



## Department of Energy, Environment and Climate Action

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Traralgon, Victoria 3844  
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[deeca.vic.gov.au](http://deeca.vic.gov.au)

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

By email: [notifications@glawac.com.au](mailto:notifications@glawac.com.au)

Date: 19 June 2026  
Our Reference: SP490841

Dear Chairperson

### **RE: NOTICE CONCERNING WORKS ON NATIVE TITLE LANDS (RIGHT TO COMMENT) PROPOSED CONSTRUCTION OF FIVE ROCK GROYNES – LOCH SPORT**

#### **The Proposal**

Gippsland Ports in partnership with the Department of Energy, Environment and Climate Action (DEECA) propose to install five rock groynes to the west of the Seagull Drive Boat ramp, Loch Sport to protect the foreshore from ongoing significant erosion.

Erosion of the shoreline adjacent to the seagull drive boat ramp carpark has accelerated in recent years leading to the crest of the erosion escarpment coming close the carpark edge, leading to community concern, sections of the area have previously been fenced off due to public safety risks.

The proposed works are a continuation of the original works that have previously been notified in 8 May 2025 and are in accordance with recommendations made in an independently prepared Loch Sport Foreshore Options Assessment.

The proposed works will take place on part of Crown allotment 1F, in the Parish of Seacombe (P261863) which is part of the Loch Sport Foreshore Reserve managed by the Loch Sport Foreshore Committee of Management.

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

- Cadastral plan showing Crown allotment descriptions.
- Aerial Photo
- FSC Report – Loch Sport Erosion

#### ***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](mailto: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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## Description of The Native Title Land and Waters Affected

Crown allotment 1F, in the Parish of Seacombe (P261863).  
Crown allotment 23B in the Parish of Boole Poole (P322289).

Both of these allotments are crown lands reserved for Public Purposes by notice published in the *Victoria Government Gazette* in 1881 on page 1389.

## 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.

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 Matt Kelly at the following details.

Matt Kelly  
Program Officer (Native Title)  
Public Land Services, Gippsland  
Department of Energy, Environment and Climate Action  
71 Hotham Street  
Traralgon, Victoria, 3844

Email: [matthew.kelly@deeca.vic.gov.au](mailto:matthew.kelly@deeca.vic.gov.au)

Phone: 0436 616 643

### Legislative Basis for this Notice

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 “major earthworks” which constitutes the establishment of public works under Part 15, Division 4, Section 253 of the *Native Title Act 1993*.

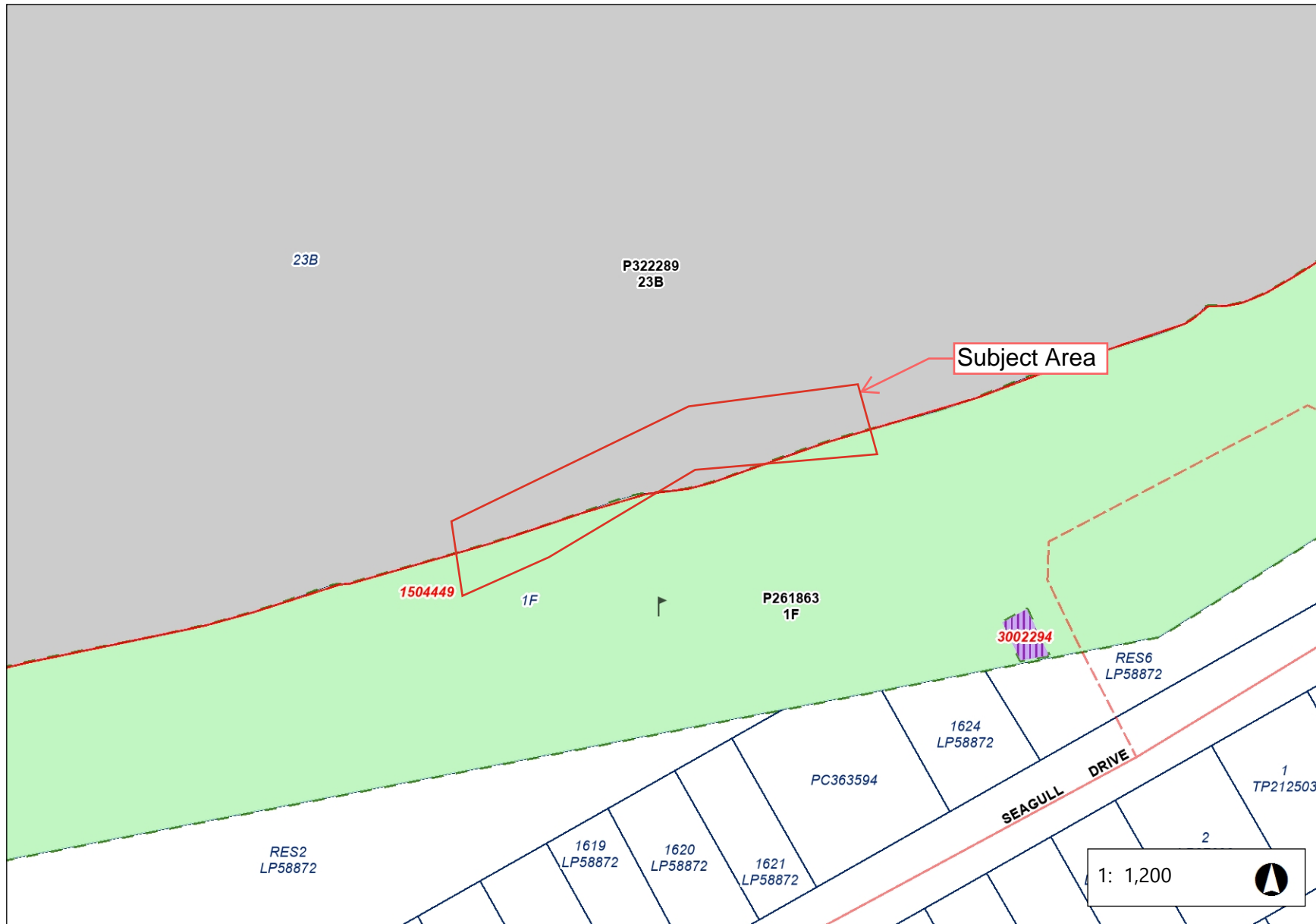
The non-extinguishment principle applies.



Matt Kelly  
Program Officer (Native Title)  
Public Land Services, Gippsland  
Department of Energy, Environment and Climate Action

Date of Notice: 19 June 2026

# Loch Sport Groynes



## Legend

- Township
- Parish
- Delegated Lease
- Delegated License
- Plan Noting
- Linear Tenure**
  - Industrial Commercial licences
  - Recreation Amusement licences
  - Occupancy licences
  - Radio TV Telecom site licences
  - Emergency Services Use licences
  - Water Supply licences
  - Miscellaneous General licences
  - Easements
  - Pipe Consents
  - Other Pipelines
- All Tenure Outline**
  - Lease
  - General Licence
  - Grazing Licence
  - Riparian Management Licenc
  - Water Frontage Licence
  - Unused Road Licence
- Government Road**
  - Government Road
  - Dual Status Government Road
- Delegated Management Rese
- Direct Management Reserve

1: 1,200



Map Created on 19-Jun-2026

# Loch Sport Groynes



## Legend

- Township
- Parish
- Parcel

Subject Area

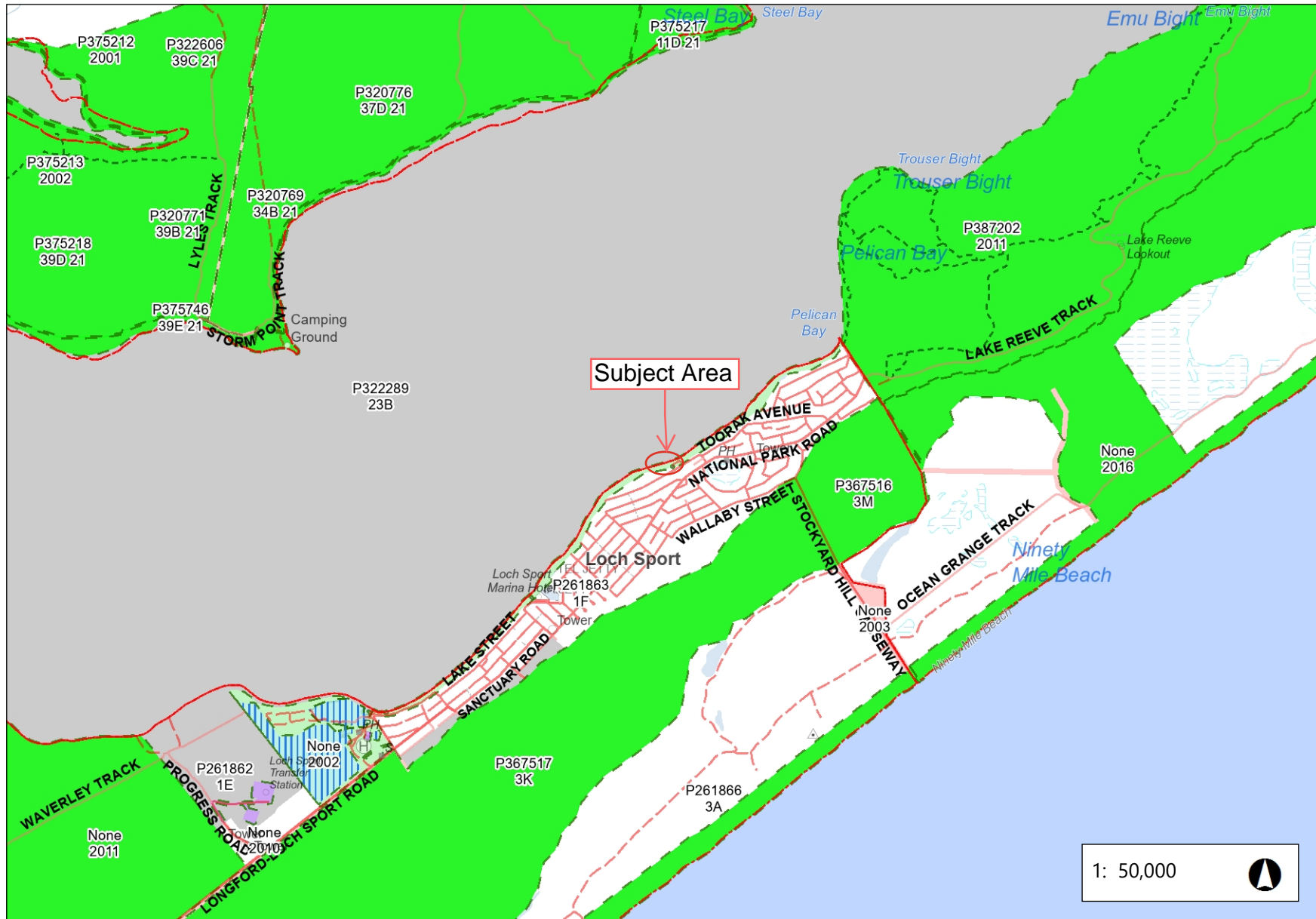
1: 1,200



61 0 30.48 61 Meters

Map Created on 19-Jun-2026

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  - Unused Road Licence
- Government Road**
  - Government Road
  - Dual Status Government Road
- Delegated Management Reserve
- Direct Management Reserve
- Crown Parcel

1: 50,000



2,540 0 1,270.00 2,540 Meters

Map Created on 19-Jun-2026