



Department of Energy, Environment and Climate Action

Level 3
8-12 Seymour Street
Traralgon, Victoria 3844
Telephone: 03 5172 2111
deeca.vic.gov.au

Chairperson
Gunaikurnai Land and Waters Aboriginal Corporation
27 Scriveners Road
Kalimna West Victoria 3909

Date: 19 September 2025
Our Reference: SP490518

Dear Chairperson

RE: NOTICE CONCERNING WORKS ON NATIVE TITLE LANDS (RIGHT TO COMMENT) PROPOSED PORT WELSHPOOL AND LEWIS CHANNEL MAINTENANCE DREDGING

The Proposal

Gippsland Ports are intending to undertake maintenance dredging of the seabed in the Port Welshpool Harbour and the shoaled area of Lewis Channel. The dredged material, an estimated 70,000m³, will be relocated to the bare sand of Old Lewis Channel.

The location of the area subject to proposal is outlined in the following attachments:

- Aerial imagery and cadastral plan showing Crown allotment descriptions.
- Port Welshpool Harbour – Project summary
- Port Welshpool Harbour – Plans and Drawings

Description of The Native Title Land and Waters Affected

Crown allotment 35H, Section B in the Parish of Welshpool(P367518).

This allotment of Crown land is reserved for Public Purposes by notice published in the *Victoria Government Gazette* in 1995 on page 1644.

The above area is subject to a recommendation from the Victorian Environmental Assessment Council that the lands be utilised Coastal recreation zone in the marine Coastal and Estuarine Investigation (2000)

Marine Coastal and Estuarine Investigation (2000) – R37

Seeking Your Comments

The *Native Title Act 1993* (NTA) requires DEECA to consult and seek comments from the Traditional Owners of Native Title lands and incorporate appropriate conditions into consent to use and develop the land.

Privacy Statement

Any personal information about you or a third party in your correspondence will be protected under the provisions of the *Privacy and Data Protection Act 2014*. It will only be used or disclosed to appropriate Ministerial, Statutory Authority, or departmental staff in regard to the purpose for which it was provided, unless required or authorized by law. Enquiries about access to information about you held by the Department should be directed to foi.unit@deeca.vic.gov.au or FOI Unit, Department of Energy, Environment and Climate Action, PO Box 500, East Melbourne, Victoria 8002.



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We understand that the proponent may also be obliged under Cultural Heritage legislation to contact the Gunaikurnai RAP body concerning this project and we will advise them of those responsibilities as a matter of standard process. However, if you would also like DEECA to raise some specific conditions on cultural heritage protection matters in the exercise of your native title right to protect cultural heritage as part of this formal commentary and approvals process, we will be happy to do so at your direction.

Further, your comments on how this proposal might affect your other native title rights and interests, and how that can be managed or addressed as part of this approvals process are also keenly sought.

These recognised rights and interests include the:

- right to have access to or enter and remain on the land and waters;
- right to use and enjoy the land and waters;
- right to take the resources of the land and waters for the purposes of satisfying personal, domestic or communal needs, but not for any commercial purposes;
- right to protect and maintain places and areas on the land and waters which are of importance according to Gunaikurnai traditional laws and customs;
- right to camp
- right to engage in cultural activities;
- right to engage in rituals and ceremonies;
- right to hold meetings and gatherings;
- right to teaching and learning about the physical, spiritual and cultural attributes of places and areas of importance.

Please note that the 'non-extinguishment' principle applies to these works and your native title rights will continue to exist over the site.

The Department intends to advise the proponent that the project can proceed after 40 days from the date of this notification have elapsed. We would appreciate the opportunity to discuss this proposal however in the meantime please contact Fiona Munson at the following details.

Fiona Munson
LBE Program Officer, Gippsland
Department of Energy, Environment and Climate Action
Level 3, 8-12 Seymour Street
Traralgon, Victoria, 3844
Email: fiona.j.munson@deeca.vic.gov.au
Phone: 0436 616 617

Legislative Basis for this Notice
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The proposed activity is a valid future act pursuant to Section 24 JA of the *Native Title Act 1993*.

Subdivision J of the *Native Title Act 1993* (NTA) allows for acts to be carried out on reserves provided that the act is in good faith with the purpose of the reservation. Where the act involves the construction of a public work, it is necessary that formal procedural notice be given to any Body Corporate and to any registered Representative Body.



This notice is also prepared and issued cognisant of the agreed terms outlined in Section 7.3 of the Indigenous Land Use Agreement between the State of Victoria and the Gunaikurnai Land and Waters Aboriginal Corporation dated 22 October 2010 and registered with the National Native Title Tribunal on 8 February 2011.

The proposed works are to be carried out over land that was validly reserved prior to 23/12/96. The future act is in accordance with the purpose of the reservation (Public Purposes Reserve).

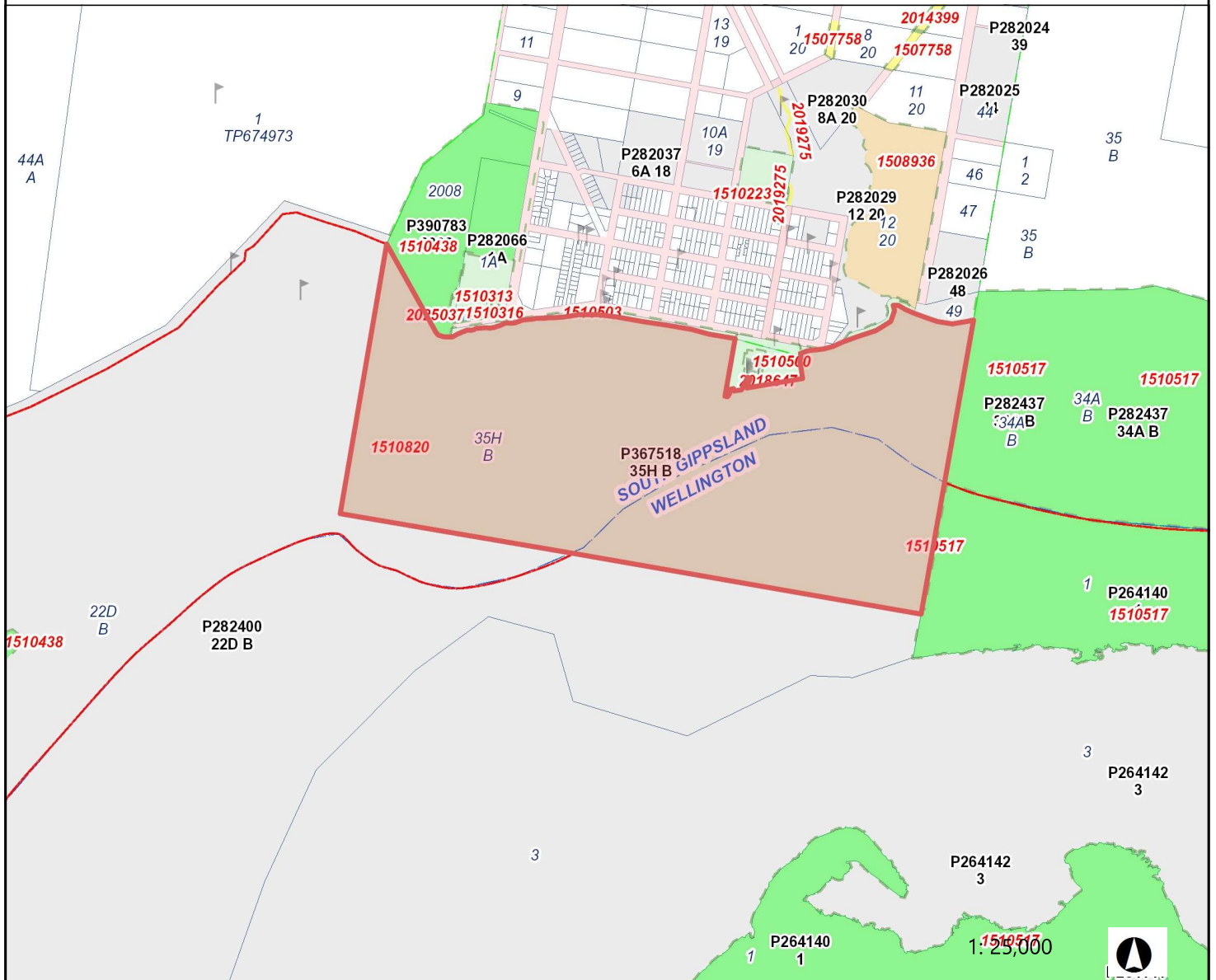
The proposed works are considered “a major earthwork” which constitutes the establishment of public works under Part 15, Division 4, Section 253 of the *Native Title Act 1993*.

The non-extinguishment principle applies.

A handwritten signature in black ink, appearing to read 'Fiona Munson', with a large loop at the start and a long, sweeping tail.

Fiona Munson
LBE Program Officer, Gippsland
Department of Energy, Environment and Climate Action

Date of Notice: 19 September 2025



1,270.0 0 635.00 1,270.0 Meters

GDA2020_Vicgrid
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This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise
THIS MAP IS NOT TO BE USED FOR NAVIGATION

Legend

- Township
- Parish
- Local Government Area Dash
- Delegated Lease
- Delegated License
- Plan Noting
- Linear Tenure
 - Other Pipelines
 - Industrial Commercial licences
 - Recreation Amusement licences
 - Occupancy licences
 - Radio TV Telecom site licences
 - Emergency Services Use licences
 - Water Supply licences
 - Miscellaneous General licences



Notes



1,270.0	0	635.00	1,270.0	Meters
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GDA2020 Vicgrid

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Notes

OFFICIAL



PORT
WELSHPOOL
HARBOUR

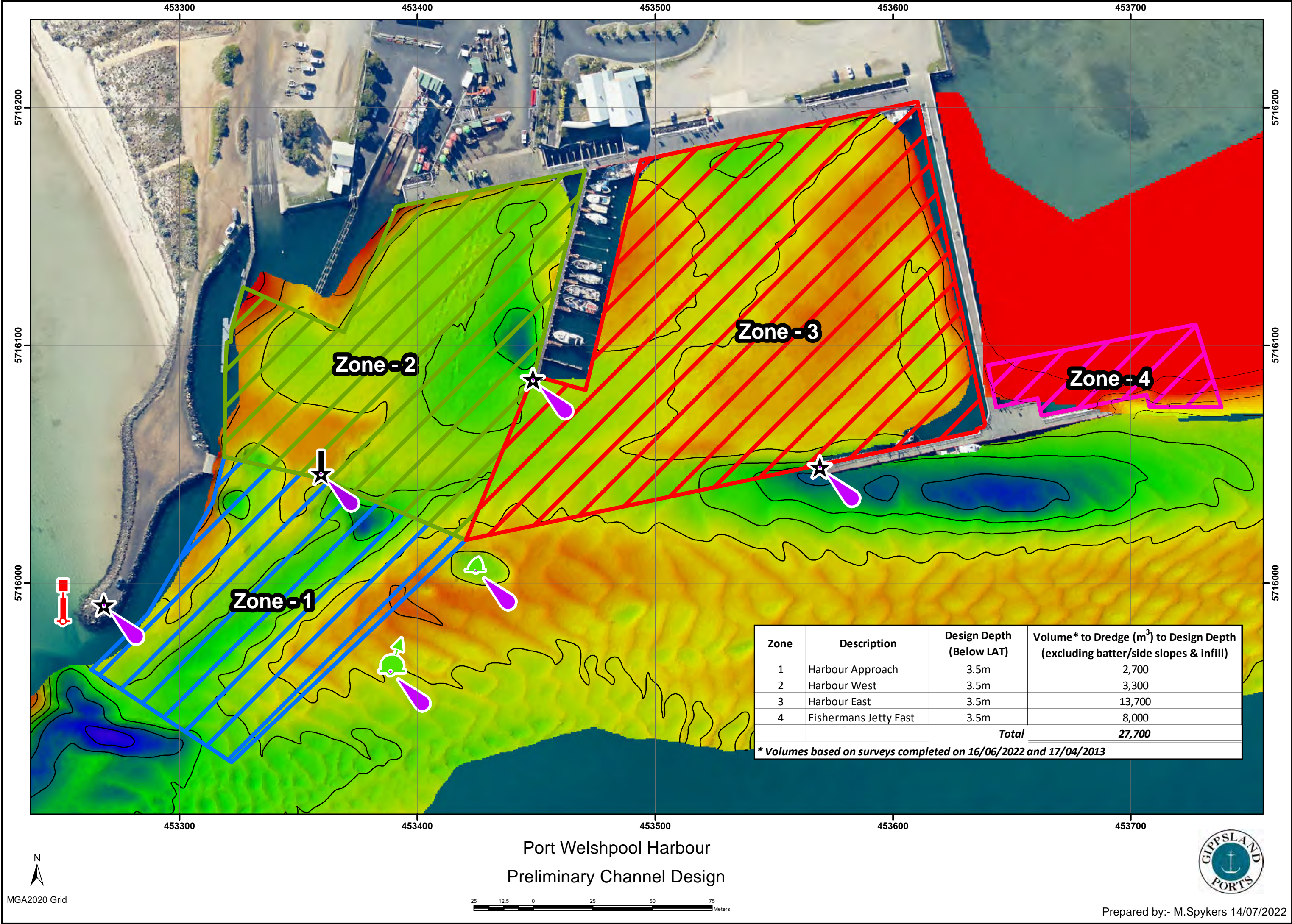


REPORT

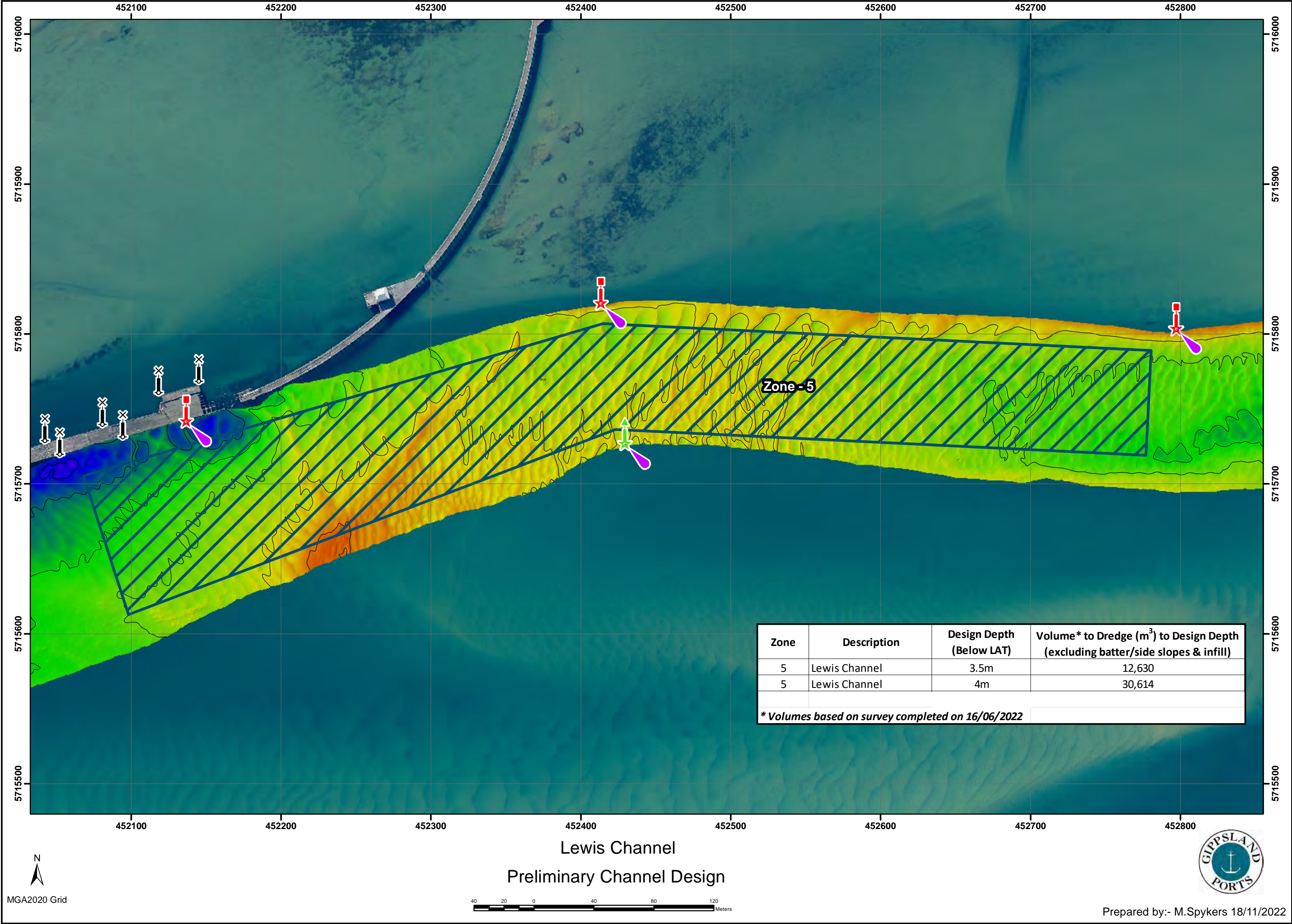
Port Welshpool Harbour
– maintaining navigational access

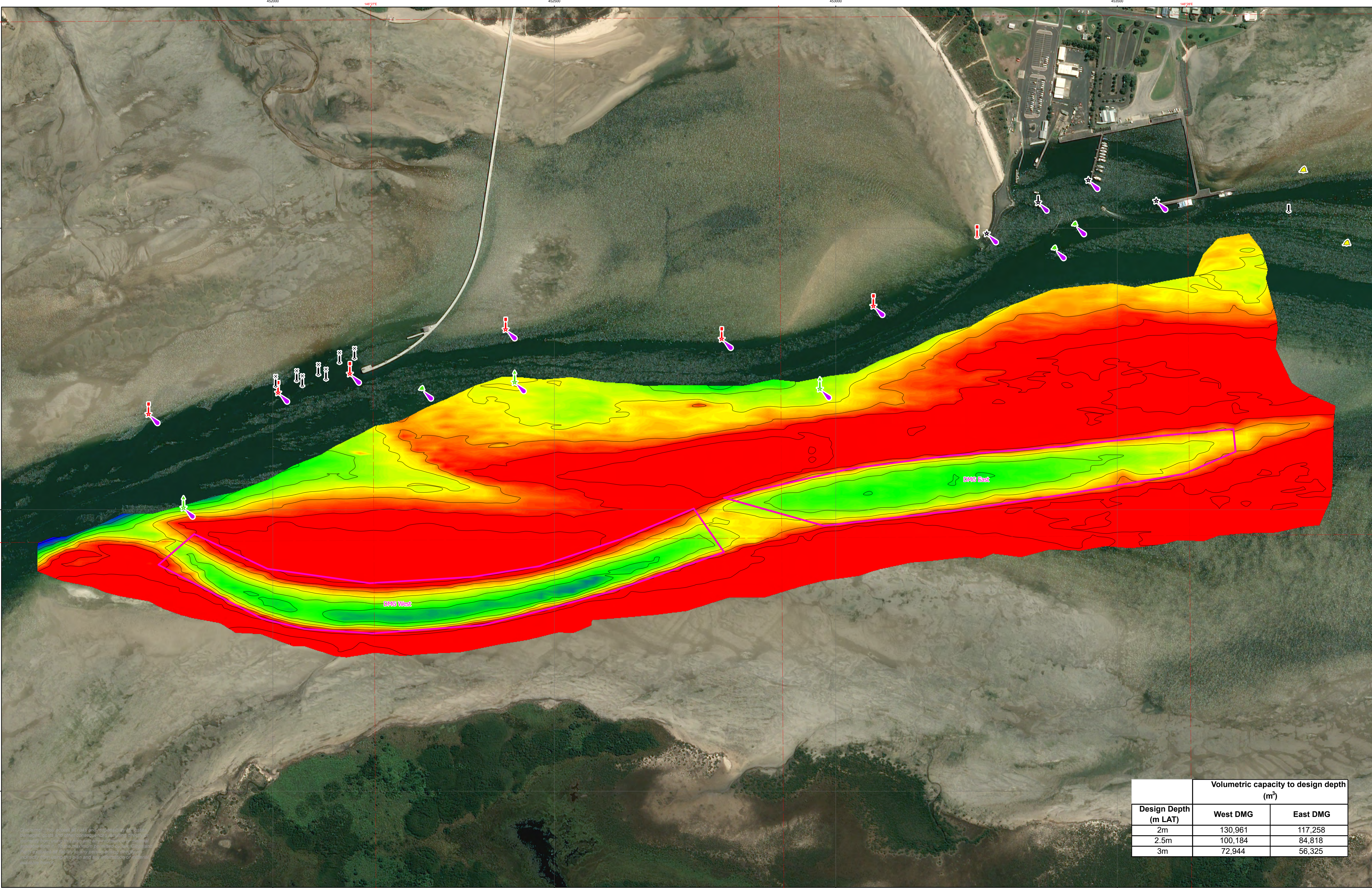
Plans and Drawings






Zone	Description	Design Depth (Below LAT)	Volume* to Dredge (m ³) to Design Depth (excluding batter/side slopes & infill)
1	Harbour Approach	3.5m	2,700
2	Harbour West	3.5m	3,300
3	Harbour East	3.5m	13,700
4	Fishermans Jetty East	3.5m	8,000
Total			27,700
* Volumes based on surveys completed on 16/06/2022 and 17/04/2013			





Design Depth (m LAT)	Volumetric capacity to design depth (m³)	
	West DMG	East DMG
2m	130,961	117,258
2.5m	100,184	84,818
3m	72,944	56,325

Amendment List			Equipment	Reliability	Datum Diagram	<div>Scale 1:3,000 @ A1</div> <div><div>050100200300400metres</div></div>	Surveyed by	S. Harman & B. Spafford (BTECH)		 <div>Copyright Gippsland Ports</div>	Corner Inlet & Port Albert			
Date	Rev.	Description	CeeEcho 200kHz 9 degree beam survey system with Trimble RTK-GNSS	Depth Accuracy - ZOC A1 Position Accuracy - ZOC A1 Full bottom search not completed	AHD (m)Chart Datum (m) 2.002 <u>Welshpool PM 47</u> 3.511 0.000 <u>A.H.D.</u> 1.509 -1.509 <u>Chart Datum</u> 0.000	Notations	Datum for soundings is Chart Datum, which is 1.509 metres below A.H.D. Co-ordinate system is GDA2020 (Red) and MGA2020, Zone 55 (Grey). Horizontal and Vertical positioning derived using PPK-GNSS. Contours are at 1m intervals. All values are in metres.Negative depths indicate drying heights.	Date of Survey	07/05/2024		Port Welshpool Old Lewis Channel		6783	
				Previous Plan Numbers			Compiled by	S. Harman						
				N/A			Checked by	B. Spafford (BTECH)						
							Date Checked	09/05/2024					Sheet 1 of 1	