VICTORIAN NATIONAL PARKS ASSOCIATION

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SUBMISSION TO

Victorian Renewable Energy Terminal (VRET) EPBC referral

Victorian National Parks Association

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EPBC Referral

Submission by the Victorian National Parks Association

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Key points

- Western Port Bay currently lacks an overarching plan to guide the effective management of this internationally significant Ramsar wetland. Starting with Marine Spatial Planning (MSP)—as the first step in the Western Port Bay Framework—would support more informed decision-making, boost investor confidence that the Victorian Renewable Energy Terminal (VRET) is being developed in a suitable location and help balance conservation with other marine uses.
- The selection of the Port of Hastings (PoH) against other ports is lacking detail, particularly without a comparative risk assessment of alternative sites. There is no transparent evaluation showing how impacts on Matters of National Environmental Significance (MNES) or other environmental values have been avoided or minimised at other potential sites like the port of Geelong. An assessment needs to be made to see if there are other more suitable locations that will minimise harm to our marine and coastal ecosystems.
- It remains unclear whether this project falls within the limits of acceptable change, as the significant impact criteria for wetlands refer to areas being destroyed or substantially modified but do not specify what proportion or percentage of wetland values affected would constitute an unacceptable impact
- If the Department concludes that sufficient preliminary assessment has been conducted against the EPBC Act criteria to justify moving to the next stage, we support the project being formally declared a controlled action and subject to a full environmental assessment under the EPBC Act. This process should occur in parallel with the Environmental Effects Statement (EES).

- In the case of the above it must undergo a transparent and rigorous assessment, with genuine community engagement and sufficient time for public review, given the complexity and scale of the project.
- Given the previous proposal was found to have unacceptable impacts on Ramsar values, the EES scoping documents should be reviewed and reissued for public input if the project proceeds.
- The project should be guided by nature-positive principles—not merely focused on offsets, but aiming to achieve a measurable net gain for the ecological health of Western Port. There is a great opportunity to support blue carbon initiatives in Western Port.
- A clear decommissioning strategy should be developed. This should outline how any infrastructure associated with the port upgrades would be repurposed or managed over the long term to ensure sustainable and responsible use beyond the life of the project. It is hoped that the strategy would involve the site being utilised for only sustainable industries going forward.
- This project and its impacts on the Ramsar ecological character need to be assessed in conjunction with other cumulative impacts. That is why we strongly support the development of a marine spatial plan—to bring together decision-making processes and evaluate the overall impact across Western Port Bay

Introduction

Thank you for inviting submissions into the EPBC referral for the Victorian Renewable Energy Terminal (VRET).

The Victorian National Parks Association (VNPA) is an effective and influential nature conservation organisation. We work with local communities, scientists and government to advocate for evidence-based policy to safeguard wildlife, habitat and protected areas. We inspire connections with nature through citizen science, activities, action and education for all Victorians. We've led the creation, oversight and defence of Victoria's natural estate for over 70 years.

We acknowledge that the VRET is proposed are on the lands of Bunurong/Boonwurrung First Nations communities and honour their continuing connection to and caring for Country. We support Traditional Owner joint-management of parks and public land for conservation of natural and cultural heritage.

1. The need for marine spatial planning for Western Port Bay

Western Port, Victoria's second largest bay, outdoor recreation destination, UNESCO Biosphere Reserve, and internationally significant wetland, currently does not have an overarching bay wide plan to protect and manage it.

Despite its best intentions, Western Port has seen inconsistent planning, inadequate oversight and monitoring, poor accountability, and governance. A bay-wide strategic plan is required to consolidate all the different planning and management pieces currently siloed.

There is a proposal before the state government to implement the Western Port Strategic Framework, of which its first step is to start the process of scoping a marine spatial plan for Western Port – which currently has no overarching plan to guide its planning and management. There has not yet been any commitment by the Victorian Government.

In many places in the world, offshore wind has been the trigger to start a marine spatial planning process. These countries include Netherlands, Germany, United States, Canada, China and Belgium.

Australia is still largely missing in action from this front to adopt any marine spatial planning and is missing out on the delivery of many benefits for the region to both enable offshore wind, and protect environmental, cultural and social and social values.

Through its referral process, the Port of Hastings has gathered substantial data that could meaningfully inform a broader planning process. Community stewardship and sentiment for Western Port are strong, as demonstrated during opposition to the previous gas import terminal proposal and widespread support for a strategic framework or marine spatial plan. Such a plan would build community confidence in collaborative, transparent decision-making, while also giving investors greater certainty that VRET infrastructure is appropriately located and designed—supporting the growth of renewable energy and helping to coordinate competing interests.

Benefits of Marine Spatial Planning include:

- Improved risk management and proactive conflict resolution
- Integration of environmental impact assessments early in the planning process
- Support for assessing cumulative impacts across projects and sectors
- Creation of multi-use zones that balance conservation—protecting and restoring wetland ecosystems—with sustainable development that respects ecological carrying capacity

- Strategic planning to effectively manage and adapt to climate change impacts
- More efficient and coordinated stakeholder consultation processes

See further information from the Blue Economy CRC.

Given the VRET proposal and its past inconsistencies with the protection of Western Port Bay's Ramsar status, the region presents a strong opportunity to pilot a marine spatial plan. Victoria has already laid important groundwork for this through its existing marine spatial planning guidelines.

We estimate that the implementation of a marine spatial plan to cost approximately $1.2 million. This includes Traditional Owner and community engagement, project manager costs for the development of the plan. See the briefing summary attached to this submission.

Developing an MSP for Western Port Bay would help the Minister meet commitments under Victoria's Marine and Coastal Strategy and its responsibilities for offshore wind which is to undertake Victoria's first MSP between 2023-2027.

Chapter 9: Marine & Coastal Industries refers to the need to:

> *9.1 Strategically plan and manage industry use and development in the marine and coastal environment in a coordinated way to:*
>
> *a. provide for industry uses in appropriate locations (preferably on private land)*
>
> *b. minimise impacts and risks to the marine and coastal environment*
>
> *c. appropriately manage compe.ng or conflicting uses*
>
> *d. facilitate coexistence and co-location of compatible uses*
>
> *e. take into account and minimise direct, cumulative and synergistic impacts*
>
> *f. minimise exposure to coastal hazard risk and impacts of climate change.*
>
> *9.3 Use the Marine Spatial Planning Framework to guide planning, management and decision making across marine sectors in Victoria to enable equitable and ecologically sustainable marine uses and industries, and to coordinate and integrate managing risks, impacts and change in the marine and coastal environment.*

Under action 4, it also states:

> *Application of the MSP Framework is supported by strategic planning by marine sectors at a state-wide scale (e.g. offshore wind, and local and commercial ports as identified through the port reform process) that* ***incorporates the guidance in the MSP Framework and the approach and processes of marine spatial planning.***

This project proposes a great opportunity for the Federal Government to support the pilot of a marine spatial planning process in Victoria.

2. Attachment 4. Why Port of Hastings?

We question the selection of the Port of Hastings in light of public statements made by GeelongPort, which indicate that their proposal could proceed with less environmental impact with no dredging and land reclamation proposed. Given these claims, we seek clarification on how the Port of Hastings was selected as the preferred site for delivering the VRET.

Attachment 4 Why Port of Hastings outlines that one of the key criteria for selecting the preferred port was the *assessment of challenges in obtaining environmental approval, with potential impact on timelines.* However, the document does not provide a comparative analysis of how other ports—such as GeelongPort—perform against the impacts on Matters of National Environmental Significance (MNES) or other environmental values. Instead, it focuses solely on justifying the Port of Hastings selection without demonstrating a transparent evaluation of the alternative sites.

Considering GeelongPort assertion that their site would involve fewer environmental impacts (no dredging or land reclamation) does not overlap with a Ramsar wetland, and is claiming to be ready by 2029, it is unclear why it was not considered a more suitable option. To build confidence in the decision to proceed with the Port of Hastings, a comparative assessment of all viable Victorian ports against the criteria used in attachment 4 is necessary and to be made publicly available.

An assessment needs to be made to also see if there are other more suitable locations that will minimise harm to our marine and coastal ecosystems.

3. Uncertainty of acceptable limits of change on the ecological character of Western Port's Ramsar wetland

The referral's preliminary impact assessments conclude that it is unlikely that the project will result in adverse impacts on the ecological character of the broader Western Port Ramsar site or that these impacts would be considered unacceptable impacts.

We have uncertainty around these claims as there are no figures to be measured against what is acceptable and what is unacceptable.

While there has been a reduction in dredging and wetland loss—approximately a 35% decrease in land reclamation (now 18 ha), around a 70% reduction in the dredging area (though the exact volume/area to be dredged remains unspecified), and 9.38 ha of seagrass removal—it remains unclear whether a disturbance footprint of 0.07% and the permanent modification of 0.04% of the Ramsar site are within acceptable limits.

4. Attachment 9: Offsets Nature positive principles should be applied, not just offset – should be net gain for Western Port

There is 9.8 hectares of intertidal mudflats proposed to be lost, including the direct loss of intertidal mudflats, seagrass meadows and saltmarsh.

Nature positive principles should be followed and not just result in offsets. DCCEEW's *Nature Positive Plan: better for the environment, better for business* acknowledges how offsets are failing to prevent environmental decline:

> *Current offset arrangements are failing to prevent environmental decline. They don't properly compensate for the loss of habitat or heritage values and are often not enforced or maintained*
>
> *Conservation payments will be sufficient to achieve a net positive environmental outcome.*

A report by the Western Port Biosphere Reserve Foundation and research partners, titled Blue Carbon Opportunities at a Local Scale: Western Port Bay and Eastern Port Phillip Bay, highlights that mangroves, saltmarsh, and seagrasses in this region store approximately 31.5% of Victoria's blue carbon. The report also identifies the potential to restore up to 800

hectares through tidal reinstatement, fencing, and proactive management of future sea level rise and inundation.

It also identified that the management of sea-level rise by allowing accommodating space for the retreat of coastal wetlands is the restoration action that could lead to the highest blue carbon opportunities.

This project should explore how net gains can be made to Western Port Ramsar wetland.