



South-east Marine Parks Network Management Plan 2025

Section 4.3.11 and 4.5.3

CLASS APPROVAL - EXCAVATIONS, DREDGING, ERECTION OF STRUCTURES, WORKS AND MAINTENANCE, AND ASSOCIATED ACTIVITIES

Approved Persons	Persons authorised to take the Approved Actions under Part 9 of the <i>Environment Protection and Biodiversity Conservation Act 1999</i> (Cth) ('EPBC Act'), including employees, servants, agents and contractors of the persons.
Approved Actions	Carrying on an excavation including dredging, the erection of a structure, carrying out works and maintenance, and associated activities in the Approved Zones in accordance with the Conditions of Approval.
Approved Zones	• Multiple Use Zone (IUCN VI) • Special Purpose Zone (IUCN VI) • Habitat Protection Zone (IUCN IV)* • Habitat Protection Zone ((Macquarie) IUCN IV)* • Recreational Use Zone (IUCN IV)* • National Park Zone (IUCN II)* <i>*Do not allow for the Dredging, and subject to condition 1 of this class approval.</i>
Conditions of Approval	1. Excavation (other than dredging), erection and maintenance of structures, and works can only be carried out in the Macquarie Island Sanctuary Zone (IUCN 1a) for human safety, aids to navigation or compliance purposes in accordance with Section 4.3.11.5 a) of the South-east Marine Parks Network Management Plan 2025. 2. The Approved Actions must be conducted in accordance with: (a) an approval issued under Part 9 of the EPBC Act; (b) the EPBC Act; (c) the <i>Environment Protection and Biodiversity Conservation Regulations 2000</i> (Cth) including any prohibitions, restrictions or determinations made under the Regulations; (d) the South-east Network Management Plan 2025; and (e) 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)).

	3. 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>
	4. If requested by the Director of National Parks, an Approved Person must provide the Director with information relating to the performance of the Approved Actions (or gathered during the performance of the Approved Actions), which is relevant to the management of the Approved Zones. Note: <i>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>
	4. A copy (hard or electronic) of this class approval and the approval under Part 9 of the EPBC Act 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.
	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.

Approved Persons in the South-east Marine Parks Network need to be aware of the following requirements:

1. Transiting is allowed in all zones except the Macquarie Island Sanctuary Zone (1a) (Section 4.3.1.2 of the South-east Marine Parks Network Management Plan).
2. Anchoring is allowed in all areas of the Multiple Use Zone (IUCN VI) and Special Purpose Zones (IUCN VI).
3. Anchoring is allowed in Habitat Protection Zones (IUCN IV), Habitat Protection Zone Macquarie (IUCN IV), Recreational Use Zones (IV) and National Park Zones (IUCN II) in anchoring areas that have been determined by the Director of National Parks (Section 4.3.1.3 of the South-east Marine Parks Network Management Plan) or areas where the Approved Actions are being undertaken.

Transitional Arrangements

Condition 4 – Approved persons will not need to comply with Condition 4 in the initial 30 days of this class approval taking effect.

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 revoked. Contravention may also result in the imposition of significant civil and criminal penalties.

This Class Approval will come into effect on 17 February 2025 and remain in effect for the term of the South-east Network Management Plan 2025 unless the approval is suspended, remade or cancelled sooner by the Director of National Parks in accordance with that management plan.

All incidents should be reported immediately to the Marine Compliance Duty Officer on 0419293465. For all other enquiries relating to this Class Approval, please contact: marineparks@dcceew.gov.au



Parks Australia

The Director of National Parks

Date: 17/02/2025

Interpretation

In this class approval:

1. **Act or EPBC Act** means the Environment Protection and Biodiversity Conservation Act 1999 (Cth) and includes any Act that amends or replaces the EPBC Act.
2. **Approved Actions** means the actions described as Approved Actions in this Class Approval.
3. **Approved Person** means a person in the class of persons described as Approved Persons in this Class Approval.
4. **Approved Zones** means the zone described as Approved Zones in this Class Approval..
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. **Dredging activity** means an excavation activity carried out to gather bottom sediments for the purpose of moving them to a different location. This excludes disposal of dredge material.
8. **Dredging material** means bottom sediments gathered through dredging for the purpose of moving that material to a different location.
9. **EPBC Regulations** mean the *Environment Protection and Biodiversity Conservation Regulations 2000* (Cth) and includes any Regulations that amend or replace the EPBC Regulations.
10. **South-east Marine Parks Network** means the 14 parks, described in the South-east Marine Parks Network Management Plan 2025.
11. **South-east Marine Parks Network Management Plan or Network Management Plan** means the South-east Marine Parks Network Management Plan 2025 made under section 370 of the EPBC Act.
12. **Structures** may include, but are not limited to, moorings, submarine cables, platforms (including any man-made structure at sea, whether floating or fixed to the seabed, but does not include a vessel), jetties and other infrastructure. For the purposes of this class approval, this definition excludes:
 - a. the erection, maintenance and decommissioning of structures associated with mining operations
 - b. Fish Aggregating Devices, and
 - c. artificial reefs.
13. **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.
14. **Vessel** means a ship, boat, tender, raft or pontoon or any other thing capable of carrying persons or goods through or on water.