



Appendix E: Other Commonwealth environmental regulation

	Act	Agency administering	Process/approvals
Environment	<i>Great Barrier Reef Marine Park Act 1975</i>	Department of the Environment	Permits are required for particular activities undertaken in the Great Barrier Reef Marine Park.
	<i>Environment Protection (Sea Dumping) Act 1981</i>	Department of the Environment	Permits are required for sea dumping activities undertaken in Commonwealth waters.
	<i>Protection of the Sea (Prevention of Pollution from Ships) Act 1983</i>	Department of Infrastructure and Regional Development / Australian Maritime Safety Authority	This Act sets standards for sea pollution/discharge and imposes fines and penalties for breaches of those standards.
	<i>Sea Installations Act 1987</i>	Department of the Environment	Permits are required to construct sea installations in Commonwealth waters.
	<i>Environment Protection (Alligator Rivers Region) Act 1978</i>	Department of the Environment	This Act imposes requirements on proponents of uranium mining projects in the Alligator Rivers region.
Heritage	<i>Australian Heritage Council Act 2003</i>	Department of the Environment	This Act establishes the Australian Heritage Council, which advises the Minister responsible for heritage matters (including the significance of heritage places being considered for listing by the Minister under the EPBC Act).
	<i>Aboriginal and Torres Strait Islander Heritage Protection Act 1984</i>	Department of the Environment	The Minister can make a declaration to protect an area or object of Indigenous heritage from a threat of injury or desecration if a request is made by an Aboriginal or Torres Strait Islander person.
	<i>Protection of Movable Cultural Heritage Act 1986</i>	Attorney-General's Department	Permits are required to export items of cultural heritage from Australia.

	<i>Historic Shipwrecks Act 1976</i>	Department of the Environment	Permits are required to damage or disturb historic shipwrecks or relics, to enter a protected zone around an historic shipwreck site, to transfer possession of an historic shipwreck relic and to remove an historic shipwreck relic from Australia.
Petroleum and pipelines	<i>Offshore Petroleum and Greenhouse Gas Storage Act 2006</i>	Department of Industry / National Offshore Petroleum Safety and Environmental Management Authority (NOPSEMA)	Authorisation is required to conduct petroleum exploration and recovery operations, and to construct and operate petroleum and greenhouse gas pipelines, in Commonwealth waters. Authorisations (titles) are granted by the Joint Authority. Petroleum projects undertaken in Commonwealth waters are regulated by NOPSEMA. Approvals and requirements under this regime include an environment plan (including an oil spill contingency plan), a well operations management plan, well activity approvals and a safety case.
	<i>Offshore Minerals Act 1994</i>	Department of Industry	This Act applies to (non-petroleum) mining projects undertaken in Commonwealth waters. There are five different mining authorisations that can be granted by the Joint Authority.
	<i>Petroleum (Timor Sea Treaty) Act 2003</i>	Department of Industry	Petroleum production activities in the Joint Petroleum Development Area (JPDA) (an area in the Timor Sea in which Australia and Timor-Leste jointly manage exploration and development of petroleum resources) are subject to approvals by the Autoridade Nacional do Petroleo (the ANP) (the Timor-Leste National Petroleum Authority) which regulates operations in the JPDA on behalf of both Australia and Timor-Leste.
	<i>Submarine Cables and Pipelines Protection Act 1963</i>	Department of Infrastructure and Regional Development	Permits are required for activities that may impact on cables and poplins in Commonwealth waters.
Native title and land rights	<i>Native Title Act 1993</i>	Department of Prime Minister and Cabinet	This law allows for recognition of the native title rights of Indigenous people through a claims and mediation process. Determinations are made by the Federal Court of Australia. Other processes are administered by the Native Title Tribunal.
	<i>Aboriginal Land Rights (Northern Territory) Act 1976</i>	Department of Prime Minister and Cabinet	This Act provides for the transfer of land in the Northern Territory to Aboriginal people, who are represented by Aboriginal Land Councils. Permits are required to access land held under inalienable freehold title.
Others	<i>Airports Act 1996</i>	Department of Infrastructure and Regional Development	Masters Plans, Environment Strategies and Major Development Plans are subject to approval by the Commonwealth Transport Minister.
	<i>Fisheries Management Act 1991</i>	Department of Agriculture / Australian Fisheries Management Authority	Permits are required for taking fish and using boats and equipment in Commonwealth fisheries.

Source Productivity Commission, *Major Project Development Assessment Processes—Research Report, Canberra, November 2013, pp. 416–18*