



Temperate East Marine Parks Network Management Plan 2018  
 Section 4.2.9

**CLASS APPROVAL – ARTIFICIAL REEFS AND DISPOSAL  
 OF DREDGED MATERIAL**

<b>Approved Persons</b>	Persons authorised to take the Approved Actions under the <i>Environment Protection (Sea Dumping) Act 1981</i> , including employees, servants, agents and contractors of the persons.
<b>Approved Actions</b>	Installation and maintenance of Artificial Reefs and disposal of Dredged Material within the Temperate East Marine Parks Network by Approved Persons in Approved Zones, in accordance with the Conditions of Approval.
<b>Approved Actions within Approved Zones</b>	<ul style="list-style-type: none"> <li>• Artificial Reefs - in all zones.</li> <li>• Disposal of Dredged Material - in Special Purpose Zones (Trawl), Special Purpose Zones (Norfolk) and Multiple Use Zones only.</li> </ul>
<b>Conditions of Approval</b>	<ol style="list-style-type: none"> <li>1. An Artificial Reef may only be installed in a National Park Zone if the objective of the Artificial Reef is to assist with the protection, conservation or restoration of habitats (in accordance with section 4.2.9.4 of the Temperate East Network Management Plan).</li> <li>2. The Approved Actions must be conducted in accordance with:             <ol style="list-style-type: none"> <li>(a) the permit issued under the <i>Environment Protection (Sea Dumping) Act 1981</i>;</li> <li>(b) the EPBC Act;</li> <li>(c) the EPBC Regulations;</li> <li>(d) the Network Management Plan;</li> <li>(e) any prohibitions, restrictions or determinations made under the EPBC Regulations by the Director of National Parks; and</li> <li>(f) all other applicable Commonwealth and state laws (to the extent that those laws are capable of operating concurrently with the laws and instruments described in paragraphs (a) to (e)).</li> </ol> </li> <li>3. If requested by the Director of National Parks, an Approved Person must notify the Director prior to conducting Approved Actions within Approved Zones.   <b>Note:</b> <i>The timeframe for prior notice will be agreed to by the Director of National Parks and the Approved Person.</i></li> </ol>

	<p>4. A copy (hard or electronic copy) of this class approval and the permit under the <i>Environment Protection (Sea Dumping) Act 1981</i> must be kept on board any vessel used in the conduct of the Approved Actions and must be produced for inspection on request by an Authorised Officer.</p>
	<p>5. A navigational chart showing the boundaries of the Approved Zones in which the Approved Actions are being conducted, must be kept or be otherwise accessible on board the vessel.</p>

**Approved Persons in the Temperate East Marine Parks Network need to be aware of the following requirements:**

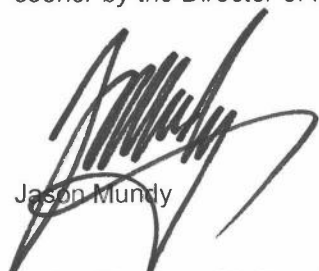
1. Transiting is allowed in all zones (Section 4.2.2.1 of the Temperate East Marine Parks Network Management Plan).
2. Anchoring is allowed anywhere in Special Purpose Zones (Trawl), Special Purpose Zones (Norfolk) and Multiple Use Zones. Anchoring is allowed in Habitat Protection Zones, Habitat Protection Zones (Lord Howe), Recreational Use Zones and National Park Zones in anchoring areas that have been determined by the Director of National Parks (Section 4.2.2.2 of the Temperate East Marine Parks Network Management Plan) or areas where the Approved Actions are being undertaken.

The Director of National Parks may vary, suspend or cancel this class approval at any time, in accordance with Section 4.4.2 of the 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.

Environmental incidents and loss of equipment must be reported within a reasonable timeframe to the 24-hour Marine Compliance Duty Officer on 0419 293 465. For all other enquiries relating to this class approval, please contact: [marineparks@environment.gov.au](mailto:marineparks@environment.gov.au).

*This class approval will come into effect on 1 July 2018 and remain in effect for the term of the Temperate East Marine Parks Network Management Plan 2018, unless it is suspended or cancelled sooner by the Director of National Parks.*



Jason Mundy

Acting Director of National Parks

Date: 29/6/18

### **Interpretation**

In this class approval:

1. **Approved Actions** means the actions described as Approved Actions in this class approval.
2. **Approved Person** means a person in the class of persons described as Approved Persons in this approval and includes the employees, servants, agents and contractors of an Approved Person; but does not include a person removed from the class of Approved Persons by a variation to this Approval.
3. **Approved Zones** means a Zone in which the Approved Actions are authorised by this class approval to be carried out.
4. **Artificial Reef** has the meaning given by the *Environment Protection (Sea Dumping) Act 1981*, a structure or formation placed on the seabed for the purpose of:
  - (a) increasing or concentrating populations of marine plants and animals; or
  - (b) for the purpose of being used in human recreational activities.
5. **Authorised Officer** means a warden or an inspector under the EPBC Act.
6. **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.
7. **Dredged Material** means bottom sediments gathered through dredging for the purpose of moving that material to a different location.
8. **EPBC Act** means the *Environment Protection and Biodiversity Conservation Act 1999* and includes any Act which amends or replaces the EPBC Act.
9. **EPBC Regulations** mean the *Environment Protection and Biodiversity Conservation Regulations 2000* (Cth) and includes any Regulations that amend or replace the Regulations.
10. **Temperate East Marine Parks Network** means collectively the Central Eastern, Cod Grounds, Gifford, Hunter, Jervis, Lord Howe, Norfolk and Solitary Islands Marine Parks established and described in the *Environment Protection and Biodiversity Conservation (Commonwealth Marine Reserves) Proclamation 2013*.
11. **Temperate East Marine Parks Network Management Plan or Network Management Plan** means the *Temperate East Marine Parks Network Management Plan 2018* made under section 370 of the EPBC Act.
12. **Transit or Transiting** means the continuous and expeditious passage through an area. However, passage includes stopping and anchoring, but only in so far as rendered necessary by force majeure or distress or for the purpose of rendering assistance to persons, ships or aircraft in danger or distress.
13. **Vessel** means a ship, boat, tender, raft or pontoon or any other thing capable of carrying persons or goods through or on water, and includes a floating structure and hovercraft.
14. **Zone** means a management zone established by, and described under, Section 3.1 of the Temperate East Marine Parks Network Management Plan.

