



Temperate East Marine Parks Network Management Plan 2018
Section 4.2.8 and 4.2.12

CLASS APPROVAL – MINING OPERATIONS AND GREENHOUSE GAS ACTIVITIES

| | |
|-------------------------------|---|
| Approved Persons | Persons authorised to take the Approved Actions under the <i>Offshore Petroleum and Greenhouse Gas Storage (Environment) Regulations 2009</i> , including the employees, servants, agents and contractors of the persons. |
| Approved Actions | Mining Operations and Greenhouse Gas Storage Exploration Activities in the Temperate East Marine Parks Network 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 Zones, in accordance with the Conditions of Approval. |
| Approved Zones | <ul style="list-style-type: none">• Central Eastern Marine Park - Multiple Use Zone only• Hunter Marine Park - Special Purpose Zone (Trawl) only• Jervis Marine Park - Special Purpose Zone (Trawl) only• Lord Howe Marine Park - Multiple Use Zone only• Solitary Islands Marine Park - Special Purpose Zones (Trawl) and Multiple Use Zone only |
| Conditions of Approval | <ol style="list-style-type: none">1. The Approved Actions must be conducted in accordance with:<ol 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 EPBC Act;(c) the EPBC Regulations;(d) the Temperate East Network Management Plan;(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)).2. If requested by the Director of National Parks, an Approved Person must notify the Director prior to conducting Approved Actions within Approved Zones. Note: <i>The timeframe for prior notice will be agreed to by the Director of National Parks and the Approved Person.</i> |

| | |
|--|--|
| | <p>3. 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.</p> <p>Note: <i>The information required, and timeframe within which it is required, will be agreed to by the Director of National Parks and the Approved Person.</i></p> |
|--|--|

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 Temperate 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.

For enquires related to this class approval, please contact 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 Network Management Plan, unless it is suspended or cancelled sooner by the Director of National Parks.



Jason Mundy
Acting Director of National Parks

Date: 28/6/18

Interpretation

In this class approval:

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* (Cth) 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. **Greenhouse Gas Storage Exploration Activities** 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.
8. **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.
9. **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*.
10. **Temperate East Network Management Plan** means the *Temperate East Marine Parks Network Management Plan 2018* made under section 370 of the EPBC Act.

11. **Zone** means a management zone established by, and described under, Section 3.1 of the Temperate East Network Management Plan.