

Re/ Application 1003316

Yumbah Aquaculture

To Whom It May Concern,

I am writing to you to express our concern that in neither Part 1 or Part 2 of Yumbah's *'Response to Stakeholders Submission on EPA and Environmental Matters, January, 2019,* or in *S22 Notice (Part 3),* did Yumbah address our submissions.

Our submission (as attached), specifically outlines the criteria, as stated in the *'Victorian Coastal Strategy, 2014, 'Criteria for use and development on Coastal Crown Land, siting and design, page 66,* that are being unlawfully broken by Yumbah's proposal to place twenty-eight (28) inlet and outlet pipes, plus associated concrete weights and footings 'smack, bang' across a popular local and tourist beach only 3 kilometres by beach from the centre of town.

In the *S22 Notice,* Yumbah do provide a detailed assessment of habitat to be impacted by the pipes, however they only address the marine habitat; not the human habitat that will be affected by placing 28 inlet and outlet pipes, plus concrete weights and footings across a popular beach.

In the *S22 Notice,* Yumbah state that they will make a *'More detailed assessment of habitat to be impacted by pipe (such as total area to be impacted, specific location, habitat to be removed, mitigations proposed) including directly and indirectly impacted during construction and operation';* yet in their response this is not addressed in regard to human habitat, only marine habitat.

As stated in our original submission, the public has an inherent right of access to and along all beaches and shorelines. The public should be allowed full and fair access to beaches, which are public trust resources. The land below the mean high tide mark belongs to the state and citizens have the right to unrestricted access to that land. Governments at all levels owe a duty of care to protect environmental assets (the coast being one of them) for the common benefit of the public; this includes ensuring that beaches are maintained for the public good.

I trust, that as our regulatory bodies you will investigate and address these concerns and respond as a matter of extreme importance to the citizens of Portland and other effected individuals.

Yours sincerely,

[Redacted signature]

[Redacted contact information]

Yumbah Objection

I object to the proposal to build an abalone farm on Dutton Way. I object on many grounds, all of which follow.

To put our objection in basic terms:

- The chosen location is too close to the town centre and in close proximity to where locals and tourists frequently walk on the beach.
- The chosen location is not an industrial area and therefore this type of large scale farming operation that requires approximately 45 acres of shedding to be erected should not be built in the proposed location.
- The installation of 28 inlet and outlet pipes on Dutton Way beach, and the hundreds of concrete blocks that are required to hold the pipes down, would be an ugly eyesore!
- The installation of 28 inlet and outlet pipes on Dutton Way beach, and the hundreds of concrete blocks that are required to hold the pipes down, will restrict use of the beach to the public.
- The 28 inlet and outlet pipes on Dutton Way beach and the concrete blocks, will be an occupational health and safety hazard for the public. In order to simply walk along the beach the public would have to climb over the pipes.
- Placing the pipes on the beach discriminates against people who are not physically able enough to climb over the pipes, therefore the proposal is not inclusive.

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I object to the proposed abalone farm on the grounds that it is the community's responsibility to protect Crown Land. By building an abalone farm and placing 28 monstrous pipes and numerous concrete slabs across the beach, the community is not protecting Crown Land.

As outlined in the ***Victorian Coastal Strategy, 2014, pg 66, 'Criteria for use and development on coastal Crown Land, Siting and design'***; it states that the proposed new development on Coastal Crown land must meet the following criteria and demonstrate.....net community benefit'.

- *'Exhibits excellence in siting and design which complement, or integrates with, the coastal landscape and setting'.*

This is clearly not the case as the design proposal is inclusive of laying 28 inlet and outlet pipes across the sand and hundreds of metres across the sea-bed. The pipes will need to be anchored down with large concrete slabs. Neither of these examples complement the coastal landscape and setting. **The proposal fails this criteria.**

- *'Facilitates and does not impede access to and along the shoreline'.*

Having to climb over 28 pipes and numerous slabs of concrete is not only dangerous but impedes access along the shoreline. **The proposal fails this criteria.**

- *'Contributes to the coastal environment through rejuvenation'.*

Placing 28 monstrous pipes across the shoreline and laying these pipes hundreds of metres across the seabed does not contribute to rejuvenation. **The proposal fails this criteria.**

- *'Siting and design protects, enhances and supports the existing character of the coastal location'.*

The proposal fails this criteria on the grounds that laying of these pipes and the concrete blocks does not enhance or protect the existing character of the coastal location.

- *'Enhances public access to the coast and minimises loss of public open space'.*

The proposal fails this criteria on the grounds that laying of these pipes and the concrete blocks actually increases both the loss of public access to the coast and increases loss of public open space.

- *'Provides well designed, safe and convenient pedestrian access'.*

The proposal fails this criteria.

- *'Anticipates implications for the surrounding community of demand likely to be generated by the development'.*

The proposal fails this criteria on the grounds that the proposal does not include traffic management plans for the 4 year project build and does not include traffic management plans that incorporate loss of access points to the beach in the location where the 28 pipes will be placed on the beach.

- *'Incorporates, to the extent practicable, the needs of accessibility of people with varied levels of ability or physical capacity'.*

The proposal fails this criteria on the grounds that people with varied levels of ability and physical capacity will no longer be able to use this stretch of the beach as they would need to have the capacity to climb over the pipes.

- *'Incorporates environmentally sensitive design which minimises development impact and footprints'.* **The proposal fails this criteria.** Under so circumstances could anyone label the picture above as environmentally sensitive.

The Coastal Management Act, 1995, states, that 'the state has a responsibility to plan for and manage the use of Victoria's coastal resources on a sustainable basis for recreation, conservation and tourism'. The act also states that, 'governments must protect and maintain areas of environmental significance on the coast including its ecological, geomorphological, geological, cultural and landscape features'. The Act also states, that the state 'must facilitate the development of a range of facilities for improved recreation and tourism'.

The creation of the abalone farm goes against all of the above-mentioned objectives. The proposal to place 28 inlet and outlet pipes on the Dutton Way beach does not encourage the use of this beautiful stretch of beach, which is so close to the town of Portland (3km from the hospital); for recreation or tourism purposes. In fact it inhibits recreation and tourism! I object to the proposed abalone farm on the grounds that the proposal goes against the objectives of the **Coastal Management Act, 1995**.

The Victorian Coastal Council has been established under the Coastal Management Act, 1995.

Functions of the Council include:

- to undertake state-wide strategic coastal planning
- to provide advice to the Minister on matters relating to coastal planning and management, including coastal development proposals.

Under the **Coastal Management Act, 1995**, the Minister must establish a Regional Coastal Board for each region. The function of the board is:

- to develop coastal action plans for land within the region
- to provide advice to the Minister on coastal development in the region
- to provide advice to the Council on coastal development in the region.

There are three Regional Coastal Boards established under the **Coastal Management Act, 1995**; one being the Western Coastal Board which includes many areas including the entire Glenelg

Hopkins catchment region and Glenelg Shire. The Western Regional Coastal Plan recognises key regional environmental, social and economic values and the role of communities in caring for the coast.

Are the following persons/ bodies aware of Yumbahs proposal to visually pollute areas of Crown Land along Dutton Way? And to prevent the rights of the public to use this area for recreation?

- The Minister for Environment and Climate Change.
- The Victorian Coastal Council
- The Western Coastal Board

In conclusion, most of Victoria's coastline (96%) is public land that belongs to all Victorians and the majority is reserved under the Crown Land (Reserves) Act, 1978.

Victorians have a strong connection with the coast. It is a special place for us to visit, holiday and live.

We enjoy the recreational and lifestyle opportunities it provides and we appreciate the diverse landscapes and seascapes.

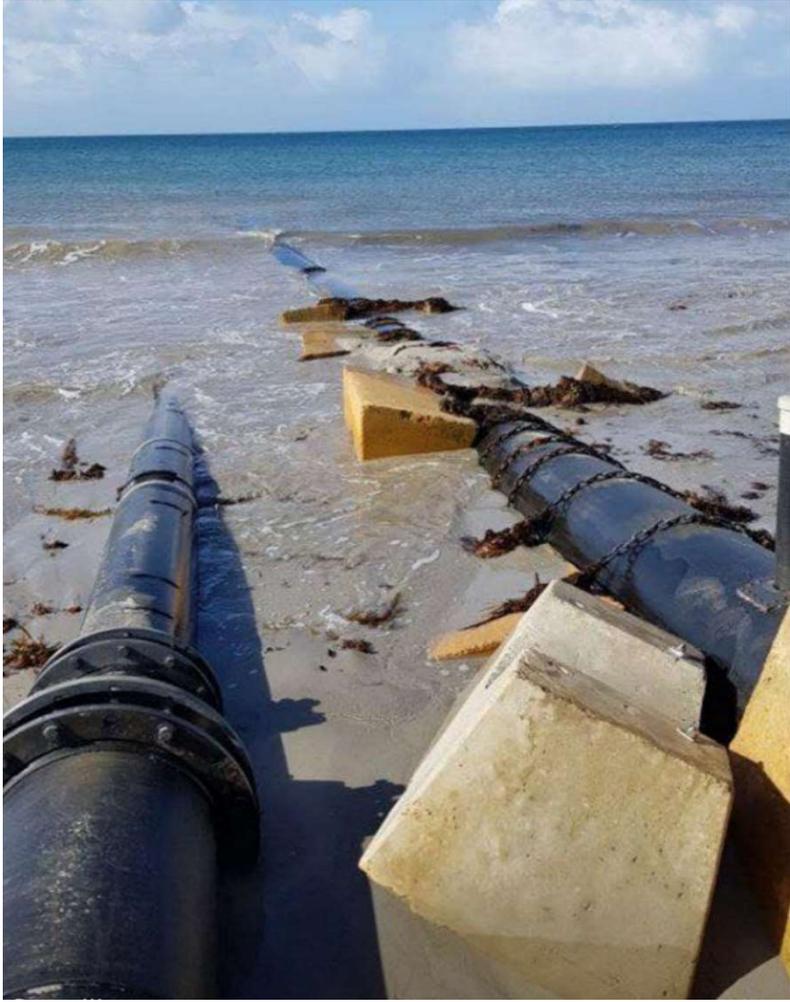
We place high value on clean and healthy beaches and water, which are integral to our use and enjoyment.

Maintaining a healthy coast is a shared responsibility. I sincerely hope that the Glenelg Shire Council work with the residents of Portland and the visitors to Portland, to abort the idea of placing such ugly infrastructure on the beautiful Dutton Way beach.

Yumbah, Our Latest Proposal, question 18, How would the pipes go to and from the farm? And it states, "most of the pipes, especially those at the western end of the property, traverse over sandy substrate and are **expected** to self-bury within six months post installation".

Expected is not a surety and using the current precedent of the Narrawong Abalone farm (1999, almost 20 years), they certainly have not self-buried!

I trust the Glenelg Shire Council do not want to support this precedent on a much larger scale.....26 more pipes than this!



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