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GREAT BARRIER REEF MARINE PARK CAPRICORNIA SECTION

UNDERSTANDING THE ZONING PLAN



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UNDERSTANDING THE ZONING PLAN

The following information has been produced by the Great Barrier Reef Marine Park Authority to assist members of the public in the preparation of representations relating to the draft zoning plan for the Great Barrier Reef Marine Park - Capricornia Section.

1. AIMS OF A ZONING PLAN

A zoning plan provides a basis for the regulation of activities within defined zones so that human uses of the park are compatible with each other and with the need to conserve the natural qualities of the Great Barrier Reef.

The draft zoning plan will be revised in the light of public comment. Following revision it will be submitted to the Great Barrier Reef Ministerial Council and, if approved, laid before the Commonwealth Parliament by the Minister for Science Ministerial the Environment. The Great Barrier Reef of will Council be the point approval appeal and implementation of the zoning plans, and major issues which may arise as a result of such implementation.

This zoning plan for the Great Barrier Reef Marine Park - Capricornia Section is prepared in accordance with the provisions of the <u>Great Barrier Reef Marine Park Act</u> 1975. Sub-section 32(7) of this Act states:

- "(7) In the preparation of the plan, regard shall be had to the following objects:
- (a) the conservation of the Great Barrier Reef;
- (b) the regulation of the use of the Marine Park so as to protect the Great Barrier Reef while allowing the reasonable use of the Great Barrier Reef Region;
- (c) the regulation of activities that exploit the resources of the Great Barrier Reef Region so as to minimise the effect of those activities on the Great Barrier Reef;
- (d) the reservation of some areas of the Great Barrier Reef for its appreciation and enjoyment by the public; and
- (e) the preservation of some areas of the Great Barrier Reef in its natural state undisturbed by man except for the purposes of scientific research."

2. WHY A ZONING PLAN IS NEEDED

The Act requires that as soon as practicable after an area has been declared to be part of the Marine Park, the Authority shall prepare a zoning plan in respect of that area. The zoning plan does not apply to islands that form part of Queensland and which are not owned by the Commonwealth.

The Capricornia Section was chosen as the first Section of the Marine Park, as it is the most accessible part of the Reef for visitors. Tourist and local use has increased significantly and management is necessary to provide for the protection of the area.

The zoning plan has been developed with the aim of minimising regulations and, where regulation is necessary, to make it as simple as possible.

3. HOW THE ZONING PLAN WAS DERIVED

The draft zoning plan is based on the results of research by the Great Barrier Reef Marine Park Authority and other organisations, and views and opinions sought from expert groups, consultants, the Great Barrier Reef Consultative Committee and the public.

People who may be directly affected by this zoning plan and interested members of the general public throughout Australia have been encouraged to contribute to the development of the draft plan.

Following declaration of the Capricornia Section, the Authority advertised nationally for representations from the public. All comments have been considered and where appropriate included in the draft plan.

4. DATA ON WHICH THE ZONING PLAN WAS BASED

The Authority arranged for a program of investigation which included:

- coral surveys of reef perimeters and back reef lagoonal areas
- surveys of coral trout populations on leeward sides of reefs
- a physical survey of the Capricornia Section
- research into reef evolution
- a survey of recreational use of the Great Barrier Reef
- a survey of the economic structure of usage of the Section
- a survey of the economic importance of recreational and commercial fishing
- an economic study of Great Barrier Reef tourism
- a study for the Organisation for Economic Co-operation and Development (OECD) on the effects of tourism on Heron Island
- surveys of recreational fishing through boat ramp surveys and discussions with fishing clubs.

The Authority was also assisted by the Great Barrier Reef Committee which prepared a report on the conservation and use of the Capricorn and Bunker groups of islands and coral reefs.

5. ZONES AND AREAS

Under the draft plan, the Section is divided into five zones.

The zones are set out below, with a broad statement of their intent:

The General Use 'A' Zone provides opportunities for the continuation of established activities and uses including shipping and trawling.

The General Use 'B' Zone provides for the continuation of established uses with protection for reefs from the potential effects of trawling and commercial shipping.

The Marine National Park Zone provides for unrestricted public access but fishing and collecting, with the exception of certain forms of recreational line fishing are not permitted. Like a traditional terrestrial National Park, it will allow visitors to view reef areas and marine life which remain relatively undisturbed by human activity.

The Scientific Research Zone provides for an area where manipulative scientific research may be carried out free from other activities and will allow for a protected area outside the Preservation and Marine National Park Zones.

The Preservation Zone provides areas which are protected in their natural state, undisturbed by man except for the purposes of observational scientific research.

Within certain zones, areas of restricted activity are proposed for management and conservation purposes as described in the zoning plan. These are:

Replenishment Areas which are closed from time to time to fishing and collecting for a specified period to allow for the recovery of fish and any other resource stocks.

<u>Seasonal Closure Areas</u> where all activities are restricted on a seasonal basis to protect from human intrusion important bird and turtle nesting sites.

Reef Appreciation Areas which are small areas provided on reefs subject to heavy usage. Fishing and collecting are not allowed, so that the public can observe and appreciate relatively undisturbed marine life.

Reef Walking Areas which are small areas subject to heavy usage in which educational reef walking trails are established.

6. HOW TO MAKE A REPRESENTATION

The draft zoning plan is subject to alteration and modification by the Authority after due consideration of public representations which must reach the Authority by 6 June 1980.

The Authority is required to consider all public representations, and if it thinks fit alter the plan accordingly, and prepare a report to the Minister for Science and the Environment commenting on those representations.

The Authority would prefer representations to be in writing and directed to general or specific aspects of the zoning plan. Representations should be sent to:

The Chairman,
Great Barrier Reef Marine Park Authority,
P.O. Box 1379,
TOWNSVILLE
Queensland 4810

7. ASSISTANCE WITH REPRESENTATIONS

Special information displays manned by Authority staff will be established in existing facilities to assist the public with the preparation of representations. These will be located at advertised locations in Gladstone, Bundaberg, Rockhampton, Yeppoon, Brisbane, Cairns, Townsville, Sydney, Canberra and Melbourne.

In addition, the plan will be available at certain offices of the Queensland Government Tourist Bureau and the Australian Travel Industry Association and at advertised locations in Adelaide, Perth, Hobart and Darwin.

8. REGULATIONS

The aim is to rely as much as possible on education and the co-operation of the public in order to achieve the objects of the Marine Park. However, as with any similar land park, regulations will be required to confer functions and powers, and impose duties upon inspectors.

The regulations cannot be completed until the final form of the zoning plan is known. Regulations will be required to provide for giving effect to, and enforcement of, the zoning plan. The regulations will be made under the <u>Great Barrier</u> Reef Marine Park Act 1975.

Matters which it is intended should be covered by regulation, including likely requirements for permits and licences are listed below so that members of the public are in a position to determine the likely effect on their activities, of the zoning plan and regulations. (Note: certain activities will continue to require registration or licensing under other Commonwealth or Queensland legislation.)

The regulations will provide for the imposition of penalties for infringements. Penalties will be commensurate with those for similar infringements as provided for under comparable Commonwealth and Queensland legislation.

Where the regulations require the obtaining of licences or permits, any fees charged will be commensurate with fees provided for in regulations under comparable Commonwealth and Queensland legislation.

The draft zoning plan, under Part Four - Exemptions, provides for access in special circumstances to any part of the Marine Park for the following purposes:

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

These provisions will be incorporated in regulations.

The effects of the regulations in relation to various categories of use and entry will be as follows, subject to international law:

(A) FISHING

The effect of the regulations will be as follows:

- (a) in Replenishment Areas allow trolling for mackerel from 1 May to 31 August in any year;
- (b) in Replenishment Areas, prohibit fishing other than trolling for mackerel;
- (c) in Seasonal Closure Areas, prohibit all fishing during the period of closure;
- (d) in Reef Appreciation Areas, prohibit all fishing;
- (e) in the Scientific Research and Preservation Zones, prohibit fishing unless it is for research for which consent has been granted by the Authority;
- (f) in the Marine National Park Zone allow only line fishing using a handline with:
 - (i) a maximum of 2 hooks; or
 - (ii) an artificial fly; or
 - (iii) a lure.
- (g) in the General Use 'B', Marine National Park, Scientific Research and Preservation Zones, prohibit trawling unless it is for research for which consent has been granted by the Authority;
- (h) prohibit long-line and other intensive fishing throughout the Marine Park;
- (i) prohibit spearfishing for commercial purposes throughout the Marine Park;
- (j) other than in the Marine National Park, Scientific Research or Preservation Zones, allow spearfishing other than for commercial purposes and in accordance with the following conditions:
 - (i) only in areas where fishing is allowed;
 - (ii) no scuba or other underwater breathing apparatus including hookah is to be used;
 - (iii) no power head is to be used.
- (k) prohibit the use of fish traps throughout the Marine Park;
- (1) prohibit netting in lagoons and in places where fishing is prohibited;
- (m) enable the responsible agency, after a period for public submissions (minimum 30 days), to proclaim bag limits on fishermen who do not hold a Master Fisherman's Licence issued pursuant to the Queensland Fisheries Act;
- (n) prohibit the discharge of non-biodegradable wastes into the Marine Park.

(B) LICENCES IN RELATION TO FISHING

In relation to fishing, licences will be required as follows:

- (a) commercial fishermen will be required to hold the appropriate licences under Commonwealth and State Legislation;
- (b) a commercial fishing vessel is to be licensed as appropriate under Commonwealth and State Legislation.

(C) COMMERCIAL PASSENGER CARRYING VESSELS AND CHARTER BOATS

Regulations will:

- (a) require commercial passenger carrying vessels and charter boats to be registered annually for entry into and operation within the Marine Park;
- (b) provide for the registration of vessels and boats under paragraph (a) to be dependent on the furnishing of specified information on usage in the Marine Park;
- (c) provide for vessels and boats under paragraph (a) to be able to enter or operate within any part of the Marine Park provided that the purpose of such operation or entry is allowed under the zoning plan;
- (d) prohibit the discharge of non-biodegradable wastes from commercial passenger carrying vessels and charter boats into the Marine Park;
- (e) prohibit, where a vessel or charter boat is fitted with a waste storage tank, the discharge of its wastes into a lagoon.

(D) SPEED BOATS

Regulations will:

- (a) provide for the annual registration of speed boats to be dependent on the furnishing of specified information on usage in the Marine Park;
- (b) provide for registered speed boats to be able to enter or operate within any part of the Marine Park provided that the purpose of such operation or entry is allowed under the zoning plan;
- (c) prohibit the discharge of non-biodegradable wastes from speed boats into the Marine Park;
- (d) prohibit, where a speed boat is fitted with a waste storage tank, the discharge of its wastes into a lagoon.

(E) YACHTS

Regulations will:

- (a) provide for the annual registration of yachts to be dependent on the furnishing of specified information on usage in the Marine Park;
- (b) provide for yachts to enter or operate within any part of the Marine Park provided that the purpose of such entry or operation is allowed under the zoning plan;
- (c) prohibit the discharge of non-biodegradable wastes from yachts into the Marine Park;
- (d) prohibit, where a yacht is fitted with a waste storage tank, the discharge of its wastes into a lagoon.

(F) SHIPPING

The regulations propose to control Australian shipping and, to the extent permitted by international law, foreign shipping.

Regulations will, subject to international law, prohibit shipping from:

- (a) discharging ballast into the Marine Park;
- (b) discharging wastes into the Marine Park;
- (c) entering into any zone other than the General Use 'A' Zone unless specific consent is given by the responsible agency.

(G) AIRCRAFT

Regulations will require aircraft to enter into or operate within the Marine Park only in accordance with the zoning plan. The zoning plan provides for a minimum flying height of an altitude of 150 metres (about 500 feet) above the ground and water over most of the Capricornia Section, with the following exceptions:

(a) a minimum flying height of an altitude of 300 metres (about 1000 feet) above the ground or water applies to the Seasonal Closure Areas and the Preservation Zone;

- (b) landing on or taking off from a designated aircraft landing area is permitted;
- (c) with the consent of the responsible agency, the operation of aircraft below the minimum flying height specified above, or landing or taking off other than in a designated landing area is permitted;
- (d) the operation of aircraft in an emergency or rescue is not restricted.

(H) HOVERCRAFT

Regulations will:

- (a) provide that the responsible agency shall not initially grant a licence for the use or operation of any hovercraft within the Marine Park until it has considered an environmental impact statement submitted by the applicant for such use or operation and is satisfied that the environmental impact of the use or operation of the hovercraft is consistent with the objects of the Great Barrier Reef Marine Park Act 1975;
- (b) provide for hovercraft to be annually licensed for entry into and operation within the Marine Park;
- (c) provide for renewal of a licence to be dependent on the furnishing of specified information on usage;
- (d) provide for licensed hovercraft to be able to enter or operate within any part of the Marine Park specified in the licence, provided that the purpose of such entry or operation is allowed under the zoning plan;
- (e) prohibit the discharge of non-biodegradable wastes from hovercraft into the Marine Park;
- (f) prohibit, where a hovercraft is fitted with a waste storage tank, the discharge of its wastes into the Marine Park.

(I) COLLECTING

Collecting is subject to the consent of the responsible agency. The responsible agency will be empowered to include conditions in its consent. Detailed regulations on collecting will therefore not be made. (Note: In granting any consent for shell, coral and aquarium fish collecting, the responsible agency is likely to include conditions relating to the areas and period in which the collecting may occur, the amount to be collected, protected species, and a requirement for provision of catch statistics by a specified date.)

Regulations will:

(a) provide for fees to be levied for collecting for commercial purposes; (b) in Replenishment and Seasonal Closure Areas during the period of closure, and in Reef. Appreciation and Reef Walking Areas, and in Preservation and Marine National Park Zones, prohibit collecting.

(J) RESEARCH

Apart from non-manipulative research in the General Use 'A' Zone, research is subject to the consent of the responsible agency which will be empowered to include conditions in its consent. Detailed regulations on research will therefore not be made. The zoning plan requires the responsible agency to take into account:

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

In granting any consent, the responsible agency is likely to include conditions relating to the provision of reports on the progress of the research and data on the removal or the collection of any marine animals or plants.

(K) CONSTRUCTION OF FACILITIES

Construction of facilities in the Marine Park is subject to the consent of the responsible agency which will be empowered to include conditions in its consent. Detailed regulations on the construction of facilities will therefore not be made.

The Marine Park does not include islands that form part of Queensland and which are not owned by the Commonwealth.

(L) VISITOR AIDS

Regulations will allow the responsible agency to establish, or allow the development of, reef and diving trails, mooring facilities, navigational aids, and educational or information facilities which will assist visitors to appreciate the Marine Park.