reasonable routes in transporting passengers on a vessel through the Planning Area; and
- (b) on the route, the vessel does not stop except:
  - (i) to pick up passengers; or
  - (ii) for passengers to disembark at their destination; or
  - (iii) in the case of an emergency.

## **2.7 Support service operations**

A person conducting a support service operation must ensure that a vessel used to conduct the operation:

- (a) is not operated in continuous association with another vessel or aircraft being serviced as part of the support service operation; and
- (b) does not remain associated with the vessel or aircraft being serviced for longer than is necessary to provide the service; and
- (c) is used only to offer services that are essential to the continued safe and effective operation of the vessel or aircraft being serviced; and
- (d) is not used to transport a person for the purpose of tourism.

## **2.8 Restriction on access to Sensitive Locations for tourism operations**

- (1) A person must not operate a tourism operation in a Sensitive Location on more than 50 days a year if the operation involves the use of a vessel.

*Note* Sensitive Locations are set out in Schedule 4 and described in Schedule 2.

- (2) A person must not operate a tourism operation in a Sensitive Location without a booking if the operation involves the use of a vessel.
- (3) However, subclauses (1) and (2) do not prohibit a person from operating a vessel to conduct any of the following operations in a Sensitive Location:
  - (a) a bareboat operation;
  - (b) a hire operation;
  - (c) a non-motorised craft operation;
  - (d) a support service operation.
- (4) Also, subclauses (1) and (2) do not prohibit a person from operating a vessel or aircraft in a Sensitive Location:
  - (a) under, and in the way permitted by, an authorisation from the Authority; or
  - (b) in accordance with a new permission.

## **2.9 Limits on operation of aircraft**

- (1) A person must not land in, take off from or taxi an aircraft in a Location.  
*Note* Outside of a Location in the Planning Area, an aircraft must not be operated at less than 500 feet above ground or water without a relevant permission (see the Zoning Plan).
- (2) A person must not land in, take off from or taxi an aircraft in the Hinchinbrook Island Dugong Protection Area.
- (3) A person must not operate an aircraft for scenic flights as part of a tourism operation below 1 500 feet (above ground or water) in a Location, except when landing at, or taking off from, Dunk Island Airport.

## **2.10 Limits on use of large vessels**

- (1) A person must not operate a large vessel in the Planning Area except:
  - (a) outside Locations; and
  - (b) to anchor at, or transit to or from, a cruise ship anchorage for which the vessel has a booking.

*Note 1* Locations are set out in Schedule 2 to this Plan.

*Note 2* Cruise ship anchorages are set out in Schedule 7.

- (2) If a large vessel is anchored in a cruise ship anchorage, a person must not anchor another large vessel in that anchorage.
- (3) A person must not operate a large vessel's tender as part of a tourism operation in the Planning Area except to transport passengers by the most direct reasonable route between the large vessel and:
  - (a) a place outside the Planning Area; or
  - (b) a tourist facility within, or partly within, the Planning Area.

## **2.11 Limited exemption for activities under certain older permissions**

- (1) This clause applies to a person who holds a relevant permission granted before the commencing day.
- (2) If clause 2.4, 2.5, 2.8, 2.9 or 2.10 prohibits an activity permitted by the permission, or regulates the activity in a way that is inconsistent with the permission, then, despite the clause, the person may continue the activity in accordance with the permission if, within 3 months after the commencing day:
  - (a) the person applies to the Authority, in accordance with the Regulations, to continue to carry on the activity in that way; and
  - (b) the Authority has not made a decision on the application.
- (3) Despite the exemption granted by subclause (2), when visiting a Location, a large vessel must always anchor at a cruise ship anchorage for which the vessel has a booking.
- (4) For subclause (2), the Authority will consider an application received more than 3 months after the commencing day if special circumstances warrant it doing so.

## **Division 3                    Wildlife protection**

### **2.12        Dugongs not to be taken or interfered with**

(1) A person must not take, or interfere with, a dugong in the Planning Area.

(2) In subclause (1):

*interfere with* includes harass, chase, herd, tag, mark and brand.

*take* has the same meaning as in the Zoning Plan.

*Note* In the Zoning Plan, *take* is defined as follows:

*taking* in relation to animals, plants and marine products includes remove, gather, catch, capture, kill, destroy, dredge for, raise, carry away, bring ashore, or obtain by any means, or to endeavour to carry out any of those acts.

See also sections 18A and 46 (1) (a) of the *Acts Interpretation Act 1901*.

### **2.13        Activities near significant bird sites**

(1) A person must not operate a vessel at a speed greater than 6 knots within 200 metres of a significant bird site during the restriction period mentioned in Schedule 5 for that site.

(2) A person must not operate an aircraft below 1 500 feet (above ground or water) to approach within 1 000 metres lateral distance of a significant bird site during the restriction period mentioned in Schedule 5 for that site.

### **2.14        Coral and other marine species or environments**

(1) A person must not damage coral.

(2) However, subclause (1) does not apply to a person:

(a) damaging coral by anchoring, if the person:

(i) takes reasonable care to avoid damaging the coral; and

(ii) uses an anchor of the kind called a reef pick; or

(b) collecting coral in accordance with a relevant permission.

(3) A person must not anchor a vessel, an aircraft, or any other facility in a no-anchoring area set out in Schedule 6 and shown on Map 3 in Schedule 8.

## **Division 4                    Other activities**

### **2.15        Certain commercial activities**

(1) A person may conduct an operation involving the selling of goods or services in the Planning Area only if the operation:

(a) is in an intensive use setting Location; or

(b) involves selling goods or services to participants in the operation.

(2) However, subclause (1) does not prevent a person from conducting a support service operation in accordance with a relevant permission.

(3) A person must not conduct a hire operation in the Planning Area except in an intensive use setting Location.

*Note 1* A person who hires a vessel from a hire operation may operate the vessel anywhere in the Planning Area.

*Note 2* Locations are set out in Schedule 2. Intensive use setting Locations are set out in item 1 of Schedule 3.

- (4) A person conducting a non-motorised craft operation must provide a guide or crew for the operation.

## **2.16 Motorised water sports**

- (1) A person must not operate a vessel for motorised water sports in a Location, except:
  - (a) in an intensive use setting Location; or
  - (b) in the Dunk Island Location; or
  - (c) in the Goold Island Location.
- (2) A person must not operate a vessel for motorised water sports as part of a tourism operation in a Location, except:
  - (a) in an intensive use setting Location; or
  - (b) in the Dunk Island Location.

*Note* Locations are set out in Schedule 2. Intensive use setting Locations are set out in item 1 of Schedule 3.

## **2.17 Limits on use of hovercraft and high-speed vessels**

- (1) A person must not operate a hovercraft in a Location, except in an intensive use setting Location.
- (2) A person must not operate a high-speed vessel as part of a tourism operation in a setting area, except:
  - (a) in an intensive use setting Location; or
  - (b) when conducting a motorised water sports operation — in the Dunk Island Location.

*Note* For motorised water sports operation, see Table 2 (c).

## **Division 5 Limit on Authority's power to grant permissions**

### **2.18 Limit on the number of moorings in the Planning Area**

- (1) The Authority must not grant a relevant permission for the installation of a mooring in the Planning Area if granting the permission would result in the number of such permissions in force at that time being greater than the number of such permissions in force on the commencing day.
- (2) However, subclause (1) does not apply to the grant of a relevant permission for the installation of:
  - (a) a mooring in an intensive use setting Location; or
  - (b) a mooring in an area in the Planning Area outside a Location, other than an intensive use setting Location; or

- (c) a public mooring; or
- (d) a mooring as part of its temporary relocation or replacement under subclause 1.9 (2).

*Note 1* Even though a limit under subclause (1) does not apply to a mooring mentioned in subclause (2), the installation of the mooring is subject to the application, assessment and decision-making processes under the Regulations for a relevant permission to install a mooring. The processes under the Regulations include an assessment of the suitability of the proposed installation site.

*Note 2* Under subclause 1.9 (3), no permitted tourist facility (which includes a mooring mentioned in paragraph (2) (d)) will be allowed to temporarily relocate to a different place in the Planning Area until a Marine Tourism Contingency Plan has been prepared and adopted by the Authority.

*Consultation note* The Authority is currently preparing a document to be called the Marine Tourism Contingency Plan which will contain criteria against which an application to temporarily relocate a permitted tourist facility or permitted tourist program will be assessed. The Authority intends that the Contingency Plan will also specify the circumstances in which, and the areas to which, the Authority will allow temporary relocation.

## **2.19 Limit on the number of tourist facilities in the Planning Area**

- (1) The Authority must not grant a relevant permission for the installation of a tourist facility in the Planning Area if granting the permission would result in the number of such permissions in force at that time being greater than the number of such permissions in force on the commencing day.
- (2) However, subclause (1) does not apply to the grant of a relevant permission for the installation of a tourist facility:
  - (a) in an intensive use setting Location; or
  - (b) in an area outside a Location, other than an intensive use setting Location; or
  - (c) to temporarily relocate or replace a tourist facility under subclause 1.9 (2).

*Note 1* Even though a limit under subclause (1) does not apply to a tourist facility mentioned in subclause (2), the installation of the tourist facility is subject to the application, assessment and decision-making processes under the Regulations for a relevant permission to install a tourist facility. The processes under the Regulations include an assessment of the suitability of the proposed installation site.

*Note 2* Under subclause 1.9 (3), no permitted tourist facility will be allowed to temporarily relocate to a different place in the Planning Area until a Marine Tourism Contingency Plan has been prepared and adopted by the Authority.

*Consultation note* The Authority is currently preparing a document to be called the Marine Tourism Contingency Plan which will contain criteria against which an application to temporarily relocate a permitted tourist facility or permitted tourist program will be assessed. The Authority intends that the Contingency Plan will also specify the circumstances in which, and the areas to which, the Authority will allow temporary relocation.

## **2.20 Limit on converting permissions**

The Authority must not convert a relevant permission from or to any of the following permissions:

- (a) a relevant permission for an aircraft operation;

- (b) a relevant permission for a bareboat operation;
- (c) a relevant permission for a craftless operation;
- (d) a relevant permission for a hire operation;
- (e) a relevant permission for a long range roving operation;
- (f) a relevant permission for a motorised water sports operation;
- (g) a relevant permission for a non-motorised operation;
- (h) a relevant permission for a passenger transport operation;
- (i) a relevant permission for a support service operation.

*Note* Regulation 22 of the Regulations deals with the grant of relevant permissions.

## **2.21 Limit on number of bareboat operations in the Planning Area**

- (1) The Authority must not grant a relevant permission to conduct a bareboat operation in the Planning Area if granting the permission would result in the number of such permissions in force at that time being greater than the number of permissions mentioned in subclause (2).
- (2) For subclause (1), the number of permissions is the number of relevant permissions in force on the commencing day for bareboat operations, less the number of relevant permissions for bareboat operations that, after the commencing day, have been converted to relevant permissions for crewed vessel operations.

## **2.22 Limit on number of long range roving operations in the Planning Area**

A person who holds an existing permission for a long range roving operation may conduct the operation in the Planning Area.

*Note* It is intended that no further relevant permissions for long range roving operations in the Planning Area will be granted.

# Schedule 1 The Hinchinbrook Planning Area

(clause 1.2)

## 1 Definitions for Schedule 1

In this Schedule:

**1 kilometre line**, in relation to a reef, means the notional line of which every point is 1 kilometre seaward from the nearest point of the reef edge.

**5 kilometre line** means the notional line of which every point is 5 kilometres seaward from the nearest point of the mainland at low water.

**coastal 1 kilometre line**, in relation to an island, means:

- (a) the notional line of which every point is 1 kilometre seaward of the nearest point of the island at low water of the island; or
- (b) if the island is wholly or partly fringed by a reef, the notional line of which every point is 1 kilometre seaward from the nearest point of the reef edge or of the island at low water, whichever is further seaward.

**reef** includes bommie fields, sandy flats, reef slopes, moats and ramparts.

**reef edge** means the seaward edge of a reef.

## 2 The Planning Area

The Hinchinbrook Planning Area is the part of the Great Barrier Reef Marine Park bounded by a notional line beginning at the intersection of 18° 55.61' S by the 5 kilometre line and running progressively:

- north-westerly, north north-easterly and northerly along that 5 kilometre line to its intersection by the parallel 18° 29.91' S;
- west south-westerly along the geodesic to the point of intersection of the coastline at low water of the mainland by the meridian 146° 19.06' E, in the vicinity of the Herbert River mouth (Enterprise Channel);
- generally northerly along that coastline at low water to its intersection by the parallel 18° 01.84' S, in the vicinity of the Tully River;
- east along that parallel to its intersection by the 5 kilometre line;
- generally north-easterly along that 5 kilometre line to its southernmost intersection by the coastal 1 kilometre line around Richards (Bedarra) Island (18-001);
- generally north-westerly, northerly and north-easterly along that coastal 1 kilometre line to its westernmost intersection by the coastal 1 kilometre line around Thorpe (Timana) Island (17-055A);
- generally westerly, north-westerly, northerly and north-easterly along that coastal 1 kilometre line to its westernmost intersection by the 1 kilometre line around the unnamed reef (17-054);
- generally northerly along that 1 kilometre line to its westernmost intersection by the coastal 1 kilometre line around Dunk (Coonanglebah) Island (17-053B);

- generally northerly along that coastal 1 kilometre line to its southernmost intersection by the coastal 1 kilometre line around Purtaboi (Mound) Island (17-053A);
- generally northerly, north-easterly, easterly and south-easterly along that coastal 1 kilometre line to its easternmost intersection by the 5 kilometre line;
- generally north-easterly along that 5 kilometre line to its intersection by the parallel 17° 52.81' S;
- east along the parallel to its intersection with 146° 13.66' E;
- generally southerly along the geodesic to 17° 57.6' S, 146° 14.03' E;
- generally south south-easterly along the geodesic to 18° 0.85' S, 146° 14.98' E;
- south-easterly along the geodesic to 18° 7.78' , 146° 21.06' E;
- generally south south-easterly along the geodesic to 18° 23.67' S, 146° 24.44' E;
- south-easterly along the geodesic to 18° 25.9' S, 146° 27.06' E;
- southerly along the geodesic to 18° 55.61' S, 146° 27.06' E;
- westerly along that parallel to the point where the line began.

*Note 1* The Planning Area extends vertically to 915 metres above ground or water — see the Proclamation in *Gazette* S409 of 15 October 1984.

*Note 2* If 2 Locations described in this Plan overlap, the boundary between them, in the area of overlap, is taken to be the median line between their boundaries as described.

*Note 3* If for this Plan an area has as its seaward boundary a notional line of which every point is a particular distance seaward from a reef or coastline (for example, the coastal 500 metre line) but the area does not extend all the way around the reef or coastline, the lateral boundaries of the area are the lines that are perpendicular to the reef or coastline at each end of the area.

*Note 4* The Planning Area excludes internal waters of Queensland.

## **Schedule 2      Locations**

(clause 1.7 (3))

### **Part 1              Area descriptions**

#### **Division 1          Dunk (Coonanglebah) Island Locations**

##### **1              Dunk (Coonanglebah) Island Spit Location**

The area bounded by a notional line beginning at the westernmost intersection of the parallel 17° 56.31' S by the coastline at low water of Dunk (Coonanglebah) Island (17-053B) in the vicinity of the Dunk Island Spit, and running progressively:

- west along that parallel to its intersection by the coastal 500 metre line around Dunk (Coonanglebah) Island (17-053B);
- generally northerly, north-easterly and easterly along that coastal 500 metre line to its intersection by the parallel 17° 55.88' S;
- east along that parallel to its westernmost intersection with the coastline at low water around Dunk (Coonanglebah) Island (17-053B) at the northern end of Brammo Bay;
- generally south-easterly, westerly and south-easterly along that coastline at low water to the point where the line began.

##### **2              Dunk (Coonanglebah) Island Location**

The area bounded by a notional line beginning at the westernmost intersection of the parallel 17° 55.88' S by the coastline of Dunk (Coonanglebah) Island (17-053B) at the northern end of Brammo Bay, and running progressively:

- west along that parallel to its intersection by the coastal 500 metre line around Dunk (Coonanglebah) Island (17-053B);
- generally northerly along that coastal 500 metre line to its southernmost intersection by the coastal 500 metre line around Purtaboi (Mound) Island (17-053A);
- generally north-easterly along the median line between Purtaboi (Mound) Island (17-053A) and Dunk (Coonanglebah) Island (17-053B) to the northernmost intersection by its coastal 500 metre line around Dunk (Coonanglebah) Island (17-053B);
- generally north-easterly, easterly, south-easterly and southerly along that coastal 500 metre line to its northernmost intersection by the coastal 500 metre line around Woln-Garin Island (17-053C);
- generally southerly along the median line between Dunk (Coonanglebah) Island (17-053B) and Woln-Garin Island (17-053C) to its southernmost intersection by the coastal 500 metre line around Dunk (Coonanglebah) Island (17-053B);
- generally westerly, north-westerly and westerly along that coastal 500 metre line to its easternmost intersection by the coastal 500 metre line around Kumboola Island (17-053E);

- generally north-easterly along the geodesic to 17° 57.35' S, 146° 8.88' E;
- generally north-westerly along the geodesic to 17° 56.8' S, 146° 8.52' E;
- west along the parallel 17° 56.8' S to its intersection with the coastal 500 metre line around Dunk (Coonanglebah) Island (17-053B);
- generally northerly and north-westerly along that coastal 500 metre line to its intersection by the parallel 17° 56.31' S;
- east along that parallel to its intersection by the coastline at low water of Dunk (Coonanglebah) Island (17-053B);
- generally south-easterly, easterly, south-easterly, north-westerly, northerly, north-westerly, westerly and south-westerly along that coastline at low water to the point where the line began.

### **3 Kumboola Island Location**

The area bounded by a notional line beginning at the southernmost intersection of the coastal 500 metre line around Kumboola Island (17-053E) and the coastal 500 metre line around Dunk (Coonanglebah) Island (17-053B), and running progressively:

- generally north-easterly along the geodesic to 17° 57.35' S, 146° 8.88' E;
- generally north-westerly along the geodesic to 17° 56.8' S, 146° 8.52' E;
- west along the parallel 17° 56.8' S to its intersection with the coastal 500 metre line around Dunk (Coonanglebah) Island (17-053B);
- generally southerly along that coastal 500 line to its intersection with the coastal 500 metre line around Kumboola Island (17-053E);
- generally south-westerly, south-easterly, easterly and north-easterly along that coastal 500 metre line to the point where the line began.

## **Division 2 Richards (Bedarra) Island Locations**

### **4 Bedarra Island Location 1**

The area bounded by a notional line beginning at the easternmost intersection of the coastline at low water of Richards (Bedarra) Island (18-001A) with the parallel 18° 0.15' S and running progressively:

- east along that parallel to 18° 0.15' S, 146° 9.33' E;
- south-easterly along the geodesic to 18° 0.28' S, 146° 9.51' E;
- south along the meridian to 18° 0.35' S, 146° 9.51' E;
- west along the parallel to 18° 0.35' S, 146° 9.37' E;
- south along the meridian to 18° 0.69' S, 146° 9.37' E;
- west along the parallel to 18° 0.69' S, 146° 9.04' E;
- north along the meridian 146° 9.04' E to its southernmost intersection with the coastline at low water of Richards (Bedarra) Island (18-001A);
- generally easterly, north-easterly, south-easterly, northerly, westerly and northerly along the coastline at low water of Richards (Bedarra) Island (18-001A) to the point where the line began.

## 5 **Bedarra Island Location 2**

The area bounded by a notional line beginning at the westernmost intersection of the coastline at low water of Richards (Bedarra) Island (18-001A) with the parallel 18° 0.39' S and running progressively:

- west along that parallel to 18° 0.39' S, 146° 8.45' E;
- north-west along the geodesic to 18° 0.2' S, 146° 8.29' E;
- north along the meridian 146° 8.29' E to its intersection with the coastal 500 metre line around Richards (Bedarra) Island (18-001A);
- generally north-easterly along that 500 metre line to its intersection with the parallel 17° 59.85' S;
- south-easterly along the geodesic to 17° 59.92' S, 146° 8.77' E;
- east along the parallel 17° 59.92' S to its westernmost intersection with the coastline at low water of Richards (Bedarra) Island (18-001A);
- generally south-westerly, westerly, southerly and south-easterly along the coastline at low water to the point where the line began.

## 6 **Bedarra Island Location 3**

The area bounded by a notional line beginning at the intersection of the coastal 500 metre line around Richards (Bedarra) Island (18-001A) and the parallel 17° 59.85' S and running progressively:

- generally northerly, easterly and south-easterly to its northernmost intersection with the coastal 500 metre line around Pee Rahm Ah Island (18-001B);
- generally south-easterly, southerly and south-westerly along that coastal 500 metre line to its southernmost intersection with the coastal 500 metre line around Richards (Bedarra) Island (18-001A);
- generally westerly, north-westerly, northerly and north-easterly along that coastal 500 metre line to its point where the line began;

but excluding Bedarra Island Locations 1 and 2.

## **Division 3 Hinchinbrook Dugong Protection Area (DPA) Locations**

(see Map 3 for Hinchinbrook DPA)

## 7 **Brook Islands Location (18-008)**

The area bounded by a notional line which is the coastal 500 metre line around the Brook Islands group comprising North Island (18-008A), Tween Island (18-008B), Middle Island (18-008D) and South Island (18-008C). This area includes the intertidal area and all the land of South Island, which is a Commonwealth owned island.

## 8 Meunga Creek Location

The area bounded by a notional line beginning at the intersection of the coastline at low water of the mainland by the parallel  $18^{\circ} 14.82' S$ , and running progressively:

- generally northerly along the coastline at low water to the intersection by the parallel  $18^{\circ} 12.79' S$ ;
- easterly along the geodesic to  $18^{\circ} 12.9' S$ ,  $146^{\circ} 1.42' E$ ;
- south-easterly along the geodesic to  $18^{\circ} 14.42' S$ ,  $146^{\circ} 2.18' E$ ;
- south-westerly along the geodesic to  $18^{\circ} 14.82' S$ ,  $146^{\circ} 2.04' E$ ;
- west along the parallel  $18^{\circ} 14.82' S$  to the point where the line began.

## 9 Missionary Bay Location — Hinchinbrook Island (18–014)

The area bounded by a notional line beginning at the westernmost intersection of the coastal 500 metre line around Goold Island (18–010) with the parallel  $18^{\circ} 9.23' S$  and running progressively:

- generally south-westerly along that coastal 500 metre line to its northernmost intersection with the coastal 500 metre line around Garden (Tindappah) Island (18–011);
- westerly, southerly, easterly and north-easterly along that coastal 500 metre line to its southernmost intersection with the coastal 500 metre line around Goold Island (18–010);
- easterly along that coastal 500 metre line to its intersection with the meridian  $146^{\circ} 9.36' E$ ;
- south along that meridian to  $18^{\circ} 12.34' S$ ,  $146^{\circ} 9.36' E$ ;
- north-easterly along the geodesic to  $18^{\circ} 11.88' S$ ,  $146^{\circ} 13.12' E$ ;
- east along the parallel  $18^{\circ} 11.88' S$  to its westernmost intersection with the coastline at low water around Hinchinbrook Island (18–014);
- southerly along the coastline at low water around Hinchinbrook Island (18–014) to its intersection with the parallel  $18^{\circ} 13.32' S$ ;
- west along that parallel to  $18^{\circ} 13.32' S$ ,  $146^{\circ} 12.71' E$ ;
- southerly along that meridian to its intersection by the geodesic which passes through the westernmost intersection of the coastline at low water of Hinchinbrook Island (18–014) by the parallel  $18^{\circ} 13.59' S$  and the northernmost intersection of the coastline at low water of Hinchinbrook Island (18–014) by the meridian  $146^{\circ} 7.37' E$ ;
- south-westerly along the geodesic to its intersection by the coastline at low water of Hinchinbrook Island (18–014) by the meridian  $146^{\circ} 7.37' E$ ;
- southerly, westerly, north-westerly and south-westerly along the coastline at low water around Hinchinbrook Island (18–014) to its intersection with the parallel  $18^{\circ} 14.82' S$  in the vicinity of Hecate Point;
- west along that parallel to  $18^{\circ} 14.82' S$ ,  $146^{\circ} 3.12' E$ ;
- north-easterly along the geodesic to  $18^{\circ} 13.87' S$ ,  $146^{\circ} 4.69' E$ ;
- north north-easterly along the geodesic to  $18^{\circ} 10.49' S$ ,  $146^{\circ} 5.67' E$ ;
- north-easterly along the geodesic to the point where the line began;

but excluding those parts of the Missionary Bay Transit Lanes lying within that area.

## 10 Missionary Bay Transit Lanes

### *Section 1*

The 400 metre wide transit lanes begin at the Cardwell jetty/boat ramp (described on Map 3 as 'Jetty' — 18° 15.72' S, 146° 1.63' E) and at the mouth of the access channel to the Port Hinchinbrook Marina (described on Map 3 as 'Marina' — 18° 16.65' S, 146° 3.01' E) going to a navigation marker in Missionary Bay, this being:

- from the Jetty or Marina generally north-easterly along the geodesic to 18° 13.87' S, 146° 4.69' E (**Point B**).

From Point B, the lane travels to a navigation marker in Missionary Bay, this being:

- generally north-easterly along the geodesic to 18° 12.38' S, 146° 6.3' E (**Point C**).

### *Section 2*

The transit lane at Point C becomes 200 metres wide and splits going to a navigation marker in Missionary Bay and to the Goold Island and Garden Island Locations, these being:

- from Point C, generally easterly along the geodesic to 18° 12.34' S, 146° 9.36' E (**Point D**); or
- from Point C, generally north-easterly along the geodesic to the westernmost intersection of the parallel 18° 10.62' S and the coastal 500 metre line around Goold Island (18-010).

From Point D, the lane travels to a navigation marker in Missionary Bay this being:

- from Point D generally south-easterly along the geodesic to 18° 13.5' S, 146° 11.3' E (**Point E**).

From Point E, the lane splits again to a navigation marker in southern Missionary Bay and to allow access to the Macushla Location, these being:

- from Point E, generally southerly along the geodesic to 18° 15.2' S, 146° 11.79' E (**Point F**); or
- from Point E, generally south-easterly along the geodesic to 18° 13.61' S, 146° 12.71' E (described on Map 3 as 'Macushla').

### *Section 3*

The transit lane at Point F becomes 100 metres wide to allow entry into the narrow mouth of the access creek to the Ramsay Bay Boardwalk this being:

- from Point F, generally south-easterly along the geodesic to 18° 16.14' S, 146° 13.05' E (**Point G**);
- from Point G, generally south-easterly along the geodesic to 18° 16.56' S, 146° 13.61' E to allow access to the Ramsay Bay Boardwalk.

## **11 Shepherd Bay Location — Hinchinbrook Island (18–014)**

The area bounded by a notional line beginning at the northernmost intersection of the coastline at low water around Hinchinbrook Island (18–014) with the meridian  $146^{\circ} 13.70' E$  and running progressively:

- north along the meridian to  $18^{\circ} 11.35' S$ ,  $146^{\circ} 13.70' E$ ;
- south-easterly along the geodesic to  $18^{\circ} 13.66' S$ ,  $146^{\circ} 17.92' E$ ;
- south along the meridian  $146^{\circ} 17.92' E$  to its northernmost intersection with the coastline at low water around Hinchinbrook Island (18–014);
- generally south-westerly, westerly and north-westerly along the coastline at low water around Hinchinbrook Island (18–014) to the point where the line began.

## **12 Cape Richards Location — Hinchinbrook Island (18–014)**

The area bounded by a notional line beginning at the western intersection of the coastline at low water around Hinchinbrook Island (18–014) with the parallel  $18^{\circ} 11.88' S$  and running progressively:

- west along that parallel to  $18^{\circ} 11.88' S$ ,  $146^{\circ} 13.12' E$ ;
- north along that meridian to  $18^{\circ} 11.35' S$ ,  $146^{\circ} 13.12' E$ ;
- east along that parallel to  $18^{\circ} 11.35' S$ ,  $146^{\circ} 13.70' E$ ;
- south along the meridian  $146^{\circ} 13.70' E$  to its northern intersection with the coastline at low water around Hinchinbrook Island (18–014);
- generally south-westerly, westerly, north-westerly, northerly and southerly along the coastline at low water of Hinchinbrook Island (18–014) to the point where the line began.

## **13 Macushla Location — Hinchinbrook Island (18–014)**

The area bounded by a notional line beginning at the westernmost intersection of the coastline at low water around Hinchinbrook Island (18–014) with the parallel  $18^{\circ} 13.59' S$  and running progressively:

- southerly along the geodesic that passes through the northernmost intersection of the coastline at low water of Hinchinbrook Island (18–014) by the meridian  $146^{\circ} 7.37' E$  to its intersection by the meridian  $146^{\circ} 12.71' E$ ;
- north along that meridian to  $18^{\circ} 13.32' S$ ,  $146^{\circ} 12.71' E$ ;
- east along the parallel  $18^{\circ} 13.32' S$  to its westernmost intersection with the coastline at low water around Hinchinbrook Island (18–014);
- generally south-easterly along the coastline at low water of Hinchinbrook Island (18–014) to the point where the line began.

## **14 Ramsay Bay Location — Hinchinbrook Island (18–014)**

The area bounded by a notional line beginning at the intersection of the coastline at low water of Hinchinbrook Island (18–014) by the meridian  $146^{\circ} 17.92' E$ , and running progressively:

- north along that meridian to its intersection with the coastal 500 metre line around Hinchinbrook Island (18–014);

- generally south-easterly, south-westerly and south-easterly along that coastal 500 metre line to its intersection with the parallel 18° 19.62' S;
- west along that parallel to its intersection with the coastline at low water of Hinchinbrook Island (18-014);
- generally north-westerly and northerly along the coastline at low water of Hinchinbrook Island (18-014) to the point where the line began.

**15 East Coast of Hinchinbrook Island Location — Hinchinbrook Island (18-014)**

The area bounded by a notional line beginning at the intersection of the coastline at low water of Hinchinbrook Island (18-014) by the parallel 18° 19.62' S, and running progressively:

- east along that parallel to its intersection with the coastal 500 metre line around Hinchinbrook Island (18-014);
- generally southerly, south-easterly and easterly along that coastal 500 metre line to its northernmost intersection with the coastal 500 metre line around Agnes Island (18-015);
- generally easterly and southerly along that coastal 500 metre line to its southernmost intersection with the coastal 500 metre line around Hinchinbrook Island (18-014);
- generally southerly along that coastal 500 metre line to its intersection with the parallel 18° 23.06' S;
- west along that parallel to its intersection with the coastline at low water of Hinchinbrook Island (18-014);
- generally north-westerly and northerly along the coastline at low water of Hinchinbrook Island (18-014) to the point where the line began.

**16 Zoe Bay Location — Hinchinbrook Island (18-014)**

The area bounded by a notional line beginning at the intersection of the coastline at low water of Hinchinbrook Island (18-014) by the parallel 18° 23.06' S, and running progressively:

- east along that parallel to its intersection with the coastal 500 metre line around Hinchinbrook Island (18-014);
- generally south-westerly along that coastal 500 metre line to its intersection by the meridian 146° 20.3' E;
- south-easterly along the geodesic to the northernmost intersection of the meridian 146° 21.12' E with the coastal 500 metre line around Hinchinbrook Island (18-014);
- generally south-easterly along the coastal 500 metre line around Hinchinbrook Island (18-014) to its intersection by the parallel 18° 25.17' S;
- west along that parallel to its intersection with the coastline at low water of Hinchinbrook Island (18-014);
- generally north-westerly, northerly, south-easterly and easterly along the coastline at low water of Hinchinbrook Island (18-014) to the point where the line began.

**17 Mulligan Bay Location — Hinchinbrook Island (18-014)**

The area bounded by a notional line beginning at the intersection of the coastline at low water of Hinchinbrook Island (18-014) by the parallel 18° 25.17' S, and running progressively:

- east along that parallel to its intersection with the coastal 500 metre line around Hinchinbrook Island (18-014);
- generally south-easterly and southerly along that coastal 500 metre line to its intersection by the parallel 18° 28.9' S;
- west along that parallel to its intersection with the coastline at low water of Hinchinbrook Island (18-014);
- generally northerly and north-westerly along the coastline at low water of Hinchinbrook Island (18-014) to the point where the line began.

**18 Picnic Beach Location — Hinchinbrook Island (18-014)**

The area bounded by a notional line beginning at the intersection of the coastline at low water of Hinchinbrook Island (18-014) by the parallel 18° 28.9' S, and running progressively:

- east along that parallel to its intersection with the coastal 500 metre line around Hinchinbrook Island (18-014);
- generally south-westerly along that coastal 500 metre line to its intersection by the meridian 146° 19.06' S;
- north along that meridian to its intersection with the coastline at low water of Hinchinbrook Island (18-014);
- generally north-easterly along the coastline at low water of Hinchinbrook Island (18-014) to the point where the line began.

**Division 4 Pandora Reef Location**

**19 Pandora Reef Location**

The area bounded by a notional line which is the 500 metre line around the Pandora Reef (18-051).

## Part 2 Island Locations

### 20 Island Locations

- (1) The area within the coastal 500 metre line of each of the islands mentioned in column 2 of the Table is a Location.
- (2) The name of the Location for an island mentioned in column 2 of the Table is the name mentioned in column 3 of the Table for that Location.

Column 1 Item	Column 2 Island	Column 3 Name of Location
1	Purtaboi (Mound) Island (17-053A)	Purtaboi (Mound) Island Location
2	Woln-Garin Island (17-053C)	Woln-Garin Island Location
3	Thorpe (Timana) Island (17-055A)	Thorpe (Timana) Island Location
4	Wheeler (Toolgbar) Island (18-003)	Wheeler (Toolgbar) Island Location
5	Coombe Island (18-004)	Coombe Island Location
6	Hudson (Coolah) Island (18-006)	Hudson (Coolah) Island Location
7	Bowden (Budg-Joo) Island (18-005B)	Bowden (Budg-Joo) Island Location
8	Smith (Kurrumbah) Island (18-005A)	Smith (Kurrumbah) Island Location
9	Goold Island (18-010)	Goold Island Location
10	Garden (Tindappah) Island (18-011)	Garden (Tindappah) Location
11	Eva Island (18-013B)	Eva Island Location

*Note* The Island Locations in the Hinchinbrook Planning Area are part of the Great Barrier Reef Marine Park. The boundaries of the Island Locations are defined by the coastal 500 metre lines around the islands listed up to low water, except where other Locations in this Plan are within 500 metres. In those cases, the median line between the Locations forms the boundary.

## **Schedule 3      Setting Locations**

(clause 2.4)

### **1      Intensive use setting Locations**

The Intensive use setting Locations are the following:

- (a) Dunk (Coonanglebah) Island Spit Location;
- (b) Bedarra Island Location 1;
- (c) Bedarra Island Location 2.

### **2      Moderate use setting Locations**

The moderate use setting Locations are the following:

- (a) Dunk (Coonanglebah) Island Location;
- (b) Thorpe (Timana) Island Location;
- (c) Wheeler Island (Toolgbar) Location;
- (d) Goold Island Location;
- (e) Garden (Tindappah) Island Location;
- (f) Macushla Location;
- (g) Cape Richards Location;
- (h) Missionary Bay Transit Lanes.

### **3      Low use setting Locations**

The low use setting Locations are the following:

- (a) Purtaboi (Mound) Island Location;
- (b) Woln-Garin Island Location;
- (c) Kumboola Island Location;
- (d) Bedarra Island Location 3;
- (e) Coombe Island Location;
- (f) Hudson (Coolah) Island Location;
- (g) Bowden (Budg-Joo) Island Location;
- (h) Smith (Kurrumbah) Island Location;
- (i) Meunga Creek Location;
- (j) Brook Islands Location;
- (k) Missionary Bay Location;
- (l) Shepherd Bay Location;
- (m) Eva Island Location;
- (n) Ramsay Bay Location;
- (o) East Coast of Hinchinbrook Island Location;
- (p) Zoe Bay Location;
- (q) Mulligan Bay Location;
- (r) Picnic Beach Location;
- (s) Pandora Reef Location.

## Schedule 4 Levels of use at Sensitive Locations

(subclause 1.12 (1))

Item	Sensitive Location	Limit on Regional Tour Operation bookings	Limit on Standard Tour Operation and Long Range Roving Operation bookings	Management Setting
1	Bowden (Budg-Joo) Island	1 per week	1 per week	Low use
2	Brook Islands	1 per week	1 per week	Low use
3	Coombe Island	No allocation	No allocation	Low use
4	East Coast of Hinchinbrook Island	1 per week	2 per week	Low use
5	Eva Island	1 per week	1 per week	Low use
6	Hudson (Coolah) Island	2 per week	2 per week	Low use
7	Macushla	2 per week	1 per day (booking am/pm)	Moderate use
8	Missionary Bay	2 per day	1 per day	Low use except in transit lanes where a moderate use setting applies
9	Mulligan Bay	No further allocation	1 per week	Low use
10	Picnic Beach Location	No further allocation	No further allocation	Low use
11	Purtaboi (Mound) Island	No further allocation	No further allocation	Low use
12	Ramsay Bay	1 per week	1 per week	Low use
13	Shepherd Bay	1 per week	2 per week	Low use
14	Smith Island	No allocation	No allocation	Low use
15	Wheeler (Toolgbar) Island	2 per week	2 per week	Moderate use
16	Zoe Bay	1 per week	1 per week	Low use

*Note* The effect of column 4 of the table is that, for each Sensitive Location mentioned in an item in the table, the maximum number of bookings in that Location, regardless of whether a booking is for a Standard Tour Operation or a long range roving operation, is the number of bookings specified in column 4 of the item.

## Schedule 5      Significant bird sites

(subclause 1.6 (5) and clause 2.13)

Item	Site	Restriction period
1	North Island	All year
2	Middle Island	All year
3	Tween Island	All year
4	South Island	1 October to 31 March (inclusive)
5	Purtaboi (Mound) Island	1 October to 31 March (inclusive)
6	Pee Rahm Ah Island (Battleship Rock)	1 October to 31 March (inclusive)
7	Eva Island	1 October to 31 March (inclusive)
8	Woln-Garin Island	1 October to 31 March (inclusive)

## Schedule 6 No-anchoring area

(subclause 2.14 (3))

### Map No-anchoring Area (Brook Islands)

#### 1 Brook Islands Reef (18–008) — No-anchoring area

The area bounded by a notional line beginning at the westernmost point of the coastline at low water of North Island (18–008A), and running progressively:

- generally south-easterly along that coastline at low water to its southernmost point;
- south-easterly along the geodesic to the northernmost point of the coastline at low water of Tween Island (18–008B);
- generally southerly and easterly along that coastline at low water to its easternmost point;
- easterly along the geodesic to the westernmost point of the coastline at low water of Middle Island (18–008D);
- generally southerly, south-easterly and easterly along that coastline at low water to its easternmost point;
- southerly along the geodesic to 18° 09.181' S, 146° 17.505' E (marked by no-anchoring marker);
- north-westerly along the geodesic to 18° 09.064' S, 146° 17.298' E (marked by no-anchoring marker);
- north-westerly along the geodesic to 18° 08.977' S, 146° 17.136' E (marked by no-anchoring marker);
- northerly along the geodesic to 18° 08.845' S, 146° 16.989' E (marked by no-anchoring marker);
- north-westerly along the geodesic to 18° 08.779' S, 146° 16.971' E (marked by no-anchoring marker);
- north-westerly along the geodesic to 18° 08.743' S, 146° 16.872' E (marked by no-anchoring marker);
- north-westerly along the geodesic to 18° 08.674' S, 146° 16.761' E (marked by no-anchoring marker);
- north-westerly along the geodesic to 18° 08.506' S, 146° 16.655' E (marked by no-anchoring marker);
- northerly along the geodesic to the point where the line began.

*Note 1* Public moorings are located about the Brook Islands at the northern end of North Island (18–008A) and at the north-westerly edge of South Island (18–008C).

*Note 2* Reef protection markers are used in the Brook Islands to protect the reef.

## Schedule 7 Cruise ship anchorages

(subclause 1.10 (1))

*Note* These proposed cruise ship anchorages require assessment to ascertain their suitability as safe anchorages, and to consider environmental impacts potentially associated with their use.

### 1 Dunk Island Cruise Ship Anchorage

To be determined in the revision of the site plan for the Dunk Island Spit Location and to be approximately defined as being within 200 metres of  $17^{\circ} 55.91' S$ ,  $146^{\circ} 8.06' E$ .

### 2 Hecate Point Cruise Ship Anchorage

To be determined in the preparation of the site plan for anchoring large vessels in the vicinity of Hecate Point, Hinchinbrook Island (18-004) and to be approximately defined as being within 200 metres of  $18^{\circ} 12.31' S$ ,  $146^{\circ} 4.76' E$ .

### 3 Cape Richards Cruise Ship Anchorage

To be approximately defined as being within 200 metres of  $18^{\circ} 11.41' S$ ,  $146^{\circ} 13.56' E$ .

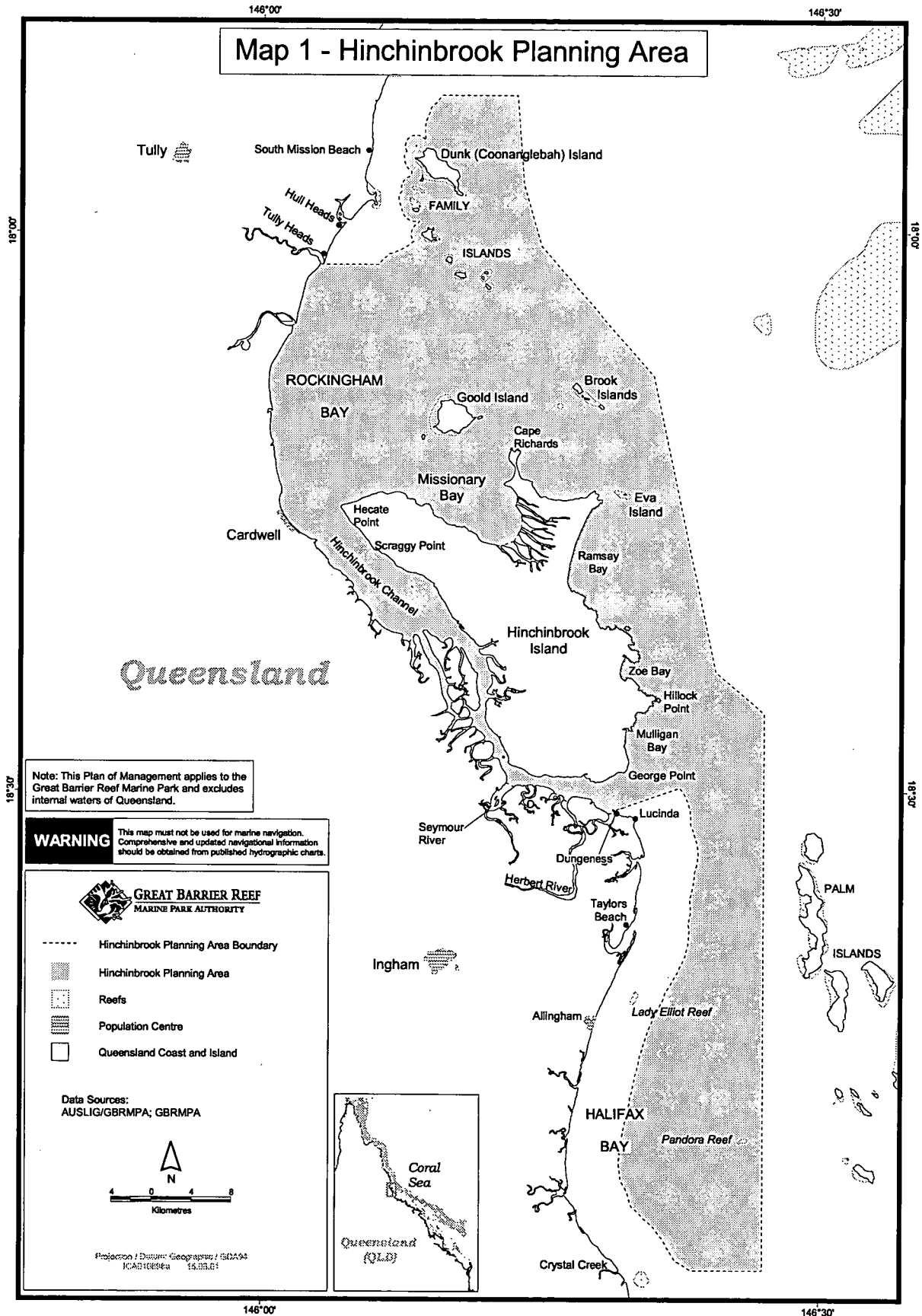
### 4 Goold Island Cruise Ship Anchorage

To be approximately defined as being within 200 metres of  $18^{\circ} 9.24' S$ ,  $146^{\circ} 8.48' E$ .

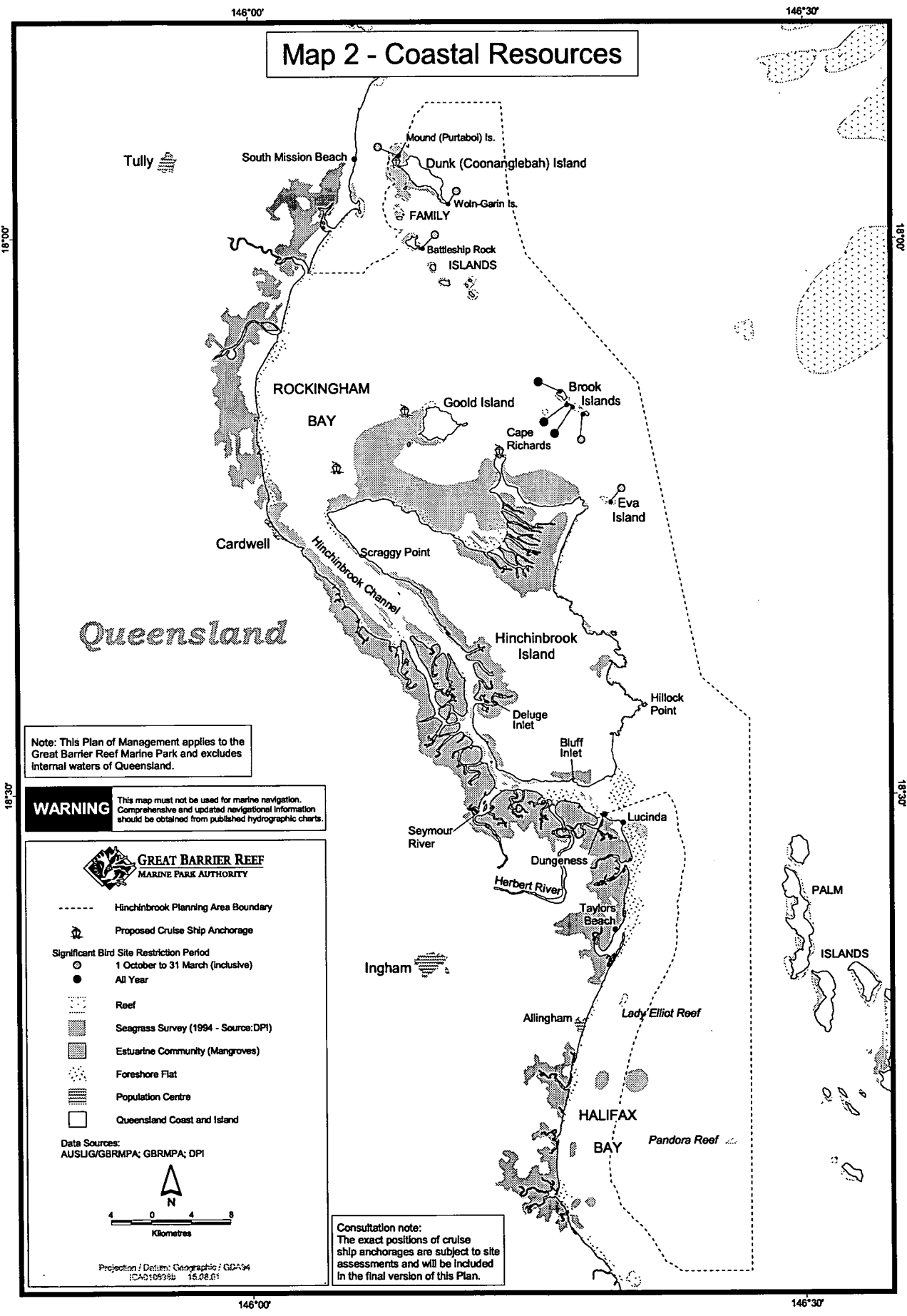
*Consultation note* It is intended that the cruise ship anchorages will be in the Locations mentioned above but the exact positions of the anchorages are yet to be determined. A full safety and environmental assessment and cultural heritage assessment will be carried out to determine the most suitable positions for the anchorages. The assessments will be carried out in consultation with the Australian Maritime Safety Authority, the Hydrographic Service, Queensland Transport, the Queensland Parks and Wildlife Service, reef pilots and other users. The exact positions of the anchorages will be included in the final version of this Plan, and this note will not be included in the final version of this Plan.

# Schedule 8 Maps

(paragraph 1.6 (2) (c), subclauses 1.7 (1) and (3), paragraph 1.7 (7) (b) and subclause 2.14 (3))



# Map 2 - Coastal Resources



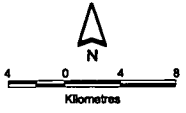
Note: This Plan of Management applies to the Great Barrier Reef Marine Park and excludes internal waters of Queensland.

**WARNING** This map must not be used for marine navigation. Comprehensive and updated navigational information should be obtained from published hydrographic charts.



- Hinchinbrook Planning Area Boundary
- Proposed Cruise Ship Anchorage
- Significant Bird Site Restriction Period
  - 1 October to 31 March (Inclusive)
  - All Year
- Reef
- Seagrass Survey (1994 - Source:DPI)
- Estuarine Community (Mangroves)
- Foreshore Flat
- Population Centre
- Queensland Coast and Island

Data Sources:  
AUSLIG/GBRMPA; GBRMPA; DPI

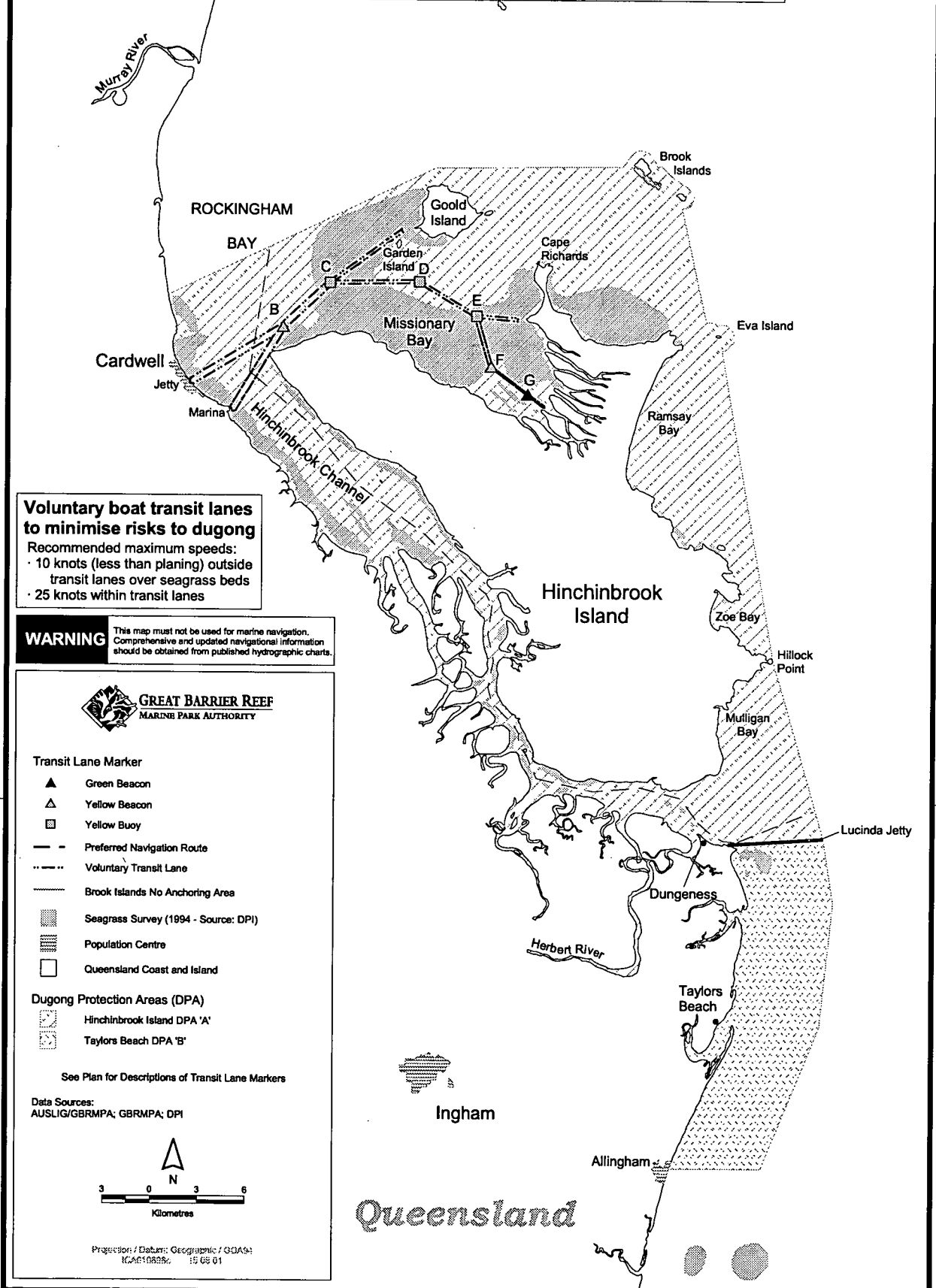


Projection / Datum: Geographic / GDA94  
ICAO:108234 15.08.01

Consultation note:  
The exact positions of cruise ship anchorages are subject to site assessments and will be included in the final version of this Plan.

146°00'

# Map 3 - Dugong Protection Areas & Transit Lanes

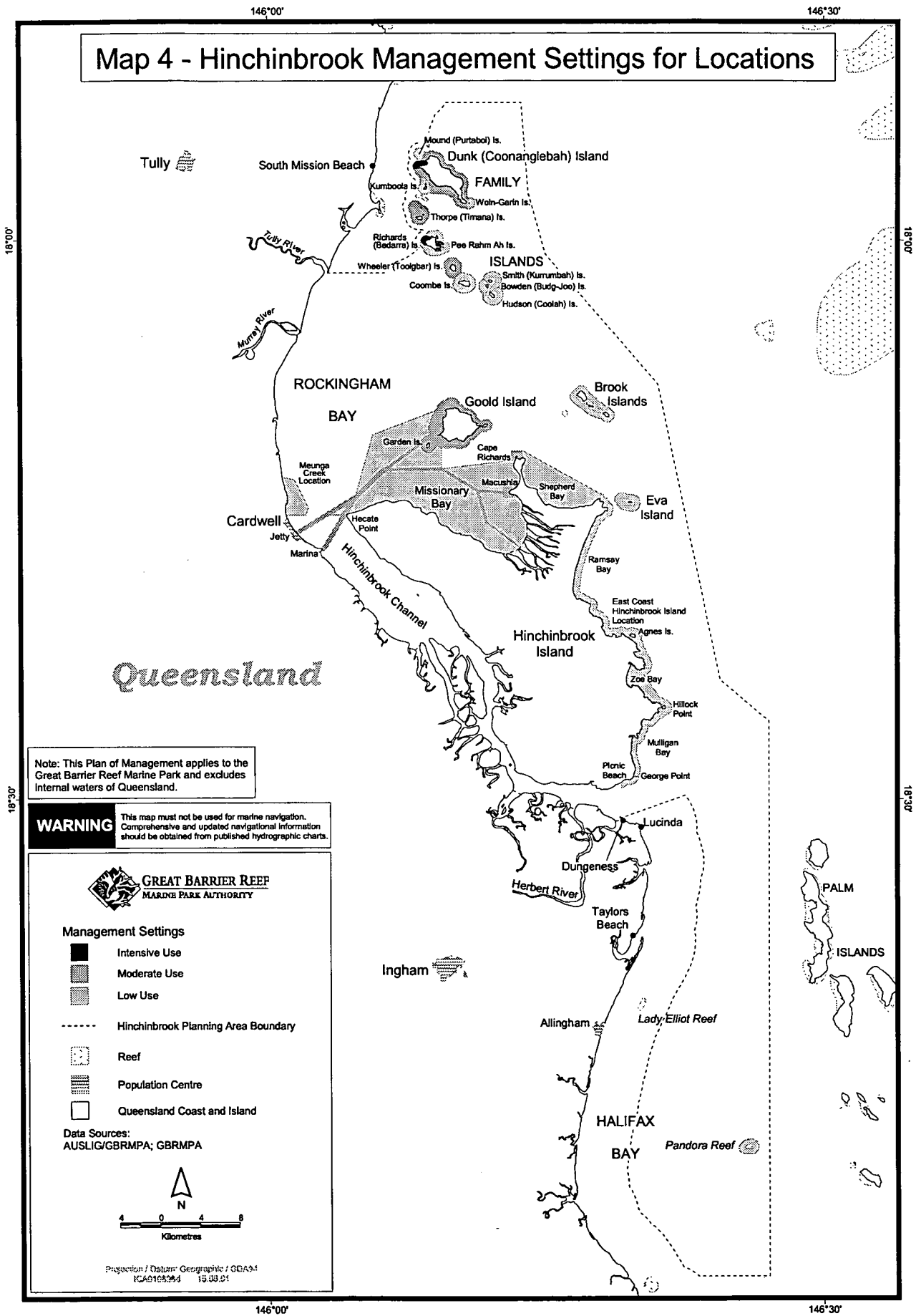


18°30'

18°30'

146°00'

# Map 4 - Hinchinbrook Management Settings for Locations



Note: This Plan of Management applies to the Great Barrier Reef Marine Park and excludes Internal waters of Queensland.

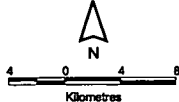
**WARNING** This map must not be used for marine navigation. Comprehensive and updated navigational information should be obtained from published hydrographic charts.



**Management Settings**

- Intensive Use
- Moderate Use
- Low Use
- Hinchinbrook Planning Area Boundary
- Reef
- Population Centre
- Queensland Coast and Island

Data Sources:  
AUSLIG/GBRMPA; GBRMPA



Projection / Datum: Geographic / GDA94  
KCA9102994 15 33 01

## Schedule 9 Definitions

(subclause 1.5 (1))

<i>500 metre line</i>	has the same meaning as in the Zoning Plan.
<i>Act</i>	means the <i>Great Barrier Reef Marine Park Act 1975</i> .
<i>aircraft</i>	has the same meaning as in the Act.
<i>aircraft operation</i>	means an operation: <ul style="list-style-type: none"><li>(a) described under that name in Table 2; and</li><li>(b) comprising activities:<ul style="list-style-type: none"><li>(i) permitted under a relevant permission; and</li><li>(ii) all carried out using 1 particular aircraft.</li></ul></li></ul>
<i>anchor</i>	means temporarily attach to the sea-bed by means of a weighted object.
<i>authorisation</i>	means an authorisation under the Regulations.
<i>bareboat</i>	means a vessel that is: <ul style="list-style-type: none"><li>(a) a commercial ship registered under the <i>Transport Operations (Marine Safety) Regulation 1995</i> of Queensland, as in force from time to time, as a class 1F ship; and</li><li>(b) more than 6 metres in length; and</li><li>(c) when hired or otherwise made available under a commercial arrangement, made available:<ul style="list-style-type: none"><li>(i) for a person's recreational use; and</li><li>(ii) without a master or crew.</li></ul></li></ul> <p><i>Examples of a bareboat ship</i> A cruiser, houseboat or yacht.</p>
<i>bareboat operation</i>	means an operation: <ul style="list-style-type: none"><li>(a) described under that name in Table 2; and</li><li>(b) comprising activities:<ul style="list-style-type: none"><li>(i) permitted under a relevant permission; and</li><li>(ii) all carried out using 1 particular bareboat.</li></ul></li></ul>
<i>Bedarra Island Location 1</i>	means the area described in item 4 of Schedule 2.
<i>Bedarra Island Location 2</i>	means the area described in item 5 of Schedule 2.
<i>Bedarra Island Location 3</i>	means the area described in item 6 of Schedule 2.
<i>Bowden (Budg-Joo) Island Location</i>	means the area described in item 7 of the Table in item 20 of Schedule 2.
<i>Brook Islands Location</i>	means the area described in item 7 of Schedule 2.
<i>Cape Richards Location</i>	means the area described in item 12 of Schedule 2.
<i>Central Section</i>	has the same meaning as in the Regulations.

<i>coastal 200 metre line</i>	in relation to an island or the mainland, means the line every point of which is 200 metres seaward from: <ul style="list-style-type: none"> <li>(a) the nearest point of the coastline, at low water, of the island or mainland; or</li> <li>(b) if there is a fringing reef wholly or partly around the island, or wholly or partly along the mainland — the nearest point of the reef edge of the fringing reef.</li> </ul> <p><i>Note</i> See clause 4 of the Zoning Plan.</p>
<i>coastal 500 metre line</i>	in relation to an island or the mainland, means the line every point of which is 500 metres seaward from: <ul style="list-style-type: none"> <li>(a) the nearest point of the coastline, at low water, of the island or mainland; or</li> <li>(b) if there is a fringing reef wholly or partly around the island, or wholly or partly along the mainland — the nearest point of the reef edge of the fringing reef.</li> </ul> <p><i>Note</i> See clause 4 of the Zoning Plan.</p>
<i>collecting</i>	has the same meaning as in the Zoning Plan.
<i>commencing day</i>	means the day on which the <i>Hinchinbrook Plan of Management 2001</i> is gazetted.
<i>Coombe Island Location</i>	means the area described in item 5 of the Table in item 20 in Schedule 2.
<i>craftless operation</i>	means an operation: <ul style="list-style-type: none"> <li>(a) described under that name in Table 2; and</li> <li>(b) comprising activities: <ul style="list-style-type: none"> <li>(i) permitted under a relevant permission; and</li> <li>(ii) all carried out using neither an aircraft nor a vessel.</li> </ul> </li> </ul>
<i>cruise ship</i>	means a vessel in excess of 70 metres in overall length.
<i>cruise ship anchorage</i>	means an area referred to in Schedule 7.
<i>cruise ship operation</i>	means an operation: <ul style="list-style-type: none"> <li>(a) described under that name in Table 2; and</li> <li>(b) comprising activities: <ul style="list-style-type: none"> <li>(i) permitted under a relevant permission; and</li> <li>(ii) all carried out using 1 particular cruise ship.</li> </ul> </li> </ul>
<i>day</i>	means a period of 24 hours commencing at midnight.
<i>Dunk (Coonanglebah) Island Location</i>	means the area described in item 2 of Schedule 2.

<i>Dunk (Coonanglebah) Island Spit Location</i>	means the area described in item 1 of Schedule 2.
<i>East Coast Hinchinbrook Island Location</i>	means the area described in item 15 of Schedule 2.
<i>Eva Island Location</i>	means the area described in item 11 of the Table in item 20 of Schedule 2.
<i>existing permission</i>	means a relevant permission in force on the commencing day.
<i>facility</i>	has the same meaning as in subsection 3A (9) of the Act.
<i>fishing</i>	has the same meaning as in the Zoning Plan.
<i>Garden (Tindappah) Island Location</i>	means the area described in item 10 of the Table in item 20 of Schedule 2.
<i>Goold Island Location</i>	means the area described in item 9 of the Table in item 20 of Schedule 2.
<i>high speed vessel</i>	means a personal watercraft, hovercraft or wing-in-ground-effect, or a vessel of any kind if operated faster than 35 knots.
<i>hire craft</i>	means a motorised vessel, less than 6 metres in overall length, that is available for timeshare, hire or charter without a master or crew (eg dinghy, half cabin, personal watercraft).
<i>hire equipment</i>	means non-motorised craft that are available for timeshare, hire or charter without a master or crew (eg kayak, paddleboard, windsurfer).
<i>hire operation</i>	means an operation: <ul style="list-style-type: none"> <li>(a) described under that name in Table 2; and</li> <li>(b) comprising activities: <ul style="list-style-type: none"> <li>(i) permitted under a relevant permission; and</li> <li>(ii) all carried out using a hire craft or hire equipment.</li> </ul> </li> </ul>
<i>holder, of a relevant permission</i>	means the person to whom a relevant permission that is in force was granted, or transferred, as the case may be.
<i>Hudson (Coolah) Island Location</i>	means the area described in item 6 of the Table in item 20 of Schedule 2.
<i>intensive use setting Location</i>	means a Location identified in item 1 of Schedule 3.
<i>Kumboola Island Location</i>	means the area described in item 3 of Schedule 2.
<i>large vessel</i>	means any vessel with an overall length of 35

	metres or more.
<i>Location</i>	means an area described in an item in Schedule 2.
<i>long range roving operation</i>	means an operation: <ul style="list-style-type: none"> <li>(a) described under that name in Table 2; and</li> <li>(b) comprising activities: <ul style="list-style-type: none"> <li>(i) permitted under a relevant permission; and</li> <li>(ii) all carried out using 1 particular vessel.</li> </ul> </li> </ul>
<i>low use setting Location</i>	means a Location identified in item 3 of Schedule 3.
<i>Macushla Location</i>	means the area described in item 13 of Schedule 2.
<i>Management Agencies</i>	means the Great Barrier Reef Marine Park Authority and the Queensland Parks and Wildlife Service.
<i>management setting</i>	means a setting described in Table 1.
<i>Marine Park</i>	has the same meaning as in subsection 3 (1) of the Act.
<i>marine parks</i>	means the Great Barrier Reef Marine Park established by the Act and areas declared to be marine parks under the <i>Marine Parks Act 1982</i> of Queensland.
<i>median line</i>	between a coastline or reef edge and another coastline or reef edge, means the line every point of which is equidistant from the nearest points of the reef edge or coastline at low water.
<i>Meunga Creek Location</i>	means the area described in item 8 of Schedule 2.
<i>Missionary Bay Location</i>	means the area described in item 9 of Schedule 2.
<i>Missionary Bay Transit Lanes</i>	means the areas described in item 10 of Schedule 2.
<i>moderate use setting Location</i>	means a Location identified in item 2 of Schedule 3.
<i>mooring</i>	as a noun, means a permanently located construction, including the mooring buoy, tackle and base or point of attachment to the sea-bed, that is designed solely for mooring a vessel or aircraft.
<i>motorised water sport</i>	means any of the following: <ul style="list-style-type: none"> <li>(a) irregular driving on a motorised vessel — that is, driving a motorised vessel other than in a straight line — and includes: <ul style="list-style-type: none"> <li>(i) driving in a circle or other pattern; and</li> </ul> </li> </ul>

	(ii) weaving or diverting; and
	(iii) surfing down, or jumping over or across, any swell, wave or wash;
	but does not include making any necessary turn or diversion;
	(b) any activity in which a high speed vessel or motorised vessel tows a person on top of the water or in the air, for example, water skiing or para-sailing;
	(c) any activity in which a personal watercraft is used, other than for transport by the most direct reasonable route (not including irregular driving) between 2 places in the Planning Area.
<i>motorised water sports operation</i>	means an operation: <ul style="list-style-type: none"> <li>(a) described under that name in Table 2; and</li> <li>(b) comprising activities permitted under a relevant permission.</li> </ul>
<i>Mulligan Bay Location</i>	means the area described in item 17 of Schedule 2.
<i>new permission</i>	means a relevant permission granted on or after the commencing day.
<i>no-anchoring area</i>	means the part of the Planning Area within an area referred to in Schedule 6 and shown on Map 3 in Schedule 8.
<i>non-motorised craft</i>	means craft moved only by human or wind power (for example, sea kayaks, sailboards and other small sail craft or paddle boards without capacity for motorised power).
<i>non-motorised craft operation</i>	means an operation: <ul style="list-style-type: none"> <li>(a) described under that name in Table 2; and</li> <li>(b) comprising activities permitted under a relevant permission.</li> </ul>
<i>overall length</i>	has the same meaning as in the Act.
<i>Pandora Reef Location</i>	means the area described in item 19 of Schedule 2.
<i>passenger transport operation</i>	means an operation: <ul style="list-style-type: none"> <li>(a) described under that name in Table 2; and</li> <li>(b) comprising activities: <ul style="list-style-type: none"> <li>(i) in which passengers are transported between Locations or between a Location and a place outside the Planning Area; and</li> <li>(ii) permitted under a relevant permission; and</li> <li>(iii) all carried out using 1 particular vessel.</li> </ul> </li> </ul>
<i>permanently moored facility</i>	means a facility that is moored in the 1 place: <ul style="list-style-type: none"> <li>(a) for more than 14 consecutive days; or</li> </ul>

	(b) for more than 30 days in any period of 60 days; or (c) as otherwise defined in the Regulations.
<i>permitted mooring</i>	means a mooring permitted by the Management Agencies.
<i>personal watercraft</i>	has the same meaning as in the <i>Transport Operations (Marine Safety) Regulations 1995</i> of Queensland, as in force from time to time.  <i>Note 1</i> At the commencement of this Plan, subsection 5 (1) of the <i>Transport Operations (Marine Safety) Regulations 1995</i> of Queensland defined <i>personal watercraft</i> as a power driven ship that: (a) has a fully enclosed hull that does not take on water if capsized; and (b) is designed to be operated by a person standing, crouching, or kneeling on it or sitting astride it. <i>Note 2</i> Section 10 of the <i>Transport Operations (Marine Safety) Act 1994</i> of Queensland defines <i>ship</i> as follows: (1) A <i>ship</i> is any kind of boat or other vessel used or, for a boat or other vessel being built, intended to be used, in navigation by water or for any other purpose on water. (2) Without limiting subsection (1), a <i>ship</i> includes a boat or other vessel: (a) whatever its size; and (b) however it is propelled or moved. (3) A <i>ship</i> includes, for example: (a) a barge, lighter or other floating vessel; and (b) a hovercraft or other surface effect craft. (4) A <i>ship</i> does not include a vessel declared by regulation not to be a ship. (5) A regulation may provide that a <i>ship</i> includes an aircraft when it is on water or is taking off, or landing on, water. (6) Except as provided by a regulation under subsection (5), a ship does not include an aircraft.
<i>Picnic Beach Location</i>	means the area described in item 18 of Schedule 2.
<i>Plan</i>	means the <i>Hinchinbrook Plan of Management 2001</i> .
<i>Planning Area</i>	means the Hinchinbrook Planning Area described in Schedule 1.
<i>pontoon</i>	means a non-motorised permanently moored facility that is used primarily for tourist or mariculture activities (except solely as a landing area for aircraft).
<i>public mooring</i>	means a mooring that is installed by, or on behalf of, the Authority or the State of Queensland for use by the public.
<i>Purtaboi (Mound) Island Location</i>	means the area described in item 1 of the Table in item 20 of Schedule 2.

<i>Ramsay Bay Location</i>	means the area described in item 14 of Schedule 2.
<i>reef</i>	has the same meaning as in the Zoning Plan.
<i>reef edge</i>	has the same meaning as in the Zoning Plan.
<i>reef protection marker</i>	means a marker that: <ul style="list-style-type: none"> <li>(a) is installed by or for the Authority or an authority of Queensland; and</li> <li>(b) marks the seaward boundary of an area where anchoring is not permitted.</li> </ul>
<i>Regional Tour Operation</i>	means an operation: <ul style="list-style-type: none"> <li>(a) described under that name in Table 2; and</li> <li>(b) comprising activities: <ul style="list-style-type: none"> <li>(i) permitted under a relevant permission; and</li> <li>(ii) all carried out using 1 particular vessel or aircraft.</li> </ul> </li> </ul>
<i>Regulations</i>	means the <i>Great Barrier Reef Marine Park Regulations 1983</i> .
<i>relevant permission</i>	has the same meaning as in subregulation 4 (1) of the Regulations.
<i>restriction period</i>	means the period mentioned in Schedule 5 for a significant bird site.
<i>sea-bed</i>	has the same meaning as in subsection 3 (2) of the Act.
<i>Sensitive Location</i>	means a Location identified in Schedule 4.
<i>setting Locations</i>	means the part of the Planning Area within a Location mentioned in Schedule 3.
<i>Shepherd Bay Location</i>	means the area described in item 11 of Schedule 2.
<i>ship</i>	has the same meaning as in the Zoning Plan.
<i>significant bird site</i>	means an island, islet, rock, inlet or bay mentioned in Schedule 5 (from the coastline at high water extending to the coastal 200 metre line).
<i>Smith (Kurrumbah) Island Location</i>	means the area described in item 8 in the Table in item 20 in Schedule 2.
<i>Standard Tour Operation</i>	means an operation: <ul style="list-style-type: none"> <li>(a) described under that name in Table 2; and</li> <li>(b) comprising activities: <ul style="list-style-type: none"> <li>(i) permitted under a relevant permission; and</li> <li>(ii) all carried out using 1 particular vessel or aircraft.</li> </ul> </li> </ul>

<i>support service operation</i>	<p>means an operation:</p> <p>(a) described under that name in Table 2; and</p> <p>(b) comprising activities:</p> <p style="padding-left: 20px;">(i) permitted under a relevant permission; and</p> <p style="padding-left: 20px;">(ii) all carried out using 1 particular vessel.</p> <p><i>Examples</i></p> <p>A support service operation may offer such services as:</p> <ul style="list-style-type: none"> <li>• delivering spare parts or equipment</li> <li>• landing torn sails for repair</li> <li>• medivac support</li> <li>• assisting in pollution control.</li> </ul>
<i>taking</i>	has the same meaning as in the Zoning Plan.
<i>Thorpe (Timana) Island Location</i>	means the area described in item 3 of the Table in item 20 of Schedule 2.
<i>tourism operation</i>	<p>means any of the following:</p> <p>(a) a bareboat operation;</p> <p>(b) a craftless operation;</p> <p>(c) a cruise ship operation;</p> <p>(d) a hire operation;</p> <p>(e) a long range roving operation;</p> <p>(f) a motorised water sports operation;</p> <p>(g) a non-motorised craft operation;</p> <p>(h) a passenger transport operation;</p> <p>(i) a Regional Tour Operation;</p> <p>(j) a Standard Tour Operation;</p> <p>(k) a support service operation.</p>
<i>tourist</i>	has the same meaning as in subsection 3A (9) of the Act.
<i>tourist facility</i>	has the same meaning as in subsection 3A (4) of the Act.
<i>transfer, of a relevant permission</i>	means transfer under regulation 52 of the Regulations.
<i>transiting</i>	means in transit, by the most direct reasonable route, to a place outside the Location or area concerned.
<i>transit lane</i>	means an area within a prescribed distance on either side of a direct line between 2 points defined either by latitude and longitude or marked with buoys within the Planning Area.
<i>transport purposes</i>	means use of a vessel or aircraft, primarily for transporting people to a specific destination, including transiting.

<i>vessel</i>	has the same meaning as in subsection 3 (1) of the Act.
<i>week</i>	means a period of 7 days.
<i>Wheeler (Toolgbar) Island Location</i>	means the area described in item 4 of the Table in item 20 of Schedule 2.
<i>Woln-Garin Island Location</i>	means the area described in item 2 of the Table in item 20 of Schedule 2.
<i>year</i>	means a period of 365 days.
<i>Zoe Bay Location</i>	means the area described in item 16 of Schedule 2.
<i>zone</i>	means a zone mentioned in the Zoning Plan.
<i>Zoning Plan</i>	means the Central Section Zoning Plan made in 1987.