Lord Howe Island Critical Infrastructure Project

Application Number: 02907

Commencement Date: **07/05/2025**

Status: Locked

1. About the project

1.1 Project details

1.1.1 Project title *

Lord Howe Island Critical Infrastructure Project

1.1.2 Project industry type *

Transport - Water

1.1.3 Project industry sub-type

Terminal

1.1.4 Estimated start date *

02/03/2026

1.1.4 Estimated end date *

31/05/2027

1.2 Proposed Action details

1.2.1 Provide an overview of the proposed action, including all proposed activities. *

The Lord Howe Island Critical Infrastructure Project (the proposed action) includes the construction, operation and maintenance of:

- Marine infrastructure including new and upgraded landing facilities (existing jetty, piled vessel ramp, boat ramp and bunded vessel maintenance areas), cargo loading/offloading areas, new unstuffing shed and adapted 'Ocean View' boatshed (for Transport for NSW, Marine Parks Authority), and new public walking tracks, viewing area, landscaping, amenities and vehicle parking north and south of the existing jetty;
- Waste management facility (WMF) including new storage sheds and materials processing facilities (including for organic material), wastewater treatment plant and waste receival area (including chemical and hazardous waste), hardstand and roads, and selective dune restoration at the existing WMF; and
- Biosecurity measures and infrastructure including an enhanced screening and quarantine management system with a new receiving station/facility adjacent to the existing jetty and new marine infrastructure, and dedicated kennels to house detection dogs near the WMF.

All activities associated with the action would occur on Lord Howe Island (LHI). The proposed activities associated with the action are:

- Construction activities including potential removal of up to 0.18 ha of native vegetation to construct biosecurity infrastructure and a new cargo loading and unloading area with unstuffing shed near the existing jetty, and for the refurbishment/upgrade of the existing public access boat ramp area. These activities are proposed within the North Zone (refer Figure 2 of Att A).
- Construction activities including potential removal of up to 0.92 ha of native vegetation to expand the footprint of the WMF and remediate contaminated land. These activities are proposed within the South Zone (**Figure 3** of **Att A**).
- Construction activities to install a fuel bowser within the South Zone (Figure 3 of Att A).
- Construction activities to establish temporary accommodation within the South Zone for the construction workforce, if required.
- Marine geotechnical investigations and construction activities (including seafloor piling) to construct a new fixed piled vessel ramp and mooring and berthing infrastructure at the site of the existing jetty in the north of the LHI Lagoon. These activities are proposed within the North Zone (refer Figure 2 of Att A).

Whilst native vegetation removal is assessed as part of the mapped Disturbance Areas (**Figures 2 and 3** of **Att A**), The Project is committed to avoiding and minimising impacts to native vegetation wherever possible as a key Project objective. To achieve this outcome, the Project will continue to refine the proposed Disturbance Areas throughout design development, such that further opportunities to avoid impacts are identified and implemented.

Where the Project is not able to minimise or avoid native vegetation removal to deliver the Project, it will instead seek to voluntarily revegetate those impacts. The revegetation will be considered primarily within the immediate Disturbance Area where appropriate, however, opportunities within the broader Project Area will be similarly considered.

Importantly, mapped Disturbance Areas which may require native vegetation removal in order to remediate contaminated land will be revegetated in accordance with the above commitment. Moreover, Project landscaping will include revegetation with native species.

North Zone (Marine Infrastructure, Cargo Laydown Area and Biosecurity Measures)

1. The marine infrastructure component of the Project is proposed in the 'North Zone' adjacent to the existing jetty, which is north of Signal Point and in the north of the LHI Lagoon. The total disturbance

area (permanent and temporary) associated with construction activities in the North Zone, which includes land and marine waters, is approximately 2.3 ha.

2. Activities associated with the marine infrastructure include upgrades to existing jetty and/or construction of a new fixed piled vessel ramp to facilitate safe docking of the marine freight vessel and safe and efficient cargo loading and unloading. A bunded area will be provided for storage of any hazardous materials for westbound (including wastes) that will be used for vessel maintenance (including antifouling) when not in use by cargo operations. The new vessel ramp will include piles, precast concrete headstocks, precast concrete planks, and mooring and breasting piles. The upgrades to the existing jetty could include replacement of existing timber materials, mooring and breasting piles, and installation of mooring furniture. The existing piles will be reused where possible.

The marine infrastructure will be integrated with new biosecurity infrastructure to allow safe transport of cargo from the vessel to the biosecurity quarantine building. Inspection will be conducted on-vessel and only if flagged will be transported to the quarantine facility. The process for biosecurity inspections on the Island side has not been finalised and is dependent on both the final vessel and marine infrastructure design. The new biosecurity infrastructure will include a biosecurity/quarantine building located adjacent to the existing jetty and new marine infrastructure, along with a cargo storage and unstuffing area. The existing office and amenities building directly north of the existing jetty will be retained and/or upgraded, and the 'Ocean View' boatshed will be reused as part of the Project. The existing Marine Rescue building, along with the Norfolk Island Pines adjacent to it and select native foreshore vegetation will be retained.

Public access (vehicle and pedestrian) will be incorporated into the new/upgraded North Zone. Foreshore walking tracks, and landscaping are proposed north and south of the existing jetty. The existing boat ramp north of the jetty, which is used by smaller marine craft will be refurbished and public access will be maintained. Additional parking for cars and trailers will be provided adjacent to the boat ramp and/or along Lagoon Road.

Construction equipment and materials required for activities within the North Zone will be transported via a barge/vessel using the existing channel via the North Passage and docking at the existing jetty. Material laydown and stockpiling will be within the proposed disturbance area.

South Zone (Waste Management Facility, Fuel Servicing and Biosecurity Measures)

1. The existing WMF is at the south end of the lagoon and adjacent to the airport. The WMF covers an area of 3.78 ha.

The upgrade of the existing WMF will provide a fully functioning waste reception and processing facility that services the needs of the residents and businesses of LHI. It will include new facilities for waste storage, materials recovery and recycling, organics processing and wastewater treatment.

The WMF will be fully fenced and secured. Access by the public will be restricted to fixed hours of operation. The design of the facility will facilitate the processing and secure storage of waste, with hardstands constructed of permeable and impermeable surfaces such as pavers, concrete or asphalt.

The waste-receival area will comprise a dedicated, one-way, drive-through waste drop-off facility for commercial and residential waste with clearly demarcated areas to segregate waste types. The waste-receival area will include a community re-use shed and chemical and hazardous chemical shed. The public will not have access to the WMF beyond the waste-receival area unless via appointment. An office/amenities building will be located adjacent to the public limit of the WMF.

The WMF will include open bunkers and dedicated storage sheds to hold baled waste material, bulky goods and organics, and waste containers and/or skips awaiting shipment. These areas will be bunded to contain any potential spills and located at the northwest end of the WMF, the furthest area from public access.

The WMF facility will also include the following:

- A material recovery facility (MRF) including a new working platform to provide secure, safe operating conditions. This equipment would consist of bin-lifters, hoppers, conveyors, picking station, sorting conveyor/trommel, capture bins, glass crusher and sorter. The MRF will house a baler for steel and aluminium cans and other waste.
- A new, dedicated wastewater treatment plant, including settling and aeration tanks, clarifiers, disinfection equipment and sludge treatment.
- A dedicated organics processing workshop, including specialised equipment to mechanically and chemically break down organic materials. These products will be managed for odours, leachates and quality control.

Detection dog kennels are proposed within land associated with 16 Old Lagoon Road (Lot 219 DP45732). The kennels will house detection dogs required for biosecurity checks on the island. The dogs will remain in this dedicated area when not being deployed for biosecurity measures that are undertaken at the airport and the existing jetty.

The dune area between the beach and WMF will be remediated and revegetated with native species planting.

A dedicated fuel servicing area is proposed along Old Lagoon Road to facilitate self-service vehicle refuelling for island residents. Details of its construction and operation will be discussed in the EIS.

Temporary worker accommodation may be provided within the South Zone.

Transportation of construction equipment and materials for activities within the South Zone will be carried out via a barge/vessel that will use existing channel via the North Passage as the primary construction access or if required a landing barge through the southern lagoon to the beach adjacent to the WMF via either Erscotts Passage or Man of War passage. Vessel passage through this area of the lagoon will be subject to a permit issued by NSW Marine Parks prior to construction. Material laydown and stockpiling will be located within the proposed disturbance area.

1.2.2 Is the project action part of a staged development or related to other actions or proposals in the region?

No

1.2.6 What Commonwealth or state legislation, planning frameworks or policy documents are relevant to the proposed action, and how are they relevant? *

Commonwealth legislation

The EPBC Act provides a framework for protecting MNES and any action that will or are likely to have a significant impact on MNES will require approval from the Minister for Environment and Water. MNES include World Heritage properties, National Heritage places, nationally listed threatened species and ecological communities and listed migratory species, and Commonwealth marine areas.

Lord Howe Island is a declared as a World Heritage property and supports/provides habitats for numerous threatened species including Lord Howe Woodhen (*Hypotaenidia sylvestris*), Pied Currawong (*Strepera graculina*), Masked Booby (*Sula dactylatra*), and Lord Howe Placostylus (*Placostylus bivaricosus*).

The Underwater Cultural Heritage Act 2018 (Cth) protects Australia's underwater cultural heritage. The remains of all vessels that have been in Australian waters for at least 75 years are protected by the Act. Permits are required under s23 of the Act to cause any impact to such protected underwater cultural heritage.

State (NSW) legislation

All land on Lord Howe Island is NSW Crown Land. Marine waters within three nautical miles of Lord Howe Island are within the jurisdiction of the NSW *Constitutional Powers (Coastal Waters) Act 1979*.

The Lord Howe Island Board is responsible for the care, control and management of the Lord Howe Island, offshore islands and neighbouring coral reefs in accordance with the *Lord Howe Island Act 1953*.

The Applicant has sought to have the project declared state significant development (SSI)/critical SSI (CSSI). This declaration is pending a final decision by the NSW Minister for Planning; however, the Applicant has been informed that declaration will occur. As such, consent to carry out the development of the Project is being sought under Div 5.2 of the NSW *Environmental Planning and Assessment Act 1979*. A Scoping Report for the project was submitted in November 2024 (SSI-78107213). The Secretary's Environmental Assessment Requirements (SEARs) for the project were issued by the NSW Department of Planning, Housing and Industry on 14 April 2025.

The existing WMF operates under an Environmental Protection Licence issued under the NSW *Protection of the Environment Operations Act 1997.* The licence will be amended and updated following the determination of the application.

The removal of contaminated material from within land embankments at the WMF is deemed 'category 1 remediation work' and requires consent under NSW *State Environmental Planning Policy (Resilience and Hazards) 2021*. Remediation works may be carried out despite any provision to the contrary in an environmental planning instrument (including the significant native vegetation provisions in the Lord Howe Island Local Environmental Plan 2010). Consent for remediation works will be obtained as part of the State Significant Infrastructure application.

The WMF upgrades may require construction equipment and materials to be transported to Lord Howe Island on barges through the southern portion of the lagoon. A Marine Parks Permit will be obtained under the *NSW Marine Estate Management (Management Rules) Regulation 1999* to permit the controlled landing of the barge on the lagoon beach in front of the WMF in Habitat Protection and repositioning of barge as required.

The NSW *Biosecurity Act 2015* aims to protect Lord Howe Island's unique ecosystem and prevent the introduction and spread of pests, diseases, and contaminants. Strict importation requirements for freight will be applicable to the construction phase of the project.

1.2.7 Describe any public consultation that has been, is being or will be undertaken regarding the project area, including with Indigenous stakeholders. Attach any completed

consultation documentations, if relevant. *

The Applicant recognises that the Lord Howe Island community is both diverse and unique. Engagement with the community and stakeholders provides a unique opportunity for the project to benefit from local insights, anticipate unforeseen issues, and build lasting partnerships that are key to forging a social licence to operate. Stakeholder and community consultation is integral to the successful delivery of the Project.

The Applicant commenced community and stakeholder engagement for the Project in May 2024. Engagement activities have included establishment of a Community Consultation Group (CCG), monthly newsletter updates and electronic direct mail (EDM) for community, stakeholder interviews and workshops, community surveys and email submissions, community forums and information sessions. It should be noted that Lord Howe Island was uninhabited before 19th century settlement and does not have any indigenous people or groups.

Public consultation to date has included 15 interviews and meetings with key stakeholders and five community drop-in sessions. Interviewees were identified in liaison with the CCG. Six further sessions were conducted with seven team members from the Lord Howe Island Board, as well as meetings and briefings held with the CCG and Government Stakeholder Consultation Group (GSCG). The proposed layouts of the North Zone and South Zone are direct results of the engagement outcomes. A Community Consultation Summary Report and Key Highlights Report is attached (**Att E** and **F**).

Community and stakeholder engagement will continue during the preparation and assessment of the project EIS. This will include key community member meetings as needed, GSCG meetings, interviews with key stakeholders and government agencies and regular updates and communication with the community about the Project's progress. The consultation outcomes will be documented in the EIS.

1.3.1 Identity: Referring party

Privacy Notice:

Personal information means information or an opinion about an identified individual, or an individual who is reasonably identifiable.

By completing and submitting this form, you consent to the collection of all personal information contained in this form. If you are providing the personal information of other individuals in this form, please ensure you have their consent before doing so.

The Department of Climate Change, Energy, the Environment and Water (the department) collects your personal information (as defined by the Privacy Act 1988) through this platform for the purposes of enabling the department to consider your submission and contact you in relation to your submission. If you fail to provide some or all of the personal information requested on this platform (name and email address), the department will be unable to contact you to seek further information (if required) and subsequently may impact the consideration given to your submission.

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Confirm that you have read and understand this Privacy Notice *

1.3.1.1 Is Referring party an organisation or business? *

Yes

Referring party organisation details		
ABN/ACN	12002773248	
Organisation name	ENVIRONMENTAL RESOURCES MANAGEMENT AUSTRALIA PTY LIMITED	
Organisation address	Level 14, 207 Kent Street, Sydney NSW 2000	
Referring party details		
Name	Gabriella Drakopoulos	
Job title	Consultant	
Phone	0468310444	
Email	gabriella.drakopoulos@erm.com	
Address	Level 14, 207 Kent Street, Sydney NSW 2000	

1.3.2 Identity: Person proposing to take the action

1.3.2.1 Are the Person proposing to take the action details the same as the Referring party details? *

No

1.3.2.2 Is Person proposing to take the action an organisation or business? *

Yes

Person proposing to take the action organisation details		
ABN/ACN	27578976844	
Organisation name	DEPARTMENT OF CLIMATE CHANGE, ENERGY, THE ENVIRONMENT AND WATER	
Organisation address	4PSQ, Locked Bag 5022, Parramatta NSW 2124	
Person proposing to take	e the action details	
Name	Oriana Senese	
Job title	Principal Project Manager	
Phone	0417 285 536	
Email	oriana.senese@environment.nsw.gov.au	
Address	4PSQ, Locked Bag 5022, Parramatta NSW 2124	

1.3.2.14 Are you proposing the action as part of a Joint Venture? *

No

1.3.2.15 Are you proposing the action as part of a Trust? *

No

1.3.2.17 Describe the Person proposing the action's history of responsible environmental management including details of any proceedings under a Commonwealth, State or Territory law for the protection of the environment or the conservation and sustainable use of natural resources against the Person proposing to take the action. *

There are no relevant proceedings in NSW against the Person proposing the action.

1.3.2.18 If the person proposing to take the action is a corporation, provide details of the corporation's environmental policy and planning framework

NSW Department of Climate Change, Energy, the Environment and Water (DCCEEW) as the Person Proposing the Action is responsible as the Project Delivery Lead for the Lord Howe Island Critical Infrastructure Project on behalf of the NSW Government and Lord Howe Island Board (LHIB).

A Ministerial Direction issued on 3 April 2024 under Section 10 of the Lord Howe Island Act 1953, approved the arrangement between NSW DCCEEW and LHIB, and provided NSW DCCEEW with the appropriate authority to manage the Project on LHIB's behalf.

With respect to the arrangement and given that Lord Howe Island is administered by the Lord Howe Island Board – a statutory authority responsible to the NSW Minister for the Environment. The following environmental policies and planning framework are most applicable:

Lord Howe Island is administered by the Lord Howe Island Board – a statutory authority responsible to the NSW Miniter for the Environment. The following environmental policies and planning framework are applicable:

- Strategic Plan for the Lord Howe Island Group World Heritage Property (Lord Howe Island Board, 2010)
- Lord Howe Island Biosecurity Strategy 2022-2024 (Lord Howe Island Board, 2023)
- Lord Howe Island Biodiversity Management Plan (DECC, 2007)
- Operational Plan for the Lord Howe Island Marine Park (Marine Parks Authority, 2004)

The NSW Government is seeking to appoint a contractor to deliver the works. The NSW Government Procurement Policy Framework is applicable.

1.3.3 Identity: Proposed designated proponent

1.3.3.1 Are the Proposed designated proponent details the same as the Person proposing to take the action? *

Yes

Proposed designated proponent organisation details		
ABN/ACN	27578976844	
Organisation name	DEPARTMENT OF CLIMATE CHANGE, ENERGY, THE ENVIRONMENT AND WATER	
Organisation address	4PSQ, Locked Bag 5022, Parramatta NSW 2124	
Proposed designated pro	oponent details	
Name	Oriana Senese	
Job title	Principal Project Manager	
Phone	0417 285 536	
Email	oriana.senese@environment.nsw.gov.au	
Address	4PSQ, Locked Bag 5022, Parramatta NSW 2124	

1.3.4 Identity: Summary of allocation

Confirmed Referring party's identity

The Referring party is the person preparing the information in this referral.

ABN/ACN	12002773248
Organisation name	ENVIRONMENTAL RESOURCES MANAGEMENT AUSTRALIA PTY LIMITED
Organisation address	Level 14, 207 Kent Street, Sydney NSW 2000
Representative's name	Gabriella Drakopoulos
Representative's job title	Consultant
Phone	0468310444
Email	gabriella.drakopoulos@erm.com
Address	Level 14, 207 Kent Street, Sydney NSW 2000

Confirmed Person proposing to take the action's identity

The Person proposing to take the action is the individual, business, government agency or trustee that will be responsible for the proposed action.

ABN/ACN	27578976844
Organisation name	DEPARTMENT OF CLIMATE CHANGE, ENERGY, THE ENVIRONMENT AND WATER
Organisation address	4PSQ, Locked Bag 5022, Parramatta NSW 2124
Representative's name	Oriana Senese
Representative's job title	Principal Project Manager
Phone	0417 285 536
Email	oriana.senese@environment.nsw.gov.au
Address	4PSQ, Locked Bag 5022, Parramatta NSW 2124

Confirmed Proposed designated proponent's identity

The Person proposing to take the action is the individual or organisation proposed to be responsible for meeting the requirements of the EPBC Act during the assessment process, if the Minister decides that this project is a controlled action.

Same as Person proposing to take the action information.

1.4 Payment details: Payment exemption and fee waiver

1.4.1 Do you qualify for an exemption from fees under EPBC Regulation 5.23 (1) (a)? *

No

1.4.3 Have you applied for or been granted a waiver for full or partial fees under Regulation 5.21A? *

No

1.4.5 Are you going to apply for a waiver of full or partial fees under EPBC Regulation 5.21A?

No

1.4.7 Has the department issued you with a credit note? *

No

1.4.9 Would you like to add a purchase order number to your invoice? *

No

1.4 Payment details: Payment allocation

1.4.11 Who would you like to allocate as the entity responsible for payment? *

Person proposing to take the action

2. Location

2.1 Project footprint



Project Area: 36.64 Ha Disturbance Footprint: 6.09 Ha

2.2 Footprint details

2.2.1 What is the address of the proposed action? *

Lagoon Road, Lord Howe Island NSW 2898

2.2.2 Where is the primary jurisdiction of the proposed action? *

New South Wales

2.2.3 Is there a secondary jurisdiction for this proposed action? *

No

2.2.5 What is the tenure of the action area relevant to the project area? *

Lord Howe Island is deemed NSW Crown land and is administered by the Lord Howe Island Board.

3. Existing environment

3.1 Physical description

3.1.1 Describe the current condition of the project area's environment.

The Project is located on the western side of Lord Howe Island at the northern and southern edges of the Lord Howe Island lagoon, and overlaps marine, intertidal and terrestrial environments.

The marine environment is comprised of small areas of the Lord Howe Island Iagoon. This Iagoon is sheltered from the ocean by a semi-enclosed coral reef, creating a relatively shallow environment with water depths typically between 1 and 3 m. Deeper channels exist between the fringing reefs which are up to 10 m deep and connect the Iagoon to the Tasman Sea. These included North Passage, Erscotts Passage and Man of War Passage.

The waters within the Lord Howe Island Iagoon support diverse marine life including endemic species such as McCulloch's Anemonefish (*Amphiprion mccullochi*), the Three-striped Butterflyfish (*Chaetodon tricinctus*) and the Lord Howe Abalone (*Haliotis rubiginosa*). Seaweed and seagrass are abundant in the south of the Iagoon, while hard coral cover has steadily increased over the past decade in the north of the Iagoon, within North Bay (Dalton *et al.*, 2020). Seagrasses are also abundant in the North Bay and Hunter Bay on the northern side of the Island. About 99% of the Iagoon sediments and beaches are comprised of carbonate sands derived from the skeletal remains of corals and other marine organisms from the outer reef structures which protect the Iagoon (Haskoning, 2014).

With respect to the marine area of the North Zone, this includes a small area of sandy and rocky beach primarily beneath and adjacent to the existing jetty. The maximum tidal range can be up to 2.41 m (Maddox, 2019) which inundates and exposes bare rock and sand flats in this intertidal region. The area between the fringing reef and the foreshore, (where the Project is located) comprises free-moving sands described as the 'bare sand zone' (Kennedy, 1999). While most marine habitats in the lagoon show little impact of human activity, localised habitat degradation is evident at a few locations with epiphyte growth (e.g., epiphytic cyanobacteria and filamentous) most evident at Signal Point in shallow subtidal areas in the north-eastern section of the lagoon (Edgar et al 2009). Macroalgae and seagrasses are common in the landward extremes of the 'bare sand zone' which may support these soft substrates as well as isolated stands of hard substrates like coral. There is evidence from aerial photographs of these substrates outside of areas where vessels have scraped along the seafloor while accessing the existing jetty; these areas are likely to be devoid of such substrates.

With respect to the terrestrial areas of the North Zone, vegetation is largely cleared and exotic, with stands of low-lying coastal shrubland (Bully Bush – Hopwood) and dune foreshore grassland (*Melanthera biflora* – Saltwater Couch) along its beaches and rocky slopes. Inland of this area are remnant stands of Kentia Palm forest accompanied by Banyan. Endemic species such as the Lord Howe Woodhen (*Hypotaenidia sylvestris*), Lord Howe Island Skink (*Oligosoma lichenigera*) and Lord Howe Placostylus (*Placostylus bivaricosus*) are known to inhabit these stands of native vegetation while migratory birds such as the Wedge-tailed Shearwater (*Ardenna pacifica*) forage along the shoreline.

The lagoon foreshore has historically facilitated vessel landing areas, particularly surrounding the North Zone. Within this area is the heritage-listed *Cargo Shed Group, comprising former Cargo Shed, archaeological remains relating*, listed under the Lord Howe Island Local Environmental Plan (LEP) 2010. This site comprises the former Cargo Shed, 'Ocean View' boatshed and several specimens of Norfolk Island pine trees. Refer to Section 3.3 for further details.

The South Zone is between Windy Point and Cobbys Corner, between the airport and the foreshore, and comprises the existing WMF. The WMF is located on cleared areas and access tracks and is surrounded by vegetation. A vegetated dune separates the WMF from the foreshore and provides for some visual screening. Road access to the WMF is available from Lagoon Road and Old Lagoon Road, which connect the urban settlement area in the north to the facilities in the centre of the island.

The key biodiversity values of the South Zone are associated with its vegetation types predominantly canopied by Greybark – Blackbutt trees and Kentia Palms. The low-lying areas are predominantly Bully Bush – Hopwood shrubland and dune foreshore grassland including Coastal Spinifex, Dune Bean and Club Rush. Endemic species such as the Lord Howe Woodhen (*Hypotaenidia sylvestris*), Lord Howe Island

Skink (*Oligosoma lichenigera*) and Lord Howe Placostylus (*Placostylus bivaricosus*) are known to inhabit these stands of native vegetation while migratory birds such as the Wedge-tailed Shearwater (*Ardenna pacifica*) forage along the shoreline.

3.1.2 Describe any existing or proposed uses for the project area.

Existing infrastructure in the North Zone is currently used for loading and unloading cargo and freight from vessels. The South Zone is currently used by the waste management facility and has previously been used to land barges when transporting cargo and freight. The proposed uses are consistent with the current land uses and operations.

3.1.3 Describe any outstanding natural features and/or any other important or unique values that applies to the project area.

Lord Howe Island is part of the Lord Howe Island Group, a collection of several islands, coral reefs and marine waters which cover about 146,300 ha. The Lord Howe Island Group was inscribed as a World Heritage property in 1982 due to it being an example of "isolated oceanic islands, born of volcanic activity more than 2,000 m under the sea, these islands boast a spectacular topography and are home to numerous endemic species, especially birds".

Lord Howe Island has over 240 species of native plants, with over 50% of these being endemic to the Island. Over 200 species of birds and 1,600 insect species are also found on the Island.

All waters within three nautical miles of Lord Howe Island are declared as the 'Lord Howe Island Marine Park', which covers an area of about 465 km2 and includes the Lord Howe Island lagoon. Beyond three nautical miles, about 110,126 km2 of ocean is declared as the 'Lord Howe Commonwealth Marine Reserve'.

The Lord Howe Island Marine Park comprises of a variety of habitats and biological features and geological processes that formed the Lord Howe Island Group and produced diverse and unique geomorphology. These habitats include estuarine ecosystems, lagoon ecosystems including the fringing coral reef, intertidal and shallow subtidal ecosystems, shelf ecosystems and pelagic ecosystems.

The reef within the Lord Howe Island Marine Park is believed to be about 120,000 years old, and through accretion has developed into the active coral reef fringes that exist today. This existing fringing reef and fossil records of coral growth represent the southernmost records of global coral reef distribution. The Lord Howe Island lagoon supports over 100 species of Scleractinian (i.e., hard) corals species, and within the broader Lord Howe Island Marine Park there are mesophotic coral reefs that have the potential to act as deep reef refugia under a changing climate.

Terrestrial vegetation on Lord Howe Island can be stratified according to their geophysical structures. Lowland forests dominated by species like Kentia palm (*Howea forsteriana*) are lush, shaded, and support many understory species unique to the island. At higher elevations, namely on Mount Gower and Mount Lidgbird, cloud forests characterised by moss coverage, ferns, orchids and epiphytes are the predominant vegetation type and are unique to Lord Howe Island at its given latitude. Coastal foreshores and rocky slopes and cliffs provide substate for hardy vegetation within environments exposed to oceanic winds where species of *Spinifex, Ipomoea, Leucopogon* and *Coprosma* provide ground cover.

The North Zone and South Zone comprises a mix of native and exotic vegetation, cleared land and beach areas. Native vegetation in the North Zone is predominantly Kentia Palm Forest on coral sand and calcarenite with emergent *Araucaria heterophylla* and Bully Bush – Hopwood shrubland on shallow rocky soils. Native vegetation in the South Zone is predominantly Coastal Spinifex – Dune Bean – Club Rush – *Melanthera biflora* – Saltwater Couch beach strandline grassland and Kentia Palm Forest on coral sand and calcarenite. No threatened flora species listed under the EPBC Act are considered likely to occur in either zone. Potential roosting and breeding habitat and foraging habitat for native fauna species has been identified in both the North Zone and South Zone.

3.1.4 Describe the gradient (or depth range if action is to be taken in a marine area) relevant to the project area.

The terrestrial landscape within the Project Area is relatively flat and comprises the foreshore and adjacent low-lying land. Elevation within this area does not typically exceed 10 m above sea level.

Within Lord Howe Island Iagoon, water depths are relatively shallow ranging from 1 to 3 metres in most areas. Deeper channels between the fringing reefs are up to 10 metres deep and connect the Iagoon with the Tasman Sea via the North Passage, Blackburn Island Passage, Erscotts Passage and Man of War Passage. Beyond these passages and reef structures, water depths quickly drop to over 25 metres deep and are contiguous with the Tasman Sea.

Water depths surrounding the existing jetty are subject to tidal fluctuation and occasionally cannot be navigable for freight vessels. The seabed surrounding the existing jetty has been subject to sediment plumes and groundings by freight vessels, where seabed channelisation and depression is evident from regular vessel movements.

3.2 Flora and fauna

3.2.1 Describe the flora and fauna within the affected area and attach any investigations of surveys if applicable.

A baseline terrestrial biodiversity assessment of the Project Area was undertaken in November 2024 and April 2025 (Cumberland Ecology; **Atts B, C** and **D**). The recorded flora and fauna are described below.

Eighty (80) flora species were recorded within the North Zone during field surveys. In the South Zone, seventy-two (72) flora species were recorded. No threatened flora species were recorded in the North or South Zones.

Twenty-seven (27) bird species, three (3) reptile species and one (1) invertebrate species (total 31 species) were recorded across field surveys. Five (5) of these species are listed as threatened species under the EPBC Act as follows:

- Pied Currawong (Lord Howe Island subsp.) Strepera graculia crissalis Vulnerable
- Lord Howe Woodhen (Hypotaenidia sylvestris) Endangered
- Nunivak Bar-tailed Godwit (Limosa lapponica baueri) Endangered (also Migratory at species level)
- Lord Howe Island Southern Gecko (Christinus guentheri) Vulnerable
- Lord Howe Island Skink (Oligosoma lichenigera) Vulnerable
- Lord Howe Placostylus (Placostylus bivaricosus) Endangered

Seven (7) Migratory species listed under the EPBC Act were recorded across field surveys as follows:

- Bar-tailed Godwit (Limosa lapponica) also Endangered at subspecies level
- Pacific Golden Plover (*Pluvialis fulva*)
- Common Noddy (Anous stolidus)
- Wedge-tailed Shearwater (Ardenna pacifica)
- Ruddy Turnstone (Arenaria interpres)
- Whimbrel (Numenius phaeopus)
- Masked Booby (Sula dactylatra)

A baseline marine biodiversity assessment of the Project Area was undertaken in February and March 2025. The results of the field survey are yet to be processed. Database search results for EPBC Act-listed threatened marine species suggest that up to five (5) turtle species, three (3) cetacean species, three (3) shark species, and seventeen (17) EPBC Act-listed Migratory marine species have the potential to occur within waters surrounding Lord Howe Island.

It is assumed that the area adjacent to the existing jetty is largely disturbed as the existing freight vessel transits through this area and the hull of the vessel is known to ground on the sea floor as part of its current loading and unloading operation. This is visible in aerial photos of the existing jetty and surrounding waters.

3.2.2 Describe the vegetation (including the status of native vegetation and soil) within the project area.

A baseline terrestrial biodiversity assessment of the Project Area was undertaken in November 2024 and April 2025 (Cumberland Ecology; **Atts B, C** and **D**). Vegetation within the North and South Zones was ground-truthed to confirm the presence and condition of vegetation communities (refer **Figure 7** and **Figure 8** of **Att D**).

No vegetation communities associated with Threatened Ecological Communities under the EPBC Act were identified in the North or South Zone.

Within the disturbance area, vegetation clearing may comprise up to the following quantities:

- 0.18 ha of native vegetation in the North Zone;
- 0.92 ha of native vegetation in the South Zone;
- 1.23 ha of exotic/cleared vegetation in the North Zone; and
- 2.86 ha of exotic/cleared vegetation in the South Zone.

3.3 Heritage

3.3.1 Describe any Commonwealth Heritage Places Overseas or other places recognised as having heritage values that apply to the project area.

World Heritage

Lord Howe Island is part of the Lord Howe Island Group and is listed as a World Heritage Property and National Heritage Place under the EPBC Act (Cth). The area subject to its listing includes all terrestrial land and waters as shown in **F-1** of **Att A**.

The Lord Howe Island Group is grandiose in its topographic relief and has exceptional diversity of spectacular and scenic landscapes within a small area, including sheer mountain slopes, a broad arc of hills enclosing the lagoon and Balls Pyramid rising abruptly from the ocean. It is considered an outstanding example of an island system developed from submarine volcanic activity and demonstrates the nearly complete stage in the destruction of a large shield volcano. Having the most southerly coral reef in the world, it demonstrates a rare example of a zone between algal and coral reefs. Many species are at their ecological limits, endemism is high, and unique assemblages of temperate and tropical forms cohabit (UNESCO, 2024).

The Lord Howe Island Group supports extensive colonies of nesting seabirds, making them significant over a wide oceanic region. They are the only major breeding grounds for the Providence Petrel (*Pterodroma solandri*) and contain one of the world's largest breeding concentrations of Red-tailed Tropicbird (*Phaethon rubicauda*) (UNESCO, 2024).

The Lord Howe Island Group is an outstanding example of the development of a characteristic insular biota that has been adapted to the island environment through speciation. A significant number of endemic species or subspecies of plants and animals have evolved in a very limited area, resulting in a diversity of landscape and biota and the high number of threatened and endemic species make these islands an outstanding example of independent evolutionary processes. In this context, all natural habitats on the island contribute to the heritage values.

State and local heritage

All terrestrial land on Lord Howe Island comprises State-significant *Lord Howe Island Group* on the NSW State Heritage Register (ID 00970) under the NSW *Heritage Act 1977*. The significance of its State listing reflects that which defines Lord Howe Island Group as a World Heritage property and National Heritage Place under the EPBC Act.

Schedule 2 of the Lord Howe Island LEP 2010 identifies individual items with local heritage significance to Lord Howe Island. The project area pertaining to the existing jetty and receival area contains the *Cargo shed related to wharf* which corresponds to its State Heritage Inventory listing as *Cargo Shed Group, comprising former Cargo Shed, archaeological remains relating.* This item collectively describes the (1) former Cargo Shed, (2) former 'Ocean View' boatshed and (3) several specimens of Norfolk Island pine trees. **F-4** of **Att A** shows their indicative location within the North Zone.

The Cargo Shed Group, comprising former Cargo Shed, archaeological remains relating collectively represents the Island's early economic activities, including the transport of goods and supplies essential for the local community throughout the Island's history and its contemporary relevance. The former Cargo Shed, and former 'Ocean View' boatshed are the last survivors of the lagoon foreshore boatsheds that existed between Signal Point and Wilson's Landing. The former Cargo Shed is a simple functional timber-framed, weatherboard clad shed building with steeply pitched gabled roof clad with corrugated metal and retains many elements of its original construction. The former 'Ocean View' boatshed is constructed in a similar style and has been altered for its current adaptive re-use as a storage shed for vehicles and goods. The former Cargo Shed has also been adapted to facilitate visiting sailors and houses a studio for the local community radio station. The Norfolk Island pine trees serve as landmarks for the existing jetty and are adjacent to the existing buildings.

Underwater cultural heritage

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NSW Heritage Office (2002) prepared a survey of the shipwrecks and maritime archaeology surrounding Lord Howe Island. Five shipwrecks are known to have been lost at the entrance to the island's lagoon near the North Passage - *SM Stetson* (1877), *Ovalau* (1903), *La Meurthe* (1907), *Jaques del Mar* (1954), and *Favorite* (1965). The first three shipwrecks are protected by the *Underwater Cultural Heritage Act 2018* (Cth) (i.e., the remains of these vessels have been in the water for more than 75 years). **F-5** of **Att A** shows their indicative locations near the North Zone.

The 2002 survey confirmed the location of the *Ovalau*, *Favorite, and Jacques del Mar* while the *SM Stetson* and *La Meurthe* were not able to be surveyed due to inclement weather at the time. It is known that all five vessels have been heavily reduced by wave action where fragments are scattered near the lagoon entrance on the reef structures, with some deposited within the lagoon itself; e.g., fragments of the *Favorite* are deposited near North Beach. Many fragments have been salvaged by divers, with some displayed in the Lord Howe Island Museum.

Potential shipwreck fragments are unlikely to be found in the North Zone adjacent to the existing jetty given the amount of maritime traffic that occurs through this area. Maintenance of the maritime traffic route and currents from continuous vessel movements can displace or bury wreckage, making long-term preservation unlikely.

3.3.2 Describe any Indigenous heritage values that apply to the project area.

Lord Howe Island does not have any recorded history of indigenous populations occupying the Island. As such, there are no indigenous heritage values that apply to the project area.

3.4 Hydrology

3.4.1 Describe the hydrology characteristics that apply to the project area and attach any hydrological investigations or surveys if applicable. *

Lord Howe Island includes three estuaries all bordering the lagoon and all intermittently closed to the sea. Soldiers Creek is the largest estuary with regular flushing via tidal inundation but may be closed to the sea during summer and other dry periods. Cobbys Creek and Old Settlement Creek, located north of Soldiers Creek, are both small and rarely open to the sea. Cobbys Creek is just south of the WMF. Aquatic biodiversity in Cobbys Creek and Old Settlement Creek are likely to be dominated by freshwater and brackish species due to the creeks' being generally closed to the ocean. These estuarine ecosystems support important but highly restricted mangrove and salt marsh habitats (Department of Regional NSW, 2022).

There are no Ramsar Wetlands on Lord Howe Island.

4. Impacts and mitigation

4.1 Impact details

Potential Matters of National Environmental Significance (MNES) relevant to your proposed action area.

EPBC Act section	Controlling provision	Impacted	Reviewed
S12	World Heritage	Yes	Yes
S15B	National Heritage	Yes	Yes
S16	Ramsar Wetland	No	Yes
S18	Threatened Species and Ecological Communities	Yes	Yes
S20	Migratory Species	Yes	Yes
S21	Nuclear	No	Yes
S23	Commonwealth Marine Area	No	Yes
S24B	Great Barrier Reef	No	Yes
S24D	Water resource in relation to large coal mining development or coal seam gas	No	Yes
S26	Commonwealth Land	No	Yes
S27B	Commonwealth Heritage Places Overseas	No	Yes
S28	Commonwealth or Commonwealth Agency	No	Yes

4.1.1 World Heritage

You have identified your proposed action will likely directly and/or indirectly impact the following protected matters.

A direct impact is a direct consequence of an action taken – for example, clearing of habitat for a threatened species or permanent shading on an ecological community as the result of installing solar panels.

An indirect impact is an 'indirect consequence' such as a downstream impact or a facilitated third-party action.

Direct impact	Indirect impact	World heritage
Yes	Yes	Lord Howe Island Group

4.1.1.1 Is the proposed action likely to have any direct and/or indirect impact on any of these protected matters? *

Yes

4.1.1.2 Briefly describe why your action has a direct and/or indirect impact on these protected matters. *

The proposed action will result in the following direct impacts:

- Potential removal of up to 0.18 ha of native vegetation on Lord Howe Island to construct a biosecurity facility, new cargo loading and unloading areas at the existing jetty and boat ramp area (refer Figure 2 of Att A).
- Potential removal of up to 0.92 ha of native vegetation on Lord Howe Island to expand the footprint of the WMF and remediate contamination (refer **Figure 3** of **Att A**).
- Impacts to seafloor associated with geotechnical investigations and piling to construct a fixed piled vessel ramp at the northern end of Lord Howe Island Lagoon (refer **Figure 2** of **Att A**).

The potential clearing of native vegetation and associated habitat for threatened species has the potential to directly impact fauna species utilising these habitats. Diurnal species and highly mobile species may relocate during the construction period, however, less mobile species such as small reptiles and the Lord Howe Placostylus (*Placostylus bivaricosus*) may remain within the habitat features. However, mitigation measures are proposed to avoid and reduce impacts such as pre-clearance surveys.

The beach habitat within the North Zone and South Zone offer potential roosting and foraging habitat for migratory shorebirds and a small area of potential habitat for these species will be removed by the Project.

Whilst native vegetation removal is assessed as part of the mapped Disturbance Areas (**Figures 2 and 3** of **Att A**), The Project is committed to avoiding and minimising impacts to native vegetation wherever possible as a key Project objective. To achieve this outcome, the Project will continue to refine the proposed Disturbance Areas throughout design development, such that further opportunities to avoid impacts are identified and implemented.

Where the Project is not able to minimise or avoid native vegetation removal to deliver the Project, it will instead seek to voluntarily revegetate those impacts. The revegetation will be considered primarily within the immediate Disturbance Area where appropriate, however, opportunities within the broader Project Area will be similarly considered.

Importantly, mapped Disturbance Areas which may require native vegetation removal in order to remediate contaminated land will be revegetated in accordance with the above commitment. Moreover, Project landscaping will include revegetation with native species.

4.1.1.4 Do you consider this likely direct and/or indirect impact to be a Significant Impact?

No

4.1.1.6 Describe why you do not consider this to be a Significant Impact. *

Lord Howe Island biodiversity is considered as part of its World Heritage values. The scale of the proposed works has been limited to the disturbance area shown in **Figure 2** and **Figure 3** of **Att A** and has sought to use areas of existing disturbed land which total 4.09 ha. Native vegetation removal has been limited to 1.1 ha and the associated potential impacts associated with threatened species that use this native vegetation as habitats were assessed to not constitute a significant impact. Refer to "Threatened Species" below for details.

The scale of native vegetation removal is not considered to constitute a significant impact to Lord Howe Island's World Heritage values when balanced with the proposed project elements aimed to enhance the island's infrastructure, waste management capabilities and biosecurity measures for the express purpose of maintaining its existing values as a World Heritage property.

Lord Howe Island local heritage values are considered as part of its World Heritage values. All elements of the *Cargo Shed Group, comprising former Cargo Shed, archaeological remains relating* (Lord Howe Island LEP 2010) will be retained as part of the Project with adaptive reuse of existing buildings where practicable; the extent of adaptive re-use will be assessed in the EIS and as the design evolves.

Mitigation measures will be established to minimise potential impacts to Lord Howe Island biodiversity and heritage values where native vegetation removal is required.

4.1.1.7 Do you think your proposed action is a controlled action? *

No

4.1.1.9 Please elaborate why you do not think your proposed action is a controlled action.

*

While construction activities have the potential to impact MNES, several factors minimise the spatial and temporal scale of potential impacts such that any residual impacts would be isolated, and short-term and not considered significant.

The spatial extent of the proposed action has been minimised as far as practicable, whereby impacts to native vegetation (and potential habitat for threatened species) will be no greater than 1.1 ha. The removal of this vegetation is not considered to be of a significant impact to any MNES upon implementation of mitigation measures.

Similarly, project activities within Lord Howe Island lagoon have also been reconciled to within a footprint that is not much greater than the footprint of the existing jetty structure. While construction activities (e.g., piling) for the fixed piled vessel ramp have the potential to impact MNES (e.g., whales, turtles), the location of works approximately 1 km from the lagoon boundary with the Tasman Sea where most aquatic MNES would be encountered means that impacts should be negligible or minor, particularly with appropriate mitigation measures implemented. Localised impacts relating to underwater noise and the liberation of sediments can be managed to avoid or minimise impacts, whereby residual impacts are considered minor and not significant.

Based on the above, no significant impacts to MNES are expected and therefore the activities do not meet the threshold for a controlled action.

4.1.1.10 Please describe any avoidance or mitigation measures proposed for this action and attach any supporting documentation for these avoidance and mitigation measures. *

The Project Area provides some flexibility for design refinements to avoid and minimise impacts to native vegetation and the marine environment, pending the outcome of field surveys and further investigations. Where impacts cannot be avoided, mitigation measures would be applied to reduce impacts on MNES. These include but are not limited to:

- Delineation of work areas;
- Erosion, sedimentation and pollution control;
- Biosecurity measures for flora and fauna, which are not endemic such as weeds, feral animals and pathogens;
- Timing of works;
- Pre-clearance surveys;
- · Clearance supervision; and
- Protocols for unexpected finds.

Additional measures for works related to the marine environment include:

- Implementation of measures to minimise underwater noise propagation (e.g., soft-start, marine fauna observers, adaptive management);
- Implementation of measures to minimise turbidity (e.g., silt curtains, equipment maintenance);
- Turbidity and water quality monitoring;
- Avoidance of seagrass beds and coral reefs; and
- Vessel traffic management to reduce marine fauna strike risk.

4.1.1.11 Please describe any proposed offsets and attach any supporting documentation relevant to these measures. *

Whilst native vegetation removal is assessed as part of the mapped Disturbance Areas (**Figures 2 and 3** of **Att A**), the Project is committed to avoiding and minimising impacts to native vegetation wherever possible as a key Project objective. To achieve this outcome, the Project will continue to refine the proposed Disturbance Areas throughout design development, such that further opportunities to avoid impacts are identified and implemented.

Where the Project is not able to minimise or avoid native vegetation removal to deliver the Project, it will instead seek to voluntarily revegetate those impacts. The revegetation will be considered primarily within the immediate Disturbance Area where appropriate, however, opportunities within the broader Project Area will be similarly considered.

Importantly, mapped Disturbance Areas which may require native vegetation removal in order to remediate contaminated land will be revegetated in accordance with the above commitment. Moreover, project landscaping will include revegetation with native species.

4.1.2 National Heritage

You have identified your proposed action will likely directly and/or indirectly impact the following protected matters.

A direct impact is a direct consequence of an action taken – for example, clearing of habitat for a threatened species or permanent shading on an ecological community as the result of installing solar panels.

An indirect impact is an 'indirect consequence' such as a downstream impact or a facilitated third-party action.

Direct impact	Indirect impact	National heritage
Yes	Yes	Lord Howe Island Group

4.1.2.1 Is the proposed action likely to have any direct and/or indirect impact on any of these protected matters? *

Yes

4.1.2.2 Briefly describe why your action has a direct and/or indirect impact on these protected matters. *

See 'World Heritage properties impacts' above.

4.1.2.4 Do you consider this likely direct and/or indirect impact to be a Significant Impact?

*

No

4.1.2.6 Describe why you do not consider this to be a Significant Impact. *

See 'World Heritage properties impacts' above.

4.1.2.7 Do you think your proposed action is a controlled action? *

No

4.1.2.9 Please elaborate why you do not think your proposed action is a controlled action.

*

See 'World Heritage properties impacts' above.

4.1.2.10 Please describe any avoidance or mitigation measures proposed for this action and attach any supporting documentation for these avoidance and mitigation measures. *

See 'World Heritage properties impacts' above.

4.1.2.11 Please describe any proposed offsets and attach any supporting documentation relevant to these measures. *

'See 'World Heritage properties impacts' above.'

4.1.3 Ramsar Wetland

You have identified your proposed action will likely directly and/or indirectly impact the following protected matters.

A direct impact is a direct consequence of an action taken – for example, clearing of habitat for a threatened species or permanent shading on an ecological community as the result of installing solar panels.

An indirect impact is an 'indirect consequence' such as a downstream impact or a facilitated third-party action.

Direct impact	Indirect impact	Ramsar wetland
No	No	Gippsland Lakes

4.1.3.1 Is the proposed action likely to have any direct and/or indirect impact on any of these protected matters? *

No

4.1.3.3 Briefly describe why your action is unlikely to have a direct and/or indirect impact.

*

There are no Ramsar wetlands on Lord Howe Island.

4.1.4 Threatened Species and Ecological Communities

You have identified your proposed action will likely directly and/or indirectly impact the following protected matters.

A direct impact is a direct consequence of an action taken – for example, clearing of habitat for a threatened species or permanent shading on an ecological community as the result of installing solar panels.

An indirect impact is an 'indirect consequence' such as a downstream impact or a facilitated third-party action.

Threatened species

Direct impact	Indirect impact	Species	Common name
No	No	Amphibromus fluitans	River Swamp Wallaby-grass, Floating Swamp Wallaby-grass
No	No	Antechinus minimus maritimus	Swamp Antechinus (mainland)
No	No	Anthochaera phrygia	Regent Honeyeater
No	No	Ardenna grisea	Sooty Shearwater
No	No	Arenaria interpres	Ruddy Turnstone
No	No	Balaenoptera borealis	Sei Whale
No	No	Balaenoptera musculus	Blue Whale
No	No	Balaenoptera physalus	Fin Whale
No	No	Botaurus poiciloptilus	Australasian Bittern
No	No	Caladenia tessellata	Thick-lipped Spider-orchid, Daddy Long-legs
No	No	Calidris acuminata	Sharp-tailed Sandpiper
No	No	Calidris canutus	Red Knot, Knot
No	No	Calidris ferruginea	Curlew Sandpiper
No	No	Callocephalon fimbriatum	Gang-gang Cockatoo
No	No	Calyptorhynchus lathami lathami	South-eastern Glossy Black-Cockatoo
No	No	Carcharodon carcharias	White Shark, Great White Shark
No	No	Caretta caretta	Loggerhead Turtle
No	No	Centrophorus harrissoni	Harrisson's Dogfish, Endeavour Dogfish, Dumb Gulper Shark, Harrison's Deepsea Dogfish
No	No	Centrophorus uyato	Little Gulper Shark
No	No	Charadrius leschenaultii	Greater Sand Plover, Large Sand Plover

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Direct impact	Indirect impact	Species	Common name
No	No	Chelonia mydas	Green Turtle
Yes	Yes	Christinus guentheri	Lord Howe Island Gecko, Lord Howe Island Southern Gecko
No	No	Climacteris picumnus victoriae	Brown Treecreeper (south-eastern)
No	No	Commersonia prostrata	Dwarf Kerrawang
No	No	Dasyurus maculatus maculatus (SE mainland population)	Spot-tailed Quoll, Spotted-tail Quoll, Tiger Quoll (southeastern mainland population)
No	No	Dermochelys coriacea	Leatherback Turtle, Leathery Turtle, Luth
No	No	Diomedea antipodensis	Antipodean Albatross
No	No	Diomedea antipodensis gibsoni	Gibson's Albatross
No	No	Diomedea epomophora	Southern Royal Albatross
No	No	Diomedea exulans	Wandering Albatross
No	No	Diomedea sanfordi	Northern Royal Albatross
No	No	Dodonaea procumbens	Trailing Hop-bush
No	No	Eubalaena australis	Southern Right Whale
No	No	Falco hypoleucos	Grey Falcon
No	No	Fregetta grallaria grallaria	White-bellied Storm-Petrel (Tasman Sea), White-bellied Storm-Petrel (Australasian)
No	No	Galaxiella pusilla	Eastern Dwarf Galaxias, Dwarf Galaxias
No	No	Galeorhinus galeus	School Shark, Eastern School Shark, Snapper Shark, Tope, Soupfin Shark
No	No	Gallinago hardwickii	Latham's Snipe, Japanese Snipe
No	No	Grantiella picta	Painted Honeyeater
No	No	Halobaena caerulea	Blue Petrel
No	No	Heleioporus australiacus flavopunctatus	Southern Owl Frog
No	No	Hirundapus caudacutus	White-throated Needletail
No	No	Hoplostethus atlanticus	Orange Roughy, Deep-sea Perch, Red Roughy
Yes	Yes	Hypotaenidia sylvestris	Lord Howe Woodhen

Direct impact	Indirect impact	Species	Common name
No	No	Lathamus discolor	Swift Parrot
No	No	Lepidium hyssopifolium	Basalt Pepper-cress, Peppercress, Rubble Pepper-cress, Pepperweed
Yes	Yes	Limosa lapponica baueri	Nunivak Bar-tailed Godwit, Western Alaskan Bar-tailed Godwit
No	No	Lissolepis coventryi	Swamp Skink, Eastern Mourning Skink
No	No	Litoria aurea	Green and Golden Bell Frog
No	No	Litoria raniformis	Southern Bell Frog,, Growling Grass Frog, Green and Golden Frog, Warty Swamp Frog, Golden Bell Frog
No	No	Macronectes giganteus	Southern Giant-Petrel, Southern Giant Petrel
No	No	Macronectes halli	Northern Giant Petrel
No	No	Melanodryas cucullata cucullata	South-eastern Hooded Robin, Hooded Robin (south-eastern)
No	No	Neophema chrysogaster	Orange-bellied Parrot
No	No	Neophema chrysostoma	Blue-winged Parrot
No	No	Numenius madagascariensis	Eastern Curlew, Far Eastern Curlew
Yes	Yes	Oligosoma lichenigerum	Lord Howe Island Skink
No	No	Pachyptila turtur subantarctica	Fairy Prion (southern)
No	No	Petaurus australis australis	Yellow-bellied Glider (south-eastern)
No	No	Phoebetria fusca	Sooty Albatross
Yes	Yes	Placostylus bivaricosus	Lord Howe Flax Snail, Lord Howe Placostylus
No	No	Prasophyllum frenchii	Maroon Leek-orchid, Slaty Leek-orchid, Stout Leek-orchid, French's Leek-orchid, Swamp Leek-orchid
No	No	Prototroctes maraena	Australian Grayling
No	No	Pseudomys novaehollandiae	New Holland Mouse, Pookila
No	No	Pterodroma leucoptera leucoptera	Gould's Petrel, Australian Gould's Petrel
No	No	Pteropus poliocephalus	Grey-headed Flying-fox

Direct impact	Indirect impact	Species	Common name
No	No	Pterostylis chlorogramma	Green-striped Greenhood
No	No	Pycnoptilus floccosus	Pilotbird
No	No	Rexea solandri (eastern Australian population)	Eastern Gemfish
No	No	Rhincodon typus	Whale Shark
No	No	Rostratula australis	Australian Painted Snipe
No	No	Senecio psilocarpus	Swamp Fireweed, Smooth-fruited Groundsel
No	No	Seriolella brama	Blue Warehou
No	No	Stagonopleura guttata	Diamond Firetail
No	No	Sternula albifrons	Little Tern
No	No	Sternula nereis nereis	Australian Fairy Tern
Yes	Yes	Strepera graculina crissalis	Lord Howe Island Currawong, Pied Currawong (Lord Howe Island)
No	No	Thalassarche bulleri	Buller's Albatross, Pacific Albatross
No	No	Thalassarche bulleri platei	Northern Buller's Albatross, Pacific Albatross
No	No	Thalassarche carteri	Indian Yellow-nosed Albatross
No	No	Thalassarche cauta	Shy Albatross
No	No	Thalassarche chrysostoma	Grey-headed Albatross
No	No	Thalassarche eremita	Chatham Albatross
No	No	Thalassarche impavida	Campbell Albatross, Campbell Black-browed Albatross
No	No	Thalassarche melanophris	Black-browed Albatross
No	No	Thalassarche salvini	Salvin's Albatross
No	No	Thalassarche steadi	White-capped Albatross
No	No	Thelymitra epipactoides	Metallic Sun-orchid
No	No	Thesium australe	Austral Toadflax, Toadflax
No	No	Thinornis cucullatus cucullatus	Eastern Hooded Plover, Eastern Hooded Plover

Direct impact	Indirect impact	Species	Common name
No	No	Tringa nebularia	Common Greenshank, Greenshank
No	No	Uperoleia martini	Martin's Toadlet
No	No	Xerochrysum palustre	Swamp Everlasting, Swamp Paper Daisy

Ecological communities

Direct impact	Indirect impact	Ecological community
Yes		Natural Damp Grassland of the Victorian Coastal Plains
Yes		Subtropical and Temperate Coastal Saltmarsh

4.1.4.1 Is the proposed action likely to have any direct and/or indirect impact on any of these protected matters? *

Yes

4.1.4.2 Briefly describe why your action has a direct and/or indirect impact on these protected matters. *

Appendix A of the *MNES Assessment* (Cumberland Ecology, 2025) (**Att D**) carried out assessments of significance on MNES potentially impacted by the Project.

No flora species or threatened ecological communities that are MNES were identified in the Project Area.

Several fauna species that are MNES have been recorded from the locality and have been identified as having potential habitat in the Project Area. These species include the Lord Howe Woodhen, Lord Howe Placostylus and Pied Currawong (Lord Howe Is. subsp.). The Project involves the removal of a small area of suitable habitat which includes terrestrial habitat features (such as ground and shrub layer vegetation, leaf litter, coarse woody debris and burrows) and blossom producing trees and shrubs.

The potential indirect impacts to MNES include:

- · Inadvertent impacts on adjacent habitat or vegetation;
- Reduced viability of adjacent habitat due to edge effects;
- Reduced viability of adjacent habitat due to noise, dust or light spill;
- Transport of weeds and pathogens from the disturbance area to adjacent vegetation;
- · Increased faunal pressure on remaining habitats; and
- Increased erosion and sedimentation in areas of retained native vegetation and marine environments.

4.1.4.4 Do you consider this likely direct and/or indirect impact to be a Significant Impact?

*

4.1.4.6 Describe why you do not consider this to be a Significant Impact. *

The Lord Howe Woodhen (*Hypotaenidia sylvestris*) population has significantly increased in recent years and can be seen throughout the Project Area, wider study area and most areas around the island. The proposed action will result in the removal of a small area of suitable habitat for the species; however, given the current abundance and distribution of the species, and area of available habitat within the Project Area and the wider locality, the habitat removed for the Project is not considered to be significant for the survival of the Lord Howe Woodhen.

The Lord Howe Island Placostylus (*Placostylus bivaricosus*) has been recorded within Project Area and is known to occur. Due to limited area of occupancy, extent of occurrence and habitat decline, all sites where the Lord Howe Island Placostylus has been detected are potentially important for species survival. The proposed action will not remove any habitat within the known area of occurrence and given the large areas of suitable habitat to be retained, the proposed action is unlikely to interfere with the recovery of the species.

The Pied Currawong (Lord Howe Is. subsp.) (*Strepera graculia crissalis*) has been recorded within the South Zone and wider study area. The species is highly mobile and while there is suitable habitat for the species within the disturbance area, there is a significant amount of suitable habitat remaining within the Project Area and wider locality that will be retained. Given that the species is highly mobile and there is an abundance of suitable habitat available beyond the disturbance area and Project Area, the Project is not considered to be significant for the survival of the Pied Currawong (Lord Howe Is. subsp.) (*Strepera graculia crissalis*).

The Lord Howe Island Skink (*Oligosoma lichenigera*) and Lord Howe Island Southern Gecko (*Christinus guentheri*) have been recorded within the North Zone. However, these two (2) species were recorded in association with the Banyan – Kentia Palm forest largely outside of the disturbance area and are not considered to be significantly impacted by the Project. The occurrence of these species was found within nearby areas of the study area with better quality habitat. The Project will remove a small area of potential habitat for these two species; however, large areas of more suitable habitat will be retained within the study area.

The Nunivak Bar-tailed Godwit (*Limosa lapponica baueri*) has been recorded within the South Zone and along the beach adjacent to this area. This species does not breed in Australia and therefore no impact to this species' breeding is expected. At species level, the Bar-tailed Godwit (*Limosa lapponica*) is listed as a Migratory species. Within the North Zone, the sections of beach within the disturbance area are completely inundated at high tide, while the beaches within the South Zone only have a very limited section of sand exposed during high tides. As such, potential roosting habitat is considered to be temporary based on the tides. The disturbance area within the South Zone does provide potential foraging habitat for the species, however this is limited to the sections of beach within the disturbance area exposed during low tides.

Other threatened fauna potentially occurring within the Project Area include eight (8) threatened birds;

- Curlew Sandpiper (*Calidris ferruginea*) Critically Endangered (and Migratory)
- Eastern Curlew (Numenius madagascariensis) Critically Endangered (and Migratory)
- Common Greenshank (Tringa nebularia) Endangered (and Migratory)
- Ruddy Turnstone (Arenaria interpres) Vulnerable (and Migratory)
- Sharp-tailed Sandpiper (Calidris acuminata) Vulnerable (and Migratory)
- Red Knot (Calidris canutus) Vulnerable (and Migratory)
- White-bellied Storm-Petrel (Fregetta grallaria) Vulnerable
- Latham's Snipe (Gallinago hardwickii) Vulnerable (and Migratory)

None of the potentially occurring threatened birds have been recorded within the disturbance areas during targeted field surveys. Assessments of significance concluded that the Project will not significantly impact these species.

4.1.4.7 Do you think your proposed action is a controlled action? *

No

4.1.4.9 Please elaborate why you do not think your proposed action is a controlled action.

*

The proposed action will remove a small area 1.1 ha of potential habitat for threatened terrestrial fauna species. However, large areas of suitable habitat will be retained within the Project Area and the wider locality. The habitat removed by the Project is not considered to be important to the survival of these species nor will it decrease the availability of habitat to the extent that the species are likely to decline.

4.1.4.10 Please describe any avoidance or mitigation measures proposed for this action and attach any supporting documentation for these avoidance and mitigation measures. *

The following mitigation measures are proposed during the clearing process to minimise impacts on resident fauna, including birds, small reptiles and the Lord Howe Placostylus (*Placostylus bivaricosus*):

- Delineation of clearing areas;
- Erosion, sedimentation and pollution control;
- Biosecurity measures for flora and fauna, which are not endemic such as weeds, feral animals and pathogens;
- Timing of clearing;
- Pre-clearance surveys; and
- Clearance supervision.

4.1.4.11 Please describe any proposed offsets and attach any supporting documentation

relevant to these measures. *

It is not applicable to the project.

4.1.5 Migratory Species

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You have identified your proposed action will likely directly and/or indirectly impact the following protected matters.

A direct impact is a direct consequence of an action taken – for example, clearing of habitat for a threatened species or permanent shading on an ecological community as the result of installing solar panels.

An indirect impact is an 'indirect consequence' such as a downstream impact or a facilitated third-party action.

Direct impact	Indirect impact	Species	Common name
No	No	Actitis hypoleucos	Common Sandpiper
No	Yes	Anous stolidus	Common Noddy
No	No	Apus pacificus	Fork-tailed Swift
No	No	Ardenna carneipes	Flesh-footed Shearwater, Fleshy-footed Shearwater
No	No	Ardenna grisea	Sooty Shearwater
Yes	Yes	Ardenna pacifica	Wedge-tailed Shearwater
No	Yes	Arenaria interpres	Ruddy Turnstone
No	No	Balaenoptera bonaerensis	Antarctic Minke Whale, Dark-shoulder Minke Whale
No	No	Balaenoptera borealis	Sei Whale
No	No	Balaenoptera edeni	Bryde's Whale
No	No	Balaenoptera musculus	Blue Whale
No	No	Balaenoptera physalus	Fin Whale
No	No	Calidris acuminata	Sharp-tailed Sandpiper
No	No	Calidris canutus	Red Knot, Knot
No	No	Calidris ferruginea	Curlew Sandpiper
No	No	Calidris melanotos	Pectoral Sandpiper
No	No	Calidris ruficollis	Red-necked Stint
No	No	Caperea marginata	Pygmy Right Whale
No	No	Carcharhinus longimanus	Oceanic Whitetip Shark
No	No	Carcharias taurus	Grey Nurse Shark
No	No	Carcharodon carcharias	White Shark, Great White Shark
No	No	Caretta caretta	Loggerhead Turtle

https://epbcbusinessportal.environment.gov.au/dashboard/print-application/?id=31a185ab-f42a-f011-9d47-6045bde6a438abboard/print-application/?id=31a185ab-f42a-f011-9d47-6045bde6a438abboard/print-application/?id=31a185ab-f42a-f011-9d47-6045bde6a438abboard/print-application/?id=31a185ab-f42a-f011-9d47-6045bde6a438abboard/print-application/?id=31a185ab-f42a-f011-9d47-6045bde6a438abboard/print-application/?id=31a185ab-f42a-f011-9d47-6045bde6a438abboard/print-application/?id=31a185ab-f42a-f011-9d47-6045bde6a438abboard/print-application/?id=31a185ab-f42a-f011-9d47-6045bde6a438abboard/print-application/?id=31a185ab-f42a-f011-9d47-6045bde6a438abboard/print-application/?id=31a185ab-f42a-f011-9d47-6045bde6a438abboard/print-application/?id=31a185ab-f42a-f011-9d47-6045bde6a438abboard/print-application/?id=31a185ab-f42a-f011-9d47-6045bde6a438abboard/print-application/?id=31a185ab-f42a-f011-9d47-6045bde6a438abboard/print-application/?id=31a185ab-f42a-f011-9d47-6045bde6a438abboard/print-application/?id=31a185ab-f42a-f011-9d47-6045bde6a438abboard/print-application/?id=31a185ab-f42a-f011-9d47-6045bde6a438abboard/print-application/?id=31a185ab-f42a-f011-9d47-6045bde6a438abboard/print-application/?id=31a185ab-f42a-f011-9d47-6045bde6a438abboard/print-application/?id=31a185ab-f42a-f011-9d47-6045bde6a438abboard/print-application/?id=31a185ab-f42a-f011-9d47-6045bde6a438abboard/print-application/?id=31a185ab-f42a-f011-9d47-6045bde6a438abboard/print-application/?id=31a185ab-f42a-f011-9d47-6045bde6a438abboard/print-application/?id=31a185ab-f42a-f011-9d47-6045bde6a438abboard/print-application/?id=31a18abboard/print-application/?id=31a18abboard/print-application/?id=31a185abboard/print-application/?id=31a185abboard/print-application/?id=31a185abboard/print-application/?id=31a185abboard/print-application/?id=31a185abboard/print-application/?id=31a185abboard/print-application/?id=31a185abboard/print-application/?id=31a185abboard/print-application/?id=31a185abboard/print-application/?id=31abboard/print-application/?id=31abboard/print-applic

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Direct impact	Indirect impact	Species	Common name
No	No	Charadrius leschenaultii	Greater Sand Plover, Large Sand Plover
No	No	Chelonia mydas	Green Turtle
No	No	Dermochelys coriacea	Leatherback Turtle, Leathery Turtle, Luth
No	No	Diomedea antipodensis	Antipodean Albatross
No	No	Diomedea epomophora	Southern Royal Albatross
No	No	Diomedea exulans	Wandering Albatross
No	No	Diomedea sanfordi	Northern Royal Albatross
No	No	Eubalaena australis	Southern Right Whale
No	No	Gallinago hardwickii	Latham's Snipe, Japanese Snipe
No	No	Hirundapus caudacutus	White-throated Needletail
No	No	Isurus oxyrinchus	Shortfin Mako, Mako Shark
No	No	Lagenorhynchus obscurus	Dusky Dolphin
No	No	Lamna nasus	Porbeagle, Mackerel Shark
No	Yes	Limosa lapponica	Bar-tailed Godwit
No	No	Macronectes giganteus	Southern Giant-Petrel, Southern Giant Petrel
No	No	Macronectes halli	Northern Giant Petrel
No	No	Megaptera novaeangliae	Humpback Whale
No	No	Numenius madagascariensis	Eastern Curlew, Far Eastern Curlew
No	Yes	Numenius phaeopus	Whimbrel
No	No	Orcinus orca	Killer Whale, Orca
No	No	Phoebetria fusca	Sooty Albatross
No	No	Physeter macrocephalus	Sperm Whale
No	Yes	Pluvialis fulva	Pacific Golden Plover
No	No	Rhincodon typus	Whale Shark
No	No	Sternula albifrons	Little Tern
No	Yes	Sula dactylatra	Masked Booby

Direct impact	Indirect impact	Species	Common name
No	No	Thalassarche bulleri	Buller's Albatross, Pacific Albatross
No	No	Thalassarche carteri	Indian Yellow-nosed Albatross
No	No	Thalassarche cauta	Shy Albatross
No	No	Thalassarche chrysostoma	Grey-headed Albatross
No	No	Thalassarche eremita	Chatham Albatross
No	No	Thalassarche impavida	Campbell Albatross, Campbell Black-browed Albatross
No	No	Thalassarche melanophris	Black-browed Albatross
No	No	Thalassarche salvini	Salvin's Albatross
No	No	Thalassarche steadi	White-capped Albatross
No	No	Tringa nebularia	Common Greenshank, Greenshank

4.1.5.1 Is the proposed action likely to have any direct and/or indirect impact on any of these protected matters? *

Yes

4.1.5.2 Briefly describe why your action has a direct and/or indirect impact on these protected matters. *

Twenty-five (25) migratory species listed under the EPBC Act are considered to have the potential to occur within the Project Area due to the availability of suitable foraging, roosting or breeding habitat. Seven (7) migratory species are known the occur within the Project Area:

- Bar-tailed Godwit (Limosa lapponica) also Endangered at subspecies level
- Pacific Golden Plover (Pluvialis fulva)
- Common Noddy (Anous stolidus)
- Wedge-tailed Shearwater (Ardenna pacifica)
- Ruddy Turnstone (Arenaria interpres)
- Whimbrel (Numenius phaeopus)
- Masked Booby (Sula dactylatra)

With the exception of the Wedge-tailed Shearwater, these species have been observed roosting within the Project Area adjacent to the disturbance areas i.e. not subject to disturbance. No key breeding habitat is present within the disturbance area for most of the species.

The Wedge-tailed Shearwater is known to breed within the Project Area. Breeding habitat is present within sections of native and exotic vegetation along the banks of the lagoon on either side of the existing jetty. A stretch of approximately 260 m along the banks of the North Zone is used by the species for breeding, of which up to approximately 60 m may be removed by the Project, immediately adjacent to the existing jetty.

The Project Area is considered to support an ecologically significant population of the Wedge-tailed Shearwater on Lord Howe Island. Areas of suitable breeding habitat for Wedge-tailed Shearwater have largely been avoided through the design of the Project, and where disturbance is proposed, it is a small area and is not considered likely to seriously disrupt the lifecycle of the Wedge-tailed Shearwater.

Potential sources of direct impacts to migratory species associated with activities in the referral area include:

- Reduction of habitat through the removal of native vegetation and/or the clearing and levelling of sites, excavations and general construction activities.
- Potential sources of indirect impacts to listed migratory species include:
- Accidental spills, erosion and sedimentation, and dust pollution due to construction activities causing a decline in water quality, resulting in the long-term decline or loss over time of habitat and consequently, species numbers.
- Vehicular and vessel movements during construction and operations introduces and/or spreads weeds, pest species or pathogens, resulting in long-term decline or loss over time of habitat and consequently, species numbers.

4.1.5.4 Do you consider this likely direct and/or indirect impact to be a Significant Impact?

No

4.1.5.6 Describe why you do not consider this to be a Significant Impact. *

The Project Area provides a small area of potential roosting and foraging habitat for migratory fauna species; however, this area is subject to inundation at high tides. No key breeding habitat is present within the disturbance areas for most species except for the Wedge-tailed Shearwater.

Areas of suitable breeding habitat for Wedge-tailed Shearwater have largely been avoided through the design of the Project. The areas of breeding habitat within the Project Area are to be retained and are not considered to be at carrying capacity for this species; therefore, adequate habitat is available for birds that may be displaced by the Project. Although the Project will disturb a small portion of the local population, it is not considered likely to seriously disrupt the lifecycle of the Wedge-tailed Shearwater.

Mitigation measures will be implemented to minimise potential harm to any migratory species identified during construction.

4.1.5.7 Do you think your proposed action is a controlled action? *

No

4.1.5.9 Please elaborate why you do not think your proposed action is a controlled action.

*

The disturbance area is considered to support an ecologically significant portion of the population of the Wedge-tailed Shearwater on Lord Howe Island. A small area of known breeding habitat is proposed to be removed as part of the proposed action. Potential impacts can be adequately managed through the proposed mitigation measures.

4.1.5.10 Please describe any avoidance or mitigation measures proposed for this action and attach any supporting documentation for these avoidance and mitigation measures. *

Works will be undertaken outside of the key breeding period when the species is absent (or in very low numbers) to prevent inadvertent impacts on the species. Where possible during the construction phase, further avoidance within the disturbance area will be undertaken so that the habitat to be removed is the minimum required to facilitate the Project.

4.1.5.11 Please describe any proposed offsets and attach any supporting documentation relevant to these measures. *

It is not applicable.

4.1.6 Nuclear

4.1.6.1 Is the proposed action likely to have any direct and/or indirect impact on this protected matter? *

No

4.1.6.3 Briefly describe why your action is unlikely to have a direct and/or indirect impact.

*

There are no Nuclear Actions proposed as part of this proposed action.

4.1.7 Commonwealth Marine Area

You have identified your proposed action will likely directly and/or indirectly impact the following protected matters.

A direct impact is a direct consequence of an action taken – for example, clearing of habitat for a threatened species or permanent shading on an ecological community as the result of installing solar panels.

An indirect impact is an 'indirect consequence' such as a downstream impact or a facilitated third-party action.

4.1.7.1 Is the proposed action likely to have any direct and/or indirect impact on any of these protected matters? *

No

4.1.7.3 Briefly describe why your action is unlikely to have a direct and/or indirect impact.

*

The proposed action is not located in proximity to any Commonwealth Marine Areas.

4.1.8 Great Barrier Reef

4.1.8.1 Is the proposed action likely to have any direct and/or indirect impact on this protected matter? *

No

*

4.1.8.3 Briefly describe why your action is unlikely to have a direct and/or indirect impact.

The proposed action is not located in proximity to the Great Barrier Reef.

4.1.9 Water resource in relation to large coal mining development or coal seam gas

4.1.9.1 Is the proposed action likely to have any direct and/or indirect impact on this protected matter? *

No

4.1.9.3 Briefly describe why your action is unlikely to have a direct and/or indirect impact.

*

The proposed action does not involve coal mining development or coal seam gas.

4.1.10 Commonwealth Land

You have identified your proposed action will likely directly and/or indirectly impact the following protected matters.

A direct impact is a direct consequence of an action taken – for example, clearing of habitat for a threatened species or permanent shading on an ecological community as the result of installing solar panels.

An indirect impact is an 'indirect consequence' such as a downstream impact or a facilitated third-party action.

4.1.10.1 Is the proposed action likely to have any direct and/or indirect impact on any of these protected matters? *

No

4.1.10.3 Briefly describe why your action is unlikely to have a direct and/or indirect impact.

*

The Project does not include Commonwealth Land.

4.1.11 Commonwealth Heritage Places Overseas

You have identified your proposed action will likely directly and/or indirectly impact the following protected matters.

A direct impact is a direct consequence of an action taken – for example, clearing of habitat for a threatened species or permanent shading on an ecological community as the result of installing solar panels.

An indirect impact is an 'indirect consequence' such as a downstream impact or a facilitated third-party action.

4.1.11.1 Is the proposed action likely to have any direct and/or indirect impact on any of these protected matters? *

No

4.1.11.3 Briefly describe why your action is unlikely to have a direct and/or indirect impact.

*

There are no recognised overseas Commonwealth Heritage places within the referral area or that will be affected by the proposed action.

4.1.12 Commonwealth or Commonwealth Agency

4.1.12.1 Is the proposed action to be taken by the Commonwealth or a Commonwealth Agency? *

No

4.2 Impact summary

Conclusion on the likelihood of significant impacts

You have indicated that the proposed action will likely have a significant impact on the following Matters of National Environmental Significance:

None

Conclusion on the likelihood of unlikely significant impacts

You have indicated that the proposed action will unlikely have a significant impact on the following Matters of National Environmental Significance:

- World Heritage (S12)
- National Heritage (S15B)
- Ramsar Wetland (S16)
- Threatened Species and Ecological Communities (S18)
- Migratory Species (S20)
- Nuclear (S21)
- Commonwealth Marine Area (S23)
- Great Barrier Reef (S24B)
- Water resource in relation to large coal mining development or coal seam gas (S24D)
- Commonwealth Land (S26)
- Commonwealth Heritage Places Overseas (S27B)
- Commonwealth or Commonwealth Agency (S28)

4.3 Alternatives

4.3.1 Do you have any possible alternatives for your proposed action to be considered as part of your referral? *

No

4.3.8 Describe why alternatives for your proposed action were not possible. *

If the Project does not proceed, Lord Howe Island would not be able to receive the goods and services that the Island residents and tourists require as the current marine freight vessel will cease operating in 2027. If the Project does not proceed the WMF would be unable to meet and operate to industry standards, increasing the risk of environmental and/or human health impacts. The biosecurity infrastructure would not be constructed and biosecurity risk to the Island and its biodiversity would not be minimised.

The do-nothing option is not viable. The Island relies on a marine freight service, and effective waste and biosecurity management.

- The Lord Howe Island CIP was informed by a business case prepared for each of the core components, including:
- Lord Howe Island Biosecurity Strategic Business Case (DPE, 2022);
- Lord Howe Island Board: Marine Infrastructure Detailed Business Case (DPE, 2023a); and

Lord Howe Island Board: Waste Management Facility Detailed Business Case (DPE, 2023b).

A masterplan was developed in consultation with the local community and government stakeholders. The masterplan presented two options for the location of the marine infrastructure being:

1. An upgraded or replacement jetty and associated staging areas at the existing jetty along Lagoon Road and Ocean View Drive (North Investigation Area); or

2. A new jetty and associated staging areas adjacent to the existing WMF along the Prince Henry William Bay foreshore (South Investigation Area).

Following assessment of each location and consultation with the key stakeholders and Lord Howe Island community, the North Investigation Area was confirmed as the preferred location for the marine infrastructure due to lower environmental impacts, lower expected development costs, and ability to leverage and utilise existing logistics connections and transport routes.

5. Lodgement

5.1 Attachments

1.2.1 Overview of the proposed action

	Туре	Name	Date	Sensitivity	Confidence
#1.	Document	A. F-2 Project Layout (North Zone).pdf Project Layout North Zone Map	28/04/2025	No	High
#2.	Document	A. F-3 Project Layout (South Zone).pdf Project Layout South Zone Map	05/05/2025	No	High

1.2.7 Public consultation regarding the project area

	Туре	Name	Date	Sensitivity	Confidence
#1.	Document	E. LHI CIP_Community Consultation Phase A Summary Report.pdf LORD HOWE ISLAND CRITICAL INFRASTRUCTURE PROGRAM Community Engagement Phase A	01/06/2024		High
#2.	Document	F. LHI CIP_Community Consultation Phase B Key Highlights Report.pdf Phase B Community and Stakeholder Engagement	01/12/2024	No	High

3.1.1 Current condition of the project area's environment

	Туре	Name	Date	Sensitivity	Confidence
#1.	Link	Biogeographical and ecological	28/09/2009		High
		context for managing threats to			
		coral and rocky reef communities			
		in t			
		https://reeflifesurvey.com/wp-			
		content/uploads/20			
#2.	Link	Lord Howe Island Coastline			High
		Hazard Definition and Coastal			
		Management Study			
		https://www.lhib.nsw.gov.au/sites/defa	ult/files/		
#3.	Link	Nsw Ocean and River Entrance			High
		Tidal Levels Annual Summary			
		2018-2019			
		https://s3-ap-southeast-			
		2.amazonaws.com/www-data			
#4.	Link	Reef growth and lagoonal	01/01/1999		High
		sedimentation at high latitudes,			

Lord Howe Island, Australia							
https://r	https://ro.uow.edu.au/articles/thesis/Reef_growt						
#5.	Link	Successive marine heatwaves cause disproportionate coral bleaching during a fast phase transition fr https://www.sciencedirect.com/scie	01/05/2020 ence/article/ab	High			

3.2.1 Flora and fauna within the affected area

	Туре	Name	Date	Sensitivity	Confidence
#1.	Document	B. Northern Zone Baseline Terrestrial Biodiversity.pdf Northern Zone Baseline Terrestrial Biodiversity Assessment	20/11/2024	No	High
#2.	Document	C. Southern Zone Baseline Terrestrial Biodiversity.pdf Southern Zone Baseline Terrestrial Biodiversity Assessment	20/11/2024	No	High
#3.	Document	D. MNES Assessment.pdf MNES Assessment Report to Support Lord Howe Island Critical Infrastructure Project Critical State Significant Infrastructure Application	02/05/2025	No	High

3.2.2 Vegetation within the project area

	Туре	Name	Date	Sensitivity	Confidence
#1.	Document	B. Northern Zone Baseline Terrestrial Biodiversity.pdf Northern Zone Baseline Terrestrial Biodiversity Assessment	19/11/2024	No	High
#2.	Document	C. Southern Zone Baseline Terrestrial Biodiversity.pdf Southern Zone Baseline Terrestrial Biodiversity Assessment	19/11/2024	No	High
#3.	Document	D. MNES Assessment.pdf MNES Assessment Report to Support Lord Howe Island Critical Infrastructure Project Critical State Significant Infrastructure Application	01/05/2025	No	High

3.3.1 Commonwealth heritage places overseas or other places that apply to the project area

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#1.	Document	A. F-1 Project Locality.pdf A Map of the Project Locality	27/04/2025 No	High
#2.	Document	A. F-4 State and Local Heritage.pdf State and Local Heritage Map	16/04/2025 No	High
#3.	Document	A. F-5 Heritage curtilage.pdf Underwater Cultural Heritage Map	16/04/2025 No	High
#4.	Link	Lord Howe Island Group https://whc.unesco.org/en/list/186/		High
#5.	Link	Lord Howe Island maritime archaeological survey https://webarchive.nla.gov.au/awa/20	040915210103	High

3.4.1 Hydrology characteristics that apply to the project area

	Туре	Name	Date	Sensitivity Confidence
#1.	Link	Environmental values of the Lord		High
		Howe Island Marine Park		
		https://www.marine.nsw.gov.au/d	ata/assets/po	df

4.1.1.2 (World Heritage) Why your action has a direct and/or indirect impact on the identified protected matters

	Туре	Name	Date	Sensitivity	Confidence
#1.	Document	A. F-2 Project Layout (North Zone).pdf Project Layout North Zone Map	27/04/2025	No	High
#2.	Document	A. F-3 Project Layout (South Zone).pdf Project Layout South Zone Map	04/05/2025	No	High

4.1.1.6 (World Heritage) Why you do not consider the direct and/or indirect impact to be a Significant Impact

	Туре	Name	Date	Sensitivity	Confidence
#1.	Document	A. F-2 Project Layout (North Zone).pdf Project Layout North Zone Map	27/04/2025	No	High
#2.	Document	A. F-3 Project Layout (South Zone).pdf Project Layout South Zone Map	04/05/2025	No	High

4.1.1.11 (World Heritage) Proposed offsets relevant to avoidance or mitigation measures

	Туре	Name	Date	Sensitivity	Confidence
#1.	Document	A. F-2 Project Layout (North Zone).pdf Project Layout North Zone Map	27/04/2025	No	High
#2.	Document	A. F-3 Project Layout (South Zone).pdf Project Layout South Zone Map	04/05/2025	No	High

https://epbcbusinessportal.environment.gov.au/dashboard/print-application/?id=31a185ab-f42a-f011-9d47-6045bde6a438

4.1.4.2 (Threatened Species and Ecological Communities) Why your action has a direct and/or indirect impact on the identified protected matters

	Туре	Name	Date	Sensitivity	Confidence
#1	Document	D. MNES Assessment.pdf MNES Assessment Report to Support Lord Howe Island Critical Infrastructure Project Critical State Significant Infrastructure Application	01/05/2025	No	High

5.2 Declarations

Completed Referring party's declaration

The Referring party is the person preparing the information in this referral.

ABN/ACN	12002773248
Organisation name	ENVIRONMENTAL RESOURCES MANAGEMENT AUSTRALIA PTY LIMITED
Organisation address	Level 14, 207 Kent Street, Sydney NSW 2000
Representative's name	Gabriella Drakopoulos
Representative's job title	Consultant
Phone	0468310444
Email	gabriella.drakopoulos@erm.com
Address	Level 14, 207 Kent Street, Sydney NSW 2000

Check this box to indicate you have read the referral form. *

I would like to receive notifications and track the referral progress through the EPBC portal. *

By checking this box, I, **Gabriella Drakopoulos of ENVIRONMENTAL RESOURCES MANAGEMENT AUSTRALIA PTY LIMITED**, declare that to the best of my knowledge the information I have given on, or attached to this EPBC Act Referral is complete, current and correct. I understand that giving false or misleading information is a serious offence. *

I would like to receive notifications and track the referral progress through the EPBC portal. *

Completed Person proposing to take the action's declaration

The Person proposing to take the action is the individual, business, government agency or trustee that will be responsible for the proposed action.

ABN/ACN	27578976844
Organisation name	DEPARTMENT OF CLIMATE CHANGE, ENERGY, THE ENVIRONMENT AND WATER
Organisation address	4PSQ, Locked Bag 5022, Parramatta NSW 2124

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Oriana Senese
Principal Project Manager
0417 285 536
oriana.senese@environment.nsw.gov.au
4PSQ, Locked Bag 5022, Parramatta NSW 2124

Check this box to indicate you have read the referral form. *

I would like to receive notifications and track the referral progress through the EPBC portal. *

I, Oriana Senese of DEPARTMENT OF CLIMATE CHANGE, ENERGY, THE

ENVIRONMENT AND WATER, declare that to the best of my knowledge the information I have given on, or attached to the EPBC Act Referral is complete, current and correct. I understand that giving false or misleading information is a serious offence. I declare that I am not taking the action on behalf or for the benefit of any other person or entity. *

I would like to receive notifications and track the referral progress through the EPBC portal. *

Completed Proposed designated proponent's declaration

The Proposed designated proponent is the individual or organisation proposed to be responsible for meeting the requirements of the EPBC Act during the assessment process, if the Minister decides that this project is a controlled action.

Same as Person proposing to take the action information.

Check this box to indicate you have read the referral form. *

I would like to receive notifications and track the referral progress through the EPBC portal. *

I, Oriana Senese of DEPARTMENT OF CLIMATE CHANGE, ENERGY, THE

ENVIRONMENT AND WATER, the Proposed designated proponent, consent to the designation of myself as the Proposed designated proponent for the purposes of the action described in this EPBC Act Referral. *

I would like to receive notifications and track the referral progress through the EPBC

portal. *