

2010-11 Boating Safety and Facilities Program - Application Assessment

Boating Facilities

Applicant	East Gippsland Shire Council
Project title	Mallacoota Ocean Access Boat Ramp
Description of project	Replace existing 50 year old boat ramp at Bastion Point
Amount sought	\$ 600,000

PROCESSING CHECKLIST		
Acknowledgement letter sent?	Yes/No	Comments/Date:
Application eligible to be assessed?	Yes/No	Comments:
If application rejected - Letter sent?	Yes/No	Date:

RECOMMENDATION - TO BE COMPLETED BY ASSESSMENT PANEL

TOTAL SCORE	
Add up the score from each section (excluding risk rating) and write the total here ->	
Recommended for funding - Yes/No	Amount recommended - \$
Reason for not funding Note - this is the text that will appear in the letter to the grant applicant.	
Does the Assessment Panel recommend any special conditions be placed upon the funding provided to this applicant?	
Risk rating on the likely success of this project. Consider: <ul style="list-style-type: none"> Likelihood of recipient not delivering on grant Consequence of non-delivery Likelihood of any grant conditions not being met Past performance of this group on other grants (media/launch responsibilities etc.) Amount being sought Location of project 	High - 5 Medium - 3 Low - 1 Risk Rating =

INITIAL ASSESSMENT AND INFORMATION FOR THIS APPLICATION			
Is this application in the correct category?	Yes/No:	Yes	Moved to:
Is there enough information for the application to be assessed?	Yes/No:	Yes	Comments:
Did the applicant complete a pre-registration form for this project?	Yes/No:	Yes	Comments:
Grants team comments on this application. E.g; <ul style="list-style-type: none"> Is the application clear about the intended outcome? Are there likely to be issues of planning permits/consents? Are there detailed costings attached? 	Demand for the project is based on a highly contentious Economic Impact Analysis. Significant permits (CMA, Native Title, Cultural Heritage and Native Vegetation) are still to be applied for. Estimate of costs prepared by engineering and environmental consultants, with no evidence they have any experience in this type of development.		
What strategic/policy documents relate to this application? (E.g. Boating CAP; Feasibility study etc.)	Boating CAP. Economic Impact Analysis. EES.		

INSTRUCTIONS FOR THE ASSESSMENT PANEL

In the following tables, the Assessment Panel is to apply a score that accurately reflects the degree to which the application meets the program criteria under each section. Scores are to be allocated in the range shown against each category. Comments are also required as to how the score was arrived at.

PROJECT GOALS AND OUTCOMES (Part 3)		
Consider the degree to which the Aims of this category will be met, eg:	Out of 15	Justification comments
<ul style="list-style-type: none"> • Provision of safe public boating access. <ul style="list-style-type: none"> ○ Use of natural features (shelter, all tide, all weather etc.) ○ Designed with safety of users in mind. ○ Consideration for impact on other waterway users. • Assurance of public access at all reasonable times. 	10	<p>Substantial structure to improve access for recreational boaters who would not normally consider boating in the open ocean from the existing facility. Will separate boats from swimmers. May negatively impact a local surf break in some conditions.</p>
PROJECT COSTS AND GRANT SOUGHT (Part 6)		
The project appears to provide value for money after considering the location/ environment in which the work is to occur. Demonstrated by:	Out of 25	Justification comments
<ul style="list-style-type: none"> • Satisfactory quotes (with supporting evidence) provided • Lowest quote selected, or adequate explanation. • Breakdown of costs into major components: <ul style="list-style-type: none"> ○ Capital works - Infrastructure ○ Capital works - Drainage/power etc. ○ Project management/documentation • Details of the applicant's contributing of at least 20% (eg. held/promised/in-kind & excludes other gov't funds) • Confidence (as demonstrated through accurate design work) that the costs seem accurate for a project of this type. 	5	<p>Cost estimate prepared by consultants. Major funding comes from State Government (RIDF). Work to be done by MPV. Council has allocated \$300,000 of own funds. Conditions on consents still to be granted may affect costs.</p>
FACILITY DEMAND (Part 4)		
The need for this facility at this site has been demonstrated or is known to exist. Consider:	Out of 25	Justification comments
<ul style="list-style-type: none"> • Why is an upgrade of existing facility necessary? <ul style="list-style-type: none"> • Usage statistics for existing facilities. • Why is a new facility required? <ul style="list-style-type: none"> • Are usage estimates for new facilities realistic? • Will the development of this facility address known safety concerns? • Potential involvement of Commercial operations (eg. financial contribution?) • What other boating facilities are nearby? 		<p>Mixed demand from both commercial and recreational boaters. Commercial operators seek better facilities to make work safer. Economic Impact Assessment report claims recreational boating will increase from 800 launches pa to 4200 pa. This claim is violently disputed by a very divided community. Even at this higher figure, demand is not considered to be high.</p>
PROJECT PLANNING & STAKEHOLDER SUPPORT (Part 5 & 7)		
Demonstration of project planning undertaken to date. Evidence that the applicant has the capacity (ie. knowledge and experience) to undertake this project successfully. Consider:	Out of 30	Justification comments
<ul style="list-style-type: none"> • Reference to any applicable strategy/planning documents or studies. <ul style="list-style-type: none"> • Boating Coastal Action Plan • Local Council strategic planning documents • Safety audit supplied (where application by waterway manager) • Evidence of support from key stakeholders such as waterway manager and other permit authorities (eg. landlords, environmental, planning) • Is the applicant an appropriate body to undertake a project of this scale (consider whether the project requires engineering supervision, contract preparation etc) • Demonstration of community support. 	15	<p>Although EGipps is the applicant, the project will be delivered by Major Projects Victoria. Project Development Group is overseeing approvals from Coastal Management Act, Cultural Heritage, Native Vegetation Removal, Native Title. MSV prepared a safety audit on the proposed new design, with a comprehensive list of items to be incorporated in the design to ensure boater safety. Local community is seriously divided over the chosen facility design. No letters of support provided with the application.</p>

MAINTENANCE (Part 8)		
Who is the appropriate authority? Have they indicated they will be responsible for ongoing maintenance, and confirm there is no reason to believe that the facility will not be adequately maintained.	Out of 5	Justification comments
<ul style="list-style-type: none"> • Is evidence provided that the relevant body clearly accepts ongoing responsibility for the maintenance of the site (in writing)? • Will revenue from usage of the facility be directed to maintenance and upkeep? Comment. 	5	Council is the appropriate body to maintain this facility.

	Initials	Date
Prepared by:	CS	23/8/10
Reviewed by:	RP	23/8/10
Reviewed by:		
Reviewed by:		

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File No: 9319-07/19630-08

Program	East Gippsland Shire Council - Local Government	Funds Manager	Managing own Funds - GST Status Not Set
Status	Boating Safety and Facilities Program-2010-11>Boating Facilities	Project Name	Mallacoota Ocean Access Boat Ramp
Managing Officer	Assessment - Requesting \$600,000.00		

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Fax		TTY	
Email	.au @egipps.vic.gov	Web Address	
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What Communities will benefit?			Mallacoota Community
Address Line 1			Primary Physical Project Location
Address Line 2			Copy Applicant's street address details to the fields below
Suburb			
State	VIC	Post Code	
Map Type	Vicroads	Page	70
Local Govt Auth		Upper House	
		Map Reference	Grid Reference
			E7
		Grant Location	Lower House

East Gippsland Shire Council	Eastern Victoria Region	Gippsland East District
Waterway Name Statewide	Waterway Type Statewide	
Victorian Place Names - List of LGA's for a suburb Victorian Property Report - Identify LGA based on address Australia Post - List of postcodes VEC Maps - VEC Maps / Victorian Electoral boundaries		
Click's		
The amount requested in this application \$600,000.00 is over the Max Application Limit of \$280,000.00 for this Program		
Requested Amount for the MSVS Program Application Maximum		

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Requested from 1984 in Total Expenditure	Expenditure	Expenditure to be offset by MSO funds
Total Expenditure	\$250,000.00	
Site Preparation		
Project Construction		
Project Management	\$250,000.00	
Partnered Costs	\$0.00	
Partners		
Regulatory		
Management		
Other		
Construction		
Total Project	\$250,000.00	Total Expenditure
Amount requested from MSO	\$250,000.00	
Community Support Grants		
Total Grants from other sources	\$0.00	
Contributions in kind	\$0.00	
Amount already certified		
Amount requested from the program	\$250,000.00	
Other amounts from MSO		
Other State Government	\$0.00	
Local Government		
Federal Government		
Total Government	\$0.00	
From year organization		
Funds from year organization	\$250,000.00	
in-kind from year organization		

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Total from your Organisation \$300,000.00 Community Investment Community Fund Raising In-Kind Support Business Contribution Philanthropic Contributions Other Amount Description		
<p style="text-align: center;">Program Specific Checklist Items Date</p>		
1	Attached: CURRENT SITE OVERVIEW • Current Plans and photos of the	-
2	Attached: PLANS for the FUTURE SITE. Clear plans of how the site will	-
3	Attached: QUOTE(S) The appropriate amount of quotes - up to	-
4	\$25	-
5	Attached: PERMITS. Permits to carry out all necessary work on the Attached: LETTERS of SUPPORT. Letters of Support for the project	-
Declaration Details Name Position Date Hard Copy Data Entry Completed		
All Assessment Tasks completed Date: Officer assigned to Assess Project: Act Compliance Section <p style="text-align: center;">Assessment Task Descriptions Date</p>		
1	Verify: CURRENT SITE OVERVIEW • Current Plans and photos of the e	-
2	Verify: PLANS for the FUTURE SITE. Clear plans of how the site will	-
3	Verify: QUOTE(S) The appropriate amount of quotes - up to \$25 0	-
4	Verify: PERMITS. Permits to carry out all necessary work on the s	-

5 Verify: LETTERS of SUPPORT. Letters of Support for the project by

Verify: CURRENT SITE OVERVIEW[cr][cr] Current Plans and photos of the existing (if any) facilities at the site including parking availability[cr][cr] Describe the existing facilities at the site including current access to the proposed site and parking availability.[cr][cr] If the site is Crown Land please provide details of the reservation[co] the Statutory Management Authority (SMA) and your relationship to the SMA.[cr][cr] Please give details of the nearest comparable facilities in the locality.[cr][cr] Advise if the facility is available for use by the general public at all times. Are there any restrictions to availability?[cr][cr][cr]. Verify: PLANS for the FUTURE SITE. Clear plans of how the site will look after development.; Verify: QUOTE(S) The appropriate amount of quotes [cr] up to \$25[co]000 one quote[cr] between \$25[co]000 and \$150[co]000 three written quotes are required[cr]. Applications of \$150[co]000 and over require a public tender process.[cr][cr]A breakdown of any in-house work to be carried out.; Verify: PERMITS. Permits to carry out all necessary work on the site.; Verify: LETTERS of SUPPORT. Letters of Support for the project by the Land owner and other community organisations.30/12/1899
 30/12/1899
 30/12/1899
 30/12/1899 Note: if you add a new assessment task, add a new date.

Applicant's Responses to Additional Questions

	Question	Response
1	Have any previous grants for upgrade been provided for this facility?	No
2	Is it expected that commercial vessels will utilise the proposed facility?	No
3	If yes please describe what financial contribution they will make	No answer given
4	towards the w	Yes
5	Is it expected that Search and Rescue organisations will utilise the	Victoria Police Sta
6	facility?	Cape Conran 37'48" S
7	If yes please detail the organisation.	Yes
8	Where is the nearest similar facility Located? Please answer in	No answer provided
9	nautical miles a	East Gippsland Shire
10	Is the facility to be available to the public at all reasonable times?	No
11	Please detail any restrictions to availability	No
12	Who will be responsible for ongoing maintenance of the facility?	Yes
13	Has the facility Manager given written confirmation that they will	No answer provided
14	continue to m	No answer provided
15	Is a user charge levied or intended to be levied on the facility?	Will be competitive
16	Will a user levy be solely used for maintenance and upkeep of the	Refer attachment
17	facility?	No
18	If no where will the revenue be directed?	Craig Stoodley
19	If more than one quote is required and you have not selected the lowest quote pl	No answer provided
	If the number of required quotes has not been provided please explain why.	
	Provide all details of permits that have been obtained or are required	
	Have you submitted a pre-registration form for this project?	
	If you have contacted the Grants Administration Team about this project who was	
	Detail any connection by way of membership or any other means between the organ	

All Eligibility Criteria have been considered		Date:
Requested Amounts	Ratios	Program Cap
\$600,000.00	Exceeds Ratio \$200,000.00	
1	Applicant Response	Eligibility Criteria
	Yes	Local waterway authorities government agencies committees of management and community groups.
	Applicant Comments	Eligibility Criteria: Local waterway authorities, government agencies, committees of management and community groups.
	Calculated Eligibility	Response: Yes
	Program Manager	All Matched
	OverRide	No
		No

OverRide Reason					
Definitive Eligibility Ineligibility Reason		All Matched			
This reason will be used in InEligible letters					
All Criteria have been scored		Date:			
Type	Question	Question Weighl	Raw Score	Weighted Score	
1	Why	Why is this project	30	4	120
2	How	necessary.	30	3	90
3	Who	How will the project	5	5	25
4	What	be delivered?	35	7	245
		Who will be involved in the project?			
		What will the project achieve? How will safety in the marine environment be improved through these enhancements?			
Read Print Issues not reflected in funding criteria score:			Total:		480
Panel Recommendation: Panel Reason:			Read in conjunction with TRIM DOC/10/393112		
			Not Recommended		
			The applicant has not referred to the MSV Safety Audit or addressed the ongoing safe management of this site. The application has not established demand - the project does not respond to existing demand by recreational boaters but seeks to increase future usage by its presence. There is no detailed picture of how projections of future use are arrived at or what time-frame they would be achieved over. The case of demand from recreational boaters has not been made. Assumptions about revenue in the application are not supported by the Buchan Report (charging for launches).		
Recommendation Approval					

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Final Recommendation Outcome		
Final Grant Amount Recommended to/Approved by Minister		
Date of Ministers Decision	Ministers Approval	No Decision Yet
Batch Number		
Approved Project Records Management No.	9319-07/19630-	Date approved project announced
Details of highest completed recommendation :		
Name		
Strengths		Weaknesses
Suggested Conditions		
Recommendation		
Recommended Funding Amount	0	Reason for difference from requested amount (if any)

Officer Assigned to Manage Project:	Date:
Date Grant Agreement Received/Certified	
File Progress Requirement Descriptions	Date
Note: if you add a new progress requirement, add a new date.	
	Date:

Project Dates	Start Date	Completion Date
Anticipated		
Agreed		
"How will you know you have succeeded?" (Key Tasks and Outcomes)		
To record a Key Task, the document must first be in edit mode. Click the "Edit" button from the menu bar, then click the "Create" button and choose the "Key Task" Option.		

<p>Total number of records: Total records released:</p>

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Department of Transport

Ministerial Briefing

Tim Pallas MP
Minister for Roads and Ports

Ref: MBN014186R

FROM:

File:

Freight Logistics and Marine

SUBJECT: Recommendations for grant funding for the
Boating Safety and Facilities Program 2010-11

DATE: 17 September 2010

PURPOSE

1. To seek your approval of the recommended projects for funding from the 2010-11 round of the Boating Safety and Facilities Program (BSFP).

BACKGROUND

2. In June 2010, you approved the launch of the 2010-11 BSFP including funding categories, the allocation of funding across the categories and the management of the BSFP 2010-11 round.
3. On 5 July 2010, applications were invited from fishing and boating groups, community groups, local waterway authorities, government agencies, committees of management and dedicated marine search and rescue groups. Applications closed on 13 August 2010.
- 4.

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5. Applications were assessed against the BSFP selection criteria. To facilitate this, formal assessment panels were convened for the five funding categories to provide expert advice and recommendations. A list of panel representatives is provided in **Attachment 1**.
6. Panels also sought technical information from Transport Safety Victoria (Marine) within the scope of their regulatory responsibilities. This advice was on matters of waterway audits and standards for commercial vessels.
- 7.
- 8.
- 9.
10. No applicants made use of the pre-registration facility for this round. It is believed that this is because of the very short timeframe for the program this year, with applicants not being aware of the opening of the round until the start of the application period.

ISSUES/OPTIONS

11. **Attachment 2** details projects recommended for funding and **Attachment 3** details those projects that are not recommended for funding with reasons.
12. The panel findings were made using only the criteria for the relevant category of the Boating Safety and Facilities Program and have been used as a guide only. The recommendations in this briefing reflect additional criteria such as current policy and strategic planning considerations and the recommendations for supported projects in the Boating Facilities category have been amended to reflect this.
13. Where a recommended application includes items that are ineligible or not supported by the panel the funding recommendation is for the reduced amount.

14.

15.

16.

17. Following your approval, all applications will receive letters detailing the outcomes of their applications. All letters will provide feedback on the application and, in the case of unsuccessful applications, indicate why they have not been successful. In all cases, Grants Project Officers will follow up with unsuccessful applicants and provide assistance with a view to supporting the development of a more adequate application in a future round, should a further funding commitment be supported.

18. It is proposed that you sign all successful letters and the Executive Director of Freight Logistics and Marine will sign all unsuccessful letters. Examples of both types of letters are included in **Attachments 4 and 5**.

19. Letters to successful applicants will also be accompanied by Funding Agreements which now incorporates the program's *General Terms and Conditions of Funding* and *Category Specific Terms and Conditions of Funding*.

20. The following applications are recommended for funding subject to specific conditions.

21. A communications strategy contained in **Attachment 6** includes a Communications Plan. A state-wide media release advising of the successful grant recipients under the program will be provided to you prior to the formal announcement of supported projects. Media releases will also be disseminated as per the communications package.

RECOMMENDATION

22. That you approve the proposed recommended projects for funding (**Attachment 2**) and the letters for advising successful and unsuccessful applicants (**Attachments 4 and 5**).

Prepared by:

Endorsed by:

Endorsed by:

Acting Manager, Boating
Safety and Facilities
Program

Manager, Local Ports and
Marine

Freight Logistics and Marine

Phone:

Phone:

Phone:

21 / 9 / 2010

21 / 9 / 2010

21 / 9 / 2010

Approved/Not Approved

Tim Pallas MP
Minister for Roads and Ports

28 / 9 / 2010

ATTACHMENT 2

**Boating Safety and Facilities Program 2010-11
Projects recommended for funding**

Applicant	Amount
------------------	---------------

Aids to Navigation Project	
---------------------------------------	--

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Pages 77 through 78 redacted for the following reasons:

-
- 33(1)
- Not relevant

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Page 75 redacted for the following reason:

Not relevant

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Applicant	Boating Facilities Project	Amount
East Gippsland Shire Council	Mallacoota Ocean Access Boat Ramp	\$ 1,500,000.00

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Boating Safety and Facilities Program 2010-11

Record of briefings on recommendations for funding

08 Sept 2010 –

J/EJ advised that recommendations for the Facilities category should go to the ED with the others but that there may be significant changes as the panel had not recommended funding the Open Ocean Access development at Bastion Point but it was felt that the Minister will require this to be funded. Was asked to prepare a number of alternative scenarios that would include various levels of funding for Bastion Point.

09 Sept 2010 –

Discussed a range of options and how to accommodate funding of Bastion Point. Discussed four options prepared by and agreed that all of them consisted of eligible applications - acknowledged that they did not reflect the recommendations of the panel for Facilities.

13 Sept 2010 –

Presented initial panel recommendations to together with four other options which had been prepared by showing funding for Bastion Point of between \$600k and \$1.5m. to get back to and to advise preferred option. advised that he would not endorse an option that did not fund Bastion Point. It was agreed that the Minister's briefing will include a clause that states that the recommendations for funding do not reflect the original panel recommendations and that these have been changed to satisfy a wider range of criteria than that considered by the panel.

20 Sept 2010 -

TG advised that the option that he wants to go into the briefing to the Minister is Option 2 in the spreadsheet (TRIM DOC/10/409946) which allocates \$1.5m to Bastion Point

22 Sept 2010, from written notes

Executed as an agreement on.....

SIGNED by the DEPARTMENT for and on behalf of
the CROWN IN RIGHT OF THE STATE OF
VICTORIA in the presence of:

)
)
)

Witness (Signature)

Authorised Signatory (Signature)

Witness (Print name)

Authorised Signatory (Print name)

SIGNED by

)
)

.....

(East Gippsland Shire Council)

by an Authorised Signatory in the presence of:

Witness (Signature)

Authorised Signatory (Signature)

Witness (Print name)

Authorised Signatory (Print name)

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ANNEXURE 1 - THE GRANT SCHEDULE

The Organisation	East Gippsland Shire Council	
The Project	Mallacoota Ocean Access Boat Ramp	
Commencement Date	17 October 2010	
Completion Date	30 June 2011	
The Funding Amount (GST exclusive)	\$1,500,000.00	
The Department shall pay to the Organisation the Funding Amount by instalments as follows subject to receipt of a valid tax invoice or invoices issued by the Organisation together with supporting evidence (if applicable):	Initial Payment	
	Payment 2	
	Payment 3	
	On completion	
Performance Standards and Targets (including dates)		
Financial and Non-financial Reporting Requirements	Upon completion you should present the following documentation: - Copy of the final document - Copies of all invoices relating to expenditure on this project An expenditure report detailing any 'in house' costs signed by your finance manager, treasurer or equivalent stating 'I (name and title) of (organisation) certify that this is a true and accurate record of expenditure on (name of project).'	
Department's Representative (Name, title, address, phone number and email address)	Grants Project Officer Level 11, 121 Exhibition Street, Melbourne, Vic. 3001 Phone: 1800 337 222 Email: @transport.vic.gov.au	
Organisation's Representative (Name, title, address, phone number and email address)	273 Main Street Bairnsdale 3875 Phone: Email: @egipps.vic.gov.au	

Please turn over

Attachment: Next steps

Funding agreement

The funding agreement forms the basis of the offer to your organisation. Please indicate your acceptance of this offer and the terms contained in the funding agreement by arranging for the grant recipient to duly execute and date both copies and then please return one to the Department of Transport (DOT). One copy should be kept for your own records.

Total grant amount

The final payment shown in the schedule may be changed to ensure that grant funding does not exceed 80 per cent of total project costs. Please note that all funding is awarded on a GST-exclusive basis. However, grants to GST registered organisations will be grossed up by the value of the GST (10 per cent applicable to the taxable supply).

Announcement and commencement of the program

The funding agreement requires that you keep all details of this funding offer confidential until DOT releases a formal media statement about the 2010-11 program. DOT may contact you to discuss and coordinate the release of a local media statement (and possible launch) on behalf of DOT and your organisation. In addition you should not commence work on your project until the formal announcement has been made, unless you have written approval from DOT.

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East Gippsland Shire Council
273 Main Street
BAIRNSDALE VIC 3875

Dear

BOATING SAFETY AND FACILITIES PROGRAM

Thank you for your application for funding under the 2010-11 round of the Boating Safety and Facilities Program.

The Brumby Labor Government is committed to working with the community to provide safe boating facilities and a safer boating environment. Since the first year of the program in 2001-02, the Government has provided more than \$41 million to the program by re-investing funds from vessel registration fees. This funding is made available to the boating community through a number of grants based projects overseen by the Department of Transport, and state-wide safety initiatives administered by Transport Safety Victoria.

I take great pleasure in informing you that the following grant application has been successful:

Project Title	Funding amount
Mallacoota Ocean Access Boat Ramp	\$1,500,000.00

Please find attached two copies of a funding agreement for your attention and a set of instructions on the next steps attached to this letter.

If you have any queries about your grant please contact the grants team by email on boating.grants@transport.vic.gov.au or on telephone 1800 337 222.

Once again, congratulations on your successful application. Thank you for your commitment to providing safer, more enjoyable access to Victoria's waterways.

Yours sincerely

TIM PALLAS MP
Minister for Roads and Ports



01/03/10 06:16 PM

DOI

To

@VICGOV1

cc

@VICGOV1,
ICGOV1,
@VICGOV1

bcc

Subject Re: Bastion Point

History: This message has been forwarded.

Yes, its a concern. When we were advised they would be late with the report wrote to them and made it clear this was unacceptable. We also advised

Regards

Marine Safety Victoria

----- Original Message -----

From:
Sent: 01/03/2010 05:53 PM ZE10
To:
Cc:
Subject: Re: Bastion Point

Thanks - it seems we have unfortunate delays and work quality issues - we'll have to factor this into advice to the Minister and he will be concerned - is there any way to expedite matters?? - happy for to go along to sit in on the 12 march meeting.

Cheers

Freight, Logistics and Marine Division
Department of Transport
Ph:
Fax:

@transport.vic.gov.au
(CORE/DOI)



01/03/10 04:36 PM

DOI

To

'DOI@VICGOV1

cc

DOI@VICGOV1,
@transport.vic.gov.au,
DOI@VICGOV1,
DOI@VICGOV1

Subject Re: Bastion Point

Hi Terry

As advised, we did not receive the draft of the full report for the Bastion Pt Safety Audit as was anticipated - the due date was 26 Feb, and I expect the full first draft to be available by the end of next week. There are considerable gaps in the preliminary draft that we have received. However, the consultants (AMC Search) continue to assure us that the timeline for the receipt of the final report is unchanged, and is due on 3 May. MSV are meeting with the consultants on 12 March to talk through our comments on the draft report and the work to this date.

Please let me know if you have any questions. Would (or anyone else) be interested to attend the meeting on 12 March?

Regards

Marine Safety Victoria

T.
M
F.
PO Box 2797 Melbourne Victoria 3001
W. www.marinesafety.vic.gov.au
DOI



DOI
01/03/10 10:26 AM

To DOI@VICGOV1
@VICGOV1
DOI@VICGOV1.
cc @transport.vic.gov.au,
DOI@VICGOV1
Subject: Re: Bastion Point

Hi

We have recently received an update on the safety report which has indicated that the full preliminary report will not be available as per the timeframe set. I will get to send you a further update.

Regards

Marine Safety Victoria
Department of Transport
121 Exhibition Street | Melbourne | Victoria 3000
PO Box 2797, Melbourne, 3001
T.
@transport.vic.gov.au
<http://www.transport.vic.gov.au/>
DOI

DOI
Sent by: To @transport.vic.gov.au,
@transport.vic.gov.au

01/03/10 09:31 AM

cc
Subject Bastion Point

The Minister wants to meet with [redacted] and me to be updated on Bastion Point and options moving forward subject to the outcome from the Supreme Court action.

I will also need to be in a position to brief the Minister on Open Ocean Access policy.

The Minister, I expect will also be interested in where things are at with the Safety Audit for Bastion Point - would you update me on that please.

Email advice on the above would be sufficient to enable us to discuss with the Minister. [redacted] is setting up the meeting sometime in the next couple of days - I will let you know when I have a time.

Cheers

Freight, Logistics and Marine Division
Department of Transport
Ph:
Fax:

@transport.vic.gov.au

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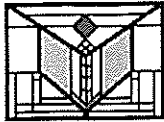
02/03/10 02:46 PM

DOI To DOI@VICGOV1
cc
bcc
Subject Fw: legal issue on Bastion point

History: This message has been replied to.

See advise below from legal.
I am seeking clarification from them on the hearing date as their brief to the Minister states the 17 as the start date.

----- Forwarded by DOI on 02/03/10 02:44 PM -----



02/03/10 01:13 PM

DOI To DOI@VICGOV1
cc
Subject Re: Fw: legal issue on Bastion point

Sorry, can't say.

It's been set down for a 2 day hearing on 16 & 17 March and it could all be done in 2 days or it could be adjourned for sometime in the (near or distant) future.

Then there is the issue of whether an injunction prevents the Minister for the Environment from considering an application for project works under the Coastal Management Act - i.e., we don't know whether the judge will put a freeze on everything or not.

Not much of an answer I know but I'd be making it up if I got anymore specific.

Integration, Sustainability & Major Projects Facilitation
Regulatory, Policy and Legislation Branch, DOT Legal

t:
121 Exhibition Street | Melbourne | Victoria 3000
PO Box 2797, Melbourne, 3001
@transport.vic.gov.au
<http://www.transport.vic.gov.au/>
CORE/DOI



02/03/10 11:11 AM

CORE/DOI To CORE/DOI@VICGOV1
cc
Subject Fw: legal issue on Bastion point

- could you please advise?
Thanks

Senior Policy Officer
Freight, Logistics and Marine Division

Department of Transport
11/121 Exhibition Street
Melbourne Vic 3000

Ph:

Fax

email:

@transport.vic.gov.au

----- Forwarded by

CORE/DOI on 02/03/10 11:10 AM -----

CORE/DOI

02/03/10 10:01 AM

To

CORE/DOI@VICGOV1

cc

Subject Re: legal issue on Bastion point

Thanks - do we know how long it will take to be heard - looks like it might only go a couple of days at most - could you check with DoT Legal.

Freight, Logistics and Marine Division
Department of Transport

Ph:

Fax:

@transport.vic.gov.au

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Department of Transport

CORE/DOI
02/03/10 03:22 PM

To DOI@VICGOV1
DSD@DSD,
DOI@VICGOV1
DOI@VICGOV

cc
bcc

Subject Re: Bastion Point Discussion - 9/3

yes

Intergovernmental Relations
Department of Transport - Victoria
Tel:
Fax:
Mob
Email: @transport.vic.gov.au

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Ingrid Witkowski/CORE/DOI



02/03/10 11:53 AM

DOI

To DOI@VICGOV1, DOI@VICGOV1, DOI@VICGOV1, DOI@VICGOV1
cc @DSD,
Subject Bastion Point Discussion - 9/3



Good Afternoon

Unfortunately 11.30 am doesn't work for the Bastion Point meeting.


Can you please let me know if you are available at 9.00 am for 30 minutes?

thanks

Office of the Deputy Secretary - Strategic Transport Planning

T: @transport.vic.gov.au
----- Forwarded by /CORE/DOI on 02/03/10 11:50 AM -----

Calendar Entry
Meeting

- Notify me  Pencil In
 Mark Private

Subject Bastion Point Discussion

Chair DOI
Sent By

When Tue 09/03/2010 11:30 AM
 Tue 09/03/2010 12:00 PM 30 mins
 Specify a different time zone

Where
Location Room 1503 - Level 15, 121 Exhibition Street
Reserved No rooms or resources have been reserved

Invited The following invitees have been invited.
Invitees Required (to) DOI@VICGOV1, @DSD, DOI@VICGOV1, DOI@VICGOV1, DOI@VICGOV1

Categorize

Description

Discussion request from for Tuesday 9/3.
 I hope this time is okay. Let me know if there is a problem.
 thanks

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03/03/10 02:40 PM

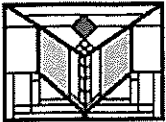
DOI To /DOI@VICGOV1
cc
bcc
Subject Fw: legal issue on Bastion point

History:  This message has been replied to.

I have confirmation from legal that the hearing has been set for 17 March and two days have been set aside.

----- Forwarded by

DOI on 03/03/10 02:39 PM -----



02/03/10 01:13 PM

DOI To /DOI@VICGOV1
cc
Subject Re: Fw: legal issue on Bastion point

Sorry, can't say.

It's been set down for a 2 day hearing on 16 & 17 March and it could all be done in 2 days or it could be adjourned for sometime in the (near or distant) future.

Then there is the issue of whether an injunction prevents the Minister for the Environment from considering an application for project works under the Coastal Management Act - i.e., we don't know whether the judge will put a freeze on everything or not.

Not much of an answer I know but I'd be making it up if I got any more specific.

Integration, Sustainability & Major Projects Facilitation
Regulatory, Policy and Legislation Branch, DOT Legal

121 Exhibition Street | Melbourne | Victoria 3000
PO Box 2797, Melbourne, 3001
@transport.vic.gov.au
<http://www.transport.vic.gov.au/>
CORE/DOI



02/03/10 11:11 AM

DOI To /DOI@VICGOV1
cc
Subject Fw: legal issue on Bastion point

could you please advise?

Thanks

Senior Policy Officer
Freight, Logistics and Marine Division

Page 9 redacted for the following reason:

Duplicate Document

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Department of Transport



09/03/10 10:25 AM

DOI To CORE/DOI@VICGOV1
cc CORE/DOI@VICGOV1
bcc
Subject bastion point - brief

Hi

Notes as requested for your meeting on Bastion point.

A brief was recently provided to Minister Pallas which provides an update on the legal issues surrounding Bastion point.

There are three outstanding items to consider with respect to the policy concerning Bastion point, they are:

- 1.funding options;
- 2.who is the proponent; and
- 3.the future operational maintenance of the facility.

A preliminary cost estimate of the capital cost is between \$3.2 - \$5 million. Funding will also be required for asset renewal and maintenance.

Possible funding sources could be the Regional Infrastructure Development Fund (although only for the capital cost), DOT (although no funding currently available and the local ports program is already stretched), and Gippsland Ports - which is also funded by the local grants program.

The proponent will need to have the appropriate resources and no major governance conflicts. Possible proponents could be DOT, Gippsland Ports, or the East Gippsland Shire.

The future operation of the facility could be either East Gippsland Shire who the owner and operator of the current facility or Gippsland Ports who is the manager and operator of the surrounding local port. Costs of asset renewal should be funded at 3% to 4% per annum. A facility costing \$5 million should therefore have \$150k to \$200k set aside each year. The cost of operation will be largely driven by the risk audit findings of MSV. Neither of the possible operators - Gippsland Ports or East Gippsland Shire has a local presence, so any requirements such as gating the facility in adverse conditions, could not be made part of an existing role. There would also be some requirement for regular dredging of sand build up.

Hope this is of assistance.

Senior Policy Officer
Freight, Logistics and Marine Division
Department of Transport
11/121 Exhibition Street
Melbourne Vic 3000

Ph:
Fax:
email: @transport.vic.gov.au



17/03/10 09:02 AM

DOI

To

DOI@VICGOV1

cc

DOI@VICGOV1

bcc

Subject Bastion point - Project development group

History:

This message has been replied to.

As requested, see below.

Membership for the Project Development Group:

FLM -

IGRD -

RDV/DIIRD -

TPD -

DSE -

Local Govt (East Gippsland Shire) -

(I haven't called yet)

I suggest a meeting is scheduled for next Monday 22 March (1 hr duration?)

Draft Agenda:

1. Welcome

2. Apologies

3. ToR

4. Project update (Project description, Min for Planning Assessment, legal issues, other project approvals required)

5. Current policy/project issues (funding, proponent, future management)

6. Timeframe

7. Other business

8. Next meeting

I have also attached a draft ToR for your review

Happy to discuss.

Elena



Draft Terms of Reference for Bastion Point PDE March 2010.doc

Senior Policy Officer
Freight, Logistics and Marine Division
Department of Transport
11/121 Exhibition Street
Melbourne Vic 3000

Ph:

Fax:

email:

@transport.vic.gov.au

CORE/DOI

DOI

11/03/10 01:22 PM

To

DOI@VICGOV1

cc

DOI@VICGOV1

Subject Re: update on open ocean access

Thanks very helpful - could you see me please about arrangements to set up a Project Development Group asap to move the Bastion Point project forward .

I will chair it and we need to involve IGRD, local govt, RDV, TPD/IPD etc (perhaps also DSE) - would like to have first meeting late next week if at all possible - I will Chair it - could you draft up a very short terms of reference , membership , meeting details etc asap.

Cheers

Freight, Logistics and Marine Division
Department of Transport
Ph:
Fax:

@transport.vic.gov.au
DOI



DOI
11/03/10 12:02 PM

To /DOI@VICGOV1
cc DOI@VICGOV1
Subject update on open ocean access

Terry, update on Open ocean access as requested.

- Draft will be circulated today to the working group - this is the first time they have seen the reworked paper. A meeting has been arranged with the working group for week commencing 22 March to discuss the draft and hopefully agree to the content. There might however be another draft, if so allow another 1-2 weeks.
- Provide copy to Minister's office (advised 1-2 day turnaround)
- Communications advise that it will need to be in the right format to go out to stakeholders (presentation layout and they will need to check the writing style) (allow 1-2 weeks? - early April)
- Consultation with key stakeholders, eg municipal associations (allow 4 weeks - April -early May)
- Finalise draft (1-2 weeks)
- Prepare ESDC submission (end of May)
- I am assuming the submission will be considered by ESDC in June.

The above timelines will of course depend on any issues arising from the working group and from the consultation process.

The above timelines are consistent with our January 2010 ESDC submission which proposed a completion date in May.

Whilst a completely separate process, Bastion point's safety audit will not be finalised until May 2010. The Supreme Court has set aside March 17 to hear the legal matter.

Notes on Bastion point from a previous email..

A brief was recently provided to Minister Pallas which provides an update on the legal issues surrounding Bastion point.

There are three outstanding items to consider with respect to the policy concerning Bastion point, they are:

- 1.funding options;
- 2.who is the proponent; and
- 3.the future operational maintenance of the facility.

A preliminary cost estimate of the capital cost is between \$3.2 - \$5 million. Funding will also be required for asset renewal and maintenance.

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Hope this is of assistance.

Senior Policy Officer
Freight, Logistics and Marine Division
Department of Transport
11/121 Exhibition Street
Melbourne Vic 3000

Ph:
Fax
email:

transport.vic.gov.au

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Bastion Point Project Draft Terms of Reference for Project Development Group March 2010

1. Purpose

To discuss the various options available in relation to developing the Bastion Point Project.

2. Background

The East Gippsland Shire Council – the current proponent has proposed the development of a new breakwater and boat ramp with associated road access and parking. The proposed development is located at Bastion Point, approximately 1.5km south of Mallacoota. The redevelopment is intended to provide safe and efficient launching and retrieval facilities of boats from the open ocean.

The existing ramp is used by recreational fisherman, commercial abalone divers and fishers, as well as fisheries patrol and the servicing of Gabo Island.

An Environment Effects Statement has been considered by the Minister for Planning. The Minister released his Assessment in June 2009. The Assessment determined that a new boat ramp was required, furthermore, the Assessment stated that 'Any contemporary new facility would need to be designed consistent with a full safety audit and in accordance with the relevant design standards and consideration. Operating requirements, commensurate with the conditions and practical marine risks that are present in any open ocean launching facility, may need to be established by Marine Safety Victoria and Gippsland Ports'.

The Marine Safety Audit is underway and is expected to be completed in May 2010.

3. Terms of Reference

The role and functions of the Bastion Point Project Development Group will be:

- a. To provide a forum for discussion and resolution of project issues;
- b. To monitor the project approval process; and
- c. To examine the options available for the development of the Bastion Point boating facility.
- d. To progress the project for approval.

4. Proposed Membership

The following have been identified as having a key interest in this project and will be represented on the Project Development Group:

- Department of Transport (Chair)
- Department of Transport
- Department of Transport
- Department of Transport
- Department of Transport

- Department of Sustainability and Environment
- Department of Innovation, Industry and Regional Development
- Department of Innovation, Industry and Regional Development
- East Gippsland Shire

5. Duration

The Project Development Group will sit until the project is considered for final approval.

6. Taskforce Arrangements

Meetings

It is proposed that the Project Development Group meet on a fortnightly basis, if required.

Administrative Support

Administrative support and coordination of information for the Project Development Group will be provided by the Department of Transport.

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CORE/DOI To DOI@VICGOV1
24/03/10 04:38 PM cc DOI@VICGOV1
bcc
Subject Fw: Proposed meeting with East Gippsland Shire

FYI

----- Forwarded by /DOI on 24/03/10 04:13 PM -----

DOI To DOI@VICGOV1
24/03/10 04:00 PM cc
Subject Re: Fw: Proposed meeting with East Gippsland Shire

No worries

I have put in a call in to the CEO of the council cheers

Intergovernmental Relations
Department of Transport - Victoria
Tel:
Fax:
Mobile
Email: l@transport.vic.gov.au

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Elena Grimshaw/CORE/DOI



DOI To DOI@VICGOV1
24/03/10 02:45 PM cc
Subject Fw: Proposed meeting with East Gippsland Shire

further to my email below- the next PDG meeting is scheduled for 12 April - expressed a desire to meet with the Shire before that date where he intends to invite them to the 12 April meeting.

Regards

----- Forwarded by /DOI on 24/03/10 02:30 PM -----



DOI
24/03/10 09:45 AM

To CORE/DOI
cc
Subject Proposed meeting with East Gippsland Shire

Hi

My understanding from the Bastion Point Project Development Group meeting, that I unfortunately was unable to attend, was that you would arrange a meeting between yourself, and East Gippsland Shire.

has advised me that the East Gippsland Shire representative resides here in Melbourne and that a meeting could therefore be arranged in person.

would like to meet with East Gippsland Shire prior to PAEC (we were asked to prepare a PAEC brief). Could you please arrange a meeting as soon as possible.

Please call me if you have any queries with the above.
Thanks.
Kind Regards

Senior Policy Officer
Freight, Logistics and Marine Division
Department of Transport
11/121 Exhibition Street
Melbourne Vic 3000

Ph:
Fax
email: @transport.vic.gov.au

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Pages 18 through 23 redacted for the following reasons:

Not relevant

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26/03/10 01:57 PM

CORE/DOI

To

@DSD,
DSD@DSD,
DOI@VICGOV1.

cc

bcc

Subject Fw: Bastion Point Design Status

Thanks

As discussed at our last meeting, PDG members please find attached a design status report on the Bastion Point Project.

Kind Regards

Senior Policy Officer
Freight, Logistics and Marine Division
Department of Transport
11/121 Exhibition Street
Melbourne Vic 3000

Ph:
Fax:
email:

@transport.vic.gov.au

— Forwarded by

CORE/DOI on 26/03/10 01:57 PM



@DSD
25/03/10 03:10 PM

DSD

To

DOI@VICGOV1,
DOI@VICGOV1
DSD@DSD

cc

Subject Bastion Point Status

Status of Bastion Point design works as discussed at PDG Meeting.

Regards

Regional Development Victoria
Level 33, 121 Exhibition Street
Melbourne VIC 3000
ph:
fx:
m:



Document3.doc

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Department of Transport

MEMORANDUM

ABN: 81 957 967 765

To: Victoria - Regional Development

From: East Gippsland Shire Council

Date: 23 March 2010

Subject: Mallacoota Ocean Access Boat Ramp design process

further to your telephone call yesterday I have provided below a brief outline of the process to date regarding design of the Mallacoota Ocean Access Boat Ramp and associated car/trailer parking.

Council applied for funding around the middle of 2009 for the design of the ramp.

The Minister for Rural and Regional Development, Minister Jacinta Allan MP, advised Council by letter dated 7 August 2009 that the funding application was successful and that the project would be funded under the 'Planning for Growth Initiative'. A grant of up to \$150,000 was nominated.

The above offer was conditional upon signing of a legal agreement. The draft of this agreement has only recently been received by Council for consideration. The offer also stipulated the need for Council to consult with 'relevant State Agencies in undertaking the design project'.

Council subsequently advertised a tender for the design of the Boat Ramp and associated works with tenders closing 30 October 2009. About this time the 'Mallacoota Ocean Access Boat Ramp Community Advisory Committee' (MOABRCAC) was established with the Charter generally of providing community input and comment during the design process.

The design tender was considered by Council at its 1 December 2009 meeting and the tender was awarded to Crossco Unit Trust. The tender completion date at the time of accepting the tender was the end of March 2010. Crossco has commenced design however due to a delay in obtaining Coastal Management Act Consent to undertake geotechnical investigations on site, a completion date of the end of May 2010 has recently been advised by the consultant.

MOABRCAC has met on two occasions, firstly on 18 December 2009 and secondly on 10 March 2010. Both meetings were attended by all 4 Community Group members. It is also important to note that Gippsland Ports Authority and Department of Sustainability and Environment have attended 1 and 2 meetings respectively.

The Maritime College of Australia have been nominated by Marine Safety Victoria as the body that will assess the safety aspects of the proposed boat ramp. Council's Director Development met with the Maritime College representative in November 2009 to provide a briefing on the project.

A Cultural Heritage Consultant (Vincent Clark and Associates) has been engaged to provide input during the design phase and to complete the Cultural Heritage Management Plan for the project.

During March 2010 both Landscape Architect and Economic Impact assessment consultants have been approached to provide input into and analysis of the design respectively.

23/03/10.

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06/04/10 02:46 PM

CORE/DOI

To

DOI@VICGOV1

cc

bcc

CORE/DOI

Subject Fw: Proposed meeting with East Gippsland Shire

Hi

Any luck with arranging a meeting? Our PDG meeting is scheduled for next Monday.

Thanks

Senior Policy Officer
Freight, Logistics and Marine Division
Department of Transport
11/121 Exhibition Street
Melbourne Vic 3000

Ph:

Fax

email:

@transport.vic.gov.au

— Forwarded by

DOI on 06/04/10 02:43 PM

DOI
24/03/10 04:00 PM

To

DOI@VICGOV1

cc

Subject Re: Fw: Proposed meeting with East Gippsland Shire

No worries

I have put in a call in to the CEO of the council cheers

Intergovernmental Relations
Department of Transport - Victoria
Tel:
Fax
Mobile
Email: @transport.vic.gov.au


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Elena Grimshaw/CORE/DOI

Page 28 redacted for the following reason:

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07/04/10 04:27 PM 'DOI To @gippslandports.vic.gov.au>
cc DOI@VICGOV1
bcc DOI
Subject Bastion Point 

We would be very pleased if you could participate in a Project Development Group to support East Gippsland Shire in the development of the Bastion point project.

will send you information about the next meeting, planned for Monday 12 April at 10:30am, and the terms of reference for the group. If you cannot attend in person will be able to arrange for you to participate by conference call.

Local Ports Transition and Integration
Freight Logistics and Marine Division
Department of Transport

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Department of Transport

Bastion Point Project Project Development Group Meeting

4-5pm


Friday 7 May 2010

Location: Level 11, Meeting Room 1107

121 Exhibition St, Melbourne

- 1) Welcome
- 2) Apologies
- 3) Project Update
- 4) MSV Safety Audit
- 5) MPV's input into the project
- 6) Other Business
- 7) Next PDG Meeting


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Department of Transport

 12/04/10 03:11 PM
DOI To DOI@VICGOV1
cc
bcc
Subject Fw: Bastion Point Safety Audit

History:  This message has been forwarded.

this is the email I have sent to let me know if you need anything else for your conversation with

----- Forwarded by DOI on 12/04/10 03:10 PM -----

 12/04/10 02:33 PM
DOI To DOI
cc DOI@VICGOV1,
DOI@VICGOV1
Subject Bastion Point Safety Audit

Hi

I understand from that you are leading on the Bastion Point Safety Audit. As you are aware a Project Development Group was recently created for the Bastion Point Project. This group is being chaired by I have attached the Terms of Reference for your information.

Following our recent meeting, it was suggested that the next meeting should be scheduled once the Safety Audit has been finalised. confirms that this is May 3. I have therefore arranged a meeting for Friday May 7. Terry would also appreciate it if someone from MSV could attend the meeting to discuss the Safety Audit - the results, remaining issues, perceived problems etc.

Also discussed at our last meeting was the extent of involvement from MSV with the design of the facility. AMC has consulted with East Gippsland Shire and the designers (according to the draft audit), but has MSV had any direct contact with the designers (Coastal Engineering Solutions - in the context of providing advice/feedback on the design?)

I understand that you are on leave until next week - happy to discuss the above with you on your return.



Copy of - Final Terms of Reference for Bastion Point Project Development Group (PDG) April 2010 -- DDC-10-280335.DOC

Kind Regards

Senior Policy Officer
Freight, Logistics and Marine Division
Department of Transport
11/121 Exhibition Street
Melbourne Vic 3000

Ph:
Fax:
email: @transport.vic.gov.au

Bastion Point Project

Final Terms of Reference for Project Development Group

April 2010

1. Purpose

To discuss the various options available in relation to developing the Bastion Point Project.

2. Background

The East Gippsland Shire Council – the current proponent has proposed the development of a new breakwater and boat ramp with associated road access and parking. The proposed development is located at Bastion Point, approximately 1.5km south of Mallacoota. The redevelopment is intended to provide safe and efficient launching and retrieval facilities of boats from the open ocean.

The existing ramp is used by recreational fisherman, commercial abalone divers and fishers, as well as fisheries patrol and the servicing of Gabo Island.

An Environment Effects Statement has been considered by the Minister for Planning. The Minister released his Assessment in June 2009. The Assessment determined that a new boat ramp was required, furthermore the Assessment stated that 'Any contemporary new facility would need to be designed consistent with a full safety audit and in accordance with the relevant design standards and consideration. Operating requirements, commensurate with the conditions and practical marine risks that are present in any open ocean launching facility, may need to be established by Marine Safety Victoria and Gippsland Ports'.

The Marine Safety Audit is underway and is expected to be completed in May 2010.

The Project Development Group was established to assist East Gippsland Shire in its role as proponent for the project. The Department of Transport will lead any funding submission and the budget management on behalf of the Shire.

3. Terms of Reference

The role and functions of the Bastion Point Project Development Group will be:

- a. To provide a forum for discussion and resolution of project issues;
- b. To monitor the project approval process; and
- c. To examine the options available for the development of the Bastion Point boating facility.
- d. To progress the project for further consideration by Government.

4. Proposed Membership

The following have been identified as having a key interest in this project and will be represented on the Project Development Group:

- Department of Transport (Chair)
- Department of Transport
- Department of Transport
- Department of Transport
- Department of Transport
- Department of Sustainability and Environment
- Department of Innovation, Industry and Regional Development
- Department of Innovation, Industry and Regional Development
- Major Projects Victoria
- East Gippsland Shire
- Gippsland Ports

5. Duration

The Project Development Group will sit until the project is considered for final approval.

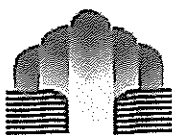
6. Taskforce Arrangements

Meetings

It is proposed that the Project Development Group meet on a fortnightly basis, if required.

Administrative Support

Administrative support and coordination of information for the Project Development Group will be provided by the Department of Transport.



DOI
12/04/10 07:18 PM

To DOI@VICGOV1
cc DOI@VICGOV1,
DOI@VICGOV1
bcc
Subject Re: Fw: Bastion Point Safety Audit

History: This message has been forwarded.

Hi

Yes, happy to meet and discuss. We have had some input after the first preliminary draft as there were some issues they had not covered. They must be getting close to finishing the report and we are more than happy to meet and discuss with you when we have it.

Let me know if you need anything more from us.

Regards

Marine Safety Victoria
Department of Transport
121 Exhibition Street | Melbourne | Victoria 3000
PO Box 2797, Melbourne, 3001
T. @transport.vic.gov.au
<http://www.transport.vic.gov.au/>
DOI

DOI
12/04/10 06:44 PM
To DOI@VICGOV1
cc
Subject Fw: Bastion Point Safety Audit

Hi - your assistance/advice on matters below would be appreciated.

cheers

Freight, Logistics and Marine Division
Department of Transport
Ph:
Fax: @transport.vic.gov.au

Pages 35 through 37 redacted for the following reasons:

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Bastion Point Project Project Development Group Meeting

9-10 am

Monday 10 May 2010

**Location: Level 5 Corporate Centre
121 Exhibition St, Melbourne**

- 1) Welcome
- 2) Apologies
- 3) Project Update
- 4) MSV Safety Audit
- 5) MPV's input into the project
- 6) Other Business
- 7) Next PDG Meeting

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Pages 39 through 40 redacted for the following reasons:

Not relevant

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03/05/10 04:04 PM

DOI To DOI@VICGOV1
cc
bcc

Subject Bastion point PDG meeting - issues with proposed time

History: This message has been replied to.

MPV cannot attend a Bastion Point PDG meeting at 11.30 on Friday 7 May, was only available early Friday morning.

East Gipps representative- cannot meeting on Monday 10th, 17th or Friday 14th.

I know that you already have a busy day - can we squeeze in (acknowledging an overlap with the b/fast) for a 8.30- 9.30 meeting?

Otherwise we are looking at Monday 24th at the earliest - and would need to rearrange his calendar for us then.

Thanks

Senior Policy Officer
Freight, Logistics and Marine Division
Department of Transport
11/121 Exhibition Street
Melbourne Vic 3000

Ph:
Fax
email: @transport.vic.gov.au

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04/05/10 12:59 PM

'DOI

To

CORE/DOI@VICGOV1,
DOI@VICGOV1

cc

'DOI@VICGOV1,
DOI@VICGOV1

bcc

Subject Fw: Minutes Mallacoota Ocean Access Boat Ramp
Community Advisory Committee 10/03/10

History:

☞ This message has been replied to and forwarded.

The attached may be of interest to you - sounds like there has been considerable thought put into the design of the ramp to this point - prior to the safety audit being completed, of course.

Operations
Marine Safety Victoria

T.
M
F.
PO Box 2797 Melbourne Victoria 3001
W. www.marinesafety.vic.gov.au

----- Forwarded by Lisa Faldon/CORE/DOI on 04/05/10 12:57 PM -----



> @egipps.vic.gov.au
04/05/10 11:26 AM

@bigpond.com>, @bigpond.com>,
@lookear.net.au>, @vicnet.com>,
@gippslandports.vic.gov.au>,
@transport.vic.gov.au>,
@dse.vic.gov.au>, @crossco.com.au>

To

cc

Subject RE: Minutes Mallacoota Ocean Access Boat Ramp
Community Advisory Committee 10/03/10

<<Document4.doc>>

To:

@bigpond.com; @bigpond.com; @lookear.net.au @vi
cnet.com @gippslandports.vic.gov.au; @transport.vic.gov.au;r
@dse.vic.gov.au; @crossco.com.au

Cc:

Good morning all

Attached for your information is a copy of the minutes of the Mallacoota Ocean Access Boat Ramp Community Advisory Committee held on 10 March 2010.

Regards

East Gippsland Shire Council

stated that there was misinformation being spread around in the town that there maybe a potential "April Hamer" all day type dredge being used.

advised there is a need to give consideration to a potential need for a fixed discharge pipe to be laid for future dredge.

said that the draft Environment Management Plan was produced as part of the Environmental Effects Statement. to provide a copy of the Environment Management Plan to Crossco.

referred to minor errors in the previous minutes as follows:

- "20-25 car spaces" should be amended to "20-25 car and trailer spaces",
- "saltation" should be amended to "siltation".
- stated net effect of sand migration would be similar pre and post construction" to be added into the previous minutes;
- "seaweed removal would be by some form of grab" to be added into previous minutes.

queried suggestion that about the 20,000cu.m sand movement per year and asked if would give assurance that it would not reach 50,000cu.m.

reiterated that the 20,000 cu.m was the estimated annual volume of sand movement.

commented that the Environmental Effects Statement document refers to sand management and a small suction pump.

queried the modelling process. outlined that he would model various wave heights to simulate varying storm events.

The next Committee meeting will be held at the end of the preliminary design phase.

Meeting closed at 1.15pm.

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asked about the use of sand-filled go-fabric bags for the breakwater and road batter.

advised that the bags do not have a great design life. also commented that the proposed rock facing reduces wave run-up.

General consensus was that the natural rock facing along the access road is better than sandbags.

outlined the proposed model that will look at wave impact and the model being built now by Adelaide Uni.

raised the issue of potential wave scour where the current access road hits the beach and queried the path along the access road.

advised that the path would cross on a different coloured surface at the top of the ramp.

said there would be a need to consider restricting pedestrian access to the escarpment from the beach access road.

discussed the ramp itself, whether it should be a precast ramp or cast in situ. Lay-by capacity for eight boats (4 each side), lay-by jetty level equals top of ramp level. Others commented that it would be too high at low tide. to reconsider.

General comments were that there was no support for a pontoon type jetty.

advised against timber deck due to uplift from swell. Group agreed that an open mesh deck would be a better option.

General Discussion

said he would like to see some modelling results. also said he would like to see the preliminary designs for car parks, etc.

felt that at the last meeting it was stated that only backhoe operations would be undertaken on site, however, there was actually core sampling being done. also expected to have received a copy of the Environment Management Plan. also raised occupational health and safety issues.

asked about a user-pays system for use of the ramp. to talk to East Gippsland Shire Council.

asked if the maritime safety report has been completed. advised that the report cannot be completed until the boat ramp modelling has been completed.

asked about details of the maintenance dredge. advised that he still plans to stay with the previous portable dredge option provided.

asked where would the sand be deposited and will a pipe be laid across the rocks for the dredge or will the dredge be floated?

asked about the Environment Management Plan.

advised he was concerned about the misinformation in the article by in the Mallacoota Mouth.

commented that members of the committee are spreading incorrect information.

advised he would provide information for insertion in the Mallacoota Mouth.

.....

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This footnote also confirms that this email message has been swept by MIMESweeper for the presence of computer viruses.

East Gippsland Shire Council

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MEMORANDUM

ABN: 81 957 967 765

To: **Mallacoota Ocean Access Boat Ramp Community Advisory Committee (MOABRCAC)**

From: **East Gippsland Shire Council**

Subject: **Minutes of meeting held in Mallacoota, 11.00 a.m. on 10 March 2010.**

Attendees: (EGSC), Chairman. –
(DSE) –
(Crossco)
(Mallacoota Ocean Access Committee, MOAC) –
(Friends of Mallacoota, FOM) –
(Mallacoota and District Business and Tourism Association, MADBATA) –
(Save Bastion Point, SBP) –
(Crossco Consultant) –
(Coastal Engineering Solutions) –

opened the meeting at 11am to discuss the project. Designs were held up due to Coastal Management Act consent. As a result it is expected that completion will be seven weeks later than anticipated, ie end of May 2010. However, this is not fatal to the project.

gave an update on the project's progress advising that car parking will require vegetation removal to comply with Code. AS3962 Guidelines requires anywhere between 20 to 50 car and trailer spaces per lane.

queried the need for a two lane ramp.

advised that a two lane ramp is what is promised in Option 3B and that there will be a need to design the car park for a two lane ramp, which means a minimum of 40 car and trailer parks.

stated that the project needs to have input from a landscape designer.

stated that the firm E.P.M. would be the likely consultant to provide input due to their involvement in the Environmental Effects Statement.

commented on the need for car parking along the current road on the beach side.

General discussion – The design should include a pathway along the headland adjacent to the road.

described the proposed ramp designs, access road and circulating area, ie:

- design for boats up to 10m maximum;
- top of ramp to be RL 1.7m A.H.D. to allow freeboard above highest expected tide;
- channel bed RL 2.0m A.H.D gives sufficient water depth at low water for boats;
- excavated material should be able to be used on-site and aim to not take the existing material away;
- access road to be two x 3.2m wide traffic lanes plus a 2.1m wide shared pathway.



11/05/10 09:00 AM

DOI To DOI@VICGOV1
cc DOI@VICGOV1,
DOI@VICGOV1
bcc
Subject Update on Bastion Point Supreme Court

History: This message has been replied to.

I have been advised by [redacted] in DOT legal that the Bastion point case was only partly heard yesterday and is due to continue today. I will seek another update tomorrow.
[redacted] is also available to attend our next PDG meeting to discuss the outcome of the case, if required.

Cheers

Senior Policy Officer
Freight, Logistics and Marine Division
Department of Transport
11/121 Exhibition Street
Melbourne Vic 3000

Ph:
Fax
email: @transport.vic.gov.au

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Pages 48 through 49 redacted for the following reasons:

32(1)
Not relevant

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11/05/10 03:25 PM

DOI

To

MPV/DSD@DSD,
DOI@VICGOV1
DOI@VICGOV1,

cc

bcc

Subject Minutes - Bastion Point Project Development Group meeting

Hi All

Please find attached the minutes to yesterday's Bastion Point Project Development Group meeting.

Please note that I will be commencing my 12 months leave as of Thursday this week. Until my replacement has been finalised, could you please direct your queries to



Copy of -- Minutes 10 May 2010 for the Bastion Point Project Development Group meeting (PDG) -- DOC-10-305876.DOC

Thank you
Kind Regards

Senior Policy Officer
Freight, Logistics and Marine Division
Department of Transport
11/121 Exhibition Street
Melbourne Vic 3000

Ph:
Fax
email:

@transport.vic.gov.au

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Pages 51 through 52 redacted for the following reasons:

Duplicate Document

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Department of Transport

RECOMMENDATION

49. That you note the issues and options in relation to the Bastion Point Boat Ramp Project.

Prepared by:

Prepared by:

Endorsed by:

Legal Counsel, FLAM,
DOT Legal

Integration,
Sustainability & Major Projects
Facilitation, DOT Legal

Freight Network
Major Commercial Projects,
FLAM

Phone:

Phone:

Phone:

Date: / / 2010

Date: / / 2010

Date: / / 2010

Approved by:

Commercial Branch
DOT Legal

Phone:

Date: / / 2010

NOTED

Minister for Roads and Ports

Date: / / 2009

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Department of Transport

Ministerial Briefing

TO: MP
Minister for Roads and Ports

FROM: Deputy General Counsel,
Commercial Branch, DOT Legal

CC: Deputy Secretary

SUBJECT: Bastion Point Boat Ramp Project

DATE: 28 January 2010

Confidential and Subject to Legal Professional Privilege

PURPOSE

1. To advise you on the status of the Bastion Point boat ramp Project (the Project), including the legal proceedings in the Supreme Court and the legislative options to facilitate Project delivery.

BACKGROUND

Bastion Point Project

2. The Project involves selection, development and implementation of a design proposal to upgrade existing open ocean access boating facilities at Bastion Point.
3. The Project has been assessed under the *Environment Effects Act 1978* (EEA). The East Gippsland Shire Council (the Council), as the Project proponent, prepared an Environment Effects Statement and a panel appointed under the EEA prepared a report on the Project options.
4. The panel concluded there was no overall societal benefit from the proposed options and they should be disregarded. The panel formed the view that "no change" was not an acceptable option either and a minor upgrade of the existing ramp and parking be undertaken. As part of its conclusions, the panel recommended that a community advisory committee and independent facilitator be appointed to assist in the development of a design of an upgrade of the boat ramp.
5. On 10 June 2009, the Minister for Planning made an assessment under the EEA in favour of a new boat ramp 150 metres south of the existing one and, as such, is a significant re-development of the existing facilities in the area (Minister for Planning's Assessment).

6. The Minister for Planning's Assessment required Marine Safety Victoria (MSV), to undertake a comprehensive safety and risk audit of the Project option assessed by the Planning Minister as the preferred option. A draft report of this audit is due late February 2010.
7. If the Project proceeds, it will be subject to a range of approvals and permits, including a permit under the *Coastal Management Act 1995* (CMA) from the Minister for Environment and Climate Change, for use and development of coastal Crown land.

Safety and risk audit of preferred option

8. MSV is leading the safety and risk audit of the Project, as required by the Minister for Planning's assessment.
9. Following a competitive tender process, AMC Search was appointed on 14 October 2009 to conduct a detailed risk audit. A preliminary report is due on 26 February 2010 with a final report due on 3 May 2010.

Open Ocean Access policy development

10. The Transport Integration Bill 2009 provides overarching policy objectives for economic, social and environmental sustainability as well as safety and land use and transport integration. The Transport Integration Bill also provides a framework which guides transport decision making. The policy framework and decision-making principles can guide subject specific policies such as an Open Ocean Access policy.
11. Freight Logistics and Marine Division (FLAM) is leading the development of an open ocean access policy, which aims to support new and upgraded boating facilities for open ocean access and to promote the development of these facilities.
12. On 18 May 2009, the Economic and Sustainable Development Committee noted that "a policy be developed for the provision of open access launching facilities".
13. On 10 August 2009 ESDC noted the progress of this work and the matter is again scheduled for ESDC on 28 January 2010.
14. The next phase of the draft policy paper involves consultation with facility managers, land managers and relevant law enforcement agencies.

Portfolio working group

15. The Department of Transport (DoT) has formed a working group comprising representation from FLAM, DoT Legal, Intergovernmental Relations Division, MSV and Regional Development Victoria (RDV). The working group will be chaired by the Deputy Secretary – Strategic Transport Planning.
16. The working group will advise on and/or address the issues outlined below.

ISSUES

Project Governance and funding

17. Bastion Point is located within the designated local port of Mallacoota.

18. The facility is currently managed by the Council. The Council is also currently the proponent of the Project as the relevant public land manager and asset manager of the facility.
19. Given the complex issues associated with the Project in terms of safety, environment, support for the fishing industry and regional development, it is proposed that DOT will provide you with further advice on the issue of an appropriate project proponent.
20. The preliminary estimate of capital costs for the Project is \$3.2m. Were DoT to become the Project proponent, ERC funding would be required as DoT does not have existing budget capacity. A more rigorous estimate of the construction cost will not be known until the detailed design work is completed.
21. A further option is for the Project to be partly funded under the Regional Infrastructure Development Fund. RDV is a significant stakeholder because of the importance of Bastion Point in supporting abalone fishing, recreational boating and regional development. RDV recently provided funding assistance to the Council for the detailed design work on the new boat ramp and related infrastructure. The Council estimates that this design work will be completed by mid-May 2010.
22. The cost of operation of the boat ramp is not funded and an operator has not been determined. Asset renewal, maintenance and operation costs could be substantial and RDV does not provide operational funding.

Supreme Court Proceedings

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Department of Transport

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Information Act 1982
Department of Transport

20/05/10 07:19 PM DOI To DOI@VICGOV1
DOI@VICGOV1,
DOI@VICGOV1,
cc
bcc
Subject Bastion Point Boat Ramp Project

Dear all

The Minister's office has requested an update brief on the Bastion Point project

Attached is a version of the most recent brief (I'm currently tracking down a signed version so that we can be sure of the exact words that have gone previously).

We need to provide the Minister with an updated advice on the following issues:

- Safety and risk audit of preferred option -
- Open Ocean Access policy development -
- Supreme Court Proceedings -

DOT Legal (and I) can co-ordinate the writing of the brief, given that it will contain legal advice on the court proceedings.

If you could get some words to Gabrielle and I as soon as possible on the above points, that would be great.


Cheers

Commercial Branch
DOT Legal Division
Department of Transport
121 Exhibition Street | Melbourne, Victoria 3000
PO Box 2797, Melbourne, 3001

@transport.vic.gov.au
<http://www.transport.vic.gov.au/>



bastion point_update brief.doc

24/05/10 02:16 PM
DOI
To DOI@VICGOV1
cc CORE/DOI@VICGOV1,
DOI@VICGOV1,
DOI@VICGOV1,
bcc
Subject Bastion Point Boat Ramp Project briefing note 

Hello

Please see input from FLAM for assembling the briefing note - attached.

Point 5 may need amendment depending on timing and any movement on release of the safety audit by MSV.

Please let me know if I can be of further assistance

Local Ports Transition and Integration
Freight Logistics and Marine Division
Department of Transport



Copy of -- Briefing note input - FLAM 100524 -- DOC-10-317014.DOC

CORE/DOI

20/05/10 07:19 PM

DOI

To

CORE/DOI@VICGOV1,
DOI@VICGOV1,
DOI@VICGOV1,
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DOI@VICGOV1

cc

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