

5.3.2. MALLACOOTA OCEAN ACCESS BOAT RAMP PROJECT

DEPARTMENT	Operations
AUTHORED BY	Chris Waites, Director Operations
DOCUMENT NO.	4652708

1 OBJECTIVE

This report provides a discussion on the State Government's review of an alternative boat ramp proposal put forward by the Save Bastion Point Campaign (SBPC), and the subsequent decision by the Department of Transport (DOT) to offer a further option for public consideration, known as H2.

Account is taken of the public feedback from the DOT public consultation process and the previous Council decision of 3 August 2010, Ordinary Council meeting Item 5.3.2, to seek Coastal Management Act consent to construct 'Option 3B'.

2 BACKGROUND

East Gippsland Shire Council was the proponent for preparation of an Environmental Effects Statement (EES) for an Ocean Access Boat Ramp at Bastion Point Mallacoota. Upon completion of the EES the document was assessed by a Panel appointed by the Minister for Planning, Minister Justin Madden. The Panel completed its assessment of the EES in October 2008, providing a report of some 171 pages to the Minister for his consideration. In summary, the Panel suggested a minor upgrade of the existing Ocean Access Boat Ramp at Bastion Point, without the need to construct breakwaters.

In June 2009 Minister Madden, having considered the Panel Report and visited Bastion Point himself, provided his assessment. In summary the Minister supported a more significant Ocean Access Boat Ramp upgrade than that suggested by the Panel, to be located to the southeast of the current ramp at a location referred to as 'Option 3B'. The Minister's response states in-part as follows;

'It is my assessment that EGSC, DSE, MSV and Gippsland Ports determine the specific construction design and associated operational, safety and management arrangements for a new ramp to be constructed generally along the lines of Option 3B.'

Having considered the Panel Report and the Minister's Assessment, Council resolved at the Ordinary Council Meeting of 7 July 2009 (Item 4.1) to proceed with the design of the facility. The resolution is provided below.

'That Council notes the Planning Minister's findings and recommendations in relation to the proposed Ocean Access Boat Ramp, Bastion Point, Mallacoota and establishes a Community Advisory Committee as detailed in its decision of 23 August 2005 to assist Council in working with Department of Sustainability and Environment, Marine Safety Victoria and Gippsland Ports to develop the specific construction design as highlighted in the Minister's Assessment, subject to receiving Government financial assistance to undertake the design work, and that such committee provide safety and economic analysis of such construction designs as at the current date and that such designs and reports be brought forward to Council for final assessment prior

to submission to the Minister for Environment and Climate Change to seek Coastal Management Act consent.'

The Community Advisory Committee was established, and detailed design and safety assessments were completed. A comprehensive report (refer to **Attachment 1**) was then submitted to Council at the Ordinary Meeting of 3 August 2010, Item 5.3.2. Following consideration of the report, Council resolved as follows:

'That Council authorises Officers to submit the Detailed Design of the Mallacoota Ocean Access Boat Ramp and associated car/trailer parking, as provided at Appendix 1 and supporting documentation, to the Minister for Environment and Climate Change to seek Coastal Management Act Consent and to construct the facility upon receipt of such consent and sufficient external funding for the project.'

The Coastal Management Act Consent (CMAC) application was submitted to the Department of Sustainability and Environment (DSE) on 20 September 2010. DSE reviewed the documentation and, in a letter to East Gippsland Shire Council (EGSC) date 11 October 2010, requested further supporting information. The most significant additional work required, was the preparation of a Cultural Heritage Management Plan (CHMP). Following discussion with Aboriginal Affairs Victoria (AAV) and local indigenous representatives, the CHMP was approved on 29 August 2011.

At the time of submitting the original CMAC application, DSE also received a proposal from SBPC for a low impact boat ramp option at the site of the current ramp. The State Government committed to a review of this proposal, prior to assessing the revised CMAC application for Option 3B. The review has been occurring over the past 12 months, and for this reason, the revised CMAC application has not been submitted to DSE. Only after the review of the alternative ramp proposal is complete, will DSE consider a CMAC application for an ocean access boat ramp at Mallacoota.

3 CURRENT STATUS AND/OR ISSUES

In the final quarter of 2010, SBPC submitted to DSE, a proposal for a low impact ocean access boat ramp, at the site of the existing ramp. DOT subsequently engaged Hyder Consulting Pty Ltd (Hyder) to review the SPBC low impact option, and undertake a multi-criteria analysis (MCA) of this alternative against the previously developed option, Option 3B.

This work was completed in December 2011 and the resultant report is provided as **Attachment 2**. As a result of this process, Hyder concluded the following:

'It is Hyder's professional opinion that the safety risks posed by the Alternate Option are unacceptable. Specifically the Alternate Option provides 60% more risks with a consequence of fatality than Option 3B. This is reflected in the outcome of the MCA. That said, whilst Option 3B yields a higher ranking in the MCA, we note that it scored poorly on environmental and capital cost outcomes.

It is recommended that a third option, 'Alternate Option H2', is explored which may provide a more favourable MCA score than either Option 3B or the Alternate Option.'

Hyder proceeded with preparing a concept design for H2 and DOT used a final version of this concept during consultation with the community and key stakeholder groups. This concept plan is provided as **Appendix 1**. The community consultation process is outlined in Cl. 5 below.

DOT briefed Councillors and Council Officers, following completion of Hyder's review, on 13 December 2011. Officers expressed various concerns, relating mainly to a lack of detailed information. DOT and Hyder met with Council officers on 3 February 2012, to discuss the concerns raised at the previous meeting. A subsequent briefing to Councillors was held on 7 February 2012.

Following review of all information provided to Council, and through observation of the community consultation process, there remain a number of significant areas of concern in respect to H2. These issues are summarised as follows:

- Increased operational costs compared with Option 3B, due to increased volume of sand dredging.
- Inadequate parking facility, resulting in unsafe roadside parking.
- Conflict with swimmers and surfers. More significant than 3B.
- Significant delay to project start due to preparation of detailed design, Cultural Heritage Management Plan, etc.
- Potential for damage to cultural heritage sites near head of proposed ramp.
- Construction costs likely to mirror or exceed 3B costs, if second breakwater of 140m length is constructed to minimise sand intrusion into facility.
- Significant aesthetic impact due to proximity to adjacent family swimming area. Impact on usability of family swimming beach.

The following commentary provides more detail in respect to these issues:

- **Sand movement** – the issue of sand movement and volume of annual sand removal from any of the proposed ramp options is of concern, given the likelihood that the Shire will be the operator of the facility. The EES coastal processes study undertaken by Peter Riedel of 'Coastal Engineering Solutions', confirmed recent advice that the nett sand movement from East to West and West to East is pretty much equal for any of the sites at Bastion Point, that were considered in the EES. However, Mr Riedel also suggested that at Site 1 (the site of the proposed H2 option), a second breakwater of approximately 140m in length is required to stop sand ingress onto the boat ramp area, from the beach immediately to the north. This is shown on **Attachment 3**.

The H2 option, proposes to provide a jetty of approximately 70m in length on the northern side of the ramp (where the second breakwater was proposed). This jetty is to have vertical solid walls to attempt to prevent the localised sand movement from the adjacent beach. This proposal would seem inadequate based on Mr Riedel's data and predictions. It would appear that the jetty would have to be 140m long to be effective, based on Mr Riedel's studies. Clearly a 140m long jetty would add significant cost to the H2 proposal and would be visually intrusive.

- **Parking** – The parking proposed under the H2 option is significantly below that offered under Option 3B. It should be recognised that 3B car/trailer parking capacity is considered low for a 2 lane boat ramp, even more-so considering the significant amount of car-only parking that is required to cater for beach-goers. H2 would see a continuation of unsafe roadside parking during busy periods. This is a safety issue that needs to be moderated by providing as much parking as possible, recognising that there may still be some roadside parking on peak use days, even with the 3B parking provisions. There is also a level of concern regarding the proposed de-rigging area for H2. Boats are expected to rig and de-rig at the top of the steep hill above the ramp. It is not common practice to have to drive up or down a steep access road with a partially secured vessel.
- **Impact on surfing** – It has been suggested that both H2 and 3B have a similar impact on surfing. This would seem unrealistic if anecdotal evidence is to be believed. H2 impacts heavily on the nursery surfing area. By all accounts, this area is used by the majority of surfers on many occasions throughout the year. The conflict between boats, surfers and swimmers at this site appears undisputable and it is difficult to understand how this could be practically managed. By contrast, the 3B ramp impacts on the broken-board surf area. Anecdotal accounts suggest that this area is used by half a dozen of the more skilled surfers on a handful of occasions throughout the year, when surf conditions are significant. On these occasions the use of the ramp is unlikely, therefore resulting in a much lower risk of conflict between users. The impacted surf areas are shown in **Attachment 4**.
- **Environmental impact** – It has been suggested by the Department of Sustainability and Environment (DSE), that the environmental impact of 3B is much greater than H2. Council recognises that there is a visual impact of the road along the beach with 3B, however the visual impact of H2, which sits immediately beside the family (small children) swimming area, also needs to be recognised. From a cultural heritage point of view, it is important to note that 3B has received an approved Cultural Heritage Management Plan (CHMP). The road along the beach does not impact directly on the midden areas and actually provides protection to these sites from further erosion. This is particularly so where exposed artefacts are already evident at the head of the 3B ramp. In contrast, the turning area for H2, which is yet to be fully designed, has the potential to impact on culturally sensitive sites if it cannot be contained within the existing disturbed area.

The positive environmental consideration of H2 is partly based upon the reduced area of vegetation to be removed. This is predicated on reduced area for parking. Should the 3B parking area be adopted as recommended above, to minimise unsafe roadside parking, the difference in environmental impacts between the two options appears minimal.

- **Project delays** – Given the experience with 3B, the design and approvals process for H2 is likely to take from 6-12 months. A revised Cultural Heritage Management Plan in itself is likely to take that period of time. Feedback from the recent community meetings shows an expectation for community input into the design process, as was undertaken during the detailed design of 3B. This is also likely to impact on project delivery timelines.

- **Project cost** – It is very difficult to accept that H2, even as proposed, would cost \$2M less than 3B. The only significant differences between the two options are the length of road along the beach in 3B, and the larger parking area. Given the need for additional parking, similar to 3B, and the likelihood that a second breakwater or significantly longer jetty of 130-140m in length will be required to control sand movement, it is very likely that the cost of H2 will mirror that of 3B.

In summary, with only concept drawings currently available for H2, many concerns remain unanswered. Without a clear understanding of the final design, how this may moderate sand movement, how the conflict between swimmers/surfers and boaters can be effectively managed, what level of parking will be provided, aesthetic and potential cultural heritage impact etc. it is difficult to understand how H2 provides a better solution to ocean access than 3B. Even after confirming the above queries, there would appear little argument to support H2 over 3B. This view appears to be reinforced by public feedback, as discussed under Cl.5 below.

4 IMPLICATIONS

Financial

The financial implications of constructing an Ocean Access Boat Ramp at Bastion Point are two-fold. Firstly, there is the issue of the initial capital cost to construct the infrastructure, and secondly the ongoing operating costs.

The previous State Government pledged \$6.2M to construct an upgraded Ocean Access Boat Ramp at Mallacoota. EGSC has also budgeted \$0.3M towards upgraded car-parking at the site, resulting in a total available budget of \$6.5M. It is understood that the State funding remains available to deliver the project.

Hyder's current pre-design estimate for H2 is \$4.4M. It must be recognised that this figure is likely to grow if the proposed parking area is increased to better reflect demand, as provided in the design for Option 3B. Equally there will be an expected cost increase to provide the additional breakwater or extended jetty to minimise sand ingress at the H2 site. Nevertheless, the available funding would appear to be adequate to fund the construction of either option. If H2 was to be progressed, any additional design and investigation costs would be expected to be met by the State Government.

As detailed above, concerns remain regarding the volume and cost of sand removal that may be expected at the H2 location compared with 3B.

It would be anticipated that any ongoing operating arrangement would need to include EGSC and Gippsland Ports (GP) given that there are certain on-water activities that attract operating costs (mainly on a monitoring and minor maintenance basis), eg navigation aids that EGSC do not regulate. It is likely that ongoing operational costs will therefore be shared to some extent.

Amenity/Environment

The proposed Mallacoota Ocean Access Boat Ramp is located in an environmentally sensitive and relatively unspoilt section of the Victorian coast-line. The project proposal has undergone an extensive Environmental Effects assessment.

The design of Option 3B was undertaken in such a way as to minimise the environmental impact of the works. H2 sought to further reduce this impact.

One of the key reasons for considering an upgraded boat ramp at Bastion Point is to ensure improved amenity for offshore boating. For the recreational boater the existing facility is unusable in many conditions. Not only is it often too difficult to safely launch or retrieve boats, there is also a significant risk of damaging both the launching vehicle and the vessel itself. The upgraded facility will allow access to the ocean on more days of the year and provide a more reliable and protected ramp upon return. In this regard the benefit to both recreational and commercial users cannot be denied.

Council Policy

'Mallacoota Blue Water access upgrade' is a nominated priority action in the 'East Gippsland Shire Council – Council Plan 2009-2013'. Option 3B and H2 both fulfil this proposed action to varying degrees.

Human Resources

To date Council has expended significant internal resources to progress Option 3B to the point of a completed CMAC application, ready for submission to DSE. Once CMAC is granted, EGSC is likely to be involved in certain aspects of the ongoing operation of the facility. It would be possible to use existing Council staff in Mallacoota to undertake the periodic inspection and minor maintenance functions however external assistance may be required to undertake dredging and kelp removal.

Legislative

Construction of this facility requires *Coastal Management Act* Consent through the Minister for Environment and Climate Change.

Planning Scheme and Strategies

Under the East Gippsland Planning Scheme there is a requirement to obtain a Planning Permit for the removal of native vegetation. Native vegetation offset areas have been identified for Option 3B.

5 CONSULTATION WITH STAKEHOLDERS

The proposal to provide an upgraded ocean access boat ramp at Bastion point has been considered for in excess of twenty years. Over this time there has been extensive consultation with the Mallacoota community including a plebiscite to gauge support for the project. The plebiscite resulted in majority support for an upgraded facility with a breakwater.

An Environmental Effects Statement process was also conducted for the project. A community consultative committee was then established to provide input into the detailed design process for Option 3B.

Consistent with a commitment from the State Government, DOT reviewed an alternative option put forward by SBPC. Although that process determined the SBPC proposal to be unacceptable, an alternative option, H2, was developed by DOT. H2 has been pursued to concept design stage only.

DOT discussed H2 with EGSC between December 2011 and February 2012, and recently sought community feedback on that option. The following meetings were convened by DOT in Mallacoota on Thursday 1 March 2012:

- Stakeholder meeting with SBPC and 'Friends of Mallacoota'
- Stakeholder meeting with Mallacoota Ocean Access Committee (MOAC)
- Stakeholder meeting with Mallacoota and District Business and Tourism Association (MADBATA)
- Community Forum – open to all members of the public

DOT, in response to community comment and to aid feedback from non-resident parties, also convened a public consultation session in Melbourne. This session was held on 7 March 2012.

Council Officers and various Councillors attended the stakeholder meetings and public/community forums. It was clear from the stakeholder meeting with SBPC that they strongly preferred H2 over 3B, but qualified this on being able to achieve a further reduction in scale and impact. MOAC and MADBATA nominated a preference for 3B and reinforced this through a written submission to DOT. It was difficult as an observer, to gauge the sentiment of feedback at the public forum. However it is fair to say that public views ranged from 'no upgrade' to 'low impact upgrade' to 'H2' or '3B'.

DOT also sought written feedback and these submissions have been collected and considered by that department. DOT's summary of the submissions is provided as **Attachment 5**.

The summary shows that almost 73% of submitters preferred either a minimal upgrade i.e. the SPBC option, or a scaled down version of H2. Unfortunately neither of these options can meet the goal of 90% usability. Neither the SPBC option nor a scaled-back version of H2 can provide the level of protection to the ramp that is required. Nor would they mitigate sand ingress from the beach area immediately to the north of the ramp. For this reason these options need to be discounted from further discussion.

Council and the State Government have committed to provide a safer upgraded ocean access boat ramp at Mallacoota. To achieve a nominated 90% usability level, only Options H2 and 3B can be pursued. If that constraint is recognised, the balance of stakeholder meeting feedback (in favour of 3B over H2) and written submissions (slightly in favour of 3B over H2, accepting that minimal upgrade or scaled-back version of H2 are unviable), would suggest that Council should reconfirm its position to submit the detailed design of 3B for Coastal Management Act Consent.

6 CONCLUSIONS

Council resolved at its Ordinary Meeting of 3 August 2010, to submit detailed design of an upgraded Mallacoota Ocean Access Boat Ramp, known as Option 3B, to the Minister for Environment and Climate Change to seek Coastal Management Act consent to construct the facility. That resolution remains in force.

The State Government subsequently committed to undertake a review of an alternative boat ramp option put forward by SBPC. DOT has now completed this review and deemed the alternative option put forward by SBPC to be unacceptable. However a new alternative known as 'H2' was developed by Hyder Consulting, on behalf of DOT.

DOT has discussed this alternative with Council and undertaken community consultation through its web-site and via direct meetings with stakeholder groups and the general community.

Council and the State Government have committed to provide a safer upgraded ocean access boat ramp at Mallacoota. To achieve a nominated 90% usability level, only Options H2 and 3B can be pursued. If that constraint is recognised, the balance of stakeholder meeting feedback (in favour of 3B over H2) and written submissions (slightly in favour of 3B over H2, accepting that minimal upgrade or scaled-back version of H2 are unviable) , would suggest that Council should reconfirm its position to submit the detailed design of 3B for Coastal Management Act Consent.

It is also important to recognise that many issues remain unanswered in relation to H2, as noted in Cl.3 of this report, and it would not be prudent for Council to pursue this option given this level of uncertainty.

7 APPENDIX

1. Schematic drawing, Option H2.

8 ATTACHMENTS

1. Report to Ordinary Council Meeting of 3 August 2010, Item 5.3.2
2. Hyder Consulting – Boat Ramp, Bastion Point Mallacoota, Final Report, 16 December 2011
3. Schematic drawing, double breakwater ramp option at site of existing boat ramp. Taken from Environmental Effects Study Statement, Coastal Processes document produced by 'Coastal Engineering Solutions'.
4. Bastion Point surfing areas.
5. Department of Transport, Summary of community feedback.

RECOMMENDATION

That Council:

1. ***notes the Victorian Government's review of the Mallacoota Ocean Access Boat Ramp project and the subsequent Department of Transport proposal to provide an upgraded two lane boat ramp with protective breakwater, known as Alternative H2 (Refer Appendix 1), generally at the location of the existing sub-standard boat ramp; and***
2. ***having attended stakeholder group meetings and public consultation sessions, and received from the Department of Transport a summary of written submissions in relation to alternative ocean access boat ramp options at Bastion Point, re-confirms its previous decision in relation to Mallacoota Ocean Access Boat Ramp Option 3B, Item 5.3.2 of the Ordinary Council Meeting of 3 August 2010, to submit the detailed design and supporting documentation, to the Minister for Environment and Climate Change to seek Coastal Management Act Consent and to construct the facility upon receipt of such consent and sufficient external funding for the project.***