



## APPLICATION FORM FOR A PERMIT UNDER THE *ENVIRONMENT PROTECTION (SEA DUMPING) ACT 1981* TO DISPOSE OF DREDGE OR EXCAVATION MATERIAL AT SEA

### Introduction

The purpose of this form is to enable the assessment of the need for, and potential environmental impacts of, proposals to dispose of dredge or excavation material at sea. This application form should be used for capital or maintenance works. On the basis of this assessment the Minister may grant, or refuse to grant, a permit for the proposed disposal under Section 19 of the *Environment Protection (Sea Dumping) Act 1981* (the Sea Dumping Act).

This form is also designed to indicate whether the proposal should be referred under Section 160 of the *Environment Protection and Biodiversity Conservation Act 1999* (the EPBC Act). If required, the determining authority will refer the proposal under the EPBC Act. It is not necessary for the applicant to perform this referral, however, if this has been done, the determining authority should be notified in the application.

The application form is to be read in conjunction with the **National Assessment Guidelines For Dredging 2009**, which describe in detail the procedures which are to be followed in sampling, testing and assessing the suitability of material to be disposed at sea, and evaluating and monitoring disposal sites. Where applicants require a specialist report to fulfil these requirements, the report should be attached to the application form and brief answers to the questions provided, cross-referenced to the relevant sections of the report.

The application must clearly describe the material to be disposed at sea, its origin, quantity, physical and chemical composition, any toxicity characteristics and how it will be transported and disposed at sea. Sufficient information on the disposal locality and the potential environmental impacts must be provided so that these impacts can be properly assessed.

Under the regulations to the Sea Dumping Act (Amended 2001), the application fee for a permit is dependent on the length of the permit, the quantity of sediment to be disposed of, the presence of contaminants in the sediment and the environmental sensitivity of the dredge and disposal sites. The application fee must be forwarded before a permit may be issued. The application fee must be received within 30 days of the application being forwarded, and no assessment will commence until such fees are received. The Minister may waive the requirement for payment of all or part of such fee where it is considered necessary or desirable to do so.

**Completed applications should be sent to:**

Director  
Ports and Marine Section  
Environment Assessment and Compliance Division  
Department of Sustainability, Environment, Water, Population and Communities  
GPO Box 787  
Canberra ACT 2601

**Further information** may be obtained from the Sea Dumping Program

Ph: (02) 6274 2995

## PART I - SUMMARY

Name of applicant:

Type of Material Requiring Disposal:

New or Capital

Continuing maintenance

Dredge

Excavation

Other:

Location of disposal site:

Dates of proposed disposal operations:

Permit required by:

Quantity of material to be disposed:

Length of permit applied for in this application:

Details of previous permits applied for (include dates, spoil volumes and whether granted/refused):

## PART II - APPLICATION FEE

The application fee payable is determined by the period of time and quantity of material for which the permit is sought, and by whether the disposal involves contaminated sediments or impacts upon environmentally sensitive sites. Tick all boxes below for which the corresponding conditions apply.

### 1.0 Contaminated sediment (contaminants listed in Table 2 of the guidelines)

- The sediment to be dumped contains listed substances in an amount equal to or greater than the screening levels (or twice the background level, if the background level is greater than the screening level)

Note: Current information on the contamination status of the material to be dumped (such as, completion of a Sampling and Analysis Plan) is required as part of the application process.

### 2.0 Environmentally sensitive sites

The dredging, excavation, dumping or a related activity may significantly impact upon:

- |   |   |
|---|---|
| <input type="checkbox"/> a declared World Heritage property | <input type="checkbox"/> a listed threatened species              |
| <input type="checkbox"/> a declared Ramsar wetland          | <input type="checkbox"/> a listed threatened ecological community |
| <input type="checkbox"/> a Commonwealth marine area         | <input type="checkbox"/> a listed migratory species               |
| <input type="checkbox"/> a Biosphere reserve                | <input type="checkbox"/> cetaceans                                |
| <input type="checkbox"/> a Commonwealth reserve             | <input type="checkbox"/> a listed marine species                  |
| <input type="checkbox"/> a conservation zone                | <input type="checkbox"/> habitat of above species or community    |

### 3.0 Application fee payable

If the volume of the material exceeds 100,000 m<sup>3</sup>, the fee payable is \$23,500.

If the volume of the material does not exceed 100,000 m<sup>3</sup>, the fee payable is \$10,000.

These fees apply regardless of the length of the permit required.

## **PART III - APPLICANT**

### **4.0 Identity of applicant**

Name:

Address:

Postal address (if different):

Contact person:

Phone:

Fax:

Email:

### **5.0 Identity of the owner of the material to be disposed at sea (if different to 4.0)**

Name:

Address:

Postal address (if different):

Phone:

Fax:

Email:

## **PART IV - DETAILS OF TESTING AND MONITORING PREVIOUS TO THIS APPLICATION**

### **6.0 Provide details of any relevant testing and monitoring undertaken prior to making this application (or since the last application)**

Attach relevant reports, such as, completed Sampling and Analysis Plan (SAP), monitoring under previous permit and sediment analysis information.

### **7.0 Has an exemption from detailed testing requirements been given? (refer to section 3.11 of the Guidelines for grounds for exemption)**

State the testing requirements for which an exemption has been given and give reasons why the testing is not required.

## **PART V - DESCRIPTION AND ANALYSIS OF MATERIAL TO BE DUMPED**

### **8.0 Description of the material to be dumped at sea**

#### 8.1 Type of material

- Dredge spoil
- Excavation material
- Other (describe)

#### 8.2 Volume of material (in situ) in cubic metres or other appropriate measure

#### 8.3 Works to be covered by this application

#### 8.4 Is the material to be disposed of the same composition as the material disposed of under your previous permit?

Has testing to verify this been carried out in the last five years?

#### 8.5 Location of material to be disposed

Attach a location and site plan including grid references or street address (where relevant). If dredge material, include the relevant sector from an AusMap, including a clear grid reference and bathymetric contours. If excavation material, location where the material can be inspected. Care should be taken to specify the co-ordinate system (WGS84 is preferred) and units used (for example, degrees/minutes/decimals of minutes or degrees/minutes/seconds).

#### 8.6 History of dredging or excavation project

Describe any prior dredging work carried out.

#### 8.7 Physical description of material

Characterise the material (for example, gravel, sand, mud, clay, peat, rock or mixtures of these) and provide a brief summary of the geological features (such as, rock types, sediments found in dredge area, thicknesses of individual strata).

## 8.8 Chemical description of material

Provide data on the average composition of the material to be disposed of at sea (expressed as percentage of dry weight).

**In addition**, for this application to be considered for a permit, the following sediment quality questions must be answered (refer to section 3.10.2 of the Guidelines). If any of these questions are not applicable due to an exemption being given (refer 7.0) please state.

8.8.1 Is the concentration of any chemical constituent above the Screening Levels in Table 2 of the **Guidelines**?

Yes       No

If 'No', go to question 8.12.

If 'Yes', list the chemical constituents and their levels.

8.8.2 Are any of the chemical constituents listed in 8.8.1 (that is, those above Screening Levels) **also above** the background levels at the disposal site?

Yes       No

If 'No', go to question 8.12.

If 'Yes', list the chemical constituents and their background levels at the disposal site.

## 8.9 Elutriate testing

If you answered 'Yes' to question 8.8.2, elutriate testing may be required to be carried out. Refer to Section 3.5.3 and 3.10.2 of the **Guidelines** for further information.

8.9.1 Are all results of elutriate testing below the *ANZECC/ARMCANZ (2000) Australian and New Zealand Guidelines for Fresh and Marine Water Quality* marine water quality criteria for any chemical parameter after allowable dilution? (refer Appendix 6 of the **Guidelines**).

Yes       No

If 'Yes', go to question 8.10.

If 'No', consult with the Sea Dumping Program on further actions. The applicant has the option of carrying out detailed toxicity and bioavailability testing, **and** evaluating control measures to minimise the impact (such as treatment of the waste or confined disposal). If control

measures would not be effective, the material is considered unacceptable for ocean disposal.

## 8.10 Bioavailability testing

8.10.1 Has bioavailability testing been undertaken for all chemical constituents listed at 8.8.2?

Yes       No

If "No", proceed to 8.11.

8.10.2 Are all chemical constituents below relevant bioavailability criteria?

Yes       No

If "Yes", proceed to 8.12.

## 8.11 Sediment toxicity testing (refer 3.8 of the **Guidelines**)

If you answered 'No' to question 8.10.1 and/or question 8.10.2, sediment toxicity testing is required to be carried out, unless an exemption has been granted.

8.11.1 Are the sediments to be dredged acutely toxic?

Yes       No

8.11.2 Are the sediments to be dredged sub-acutely/chronically toxic?

Yes       No

If 'No' to both questions, go to question 8.12.

If Yes to either question, the material is most likely unsuitable for unconfined sea disposal. Contact the Sea Dumping Program to discuss further actions, including the investigation of control measures to minimise the impact (such as treatment of the waste or confined disposal). If control measures would not be effective, the material is considered unacceptable for ocean disposal.

## 8.12 Biological Assessment

8.12.1 Have any introduced marine organism surveys been undertaken at or near the dredging location.

Yes       No

If "No", go to 9.0.

8.12.2 Have any introduced marine organisms (including micro-organisms) been identified?

Yes       No

If "No", go to 9.0.

8.12.3 Has the potential for these organisms to be transported in the dredge material been assessed?

Yes       No

If Yes, please include detail.

## 9.0 Waste Audit and Waste Management Options

9.1 Has a waste prevention audit been undertaken. Provide details.

This should include evaluation of:

- the types, amounts and physical impacts of wastes generated;
- point and diffuse sources of contaminants to which material is exposed;
- total quantities and cumulative impacts of each waste generated; and
- feasibility of waste reduction/prevention of contamination.

9.2 Alternatives to sea disposal

Describe alternative waste management strategies considered.

These may include:

- re-use (land creation, beach nourishment, offshore berms, fill etc);
- off-site recycling (for example, as construction material);
- treatment to destroy or remove hazardous constituents for beneficial use; and
- disposal on land.

9.3 Describe the comparative risks to human health and the environment of the use of the alternatives.

9.4 Provide reasons for discarding these options (including cost estimates of any alternatives).

## **PART VI - DESCRIPTION OF DISPOSAL SITE AND PROCEDURES**

### **10.0 Carrier of Material**

10.1 Name and port of registration of vessel to be used for sea disposal

10.2 Owner of vessel

Name:

Address:

Postal address (if different):

Phone:

Fax:

Email:

10.3 Person to be in charge of disposal vessel

10.4 Dredging or loading procedures

Briefly describe the dredging procedure, the type of dredger to be used and the date or time period over which dredging will take place. If excavation material, describe loading procedures.

### **11.0 Description of Proposed Disposal Site**

11.1 Location of site

Attach a suitably scaled map of the proposed disposal site (the relevant sector from an AusMap), including a clear grid reference, showing bathymetric contours, the boundaries of the site and distance from land. Care should be taken to specify the co-ordinate system (WGS84 preferred over AGD66) and units used; eg. degrees, minutes, decimals of minutes or degrees, minutes, seconds. Does this site differ from the site used under previous permits? If so, relationship to previous site is to be indicated clearly on the map.

11.2 Position fixing

Describe method to be used in positioning the dumping vessel.

11.3 Indicate whether the proposed disposal site is subject to 'Marine Park' or other zoning which may have a bearing on its intended use. Describe any sensitive areas in the vicinity of the proposed site.

11.4 Provide information on the physical and other relevant characteristics of the disposal site. Include:

- water depth;
- sea-bed topography;
- sediment characteristics;
- biological characteristics; and
- other relevant information.

11.5 Describe the history of the site if previously used for sea disposal of dredge spoil or other waste material.

## **12.0 Disposal Procedures**

12.1 Anticipated period and frequency of sea disposal operations and the quantities of dredge spoil involved for each.

12.2 Route from loading to disposal site

12.3 Method of disposal and precautions taken during disposal

Include details of rate, speed, heading and duration.

If applicable, details of the method of handling bulky objects.

## PART VII - IMPACT HYPOTHESIS

### 13.0 Projected Impact of Disposal

Describe the projected physical, chemical and biological impacts on the dump site and surrounding areas (see Section 4 of the Ocean Disposal Guidelines).

- Predict the turbidity levels and dispersal of dumped material in the water column;
- Delineate the area of sea bed that will be substantially impacted (the zone of impact) and the long term movement of dumped spoil;
- Assess physical impacts such as smothering of biota, change in substrate, light attenuation for sea grasses;
- Assess the severity of effects on marine life, including possible translocation of species, increased predation and loss of available habitat. Also consider the existence and effects of other disposals at the site or other nearby dump sites;
- Assess changes in the concentration of nutrients, oxygen depletion, and any increased bio-availability of contaminants; and
- Assess possible effects on other users of the area.

Describe any intended investigations or studies of the possible impacts on the environment of the proposed action.

## PART VIII - MONITORING

### 14.0 Proposed Monitoring Program

Within the predicted zone of impact, describe the program to determine the actual extent of change, especially effects on the benthic community. This should include boundary measurements to determine how reliable the prior prediction of the extent of this zone was.

Any proposed monitoring program should include aspects of both compliance and effects monitoring.

Outside the predicted zone of impact, describe the program to determine whether:

- the actual zone of impact is as predicted; and
- the projected extent of change is within the scale projected.

## PART IX - NATIONAL ENVIRONMENTAL SIGNIFICANCE

### 15.0 Referring Actions Under the EPBC Act

The *Environment Protection and Biodiversity Conservation Act 1999* (the EPBC Act) requires Commonwealth assessment and approval for any action that will have, or is likely to have a significant impact on a matter of national environmental significance. For a detailed discussion of assessment under the EPBC Act and how it interacts with the Sea Dumping Act refer to Section 1.3.2 of the National Ocean Disposal Guidelines for Dredged Materials.

Where an action includes only those activities for which approval is required under the Sea Dumping Act, the applicant is not required to separately refer that action under the EPBC Act. If a referral is required, this will be done by the determining authority as part of the assessment of the permit application.

The proponent will need to refer the proposal for a separate assessment and approval under the EPBC Act where the action also includes activities not covered by the Sea Dumping Act which may significantly impact on matters of national environmental significance.

To ensure efficient co-ordination of the assessment process, it is important that the determining authority is aware of any referrals the proponent has made under the EPBC Act. As such, it is advisable that proponents discuss proposed actions with Environment Australia and answer the following questions:

15.1 Has the proposed action been referred to the Commonwealth Environment Minister under the EPBC Act?

Yes       No

15.2 Has a decision on this proposed action been reached?

Yes       No

If 'Yes', please provide details of the decision.

## **PART X - CONSULTATION**

### **16.0 Consultation with advisory bodies**

Please consult with the Sea Dumping Program for advice on relevant stakeholders within your region and the method of consultation required.

List the organisation or interests that you have consulted with on the proposed sea disposal activity.

Attach the record of consultation to this application.