

Operational policy

Marine Park Management

Maintenance dredging in the Great Barrier Reef Coast Marine Park

Operational policies provide a framework for consistent application and interpretation of legislation and for the management of non-legislative matters by the Department of National Parks, Sport and Racing. Operational policies are not intended to be applied inflexibly in all circumstances. Individual circumstances may require a modified application of policy.

Policy issue

Can maintenance dredging be permitted in highly protected zones in the Great Barrier Reef Coast Marine Park (GBR Coast MP)?

Background

The Great Barrier Reef Coast Zoning Plan designates marine national park zone, conservation park zone and estuarine conservation zone over shipping channels in some locations, such as the Heron Island harbour and the entrances to Port Douglas and Cooktown.

There are precedents for the approval of maintenance dredging by the Queensland Parks and Wildlife Service (QPWS) and the Great Barrier Reef Marine Park Authority (GBRMPA) in highly protected zones. An example is dredging in marine national park zone at Heron Island which has been undertaken on a number of occasions. Works on a similar scale in the marine national park zone at Green Island have been approved for periodic realignment of the beach.

The objectives of all highly protected zones include –

- (a) providing for the protection of the natural integrity and values of areas of the GBR Coast MP; and
- (b) subject to the above, providing opportunities for certain activities to be undertaken in relatively undisturbed areas.

The zoning plan provides that written permission is required for “carrying out works for a purpose consistent with the objective ... for the zone”.

It would be unreasonable not to provide for the issue of permits for maintenance dredging in a functioning port or harbour that was established prior to commencement of the zoning plans.

Maintenance of a shipping channel that was present at the time of zoning is consistent with the protection of the natural integrity of the area at the time of declaration.

This policy is consistent with the position adopted on the basis of precedent by the Great Barrier Reef Marine Park Authority.

Definitions

Highly protected zone/s are for the purposes of this policy, are marine national park, conservation park and estuarine conservation zones. There are no known instances of maintenance dredging likely to be required in preservation zone, scientific research zone or buffer zone.

Maintenance dredging is dredging to ensure that previously dredged channels; berths or construction works are maintained at their designated dimensions.

Determination

Permission may be given for maintenance dredging in highly protected zones subject to assessment as provided in Part 3 of the Marine Parks Regulation 2006. Conditions may be placed on the permission to minimise the impact on the environment, including conditions relating to the methods to be used for dredging and spoil disposal.

Applications for maintenance dredging works in the Great Barrier Reef Marine Parks (GBRMP) will generally be subject to a joint assessment process in conjunction with the GBRMPA.

Other issues to consider

Spoil disposal associated with maintenance dredging may require approval under the *Sustainable Planning Act 2009* with concurrence under the jurisdiction of the *Coastal Protection and Management Act 1995*, *Environmental Protection Act 1994* and/or the relevant planning scheme (if disposal is to occur on land), as well as approval under the *Marine Parks Act 2004*.

Reference material

Coastal Protection and Management Act 1995

Environmental Protection Act 1994

Great Barrier Reef Marine Park Zoning Plan 2003 (GBRMPA Cwlth)

Marine Parks Act 2004

Marine Parks Regulation 2006

Marine Parks (Great Barrier Reef Coast) Zoning Plan 2004

Maintenance dredging in the Great Barrier Reef Coast Marine Park

Disclaimer

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

Approved By

Andrea Leverington

Signature

06/01/2011

Date

Assistant Director General
Queensland Parks and Wildlife Service

Enquiries:
Marine Resource Management
Marine.policy@npsr.qld.gov.au