



Department of Infrastructure

MAJOR PROJ - MALLACOUTA OCEAN ACCESS

80 Collins Street
GPO Box 2797Y
Melbourne Victoria 3001
Telephone (03) 9655 6666
Facsimile (03) 9655 6752
www.doi.vic.gov.au
DX210410
Our Ref:

Mr Joseph Cullen
Chief Executive Officer
East Gippsland Shire Council
PO Box 1618
BAIRNSDALE VIC 3875

12

WST

SEC	TWB - FILE No.
OS	H. MARTIN - G. 18 OCT 2001
AS	
CT	
PT	
FD	
	REGISTRATION No.

Dear Mr Cullen

MALLACOUTA OCEAN ACCESS - REQUIREMENT FOR ENVIRONMENT EFFECTS STATEMENT

Thank you for your letter of 16 August 2001 concerning the proposal by East Gippsland Shire Council (EGSC) to develop ocean access for boats at Bastion Point, Mallacouta.

The Minister for Planning's decision to require an Environment Effects Statement (EES) was made on the basis of a clear appreciation of the nature and scale of the Bastion Point boat ramp proposal, the environmental issues involved, the relevant statutory requirements, as well as the community debate concerning the proposal. The issues, such as they are, need to be fully and transparently investigated, and the EES process provides a suitable framework for doing so. As you are aware, the Minister has agreed to your Council's request for financial assistance to undertake the EES.

There seem to be three central issues at the moment:

- First, confirming the feasibility of the proposal, particularly with respect to the economic cost-benefit and potential interruption of patterns of sediment movement;
- Second, ensuring that the potential environmental effects of the proposal are examined rigorously and transparently; and
- Third, EGSC's financial capacity to undertake the required studies for a project of modest capital value.

Within the context of the Minister's advice to date, I believe the way forward might be eased by separating key feasibility studies, as a next step, from the finalisation of the EES.

As a first step, EGSC could proceed with the coastal process/sediment transport impact study as part of its feasibility studies. As previously advised by the Minister, the Department of Natural Resources and Environment (DNRE) will need to agree to the study method. Part of the \$60K from the Minister could be used for this purpose, on a \$ for \$ basis. If the conclusion of the sediment study, as reviewed by DNRE, is that the project is infeasible, there would be no need to proceed with the EES. No public input would be needed at this stage.



In determining the need for assessment of this proposal under the *Environment Effects Act*, I have considered whether another suitable statutory process is available. Since a planning permit is not required for this development, and the *Coastal Management Act 1995* does not provide a suitable alternative assessment process, I have determined that an Environment Effects Statement (EES) is needed to ensure a rigorous and transparent examination of the issues listed above.

As the key issues associated with the boat ramp proposal are already known, I will not appoint a Consultative Committee to advise the Council on the scope of environmental studies and preparation of the EES. Accordingly, I intend that the preparation of this EES should involve:

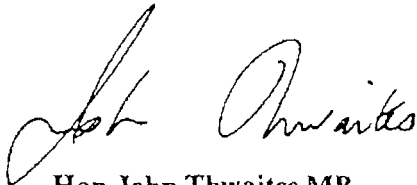
- An Inter-Agency Contact Group convened by the Department of Infrastructure to advise the Council on preparation of the EES;
- Exhibition of draft scoping guidelines (on required studies) for 28 days for public comment;
- Stakeholder meetings jointly convened by the Department of Infrastructure and Council to discuss the investigation of specific issues;
- Council conducting a community information program throughout the preparation of the EES.

This approach should enable a high degree of both transparency and efficiency in preparation of the EES.

In addition, I am aware that there is presently no agreed method of developing a detailed understanding of the coastal processes in this area, and that the impact of the ramp on sedimentation will be a critical issue in the assessment. Therefore, I consider that the EES process should not be commenced until your Council has reached agreement with the Department of Natural Resources and Environment on the method to be applied. I await your advice on this matter.

If you would like any further information please contact Alan Freitag, Manager of the Eastern Region of the Department of Infrastructure on telephone 5172 2677.

Yours sincerely



Hon John Thwaites MP
Minister for Planning