

20 May, 2022

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Ref: MIN095340

The Hon. Lily D'Ambrosio
Minister for Energy, Environment and Climate Change
Level 16, 8 Nicholson Street,
East Melbourne, VIC 3002

By email: Lily.D'Ambrosio@parliament.vic.gov.au

Dear Minister,

RE: Repair of Disabled Beach Access Ramp – Centre Road, Seaspray

I refer to the letter sent on 29 April, 2022 by Mr Darrin McKenzie, Gippsland Regional Director of DELWP to Ms Margaret Dynon. Mr McKenzie was responding on your behalf to Margaret Dynon's letter sent to you on 8 December, 2021.

I am the partner of Margaret's daughter Sally. I have been part of the Dynon family for 15 years and have enjoyed many family holidays at Seaspray throughout those years.

In 2021 I was seriously injured in a motor vehicle accident and have been wheelchair bound since. Whilst my disability affects my mobility, it has not in any way dampened my passion for spending time at Seaspray and my desire to spend time with our children while they are enjoying the beach at Seaspray.

The disabled Ramp at Seaspray is crucial to my ability to access the beach and be part of our family's Seaspray activities.

I wish to raise three matters of concern arising from Mr McKenzie's letter of 29 April:

1. Firstly, it appears a decision has been made by the Department not to repair the damaged Disabled Ramp at Centre Road, but to remove the Ramp altogether. However there is no indication that funding had been approved for a replacement Ramp or that plans are in place for such replacement. In essence it appears the Department proposes there be no Disabled Ramp in this location at Seaspray;
2. Secondly, I note the Department has not undertaken any consultation with the Seaspray community regarding removal of the Ramp. This Disabled Ramp was built as a community project in 2008 and was funded two-thirds by your Department and one-third by the community (through the Sale Rotary Club). The community is entitled to be consulted regarding any plans to remove this facility.

3. Thirdly it appears a rationale for removal may relate to the design of the Ramp or materials used in its construction. I note that the Ramp and its adjoining beach access steps and Platform were constructed in accordance with plans endorsed by the Department, using materials and construction methodology specified by the Department.

For the past 14 years the Ramp has shown itself to be able to withstand the changing coastal conditions of Seaspray. There have been storm events that have hammered the Ramp and greatly eroded the beach. There have been other events that have replenished the beach and built-up sand on the Ramp.

But while the structure has been able to withstand the ravages of nature, it has not been able to withstand the neglect by your Department to adequately manage and maintain it.

Prior to my accident I operated a Civil Engineering contracting and landscaping business employing 10 employees and undertaking construction work in a wide variety of terrains. I have built structures on sand, rock, clay and in flat, hilly and mountainous environments. I have owned and operated mechanical equipment including backhoes, front end loaders, excavators, bobcats and the like for most of my working life.

I have extensive experience in building, repairing and maintaining timber-based structures such as the Seaspray Disabled Ramp.

It is my professional judgement that the problems with the Seaspray Disabled Ramp and its adjoining steps and Platform do not relate to the design, materials or construction techniques used to build them. As noted, they were built to your Department's specifications. The problems relate to neglect by your Department to adequately maintain infrastructure it has built.

I can provide detailed evidence showing the fluctuations of beach levels and sand build-up over the past decade, as well as the build-up of sand on the Platform and Ramp that was left unattended for years.

As Margaret Dynon recognised in her earlier letter, the beach is a living and changing environment. The community is aware that beach conditions have been constantly changing throughout the life of these structures. There has been a continuing need to adapt and modify them to take account of changing beach conditions.

Over the years the Centre Road beach access Steps and Disabled Ramp have been undermined at times, and buried at times, but the posts and Ramps have withstood these events and remained intact.

However, the screws holding the Ramp in place could not withstand the failure of your department to take reasonable and low-cost remedial action to lessen the load of built-up sand. It was a combination of unattended sand build-up and a major rain event that caused the screws to give way under the weight of tonnes of wet sand.

This could readily have been avoided through an annual or twice yearly clearing of the sand. It was achievable at reasonable cost, but it was not done.

Proposed Action

I do not write Minister to simply complain about the failure of your Department to maintain infrastructure it has built, without looking at how this problem can be addressed.

As mentioned I have considerable practical experience in dealing with engineering problems such as these. I can outline to the Department a cost effective and practical means of repairing the damage, and ensuring adequate maintenance of the Ramp as well as the associated Platform and Steps.

Alternately, if the Department has plans and funding to build a new Disabled Ramp I would happily contribute in any way I can to that effort.

Margaret Dynon suggested in her initial letter to you that the Disabled Ramp could be remediated (restored to its original condition) within a budget of \$20,000. This is a practical option.

Community Benefit

I note that while I have referred to my personal circumstances and the benefit of the Ramp to a wheelchair bound person such as I, the Disabled Ramp at Centre Road has been used virtually every day throughout the past 14 years by visitors to Seaspray as well as community members.

It is the primary means of beach access for families with small children (in pushers or walking), for elderly persons who find the steps challenging, , for Disabled persons and in fact for anyone who prefers using the Ramp rather than the steps (whatever their physical capabilities).

The Centre Road Ramp has been a regular destination for Day Outings by Elderly Citizens groups and Disabled Groups from many parts of Gippsland. It has offered a unique opportunity for persons who in their younger years were regular beach goers to experience again the sight, smell and sound of the surf.

If your Department has not already allocated funding to replace this Ramp, I request Minister that you urge your Department to allocate a modest amount of funding to repair the existing facility.

Yours sincerely,

Gerry Russell

Gerry Russell

Copy to:

- Mr Darrin McKenzie, Regional Director, DELWP Gippsland – darrin.mckenzie@delwp.vic.gov.au;
- Ms Angie Hughes, Land and Built Environment Program Officer, Land and Built Environment (LBE) Gippsland – angenita.hughes@delwp@vic.gov.au