

**Friends of Mallacoota
Far East Gippsland Boardriders
Mallacoota Coast Action/ Coastcare**
supported by ~
**Mallacoota Surf Life Saving Club
Melbourne Save Bastion Point Group
Surfrider Foundation Australia
Australian Conservation Foundation
Victorian National Parks Association
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. 12

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Breakwater Access Along Beach - Panel Inquiry Wraps Up

COUNCIL ABOUT FACE: ROAD NOW ON BEACH

Just weeks prior to the start of the Inquiry Hearing, East Gippsland Shire Council (EGSC) declared that it considered that a road access along the beach to the proposed breakwater development may be preferable to a road through the headland, as exhibited in the EES.

Several of the EGSC expert witnesses agreed that removing the road from the headland would address some of the concerns raised about the destruction of aboriginal cultural heritage sites and significant vegetation. However, other evidence before the Panel demonstrated that the alternative road on the beach created a whole set of new problems.

For example, the beach road would add significantly to the capital and on-going costs, would be vulnerable to damage from storm surges and high seas, would be a visual intrusion and would alienate more beach from the public.

The beach road, boardwalk and carpark design presented by EGSC is different to the road design exhibited for public comment in June 2008, and lacks important detail. Experts retained by SBPC were not given access to these new designs prior to submitting their witness statements – a clear abrogation of a transparent process. The plan of the new access road is shown over page.

INQUIRY IN MALLACOOTA

The first week of the three-week Inquiry Hearing was held in Mallacoota. The hearings commenced with a site visit by the Inquiry Panel joined by representatives from the major parties, including the Save Bastion Point Campaign.

Markers had been placed to indicate the height, location and length of the proposed breakwater, and both commercial and recreational boat operators gave demonstrations of boat launch and retrieval procedures.



Photo: Panel and representatives view breakwater site.

The Inquiry hearing began at the Mudbrick Pavilion with opening presentations from two barristers retained by EGSC, followed by our barrister, Emily Porter, and the SBPC team. The Department of Sustainability and Environment (DSE) then gave its submission, emphasising the impacts on vegetation.

Four extra community organisations gave presentations (two for and two against). In addition 34 individuals aged between 10 and 82 years spoke passionately and eloquently against the proposed breakwater, with only three individual presentations being made that supported the development.

Representatives from two Aboriginal communities also spoke powerfully against the development.

The overwhelming opposition to the proposal made it quite clear to the Panel the feelings of the majority of the community!

INQUIRY IN MELBOURNE

In Melbourne, this opposition was further emphasised with three organisations and 17 individuals making oral

submissions against the proposal. No organisations or individuals spoke in favour.

The Inquiry hearing in Melbourne was largely devoted to evidence from experts and the subsequent cross-examination of this evidence by both legal teams. A vast amount of material was presented and examined. Our expert witnesses provided evidence on coastal processes, economics, social planning, ecology, geoscience, and surfing.

The Inquiry ended with closing submissions from both SBPC and EGSC. These can be viewed as follows:
www.savebastionpoint.org (SBPC)
http://www.egipps.vic.gov.au/Page/Page.asp?Page_Id=586&h=1 (EGSC).

INQUIRY RECOMMENDATIONS

The Panel indicated that it would produce a report within 2 to 3 months. This report will then go to the Minister for Planning, the Hon. Justin Madden, and the Minister for the Environment, the Hon. Gavin Jennings. The Minister for Planning will then make recommendations.

HOW TO HELP NOW

Political lobbying is now more important than ever! We urge you to write to both Ministers Madden and Jennings. Write also to your local MP, and if possible visit him/her and talk about your opposition to the breakwater at Bastion Point. Please contact us if you would like visual material or further advice on this.

Some points you could make:

- There are significant environmental and social impacts that would result from the development.
- Community opinion is overwhelmingly opposed to the proposed development (87% of 471 written submissions, and over 90% of oral submissions opposed the development).
- The road on the beach is bad planning for a broad range of reasons and defies government policy and strategies.
- A low impact solution that could be supported by the community is possible.

Visit www.savebastionpoint.org for more information.

A huge THANKYOU!

SBPC wishes to extend our heartfelt thanks to:

- *Our legal team for their highly professional work: Elizabeth McKinnon and Brendan Sydes from Environment Defenders Office, and barristers Emily Porter and Sarah Porritt.*
- *Our experts, who willingly provided their expertise and time for minimal or no fee.*
- *Importantly, our many supporters who gave freely of time, financial contributions and help in so many different ways.*

Due to your combined efforts we have been able to run a professional campaign and meet all current expenses related to our legal team, our experts, site visits, and the essential costs of the Campaign. Thankyou!

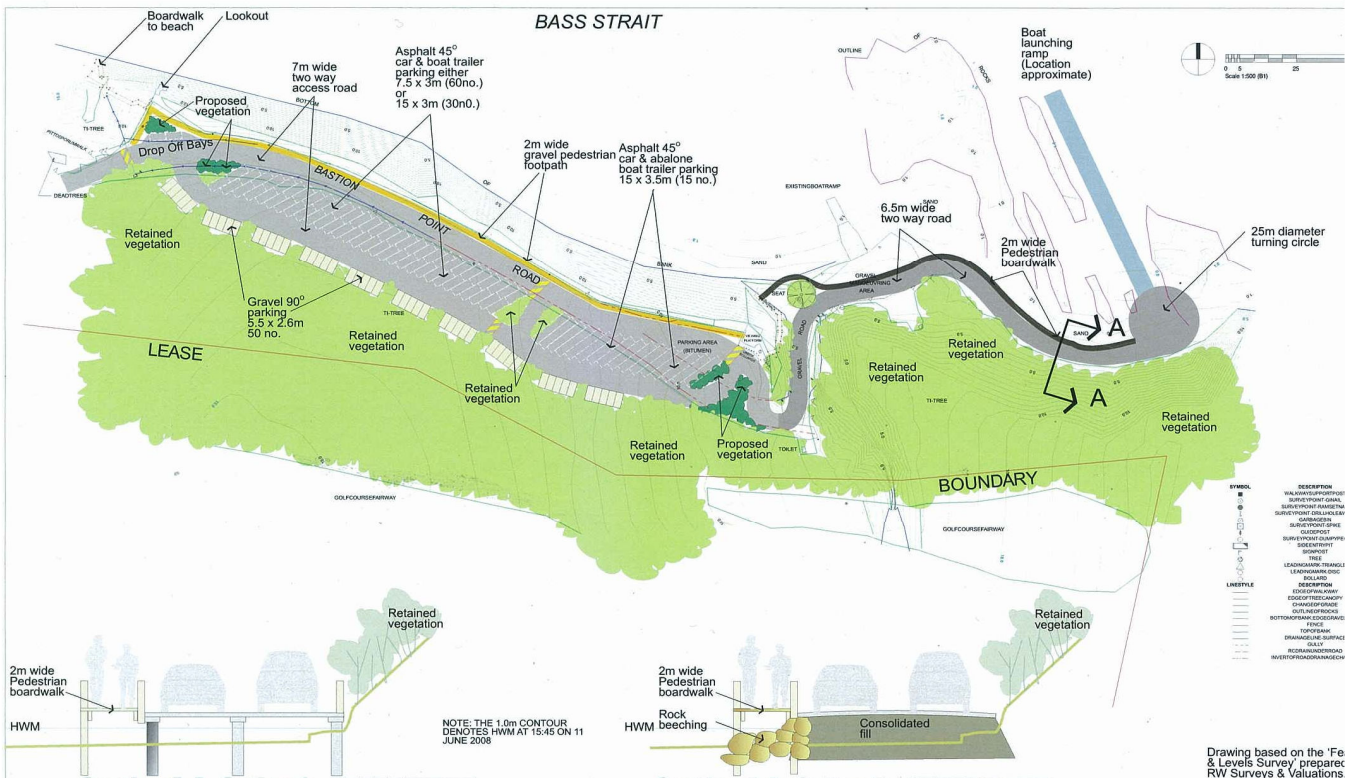


Figure: Site Masterplan for Bastion Point, developed by Environmental Resources Management Australia Pty Ltd, reproduced from Cardno Grogan Richards Traffic Design Assessment for EGSC.