



Australian Government

Director of National Parks

Environment Protection and Biodiversity Conservation Act 1999

Section 359B (2)

**CLASS APPROVAL OF MINING OPERATIONS AND GREENHOUSE GAS ACTIVITIES IN
SOUTH-EAST MARINE PARKS**

Approved Marine Parks and Zones	<ul style="list-style-type: none">• Apollo Marine Park• Beagle Marine Park• Boags Marine Park• East Gippsland Marine Park• Franklin Marine Park• Nelson Marine Park• South Tasman Rise Marine Park• Zeehan Marine Park• Flinders Marine Park (Multiple Use zone)• Freycinet Marine Park (Multiple Use zone)• Huon Marine Park (Multiple Use zone)• Murray Marine Park (Special Purpose zone)• Tasman Fracture Marine Park (Special Purpose and Multiple Use zones)
Approved Actions	Mining Operations and Greenhouse Gas activities (with the exclusion of injection and/or storage of greenhouse gas) undertaken in South-east Marine Parks in accordance with an Environment Plan accepted under the <i>Offshore Petroleum and Greenhouse Gas Storage (Environment) Regulations 2009</i> , by Approved Persons in Approved Marine Parks and Zones, in accordance with the Conditions of Approval.
Approved Persons	Persons authorised to take the Specified Actions under the <i>Offshore Petroleum and Greenhouse Gas Storage Act 2006</i> , including the employees, servants, agents and contractors of the persons.
Conditions	<ol style="list-style-type: none">1. Approved Actions must only be carried on in Approved Marine Parks and Zones.2. Approved Actions must be conducted in accordance with and subject to:

	<ul style="list-style-type: none"> a. an Environment Plan accepted under the <i>Offshore Petroleum and Greenhouse Gas Storage (Environment) Regulations 2009</i>; b. the <i>Environment Protection and Biodiversity Conservation Act 1999</i> (Cth); c. the <i>Environment Protection and Biodiversity Conservation Regulations 2000</i> (Cth) including any prohibitions, restrictions or determinations made under the Regulations; and d. other applicable Commonwealth and State and Territory laws (to the extent those laws are capable of operating concurrently with the laws and instruments described in paragraphs a. to c.). <p>3. If requested by the Director of National Parks, an Approved Person must notify the Director prior to conducting Approved Actions within Approved Marine Parks and Zones.</p> <p>Note: The timeframe for prior notice will be agreed to by the Director of National Parks and the Approved Person.</p> <p>4. If requested by the Director of National Parks, an Approved Person must provide the Director with information relating to undertaking the Approved Actions (or gathered while undertaking the Approved Actions), that is relevant to the Director's management of the Approved Marine Parks and Zones.</p> <p>Note: The information required, and time frame within which it is required, will be agreed to by the Director of National Parks and the Approved Person.</p>
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Contravention of this approval may result in the approval being varied to remove a person from the Approved Persons under this approval; or conditions to be varied or the approval being revoked. Contravention may also result in the imposition of significant civil or criminal penalties.

Incidents should be reported immediately to the 24-hour Marine Compliance Duty Officer on 0419293465. If a condition requires a person to contact the Director of National Parks, the following contact details should be used: marineparks@dcceew.gov.au.

This approval will come into effect on 1 July and, unless sooner revoked, will remain in effect until a management plan comes into effect for the *South-east Marine Parks*.

Signed:



Barbara Musso

Branch Head

Parks Australia

Delegate of the Director of National Parks

Date: ...29/06/2023.....

Interpretation

In this class approval:

Approved Persons means a person in the class of persons described as Approved Persons in this class approval.

Approved Zones means a Zone in which the Specified Actions are authorised by this class approval to be carried out.

Director of National Parks means Director of National Parks continuing under section 514A of the EPBC Act and includes any agency that succeeds to the functions of the Director of National Parks.

EPBC Act means the *Environment Protection and Biodiversity Conservation Act 1999* (Cth) and includes any Act which amends or replaces the EPBC Act.

EPBC Regulations means the *Environment Protection and Biodiversity Conservation Regulations 2000* (Cth) and includes any Regulations that amend or replace the EPBC Regulations.

Greenhouse Gas Activities in the context of this class approval means all activities undertaken in accordance with an Environment Plan accepted under the *Offshore Petroleum and Greenhouse Gas Storage (Environment) Regulations 2009* for, or as are necessary for, exploring for potential greenhouse gas storage formations or potential greenhouse gas injection sites and excludes the injection and/or storage of greenhouse gas.

Mining Operations has the meaning given to that term in section 355(2) of the EPBC Act, that is:

- a. operations or activities connected with, or incidental to, the mining or recovery of minerals or the production of material from minerals, including:
 - (i) prospecting and exploration for minerals; and
 - (ii) milling, refining, treatment and processing of minerals; and
 - (iii) storage and disposal of minerals and materials produced from minerals;

- b. the construction and use of towns, camps, dams, pipelines power lines or other structures for the purposes of operations or activities described in paragraph (a);
- c. the performance of any other work for the purposes of operations or activities described in paragraph (a).

Mining Operations' includes, but is not limited to, all activities undertaken in accordance with an Environment Plan accepted under the *Offshore Petroleum and Greenhouse Gas Storage (Environment) Regulations 2009* for, or as are necessary for, the following purposes:

- (i) petroleum exploration;
- (ii) petroleum recovery operations;
- (iii) constructing or reconstructing an infrastructure facility;
- (iv) constructing or reconstructing or operating a pipeline; and
- (v) any decommissioning activities in relation to items (i) to (iv) above.

South-east Marine Parks means the 13 parks, excluding Macquarie Island Marine Park, described in the *South-east Commonwealth Marine Reserves Network Management Plan 2013-2023*.