

File Ref: SP481563

**CONSENT FOR USE AND DEVELOPMENT OF COASTAL CROWN LAND  
SECTION 70 MARINE AND COASTAL ACT 2018**

**PROPOSAL:** GIPPSLAND LAKES OCEAN ACCESS (GLOA) PROGRAM 2022-2032  
**LOCATION:** GIPPSLAND LAKES, LAKES ENTRANCE – INCLUDING CROWN ALLOTMENT 40,  
SECTION B, CROWN ALLOTMENT 2053, PARISH OF COLQUHOUN  
**CONSENT FOR:** GIPPSLAND LAKES OCEAN ACCESS (GLOA) PROGRAM 2022-2032  
**APPLICANT:** GIPPSLAND PORTS

Pursuant to *Section 70(1)(d)* of the *Marine and Coastal Act 2018*, and as delegated by the Minister, I consent to the proposed use and development subject to the following conditions:

**Conditions:**

1. Works are to be completed to the satisfaction of the Regional Director, Gippsland Region, Department of Energy, Environment and Climate Action (DECCA).
2. All works are to be consistent with the application dated 24 August 2022 and further information received on 22 December 2022 and 27 February 2023.
3. All dredging activities must be conducted in accordance with an approved Environmental Management Plan, Environmental Risk Assessment and Communication Strategy approved by the Regional Director, Gippsland Region.
4. An updated Environmental Management Plan (EMP) for the proposed dredging and disposal is to be submitted to the Regional Director, Gippsland Region for approval on or before August 2023 and published on the Gippsland Ports website once approved. The EMP must:
  - a) Be in accordance with all current codes of best practice
  - b) Establish a spoil disposal arrangement for maintenance dredging that will minimise long term impacts. Where possible consider all beneficial uses of the spoil such as beach renourishment, creation of breeding habitat for birds and other fauna and develop and plan within the EMP for how the spoil will be used. Where spoil is proposed to be used for beach renourishment this must be identified in the EMP. Note that any spoil disposed of beyond the current outfall areas outside the Port boundary would require additional MACA consent.
  - c) Detail timing restriction to avoid impacts to sensitive species
  - d) Detail methodology for avoiding collisions with cetaceans
  - e) Detail triggers for review of methodology and adaptations expected to accommodate sea level rise during the life of the consent
  - f) Detail risk mitigation methods to avoid impact to cetacean and birds
  - g) Include any updated recommendations/findings from 2023 seagrass survey report
  - h) Undertake ecological surveys to identify what species of seagrass are present within 100m of both the dredge and nourishment sites.
5. An updated Environmental Dredging Monitoring Plan for the proposed dredging and disposal area is to be submitted to the Regional Director, Gippsland Region for approval on or before 24 August 2023 and published on the Gippsland Ports website once approved and updated to include annual reports. Monitoring plan must be ongoing and include:
  - a) A sediment, turbidity, water quality and water flow monitoring regime
  - b) Contaminate monitoring regime
  - c) Seabed / hydrographic monitoring regime

- d) Triggers for review of dredging depth / rate and disposal method
  - e) Coastal Processes monitoring
  - f) Pest species monitoring in line with Environmental Management Plan objectives to reduce introduced marine organism's
  - g) Monitoring program for marine benthic area around the spoil discharge sites
  - h) Algae bloom monitoring protocol
  - i) Seagrass monitoring regime including the collation of annual satellite (or drone/aerial) imagery of seagrass in the Lakes Entrance (GLOA) boundary
  - j) Detail a cetacean monitoring program and template for recording observations
  - k) Monitoring program, for Australian Grayling to establish when the species is moving through the lakes area for downstream spawning migration and juvenile return migration.
  - l) Bird monitoring program for fairy terns, little terns, and hooded plovers
6. Prior to commencement of works, the seagrass surveys are to be specifically analysed for changes related to the change in dredge regime from 2017 to enable approval of EMP. This analysis is to be submitted to the Regional Director, Gippsland Region.
  7. Annual post-dredge extent surveys of seagrass to be performed within 100 metres of both the dredge and nourishments sites. If the surveys indicate a loss in area or extend greater than that observed from historical aerial imagery from previous dredging campaigns, mitigation actions to address this change are to be included in an updated Environmental Management Plan submitted to the Regional Director, Gippsland Region within 3 months of the surveys taken place.
  8. An updated Communications Plan is to be submitted to the Regional Director, Gippsland Region for approval on or before 24 August 2023 and published on the Gippsland Ports website once approved. The Communications Plan must include:
    - a) Updated process for engagement with traditional owners' (GLaWAC) aspirations into decision making, planning and management
    - b) updated with an analysis of the feedback provided about the project.
  9. To ensure best practice environmental management the Environmental Management Plan, Environmental Risk Assessment and Communications Plan can be revised and submitted to the Regional Director, Gippsland for approval.
  10. All works are to be undertaken in line with the *National Assessment Guidelines for Dredging 2009* noting if new best practice guidelines are available these must be considered, and the dredging program be updated and reviewed.
  11. This consent is subject to any other approvals Gippsland Ports may require.
  12. This consent under the *Marine and Coastal Act 2018* will expire 10 years from the date of issue.



11/05/2023

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**HEATHER ADAMS**  
A/REGIONAL DIRECTOR  
DEECA GIPPSLAND

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**DATE**