

Save Bastion Point

protect this coastal environment from inappropriate development

Save Bastion Point Campaign
PO Box 192
Mallacoota Victoria
Australia 3892
M + 61 (0) 418 427 768
E coordinator@savebastionpoint.org
www.savebastionpoint.org

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The Hon Gavin Jennings
Minister for Environment and Climate Change
Level 22, 50 Lonsdale Street
Melbourne VIC 3000

Dear Minister

REACHING A SUSTAINABLE SOLUTION TO OCEAN ACCESS AT BASTION POINT

For several years the Save Bastion Point Campaign (SBPC) has worked to expose the significant environmental, safety, social and economic impacts of ocean access proposals for Bastion Point, Mallacoota, and to ensure a sustainable solution for the area.

While the SBPC shares the widely held concern about the lateness of the DSE submission to the Panel Inquiry into ocean access at Bastion Point, we do believe that the issues raised in the submission were not new to the proponent. In addition, the submission was consistent with many of our major concerns, as well as those of 87% of submitters to the Panel Inquiry who also opposed the proposal.

The response of the East Gippsland Shire Council (Council) to your Department's submission has led to adjournment of the Panel Inquiry and subsequent discussions between your Department and the Council. In the event of these discussions, the SBPC urges you to consider the following matters to ensure that a transparent and inclusive consultation and assessment process is established which results in a sustainable solution with wide community support.

Problems with the current process

The situation of a proponent seeking to delay a Panel Inquiry with respect to an exhibited EES is highly unusual. It is not something contemplated by the *Ministerial Guidelines for the Assessment of Environmental Effects under the Environment Effects Act 1978*.

We request that you assume responsibility for resolving the current situation. This is the appropriate course because:

1. the Council has failed to satisfactorily manage the EES process –
 - it is apparent that the Council does not have the financial resources to continue with the EES without further government financial support;
 - it has not indicated who will undertake the proposed works; and
 - it has no commitment to the long term management of the site.
2. apart from some matters under the *Planning and Environment Act 1987*, principal responsibility for all key regulatory approvals rests with you as the Minister for Environment.

It is unsatisfactory to leave responsibility for the proposal and the EES in the hands of the Council, who have described themselves as a "reluctant proponent". The Council has not demonstrated a

