

3. Treaty between the Government of Australia and the Government of New Zealand Establishing Certain Exclusive Economic Zone Boundaries and Continental Shelf Boundaries<sup>18</sup>

THE GOVERNMENT OF AUSTRALIA AND THE GOVERNMENT OF NEW ZEALAND (the Parties)

CONSCIOUS of their geographic proximity, long-standing friendship, and close historic, political and economic relationship;

BELIEVING that the establishment of boundaries in the maritime areas between the two countries will encourage and promote the sustainable development of the marine resources of those areas and enhance the protection and preservation of the marine environment adjacent to the two countries; and

TAKING INTO ACCOUNT the United Nations Convention on the Law of the Sea done at Montego Bay on 10 December 1982 to which both Australia and New Zealand are party, and, in particular, Articles 74 and 83 which provide that the delimitation of the exclusive economic zone and continental shelf between States with opposite or adjacent coasts shall be effected by agreement on the basis of international law in order to achieve an equitable solution;

AGREE as follows:

Article 1  
Definitions

1. In this treaty, "nautical mile" means the International Nautical Mile, equivalent to 1852 metres.
2. The coordinates in this treaty are defined in terms of the International Terrestrial Reference Frame 2000 as defined by the International Earth Rotation Service at epoch 1 January 2000.

Article 2  
Exclusive Economic Zone and Continental Shelf between Australia in respect of Lord Howe Island and Norfolk Island and New Zealand

1. In the area between Lord Howe Island and the North Island of New Zealand, and between Norfolk Island and the Three Kings Islands, the boundary between the exclusive economic zone and continental shelf that appertain to Australia and the exclusive economic zone and continental shelf that appertain to New Zealand is the line commencing at the point of latitude 25° 41' 58.77" south, longitude 173° 59' 27.48" east ("Point ANZ 1") and running:

- (a) thence south-westerly along the geodesic to the point of latitude 27° 05' 37.98" south, longitude 171° 54' 30.61" east ("Point ANZ 2");
- (b) thence southerly along the geodesic to the point of latitude 27° 29' 53.98" south, longitude 171° 58' 42.98" east ("Point ANZ 3");
- (c) thence southerly along the geodesic to the point of latitude 27° 52' 50.38" south, longitude 171° 58' 51.31" east ("Point ANZ 4");
- (d) thence southerly along the geodesic to the point of latitude 28° 13' 20.83" south, longitude 171° 56' 10.22" east ("Point ANZ 5");
- (e) thence southerly along the geodesic to the point of latitude 28° 52' 49.54" south, longitude 171° 56' 16.16" east ("Point ANZ 6");
- (f) thence southerly along the geodesic to the point of latitude 30° 25' 42.70" south, longitude 171° 56' 30.44" east ("Point ANZ 7");
- (g) thence south-westerly along the geodesic to the point of latitude 30° 43' 29.25" south, longitude 171° 28' 45.57" east ("Point ANZ 8");
- (h) thence south-westerly along the geodesic to the point of latitude 30° 53' 11.23" south, longitude 171° 13' 28.85" east ("Point ANZ 9");
- (i) thence south-westerly along the geodesic to the point of latitude 31° 16' 01.68" south, longitude 170° 37' 06.34" east ("Point ANZ 10");

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<sup>18</sup> Text provided by the Australian Department of Foreign Affairs and Trade. The Treaty has not yet entered into force.

- (j) thence south-westerly along the geodesic to the point of latitude 31° 19' 31.67" south, longitude 170° 31' 15.10" east ("Point ANZ 11");
- (k) thence south-westerly along the geodesic to the point of latitude 31° 40' 26.30" south, longitude 169° 56' 12.27" east ("Point ANZ 12");
- (l) thence south-westerly along the geodesic to the point of latitude 31° 47' 23.99" south, longitude 169° 44' 25.06" east ("Point ANZ 13");
- (m) thence south-westerly along the geodesic to the point of latitude 32° 04' 50.57" south, longitude 169° 14' 37.00" east ("Point ANZ 14");
- (n) thence south-westerly along the geodesic to the point of latitude 32° 06' 52.74" south, longitude 169° 11' 06.79" east ("Point ANZ 15");
- (o) thence south-westerly along the geodesic to the point of latitude 32° 25' 18.55" south, longitude 168° 39' 03.72" east ("Point ANZ 16");
- (p) thence clockwise westerly along the geodesic arc of radius 200 nautical miles concave to Norfolk Island to the point of latitude 32° 22' 18.95" south, longitude 166° 58' 54.37" east ("Point ANZ 17");
- (q) thence clockwise westerly along the geodesic arc of radius 200 nautical miles concave to Norfolk Island to the point of latitude 32° 09' 22.23" south, longitude 166° 17' 34.30" east ("Point ANZ 18");
- (r) thence clockwise north-westerly along the geodesic arc of radius 200 nautical miles concave to Norfolk Island to the point of latitude 31° 53' 49.17" south, longitude 165° 46' 20.73" east ("Point ANZ 19");
- (s) thence clockwise north-westerly along the geodesic arc of radius 200 nautical miles concave to Norfolk Island to the point of latitude 31° 30' south, longitude 165° 13' 27.08" east ("Point ANZ 20");
- (t) thence south-westerly along the geodesic to the point of latitude 32° 30' south, longitude 163° 06' 58.81" east ("Point ANZ 21");
- (u) thence clockwise southerly along the geodesic arc of radius 200 nautical miles concave to Lord Howe Island to the point of latitude 33° 52' 40.25" south, longitude 162° 21' 59.44" east ("Point ANZ 22");
- (v) thence south-easterly along the geodesic to the point of latitude 36° 36' 25.68" south, longitude 163° 15' 37.64" east ("Point ANZ 23");
- (w) thence clockwise south-westerly along the geodesic arc of radius 350 nautical miles concave to Lord Howe Island to the point of latitude 37° 26' 21.31" south, longitude 161° 04' 38.06" east ("Point ANZ 24");
- (x) thence south-westerly along the geodesic to the point of latitude 37° 30' 11.12" south, longitude 161° 00' 14.00" east ("Point ANZ 25");
- (y) thence south-westerly along the geodesic to the point of latitude 37° 43' 11.18" south, longitude 160° 49' 46.53" east ("Point ANZ 26");
- (z) thence south-westerly along the geodesic to the point of latitude 37° 52' 48.02" south, longitude 160° 41' 59.88" east ("Point ANZ 27");
- (za) thence south-westerly along the geodesic to the point of latitude 38° 03' 21.95" south, longitude 160° 33' 24.99" east ("Point ANZ 28");
- (zb) thence south-westerly along the geodesic to the point of latitude 38° 19' 36.19" south, longitude 160° 23' 49.32" east ("Point ANZ 29"), where it terminates.

2. Illustrative maps depicting the line described in paragraph 1 of this Article form Annexes 1 and 2 to this Treaty.

### Article 3

#### Exclusive Economic Zone and Continental Shelf between Australia in respect of Macquarie Island and New Zealand in respect of Auckland and Campbell Islands

1. In the area between Macquarie Island and Auckland and Campbell Islands, the boundary between the exclusive economic zone and continental shelf that appertain to Australia and the exclusive economic zone and continental shelf that appertain to New Zealand is the line commencing at the point of latitude 51° 04' 48.96" south, longitude 158° 01' 25.98" east ("Point ANZ 30") and running:

(a) thence clockwise easterly along the geodesic arc of radius 200 nautical miles concave to Macquarie Island to the point of latitude 51° 01' 38.44" south, longitude 158° 59' 53.57" east ("Point ANZ 31");

- (b) thence clockwise easterly along the geodesic arc of radius 200 nautical miles concave to Macquarie Island to point of the latitude 51° 10' 36.30" south, longitude 160° 37' 30.11" east ("Point ANZ 32");
- (c) thence south-easterly along the geodesic to the point of latitude 51° 26' 17.80" south, longitude 160° 57' 46.87" east ("Point ANZ 33");
- (d) thence south-easterly along the geodesic to the point of latitude 52° 11' 26.54" south, longitude 161° 57' 11.15" east ("Point ANZ 34");
- (e) thence south-easterly along the geodesic to the point of latitude 52° 15' 53.24" south, longitude 162° 03' 07.43" east ("Point ANZ 35");
- (f) thence south-easterly along the geodesic to the point of latitude 52° 27' 43.12" south, longitude 162° 18' 59.49" east ("Point ANZ 36");
- (g) thence south-easterly along the geodesic to the point of latitude 52° 40' 46.86" south, longitude 162° 36' 30.28" east ("Point ANZ 37");
- (h) thence south-easterly along the geodesic to the point of latitude 52° 46' 49.32" south, longitude 162° 44' 40.99" east ("Point ANZ 38");
- (i) thence south-easterly along the geodesic to the point of latitude 52° 47' 40.79" south, longitude 162° 45' 50.93" east ("Point ANZ 39");
- (j) thence south-easterly along the geodesic to the point of latitude 53° 42' 58.16" south, longitude 164° 03' 13.39" east ("Point ANZ 40");
- (k) thence south-easterly along the geodesic to the point of latitude 53° 50' 59.84" south, longitude 164° 14' 42.04" east ("Point ANZ 41");
- (l) thence south-easterly along the geodesic to the point of latitude 54° 13' 58.99" south, longitude 164° 26' 41.46" east ("Point ANZ 42");
- (m) thence south-easterly along the geodesic to the point of latitude 54° 40' 13.78" south, longitude 164° 40' 40.29" east ("Point ANZ 43");
- (n) thence south-easterly along the geodesic to the point of latitude 54° 41' 43.03" south, longitude 164° 41' 28.44" east ("Point ANZ 44");
- (o) thence clockwise south-westerly along the geodesic arc of radius 200 nautical miles concave to Macquarie Island to the point of latitude 54° 56' 14.18" south, longitude 164° 39' 00.39" east ("Point ANZ 45");
- (p) thence clockwise south-westerly along the geodesic arc of radius 200 nautical miles concave to Macquarie Island to the point of latitude 55° 00' 11.93" south, longitude 164° 38' 17.35" east ("Point ANZ 46");
- (q) thence clockwise south-westerly along the geodesic arc of radius 200 nautical miles concave to Macquarie Island to the point of latitude 55° 10' 06.12" south, longitude 164° 36' 21.25" east ("Point ANZ 47");
- (r) thence clockwise south-westerly along the geodesic arc of radius 200 nautical miles concave to Macquarie Island to the point of latitude 55° 14' 12.61" south, longitude 164° 35' 21.12" east ("Point ANZ 48");
- (s) thence clockwise south-westerly along the geodesic arcs of radius 200 nautical miles concave to Macquarie Island to the point of latitude 55° 42' 50.10" south, longitude 164° 26' 46.41" east ("Point ANZ 49");
- (t) thence clockwise south-westerly along the geodesic arc of radius 200 nautical miles concave to Macquarie Island to the point of latitude 55° 52' 23.70" south, longitude 164° 23' 57.71" east ("Point ANZ 50");
- (u) thence clockwise south-westerly along the geodesic arc of radius 200 nautical miles concave to Macquarie Island to the point of latitude 56° 38' 56.15" south, longitude 163° 56' 44.86" east ("Point ANZ 51");
- (v) thence clockwise south-westerly along the geodesic arc of radius 200 nautical miles concave to Macquarie Island to the point of latitude 56° 52' 19.72" south, longitude 163° 44' 04.71" east ("Point ANZ 52");

(w) thence clockwise south-westerly along the geodesic arc of radius 200 nautical miles concave to Macquarie Island to the point of latitude 57° 09' 53.30" south, longitude 163° 23' 17.53" east ("Point ANZ 53");

(x) thence southerly along the geodesic to the point of latitude 57° 48' 21.07" south, longitude 163° 24' 47.01" east ("Point ANZ 54"), where it terminates.

2. Illustrative maps depicting the line described in paragraph 1 of this Article form Annexes 1 and 3 to this Treaty.

#### Article 4

##### Exploitation of certain seabed deposits

If any single accumulation of petroleum, whether in a gaseous, liquid or solid state, or if any other mineral deposit beneath the seabed, extends across the lines described in Articles 2 or 3 of this Treaty, and the part of such accumulation or deposit that is situated on one side of the line is recoverable wholly or in part from the other side of the line, the two Parties will seek to reach agreement on the manner in which the accumulation or deposit shall be most effectively exploited and on the equitable sharing of the benefits arising from such exploitation.

#### Article 5

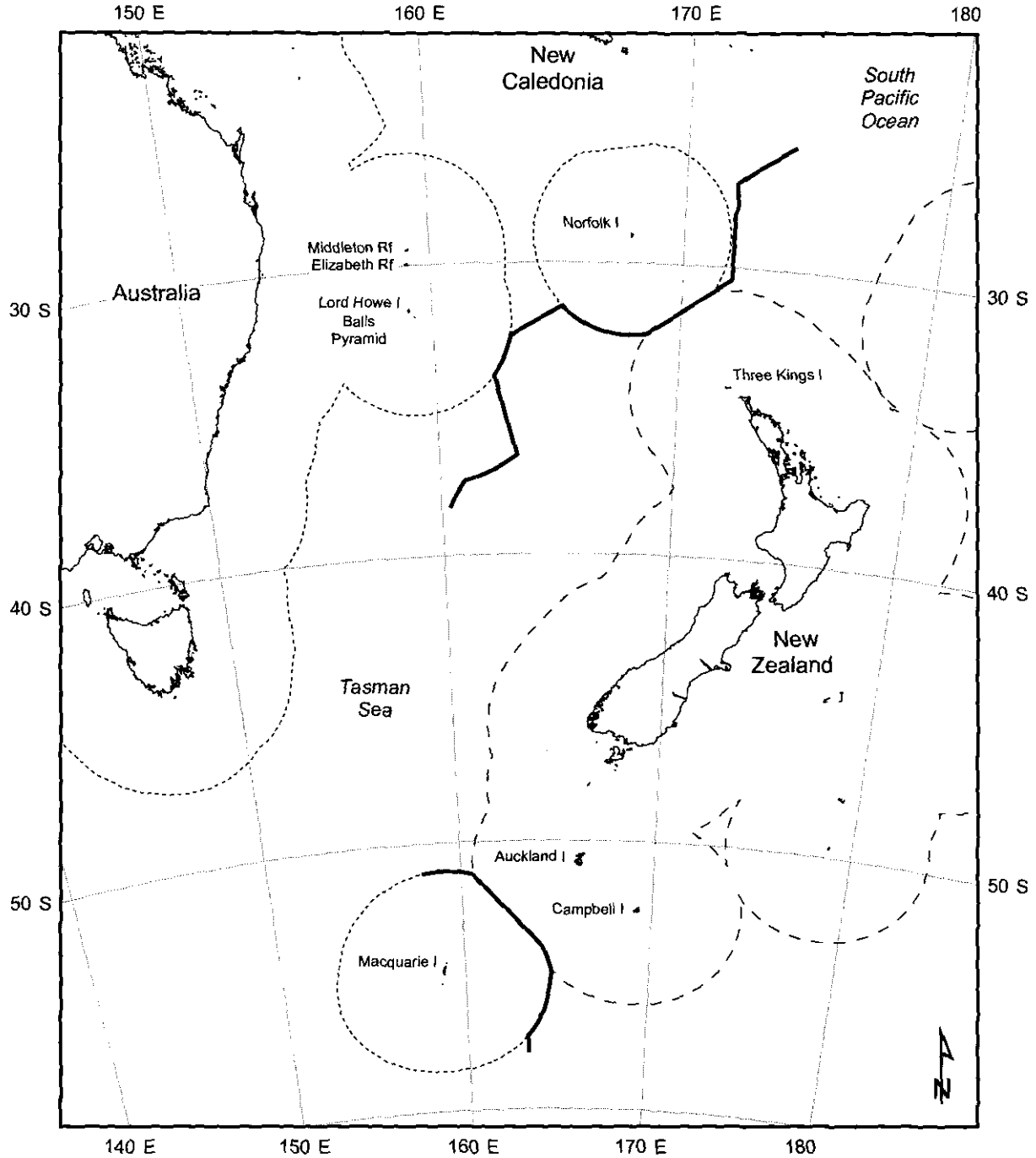
##### Entry into force

This Treaty shall enter into force upon the day on which the Government of Australia and the Government of New Zealand have notified each other in writing that their respective requirements for entry into force of this Treaty have been fulfilled.

DONE at Adelaide on the 25<sup>th</sup> day of July, two thousand and four.

FOR THE GOVERNMENT OF	FOR THE GOVERNMENT OF
AUSTRALIA	NEW ZEALAND
Alexander Downer	Phil Goff

# Annex 1 Australia - New Zealand Maritime Boundary



**Legend**

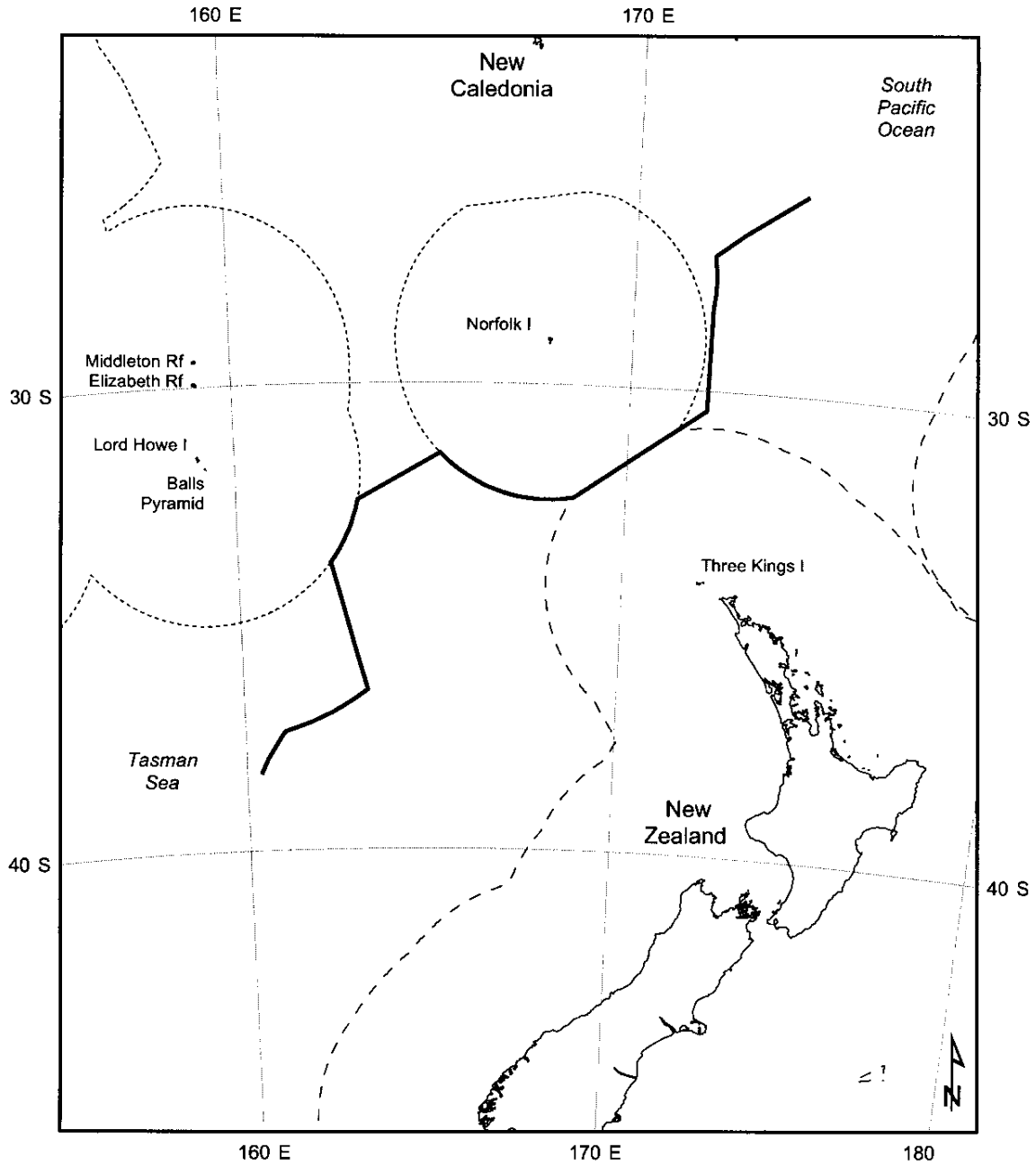
- Treaty boundary
- Australian Exclusive Economic Zone
- - - New Zealand Exclusive Economic Zone



Projection: Albers equal-area  
 Central Meridian: 165 E  
 Standard Parallel 1: 40 S  
 Standard Parallel 2: 30 S  
 Datum: ITRF2000 @ 1 Jan 2000  
 Map produced by Geoscience Australia  
 MP 02/693.31.ann1



# Annex 2 Australia - New Zealand Maritime Boundary



**Legend**

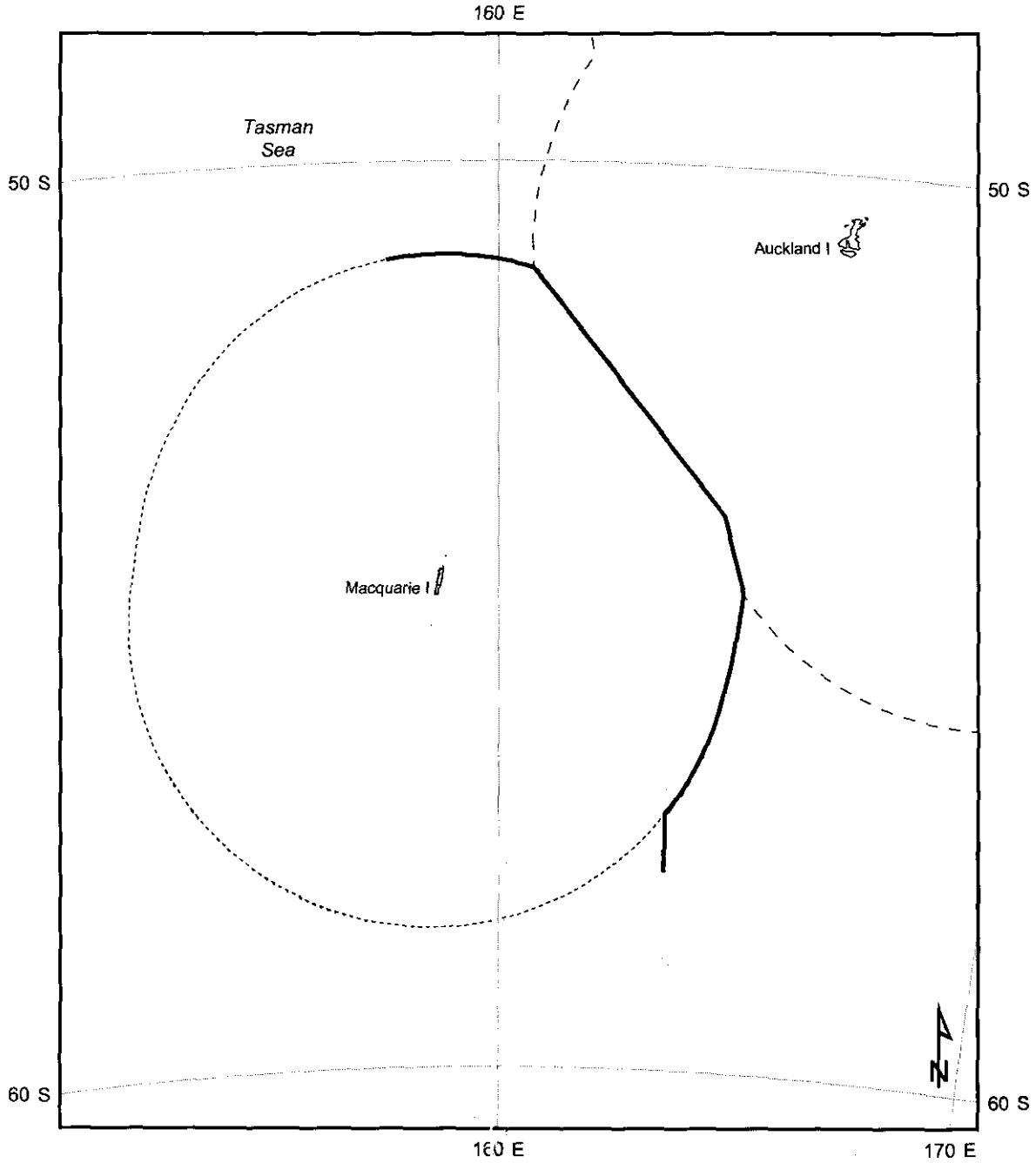
- Treaty boundary
- ..... Australian Exclusive Economic Zone
- - - New Zealand Exclusive Economic Zone

0 50 100 200 Nautical Miles

Projection: Albers equal-area  
Central Meridian: 165 E  
Standard Parallel 1: 40 S  
Standard Parallel 2: 25 S  
Datum: ITRF 2000 @ 1 Jan 2000  
Map produced by Geoscience Australia  
MP 02/693.31.ann2



# Annex 3 Australia - New Zealand Maritime Boundary



**Legend**

- Treaty boundary
- ..... Australian Exclusive Economic Zone
- - - New Zealand Exclusive Economic Zone

0 25 50 100 Nautical Miles

Projection: Albers equal-area  
Central Meridian: 160 E  
Standard Parallel 1: 48 S  
Standard Parallel 2: 58 S  
Datum: ITRF2000 @ 1 Jan 2000  
Map produced by Geoscience Australia  
MP 02/693.31.ann3