

GIPPSLAND LAKES OCEAN ACCESS

EPBC compliance –
self-assessment
External peer review

APPENDIX G2

Supporting technical and
environmental studies



16 May 2022

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Re: Gippsland Lakes Ocean Access - EPBC Compliance – Self-assessment

The Gippsland Lakes Ocean Access (GLOA) program provides reliable navigational access between the Gippsland Lakes and Bass Strait for commercial and recreational vessels. The main component of the GLOA program is dredging of the Entrance and Inner Channels and placement of the dredged material offshore in allocated Dredged Material Grounds.

The dredging is an ongoing program that has been under way for many years. In 2011 the dredging program was referred to the Commonwealth Government to determine if approval was required under the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act). At that time it was determined that the dredging program would not cause significant impacts to matters of National Significance (MNES). Accordingly, the action was deemed a non-controlled action with no further assessment or approval required under the EPBC Act.

Environmental monitoring is ongoing and in 2022 Gippsland Port have, as part of permit renewal activities, undertaken to update their impact assessments for the project. This includes undertaking an EPBC Act self-assessment to determine if a new referral under the Act is required.

The EPBC self-assessment has been undertaken by EthosNRM; formally referenced as:
Gippsland Lakes Ocean Access EPBC Compliance – Self-assessment. Final Report. Prepared for: SWASH & Gippsland Ports. (EthosNRM 2022).

Adaptive Strategies (Tom Kaveney) has been commissioned to peer review the EPBC self-assessment, with the primary tasks of ensuring it is:

- a) consistent with accepted scientific and environmental impact approaches; and
- b) that findings are justified and consistent with EPBC Act guidance and precedent.

Tom Kaveney of Adaptive Strategies is an experienced scientific scientist and planner with specific knowledge of the EPBC Act.

In undertaking the peer review Adaptive Strategies provided initial advice on an earlier draft of the self-assessment as well as reviewing the final report. Key enhancements to the final assessment have included:

- Inclusion of the GLOA Environmental Risk Register in Appendix 5 of the Report. This provides further detail in explaining possible impact pathways and the justifications for finding in the report.
- Better cross referencing the assessment to the Commonwealth Government's *Significant Impact Guidelines 1.1* that provide the criteria for determining if significant impacts are likely.
- Further detail on potential impacts, mitigations and buffer zones that justify non-significant findings.
- Further figures that explain information contained in the assessment.

Based on my experience and knowledge of dredging operations and the EPBC Act I consider the GLOA self-assessment to be adequate and accurate in determining that referral, assessment and approval under the EPBC Act is not required. The assessment confirms and updates the 2011 perpetual referral determination that significant impacts are unlikely as a result of ongoing maintenance dredging.



Tom Kaveney
Director