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Far East Gippsland Boardriders  
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**Mallacoota Surf Life Saving Club  
Melbourne Save Bastion Point Group  
Surfrider Foundation Australia  
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Save the Waves Coalition  
Friends of Gippsland Lakes  
Disabled Surfers Association**

## Save Bastion Point

*protect this coastal environment from inappropriate development*

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Save Bastion Point Campaign Update No. 17

22 June 2011

### LOWER IMPACT OPTION FOR BASTION POINT FINALLY TAKEN SERIOUSLY

#### CURRENT STATUS OF THE PROPOSED BASTION POINT DEVELOPMENT.

On May 18<sup>th</sup>, members of SBPC met with senior personnel from the Department of Sustainability and Environment (DSE) and Department of Transport (DoT). At this meeting it was confirmed that the Government wants a clear assessment made of an alternative option at the existing site to enable a decision to be made.

An inter-departmental body, the *Bastion Point Project Control Board*, has been set up to oversee proceedings. The Board invited three firms to provide quotes to undertake the assessment. Each firm was given three key documents: the Panel recommendations and criteria for a minor upgrade at the existing site, the concept put forward by SBPC and a report provided to the previous Minister, Justin Madden, on this concept.

The assessment would include detailed engineering drawings, costings and a safety audit. The aim is for a report to be produced to a detailed level so the Government can compare both concepts. (ie "apples for apples".) The criteria used in the comparison will include safety, operational costs, capital costs and environmental impacts.

Hyder Consulting has since been engaged to undertake this work. It is anticipated that the report will be completed sometime in August. It will then be given to the Government for a decision to be made on which option is preferred.

This is good news for the Campaign, and gives us some hope that a sensible outcome will prevail. We are grateful to local member Tim Bull for facilitating this Government action.

Thank you to all our supporters for your continued support and for helping to turn the tide. We must,

however, remain vigilant. Option 3b is still on the table and as far as we know, East Gippsland Shire Council is still progressing its application for Coastal Management Act consent.



Our 7<sup>th</sup> year of Mallacoota Market stalls! Photo: James Thyer

#### BASTION POINT IN THE NEWS

Bastion Point featured in the Royce Millar article in "The Age" on 18<sup>th</sup> April, following our release of material gained from the Department of Transport, under Freedom of Information (FOI). The FOI material revealed that Tim Pallas, the previous Minister, had announced \$6.5 million funding for the project just days before the government went into caretaker mode, **against** the advice of a boating safety panel.

This echoed the decision previously taken by Justin Madden to ignore advice from his own expert Planning Panel. "The Age" article highlighted the likely political agenda of the Brumby Government that allowed it to ignore due process- ie to keep the then independent

member for Gippsland (and abalone licence holder) Craig Ingram on side, in case of a hung parliament.

This investigative article was of great benefit to the Campaign, and generated strong media interest in the Gippsland region. You can read the article on our [website](#).

## OTHER ITEMS OF INTEREST

### SBPC Website of National Significance

The State Library of Victoria recently requested permission from SBPC to archive the Save Bastion Point Campaign website on PANDORA, Australia's Web Archive. PANDORA is an online archive in which selected websites and other online publications are preserved and made permanently available to the public for research and reference. The State Library, as part of its role of preserving Victoria's documentary heritage, identifies on-line publications that are considered to have national significance, that cover areas of major public interest, have substantive information value, or have value as artefacts.

We were delighted to receive the request, and gladly gave permission.

### Bastion Point Makes International Law Journal

Bastion Point featured in a recent edition of the Pacific Rim Law and Policy Journal. The article, written by American Law student Taylor Wonhoff, appeared under the heading "*Victoria's Window Dressing: How the Environment Effects Act 1978 failed at Bastion Point.*"

The author writes that the Environment Effects Act (EEA) is flawed in that it gives too much power to the Minister for Planning. He uses Bastion Point as a case study to show how political interests may subvert the protection of the environment. He draws attention to the Supreme Court case, *Friends of Mallacoota vs Minister for Planning*, and how it demonstrates the shortcomings of the EEA and the unreasonably high levels of discretion given to the Minister. The author concludes with suggested changes necessary for EEA to better protect the environment.

It is good to know that our Supreme Court case has sparked such interest, and that weaknesses in the Act are being recognised. This is surely a first step towards reforming the Act.

The link to Pacific Rim Law Journal is available on our website or on this [link](#).

### Surfing News

Tim Baker, a well known surfing journalist visited Bastion Point on his recent surfing road trip. He wrote some great blogs, and his article '*Off ramp – the fight to save Bastion Point and why you should care*' appeared in the April 2011 edition of Surfing World. His article is available on our [website](#).



Mallacoota surfer Glen Warren takes the drop close to where the head of the proposed Option 3b breakwater would protrude. Photo: Jade Nolan.

### Bastion Point inspires another song

Several months ago the 'Peddling Troubadours' arrived by bicycle in Mallacoota en route from Melbourne to Sydney. These three musicians from England, Switzerland and Canada saw all the signs around town, made enquiries and then dropped in to see Bastion Point themselves. They subsequently wrote a song with the satirical title "Save the Developers" which appears on their new album, available through the Jack Stafford Foundation website.

### What Next

We will keep you informed of further developments as they arise. Please continue to view our website regularly for any new information. We will contact you if your assistance and support prove necessary.