

Allocation of quarry material

This document provides guidance to applicants on the information required to support the assessment of an application for an allocation to remove quarry material below high water mark under the Coastal Protection and Management Act 1995.

Introduction

Removing quarry material¹ below high water mark refers to all types of dredging activity (i.e. extractive industry dredging, capital dredging associated with some form of tidal works, and maintenance dredging) where the operation results in the removal of material from land under tidal water. Removal can involve taking the material for sale, using the spoil for reclamation or fill above the high water mark, or removing the material for dewatering or another environmental purpose on a land-based disposal site. Note, however, that removing quarry material below high water mark does not include moving, shifting or otherwise placing dredged material from one location below the high water mark to another.²

While removing quarry material can be of economic and social significance, it can also result in adverse impacts on coastal resources and their values if the removal is not managed appropriately.

Assessment for the purposes of coastal management

Under the *Coastal Protection and Management Act 1995* (Coastal Act), the removal of quarry material below high water mark requires an allocation notice or an approved dredge management plan. This guideline deals with the assessment of applications for allocation of quarry material by the Environmental Protection Agency (EPA). The EPA assesses applications against the criteria listed in section 75 of the Coastal Act and the provisions in the *State Coastal Management Plan – Queensland’s Coastal Policy* (2001) (State Coastal Plan) and relevant regional coastal management plans.³

Information to accompany your application

To ensure your application can be processed quickly, the following information should accompany your application for an allocation to access quarry material. The application must also include the application fee prescribed under the *Coastal Protection and Management Regulation 2003*.

¹ The Coastal Act (Schedule) defines ‘quarry material’ as material on State coastal land, other than a mineral within the meaning of any Act relating to mining. This material includes, for example, stone, gravel, sand, rock, clay, mud, silt and soil, unless it is removed from a culvert, stormwater drain or other drainage infrastructure as waste material.

² This activity requires a development approval for the disposal. See the guideline on *Disposing material in tidal water* available on the EPA website on http://www.epa.qld.gov.au/ecoaccess/coastal_development/.

³ The Coastal Act and coastal plans can be viewed online at http://www.epa.qld.gov.au/environmental_management/coast_and_oceans/coastal_management/

Information about the land/activity

- 1) Two copies of a plan drawn to a suitable scale to show:
 - the boundaries of the land to be dredged, adjacent river banks, sand banks and shorelines, showing the line of mean high water spring tide, the limit of vegetation and any other details to permit the identification of the tidal land on the ground;
 - a hydrographic survey of that land on lines not more than 20 metres apart;
 - the proposed areas where the quarry material will be taken ashore or transported over, and the proposed location of any stockpile, reclamation, disposal or fill areas;
 - adjacent real property boundaries, roads and any esplanade; and
 - navigation channels, navigation aids, pipelines, cables, wharves and any other structures or harbour works located in or adjacent to the land to be dredged.
- 2) Plans showing the depth of dredging and the anticipated final alignment and slope of batters, together with an indication as to whether this work will result in a stable alignment or if recurrent maintenance dredging will be required.
- 3) Characteristics of quarry material to be removed.
- 4) Purpose/use of the quarry material.
- 5) Methods of extraction of quarry material and disposal of dredge spoil (including equipment to be used).
- 6) Maximum extraction rate of quarry material in cubic metres per year.
- 7) Agreement from:
 - owner(s) of land on which the material is to be deposited or stockpiled; and
 - owner(s) of land over which the material will be transported either by pipeline or truck.

Information addressing key coastal plan policies

- 8) Policy 2.1.1 *Areas of state significance (social and economic)*
 - Details of any potential impacts on areas of state significance (social and economic).
- 9) Policy 2.1.6/2.1.8 *Extractive industry/Dredging*
 - Provide details of how the extraction of resources and/or dredging will be undertaken so as to:
 - maintain the ability of the site or adjoining land to function as a barrier protecting lands from coastal waters;
 - maintain beach, foreshore or riverbank stability;
 - maintain natural coastal processes that supply sand to beaches;
 - maintain the stability of the dredging area;
 - maintain water quality (in accordance with policy 2.4.1), groundwater levels of underlying aquifers and coastal wetlands and the local drainage regime on the site and adjoining areas;
 - have no significant adverse impacts on fisheries (commercial, Indigenous Traditional Owner and recreational), fishing grounds, or spawning and nursery areas;
 - maintain coastal habitats (including their protection from potential adverse impacts from the disturbance of acid sulphate soils);

- not cause unacceptable risk to existing land uses from coastal hazards (in accordance with policy 2.2.4); and
- not adversely impact on any cultural resources of Indigenous Traditional Owners (in accordance with policy 2.5.1).
- If extracting material from tidal rivers or other areas that supply sand to the coast, demonstrate that the extraction will not result in net erosion.
- For any extraction or dredging operation provide details of whether:
 - the sediment contains toxicants (listed under the Australian Water Quality Guidelines for Fresh Water and Marine Waters);
 - the level and nature of the toxicant; and
 - whether disturbance of the contaminated sediment is likely to result in unacceptable impacts on coastal resources and their values.

10) Policy 2.3.1 *Future need for access*

- Provide details of whether the development will result in net loss of access to the foreshore or public usability of coastal waters and, if so, demonstrate why the loss is acceptable.

11) Policy 2.4.1 *Water quality management*

- Assessment of impacts on marine life (i.e. direct impacts on marine life located in the dredge path, indirect impacts on marine life due to increased sedimentation and turbidity, direct impacts on marine life from the dumping of dredged material at sites remote to the dredge path) and proposals for mitigation of siltation, turbidity and disruption to the aquatic environment by the proposed works.
- Quantification of the quality and quantity of dredge spoil and/or fill material involved including proposals for adequate disposal of dredge spoil, and safeguards required dealing with leachate problems arising there from.
- Assessment of impact on management of waters (environmental values and water quality objectives) detailed in the *Environmental Protection (Water) Policy 1997* schedule 1, columns 1 and 2 and techniques proposed for dredging, handling and/or disposing of dredge spoil, including any requirements to meet the water quality standards imposed by the EPA with regard to the classification of waters relevant thereto.

12) Policy 2.4.5 *Groundwater quality*

- Provide details of potential impacts on groundwater quality and recharge rates. Applications involving extraction should include a groundwater hydrology assessment within the affected groundwater aquifer.

13) Policy 2.8.1 *Areas of state significance (natural resources)*

- Details of potential impacts on areas of State significance (natural resources).

14) Policy 2.8.2 *Coastal wetlands*

- Details of potential impacts on coastal wetland systems.

15) Policy 2.8.3 *Biodiversity*

- Details of potential impacts on ecosystems and habitats in a regional and local context.

Please note that other coastal plan policies, or further information on key policies, may be relevant to an assessment of your development application. If so, the EPA may request further information in order to decide the application.

Other matters to consider

Other information required

When considering the application, the EPA may require further information and/or seek, or require the applicant to seek, the views of other authorities as follows.

- The relevant local government, for its views and requirements regarding the removal of quarry material or placement of spoil (above the high water mark).
- The Department of Primary Industries and Fisheries, for views and requirements regarding the impact the removal of quarry material or placement of spoil may have on the management of fish habitats under the *Fisheries Act 1994*.
- The Regional Harbour Master (Queensland Transport), for views about the effect the removal of quarry material (or its placement, if used for reclamation) may have on marine safety in the tidal water.
- The relevant Port Authority (if the proposed allocation is within a port area), for views and requirements about the removal, including method of extraction, of quarry material (and its placement, if used for reclamation) within its jurisdiction.
- The Great Barrier Reef Marine Park Authority, if the allocation site is within the Great Barrier Reef Marine Park.
- Environment Australia, if the works are triggered under the *Environment Protection and Biodiversity Conservation Act 2000*, for views on any matters of national environmental significance.

Waiver of royalty

A person may apply for a waiver of payment of a royalty (completely or partially) in limited circumstances. For further information refer to the EPA information sheet on *Fees and royalties payable under the Coastal Act*.

Other approvals

While the allocation approval authorises access to quarry material under tidal water, the allocation notice holder is not allowed to remove quarry material until the holder has a development permit and if the development is an environmentally relevant activity (ERA), a registration certificate is needed as well as a development permit for the ERA. Once an allocation notice is obtained, the proponent can initiate applications for approvals under relevant legislation. Evidence of the allocation being authorised through an Allocation Notice or Dredge Management Plan must be included in the application for the development permit.

Disclaimer:

While this document has been prepared with care, it contains general information and does not profess to offer legal, professional or commercial advice. The Queensland Government accepts no liability for any external decisions or actions taken on the basis of this document. Persons external to the Environmental Protection Agency should satisfy themselves independently and by consulting their own professional advisors before embarking on any proposed course of action.

Approved by

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Signature

10 December 2004

Date

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