

Decision Notice - Allocation of Quarry Material

This Notice is issued under Section 76 of the Coastal Protection and Management Act 1995 by the Department of Environment and Heritage Protection (EHP) to provide details of the approved allocation of Quarry Material below high water mark. Pursuant to Section 100A of the Coastal Protection and Management Act 1995, this Notice does not authorise the removal of any Quarry Material until the Allocation Holder has obtained all other necessary approvals, such as a development permit and/or an environmental authority.

Allocation Notice number: ENAQ04036912
Effective date: 1 July 2012
Expiry date: 30 June 2018

DETAILS

PERMIT HOLDER(S)	NAME	ADDRESS	
Principal Holder	Boral Resources (Qld) Pty Ltd (ABN: 46 009 671 809) (ACN: 099 671 809)	PO Box 125 KELVIN GROVE DC QLD 4059	
ACTIVITY(S)	ACTIVITY LOCATION(S)	ALLOCATION AREA	PURPOSE
Allocation of Quarry Material below high water mark – <i>Coastal Protection and Management Act 1995</i>	Northern Moreton Bay	Spitfire Channel Resource Area.	Removal of Quarry Material (dredging) for extractive industry.
ALLOCATION AREA	MAXIMUM QUANTITY		PRICE PAYABLE
<i>Spitfire Channel Resource Area</i> (Sand Extraction Area)	Within 12 month Period 275,000m ³	Cubic Metres	A rate of sch4p4 per cubic metre.
Coordinates: (Datum – GDA94) E 526686.187 N 7008233.758 E 529602.306 N 7007167.436 E 530415.451 N 7004364.733		Total over 6 years 1,650,000m ³ This rate will increase in line with the CPI on 1 August of each year commencing 2013.	

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CONDITIONS OF APPROVAL

Allocation Payments:

For the purposes of this allocation:—

- (a) The sale price is sch4p and

The sale price will increase by CPI on 1 August of every year and EHP will advise each Allocation Holder accordingly.

Payment for the amount of Quarry Material taken will be required to be made to the Chief Executive on a monthly basis. From the day dredging commences, the Allocation Holder must within 20 Business Days after the end of each month submit to the Chief Executive —

a monthly return of the quantity of Quarry Material removed as specified in clause 3.1, even if no material has been dredged in that month; and

- (b) payment for the Quarry Material taken.

On the Payment Date, the Allocation Holder must pay to EHP the amount calculated using the following formula—

$$A = B \times C$$

Where

A = amount payable by the Allocation Holder;

B = the Price; and

C = the amount of Quarry Material removed from the Allocation Area in the preceding reporting period.

Interest may be charged on any late payment by the Allocation Holder at the rate which is the interest rate equal to the Commonwealth Bank of Australia monthly overdraft index rate as at the date the payment became due and payable.

Measuring Quarry Material

The dredged Quarry Material will be measured by weight in tonnes. The Allocation Holder is required to have access to either a Weighbridge or Scale Equipped Loader Bucket to accurately record the weight of Quarry Material removed. For the purpose of measurement, the conversion rates to be used are:

1 cubic metre of dry sand weighs 1.8 tonnes; and

1 cubic metre of saturated sand weighs 1.92 tonnes.

The conversion rate of 1 cubic metre of dry sand weighs 1.8 tonnes will be used for sand removed from stockpiles. That is, each tonne of sand weighed at the stockpile area equates to 0.56 cubic metres. The quantity of dredged Quarry Material can be recorded as either Weighbridge or Scale Equipped Loader Bucket totals.

Monthly Returns

The Allocation Holder must provide, within twenty (20) Business Days from the end of each calendar month, data and records described below, relating to the preceding calendar month:

if the Allocation Holder uses a weighbridge, accurate records of the quantity of Quarry Material removed from the Allocation Area as produced by the weighbridge for each truckload of Quarry Material.

if the Allocation Holder uses a Scale Equipped Loader Bucket, accurate records of the quantity of Quarry Material removed from the Allocation Area, as produced by the Scale Equipped Loader Bucket for each bucket load of Quarry Material.

a report even if no Quarry Material was removed.

The Allocation Holder must ensure that the driver of or person responsible for any vehicle removing Quarry Material from the storage area holds and can produce the data and records required to be provided.

The Allocation Holder must give the Certification to EHP within twenty (20) Business Days from the end of each month of the Allocation Notice commencement date or at such other times as directed by the Chief Executive.

The Allocation Holder must provide the data reports on the approved form and submitted electronically via a format (e.g. flat file, XML) as agreed with EHP. The form must be completed by the relevant person within the organisation who holds the role of chief financial officer, company accountant or similar. The report notification

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and delivery protocol may involve discussions between EHP and the Allocation Holder before EHP makes the final determination.

EHP reserves the right to modify the data reporting requirements and require the Allocation Holder to provide other reports as reasonably required by EHP.

Where the Allocation Holder has not complied with this clause 3.1, EHP may require the Holder to provide in writing within five (5) Business Days from the request by EHP:

- (a) the reasons for non-compliance with this clause;
- the means to ensure current compliance with this clause;
- the means to maintain compliance in the future with this clause; and
- any other relevant information requested by EHP.

If requested by EHP, the Allocation Holder must attend a meeting or meetings to discuss any issues involving compliance with this clause 3.

Copies of records required by this clause 3 must be kept for 6 years after the Allocation Holder ceases to access the Quarry Material, at the place of business of the Holder. The Allocation Holder must immediately notify EHP in writing if any records are stolen, lost, destroyed or damaged.

EHP may require the Allocation Holder to conduct at its own expense, or EHP or its delegate may conduct an audit of the data supplied by the Holder. The audit may include inspection of the systems and procedures for reporting information to EHP.

Where inaccuracies in reporting by the Allocation Holder recur the Allocation Holder will be deemed to have materially breached the terms of the Allocation Notice and EHP may take action which may include the suspension or termination of the Allocation Notice.

Allocation limits

No dredge material shall be removed by the dredger from:-

- outside of the defined boundaries of the allocated area as shown on EHP Drawing "Spitfire Channel Resource Area"; and

- below a depth of RL -16 metres Lowest Astronomical Tide (LAT).

The yearly volume of dredged Quarry Material must not exceed the limits detailed in this Allocation Notice.

The Allocation Holder is not authorised to remove Quarry Material beyond the limits of this Allocation Notice.

Dredge vessels and equipment

The Allocation Holder shall ensure that:-

- a copy of the conditions pertaining to this Allocation Notice is available at the dredging site at all times; and
- the dredge operator and all dredging plant personnel are made aware of all the conditions of this Allocation Notice.

A copy of this Allocation of Quarry Material approval must be kept onsite in a location readily accessible to personnel carrying out the activity.

All dredging plant personnel must be aware of all the conditions of this Allocation of Quarry Material approval.

Before each dredging operation commences at the Allocation Area, and during the whole of the dredging operations, each dredge and each item of equipment carrying out the actual removal of the material shall display a sign which is clearly legible from either side of the dredge or equipment. This sign shall display the name of the dredger and the number of this permit. The lettering on the above sign shall be at least three hundred millimetres high and formed of strokes each a minimum of fifty millimetres wide.

On completion of the dredging operation at the Allocation Area or when directed by the Chief Executive to do so, the Allocation Holder shall ensure that the dredger removes all dredge plant and equipment (including pipes, floats and other equipment used in or in connection with the dredging operations) from the site.

No dredge plant and equipment is to remain at the allocation site other than during active dredging periods.

Maintaining water quality and minimising impacts to coastal processes

The Allocation Holder must take all reasonable measures to minimise the production and spread of any visible turbidity plume produced as a result of the dredging and unloading activity consistent with any current Australian/New Zealand Standard and where an Australian/New Zealand Standard does not exist, the relevant current International Standard (ISO).

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No discharges are to be released directly to Marine Parks or surrounding wetlands/waterways unless the discharge is approved.

If any acid sulphate soils are uncovered you must comply with the latest edition of the Queensland Department of Environment and Heritage Protection's *INSTRUCTIONS FOR THE TREATMENT AND MANAGEMENT OF ACID SULPHATE SOILS, 2001*, produced by the Queensland Department of Environment and Heritage Protection.

Any land based spoil disposal site must be suitably designed to ensure full containment of the dredged Quarry Material with no contaminants, leachate, sediment or stormwater permitted to enter the surrounding groundwater, wetlands or waterways in a manner that would cause environmental harm.

Avoiding or minimising impacts to marine ecology

The Allocation Holder must, in the event of capturing or injuring megafauna (such as birds, turtles, dugongs, sharks, dolphins and whales) during the course of undertaking any activities to, from and at the allocation area:—

immediately notify the Marine Animal Strandings Hotline by telephoning 1300 264 625, and

record the incident in the dredging log book with a copy forwarded to the Moreton Bay Marine Park Office within 24 hours of the incident by:

post to PO Box 5178, MANLY, QLD, 4179; or

facsimile transmission to (07) 3131 2889 or

email to manly@derm.qld.gov.au.

Monitoring

The Allocation Holder shall:—

- (a) Use a Global Positioning System (GPS) to track and record all dredge movements whilst extraction is occurring under this allocation.
- (b) Keep records of all sales and or production use of Quarry Material extracted under this allocation and present this information in a specified format to the administering authority when requested.
- (c) Three months prior to 31 December of each year, the Allocation Holder shall at its cost and expense employ a Registered Surveyor to carry out surveys of the allocated area in accordance with the following requirements:—

Surveys shall be undertaken to provide detail at or equivalent to cross-sections spaced at not more than 20m centres over the entire allocated area.

Levels shall be taken at each section and at every change in grade so as to accurately define the profile of the bed and banks.

Surveys shall be plotted to a scale of 1:10 000 or appropriate.

The surveyed bed profile shall show the horizontal and vertical limits of the allocated area

The Allocation Holder shall record, compile, and keep copies of all results required above for a period of six years after the Allocation Notice has expired; and make them available for examination by officers of the Department of Environment and Heritage Protection when requested.

Annual Reporting

The Allocation Holder shall submit to the Chief Executive by 31 January of the following year, a report for the previous year prepared by a suitably qualified person. The report shall detail information on but limited by:—

A summary report of all results required by the above reporting condition above.

Confirmation that the Allocation Holder and dredger complied with all conditions of the Allocation Notice.

Details of every event where any visible turbidity plume produced as a result of the dredging that extended beyond the boundaries of the allocation area or more than 50 metres from the dredger; including actions undertaken to minimise harm.

END OF CONDITIONS

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Attention is drawn to the requirements of the Department of Transport and Main Roads. It is the Allocation Holder's responsibility to examine those requirements and liaise directly with the Harbour Master on any issues that relate to the dredging operations.

Attention is drawn to the requirements of the Department of Agriculture, Fisheries and Forestry. It is the Allocation Holder's responsibility to examine those requirements and liaise directly with Fisheries on any issues that relate to the dredging operations.

Attention is drawn to the requirements of the relevant local government. It is the Allocation Holder's responsibility to examine those requirements and liaise directly with local government on any issues that relate to the dredging operations.

The Allocation Holder and dredger must, in the event that any Aboriginal, archaeological or historical sites, items, places or remains are identified, located or exposed during the removal of material from the authorised operating area, cease work and contact the Cultural Heritage Unit, Department of Environment and Heritage Protection on telephone .

sch4p4(6) Personal information

sch4

25-06-12

DATE

Delegated, Chief Executive administering the
Environmental Protection Act 1994 and *Coastal
Protection and Management Act 1995*

Department of Environment and Heritage Protection

Enquiries:

Department of Environment and Heritage
Protection

GPO Box 2454
BRISBANE Q 4001

Contact:: Ben McKenzie

Phone: 07 3238 3726

07 3406 2578

Email: Ben.Mckenzie@ehp.qld.gov.au

Notice

Coastal Protection and Management Act 1995

Allocation of quarry material

This notice is issued under the Section 76 of the Coastal Protection and Management Act 1995 by the Department of Environment and Heritage Protection to provide details of the approved allocation of quarry material below high water mark. Pursuant to Section 100A of the Coastal Protection and Management Act 1995, this notice does not authorise the removal of any quarry material until the allocation holder has obtained all other necessary approvals, including a development permit and/or an environmental authority.

Allocation permit number: ENAQ04037012

Effective date: 28 October 2016

Expiry date: 30 June 2018

Details

Table 1.

PERMIT HOLDER(S)	NAME	ADDRESS
Principal holder	Portage Australia Pty Ltd ACN: 612 296 189	Level 4, 247 Adelaide Street Brisbane QLD 4000

Table 2.

ACTIVITY	ACTIVITY LOCATION	ALLOCATED AREA	PUPPOSE
Removal of Quarry Material from below high water mark	Area adjoining the Spitfire Channel, Moreton Bay	Spitfire Channel Resource Area (Datum – GDA94) <ul style="list-style-type: none"> E 526686.187 N 7008233.758 E 529602.306 N7007167.436 E 530415.451 N 7004364.733 	Removal of Quarry Material (dredging) for extractive industry.

Table 3.

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MAXIMUM DEPTH (m) Below DATUM (datum GD94)	MAXIMUM QUANTITY (m ³)	RATE OF ROYALTY PAYABLE ¹
RL -16 metres (Lowest Astromonical Tide)	100,000m ³ per year.	<div style="border: 1px solid black; padding: 2px;">sch4p(7)(1)(c) Business/comm</div> <p>This rate will increase in line with the CPI on 1 August each year.</p>

¹ Refer to the Department of Environment and Heritage Protection fees and services webpage for the most current royalty amounts

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CONDITIONS OF APPROVAL

C1. Allocation Payments:

C1.1 For the purpose of this allocation:

- (a) The sale price is currently sch4p. This rate will increase in line with the CPI on 1 August each year.

C1.2 Payment for the amount of Quarry Material taken will be required to be made to the Chief Executive on a monthly basis. From the day dredging commences, the Allocation Holder must within 20 Business Days after the end of each month, submit to the Chief Executive:

- (a) A monthly return of the quantity of Quarry Material removed as specified in clause 3.1, even if no material has been dredged in that month; and
- (b) Payment for the Quarry Material taken.

C1.3 On the Payment Date, the Allocation Holder must pay to EHP the amount calculated using the following formula :

$$A = B \times C$$

Where

A = amount payable by the Allocation Holder;

B = the Price; and

C = the amount of Quarry Material removed from the Allocation Area in the preceding reporting period.

C1.4 Interest may be charge on any late payment by the Allocation Holder at the rate which is the interest rate equal to the Commonwealth Bank of Australia monthly overdraft index rate as at the date the payment became due and payable.

C2. Measuring Quarry Material

C2.1 The dredged Quarry Material will be measured by weight in tonnes. The Allocation Holder is required to have access to either a Weighbridge or Scale Equipped Loader Bucket to accurately record the weight of Quarry Material removed. For the purpose of measurement, the conversion rates to be used are:

- (a) 1 cubic metre of dry sand weighs 1.8 tonnes; and
- (b) 1 cubic metre of saturated sand weighs 1.92 tonnes.

C2.2 The conversion rate of 1 cubic metre of dry sand weighs 1.8 tonnes will be used for sand removed from stockpiles. That is, each tonne of sand weighted at the stockpile area equates to 0.56 cubic metres. The quantity of dredged Quarry Material can be recorded as either Weighbridge or Scale Equipped Loader Bucket totals.

C3. Monthly Returns

C3.1 The Allocation Holder must provide, within twenty (20) Business Days from the end of each calendar month, data and records described below, relating to the preceding calendar month:

- (a) If the Allocation Holder uses a Weighbridge, accurate records of the quantity of Quarry Material removed from the Allocation Area as produced by the Weighbridge for each truckload of Quarry Material;
- (b) If the Allocation Holder uses a Scale Equipped Loader Bucket, accurate records of the quantity of Quarry Material removed from the Allocation Area, as produced by the Scale Equipped Loader Bucket for each bucket load of Quarry Material;
- (c) A report even if no Quarry Material was removed.

sch4p

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- C3.2 The Allocation Holder must ensure that the driver of or person responsible for any vehicle removing Quarry Material from the storage area holds and can produce the data and records required to be provided.
- C3.3 The Allocation Holder must give the Certification to EHP within twenty (20) Business Days from the end of each month of the Allocation Notice commencement date or at such other times as directed by the Chief Executive.
- C3.4 The Allocation Holder must provide the data reports on the approved form and submitted electronically via a format (e.g. flat file, XML) as agreed with EHP. The form must be completed by the relevant person within the organisation who holds the role of chief financial officer, company accountant or similar. The report notification and delivery protocol may involve discussions between EHP and the Allocation Holder before EHP makes the final determination.
- C3.5 EHP reserves the right to modify the data reporting requirements and require the Allocation Holder to provide other reports as reasonably required by EHP.
- C3.6 Where the Allocation Holder has not complied with this clause 3.1, EHP may require the Allocation Holder to provide in writing within five (5) Business Days from the request by EHP:
- (a) The reasons for non-compliance with this clause;
 - (b) The means to ensure current compliance with this clause;
 - (c) The means to maintain compliance in the future with this clause; and
 - (d) Any other relevant information requested by EHP.
- C3.7 If requested by EHP, the Allocation Holder must attend a meeting or meetings to discuss any issues involving compliance with clause 3.
- C3.8 Copies of records required by this clause 3 must be kept for 6 years after the Allocation Holder ceases to access the Quarry Material, at the place of business of the Allocation Holder. The Allocation Holder must immediately notify EHP in writing if any records are stolen, lost, destroyed or damaged.
- C3.9 EHP may require the Allocation Holder to conduct at its own expense, or EHP or its delegate may conduct an audit of the data supplied by the Authority Holder. The audit may include inspection of the systems and procedures for reporting information to EHP.
- C3.10 Where inaccuracies in reporting by the Allocation Holder recur the Allocation Holder will be deemed to have materially breached the terms of the Allocation Notice and EHP may take action which may include the suspension or termination of the Allocation Notice.
- C4. Allocation Limits**
- C4.1 No dredge material shall be removed by the dredger from:
- (i) Outside of the defined boundaries of the allocated area of the Spitfire Channel Resource Area
Coordinates:
 - E 526686.187, N 7008233.758
 - E 529602.306, N 7007167.436
 - E 530415.451, N 7004364.733
 - (ii) Below a depth of RL -16 metres Lowest Astronomical Tide (LAT).
- C4.2 The yearly volume of dredged Quarry Material must not exceed the limits detailed in this Allocation Notice.
- C5. Dredge Vessels and Equipment**
- C5.1 The Allocation Holder shall ensure that:

- (a) A copy of the conditions pertaining to this Allocation Notice is available at the dredging site at all times; and
- (b) The dredge operator and all dredging plant personnel are made aware of all the conditions of this Allocation Notice.

C5.2 A copy of this Allocation of Quarry Material approval must be kept onsite in a location readily accessible to personnel carrying out the activity.

All dredging plant personnel must be aware of all the conditions of this Allocation of Quarry Material approval.

C5.3 Before each dredging operation commences at the Allocation Area, and during the whole of the dredging operations, each dredge and each item of equipment carrying out the actual removal of the material shall display a sign which is clearly legible from either side of the dredge or equipment. This sign shall display the name of the dredger and the number of this permit. The lettering on the above sign shall be at least three hundred (300) millimetres high and formed of strokes each a minimum of fifty (50) millimetres wide.

C5.4 On completion of the dredging operation at the Allocation Area or when directed by the Chief Executive to do so, the Allocation Holder shall ensure that the dredger removes all dredge plant and equipment (including pipe, floats and other equipment used in or in connection with the dredging operations) from the site.

No dredge plant and equipment is to remain at the allocation site other than during active dredging periods.

C6. Maintaining Water Quality and Minimising Impacts to Coastal Processes

C6.1 The Allocation Holder must take all reasonable measure to minimise the production and spread of any visible turbidity plume produced as a result of the dredging and unloading activity consistent with any current Australian/New Zealand Standard and where an Australian/New Zealand Standards does not exist, the relevant current International Standard (ISO).

C6.2 No discharges are to be released directly to Marine Parks or surrounding wetlands/waterways unless the discharge is approved.

C6.3 If any acid sulphate soils are uncovered you must comply with the latest edition of the Queensland Government's Instructions for the treatment and management of acid sulphate soils.

C6.4 The Allocation Holder is to ensure that the removal and transport of the quarry material from the land-based facilities of its nominated dredging operators is undertaken in such a manner as to prevent the movement of sand or other contaminants as prescribed in the *Environmental Protection Regulation 2008*, into the receiving environment. The receiving environment includes air and waters, as defined in the *Environmental Protection Act 1994*.

C7. Avoiding or Minimising Impact to Marine Ecology

C7.1 The Allocation Holder must, in the event of capturing or injuring megafauna (such as birds, turtles, dugongs, sharks, dolphins and whales) during the course of undertaking any activities to, from and at the allocation area:

- (a) Immediately notify RSPCA QLD by telephoning 1300 ANIMAL (1300 264 625); and
- (b) Record the incident in the dredging log book with a copy forwarded to the Moreton Bay Marine Park Office within 24 hours of the incident by:
 - (i) Post to PO Box 5178, MANLY QLD 4179; or
 - (ii) Facsimile transmission to (07) 3131 2889; or
 - (iii) Email to manly@npsr.qld.gov.au.

C8. Monitoring

C8.1 The Allocation Holder shall:

- (a) Use a Global Positioning System (GPS) to track and record all dredge movements whilst extraction is occurring under this allocation;

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- (b) Keep records of all sales and or production used of Quarry Material extracted under this allocation and present this information in a specified format to the administering authority when requested; and
- (c) Three (3) months prior to 31 December of each year, the Allocation Holder shall at its cost and expense employ a Registered Surveyor to carry out surveys of the allocated area in accordance with the following requirements:
- (i) Surveys shall be undertaken to provide detail at or equivalent to cross-sections spaced at not more than 20m centres over the entire allocated area
 - (ii) Levels shall be taken at each section and at every change in grade so as to accurately define the profile of the bed and banks;
 - (iii) Surveys shall be plotted to a scale of 1:10 000 or appropriate; and
 - (iv) The surveyed bed profile shall show the horizontal and vertical limits of the allocated area.
- C8.2 The Allocation Holder shall record, compile, and keep copies of all results required above for a period of six (6) years after the Allocation Notice has expired, and make them available for examination by officers of the Department of Environment and Heritage Protection when requested.
- C9. Annual Reporting**
- C9.1 The Allocation Holder shall submit to the Chief Executive by 31 January each year, a report for the previous allocation year prepared by a suitably qualified person. The report shall detail information on but limited by:
- (a) A summary report of all results required by the above reporting condition;
 - (b) Confirmation that the Allocation Holder and dredger complied with all conditions of the Allocation Notice; and
 - (c) Details of every event where any visible turbidity plume produced as a result of the dredging that extended beyond the boundaries of the allocation area or more than 50 metres from the dredger; including actions undertaken to minimise harm.

End of conditions

sch4p4(6) Person

SIGNATURE

28/10/16

DATE

Delegate:

Kerynne Birch

Delegate, Chief Executive administering the *Coastal Protection and Management Act 1995*

Department of Environment & Heritage Protection

Enquiries:

Permit and Licence Management

Phone: 1300 130 372

Email: palm@ehp.qld.gov.au

Notice

Coastal Protection and Management Act 1995

Allocation transfer notice

This allocation transfer notice provides details of the transfer of all or part of an allocation of quarry material below high water mark, pursuant to Section 82 of the Coastal Protection and Management Act 1995. This allocation transfer notice does not authorise the removal of any quarry material until the allocation holder has obtained all other necessary approvals, including a development permit and/or an environmental authority.

Your reference: ENAQ04037012

Our reference : ENAQ04037012

Mr Michael Mullins
GPO Box 3013
Brisbane QLD 4001
mick@valesco.com.au

Dear: Mr Michael Mullins,

Re: Decision made in relation to your application to transfer all or part of an allocation under environmental legislation administered by the Department of Environment and Heritage Protection (EHP).

EHP has assessed your application received on 7 September 2016 and wishes to advise you of the decision in regard to each application as specified below:

PERMIT APPLIED FOR	PERMIT NUMBER	DECISION
Transfer of all of an allocation of quarry material below high water mark - Coastal Protection and Management Act 1995	ENAQ04037012	Approved

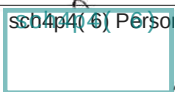
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The conditions of approval are attached for each successful permit application. Where applicable, a Statement of Reasons is provided in relation to the decision. Please note that for each approval, this Notice of Decision and the relevant attachments constitute the permit documentation. Please retain this approval documentation for your records.

This transfer has effect from the day the notice is given.

If you require more information, please contact Permit and Licence Management on the telephone number listed below.

Yours sincerely


sch4p4(6) Perso

Signature

28/10/16.

Date

Kerynne Birch
Manager, Coastal and Marine Assessment
Delegate, Chief Executive administering the
Coastal Protection and Management Act 1995
Department of Environment and Heritage
Protection

Enquiries:
Permit and Licence Management
Phone: 13 QGOV (13 74 68)
Fax: (07) 3330 5875

Notice

Coastal Protection and Management Act 1995

Allocation of quarry material

This Notice is issued under the Section 83A of the Coastal Protection and Management Act 1995 by the Department of Environment and Heritage Protection to provide details of the approved allocation of quarry material below high water mark. Pursuant to Section 100A of the Coastal Protection and Management Act 1995, this Notice does not authorise the removal of any quarry material until the allocation holder has obtained all other necessary approvals, including a development permit and/or an environmental authority.

Allocation permit number: ENAQ04169916

Effective date: 01 August 2016

Expiry date: 30 June 2018

Details

Table 1

PERMIT HOLDER(S)	NAME	ADDRESS
Principal Holder	Riverside Industrial Sands Pty Ltd	17 Skyring Terrace NEWSTEAD QLD 4006

Table 2

ACTIVITY(S)	ACTIVITY LOCATION(S)	ALLOCATED AREA	PURPOSE
Removal of Quarry Material from below high tide	Area adjoining Spitfire Channel, Moreton Bay	Spitfire Channel Resource Area (Datum – GDA94): <ul style="list-style-type: none"> E 526686.187; N 7008233.758 E 529602.306; N 7007167.436 E 530415.451; N 7004364.733 	Extractive Industry

Table 3

Maximum Depth (m) Below DATUM (datum GD94)	MAXIMUM QUANTITY (ANNUAL)	RATE OF ROYALTY PAYABLE
RL -16 metres (Lowest Astronomical Tide)	100,000m ³	scb4p4(7)(1)(c) Business/cb This rate will be increasing in line with the Queensland government approved indexation factor on 1 August 2017

Conditions of approval

Agency interests: Coastal

C1. General:

- C1.1. All reasonable and practicable **measures** must be taken to prevent or minimise **environmental impacts** caused by the **removal** of the **quarry material** and handling, placement, or **rehandling**, of the **spoil**.
- C1.2. All **records** must be kept for the duration of the **Allocation Notice** and at least five years from when the current **Allocation Notice** expires and must be provided to the **chief executive** or nominated delegate within the required timeframe and in the specified format upon request.
- C1.3. The **chief executive** must be notified in writing as soon as practicable after becoming aware of any **records** that have been stolen, lost, destroyed or damaged.
- C1.4. All **personnel** operating under this **Allocation Notice** must be made aware of the content and conditions of the notice; and at all times must:
- (a) comply with the content and conditions of the **Allocation Notice**; and
 - (b) have access to a copy of the **Allocation Notice** in either digital or hard copy format.

C2 Site Limits

- C2.1. The **dredging operation** must be conducted in accordance with the following limitations:
- (a) The yearly volume of dredged quarry material must not exceed 100,000m³ as set out in table 3
 - (b) No removal of quarry material from outside the **Allocation Area** as set out in Table 2

C3 Measuring Quarry Material

- C3.1. Commencing one month after the commencement of this notice, you must submit to the **chief executive**:
- (a) A monthly **return** of the volume of **quarry material removed** from the **Allocation Area**, even if no material has been extracted during that period. The volume of **quarry material removed** from the **Allocation Area** must be measured in cubic metres (m³) using a **verifiable methodology**; and
 - (b) Payment of the **royalty** stated in Table 4 per cubic metre (m³) of **quarry material removed**.

The **return** is due within 20 business days after the end of each month.

- C3.2. A daily record must be kept of when dredging is occurring at the **Allocation Area**.

C4 Survey

- C4.1. The **Allocation Holder** shall:-

- (a) Use a Global Positioning System (GPS) to track and record all dredge movements whilst extraction is occurring under this **Allocation Notice**.
- (b) Keep records of all sales and or production use of **quarry material** extracted under this **Allocation Notice** and present this information in a specified format to the **chief executive** when requested.
- (c) Three months prior to 31 December of each year, the **Allocation Holder** shall at its cost and expense employ an **appropriately qualified person** to carry out surveys of the **Allocation Area** in accordance with the following requirements:-

- (i) Surveys shall be undertaken to provide detail at or equivalent to cross-sections spaced at not more than 20m centres over the entire allocated area.
- (ii) Levels shall be taken at each section and at every change in grade so as to accurately define the profile of the bed and banks.
- (iii) Surveys shall be plotted to a scale of 1:10 000 or appropriate.
- (iv) The surveyed bed profile shall show the horizontal and vertical limits of the allocated area

C4.2 At the request of the **chief executive**, a survey must be carried out and submitted within the required timeframes, in potentially affected areas of the **Allocation Area** as per C4.1(c), following a **flood event**.

C5 Annual Reporting

C5.1 The **Allocation Holder** shall submit to the **chief executive** by 31 August each year, a report for the previous allocation year prepared by an **appropriately qualified person**. The report shall detail information on but limited by:-

- (a) A summary report of all results required by the above survey condition.
- (b) Confirmation that the **Allocation Holder** complied with all conditions of the **Allocation Notice**.
- (c) Details of every event where any visible turbidity plume produced as a result of the **dredging operation** extended beyond the boundaries of the **Allocation Area** or more than 50 metres from the dredger; including actions undertaken to minimise harm.

Definitions

Where a term is not defined, the definition in the CP&M Act or its regulation must be used. If a word remains undefined it has its ordinary meaning. Some of these definitions are from the CP&M Act.

Allocation Area means the area where removal of **quarry material** by **you** is permitted, the extent of which is set out in the **Allocation Notice**.

Allocation Holder means the holder(s) of the **Allocation Notice** whose details are set out in the Details tables at the front of the **Allocation Notice**.

Allocation Notice means the Notice issued under section 76 of the CP&M Act by the **chief executive** of the **Department** to provide details of the approved allocation of **quarry material** in **tidal water** and associated conditions.

Appropriately qualified person means a person who has professional qualifications, training, skills and experience relevant to hydrographic or bathymetric surveying and can give authoritative assessment, advice and analysis in relation to the survey results using relevant methods.

Approved disposal facility includes lawfully authorised: landfill; reclamation area; or other land-based disposal site.

Chief executive means the **chief executive** administering the CP&M Act, at the time of publication being the **chief executive** of the Department of Environment and Heritage Protection, and their delegates.

Commercial purpose means the **removal** of **quarry material** for no other purpose than the direct sale of the material or for the use of the material to reclaim land. It does not include removal of **quarry material** for community infrastructure, government support transport infrastructure, beach nourishment, or disposal as **spoil**.

Contaminant has the same meaning as in the *Environmental Protection Act 1994* and includes prescribed water contaminants under schedule 9 of the Environmental Protection Regulation 2008.

Department means the Department of Environment and Heritage Protection or its successor or predecessors.

Dredging operation includes all components of the activities necessary for the removal, transport, handling, **rehandling** and disposal of **quarry material** and **spoil**.

Environmental impacts means impacts that the **removal** of the **quarry material**, including the proposed method of extraction, or the handling, placement, or **rehandling** of **spoil** may have on:

- the physical and ecological integrity of the **Allocation Area** and surrounds;
- the environmental values and water quality objectives for the **waters**; and
- the management of fish habitats, marine parks and protected areas in and adjacent to the **Allocation Area**.

Flood event is as determined by the **chief executive**.

Measures has the broadest interpretation and includes:

- **Procedural measures** such as standard operating procedures for dredging operations, environmental risk assessments, management actions, Departmental directions and relevant guidelines
- **Physical measures** such as plant, equipment, physical objects (such as bunding, containment systems etc.), ecosystem monitoring and bathymetric surveys.

Personnel include plant operators, sub-contractors, staff and any other persons responsible for the implementation of, or operating under, the **Allocation Notice**.

Physical measures - see definition of **measures**

Procedural measures - see definition of **measures**

Quarry material has the same meaning as in the CP&M Act.

Records include: documentation of **measures**; reporting on **measures**; survey results required under a condition of this notice; daily extraction logs and periodic extraction returns; **royalty** payment records; written procedures; **records** of maintenance actions; **records** of disposal arrangements; outcomes of risk assessments; documentation of the **removal** of plant, equipment and **measures** from the **Allocation Area** upon completion of the operation.

Rehandling means to handle or relocate **spoil** from a stockpile.

Remove (removed, removal) means to:

- extract and collect **quarry material** from the **Allocation Area**; or
- take plant, equipment and **measures** that are associated with the **dredging operation**, out of the **Allocation Area**.

(**Remove** does not include the rehandling of spoil or collection of quarry material as part of a geotechnical investigation associated with future tidal works or extraction)

Return means a written **return** completed in the approved form (available at: <http://www.ehp.qld.gov.au/coastal/development/documents/fm-cd-return-quarry-material-removed-em2077.docx>) that details the quantity of **quarry material removed** by **you** for that period.

Royalty means the rate prescribed under a regulation or the price set for the sale that is payable for **quarry material removed** under an **Allocation Notice**

Spoil is **quarry material** that has been **removed** from the **Allocation Area**

State coastal land has the same meaning as in section 17 of the CP&M Act

Tidal water has the same meaning as in the CP&M Act.

Waters means Queensland waters as defined in Schedule 1 of the *Acts Interpretation Act 1954*.

END OF CONDITIONS

Additional Information

This resource allocation pursuant to the *Coastal Protection and Management Act 1995* does not remove the need to obtain further approval for this development, which may be required pursuant to this or other legislation, both State and Commonwealth. Applicants are advised to check with all relevant statutory authorities.

sch4p4(6) Per

Signature

27 JULY 2016

Date

Kerynne Birch
Manager, Coastal, Heritage and Marine
Industry and Development Assessment
Environmental Services and Regulation
Department of Environment and Heritage
Protection

Enquiries:
Permit and Licence Management
Phone: 13 QGOV (13 74 68)
Fax: (07) 3330 5875
Email: palm@ehp.qld.gov.au

Notice

Coastal Protection and Management Act 1995

ENAQ04171614

Allocation of quarry material

This Notice is issued under the Section 76 of the Coastal Protection and Management Act 1995 by the Department of Environment and Heritage Protection to provide details of the approved allocation of quarry material below high water mark. Pursuant to Section 100A of the Coastal Protection and Management Act 1995, this Notice does not authorise the removal of any quarry material until the allocation holder has obtained all other necessary approvals, including a development permit and/or an environmental authority.

Allocation permit number: ENAQ04171614**Effective date: 31 July 2015****Expiry date: 30 June 2018**

Details

PERMIT HOLDER(S)	NAME	ADDRESS
Principal Holder	Neilsen's Quality Gravels Pty Ltd ABN: 19 010 620 916 ACN: 010 620 916	Johnstone Rd BRENDALD QLD 4500

ACTIVITY(S)	ACTIVITY LOCATION(S)	ALLOCATED AREA	PURPOSE
Allocation of Quarry Material below high water mark – <i>Coastal Protection and Management Act 1995</i>	Area adjoining the Spitfire Channel, Moreton Bay	<i>Spitfire Channel Resource Area</i> (Sand Extraction Area)	Removal of Quarry Material (dredging) for commercial purposes.

Notice
Allocation of quarry material

ALLOCATED AREA	MAXIMUM QUANTITY	UNIT	RATE OF ROYALTY PAYABLE
<p><i>Spitfire Channel Resource Area (Sand Extraction Area)</i></p> <p>Coordinates:</p> <p>(Datum – GDA94)</p> <ul style="list-style-type: none"> • E 526686.187 N 7008233.758 • E 529602.306 N 7007167.436 • E 530415.451 N 7004364.733 	<p>150,000m³ per year.</p> <p>Total over three (3) years 450,000m³</p>	Cubic metres	<p>sch4p4(7)(1)(c) Business/cor</p> <p>This rate will increase yearly, in line with the Qld Government approved indexation factor, commencing on 1 August 2015.</p>

Conditions of approval

Agency interests: Coastal

C1. Allocation Payments:

C1.1 For the purposes of this allocation:–

- (a) The sale price is sch4p4(7)(1)(c). This rate will increase in line with the Queensland Government approved indexation factor on 1 August each year, commencing 2015.

C1.2 Payment for the amount of quarry material taken will be required to be made to the chief executive on a monthly basis. From the day dredging commences, the allocation holder must, within 20 business days after the end of each month, submit to the chief executive–

- (a) a monthly return of the quantity of quarry material removed as specified in condition C3.1, even if no material has been dredged in that month; and
- (b) payment for the quarry material taken.

C1.3 On the payment date, the allocation holder must pay to the chief executive the amount calculated using the following formula–

$$A = B \times C$$

where:

A = amount payable by the allocation holder;

B = the sale price; and

C = the amount of quarry material removed from the allocation area in the preceding reporting period.

C1.4 Interest may be charged on any late payment by the allocation holder at the rate which is the interest rate equal to the Commonwealth Bank of Australia monthly overdraft index rate as at the date the payment became due and payable.

C2. Measuring Quarry Material

- C2.1 The dredged quarry material must be measured by weight in tonnes. The allocation holder is required to have access to either a weighbridge or scale equipped loader bucket to accurately record the weight of quarry material removed. For the purpose of measurement, the conversion rates to be used are:
- (a) 1 cubic metre of dry sand weighs 1.8 tonnes; and
 - (b) 1 cubic metre of saturated sand weighs 1.92 tonnes.
- C2.2 The conversion rate of 1 cubic metre of dry sand weighs 1.8 tonnes must be used for sand removed from stockpiles. That is, each tonne of sand weighed at the stockpile area equates to 0.56 cubic metres. The quantity of dredged quarry material can be recorded as either weighbridge or scale equipped loader bucket totals.

C3. Monthly Returns

- C3.1 The allocation holder must provide, within twenty (20) business days from the end of each calendar month, or at such other times as directed by the chief executive, data and records described below, relating to the preceding calendar month:
- (a) if the allocation holder uses a weighbridge, accurate records of the quantity of quarry material removed from the allocation area as produced by the weighbridge for each truckload of quarry material,
 - (b) if the allocation holder uses a scale equipped loader bucket, accurate records of the quantity of quarry material removed from the allocation area, as produced by the scale equipped loader bucket for each bucket load of quarry material,
 - (c) a report even if no quarry material was removed.
- C3.2 The allocation holder must provide the data reports on the approved form and submitted electronically via a format (e.g. flat file, XML) as agreed with the chief executive. The form must be completed by the relevant person within the organisation who holds the role of chief financial officer, company accountant or similar.
- C3.3 The chief executive reserves the right to modify the data reporting requirements and require the allocation holder to provide other reports as reasonably required by the chief executive.
- C3.4 Where the allocation holder has not complied with condition C3.1, the chief executive may require the holder to provide in writing within five (5) business days from the request by the chief executive:
- (a) the reasons for not complying with condition C3.1;
 - (b) the means of becoming compliant with condition C3.1;
 - (c) the means to maintain compliance in the future with condition C3.1; and
 - (d) any other relevant information requested by the chief executive.
- C3.5 The chief executive may require the allocation holder to conduct an audit of the data supplied by the holder at its own expense, or the chief executive or its delegate may conduct an audit of the data supplied by the holder. The audit may include inspection of the systems and procedures for reporting information to the chief executive.

C4. Allocation limits

- C4.1 No dredge material must be removed by the dredge operator from:–
- (i) outside of the defined boundaries of the allocated area of the *Spitfire Channel Resource Area* (Sand Extraction Area)

Coordinates:

(Datum – GDA94)

- E 526686.187
N 7008233.758
- E 529602.306
N 7007167.436
- E 530415.451
N 7004364.733

(ii) below a depth of RL -16 metres Lowest Astronomical Tide (LAT).

- C4.2 The yearly volume of dredged quarry material must not exceed the limits detailed in this allocation notice.

C5. Dredge vessels and equipment

- C5.1 The allocation holder must ensure that:-

- (a) a copy of the conditions pertaining to this allocation notice is available at the dredging site at all times; and
- (b) the dredge operator and all dredging plant personnel are made aware of all the conditions of this allocation notice.

- C5.2 A copy of this allocation of quarry material approval must be kept onsite in a location readily accessible to personnel carrying out the activity.

- C5.3 Before each dredging operation commences at the allocation area, and during the whole of the dredging operations, each dredge and each item of equipment carrying out the actual removal of the material must display a sign or signs which:

- (a) are clearly legible from either side of the dredge or equipment; and
- (b) have written on them the name of the dredger and the number of this allocation notice in lettering at least three hundred millimetres high and formed of strokes each a minimum of fifty millimetres wide.

- C5.4 On completion of the dredging operation at the allocation area or when directed by the chief executive to do so, the allocation holder must ensure that the dredge operator removes all dredge plant and equipment (including pipes, floats and other equipment used in or in connection with the dredging operations) from the site.

No dredge plant and equipment is to remain at the allocation site other than during active dredging periods.

C6. Maintaining water quality and minimising impacts to coastal processes

- C6.1 The allocation holder must take all reasonable measures to minimise the production and spread of any visible turbidity plume produced as a result of the dredging and unloading activity consistent with any current Australian/New Zealand Standard; or where an Australian/New Zealand Standard does not exist, the relevant current International Standard (ISO).

- C6.2 No discharges are to be released directly to marine parks or surrounding wetlands/waterways unless the discharge is approved.

- C6.3 If any acid sulphate soils are uncovered, the allocation holder must comply with the Queensland Government's *Instructions for the treatment and management of acid sulphate soils, 2001* or more recent editions as they become available.
- C6.4 The allocation holder must ensure that the removal and transport of the quarry material from the land-based facilities of its nominated dredging operators is undertaken in such a manner as to prevent the movement of sand or other contaminants into the receiving environment.

C7. Avoiding or minimising impacts to marine ecology

- C7.1 The allocation holder must, in the event of capturing or injuring megafauna (such as birds, turtles, dugongs, sharks, dolphins and whales) during the course of undertaking any activities to, from, and at the allocation area:–
- (a) Immediately notify RSPCA Qld by telephoning 1300 ANIMAL (1300 264 625), and
 - (b) Record the incident in the dredging log book, with a copy forwarded to the Moreton Bay Marine Park Office within 24 hours of the incident by:
 - (i) post to PO Box 5178, MANLY, QLD, 4179; or
 - (ii) facsimile transmission to (07) 3131 2889; or
 - (iii) email to manly@nprsr.qld.gov.au.

C8. Monitoring

- C8.1 The allocation holder must:–
- (a) Use a Global Positioning System (GPS) to track and record all dredge movements whilst extraction is occurring under this allocation;
 - (b) Keep records of all sales and production use of Quarry Material extracted under this allocation and present this information in a specified format to the chief executive when requested; and
 - (c) Three months prior to 31 December of each year, the allocation holder must, at its own cost and expense, employ a registered surveyor to carry out surveys of the allocated area in accordance with the following requirements:–
 - (i) Surveys must be undertaken to provide detail at or equivalent to cross-sections spaced at not more than 20m centres over the entire allocated area,
 - (ii) Levels must be taken at each section and at every change in grade so as to accurately define the profile of the bed and banks,
 - (iii) Surveys must be plotted to a scale of 1:10 000 or appropriate, and
 - (iv) The surveyed bed profile must show the horizontal and vertical limits of the allocated area.
- C8.2 The allocation holder must record, compile, and keep copies of all results required above for a period of six years after the allocation notice has expired, and make them available for examination by the chief executive when requested.

C9. Annual Reporting

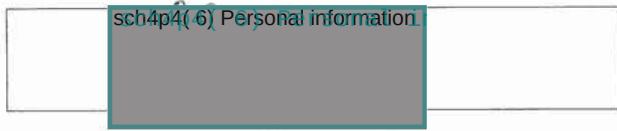
- C9.1 By 31 August of each year, the allocation holder must submit to the chief executive a report for the previous allocation year prepared by a suitably qualified person. The report must contain on, but is not limited to:
- (a) A summary report of all results required by condition C8.1.
 - (b) Confirmation that the allocation holder and dredge operator complied with all conditions of the allocation notice.

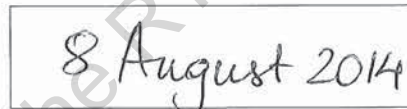
- (c) Details of every event where any visible turbidity plume that extended beyond the boundaries of the allocation area or more than 50 metres from the dredger was produced as a result of the dredging, including actions undertaken to minimise harm.

C10. Record Keeping

- C10.1 All information and records that are required by the conditions of this allocation notice must be kept for a period of at least 6 years after the allocation holder ceases to access the quarry material, and be provided to the chief executive upon request.

END OF CONDITIONS


Signature


Date

Olga Hawas
Delegate, Chief Executive administering the
Coastal Protection and Management Act 1995
Department of Environment and Heritage
Protection

Enquiries:
Ben McKenzie
Department of Environment and Heritage
Protection
400 George St
BRISBANE QLD 4001
Phone: (07) 3339 5806
Email: ben.mckenzie@ehp.qld.gov.au

**Mailing address for return forms and
payments :**
Permit and Licence Management
Department of Environment and Heritage
Protection
GPO Box 2454
Brisbane QLD 4001

Enquiries : **13QGOV (13 74 68)**
Facsimile : (07) 3330 5875
Email: palm@ehp.qld.gov.au

Notice

Coastal Protection and Management Act 1995

Allocation of quarry material

This Notice is issued under the Section 73 of the Coastal Protection and Management Act 1995 by the Department of Environment and Heritage Protection to provide details of the approved allocation of quarry material below high water mark. Pursuant to Section 100A of the Coastal Protection and Management Act 1995, this Notice does not authorise the removal of any quarry material until the allocation holder has obtained all other necessary approvals, including a development permit and/or an environmental authority.

Allocation permit number: ENAQ06928016
Effective date: 30 September 2016
Expiry date: 30 June 2018

Details

Table 1

PERMIT HOLDER(S)	NAME	ADDRESS
Principal Holder	Yamba Shipping Pty Ltd	1567 Stapylton-Jacobs Well Road JACOBS WELL QLD 4208

Table 2

ACTIVITY(S)	ACTIVITY LOCATION(S)	ALLOCATED AREA	PURPOSE
Removal of Quarry Material from below high tide	Area adjoining Spitfire Channel, Moreton Bay	Spitfire Channel Resource Area (Datum – GDA94): <ul style="list-style-type: none"> • E 526686.187; N 7008233.758 • E 529602.306; N 7007167.436 • E 530415.451; N 7004364.733 	Extractive Industry

Table 3

Maximum Depth (m) Below DATUM (datum GD94)	MAXIMUM QUANTITY (30/09/2016 – 30/06/2018)	RATE OF ROYALTY PAYABLE
RL -16 metres (Lowest Astronomical Tide)	175,000m ³	<div style="border: 1px solid black; padding: 2px;">sch4p4(7)(1)(c) Business/cor</div> <p>This rate will be increasing in line with the Queensland government approved indexation factor on 1 August 2017</p>

Conditions of approval

Agency interests: Coastal

C1. General:

- C1.1. All reasonable and practicable **measures** must be taken to prevent or minimise **environmental impacts** caused by the **removal** of the **quarry material** and handling, placement, or **rehandling**, of the **spoil**.
- C1.2. All **records** must be kept for the duration of the **Allocation Notice** and at least five years from when the current **Allocation Notice** expires and must be provided to the **chief executive** or nominated delegate within the required timeframe and in the specified format upon request.
- C1.3. The **chief executive** must be notified in writing as soon as practicable after becoming aware of any **records** that have been stolen, lost, destroyed or damaged.
- C1.4. All **personnel** operating under this **Allocation Notice** must be made aware of the content and conditions of the notice; and at all times must:
 - (a) comply with the content and conditions of the **Allocation Notice**; and
 - (b) have access to a copy of the **Allocation Notice** in either digital or hard copy format.

C2 Site Limits

- C2.1 The **dredging operation** must be conducted in accordance with the following limitations:
 - (a) The yearly volume of dredged quarry material must not exceed 100,000m³ as set out in table 3
 - (b) No removal of quarry material from outside the **Allocation Area** as set out in Table 2

C3 Measuring Quarry Material

- C3.1 Commencing one month after the commencement of this notice, you must submit to the **chief executive**:
 - (a) A monthly **return** of the volume of **quarry material removed** from the **Allocation Area**, even if no material has been extracted during that period. The volume of **quarry material removed** from the **Allocation Area** must be measured in cubic metres (m³) using a **verifiable methodology**; and
 - (b) Payment of the **royalty** stated in Table 4 per cubic metre (m³) of **quarry material removed**.

The **return** is due within 20 business days after the end of each month.

C3.2 A daily record must be kept of when dredging is occurring at the **Allocation Area**.

C4 Survey

C4.1 The **Allocation Holder** shall:-

- (a) Use a Global Positioning System (GPS) to track and record all dredge movements whilst extraction is occurring under this **Allocation Notice**.
- (b) Keep records of all sales and or production use of **quarry material** extracted under this **Allocation Notice** and present this information in a specified format to the **chief executive** when requested.
- (c) Three months prior to 31 December of each year, the **Allocation Holder** shall at its cost and expense employ an **appropriately qualified person** to carry out surveys of the **Allocation Area** in accordance with the following requirements:-
 - (i) Surveys shall be undertaken to provide detail at or equivalent to cross-sections spaced at not more than 20m centres over the entire allocated area.
 - (ii) Levels shall be taken at each section and at every change in grade so as to accurately define the profile of the bed and banks.
 - (iii) Surveys shall be plotted to a scale of 1:10 000 or appropriate.
 - (iv) The surveyed bed profile shall show the horizontal and vertical limits of the allocated area

C4.2 At the request of the **chief executive**, a survey must be carried out and submitted within the required timeframes, in potentially affected areas of the **Allocation Area** as per C4.1(c), following a **flood event**.

C5 Annual Reporting

C5.1 The **Allocation Holder** shall submit to the **chief executive** by 31 August each year, a report for the previous allocation year prepared by an **appropriately qualified person**. The report shall detail information on but limited by:-

- (a) A summary report of all results required by the above survey condition.
- (b) Confirmation that the **Allocation Holder** complied with all conditions of the **Allocation Notice**.
- (c) Details of every event where any visible turbidity plume produced as a result of the **dredging operation** extended beyond the boundaries of the **Allocation Area** or more than 50 metres from the dredger; including actions undertaken to minimise harm.

Definitions

Where a term is not defined, the definition in the CP&M Act or its regulation must be used. If a word remains undefined it has its ordinary meaning. Some of these definitions are from the CP&M Act.

Allocation Area means the area where removal of **quarry material** by **you** is permitted, the extent of which is set out in the **Allocation Notice**.

Allocation Holder means the holder(s) of the **Allocation Notice** whose details are set out in the Details tables at the front of the **Allocation Notice**.

Allocation Notice means the Notice issued under section 76 of the CP&M Act by the **chief executive** of the **Department** to provide details of the approved allocation of **quarry material** in **tidal water** and associated conditions.

Appropriately qualified person means a person who has professional qualifications, training, skills and experience relevant to hydrographic or bathymetric surveying and can give authoritative assessment, advice and analysis in relation to the survey results using relevant methods.

Approved disposal facility includes lawfully authorised: landfill; reclamation area; or other land-based disposal site.

Chief executive means the **chief executive** administering the CP&M Act, at the time of publication being the **chief executive** of the Department of Environment and Heritage Protection, and their delegates.

Commercial purpose means the **removal** of **quarry material** for no other purpose than the direct sale of the material or for the use of the material to reclaim land. It does not include removal of **quarry material** for community infrastructure, government support transport infrastructure, beach nourishment, or disposal as **spoil**.

Contaminant has the same meaning as in the *Environmental Protection Act 1994* and includes prescribed water contaminants under schedule 9 of the Environmental Protection Regulation 2008.

Department means the Department of Environment and Heritage Protection or its successor or predecessors.

Dredging operation includes all components of the activities necessary for the removal, transport, handling, **rehandling** and disposal of **quarry material** and **spoil**.

Environmental impacts means impacts that the **removal** of the **quarry material**, including the proposed method of extraction, or the handling, placement, or **rehandling** of **spoil** may have on:

- the physical and ecological integrity of the **Allocation Area** and surrounds;
- the environmental values and water quality objectives for the **waters**; and
- the management of fish habitats, marine parks and protected areas in and adjacent to the **Allocation Area**.

Flood event is as determined by the **chief executive**.

Measures has the broadest interpretation and includes:

- **Procedural measures** such as standard operating procedures for dredging operations, environmental risk assessments, management actions, Departmental directions and relevant guidelines
- **Physical measures** such as plant, equipment, physical objects (such as bunding, containment systems etc.), ecosystem monitoring and bathymetric surveys.

Personnel include plant operators, sub-contractors, staff and any other persons responsible for the implementation of, or operating under, the **Allocation Notice**.

Physical measures - see definition of **measures**

Procedural measures - see definition of **measures**

Quarry material has the same meaning as in the CP&M Act.

Records include: documentation of **measures**; reporting on **measures**; survey results required under a condition of this notice; daily extraction logs and periodic extraction returns; **royalty** payment records; written procedures; **records** of maintenance actions; **records** of disposal arrangements; outcomes of risk assessments; documentation of the **removal** of plant, equipment and **measures** from the **Allocation Area** upon completion of the operation.

Rehandling means to handle or relocate **spoil** from a stockpile.

Remove (removed, removal) means to:

- extract and collect **quarry material** from the **Allocation Area**; or
- take plant, equipment and **measures** that are associated with the **dredging operation**, out of the **Allocation Area**.

Notice
Allocation of quarry material

(Remove) does not include the rehandling of spoil or collection of quarry material as part of a geotechnical investigation associated with future tidal works or extraction)

Return means a written **return** completed in the approved form (available at: <http://www.ehp.qld.gov.au/coastal/development/documents/fm-cd-return-quarry-material-removed-em2077.docx>) that details the quantity of **quarry material removed** by **you** for that period.

Royalty means the rate prescribed under a regulation or the price set for the sale that is payable for **quarry material removed** under an **Allocation Notice**

Spoil is **quarry material** that has been **removed** from the **Allocation Area**

State coastal land has the same meaning as in section 17 of the CP&M Act

Tidal water has the same meaning as in the CP&M Act.

Waters means Queensland waters as defined in Schedule 1 of the *Acts Interpretation Act 1954*.

END OF CONDITIONS

Additional Information

This resource allocation pursuant to the *Coastal Protection and Management Act 1995* does not remove the need to obtain further approval for this development, which may be required pursuant to this or other legislation, both State and Commonwealth. Applicants are advised to check with all relevant statutory authorities.

scb4p4(16) P6

Signature

30/09/16

Date

Kerynne Birch
Manager, Coastal, Heritage and Marine
Industry and Development Assessment
Environmental Services and Regulation
Department of Environment and Heritage
Protection

Enquiries:
Permit and Licence Management
Phone: 13 QGOV (13 74 68)
Fax: (07) 3330 5875
Email: palm@ehp.qld.gov.au

Notice of decision – permit¹ application

This notice is issued by the Department of Environment and Heritage Protection to advise of a statutory decision on a permit application under the Coastal Protection and Management Act 1995.

Yamba Shipping Pty Ltd
PO Box 488,
PACIFIC FAIR QLD 4218

Our reference: 438857

Attention:
Warren Mckay

Dear Mr Mckay

Re: Decision made in relation to your application under environmental legislation administered by the Department of Environment & Heritage Protection.

The administering authority has assessed your application and wishes to advise you of the decision in regard to each application as specified below:

Permit applied for	Permit Number	Decision
Allocation of quarry material below high water mark – Section 83A of the <i>Coastal Protection and Management Act 1995</i> .	ENAQ06928016	Granted

For each permit applied for that has been granted, the conditions of approval are attached. Where applicable, a State of Reasons is provided in relation to the decision. Please note that for each approval, this Notice of Decision and the relevant attachments constitute the permit documentation. Please retain this approval documentation for your records.

¹ Permit includes licences, approvals, permits, authorisations, certificates, sanctions, allocations or equivalent/similar as required by legislation administered by the Department of Environment & Heritage Protection.

If you require more information, please contact Permit and Licence Management on the telephone number listed below.

Yours sincerely

sch 404(6) Pers

Signature

30/09/16

Date

Delegate:

Kerynne Birch
Delegate, Chief Executive administering the *Coastal Protection and Management Act 1995*
Department of Environment & Heritage Protection

Enquiries:

Permit and Licence Management
Phone: 1300 130 372
Email: palm@ehp.qld.gov.au

Notice

Coastal Protection and Management Act 1995

Amended Allocation of quarry material

This Notice is issued under the Section 87 of the Coastal Protection and Management Act 1995 by the Department of Environment and Heritage Protection to provide details of the amended allocation of quarry material below high water mark. Pursuant to Section 100A of the Coastal Protection and Management Act 1995, this Notice does not authorise the removal of any quarry material until the allocation holder has obtained all other necessary approvals, including a development permit and/or an environmental authority.

Allocation permit number: ENAQ04036712
Effective date: 1 July 2012
Expiry date: For Area A - 30 June 2018
 For Area B - 30 June 2016

COPY

Details

PERMIT HOLDER(S)	NAME	ADDRESS
Principal Holder	Holcim (Australia) Pty Ltd (ABN 87 099 732 297) (ACN: 099 732 297)	P.O. Box 1143 MILTON QLD 4064

ACTIVITY(S)	ACTIVITY LOCATION(S)	ALLOCATION AREA	PURPOSE
Allocation of Quarry Material below high water mark – <i>Coastal Protection and Management Act 1995</i>	Northern Moreton Bay	Area A - Spitfire Channel Resource Area Area B – Spitfire Shipping Channel	Removal of Quarry Material (dredging) for extractive industry.

Notice
Allocation of quarry material

ALLOCATION AREA	MAXIMUM QUANTITY	UNIT	PRICE PAYABLE
<p><i>Area A - Spitfire Channel Resource Area (Sand Extraction Area)</i></p> <p>Coordinates: (Datum – GDA94)</p> <ul style="list-style-type: none"> E 526686.187 N 7008233.758 E 529602.306 N 7007167.436 E 530415.451 N 7004364.733 <p><i>Area B - Spitfire Shipping Channel southwest of the current Spitfire channel as per plan 123659 dated 12 July 2010 and plan 112257 A dated 23 August 2005</i></p>	<p>Within Area B - 100,000m³</p> <p>Within the combined Areas A and B over a 12 month Period - 375,000m³</p> <p>Total within the combined Areas A and B over 6 years – 2,250,000m³</p>	Cubic Metres	<p>sch 4(7)(1)(c) Business/cb</p> <p>This rate will increase in line with the CPI on 1 August of each year commencing from 2013.</p>

CONDITIONS OF APPROVAL

1. Allocation Payments:

1.1 For the purposes of this allocation:-

The sale price is sch 4p4(7)(1)(c) Business/c and

- (a) The sale price will increase by CPI on 1 August of every year and EHP will advise each Allocation Holder accordingly.
- 1.2 Payment for the amount of Quarry Material taken will be required to be made to the Chief Executive on a monthly basis. From the day dredging commences, the Allocation Holder must within 20 Business Days after the end of each month submit to the Chief Executive –
 - (a) a monthly return of the quantity of Quarry Material removed as specified in clause 3.1, even if no material has been dredged in that month; and
 - (b) payment for the Quarry Material taken.
- 1.3 On the Payment Date, the Allocation Holder must pay to EHP the amount calculated using the following formula–
$$A = B \times C$$

Where

A = amount payable by the Allocation Holder;

B = the Price; and

C = the amount of Quarry Material removed from the Allocation Area in the preceding reporting period.
- 1.4 Interest may be charged on any late payment by the Allocation Holder at the rate which is the interest rate equal to the Commonwealth Bank of Australia monthly overdraft index rate as at the date the payment became due and payable.

2. Measuring Quarry Material

- 2.1 The dredged Quarry Material will be measured by weight in tonnes. The Allocation Holder is required to have access to either a Weighbridge or Scale Equipped Loader Bucket to accurately record the weight of Quarry Material removed. For the purpose of measurement, the conversion rates to be used are:
 - (a) 1 cubic metre of dry sand weighs 1.8 tonnes; and
 - (b) 1 cubic metre of saturated sand weighs 1.92 tonnes.
- 2.2 The conversion rate of 1 cubic metre of dry sand weighs 1.8 tonnes will be used for sand removed from stockpiles. That is, each tonne of sand weighed at the stockpile area equates to 0.56 cubic metres. The quantity of dredged Quarry Material can be recorded as either Weighbridge or Scale Equipped Loader Bucket totals.

3. Monthly Returns

- 3.1 The Allocation Holder must provide, within twenty (20) Business Days from the end of each calendar month, data and records described below, relating to the preceding calendar month:
 - (a) if the Allocation Holder uses a weighbridge, accurate records of the quantity of Quarry Material removed from the Allocation Area as produced by the weighbridge for each truckload of Quarry Material.
 - (b) if the Allocation Holder uses a Scale Equipped Loader Bucket, accurate records of the quantity of Quarry Material removed from the Allocation Area, as produced by the Scale Equipped Loader Bucket for each bucket load of Quarry Material.
 - (c) a report even if no Quarry Material was removed.
- 3.2 The Allocation Holder must ensure that the driver of or person responsible for any vehicle removing Quarry Material from the storage area holds and can produce the data and records required to be provided.
- 3.3 The Allocation Holder must give the Certification to EHP within twenty (20) Business Days from the end of each month of the Allocation Notice commencement date or at such other times as directed by the Chief Executive.
- 3.4 The Allocation Holder must provide the data reports on the approved form and submitted electronically via a format (e.g. flat file, XML) as agreed with EHP. The form must be completed by the relevant person within the organisation who holds the role of chief financial officer, company accountant or similar. The report notification and delivery protocol may involve discussions between EHP and the Allocation Holder before EHP makes the final determination.
- 3.5 EHP reserves the right to modify the data reporting requirements and require the Allocation Holder to provide other reports as reasonably required by EHP.

- 3.6 Where the Allocation Holder has not complied with this clause 3.1, EHP may require the Holder to provide in writing within five (5) Business Days from the request by EHP:
- (a) the reasons for non-compliance with this clause;
 - (b) the means to ensure current compliance with this clause;
 - (c) the means to maintain compliance in the future with this clause; and
 - (d) any other relevant information requested by EHP.
- 3.7 If requested by EHP, the Allocation Holder must attend a meeting or meetings to discuss any issues involving compliance with this clause 3.
- 3.8 Copies of records required by this clause 3 must be kept for 6 years after the Allocation Holder ceases to access the Quarry Material, at the place of business of the Holder. The Allocation Holder must immediately notify EHP in writing if any records are stolen, lost, destroyed or damaged.
- 3.9 EHP may require the Allocation Holder to conduct at its own expense, or EHP or its delegate may conduct an audit of the data supplied by the Holder. The audit may include inspection of the systems and procedures for reporting information to EHP.
- 3.10 Where inaccuracies in reporting by the Allocation Holder recur the Allocation Holder will be deemed to have materially breached the terms of the Allocation Notice and EHP may take action which may include the suspension or termination of the Allocation Notice.

4. Allocation limits

- 4.1 No dredge material shall be removed by the dredger from:-
- i. outside of the defined boundaries of the allocated area Area A - Spitfire Channel Resource Area; and
 - ii. below a depth of RL -16 metres Lowest Astronomical Tide (LAT) from within the allocated area Area A - Spitfire Channel Resource Area; or
 - iii. outside the allocated area Area B - Spitfire Shipping Channel southwest of the current Spitfire channel as defined by plan 123659 dated 12 July 2010 and plan 112257 A dated 23 August 2005.
- 4.2 The yearly volume of dredged Quarry Material must not exceed the limits detailed in this Allocation Notice.
- 4.3 The Allocation Holder is not authorised to remove Quarry Material beyond the limits of this Allocation Notice.

5. Dredge vessels and equipment

- 5.1 The Allocation Holder shall ensure that:-
- (a) a copy of the conditions pertaining to this Allocation Notice is available at the dredging site at all times; and
 - (b) the dredge operator and all dredging plant personnel are made aware of all the conditions of this Allocation Notice.
- 5.2 A copy of this Allocation of Quarry Material approval must be kept onsite in a location readily accessible to personnel carrying out the activity.
- All dredging plant personnel must be aware of all the conditions of this Allocation of Quarry Material approval.
- 5.3 Before each dredging operation commences at the Allocation Area, and during the whole of the dredging operations, each dredge and each item of equipment carrying out the actual removal of the material shall display a sign which is clearly legible from either side of the dredge or equipment. This sign shall display the name of the dredger and the number of this permit. The lettering on the above sign shall be at least three hundred millimetres high and formed of strokes each a minimum of fifty millimetres wide.
- 5.4 On completion of the dredging operation at the Allocation Area or when directed by the Chief Executive to do so, the Allocation Holder shall ensure that the dredger removes all dredge plant and equipment (including pipes, floats and other equipment used in or in connection with the dredging operations) from the site.

No dredge plant and equipment is to remain at the allocation site other than during active dredging periods.

6. Maintaining water quality and minimising impacts to coastal processes

- 6.1 The Allocation Holder must take all reasonable measures to minimise the production and spread of any visible turbidity plume produced as a result of the dredging and unloading activity consistent with any current Australian/New Zealand Standard and where an Australian/New Zealand Standard does not exist, the relevant current International Standard (ISO).
- 6.2 No discharges are to be released directly to Marine Parks or surrounding wetlands/waterways unless the discharge is approved.

- 6.3 If any acid sulphate soils are uncovered you must comply with the latest edition of the Queensland Department of Environment and Heritage Protection's *INSTRUCTIONS FOR THE TREATMENT AND MANAGEMENT OF ACID SULPHATE SOILS, 2001*, produced by the Queensland Department of Environment and Heritage Protection.
- 6.4 Any land based spoil disposal site must be suitably designed to ensure full containment of the dredged Quarry Material with no contaminants, leachate, sediment or stormwater permitted to enter the surrounding groundwater, wetlands or waterways in a manner that would cause environmental harm.
- 7. Avoiding or minimising impacts to marine ecology**
- 7.1 The Allocation Holder must, in the event of capturing or injuring megafauna (such as birds, turtles, dugongs, sharks, dolphins and whales) during the course of undertaking any activities to, from and at the allocation area:—
- (a) immediately notify the Marine Animal Strandings Hotline by telephoning 1300 264 625, and
 - (b) record the incident in the dredging log book with a copy forwarded to the Moreton Bay Marine Park Office within 24 hours of the incident by:
 - (i) post to PO Box 5178, MANLY, QLD, 4179; or
 - (ii) facsimile transmission to (07) 3131 2889 or
 - (iii) email to manly@derm.qld.gov.au.
- 8. Monitoring**
- 8.1 The Allocation Holder shall:—
- (a) Use a Global Positioning System (GPS) to track and record all dredge movements whilst extraction is occurring under this allocation.
 - (b) Keep records of all sales and or production use of Quarry Material extracted under this allocation and present this information in a specified format to the administering authority when requested.
 - (c) Three months prior to 31 December of each year, the Allocation Holder shall at its cost and expense employ a Registered Surveyor to carry out surveys of the allocated area in accordance with the following requirements:—
 - (i) Surveys shall be undertaken to provide detail at or equivalent to cross-sections spaced at not more than 20m centres over the entire allocated area.
 - (ii) Levels shall be taken at each section and at every change in grade so as to accurately define the profile of the bed and banks.
 - (iii) Surveys shall be plotted to a scale of 1:10 000 or appropriate.
 - (iv) The surveyed bed profile shall show the horizontal and vertical limits of the allocated area
- 8.2 The Allocation Holder shall record, compile, and keep copies of all results required above for a period of six years after the Allocation Notice has expired; and make them available for examination by officers of the Department of Environment and Heritage Protection when requested.
- 9. Annual Reporting**
- 9.1 The Allocation Holder shall submit to the Chief Executive by 31 January of the following year, a report for the previous year prepared by a suitably qualified person. The report shall detail information on but limited by:—
- (a) A summary report of all results required by the above reporting condition above.
 - (b) Confirmation that the Allocation Holder and dredger complied with all conditions of the Allocation Notice.
 - (c) Details of every event where any visible turbidity plume produced as a result of the dredging that extended beyond the boundaries of the allocation area or more than 50 metres from the dredger; including actions undertaken to minimise harm.

END OF CONDITIONS

Notice
Allocation of quarry material

Department of Transport and Main Roads

Attention is drawn to the requirements of the Department of Transport and Main Roads. It is the Allocation Holder's responsibility to examine those requirements and liaise directly with the Harbour Master on any issues that relate to the dredging operations.

Department of Agriculture, Fisheries and Forestry

Attention is drawn to the requirements of the Department of Agriculture, Fisheries and Forestry. It is the Allocation Holder's responsibility to examine those requirements and liaise directly with Fisheries on any issues that relate to the dredging operations.

Local Government

Attention is drawn to the requirements of the relevant local government. It is the Allocation Holder's responsibility to examine those requirements and liaise directly with local government on any issues that relate to the dredging operations.

Department of Environment and Heritage Protection

The Allocation Holder and dredger must, in the event that any Aboriginal, archaeological or historical sites, items, places or remains are identified, located or exposed during the removal of material from the authorised operating area, cease work and contact the Cultural Heritage Unit, Department of Environment and Heritage Protection on telephone .

sch4p4(6) Personal information

SIGNATURE

Paul Prenzler
A/Manager
Delegate, Chief Executive
Administering the *Coastal Protection and Management Act 1995*
Department of Environment and Heritage Protection

11/11/15.

DATE

Enquiries:
Claire Peterken
Principal Environmental Officer
Department of Environment and Heritage Protection
(07) 33306141
Claire.peterken@ehp.qld.gov.au

Attachment 1: Plans delineating Area B

Notice

Coastal Protection and Management Act 1995

Allocation transfer notice

This allocation transfer notice provides details of the transfer of all or part of an allocation of quarry material below high water mark, pursuant to Section 82 of the Coastal Protection and Management Act 1995. This allocation transfer notice does not authorise the removal of any quarry material until the allocation holder has obtained all other necessary approvals, including a development permit and/or an environmental authority.

Your reference : ENAQ04037312

Our reference : ENAQ04037312

Bowen Tug & Bunkering P/L
c/- Trinette Schipkie
PO Box 7014
Hemmant, QLD 4174

Dear: Trinette,

Re: Decision made in relation to your application to transfer all of an allocation under environmental legislation administered by the Department of Environment and Heritage Protection (EHP).

EHP has assessed your application received on 8 MAY 2014 and wishes to advise you of the decision in regard to each application as specified below:

PERMIT APPLIED FOR	PERMIT NUMBER	DECISION
Transfer of all of an allocation of quarry material below high water mark - Coastal Protection and Management Act 1995	ENAQ04037312	Granted

Please note: This allocation transfer notice formalises the transfer of quarry allocation ENAQ04037312 from Marine Contracting P/L to Bowen Tug & Bunkering P/L.

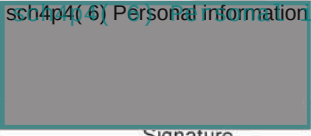
Notice
Allocation of quarry material

The conditions of approval are attached for each successful permit application. Where applicable, a Statement of Reasons is provided in relation to the decision. Please note that for each approval, this Notice of Decision and the relevant attachments constitute the permit documentation. Please retain this approval documentation for your records.

This transfer has effect from the day the notice is given.

If you require more information, please contact Ben McKenzie, the Project Manager, on the telephone number listed below.

Yours sincerely

 sch4p4(6) Personal information
Signature


Date

Olga Hawas

Delegate, Chief Executive administering the
Coastal Protection and Management Act 1995
Department of Environment and Heritage
Protection

Enquiries:

Ben McKenzie
Department of Environment and Heritage
Protection
400 George St
BRISBANE QLD 4001
Phone: (07) 3339 5806
Email: ben.mckenzie@ehp.qld.gov.au

Mailing address for return forms and payments :

Permit and Licence Management
Department of Environment and Heritage
Protection
GPO Box 2454
Brisbane QLD 4001

Enquiries : **13QGOV (13 74 68)**
Facsimile : (07) 3330 5875
Email: palm@ehp.qld.gov.au

Notice

ENAQ04037312

Coastal Protection and Management Act 1995

Decision Notice - Allocation of Quarry Material

This Notice is issued under Section 76 of the Coastal Protection and Management Act 1995 by the Department of Environment and Heritage Protection (EHP) to provide details of the approved allocation of Quarry Material below high water mark. Pursuant to Section 100A of the Coastal Protection and Management Act 1995, this Notice does not authorise the removal of any Quarry Material until the Allocation Holder has obtained all other necessary approvals, such as a development permit and/or an environmental authority.

Allocation Notice number: **ENAQ04037312**
 Effective date: **1 July 2012**
 Expiry date: **30 June 2018**

DETAILS

PERMIT HOLDER(S)	NAME	ADDRESS
Principal Holder	Marine Contracting Pty Ltd (ABN: 29 010 093 651) (ACN: 010 093 651)	PO Box 7051 HEMMANT QLD 4174

ACTIVITY(S)	ACTIVITY LOCATION(S)	ALLOCATION AREA	PURPOSE
Allocation of Quarry Material below high water mark – <i>Coastal Protection and Management Act 1995</i>	Northern Moreton Bay	Spitfire Channel Resource Area.	Removal of Quarry Material (dredging) for extractive industry.

ALLOCATION AREA	MAXIMUM QUANTITY	UNIT	PRICE PAYABLE
Spitfire Channel Resource Area (Sand Extraction Area) Coordinates: (Datum – GDA94) <ul style="list-style-type: none"> E 526686.187 N 7008233.758 E 529602.306 N 7007167.436 E 530415.451 N 7004364.733 	Within 12 month Period 75,000m ³ Total over 6 years 450,000m ³	Cubic Metres	A rate of \$0.40 per cubic metre. This rate will increase in line with the CPI on 1 August of each year commencing 2013.

Notice
Allocation of Quarry Material

CONDITIONS OF APPROVAL

1. Allocation Payments:

1.1 For the purposes of this allocation:—

- (a) The sale price is scb4 and
- (b) The sale price will increase by CPI on 1 August of every year and EHP will advise each Allocation Holder accordingly.

1.2 Payment for the amount of Quarry Material taken will be required to be made to the Chief Executive on a monthly basis. From the day dredging commences, the Allocation Holder must within 20 Business Days after the end of each month submit to the Chief Executive —

- (a) a monthly return of the quantity of Quarry Material removed as specified in clause 3.1, even if no material has been dredged in that month; and
- (b) payment for the Quarry Material taken.

1.3 On the Payment Date, the Allocation Holder must pay to EHP the amount calculated using the following formula—

$$A = B \times C$$

Where

A = amount payable by the Allocation Holder;

B = the Price; and

C = the amount of Quarry Material removed from the Allocation Area in the preceding reporting period.

1.4 Interest may be charged on any late payment by the Allocation Holder at the rate which is the interest rate equal to the Commonwealth Bank of Australia monthly overdraft index rate as at the date the payment became due and payable.

2. Measuring Quarry Material

2.1 The dredged Quarry Material will be measured by weight in tonnes. The Allocation Holder is required to have access to either a Weighbridge or Scale Equipped Loader Bucket to accurately record the weight of Quarry Material removed. For the purpose of measurement, the conversion rates to be used are:

- (a) 1 cubic metre of dry sand weighs 1.8 tonnes; and
- (b) 1 cubic metre of saturated sand weighs 1.92 tonnes.

2.2 The conversion rate of 1 cubic metre of dry sand weighs 1.8 tonnes will be used for sand removed from stockpiles. That is, each tonne of sand weighed at the stockpile area equates to 0.56 cubic metres. The quantity of dredged Quarry Material can be recorded as either Weighbridge or Scale Equipped Loader Bucket totals.

3. Monthly Returns

3.1 The Allocation Holder must provide, within twenty (20) Business Days from the end of each calendar month, data and records described below, relating to the preceding calendar month:

- (a) if the Allocation Holder uses a weighbridge, accurate records of the quantity of Quarry Material removed from the Allocation Area as produced by the weighbridge for each truckload of Quarry Material.
- (b) if the Allocation Holder uses a Scale Equipped Loader Bucket, accurate records of the quantity of Quarry Material removed from the Allocation Area, as produced by the Scale Equipped Loader Bucket for each bucket load of Quarry Material.
- (c) a report even if no Quarry Material was removed.

3.2 The Allocation Holder must ensure that the driver of or person responsible for any vehicle removing Quarry Material from the storage area holds and can produce the data and records required to be provided.

3.3 The Allocation Holder must give the Certification to EHP within twenty (20) Business Days from the end of each month of the Allocation Notice commencement date or at such other times as directed by the Chief Executive.

3.4 The Allocation Holder must provide the data reports on the approved form and submitted electronically via a format (e.g. flat file, XML) as agreed with EHP. The form must be completed by the relevant person within the organisation who holds the role of chief financial officer, company accountant or similar. The report notification and delivery protocol may involve discussions between EHP and the Allocation Holder before EHP makes the final determination.

Notice
Allocation of Quarry Material

- 3.5 EHP reserves the right to modify the data reporting requirements and require the Allocation Holder to provide other reports as reasonably required by EHP.
- 3.6 Where the Allocation Holder has not complied with this clause 3.1, EHP may require the Holder to provide in writing within five (5) Business Days from the request by EHP:
- (a) the reasons for non-compliance with this clause;
 - (b) the means to ensure current compliance with this clause;
 - (c) the means to maintain compliance in the future with this clause; and
 - (d) any other relevant information requested by EHP.
- 3.7 If requested by EHP, the Allocation Holder must attend a meeting or meetings to discuss any issues involving compliance with this clause 3.
- 3.8 Copies of records required by this clause 3 must be kept for 6 years after the Allocation Holder ceases to access the Quarry Material, at the place of business of the Holder. The Allocation Holder must immediately notify EHP in writing if any records are stolen, lost, destroyed or damaged.
- 3.9 EHP may require the Allocation Holder to conduct at its own expense, or EHP or its delegate may conduct an audit of the data supplied by the Holder. The audit may include inspection of the systems and procedures for reporting information to EHP.
- 3.10 Where inaccuracies in reporting by the Allocation Holder recur the Allocation Holder will be deemed to have materially breached the terms of the Allocation Notice and EHP may take action which may include the suspension or termination of the Allocation Notice.
- 4. Allocation limits**
- 4.1 No dredge material shall be removed by the dredger from:-
- (i) outside of the defined boundaries of the allocated area "Spitfire Channel Resource Area"; and
 - (ii) below a depth of RL -16 metres Lowest Astronomical Tide (LAT).
- 4.2 The yearly volume of dredged Quarry Material must not exceed the limits detailed in this Allocation Notice.
- 4.3 The Allocation Holder is not authorised to remove Quarry Material beyond the limits of this Allocation Notice.
- 5. Dredge vessels and equipment**
- 5.1 The Allocation Holder shall ensure that:-
- (a) a copy of the conditions pertaining to this Allocation Notice is available at the dredging site at all times; and
 - (b) the dredge operator and all dredging plant personnel are made aware of all the conditions of this Allocation Notice.
- 5.2 A copy of this Allocation of Quarry Material approval must be kept onsite in a location readily accessible to personnel carrying out the activity.
- All dredging plant personnel must be aware of all the conditions of this Allocation of Quarry Material approval.
- 5.3 Before each dredging operation commences at the Allocation Area, and during the whole of the dredging operations, each dredge and each item of equipment carrying out the actual removal of the material shall display a sign which is clearly legible from either side of the dredge or equipment. This sign shall display the name of the dredger and the number of this permit. The lettering on the above sign shall be at least three hundred millimetres high and formed of strokes each a minimum of fifty millimetres wide.
- 5.4 On completion of the dredging operation at the Allocation Area or when directed by the Chief Executive to do so, the Allocation Holder shall ensure that the dredger removes all dredge plant and equipment (including pipes, floats and other equipment used in or in connection with the dredging operations) from the site.
- No dredge plant and equipment is to remain at the allocation site other than during active dredging periods.
- 6. Maintaining water quality and minimising impacts to coastal processes**
- 6.1 The Allocation Holder must take all reasonable measures to minimise the production and spread of any visible turbidity plume produced as a result of the dredging and unloading activity consistent with any current Australian/New Zealand Standard and where an Australian/New Zealand Standard does not exist, the relevant current International Standard (ISO).
- 6.2 No discharges are to be released directly to Marine Parks or surrounding wetlands/waterways unless the discharge is approved.

Notice

Allocation of Quarry Material

- 6.3 If any acid sulphate soils are uncovered you must comply with the latest edition of the Queensland Department of Environment and Heritage Protection's *INSTRUCTIONS FOR THE TREATMENT AND MANAGEMENT OF ACID SULPHATE SOILS, 2001*, produced by the Queensland Department of Environment and Heritage Protection.
- 6.4 Any land based spoil disposal site must be suitably designed to ensure full containment of the dredged Quarry Material with no contaminants, leachate, sediment or stormwater permitted to enter the surrounding groundwater, wetlands or waterways in a manner that would cause environmental harm.
- 7. Avoiding or minimising impacts to marine ecology**
- 7.1 The Allocation Holder must, in the event of capturing or injuring megafauna (such as birds, turtles, dugongs, sharks, dolphins and whales) during the course of undertaking any activities to, from and at the allocation area:—
- (a) immediately notify the Marine Animal Strandings Hotline by telephoning 1300 264 625, and
 - (b) record the incident in the dredging log book with a copy forwarded to the Moreton Bay Marine Park Office within 24 hours of the incident by:
 - (i) post to PO Box 5178, MANLY, QLD, 4179; or
 - (ii) facsimile transmission to (07) 3131 2889 or
 - (iii) email to manly@derm.qld.gov.au.
- 8. Monitoring**
- 8.1 The Allocation Holder shall:—
- (a) Use a Global Positioning System (GPS) to track and record all dredge movements whilst extraction is occurring under this allocation.
 - (b) Keep records of all sales and or production use of Quarry Material extracted under this allocation and present this information in a specified format to the administering authority when requested.
 - (c) Three months prior to 31 December of each year, the Allocation Holder shall at its cost and expense employ a Registered Surveyor to carry out surveys of the allocated area in accordance with the following requirements:—
 - (i) Surveys shall be undertaken to provide detail at or equivalent to cross-sections spaced at not more than 20m centres over the entire allocated area.
 - (ii) Levels shall be taken at each section and at every change in grade so as to accurately define the profile of the bed and banks.
 - (iii) Surveys shall be plotted to a scale of 1:10 000 or appropriate.
 - (iv) The surveyed bed profile shall show the horizontal and vertical limits of the allocated area
- 8.2 The Allocation Holder shall record, compile, and keep copies of all results required above for a period of six years after the Allocation Notice has expired; and make them available for examination by officers of the Department of Environment and Heritage Protection when requested.
- 9. Annual Reporting**
- 9.1 The Allocation Holder shall submit to the Chief Executive by 31 January of the following year, a report for the previous year prepared by a suitably qualified person. The report shall detail information on but limited by:—
- (a) A summary report of all results required by the above reporting condition above.
 - (b) Confirmation that the Allocation Holder and dredger complied with all conditions of the Allocation Notice.
 - (c) Details of every event where any visible turbidity plume produced as a result of the dredging that extended beyond the boundaries of the allocation area or more than 50 metres from the dredger; including actions undertaken to minimise harm.

END OF CONDITIONS

Notice
Allocation of Quarry Material

Department of Transport and Main Roads

Attention is drawn to the requirements of the Department of Transport and Main Roads. It is the Allocation Holder's responsibility to examine those requirements and liaise directly with the Harbour Master on any issues that relate to the dredging operations.

Department of Agriculture, Fisheries and Forestry

Attention is drawn to the requirements of the Department of Agriculture, Fisheries and Forestry. It is the Allocation Holder's responsibility to examine those requirements and liaise directly with Fisheries on any issues that relate to the dredging operations.

Local Government

Attention is drawn to the requirements of the relevant local government. It is the Allocation Holder's responsibility to examine those requirements and liaise directly with local government on any issues that relate to the dredging operations.

Department of Environment and Heritage Protection

The Allocation Holder and dredger must, in the event that any Aboriginal, archaeological or historical sites, items, places or remains are identified, located or exposed during the removal of material from the authorised operating area, cease work and contact the Cultural Heritage Unit, Department of Environment and Heritage Protection on telephone .

sch4p4(6) Personal information information

SIGNATURE

Delegate, Chief Executive administering the
Environmental Protection Act 1994 and *Coastal
Protection and Management Act 1995*

Department of Environment and Heritage Protection

25-06-12

DATE

Enquiries:

Department of Environment and Heritage
Protection

GPO Box 2454
BRISBANE Q 4001

Contact:: Ben McKenzie

Phone: 07 3238 3726

Fax: 07 3406 2578

Email: Ben.Mckenzie@ehp.qld.gov.au

Notice

Coastal Development

Renewal - Allocation of quarry material

This Notice provides details of the approved renewed allocation of quarry material below high water mark pursuant to Section 83 of the Coastal Protection and Management Act 1995. Pursuant to Section 100A of the Coastal Protection and Management Act 1995, this Notice does not authorise the removal of any quarry material until the allocation holder has obtained all other necessary approvals, including a development permit and/or an environmental authority.

Allocation permit number: ENAQ00931312

Effective date: 18 August 2012

Expiry date: 18 August 2018

Details

PERMIT HOLDER(S)	NAME	ADDRESS
Principal Holder	Port of Brisbane Pty Ltd	Port Office, 3 Port Central Avenue Locked Bag 1818 PORT OF BRISBANE QLD 4178

ACTIVITY(S)	ACTIVITY LOCATION(S)	ALLOCATED AREA	PURPOSE
Allocation of quarry material below high water mark	Spitfire Channel, northern Moreton Bay.	Within the impacted area shown on Drawing No. 118785 Spitfire Channel Widening – Additional 40m (15 June 2012).	The removal of material from below high water mark associated with the realignment of the shipping channel with two recently installed channel beacons.

ALLOCATED AREA	MAXIMUM QUANTITY	UNIT	RATE OF ROYALTY PAYABLE
Within the impacted area shown on Drawing No. 118785 Spitfire Channel Widening – Additional 40m (16 September 2006).	152 000	Cubic metres	Royalty not payable (section 9 Coastal Protection and Management Regulation 2003.)

Renewal - Allocation of quarry material

PLAN NUMBER	PLAN DATE
118785	15/06/2012

Conditions of approval

Agency interests: Coastal

- C1 No material shall be removed from outside of the area marked as the impacted area shown on Drawing No. 118785 Spitfire Channel Widening – Additional 40m No: 2479, dated 15 June 2012.
- C2 All dredged material shall be placed above high water mark in the reclamation area at the Port of Brisbane, approved water based disposal site or an approved beach nourishment site.
- C3 If dredging material has been removed from outside the boundaries of the authorised operating area or from the bed below the levels designated or if the batters are steeper than the designated batters, the dredger shall at its cost and expense repair those areas where over dredging has occurred so that the shape of the removal excavation conforms to the relevant conditions of this permit. Only granular material of a quality and grading approved by the Chief Executive shall be used to repair over dredged areas.
- C4 Dredging operations must be carried out by the dredger without causing interference to other dredge operators in the vicinity.
- C5 Before dredging commences, and during the whole of the dredging operations, each dredge and each item of equipment carrying out the actual removal of the material shall display a sign which is clearly legible from either side of the dredge or equipment. This sign shall display the name of the dredger and the number of this permit. The lettering on the above sign shall be at least three hundred millimetres high and formed of strokes each a minimum of fifty millimetres wide.
- C6 On completion of the dredging operation or when directed by the Chief Executive to do so, the dredger shall remove all dredge plant and equipment (including pipes, floats and other equipment used in or in connection with the dredging operations) from the site.
- C7 If any acid sulphate soils are uncovered you must comply with the latest edition of the Queensland Environmental Protection Agency's *INSTRUCTIONS FOR THE TREATMENT AND MANAGEMENT OF ACID SULPHATE SOILS, 2001*, produced by the former Queensland Environmental Protection Agency in consultation with the former Department of Natural Resources and Mines and the former Department of Primary Industries.
- C8 From the day the dredging activity commences, the allocation holder must within 20 business days after the end of each month, submit to the Chief Executive -
 - (a) - a monthly return of the quantity of dredging material removed, based on the measured volume of dredged material loose in stockpiles, even if no material has been dredged during that month; and
 - (b) - pay a fee as prescribed in the Coastal Protection and Management Regulation 2003, as amended from time to time; or if any royalty waivers are subsequently granted, the amount stated in the royalty waiver.
- C9 The Port of Brisbane Pty Ltd's dredge plant TSHD Brisbane must operate in accordance with *The Environmental Management Plan _ TSHD – Port of Brisbane Pty Ltd Operations – November 2011*.
- C10 If a dredge plant, other than the Port of Brisbane Pty Ltd's Dredge plant the TSHD Brisbane, is to remove quarry material under this notice, the holder of this notice must comply with the following:
 - a) An Environmental Management Plan (EMP) that achieves the same outcomes as *Environmental Management Plan _ TSHD – Port of Brisbane Pty Ltd Operations – November 2011*, must be submitted at least 20 business days prior to the commencement of a different dredge plan.

Renewal - Allocation of quarry material

- b) The EMP must demonstrate how the plant will operate in accordance with all conditions attached to this notice ENAQ 00931312 and Development Permit numbered: SPDE00073910

Department of Transport and Main Roads

Attention is drawn to the requirements of the Department of Transport and Main Roads as outlined in the letter from the Regional Harbour Master (Brisbane) dated 17 May 2012. It is the allocation holder's responsibility to examine those requirements and liaise directly with the Harbour Master on any issues that relate to the dredging operations.

Department of Agriculture, Fisheries and Forestry

Attention is drawn to the requirements of the Department of Agriculture, Fisheries and Forestry as outlined in their letter dated 13 June 2012. It is the allocation holder's responsibility to examine those requirements and liaise directly with Fisheries Queensland on any issues that relate to the dredging operations.

Department of Environment and Heritage Protection

The dredger must, in the event that any Aboriginal, archaeological or historical sites, items, places or remains be identified, located or exposed during the removal of material from the authorised operating area, cease work and contact the Cultural Heritage Unit, Department of Environment and Heritage Protection on Telephone 3239 3647.

Additional Information

This resource allocation pursuant to the *Coastal Protection and Management Act 1995* does not remove the need to obtain any further approval for this development, which may be required pursuant to this or other legislation, both State and Commonwealth. You are advised to check with all relevant statutory authorities for such approvals as may be required.

If you require more information, please contact Vicki Carney, the Project Manager, on the telephone number listed below.

sch4p4(6) Personal information

SIGNATURE

31-7-12

DATE

Paul Butcher
Delegate
Chief Executive administering the
Coastal Protection and Management Act 1995
Department of Environment and Heritage Protection

Enquiries:
Vicki Carney
Environmental Services and Regulation
Southern Region (South)
GPO Box 2771
BRISBANE QLD 4001

Phone: (07) 3406 2542
Fax: (07) 3406 2578

Notice

Coastal Protection and Management Act 1995

Notice of Decision – allocation renewal application

This notice is issued under Section 76 of the *Coastal Protection and Management Act 1995*, by the Department of Environment and Heritage Protection to advise of a statutory decision on a permit application under coastal legislation.

Port of Brisbane Pty Ltd
Locked Mail Bag 1818
PORT OF BRISBANE QLD 4178
Attention: Rachael Attard

Your reference: A1470109
Our reference: 337009

Cc:
Fisheries Queensland
Department of Agriculture, Fisheries and Forestry
PO Box 5083 Sunshine coast Mail Centre
Nambour QLD 4560
Attention: Max Wingfield

Cc:
Regional Harbour Master (Brisbane)
Maritime Safety Queensland
Department of Transport and Main Roads
Macarthur Avenue East
PINKENBA QLD 4008
Attention: Captain Richard C Johnson

Re: Application to renew an allocation of quarry material – Spitfire Channel Widening. Capital Dredging.

The Department of Environment and Heritage Protection (EHP) has assessed the application received on 19 June 2012 and wishes to advise you of the following decision:

Permit Applied For	Decision Number	Decision
Allocation of quarry material below high water mark - <i>Coastal Protection and Management Act 1995</i> .	ENAQ00931312 (formerly ENAQ 00931310)	Granted with conditions

For each permit applied for that has been granted, the conditions are attached. Where applicable, a Statement of Reasons is provided in relation to the decision. Please note that for each approval, this Notice of Decision

Notice
Change to a development approval

and the relevant attachments constitute the permit documentation. Please retain this approval documentation for your records,

If you require more information, please contact Vicki Carney, the Project Manager, on the telephone number listed below.

sch4p4(6) Personal informat

SIGNATURE

31.7.12

DATE

Paul Butcher
Delegate
Chief Executive administering the *Coastal Protection and Management Act 1995*.
Department of Environment and Heritage Protection

Enquiries:
Vicki Carney
Environmental Services and Regulation
Southern Region (South)
GPO Box 2771
BRISBANE QLD 4001
Phone: (07) 3406 2542
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