



28 September 2007

Nicole Maloney
Planning Panels Victoria
Department of Planning and Community Development

By email: nicole.maloney@dse.vic.gov.au

Dear Nicole

**Ocean Access Boat Ramp, Bastion Point, Mallacoota
Environmental Effects Statement
East Gippsland Planning Scheme, Permit Application 162/2007/P**

I confirm that the Environment Defenders Office acts for the "Save Bastion Point Campaign" (SPBC).

I refer to the proponent's request that the matter be adjourned to a directions hearing in mid-November and the final hearing be deferred until 2008, as set out in the email letter from Maddocks of 27 September 2007.

My client strongly opposes the proponent's request for an adjournment of the Panel Inquiry.

This EES process has been underway for many years and there has been ample opportunity for the proponent to address the issues raised in the DSE submission. As is clear from the DSE submission, the issues raised are not new and they should not have taken the proponent by surprise. The proponent will have the opportunity to address the matters raised during the course of the inquiry.

The proponent has also indicated that it requires additional time to consider whether further expert witness are needed to address areas of expertise covered by the SBPC's experts. The areas of expertise to be covered by the SBPC's experts are issues that are within the scope of the EES, and relate to matters covered in the submissions made by our client and others. The fact that the proponent has not seen fit to address these matters in the EES process to date or in their preparation for the Panel Inquiry should not be a reason for delaying the hearing.

My client has already devoted considerable time and effort to preparing for a hearing for late 2007. We seek the Panel's urgent confirmation that the hearing will commence on 15 November 2007 in accordance with the Inquiry Directions from Planning Panels Victoria of 26 September 2007.

Yours faithfully

Brendan Sydes

Principal Solicitor

Cc Maddocks Lawyers
Matthew.sherwell@maddocks.com.au