



MEDIA RELEASE

Monday, May 10 2010

Community group challenges Madden's bad planning decision in Supreme Court

Friends of Mallacoota will today take Victoria's Planning Minister to the Supreme Court to challenge his decision to give an unpopular boat ramp and breakwater development the go-ahead.

"This is the first time in Victoria's history a community group has taken the Planning Minister to the Supreme Court under these circumstances," Friends of Mallacoota spokesperson Leo op den Brouw said.

"It is time we stood up for all Victorian communities to put a stop to Justin Madden's ill-conceived environmental vandalism and unbridled steam-rolling of Victoria's planning system."

Mr Madden gave the go ahead to the Bastion Point development at Mallacoota, on the State's far-east wilderness coast, under the *Environment Effects Act* in June last year. This was despite overwhelming community opposition and his own expert Panel of Inquiry's recommendation to reject the proposal, due to it having no overall societal benefit.

Environment Defenders Office (EDO) solicitor Elizabeth McKinnon, representing the Friends of Mallacoota, said it would argue that the Minister failed to make an assessment of how the proposed coastal development would impact on the environment, as the *Act* requires him to do so.

"We are seeking a review of the Minister's assessment on the grounds he fundamentally misunderstood his task under the *Act*," Ms McKinnon said.

"The Minister did not make his decision based on the environmental impacts of the project. Instead he based his decision mostly on safety and the fact he thinks a new boat ramp is required - this is not his role."

Mr op den Brouw said that 87% of the public submissions were against the development and Minister Madden's decision had left the community with no option but to take him to the Supreme Court.

"We are standing up for the rights of all Victorian communities because Minister Madden has proven time and time again, not only with Bastion Point but with other planning decisions such as the Windsor Hotel, to base his decisions on political imperatives, not due process."

The **Save Bastion Point Campaign** is a coalition of groups and individuals opposed to inappropriate development at Bastion Point, Mallacoota.

MEDIA NOTE:

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