

## *Lang Lang Boatshed Association*

### **Lang Lang Boatshed Association Response to Draft Lang Lang Foreshore Reserve Coastal Management Plan 2011 By Ainley Projects for Lang Lang Foreshore Reserve Committee of Management (LLFRCoM) and Department of Sustainability and Environment (DSE) 16 March 2012**

Lang Lang Boatshed Association Inc. (LLBA) supports in principle the development of the Lang Lang Foreshore Reserve through strategic and coastal management planning. This is a response, as part of public consultation, from LLBA to the *Draft Lang Lang Foreshore Reserve Coastal Management Plan* October 2011 (Draft CMP) prepared by Ainley Projects.

**Summary:** LLBA supports the stated management vision for the Lang Lang Foreshore Reserve being to “ensure the protection and enhancement of its environmental, cultural heritage and recreational values (p.3)”. However, the Draft CMP is skewed in such a way that it does not reflect community expectations or the needs of non-managerial stakeholders. The Draft CMP contains factual distortions about caravans and boatsheds with long-term climatic exaggerations being expressed to justify short-term inappropriate action. There is a better way to address most, if not all, issues identified in the Draft CMP. A community focussed discussion about the future of the reserve is needed. Please note that LLBA believes that there was insufficient community consultation in the drawing up of this draft. LLBA would have preferred a closer collaborative consultation process to assist with this draft.

The following comments to the Draft CMP are directed at specific paragraphs:

#### **2.1 The Study Area. (p. 9)**

- The Draft CMP is misleading. The boatsheds are not privately owned structures. Under the Crown Land (Reserves) Act 1978 privately owned structures are not permitted on Crown land. LLFRCoM grants licences to private individuals/families for the use of the 33 boatsheds. Therefore the Draft CMP should use the term ‘boatshed licensees’ not boatshed owners throughout the document. The boatshed structures are just that, boatsheds albeit modified, not beach shacks, which is a term also used in the Draft CMP.

#### **2.3.1 Stakeholders and Responsibilities. (p. 12)**

- LLBA represents boatshed licensees and also the long term caravan owners (at least 12 months ownership). LLBA is the major stakeholder in the reserve. This should be noted in the Draft CMP

#### **2.5.2 Erosion. (p. 17)**

- At a community event in Grantville in 2010 to discuss coastal erosion planning for Western Port, DSE advised that their strategy to tackle erosion processes in the bay was to develop various erosion defences (structural and plantations) in vital areas, manage those areas that are less vital to accommodate erosion and develop bay nourishment protocols to encourage growth of seagrass and mangroves. Unfortunately the major contribution to seagrass degradation and loss of mangroves (and hence increasing erosion) is the pollutants that are washed into the bay from surrounding catchment areas – which is not being considered as important by DSE to manage and DSE and considers this to be outside their

## *Lang Lang Boatshed Association*

authority. As an overall statement LLBA sees that the erosion management in Western Port by DSE is lacking in direction and planning.

- Comments about storm surges are misleading and needlessly alarming. There are storm surges each year and have been for many years. The degree of severity depends on the tide height and concomitant wind strength and direction. High or king tides with strong Westerly or North Westerly winds will push water into the Lang Lang Foreshore Reserve. The last one of significant height when these factors colluded was in 2009 and previous to that in 2004. Locals suggest that these conditions occur every 3 to 4 years. Its part of the environment for this part of the Western Port bay.
- The GHD 2007 report looked at erosion control methods to ameliorate the erosion effects at the reserve. Not only were seawalls and beach renourishment suggested but also geotextile sandbags and rubber tyre walls. This should be noted in this Draft CMP.
- Also is should be noted that LLBA commissioned an independent report by Professor Peter Joubert (University of Melbourne) which strongly suggested an appropriate sloping rock wall would greatly reduce the energy of waves as it hits the beach area and significantly reduce the wave action causing erosion. This project was costed out using local supplies and was well under \$200,000 to cover the entire Lang Lang Foreshore Reserve foreshore. LLBA strongly suggests that this should be considered as an appropriate an affordable way of preventing erosion in the reserve area.
- Interestingly, LLBA notes that Kingston City Council and DSE have utilised geotextile bags with success in reducing erosion effects in that area and protecting coastal structures. Geotextile sandbags should be included as an option for the reserve.
- LLBA strongly objects to the notion that the current timber sea walls constructed over many years by boatshed licensees are ineffective against erosion. They are as effective as the bluestone wall constructed in front of the shelter and boat ramp areas. If they had not been constructed most or all of the boatshed would have been destroyed over the years. They were built by boatshed licensees in order to preserve the area and prevent further erosion and in response to;
  - significant erosion starting at the foreshore in the 1970s
  - no strategic coastal erosion prevention plan or guidelines developed by the State Government or successive LLFRCoMs.
- The Draft CMP suggestion that erosion mitigation by boatshed licensees has been done 'in the dead of night' fails to recognise that construction and repairs have been done with the knowledge of LLFRCoM.
- A visual inspection would ascertain that there have been co-ordinated efforts by licensees over many years to maintain visual and construction similarity. These walls were constructed and are ongoingly repaired by licensees at their own expense with no assistance or guidance from LLFRCoM or DSE.

## *Lang Lang Boatshed Association*

### **2.5.3 Climate Change. (p. 18)**

- The Draft CMP exaggerates a sea level rise of 0.5m by 2100 (p.46) because there is little impact projected on the reserve (excluding tidal, erosion and other factors). From the map provided the recreation area and caravan park only partially go under at 0.8m (p.47) plus a greater area if the level reaches 1.1m (p.48). Climate change, which is not scientifically crystal clear or explained sufficiently, should not be used to introduce the concept of changing the reserve area to a camping area only and removing existing structures.
- The *Victorian Coastal Strategy 2008* (p.13) allows for a sea level rise of not less than 0.8m sea rise by 2100. (The Draft CMP sea level rise of 1.1m is a further projection). Seemingly there is 88 years for this level to be reached so there is considerable time to develop appropriate strategies in close consultation with stakeholders. LLBA believes that the Draft CMP should include a provision to begin the process of developing a strategy of transition for the next 50 years to reposition structures and caravan areas or develop a precise and specific strategic plan for erosion control. LLBA wants to be part of the reserve for at least the next 50 years and strongly supports development of plans for transition within the next decades.
- LLBA believes that the approach should be a team effort of all stakeholders developing an appropriate plan to consider all stakeholder needs. LLBA sees the existence of the Lang Lang Foreshore Reserve (caravan site users and boatshed licensees) as a 'way of life' that we wish to preserve and hence support investment in the reserve.
- LLBA is of the strong opinion that using purported sea level rises as a means of clearing the Reserve area of caravans and boatsheds is inappropriate. Financial viability of the reserve would be at stake if this happened – boatshed licensees account for about \$17,000 annually in license fees to the LLFRCoM. Scare tactics should be replaced with informative discussions and creation of a common focus for the foreshore development that considers the needs of all stakeholders.

### **2.5.7 Lang Lang Foreshore Caravan Park. (p. 24)**

- The caravan park Master Plan (Appendix 6) will impact directly on long term caravan site holders due to caravan age, fire safety standards and caravan park regulations. Caravan parks on Crown land reserves have already been altered around Port Phillip particularly on the Mornington and Bellarine Peninsulas.
- See above comments regarding purported inundation and the suggestion to reduce the foreshore to a camping area only.

### **2.5.8 Boatsheds. (p. 25)**

- *"The cultural heritage values of the former jetty, boatsheds, WG Sullivan shelter and bluestone seawall are recognised through inclusion in the Bass Coast Shire Heritage Overlay"* (page 14). The recommendation for the removal of boatsheds and other foreshore structures does not recognise this Heritage Overlay and the importance of these structures in the history and heritage of the region. These structures are a Lang Lang community asset.

## *Lang Lang Boatshed Association*

- LLBA has always sought a way for the issue of overnight accommodation to be resolved and has forwarded several suggestions over the years to both DSE and LLFRCoM including redevelopment or rebuilding to council building regulations. The Draft CMP does not reflect the action taken by LLBA seeking to address this issue nor does it show that LLBA is willing to do something about it - this needs to be shown in a statement in this section that LLBA is proactive in finding solutions and working with LLFRCoM and Local Government - please reflect this in this document.
- LLBA estimate is that there is 1 boatshed that is in extremely poor repair and another that is "not good". A Draft CMP statement to the contrary should be removed as there are 31 out of 33 boatsheds properly maintained and in good condition despite constant threat of removal. The issue of Licensees' public liability insurance, if properly managed is a non-issue, based on precedent over the last 10 years around Port Phillip. Most Lang Lang boatshed licensees insure their boatshed for public liability with/without structural insurance. LLFRCoM have at their disposal effective ways of ensuring implementation of State Government public liability insurance policy.
- LLBA vigorously disputes the notion that boatsheds are at risk of "potential collapse due to a combination of structural instability and poor maintenance". The issue of boatshed removal has been a constant threat for the last 10 years and boatshed licensees are obviously, as would be expected, reluctant to invest in full maintenance when there is a constant and repeated threat of removal. Even with this threat in existence, boatshed licensees on the whole are proud of their boatshed are more than willing to further invest in their boatsheds to maintain boatshed existence. They recognised the cultural and heritage significance of these structures. Assured continual existence of the boatsheds will see maintenance activity increase. LLBA has previously suggested that building permits be issued for the boatsheds after due council inspection and approvals and any boatshed structural changes required for permits. This is a viable option and would more than adequately address this issue and should be recognised as an option in this Draft CMP.
- Purported rise in sea level should not be used as an excuse for boatshed removal.
- See comments in [2.5.2 Erosion](#) regarding sea walls. The statement that the walls should be removed is inappropriate in that there is no sound guidelines given as to what effective erosion control methods would replace the current seawalls.
- Access around boatsheds. Clearly there are no other structures behind the boatsheds or caravans so views are not restricted because there is nothing behind the reserve except farmland. Access to the beach area is not restricted by the existence of either caravans or boatsheds. This is an old (1980's) and incorrect view restated whenever possible by DSE advisers, DSE and conservationists pertaining to Port Phillip and Western Port. As an example among many around Port Phillip, contrary to State Government reporting the Brighton bathing boxes by their existence were not found to restrict public access to Dendy Street Beach. Unlike many Port Phillip beaches, the Lang Lang Foreshore Reserve does not attract excessive numbers of beach users at the height of holidays in summer. The Draft CMP statement is inappropriate and should be removed - it is irrelevant and does not apply to the Lang Lang Foreshore Reserve. Please also note that general public access is not via

## *Lang Lang Boatshed Association*

the road into the reserve park as there is a locked boom gate restricting access for all except accepted park attendees. Public access can be via the beach from the public car park at the Northern end near the boat ramp. Therefore there is no restricted access to the beach for anyone.

- Boatshed licensees at Lang Lang are very clear that they are granted boatshed licenses only. The concept of 'ownership' is not an issue.
- Boatshed usage has changed over the last few decades and they are not utilised as intended when they were built in the 1950's. The issue now is that this has to be accepted by all and then approach the question collaboratively of what do we do next given this fact. The Draft CMP should approach this question. DSE acknowledge bathing boxes or boatsheds in theory and practice, yet there is precedent and examples for a third type of licensed [simple] structure. For example boatsheds licensed by the Wyndham City Council at Bailey's Beach and Campbell's Cove which have gas bottles, water tanks, etc. on large sites or footprints.
- LLBA is of the view that over time the current boatshed footprints should be reduced to original size. Alternatively relocation of both caravan sites and boatsheds is an option that addresses boatshed footprint and other issues raised in the Draft CMP.
- Since 2005 LLBA has progressively fostered a good working relationship with LLFRCoM and, in the last few years, worked jointly with LLFRCoM to address several boatshed and caravan issues that have arisen. LLBA has actively encouraged members to comply with appropriate reserve regulations. The Draft CMP does not reflect the fact that LLBA is willing to assist, work with, liaise with, and meet with the land owner and land managers to actively maintain and enhance the reserve, boatsheds and caravans.

Finally, the LLBA, apart from recommending changes in the draft CMP above, suggests that a community focussed discussion about the future of the reserve is needed to resolve constructively the issues raised in the Draft CMP. The Draft CMP vision can be effectively implemented by and for all current stakeholders, provided DSE and LLFRCoM acknowledge a reasonable horizon, unlike than that stated in the Draft CMP, to implement meaningful change.

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