



CLASS APPROVAL – MINING OPERATIONS

DRAFT only to accompany the Draft Management Plan for the South-east Network and inform public submissions

Approved Persons	Persons authorised to take the Approved Actions under the Offshore Petroleum and Greenhouse Gas Storage (Environment) Regulations 2023, including the employees, servants, agents and contractors of the persons.
Approved Actions	Mining operations undertaken in the South-east Marine Parks Network, in accordance with an Environment Plan accepted under the Offshore Petroleum and Greenhouse Gas Storage (Environment) Regulations 2023, under an approved title granted under the <i>Offshore Petroleum and Greenhouse Gas Storage Act 2006</i> (OPGGs Act), by Approved Persons within Approved Zones in accordance with the Conditions of Approval.
Excluded actions	<ul style="list-style-type: none"> • Mineral seabed mining • Geological storage of carbon dioxide (including exploration activities) • Construction and operation of pipelines <p><i>Note: Pipelines are allowable in the South-east Network, but not under this Class Approval and will require a separate licence from the Director.</i></p>
Approved marine parks and zones	<ul style="list-style-type: none"> • Zeehan Marine Park - Special Purpose Zone (VI) and Multiple Use Zone (VI)
Approved titles	<ul style="list-style-type: none"> • exploration permit – granted under the OPGGS Act prior to the commencement of the South-east Marine Parks Network Management Plan 2025 <p><i>and the following petroleum titles, where they are within the same area as an exploration permit that was granted under the OPGGS Act prior to the commencement of the South-east Marine Parks Network Management Plan 2025:</i></p> <ul style="list-style-type: none"> • retention lease • production licence • infrastructure licence • pipeline licence • access authority • scientific investigation consent <p><i>Note: For the avoidance of doubt, these other titles can be granted after the commencement of the SE Management Plan 2025.</i></p>



Conditions of Approval	<ol style="list-style-type: none">1. Approved Actions must only be carried on in Approved Marine Parks and Zones.2. Approved Actions must only be carried on in areas where an Exploration Permit was granted under the OPGGS Act prior to the commencement of the South-east Marine Parks Network Management Plan 2025.3. Approved Actions must be conducted in accordance with and subject to:<ol style="list-style-type: none">(a) an Environment Plan accepted under the Offshore Petroleum and Greenhouse Gas Storage (Environment) Regulations 2023;(b) the <i>Environment Protection and Biodiversity Conservation Act 1999</i>;(c) the Environment Protection and Biodiversity Conservation Regulations 2000;(d) the South-east Network Management Plan 2025;(e) any prohibitions, restrictions or determinations made under the EPBC Regulations by the Director of National Parks; and(f) all other applicable Commonwealth and state laws (to the extent those laws are capable of operating concurrently with the laws and instruments described in paragraphs (a) to (e)).4. If requested by the Director of National Parks, an Approved Person must notify the Director prior to conducting Approved Actions within Approved Zones. <i>Note: The timeframe and form for prior notice will be agreed to by the Director of National Parks and the Approved Person.</i>5. 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 Zones. <i>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.</i>

The Director of National Parks may vary, suspend, remake or cancel this class approval at any time in accordance with Section 4.5.3 of the South-east Network Management Plan.

Contravention of this class approval may result in the imposition of civil or criminal penalties and/or the removal of a person or persons from this approval.



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This class approval will come into effect on X February 2025 (TBC) and remain in effect for the term of the South-east Network Management Plan, unless it is suspended or cancelled sooner by the Director of National Parks.

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: marineparksauthorisations@dcceew.gov.au.

For any other enquiries related to this class approval, please contact marineparksauthorisations@dcceew.gov.au.

Director of National Parks

Date:

Interpretation

1. **Approved Actions** means the actions described as Approved Actions in this class approval.
2. **Approved Persons** means a person in the class of persons described as Approved Persons in this class approval.
3. **Approved Zones** means a Zone in which the Approved Actions are authorised by this class approval to be carried out.
4. **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.
5. **EPBC Act** means the *Environment Protection and Biodiversity Conservation Act 1999* and includes any Act which amends or replaces the EPBC Act.
6. **EPBC Regulations** means the Environment Protection and Biodiversity Conservation Regulations 2000 (Cth) and includes any Regulations that amend or replace the EPBC Regulations.
7. **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).



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'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.
8. **Approved titles** means a petroleum title granted under the Offshore Petroleum and Greenhouse Gas Storage Act 2006. It includes exploration permits granted prior to the commencement of the South-east Marine Parks Network Management Plan 2025. It also includes the following titles, where they are within the same area as an exploration permit that was granted prior to the commencement of the South-east Marine Parks Network Management Plan 2025: retention lease; production licence; infrastructure licence; pipeline licence; access authority and scientific investigation consent.
9. **South-east Marine Parks Network** means collectively the Apollo, Beagle, Boags, East Gippsland, Franklin, Nelson, South Tasman Rise, Zeehan, Flinders, Freycinet, Huon, Murray, Tasman Fracture and Macquarie Island marine parks established under the Environment Protection and Biodiversity Conservation Act.
10. **South-east Network Management Plan** means the South-east Marine Parks Network Management Plan 2025 made under section 370 of the EPBC Act.
11. **Zone** means a management zone established by, and described under, Section 4.1 of the South-east Network Management Plan.