



## Historic Heritage Assessment – Maritime Cultural Heritage Protection Special Management Area

Effective from 4 October 2017

### Objective

To provide guidance on assessing the impacts of applications for permission to enter Maritime Cultural Heritage Protection Special Management Areas.

### Target audience

Primary: Great Barrier Reef Marine Park Authority officers assessing applications for permission.  
Secondary: stakeholders, groups and individuals who are interested in accessing the Special Management Areas to undertake Maritime Cultural Heritage activities.

### Purpose

1. To protect areas within the Great Barrier Reef Marine Park that have been identified to have significant maritime cultural heritage value.

### Related legislation / standards / policy

2. Refer to the Permission system policy for a full list of related legislation, standards and policy.
3. The key pieces of legislation governing the historic heritage values in the Marine Park are:
  - a. [Great Barrier Reef Marine Park Act 1975](#)
  - b. [Great Barrier Reef Marine Park Regulations 2019](#)
  - c. [Great Barrier Reef Marine Park Zoning Plan 2003](#)
  - d. [Historic Shipwrecks Act 1976](#) which protects historic wrecks and associated relics that are more than 75 years old and in Commonwealth waters.
4. Relevant policy documents include:
  - a. [Great Barrier Reef Outlook Report 2014](#)
  - b. *The Burra Charter: The Australia ICOMOS Charter for Places of Cultural Significance, 2013*
  - c. [UNESCO Manual for activities directed at underwater cultural heritage](#).

### Context

5. In May 2015, the Great Barrier Reef Marine Park Regulations 2019 (the Regulations) were amended to introduce a new Special Management Area (SMA) to protect specific maritime cultural heritage sites. Maritime Cultural Heritage Protection SMAs are declared under Section 53 to protect fragile and irreplaceable heritage places. Two nationally significant World War II Catalina plane wrecks with potential human remains have been declared as Maritime Cultural Heritage Protection SMAs.
6. Maritime Cultural Heritage Protection SMAs are transit-only areas. It is an offence to:
  - a. Enter a wreck without the written permission of the Great Barrier Reef Marine Park Authority (the Authority).
  - b. Approach within 100 metres of a wreck (other than transiting in a non-submersible vessel or aircraft) without the written permission of the Authority.
  - c. Operate a vessel in the area without the written permission of the Authority, except for purpose of transiting.
  - d. Anchor, attempt to anchor or deploy a vessel's anchoring equipment, in the area without the written permission of the Authority.
7. Refer to the [Application Guidelines](#) and the [Assessment Guidelines](#) for general information about applying for permission and how such applications are assessed and decided.
8. These guidelines supplement the general assessment guidance material, providing information that is specific to Maritime Cultural Heritage Protection SMAs.

## Management

### When permission may be granted in accordance with the Regulations

9. Section 109 states the Authority must not grant permission to use or enter a Maritime Cultural Heritage Protection SMA other than for 'cultural heritage purposes', which is defined as meaning to carry out:
  - a. cultural heritage research
  - b. cultural heritage monitoring
  - c. works to stabilise wrecks
  - d. photography, filming or sound recording that will improve public education about, or understanding of, cultural heritage
  - e. ceremonial activities directly relevant to cultural heritage
  - f. activities incidental to an activity covered by paragraphs (a) to (e).
10. The Authority considers that carrying out 'cultural heritage research' is characterised by:
  - a. A diligent and systematic inquiry or investigation into a subject relating to cultural heritage, in order to discover facts or principles, that has its own objectives, sampling design and outcomes.
  - b. Research that adds to the understanding of the place, its condition and its history; records, catalogues, maps, or otherwise describes the site; or tests new techniques for investigation and preservation.
  - c. Recovery of artefacts and large scale invasive research may be considered, if deemed acceptable.
  - d. Submission of data to the Authority to assist with site management.

If data collected does not assist in improving the management of cultural heritage, the use is not generally considered cultural heritage research.

11. The Authority considers that carrying out 'cultural heritage monitoring' is characterised by:
  - a. Monitoring and recording the condition of the site over time through photography and other observations.
  - b. The identification of areas that may be prone to damage through natural causes and the monitoring of those features.
  - c. Submission of data to the Authority to assist with site management.

If data is not collected that assists the Authority, the use is not generally considered cultural heritage monitoring.

12. The Authority considers that carrying out 'works to stabilise the site' is characterised by:
  - a. The addition of stabilising materials such as sand or grout bags.
  - b. The reburial of artefacts for their protection, if they have become exposed by sediment movement.
  - c. The removal of foreign objects such as fishing line, net, fishing tackle, rubbish, anchors or line; that clearly postdates the wreck/site (for example, post 1947 for the Catalina wrecks), where the removal will not result in collecting of any marine animals or products or impact the fabric of the site.

The removal or movement of any part of the wreckage, or exposing artefacts, would not on its own be considered as stabilising the site.

13. The Authority considers that carrying out 'photography, filming or sound recording that will improve public education about, or understanding of, cultural heritage' is characterised by:
  - a. Recording and interpretation of the site that promotes its value as a fragile, irreplaceable and significant part of Australia's heritage.
  - b. Recording and interpretation that acknowledges, with due respect, those lost in the accident and their surviving relatives.
  - c. Recording and interpretation that acknowledges the commitment of Australians in World War II and their sacrifice for the country.
  - d. The images and sounds collected being made publicly available, whether commercially or non-commercially.

14. The Authority considers that carrying out 'ceremonial activities directly relevant to cultural heritage' is characterised by:
  - a. A ceremony that is instigated by a relative of a crew member that was lost in the accident, with due respect for those lost in the accident and the other surviving relatives.
  - b. A ceremony that is instigated by the Australian Defence Force for the purposes of commemorating those lost in the accident, with due respect for those lost in the accident and their surviving relatives.
  - c. A ceremony that is instigated by another highly relevant organisation, such as a local government council or Returned and Services League (RSL), with written support of the relatives and the Australian Defence Force, for the purposes of commemorating those lost in the accident, with due respect for those lost in the accident and their surviving relatives.
  - d. Carrying out activities incidental to an activity covered by paragraphs (a) (b) and (c), such as the laying of wreaths.

## Assessment considerations

15. Applications for permission will be assessed and decided in accordance with the Regulations, the [Permission System Policy](#) and the [Assessment Guidelines](#).
16. The Authority may seek advice from internal or external experts to assess risks of the proposed activity and to determine appropriate avoidance and mitigation measures. Refer to the [Risk Assessment Procedure](#) when conducting a risk assessment.
17. If an applicant proposes to use any tools other than common recreational SCUBA equipment, handheld cameras or measuring tapes, they should clearly outline in the application for the permission, the purpose and need for the specified equipment, and describe how any impacts to the fabric of the site will be avoided.

## Information required from the applicant

18. To support an application, the applicant should provide the following information:
  - a. Purpose of the visit and activities to be undertaken within the Maritime Cultural Heritage Protection SMA, for example:
    - (i) maritime cultural heritage research – a research plan
    - (ii) conducting a memorial service – an itinerary and description of activities
    - (iii) removal of foreign objects – an itinerary and description of activities.
  - b. An Environmental Management Plan detailing how the applicant will access the site and conduct the proposed activities, for example:
    - (i) vessel details
    - (ii) how the wreck will be located and marked
    - (iii) vessel anchoring methods and considerations (for example, what would be considered as favourable weather conditions; whether someone would remain on the vessel at all times)
    - (iv) air supply (SCUBA, rebreather, Surface Supplied Breathing Apparatus)
    - (v) specialist equipment, remotely operated vehicle (ROV) or diver propulsion vehicle (DPV)
    - (vi) other materials and methods.
  - c. Qualifications of key members of the research team, for example:
    - (i) qualifications or relevant experience in maritime archaeology
    - (ii) qualifications or relevant experience in diving
    - (iii) knowledge of the particular site
    - (iv) evidence the applicant has the financial capacity to complete the project.
  - d. How the information gained from this research will be used, for example:
    - (i) published in a professional journal
    - (ii) educational purposes
    - (iii) supplied to government agencies for management purposes.

### Anchoring

19. Anchoring can result in physical damage to maritime cultural heritage sites. The effect of anchoring depends on the size of the vessel, its anchoring equipment and the substrate of the seafloor. In particular, the dropping or dragging of an anchor through a wreck site could cause irreversible damage.
20. To protect the integrity of the wreck, the permit holder should locate the site using non-intrusive equipment, such as a depth sounder, and mark the site near, but not on, the wreck with a surface marker buoy. A minimum distance of 30 metres should be maintained between the vessel's anchoring point and the wreck site to avoid and minimise any impacts that may result from anchoring too close and potential anchor drag.

### Ceremonial Activities

21. Specific activities, methods and materials proposed for a ceremony should be specified in the application for permission and assessed using the Authority's [Risk Assessment Procedure](#). In general:
  - a. A modest release of floral tributes is likely to be acceptable, provided that these tributes are biological material only. Supporting materials such as balloons, wire, metal, foam, paper, plastic, and ribbon may pose a risk to the Marine Park and are unlikely to be permitted.
  - b. Firing a cannon or guns by the Australian Defence Force may be considered, subject to a risk assessment.
  - c. The scattering of human ashes would likely require the support of the majority of relatives whose loved ones are entombed in the Maritime Cultural Heritage Protection SMA.
22. See the [Position Statement on Management of memorials within the Great Barrier Reef Marine Park](#) for guidance on applications to install a memorial.

### Diving

23. To protect the integrity of the wreck, divers generally should not be permitted by the Authority to enter a wreck or overhead spaces, as this increases the likelihood of accidental damage from dive equipment. Diver exhaust bubbles are also a concern, as they may physically dislodge encrusting organisms or introduce oxygen which increases corrosion. Divers should only be permitted to enter a wreck if there is a legitimate research reason.
24. Surface supplied breathing apparatus (SSBA) poses a greater risk of damage to a site than using SCUBA. SSBA hoses are more likely to snag on a wreck, causing damage to the fabric of the site. Exhaust bubbles from divers' helmets can also damage a wreck. Diving helmets restrict the diver's peripheral vision and can lead to the diver damaging a wreck with the helmet or other equipment or parts of their body. As such it is recommended that SCUBA or rebreather equipment is used within the Maritime Cultural Heritage Protection SMA. If an applicant proposes to use SSBA, they must clearly outline in the application for the permission, why it is required and describe how any likely impacts will be avoided. This should include evidence that divers are suitably experienced.

### How the information gained will be used

25. Information collected as part of permitted research projects should complement existing and future monitoring programs under the [Reef Integrated Monitoring and Reporting Program](#).
26. The Authority expects permission holders to submit copies of all raw data that is collected. This assists the Authority to monitor and manage the site.
27. The Authority sees benefit in sharing information with other parties, if it is considered to benefit the conservation of the wreck and/or assist with promoting maritime cultural heritage protection, education or awareness. The Authority will work with applicants to seek agreement for appropriate data sharing arrangements on a case-by-case basis.

### Invasive research

28. Invasive research refers to survey or sampling methods that physically disturb a site. Artefacts, or even an entire ship or plane, may be recovered, conserved and interpreted at a museum. This form of work adds significantly to knowledge and may help protect heritage values from looters or extreme weather events such as cyclones.
29. The applicant should submit as part of an application for a permission, a research plan which explains in detail the proposed materials, methods and timeframes for the research project. The research plan

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should also explain how any recovered artefacts would be stored, transported, restored, conserved and interpreted. The research plan should also explain protocols for handling any human remains.

30. The lifting of artefacts for examination and identification is considered a negligible risk if:
  - a. the artefact can be returned in the same condition to the same position it was in prior to disturbance
  - b. information gained from the examination of the artefact (such as measurements or photographs) would add to knowledge of the site.
31. Exploratory excavation of the substrate in an attempt to locate artefacts is unlikely to be permitted. The preference is for non-invasive techniques to be used to pinpoint the most likely sites for artefacts prior to any excavation.
32. With invasive research, the key risks are:
  - a. Inadequate scientific capability – Lack of knowledge or experience may result in damage to the site or artefacts.
  - b. Inadequate financial and/or project management capability – Limited resources may result in sub-standard materials or methods; or abandonment of the site in a partially excavated state without supplementary stabilisation.
33. To avoid these risks, the Authority prefers that invasive research projects are backed by a reputable organisation such as a museum, university or government department with demonstrated scientific, financial and project management capability.
34. See the [Assessment guidelines](#) (section on *Assessment Criteria – Consideration B: Suitable person*) for more information.

#### **Key personnel**

35. In determining whether the proposed personnel are suitably experienced, the Authority considers the following matters:
  - a. Maritime cultural heritage experience – Is the applicant a qualified maritime archaeologist; or have they worked with maritime archaeologists on previous occasions on this or similar sites and demonstrated appropriate experience in maritime archaeological techniques?
  - b. Formal training or education in maritime archaeology – Has the applicant been trained in maritime archaeological techniques, either through a recognised institution like a university, or through an Introduction to Maritime Archaeology course provided by such organisations as the Nautical Archaeology Society (NAS)?
  - c. Knowledge of the specific site and/or experience in diving at the specific site – How many times, and in what conditions, has the applicant worked on this site? What was their role in these previous trips? Have they demonstrated knowledge of the site's specific conditions? Do they have significant experience on similar sites?
  - d. Diving experience, including certifications or licences and practical experience – Does the applicant hold at least a recognised SCUBA certification to PADI Advanced level (or equivalent), or a minimum of 50 hours of SCUBA diving experience?
36. A reasonable combination of the skills and experience listed above may be sufficient, depending on the type of activities proposed and the possible impacts.

#### **Photography, filming and sound recording**

37. See [Recording activity assessment guidelines](#) for more information about photography, filming and sound recording.
38. Requests for longer term equipment installation will be considered on a case-by-case basis. Where equipment is not attended by a person, the Authority generally requires regular inspection and maintenance of the equipment.

### Removal of foreign objects

39. Foreign objects (post 1947 for the Catalina wrecks) may impact on the heritage value of a site by detracting from the aesthetic value, causing erosion, and biasing the archaeological record. Foreign objects may include fishing line, net, fishing tackle, rubbish, anchors or chains.
40. Removal of any foreign object that is detrimental to the conservation of the site is likely to be a positive action, so long as the removal is not detrimental to the fabric of the site. This includes minimising disturbance to encrusting marine organisms that may be protecting or stabilising the site.
41. The applicant should explain in an application for a permission that involves removal of a foreign object:
  - a. how the proponent will identify that foreign objects post-date a wreck, and/or specifically what they will remove
  - b. how any foreign objects will be removed
  - c. the ultimate fate of any foreign object that is removed.

### Stabilisation works

42. Stabilising a site may take a variety of forms and be in response to a sudden issue (such as a cyclone) or long-term, ongoing processes (such as gradual erosion). Materials that are commonly used to stabilise maritime heritage sites include metal stakes, shade cloth, grout bags, sand bags, commercially made marine stabilisation matting and floating frond systems. Not all of these may be appropriate for use within the Marine Park or at a specific site. Materials and methods are always subject to risk assessment by the Authority. In general, the Authority is unlikely to permit the use of materials that:
  - a. are non-biodegradable, such as plastics
  - b. pose a biosecurity risk
  - c. pose an entanglement risk to wildlife
  - d. contain compounds which may be hazardous to wildlife, taking into account likely chemical reactions with seawater over time.
43. Applications for stabilisation works should be supported by an Environmental Management Plan to demonstrate that the proposed works will provide a better outcome than no action at all (for example, the proposed works should not make an existing problem worse or create a new problem). The plan should include:
  - a. Explanation of the geomorphology and hydrodynamics of the site (topography, particle size, waves, currents and sedimentation patterns).
  - b. Proposed methods, materials and timelines.
  - c. Indicators that would be monitored before, during and after works (including any triggers or thresholds).
  - d. Likelihood of success including peer-reviewed evidence of previous successful stabilisation projects using similar methodology.
44. In assessing an application for stabilisation works, the Authority considers the persistence and stability of the materials used; and the potential for these materials to migrate, move or be lost (therefore posing a risk to navigation or wildlife).
45. Additional permissions may be required depending on the method or material, including:
  - a. Carrying out works – if the activity involves moving sediment.
  - b. Installing a facility – if the activity involves building structures such as retaining.
  - c. Permission under the *Sea Dumping Act 1981* – if the activity involves loading materials and dumping them at another site.

### Implementation

46. These guidelines will be reviewed as needed, or at least every three (3) years.
47. The [Permission System Policy](#) and other guidelines are available which provide further detail on how the Authority assesses, decides and manages specific aspects of the permission system and the application process.

48. For actions that are partially outside the Marine Parks, a referral made to the Commonwealth Department responsible for the EPBC Act will serve as an application for permission. The Authority will work with the Australian Government and the Queensland Government according to agreed procedures, such as a Memorandum of Understanding, to assess matters that may affect the Great Barrier Reef.

## Definitions

### Event

A change in situation; something happening or not happening (when it was expected); an incident or occurrence that exposes a value to a hazard.

### Fabric

All the physical material of the place including components, fixtures, contents, and objects (Burra Charter).

### Flotsam

Is any part of the wreckage of a ship or its cargo which is found floating on the surface of the sea (The Oxford Companion to ships and the sea).

### Foreign objects

Include fishing line, net, fishing tackle, rubbish, anchors or line that clearly postdates a site.

### Jetsam

Is part of a ship, its equipment, or its cargo that is purposely cast overboard or jettisoned to lighten the load in time of distress and is washed ashore (The Oxford companion to ships and the sea).

### Lagan

Is goods which are cast overboard from a ship with a buoy and buoy rope attached so that they may be later recovered (The Oxford companion to ships and the sea).

### Wreck

Has the meaning given by the Great Barrier Reef Marine Park Zoning Plan 2003 which state that a wreck 'includes jetsam, flotsam, lagan, derelict, and articles or goods of any kind that belonged to or came from a vessel or aircraft wrecked, stranded, sunk or abandoned, or in distress, or any part of the hull machinery or equipment of any such vessel or aircraft'.

## Supporting information

- Hyperlinks to supporting information are provided throughout the document.

## Further information

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