

POINT OF CONTENTION

THE MALLACOOTA MARATHON



Photo: Gary Proctor

BY BRON BURTON

A long time ago, in a coastal town far, far away...

It is a period of coastal war. The Save Bastion Point campaigners, striking from a Baimsdale RSL club, have won their first victory against the East Gippsland Shire Council. During the battle, the campaigners managed to obtain the secret papers for the council's ultimate plan of destruction, the 'Option 3B'; a 130m breakwall, car park and road with enough concrete to destroy an entire coastline.

Pursued by the council's administration, the Save Bastion Pointers race home aboard their Hilux twin cab, custodians of the documents that can save their coastline and restore environmental values to Mollacoota, the State of Victoria, and the Australian Empire...

While this sounds far-fetched (and with apologies to George Lucas), it's also not far off the adage of life imitating art imitating life. For the last 16 years of *Radio Marinara's* existence, we've covered what's now a 22-year marathon crusade to save Bastion Point, because it is a story that deserves to be told – even more so because at the time of writing, it doesn't have an ending.

Bastion Point, Mollacoota is the subject of one of the longest community-driven environmental campaigns in the history of the State of Victoria. Mollacoota itself is a small coastal town at the far east of the state. There is a remoteness and natural beauty about it that sets it apart from other Victorian coastal towns that don't require the same degree of effort to get to. It's a good six-hour drive from Melbourne and accommodation options are limited – a few three-star motels, the pub, and camping and caravan parks. I would argue that if you were to pick the top-three places in Victoria to go and soak up some unspoilt pristine nature

(without requiring a Scout badge and a compass), Mollacoota stands proudly with Gariwerd (aka the Grampians) and Wilsons Prom. Mollacoota has a huge two-lake estuary inlet at the back and a big oceanic beach at the front. When you stand on the Mollacoota foreshore and look out you see wilderness and the ocean; and in the distance, Gabo Island. The shoreline curves as a big sweeping arc and at the far western end of the beach is Bastion Point.

The significance of Mollacoota, including Bastion Point, is its environmental and indigenous heritage and credentials. Traditional home to the Bidawal people, the township sits within the Croajingolong National Park and is flanked by the Cape Howe and Point Hicks marine national parks. The Mollacoota foreshore has recently been listed and classified by the National Trust of Australia, a listing that carries national recognition of the foreshore as an essential part of Australia's heritage that must be preserved. The ecological importance is also recognised internationally as a UNESCO-listed World Biosphere Reserve. Mollacoota and its surrounds frequently top score as 'pristine' in condition assessments, and are on the world stage when it comes to environmental worth. In its own vision statement for Mollacoota, the East Gippsland Shire Council said in 2005: 'The Mollacoota foreshore will reflect the characteristics of Mollacoota that are valued by its residents and visitors; its natural beauty, its landscape diversity, its low-key development and its relationship to the ocean, inlet, urban area and surrounding national parks'. 'Low-key development' is the key phrase in the previous statement, because this is where it gets confusing.

Despite the declaration of commitment to low-key development, over the past 22 years Mollacoota's local council (formerly Shire of Orbest, now East Gippsland Shire Council) has fought tooth-and-nail for the opposite at Bastion Point. In 1990, a proposal



Photo: Steve Wadsworth

was made by the Shire of Orbest to construct an 'Ocean Access Boat Ramp' to increase the ocean access at Mollacoota by upgrading the boat ramp at Bastion Point. No-one has ever disputed the need for an upgrade – the current ramp was built in the 1960s and is little more than a small concrete ramp leading off the beach and into the water. From there, the various generations of council, to misquote Dr Seuss, have 'biggered and biggered' the proposal to the level of the current one on the table for consideration by the state government – a 130m long, 2.8m high breakwall at Bastion Point, accompanied by causeway road on the beach leading to a big new multi-lane boat ramp, a car park, and the destruction of the Bastion Point reef and its beach. If it goes ahead, sites of local Indigenous cultural significance will be badly affected – in the immediate area of concern, five documented Aboriginal archaeological sites have been found, with another seven sites identified within one kilometre. The areas are likely sites of pre-1840 gatherings, several of which have evidence of occupation for thousands of years. The current surf break, recognised as one of the best in the region, would also be destroyed. And if that wasn't enough to warrant a downscaling or ceasing of the proposal, the proposed development would require a permanent dredge for large-scale ongoing maintenance dredging. Annual operating and maintenance costs are estimated to be just under a

quarter of a million dollars (\$230K) per annum, based on the estimated 50-year life of the proposed structure.

What is logical is that the proposed development should not proceed, and should never have progressed as far as it has. But what has ensued over the past 22 years is a mind-numbingly lengthy conservation crusade with more twists and turns than the Mad Hatter at Luna Park. As hard as the council has fought for the work to proceed, the community and its growing army of supporters have pushed back. In every round of public surveying the figures have been consistent: around 90% of the community, whether residents or regular holiday makers, have voiced opposition to the council's proposed development at Bastion Point.

In 2005, the Save Bastion Point group was formally established, merging the mutual interests of the Friends of Mollacoota, the Far East Gippsland Boardriders and Mollacoota Coast Action/Coast Care. Led by a core group of eight residents and regulars, the range of supporters has grown over time in number, diversity, distance and breadth – organisations formally on board with the campaign now include Mollacoota Surf Life Saving Club, SBPC Melbourne Group, Surfrider Foundation Australia, Victorian National Parks Association, Friends of Gippsland Lakes, Disabled Surfers Association, the International Save The Waves Coalition, the Australian Conservation Foundation,

Photo: Vanessa Janss



and the National Trust. 'It's not just a few locals upset about this,' says long-term campaigner June Drake. 'Over the last 20 years or so we've had thousands of visitors who have been horrified at what the council is trying to do. Our supporters have included Vince Jones, Rob Gell, Jane Clifton, Paul Williamson, Justin Brady [of Things Of Stone & Wood], Isobel Lucas, Matt Preston and Michael Leunig sent us a lovely email of support.'

The Victorian National Parks Association has been strongly opposed to the proposed development from the outset because it says it goes against every modern principle of sustainability. 'It's not the '80s anymore,' says VNPA Coastal & Marine Campaign Coordinator Simon Branigan. 'We should not be allowing roads to be built on beaches, the destruction of surf breaks and the erosion of wilderness values.' Rex Campbell, Chairman of Australian surfing peak body, Surfrider Foundation Australia, agrees. 'Surfrider

Foundation Australia is opposed to "hard engineering" construction of roads and ramps on beach foreshores, preferring low-impact options, and we will not accept the loss of a surfing break,' he says. The interest of the surfing community quickly expanded from local to national in June this year when Surfrider Foundation included Bastion Point in its Endangered Waves campaign as one of the top-eight most endangered waves in Australia. 'Bastion Point was an obvious inclusion in our campaign,' says Campbell. 'It isn't just locals and Melburnians who are concerned - people from around the country and around the world visit Bastion Point to surf because of its wilderness location.' The threat to the surf break has also reached an international audience, with the Bastion Point surf break now listed on the global Save The Waves list of most threatened surf breaks in the world. The Save The Waves website says of Bastion Point: 'To destroy the wave at

Bastion Point, as the shire will do if the development proceeds as planned, would be like ripping up the only town football field to put in a parking lot. There simply is no other place nearby to surf.' Rex Campbell emphasises the significance of this listing. 'It says that sometimes local councils think these are local matters only, but this is not a local matter. There is a spotlight on them that is beyond Mallacoota.'

While the campaign has run for 22 years, it's really been since 2005 that things have escalated. Leo op den Brouw, Jenny Mason, June Drake and Dave Huxtable all live in Mallacoota and have been at the coalface of the campaign from day one, along with holiday home-owner James Thyer. 'We cannot understand how this matter has gone on for so long,' op den Brouw says, 'and why, in the face of so much opposition, why the council persists with its push.' The Save Bastion Point group put up an alternative proposed design

for a simple small upgrade that it believed met the needs of boaters, but didn't compromise the environmental and cultural values of the area. 'Our alternative has been reviewed by the Department of Transport,' says op den Brouw. 'It was found to meet or exceed the majority of the criteria whilst preserving the cultural, landscape and natural heritage values.'

The council's proposal for Bastion Point development contradicts every existing state government sustainable development policy, strategy and plan. In the proposal's Environment Effects Statement (EES) prepared by the council itself, the proposed development contradicted the Victorian Coastal Strategy, Coastal Action Plans and any existing Coastal Recommendations. In its response to the EES, the Gippsland Coastal Board said: 'All options described are not supported... and as such should not proceed.' The Minister for Planning at the time, Justin Madden, then assembled his own independent panel to assess the EES, which concluded: 'The Panel finds that [the proposal] does not have coastal policy support.' They went on to state that the proposed development would have considerable impacts on wilderness and landscape values and seriously impact on spiritual values and Aboriginal sense of place; they had not given enough weighting to climate change, and it would be a long-term financial burden to the East Gippsland community.

Not satisfied, Madden endorsed the proposal anyway. Then in scenes reminiscent of *The Castle*, the Save Bastion Pointers sought their own legal advice and took the state government to the Supreme Court in 2010. Justice Osborne found that Madden had acted within his powers although stated that he found the decision difficult to understand as the EES inquiry was a careful and well-considered evaluation.

So here's the obvious question: in the face of so much adversity, what has driven and continues to drive the

East Gippsland Shire Council to push on to develop Bastion Point, despite the international, national, state and local level of opposition, criticism and condemnation? The council has had knockback after knockback, from community surveys to EES Inquiry Recommendations. Why do they keep going? Until December 2010 the push to develop Bastion Point had the full support of the former local State Member, Independent Craig Ingram. But in December 2010, at the Victorian state election, Ingram lost his seat to National Party member Tim Bull, who publicly declared his government would review all decisions made to date, and effectively restart the clock.

The issue of boating safety is one to which the East Gippsland Shire Council consistently returns. The main users of the boat ramp have been local commercial abalone divers, service providers to Gabo Island, Fisheries Officers and, when the ocean conditions are quiet enough, a small number of recreational fishers. But unless Mallacoota itself was to be developed substantially, it's hard to see how this would change. Abalone catch quotas are already being fished to their legal maximum limit. There is no existing infrastructure to support the larger-scale recreational fishing on the scale of Eden in NSW, or west at Lakes Entrance. 'There is no foundation on which they can mount a safety argument,' says op den Brouw. 'This is Eastern Bass Strait. The longest breakwall in the world isn't going to protect you if the conditions are too rough on the other side.' Simon Branigan agrees, saying, 'It's a completely false premise - no matter what the size of the breakwall is, if the conditions on the other side of the wall are too dangerous to be at sea, then it's too dangerous to launch the boat in the first place, isn't it?' Madden's own EES panel extended this concern with comments that the creation of a large breakwall and its onshore service facilities could provide a false sense of safety and run a real

risk of attracting inexperienced boaters into hazardous waters. Marine Safety Victoria, in its own comments on the EES, went on to argue that the council's case of demand from recreational boaters has not been made. Op den Brouw believes council's unwillingness to accept a smaller-scale upgrade cannot be based on concerns about safety alone. The Boating Industry Association of Victoria have said that they are satisfied that a simple small upgrade will be all that is needed to meet ocean access requirements for their members,' he says.

The Victorian state election in December 2010 created an important turning point for the Save Bastion Point campaign, and with a change in state government, the removal of Craig Ingram and election promises made by Tim Bull, hope has returned to those who want to see the environmental values of Mallacoota upheld. Bull has publicly declared that he does not support the large-scale development proposal of the East Gippsland Shire Council. And if recent state government announcements provide any indication of which way the Baillieu government will swing, things may be looking up, with new commitments to introduce tighter controls to provide protection from inappropriate development. While this particular reference has been to impacts on expensive Yarra and Maribyrnong River waterfront properties, those at the heart of this campaign are hopeful that this is a good sign that a commitment to stop inappropriate development will apply across the state.

At the time of writing, the Save Bastion Point campaign is at a crucial stage. After 22 years, the state government has demanded that the East Gippsland Shire Council formally declare its intentions for Bastion Point, by submitting its development proposal for consent under the *Coastal Management Act 1995*. Consent is granted by the Minister for Environment, Ryan Smith, and is necessary before any development of Crown land proceeds.

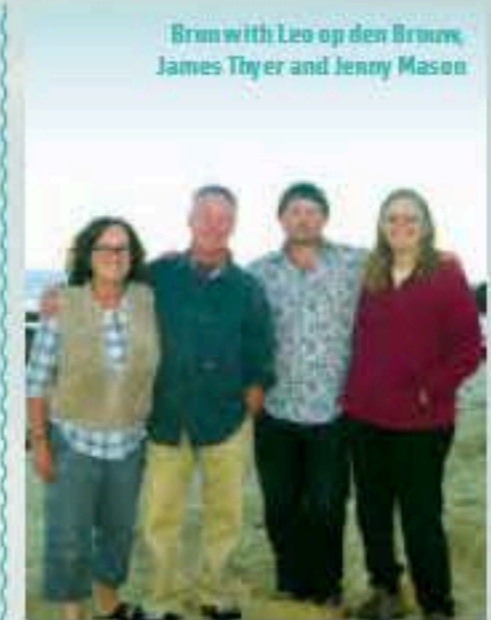
Photo: Gale Winward



And the website stats suggest that with time the interest is growing and the spotlight is shining more and more brightly on the state government as it enters what is likely to be the final stage of this long, long story. The Save Bastion Point campaign website has attracted 13,000 hits over the last two years, with 4,000 of those from interstate and overseas. 'It's time this all ended,' says June Drake. 'This has gone on long enough. When the proposal was first put forward, Bob Hawke was prime minister, John Cain was the Victorian premier, and the internet had not been invented. There have been seven generations of council, six state governments and nine federal elections. We hope that for the first time in this 22-year marathon, the state government will finally have the common sense to take the action that none of its predecessors have managed to do.'

It now falls to the Baillieu government to make some decisions and put this matter to an end. Chris Smyth is the Australian Conservation Foundation's Healthy Oceans Campaign Manager and agrees. 'Approval of [the development] at Bastion Point would demonstrate the [state] government has no commitment to proper coastal planning and the protection of natural and cultural heritage along the coast,' he says. 'The community has worked tirelessly for more than a generation to stop the destruction of Bastion Point and have put forward a low-cost and environment-friendly alternative that should be embraced by the government.'

Bron with Leo op den Brouw, James Thyer and Jenny Mason



Let's all hope that at the time you're reading this, we've run through the tape and have reached the end of the Mallacoota Marathon.

For more information and an online petition head to: savebastionpoint.org

For even more information head to: surfrider.org, egipps.vic.gov.au, vnpa.org.au, savethewaves.org

Note: At the time of writing, council was in caretaker mode prior to upcoming elections and legally could not have material relating to Bastion Point on its website, or provide any comment.

Bron Burton and team present Radio Marinara, Sundays 9-10am. Bron has a sticker on the back of her car that declares in big red letters 'Save Bastion Point'. It's been there so long the ink has faded and the edges are crispy and curling. She hopes to be able to take it off soon.