



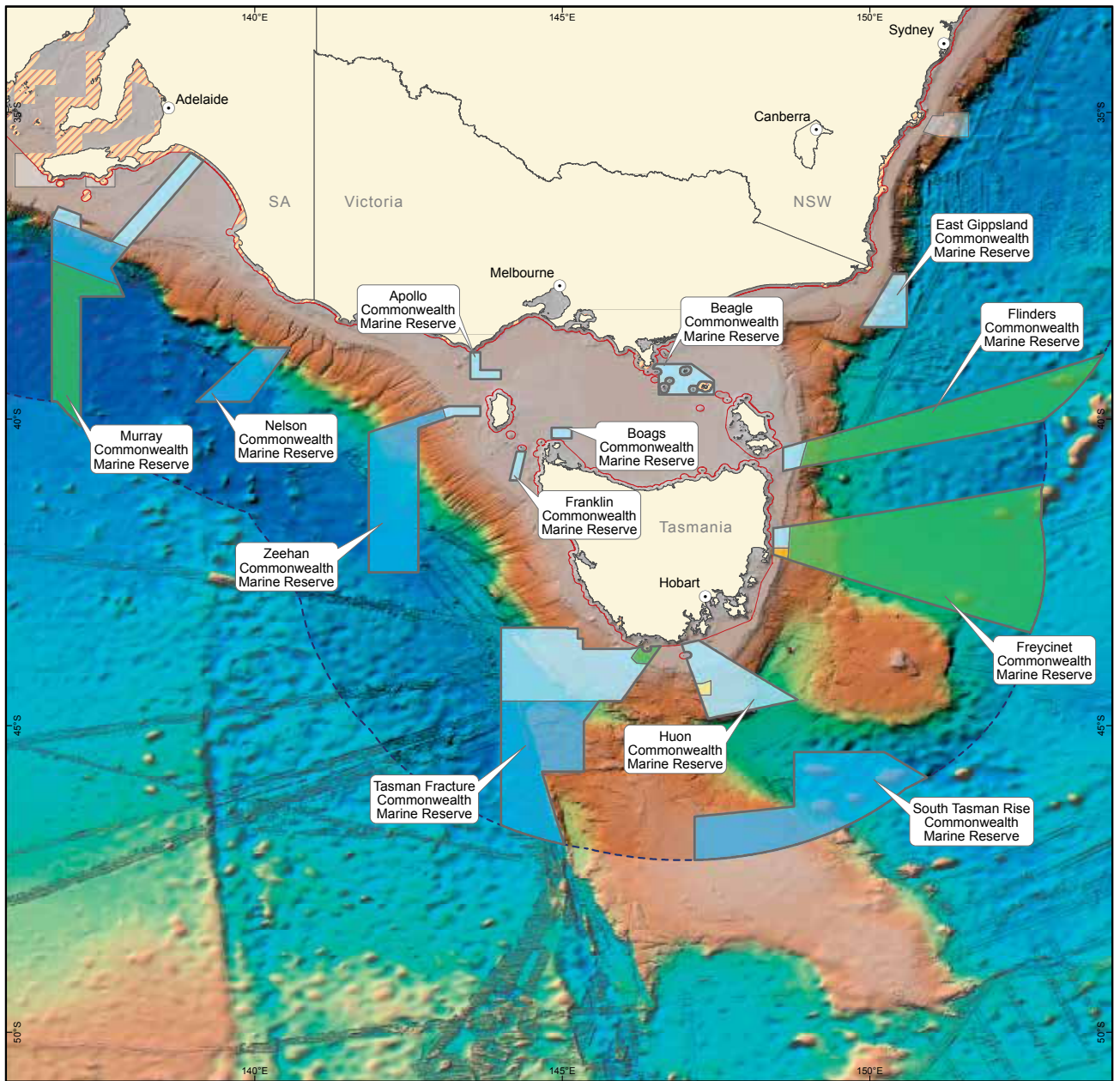
Australian Government
Director of National Parks

A GUIDE FOR USERS OF THE SOUTH-EAST COMMONWEALTH MARINE RESERVES NETWORK

JULY 2013



**COMMONWEALTH
MARINE RESERVES**



South-east Commonwealth Marine Reserves Network

Zoning

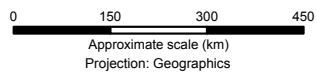
- Sanctuary Zone (IUCN Ia)
- Marine National Park Zone (IUCN II)
- Habitat Protection Zone (IUCN IV)
- Recreational Use Zone (IUCN IV)
- Special Purpose Zone (IUCN VI)
- Multiple Use Zone (IUCN VI)

Maritime boundaries

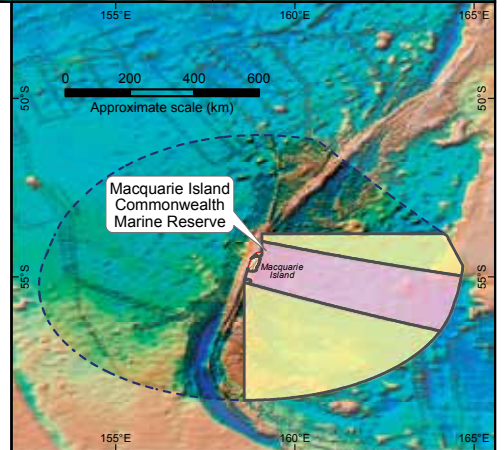
- Limit of the Australian exclusive economic zone
- Limit of coastal waters

Other marine protected areas

- South-west and Temperate East Commonwealth Marine Reserves
- State marine reserves



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SUMMARY OF MANAGEMENT ARRANGEMENTS IN THE SOUTH-EAST COMMONWEALTH MARINE RESERVES NETWORK

Activity	Sanctuary Zone (IUCN Ia)	Marine National Park Zone (IUCN II)	Habitat Protection Zone (IUCN IV)	Recreational Use Zone (IUCN IV)	Special Purpose Zone (IUCN VI)	Multiple Use Zone (IUCN VI)
Commercial fishing (except as indicated below)	×	×	CA	×	×	CA
Demersal trawl						
Danish Seine	×	×	×	×	×	×
Scallop Dredge						
Commercial tourism—fishing ^a , including charter fishing tours	×	×	P	P	P	P
Commercial tourism—non-fishing, including nature watching, scuba and snorkel tours	×	P	P	P	P	P
Commercial aviation tours	✓	✓	✓	✓	✓	✓
Commercial media, including in-water filming and photography	P	P	P	P	P	P
Vessel transiting	✓	✓	✓	✓	✓	✓
Commercial shipping—anchoring	×	× ¹	× ¹	× ¹	× ¹	× ¹
Recreational use—non-fishing (including nature watching)	×	✓	✓	✓	✓	✓
Recreational use—fishing ^a , including spearfishing and organised fishing tournaments	×	×	✓	✓	✓	✓
Recreational use—fishing ^a by clients of charter fishing tours	×	×	✓	✓	✓	✓
Mining: - seismic survey - authorised under Part 7 or 9 of the <i>EPBC Act</i>	×	×	×	×	CA	CA
Mining—other than authorised under Part 7 or 9 of the <i>EPBC Act</i>	×	×	×	×	P/CA	P/CA
Research and monitoring activities	P	P	P	P	P	P
Structures and works—including moorings, excavations and maintenance	P	P	P	P	P	P

✓ Activity is allowed in accordance with plan prescriptions (without the need for a permit or class approval).

×

×¹ Activity is prohibited except in anchoring areas determined under r.12.56 of the *EPBC Regulations*.

P Activity is allowable in accordance with a permit from the Director of National Parks. Commercial tourism and media activities and research and monitoring activities may also be authorised under a class approval.

CA Activity is allowable in accordance with a class approval from the Director of National Parks.

P/CA Activity is allowable in specified zones in accordance with a permit (if the operation is not authorised under Part 7 or Part 9 of the *EPBC Act*) or a class approval (if the operation is authorised under Part 7 or Part 9 of the *EPBC Act*) issued by the Director.

a Recreational fishing is managed by the states. State laws apply unless they are inconsistent with the Management Plan.

PHOTOGRAPHY CREDITS

Front cover: Whale Tail – Dave Paton; Albatross – Mike Double; Recreational fisher – CSIRO; Conductivity, temperature and depth sampling tool – Katrina Haig; Huon Marine Protected Area – CSIRO; Researchers at sea – Katrina Haig

Back cover: CSIRO Research Vessel – CSIRO; Australian Customs Vessel; Craypots – Rick Eaves; Huon Marine Protected Area – CSIRO

MAP DATA SOURCES

1. DSEWPaC (2012): Australia's network of Commonwealth Marine Reserves
2. DSEWPaC (2010): Collaborative Australian Protected Areas Database (CAPAD)
3. Geoscience Australia (2006): Australian Maritime Boundaries (AMB) v2.0
4. Geoscience Australia (2006): GEODATA TOPO 250k
5. Geoscience Australia (2005): Australian Bathymetry and Topography
6. Geoscience Australia (2004): GEODATA TOPO 100k - Coastline
7. Geoscience Australia (2003): GEODATA TOPO 2.5M

This user guide provides an overview of the South-east Commonwealth Marine Reserves Network Management Plan 2013-23 (the Management Plan) and the key management arrangements for users of the marine reserves. It is important that users of the reserves read and understand the rules and restrictions that apply to them and also understand how the reserves are being managed. This guide should be read in conjunction with the Management Plan which provides all the details on where you can go and what you can do in the South-east Commonwealth Marine Reserves Network. The Management Plan is available at: www.environment.gov.au/marinereserves

THE SOUTH-EAST COMMONWEALTH MARINE RESERVES NETWORK

The South-east Commonwealth Marine Reserves Network is the first of a national network of Commonwealth marine reserves established to protect Australia's fantastic ocean resources, and at the same time to allow for sustainable use.

The network extends from the far south coast of New South Wales, around Tasmania and as far west as Kangaroo Island in South Australia. It includes the Commonwealth waters of Bass Strait and waters surrounding Macquarie Island in the Southern Ocean. It protects 388 464 square kilometres of Commonwealth waters in 14 reserves. They are managed for the primary purpose of conserving biodiversity, while allowing for the sustainable use of natural resources in some areas.

There is a vast range of ecosystems. Striking underwater canyons and mountains are habitat for a remarkable array of marine creatures, some of which are found nowhere else in the world. Migratory whales make their way through these waters on their journey to and from Antarctica along Australia's east coast twice a year. Beneath the waves, iconic species such as great white sharks, southern bluefin tuna and blue whales roam. In the deep sea there is a diverse range of fishes and other creatures such as crabs, coral, sea urchins and sponges with bizarre and fascinating adaptations to their deep, dark homes.

Healthy oceans are essential to the wellbeing of our planet. Please help us manage this unique South-east region so that our precious marine resources are protected for future generations.

MANAGING COMMONWEALTH MARINE RESERVES

Parks Australia, part of the federal environment portfolio and headed by the Director of National Parks, manages the South-east Commonwealth Marine Reserves Network in collaboration with:

- other Australian Government agencies
- state government agencies
- Indigenous communities of the South-east
- marine reserve users
- local communities.

As a marine user, you can significantly contribute to management and protection of the marine reserves by sharing your knowledge and understanding of the marine environment and by using it in a sustainable way.

COMMONWEALTH WATERS

The South-east Commonwealth Marine Reserves Network is located in Commonwealth waters, starting at the outer edge of state waters, generally three nautical miles (5.5 kilometres) from the shore. The network extends to the outer boundary of Australia's Exclusive Economic Zone, generally 200 nautical miles from the territorial sea baseline.

MANAGEMENT PLAN

The South-east Commonwealth Marine Reserves Network Management Plan 2013-23 (the Management Plan) is the primary tool for the conservation and management of the South-east Commonwealth Marine Reserves Network.

The Management Plan sets out the zoning, allowable activities and rules for use within the reserves until 2023. The objectives of the Management Plan are intended to provide clear direction for management of the Marine Reserves Network.

The objectives of the Management Plan are to:

1. provide for the protection and conservation of biodiversity and other natural and cultural values of the South-east Marine Reserves Network; and
2. provide for ecologically sustainable use of the natural resources within the South-east Marine Reserves Network where this is consistent with objective 1.

The Management Plan outlines the management strategies for research and monitoring, assessment and permitting, compliance, community participation, Indigenous involvement and environmental management. These strategies and actions provide the framework for achieving the Plan's objectives and outcomes.

The Management Plan prescribes the rules applying to activities associated with human use in the reserves network. These prescriptions provide the specific detail for how activities are allowed to occur in the reserves network and of prohibited activities in the Marine Reserves Network.

The management arrangements for the Network provide certainty for users while remaining flexible to adapt to emerging management needs.

ZONING

Zoning defines what activities can or cannot occur in the reserves.

The South-east Commonwealth marine reserves have been assigned one or more zones.

The types of zones are outlined below:

Zone	Purpose of zone	Commonwealth marine reserves containing this zone	
Sanctuary zone (IUCN Category Ia)	The Sanctuary zone is managed to minimise disturbance to the environment from human activities, therefore, activities are generally limited to non-extractive research.	Macquarie Island	
Marine National Park zones (IUCN Category II)	Marine National Park zones are natural or near natural areas protecting ecological processes with characteristic species and ecosystems of the area and are managed mainly for ecosystem protection and passive recreation. They allow for environmentally and culturally compatible spiritual, scientific, educational, and recreational visitor opportunities. Mining and fishing (both recreational and commercial) are not allowed in these zones.	Flinders Freycinet Murray Tasman Fracture	
Habitat Protection zones (IUCN Category IV)	Habitat Protection zones support areas with important habitats and or species. A relatively wide range of activities are allowed or may be authorised within the Habitat Protection zones. Different habitat protection zones may have different allowable activities.	Huon Macquarie Island	
Recreational Use zone (IUCN Category IV)	The Recreational Use zone is managed to ensure the maintenance of the habitat conditions necessary to protect significant species, groups of species, biotic communities or physical features of the environment. Recreational fishing, other recreational uses and tourism may be carried out within the zone. However, commercial fishing, mining and oil and gas exploration and development are prohibited.	Freycinet	
Special Purpose zones (IUCN Category VI)	Special Purpose zones provide for a wide range of activities provided they will not have an unacceptable impact on the values of the area. This zone allows for limited access to mining and low level extractive activities.	Murray Nelson South Tasman Rise Tasman Fracture Zeehan	
Multiple Use zones (IUCN Category VI)	Multiple Use zones provide for a wide range of sustainable activities by allowing those that do not significantly impact on benthic (seafloor) habitats or have an unacceptable impact on the values of the area.	Apollo Beagle Boags East Gippsland Flinders Franklin	Freycinet Huon Murray Tasman Fracture Zeehan

USEFUL DEFINITIONS

The Director of National Parks (the Director) is appointed under the EPBC Act and has responsibility for the Australian Government's terrestrial and marine reserves. A reference to the Director also includes any person to whom the Director has delegated powers and functions under the EPBC Act in relation to the South-east Commonwealth Marine Reserves Network.

EPBC Act means the *Environment Protection and Biodiversity Conservation Act 1999*. The EPBC Act is the Australian Government's key environmental Act and includes any Act amending, repealing or replacing the Act.

EPBC Regulations means the Environment Protection and Biodiversity Conservation Regulations 2000. The EPBC Regulations are the Australian Government's key environmental Regulations and includes any Regulations amending, repealing or replacing the Regulations.

IUCN Categories are the internationally recognised (International Union for the Conservation of Nature) set of seven protected area management categories. The categories are further defined in the Australian IUCN reserve management principles in Schedule 8 of the EPBC Regulations.

Stowed and secured means that all fishing equipment, including nets and lines, are not in contact with the water, are onboard the vessel, and lines are *unrigged*, unless otherwise determined by the Director. Commercial fishers should be aware that in relation to commercial fishing operations, the Director of National Parks has made a determination that alters the definition of stowed and secured. The revised definition can be found in the class approval for commercial fishing.

Transit means the en route passage of a vessel through a reserve, whereby the transit is in a straight direction as fast as reasonably practical and the vessel does not stop for any reason other than in response to an emergency or to undertake an activity authorised by, or under, the Management Plan. Commercial fishers should note that a minimum speed limit of 5 knots also applies for transiting in zones where their fishing activity is not allowed.

Unrigged means that all tackle must be removed, leaving only a bare line on the reel.

MANAGING USE IN THE SOUTH-EAST COMMONWEALTH MARINE RESERVES NETWORK

The Management Plan sets out the range of activities allowed, or allowable under a class approval or permit, or prohibited in the different zones within marine reserves. The Director can make, amend or revoke the rules outlined in the Management Plan in response to emerging management needs.

Some activities that take place in marine reserves may also be governed by other provisions of the EPBC Act or other laws such as fisheries laws and laws relating to oil and gas exploration and production.

A summary of the management arrangements is included in this guide on the fold out cover. It provides a general overview of activities that are allowed, or allowable under a class approval or permit, or prohibited in each of the different zones within the reserves. Users should refer to South-east marine reserve maps for information on zones within specific marine reserves.

CLASS APPROVALS AND PERMITS

Class approvals are used to authorise persons, or a class of persons, to carry on a type of activity specified in the approval.

Permits are used to authorise the person(s) named in the permit to conduct an activity.

Where a class approval or permit is required for an activity, it must be in place prior to the activity being undertaken within the reserves. The summary of management arrangements table included in this guide indicates when a class approval or permit is required.

HOW DO I GET A CLASS APPROVAL OR PERMIT?

Current class approvals and further information on obtaining a permit can be found on our website at: www.environment.gov.au/marinereserves

The Director of National Parks has provided class approvals for commercial fishing and mining activities. A class approval may also be issued for other allowable activities. Class approvals are not issued to individuals.

Individual permits can be issued by the Director of National Parks upon successful assessment of an application.

Refer to the summary of management arrangements table on the fold out cover of this guide and the relevant reserve maps for information on zones within specific marine reserves of the South-east Commonwealth Marine Reserves Network.

GENERAL RULES FOR USE AND ACCESS

The rules for general use outlined below apply to all activities in the South-east Commonwealth Marine Reserves Network.

Vessel *transit* is allowed in all South-east Commonwealth Marine Reserves. When transiting through zones where fishing (commercial and recreational) is not allowed, fishing gear must be kept *stowed and secured* at all times.

The installation of structures and carrying out of works, including excavations, requires a permit. Examples of such installations include maritime navigation aids, and weather or ocean monitoring stations.

Nothing in the Management Plan precludes actions being taken in response to, or in order to avert, an emergency situation.

COMMERCIAL FISHING

Commercial fishing is allowed in certain zones under a class approval as outlined in the summary of management arrangements table. The class approval sets out the conditions that commercial fishers must follow when fishing in the reserves. It is important that fishers make themselves aware of the conditions contained in the class approval and comply with these conditions when operating in the South-east Commonwealth Marine Reserves Network.

Commercial fishers need to keep copies (either hard copies or electronic versions) of the class approval and reserve map(s) on board their vessel when it is being used in the conduct of commercial fishing operations in the South-east Commonwealth Marine Reserves Network. They must be produced for inspection on request by an authorised officer.

Commercial fishers must also comply with relevant Commonwealth and state fisheries management arrangements.

The class approval for commercial fishing also specifies the methods and gear types that may be used. Demersal trawl, Danish seine and scallop dredge fishing methods are not allowed in the South-east reserves. Any fishing activity not listed in the class approval requires assessment by the Director before approval can be given to operate in the reserves.

There is no commercial fishing allowed in Sanctuary, Marine National Park, Recreational Use and Special Purpose zones in the South-east Commonwealth Marine Reserves Network. If *transiting* a reserve or zone where certain fishing methods or gear is not allowed, those gear types must be kept *stowed and secured* at all times and vessels must be travelling at a minimum speed of 5 knots.

COMMERCIAL TOURISM (INCLUDING CHARTER FISHING) AND MEDIA

The Management Plan provides for commercial tourism to be conducted in most zones under either a class approval or permit from the Director of National Parks. Specific conditions apply depending on the nature of the operations.

The Management Plan applies to the airspace up to 3000 metres above sea level over the South-east Commonwealth Marine Reserves Network. However, commercial aviation tours may operate in this airspace without a permit. Tour operators may land aircraft in accordance with the conditions of a permit issued for those activities.

Media organisations may access marine reserves without a permit or class approval as long as they are reporting news and events of the day.

There is no fishing allowed in Sanctuary and Marine National Park zones and when *transiting* through these zones, fishing gear must be kept *stowed and secured* at all times.

The requirements when interacting with cetaceans and for whale watching activities are set out in the EPBC Regulations. The *Australian National Guidelines for Whale and Dolphin Watching* are available on our website.

RECREATIONAL FISHING

Recreational fishing (including clients of charter fishing vessels and organised non-commercial fishing competitions) is allowed in most zones and does not require a permit or approval. Recreational fishing is not allowed in Sanctuary and Marine National Park zones and when *transiting* through these areas fishing gear must be kept *stowed and secured* at all times.

Recreational fishing must be carried out in accordance with the relevant state recreational fishing laws (e.g. size and bag limits).

RESEARCH

Research, including monitoring activities, is allowable in all zones of the South-east Commonwealth Marine Reserves Network but requires a permit issued by the Director of National Parks.

It is a condition of all research permits that the results from research activities must be made available to the Director of National Parks. Research that involves access to biological resources must comply with Part 8A of the EPBC Regulations.

MINING OPERATIONS (INCLUDING EXPLORATION)

Mining operations, including petroleum exploration and development, are allowed under a permit or class approval within Multiple Use and Special Purpose zones in the South-east Commonwealth Marine Reserves Network.

COMMERCIAL SHIPPING

Commercial ships are allowed to *transit* through all zones.

COMPLIANCE WITH MANAGEMENT ARRANGEMENTS

Non-compliance with the EPBC Act, EPBC Regulations, Management Plan, or conditions of a class approval or permit can impact on the values that the reserves were established to protect. The Director of National Parks takes compliance very seriously and will act on incidents involving non-compliance. Failure to comply with the Management Plan or conditions of a class approval or permit may result in warnings, fines or restrictions on individuals, with the more serious offences potentially leading to civil action or criminal prosecution against individuals and corporations.

People who witness or suspect illegal activities are occurring within the South-east Commonwealth Marine Reserves Network are urged to provide this information to the Director of National Parks.

UPDATES AND FURTHER INFORMATION

Marine reserve users can subscribe on our website to receive email updates regarding the South-east Commonwealth Marine Reserves Network.

The Management Plan and electronic maps of all the marine reserves (including boundary and zone coordinates) are available on our website supported by a range of other material developed to assist marine reserve users to understand the management arrangements and requirements.

Email subscriptions and products can be accessed on the Commonwealth Marine Reserves webpages at: **www.environment.gov.au/marinereserves**

If you have any enquiries regarding the Management Plan or management arrangements please contact:

Manager
South-east Commonwealth Marine Reserves Network
Parks Australia
GPO Box 787
CANBERRA ACT 2601
Telephone: 1800 069 352
Email: marinereserves@environment.gov.au

MAPS OF THE SOUTH-EAST COMMONWEALTH MARINE RESERVES

The following maps provide details of boundary and zone coordinates for all South-east Commonwealth marine reserves.

- Apollo Commonwealth Marine Reserve
- Beagle Commonwealth Marine Reserve
- Boags Commonwealth Marine Reserve
- East Gippsland Commonwealth Marine Reserve
- Flinders and Freycinet Commonwealth Marine Reserves
- Franklin Commonwealth Marine Reserve
- Huon Commonwealth Marine Reserve
- Macquarie Island Commonwealth Marine Reserve
- Murray Commonwealth Marine Reserve
- Nelson Commonwealth Marine Reserve
- South Tasman Rise Commonwealth Marine Reserve
- Tasman Fracture Commonwealth Marine Reserve
- Zeehan Commonwealth Marine Reserve

