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Environment Assessment Unit

Department of Planning & Community Development

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Draft Scoping Requirements: BMYS Ltd Marina EES

Beaumaris Conservation Society Inc, as can be seen on its website above, was founded in 1953. Established as Beaumaris became rapidly urbanized then, it has long been a major voice for local conservation values. It has successfully campaigned for the protection of the natural environmental qualities of the area's indigenous vegetation and scenic coastline. BCS Inc. has studied the above document, which recently appeared on the [Department's website](#). It was noted that the deadline date of 2010-11-04 was shown on the DPCD website, whereas the deadline date within the document was 2010-11-05.

BCS Inc. has annotated the Draft Scoping Requirements document in **red type** with certain comments, and suggested changes. The [annotated document jk_scopi.pdf](#) is attached to the email conveying this letter, and forms part of the Society's submission. BCS Inc. also details below its comments on desirable changes under subject headings corresponding to those in the Draft Scoping Requirements document.

General Comments:

The document should be very concerned with encouraging approaches and actions that will, overall, result in a net environmental benefit for the area in question. Unfortunately the document gives an impression of failing to raise questions about or require justification for major aspects of the proposal that would, at least *prima facie*, seem to be self-evident, but are grossly inappropriate for an area of publicly-owned and accessible seabed **zoned PPRZ**, with Bayside's only [Environmental Significance Overlay](#), whose details [appear here](#), and much of which is within an area inscribed on Australia's [Register of the National Estate](#).

No justification is sought for the presumptuous proposal that, in a time of rapidly-increasing metropolitan population and static or dwindling recreational open space of a natural character left in the metropolitan area, such publicly-owned **PPRZ seabed** should be appropriated for the exclusive use of a private club.

The document refers to the postal ballot of its members that BMYS Ltd. held, where the proposal was opposed by nearly 25% of the members voting. The reasons those members have for opposing the project should be investigated as a specific sub-set of the wider opposition that already exists in the community. This is especially important given the knowledge of the site and the notable exception here from the normal expectation that actual members would be far closer to unanimous in their views on this proposal.

Another matter the Scoping Document fails to deal with is the *de facto* permanence of works that consist mainly of large boulders and landfill dumped in the sea. It is far cheaper to transport such material, which is often unwanted material removed from civil engineering projects elsewhere, and to dump it in the sea than it is to recover it years later once it has settled into the seabed and is under the sea.

When such works are protected by 21-year leases with renewal clauses they become effectively irreversible. No provision is made for an indexed monetary bond to be posted to provide for the removal of the dumped material if that becomes a public or government intention in future years, or the project stalls, uncompleted.

Section 2.1 The Proposal:

- There should be a statement in the summary of the predominant change in the planned use of the site, which will introduce extensive boat storage, including much larger boats than have used the site in its 51-year existence, during which BMYS Ltd. has operated successfully with no boat storage. The 18 m maximum boat length, and cumulative length of over **1.2 km** of boats should be revealed.
- There should be a statement that the proposal entails the need for a new Crown lease of extra public land that is zoned Public Park and Recreation under the Bayside Planning Scheme.
- There is need to include some broad quantification of the large scale of the rock breakwater (*viz. length overall, distance out into Beaumaris Bay, height above mean sea level, area of seabed covered, volume*

of rock) given that figures are shown here for the increase in the site area (separate figures for bay filling and piled boardwalk), and the number of boat ramp lanes and number of berths in the dry stack appear.

Section 2.2 Environmental Setting:

- The four inaccuracies here should be corrected. Regarding the [BMYS Ltd. lease](#) from the Crown, “2019” should be “2018”, “9 years” should be “8 years”. The word “gravel” should be “scoria”, and it should be stated that the right of way is a path around the fenced areas of BMYS Ltd. and is not for public access to “Keefers Cove” or to the west, which is an area that Bayside City Council declared to be prohibited for public access after a fatality involving rock falling from the cliff there.
- The terrestrial vegetation and habitat adjacent to the site has obviously been harmed by the intrusion into it of the present facility, but the statement, “*There is no terrestrial vegetation or habitat of note on or adjacent to the site.*”, is unnecessarily negative and dismissive. A more appropriate and constructive statement for the Scoping Document would note that the state of the terrestrial vegetation adjacent to the site shows the damage caused to date and that the site is capable of, and very much needs, restoration. An EES written with the needs of the environment being studied uppermost, and not just the proponent’s desires, would state that. The section of cliff top adjacent to the BMYS site was notable for its extensive and attractive stand of Drooping She-okes (*Allocasuarina verticillata*) prior to the Cliff being greatly modified in the late 1950s.
- There should be a statement that the area leased by BMYS Ltd. is surrounded by the 30-hectare “Beaumaris Bay Fossil Site”, which is inscribed on the Commonwealth Government’s Register of the National Estate, so any works beyond the present lease would intrude into that registered site.

Section 4.3 Assessment of Alternatives:

The document should state:

- “The possibility that a thorough EES might lead to a decision by the proponent that the proposal was environmentally retrograde, and should be abandoned, should not be overlooked.” {I thought this is covered by the provision in Section 4.3 for a “no project” scenario} and
- “Alternatives that could restore, rather than intrude further into Beaumaris Bay, or that could remove existing intrusions and restore public seascape, should be considered further.”

Section 4.6 Existing Environment:

The Scoping Requirements document should note that the existing environment has always allowed, both for Aboriginal people and for non-Aboriginal people since they arrived in Victoria, full public enjoyment of the natural seascape and landscape qualities of Beaumaris Bay, and that its boundary of almost intact and unobscured tall red sandstone cliffs is a very rare sight on the Australian coastline.

It should also note that public access to Beaumaris Bay and its margins on land, on foot, and by other means in and on the sea has been a feature of the areas that are proposed to be changed.

In this Section, there should be specific mention of the interests of:

- Beaumaris and Mentone residents, as the present natural character of Beaumaris Bay is a reason why those suburbs near Beaumaris Bay are highly regarded by those residents and the real estate market. A small erosion of those suburbs’ land value can easily eclipse the \$21m cost of the works.
- The Victorian public and visitors using Mentone and adjacent beaches, as they benefit from the present relatively uncluttered seascape and landscape, and will be adversely affected by increased motor boat traffic from the enlarged scale of operation and size of boats envisaged by the BMYS Ltd proposal.
- Members of the Victorian public and visitors that enjoy walking along the cliff tops of Mentone and Beaumaris, as their views would be diminished further from the views that attracted the Heidelberg School of painters and inspired their works and those of later artists that have depicted this area.

Section 5.3 Biodiversity and Habitat:

A specific requirement should be included that assessment here should not dismiss or disparage species on the grounds that they are species common or abundant in the Bay, as such species are still the genuine indigenous species of plants and animals naturally associated with the Beaumaris Cliff and Bay. The long term integrity of the Cliff and Bay requires that they are not further disturbed or reduced.

In addition to nuisances such as dust etc. there should be a requirement to show how more boats and larger boats will not increase levels of noise and of disturbance to nearby waters and shores with more frequent and larger backwash from larger wakes produced by the much larger vessels envisaged in the proposal.

Section 5.7 Heritage:

The Australian Heritage Council should be included along with Heritage Victoria, as the values that the inscription of the 30-hectare Beaumaris Bay Fossil Site seeks to protect are certain to be affected by the proposed dumping of 130,000 cubic metres of basalt boulders in this area that is [internationally recognized](#) for its palaeontological importance. Its [international standing](#) warrants Federal involvement.

Section 5.8 Amenity and Socio-economic Effects:Visual Amenity

The annotated version of the draft Scoping Requirements document suggests the addition of certain words and phrases including:

- The visual amenity of visitors to the area should be mentioned as well as that of residents, as the area is all Crown land.
- The description of the landscape character of the surrounds should specifically include a reference to seascape and the “character of the district” with specific reference to the nature of the sea here, including the seabed and the depth pattern. A description should also be given of the characteristic effects of various wind directions and intensities, and the historical annual pattern of the distribution of those associated with the fetch and directions in which Beaumaris Bay is open to the wider Port Phillip Bay.
- The Scoping Requirements document should include a requirement for the proponent to respond to reasonable concerns that the proposal further intrudes into and diminishes the importance of the fine views of the Cliff and the Bay that have always been available to all and should be available to future generations, and it should be formally drawn to the proponent’s attention that the landscape and seascape proposed to be intruded into was the inspiration of the Heidelberg School of Artists, it being notably commemorated in that artistic treasure in the National Gallery of Victoria – *Slumbering Sea at Mentone*, by Tom Roberts. This link with the area also makes it of international interest.

Traffic and Parking

There should be an explicit requirement for the proponent to explain why it considers it to be in the public interest, either long term or short term, that any more of the open sea in Beaumaris Bay, particularly that proposed near the Cliff and its associated Permanent Public Recreation Reserve, should be transformed into surfaced areas for the parking of vehicles.

Any discussion of measures to deal with extra traffic connecting to Beach Road should include details of the adverse effects of a greater urbanization of the character of the area that would result from such measures.

Section 5.10 Environmental Management Framework:

This section should be specific about what financial arrangements will be required for the proponent, and not the Government, to provide in advance for long-term monitoring of the effects of the greatly changed circumstances that such a large modification of the natural conditions of Beaumaris Bay could entail. There also needs to be an arrangement made by way of a substantial indexed monetary bond lodged by the proponent to provide for the cost of the ultimate removal of, or remedial works on, the new modifications of the Beaumaris Bay environment in the event that they cause problems, or that the lease is eventually not renewed, so that that cost is not borne by the Government, and hence the taxpayer.

Yours sincerely,

Christopher Sutton
President,
Beaumaris Conservation Society Inc.