

**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. 14

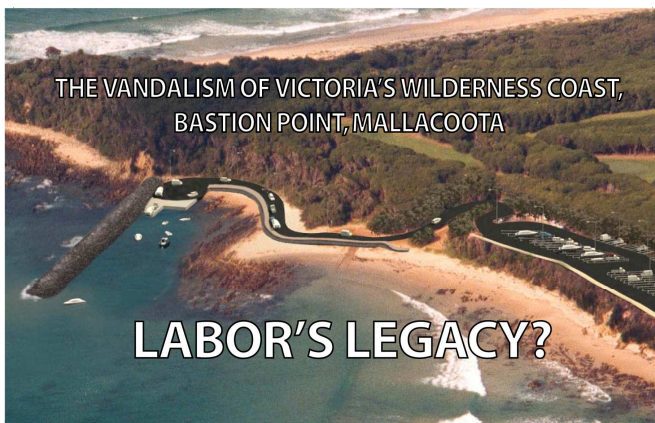
23 December 2009

EG COUNCIL PROCEEDS WITH DEVELOPMENT WHILST LEGAL ACTION PROGRESSES

LEGAL PROCEEDINGS

We have received notice that the case of Friends of Mallacoota Inc v Minister for Planning and Minister for Environment and Climate Change has been fixed for trial in the Supreme Court on 16 March 2010 for two days. The First Defendant, the Minister for Planning, provided his affidavit material on 9 October.

The outline of submissions for Friends of Mallacoota (FoM) is due to be filed in the Supreme Court on 15 January 2010, and is being drafted currently by our barristers. Following that, the Defendants will provide their outline of arguments in preparation for the trial.



Aerial image, prepared by RushWright landscape architects, of EGSC's proposed option 3b development, as featured in our upcoming postcard campaign.

FUNDRAISING

Donations have poured in, and we are nearing our target. Many thanks to all who have donated. It is wonderful to have such support! Donations will still be gladly received, and can be made via our website, or by mailing to SBPC, PO Box 167, Mallacoota, Vic, 3892.

COUNCIL BEGINS BREAKWATER DESIGN

Despite the fact that legal action is pending, East Gippsland Shire Council is continuing to prepare for its major infrastructure development at Bastion Point.

HOWEVER, UNDER THE COASTAL MANAGEMENT ACT, NO CONSTRUCTION CAN BEGIN BEFORE CONSENT IS GIVEN BY MINISTER JENNINGS.

The Mallacoota Ocean Access Boat Ramp Community Advisory Committee (MOABRCAC) has been established by Council to give advice on option 3b. After much deliberation SBPC and FoM decided that it could be of benefit to our campaign to have representatives on this so-called 'community advisory committee', and SBPC advised Council that:

'Save Bastion Point Campaign has decided to nominate a representative to MOABRCAC on the condition that its participation in the

(PTO)

Committee is **not construed in any way** as indicating:

- that Save Bastion Point Campaign believes that the Minister's decision to approve the option 3b boat ramp was lawful
- that steps that have been taken to implement the Minister's approval are legitimate
- that Save Bastion Point Campaign supports or endorses option 3b.

SBPC maintains its position that it is inappropriate for such a committee to be formed whilst the Minister's assessment decision is the subject of a legal challenge in the Supreme Court of Victoria. Similarly, SBPC maintains its support for the Inquiry Panel's recommendations.'

Works currently being undertaken include:

Marine Safety Victoria has appointed consultants AMC Search to do a safety/risk audit of the proposed breakwater and boat-ramp. Members of SBPC have spoken with these consultants to raise concerns with safety issues inherent in the proposal. A draft report can be expected by late February 2010.

Crossco Consulting Pty Ltd have been awarded the contract to undertake the design work for the breakwater, access road and parking area "loosely" based on option 3b as per the Ministers recommendations. Geo-technical (core sampling) investigations on the beach and reef are planned for late January/early February.

The inaugural meeting of MOABRCAC was held in Mallacoota on the 18th of December, and attended by representatives of EGSC, Crossco Consulting, DSE, Gippsland Ports, Mallacoota Ocean Access Committee (MOAC) Mallacoota and District Tourism and Business Association (MADBATA), FoM, and SBPC.

Our representatives at this meeting certainly made their presence felt by asking pertinent questions related to the design of option 3b. It became abundantly clear that a range of issues had not been given adequate thought, and that the project remains problematic.

CAMPAIGN ACTIVITIES

The fund raising gig held in Mallacoota on 3 October 2009 was a huge success. Fantastic performances kept the packed venue entertained, and over \$ 2,500 was raised.

Christmas cards were sent out to all Victorian politicians and selected media to highlight both the beauty of Bastion Point and the proposed development that is threatening it.

Coming Up

Another postcard campaign that targets Minister Jennings and urges him NOT to give his consent to the proposal, is also underway. All supporters are urged to help in this campaign. For more information contact co-ordinator@savebastionpoint.org

Art Exhibition 21-23 January

An art exhibition, featuring photos of Bastion Point by Norm Neilson, will be held at the Mudbrick Pavilion 21 –23 January 2010, followed by a fundraising auction and gig. If in Mallacoota, do come and enjoy the art and music, and help support the Campaign.

Mallacoota Summer Markets

The SBPC will be once again having a display at the Mallacoota markets. Postcards and car-stickers will be both available.

Campaign International Exposure

Patagonia's worldwide surf-wear catalogue will feature Bastion Point in an up-coming issue. Having such international publicity is fantastic! Thanks to Patagonia and Save the Waves Coalition.

STICKERS

Following a sell-out of the last batch of 500 car stickers, we have now reprinted another batch. Please order via our website Merchandise page, or purchase at Mallacoota markets.