

CORRECTED VERSION

SELECT COMMITTEE ON PUBLIC LAND DEVELOPMENT

Apollo Bay — 8 November 2007

Members

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Mr P. Hall

Mr P. Kavanagh

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Witness

Mr H. Ferrier, professional fisherman and boat repairer.

The CHAIR — You might just want to state your name.

Mr FERRIER — My name is Harry Ferrier. I am a resident of Apollo Bay, a fisherman for 30 years and boat builder. I have had a lot to do with our local coastal region, I guess you could say. I happened to come to the meeting and heard Mike talking about the — —

The CHAIR — Just before you start I will just alert you to the fact that you need to be brief.

Mr FERRIER — Okay.

The CHAIR — But I appreciate your contribution.

Mr FERRIER — I spoke at the community meeting they held in the youth club hall with 160 people. I spoke there for a considerable time and covered a lot of issues in a short time. My issue, amongst others, is that I am concerned about the public land being taken for private development. The money that is being pumped into the harbour at Apollo Bay is astronomical. The situation we see there now is that it is probably 30 or 40 years too late because there is no fishing industry and there is no depth of water for the masters to navigate their vessels safely into Apollo Bay to enter port. We have the proposal for a 200-berth marina, digging out the rock structure and deepening the harbour which we are all for, but you have to do the deepening out in the bay because if you cannot get your boat into the harbour you have got no hope.

Unfortunately Apollo Bay is governed by the weather. We get a lot of rough stuff. Mr Spencer said how rough the ocean is here. It is a gazetted port, Apollo Bay, so whoever manages the port has to keep it to a suitable depth of water so that vessels, if they are in distress, or if rescue vessels have to head to sea — most times it is fishermen — they have got safe water to do so. Over the years, in the last 20 years, if the wind from the east happens to exceed 10 to 15 knots and the wave height rises a metre, you do not come to Apollo Bay, because you know full well you cannot get your vessel safely into Apollo Bay. So all the capital works where you went for a walk over their earlier on this morning and saw the big cranes and the floating marinas, I have just fixed damage — finished yesterday — on a vessel there, sustained over Sunday with the flood rains and the strong winds from the east. That will be an ongoing thing for me, so I suppose I will end up in a black Mercedes-Benz before too long.

The CHAIR — Or a new boat.

Mr FERRIER — That is right, with vessels crumbled up in the harbour. They spent \$5 million on the new fishermen's wharf. Mr Bracks came down and opened it up in a big fanfare. It is a bloody nightmare. You cannot physically tie your vessel there. They raised the height 30 inches. You tie your vessel there — the Department of Infrastructure woman that signed off on the job had a house at Lavers Hill. I entered the port at Apollo Bay. It was a rough day, and came down and said, 'Harry, how come you haven't tied your vessel at the new wharf?'. I said, 'Sweetheart, it's like this', I said, 'It's \$5 million of muck-up'. I said, 'You tie the boat there, it surges out 6 feet, you nearly drown between it and the boat, then the boat slams into the wharf because you've changed the configuration of the underwater area. Hence I sustain damage, so I'm not going anywhere near it — not today anyway'.

Now we have got the issue of the \$2 million you are spending on the floating marinas. I spoke to a council representative the other day. The naval service station had come down to inspect the flood plain where they are proposing to build 500 lots. I hope they give them a life raft, a whistle and an EPIRB, because that is what they will need, because there will be no access in and there will be no access out unless you have got a helicopter. The ironic part about it is they speak about reclaimed land. If you wait another 10 years you will have your motel sitting in the bay of Apollo Bay, right in the harbour, because the bay is shallowing up with the siltation movement. Fifty years ago — it is a known fact — in the main street here the tide would lap this side of the street, and out in the bay here, where the surf club is sitting, there was 25 and 30 feet of water. Hence the early pioneers to the town could come into the harbour from two different angles. Now we have not got that option; we have only got one, and believe you me it closes in very quickly.

The issue of the township development and shifting the golf course — I do not know when they changed the land act, but it dates back a long time — it was fishermen's reserves. Hence the golf course was built on fishermen's reserve. The word 'reserve' coincided right along the Victorian coastline at Queenscliff and Port Fairy. Hence the fishermen had their cottages at Queenscliff close to the pier. They had their villages set up close to the river mouth at Port Fairy, and Apollo Bay had that similar facility. I remember when the lease came up 30 years ago. My old

man was a boat builder and a fisherman, and he was going to set up a shed, just a shed, near the roadway down to the harbour. Oh, no, the flak that the old man got over that. He said, 'But it's fishermen's reserves'. Within half a mile of the structure of the harbour was fishermen's reserves. So I challenge the council to this day to present documents to say that the Crown has changed that fishermen's reserves. I do not have a problem with the place developing — do not get me wrong — as long as there is the infrastructure there to service the people that they propose to come into this hamlet via the sea, via the airport and via the roads. It never ceases to amaze me.

I think Mr Barrow's comment in regard to the submissions, or the little sheets, that were sent out by the Colac Otway shire, I personally handed mine to the lady at the depot here in Apollo Bay and said, 'Madam, I hope you don't take this and shred it. I expect a letter in reply that I have submitted my little note'. It came back from Mike that he accepted my terms after we had the big public meeting in the hall at Apollo Bay. Tomorrow night on the *7.30 Report* or *Stateline* is going to be the issue about the land out here on the flood plain. I spoke to allow a local councillor at the service station the other day who is on tenterhooks because he may be sacked. I said, 'For God's sake, man, don't throw away your make-up bag, because you will be over at Apollo Bay harbour in a fortnight'. When the first big boats get into those new floating marinas, I will bet you will see it on TV, that the vessels have pulled the marina over or there is severe damage to stone.

It is amazing, the money that is wasted on this project here in Apollo Bay. It is great to see all this happening, believe you me, but what is the point when you cannot get a vessel in the harbour that draws — your height, is it 2 metres? — 6 feet of water in adverse conditions that may be a life-or-death situation before you call up the water police with a helicopter to come and lift you off your boat? It is bizarre. If you go for a walk out on the wharf there now, you will see that the other day they took away the access ladders in case you fall off the end of the new pier. They took them away because they were rusting, and they had been there only 12 months. It is ironic and just a waste of money, absolutely.

The CHAIR — Can I perhaps ask you — I am interested in expediting this — why this appears to be a muck-up? What went wrong in the process of planning this new development?

Mr FERRIER — It is like this: they called a public meeting in the Greenacres Motel, which is no longer up on the hill any more, in regard to the new major capital expense in Apollo Bay, the fishermen's landing, the big concrete structure you have down there. Okay. My mother was alive at the time and she rang me and said, 'Have you heard about this?'. 'Oh, no. It's all in-house'. So we get on the radio. Three fishermen steamed home that evening to go to the meeting. There were 14 at the meeting at Greenacres — council representatives and so forth — and they put up on the whiteboard what we were going to get. They said, 'Any input?'. I stood up and said, 'Yes. As a port user, have you been down and seen what we've got? Obviously not, because you're talking about spending \$5 million — that's in the crystal ball — and if you can't put back what we've got, don't bother'. 'But it's all signed, sealed and delivered to GHD', says the councillors. I said, 'Well, tell them to go home and do their homework'.

A month later they called a meeting again. They came in, GHD, and they had been to every port, bar going to Western Australia, and they had pictures of the ports and the wharves and so forth. In the end the crunch came. Council signs off on it: this is what you are getting. So down came the excavators and the chainsaws to dig it all up, put in the rocks — 1-tonne boulders and 2-tonne boulders — and all the rest of the bullshit that goes with it. They have no idea, absolutely none, these new lads that come out of university, and they say 'This is what we're going to put there'. Go down and have a look at the monstrosity. They have just done another \$3 million concrete wall. They have put up a sign this morning when I was out there, a little banner with a fish with a red line going through it, stating that you are not to have your fishing tackle in the mouth of the harbour whilst the yachts from the yacht club are going in and out. For God's sake! Get a grip of it!

If you go for a walk out on the seawall — and this is a known fact, and it has been like it for 50 years — there is not one lifesaving apparatus, a life rig, out there on the eastern seawall. You tell me how they get away with that. We brought this up with public works, with the port of Geelong, with the Colac Otway shire — absolutely amazing. It is just ironic to think. It is a sad state of affairs. Apollo Bay has good potential. It has had for decades. Do not get me wrong. I am not one to rock the boat, but the thing here is that if you are looking at getting extra people to use these facilities, if you put a 5-star motel 40 storeys high out on Point Bunbury, you have to have the understanding of the infrastructure, one would think, to service that facility — i.e., water for a start, and a sewerage system. Someone let the cat out of the bag the other day that our sewerage plant up here at the back of town has a hole in the wall. Thank God for the flood water that came along — she just flushed it all out to sea. It is absolutely bizarre.

Unless people sit back and acknowledge the fact that there are senior people around everywhere in the world — do not think Apollo Bay is excluded — with experience, whether it be yes or no, people in high places must listen to them and address what they say. I think it is a very, very foolish move. If they go and build on that flood plain, as you will see on tomorrow night's television program and the local news sheet, 6 feet of water could be lapping in your dining room, darling, if you were there in a house. It is beyond me.

They are talking about the landfill. They have got oodles of landfill — let me tell you this — because they can get over there and they dig it out of the bloody harbour as fast as they can ship it away, but they are not allowed to do that now, because you know what? DNRE says it is contaminated sand. Why? Because a penguin is trapped in it. It is bizarre. You have to be careful with what you have got, and it is suffocating as it is, and stop digging out at the Bunbury point with the bulldozer and the excavator and taking the sand through the main street and dumping it up here where it is naturally going east, because all the sand is going east — I heard a gentleman say at certain times of the year the sand goes the other way; I have never, ever seen it. The sand is always travelling east.

The beauty that you have got about here is that it is a Dutch-designed bloody harbour, and it is building up the sand dunes faster than anyone ever envisaged. If you go out to Skenes Creek and stand on the beach in front of the Seafarers Motel, that used to be rocks; now it is sand. You get in a boat and go for a paddle from the entrance to the Wild Dog with a sounding lead, where it used to be 30 or 40 feet of water, it is 3 metres now. The answer is there. Develop it, go for it, because in another 50 years someone else will be sitting here again saying, 'We're going to shove the harbour out another 300 metres'.

My bone of contention with it all was the fact that the council saw fit to draw up these pretty plans and extend the seawall 70 metres further east. What for? To drown them? It is just bizarre. They do not know what they are doing. It is 25 metres too long now, after they re-faced it four or five years ago at so many million dollars, and that is helping suffocate the bay. Hence you cannot navigate your vessels in and out. So they are dreaming; they are playing with themselves.

Please feel free to ask questions, because I am an outspoken person, I think as Mr Barrow learned today when I shook his hand. He made a comment after he left here, and I am disappointed that he is not here to hear me speak. I wonder about the council's involvement with the port — i.e., they know nothing about it. He made reference to the fact that they do consult the harbourmaster. The harbourmaster consults the fishermen or the port users. We advise him on things, and we know for a fact that it is like knocking on that piece of wood. The other day we had the blessing to meet our new representative for the port — right across the port. I cannot think of his name. He is a little Indian chap who took over from Mr Peter Marshall. Fair dinkum, he will go for a swim shortly. He met us at the slipway. We had a boat on the slip there working. We had a little bit of wood shavings on the concrete, and he said, 'What's with this?', I said, 'No mess, the boat don't go back in the water, my friend'. Just bizarre! If that is the outlook they have got, God help the rest of us. It is pathetic.

Mr KAVANAGH — I did not quite understand what your thinking is about the future of this land here. Are you saying that the land is going to get bigger because of the sand or get smaller?

Mr FERRIER — Peter, it is getting bigger at an astronomical rate, because, sir, you can walk across here and the Catholic Church is up on the hill there and it is 40 feet to the cross on the top of that church, and you could stand here in front of this hotel and look up there and you could see that spire. Now you cannot. So that is telling you that the sea or the sand through the harbour's siltation area is building up. The beachfront is getting further out. The lower part of the golf course was done probably 25 years ago. They had the council grader come down with a bit of backfill, dozed it down the hill. They got an extra two holes. Did not ask anybody; they just came along and did it. So now with the foreshore committee, we can shove the Great Ocean Road another 80 metres out there, but it is not going to wash away.

Mr KAVANAGH — We heard earlier today that this build-up has decelerated now, it is slowing down. But you do not agree with that.

Mr FERRIER — How do they get that? How does a scientific person get that? One that is working close with nature will just go for a walk. You go for a drive out the Great Ocean Road now, sir, and the road is nearly severed in the bite at Mounts Bay. It has been like that for some time. Council or the DNRE have had no trucks come with rocks to shore it all up. If we get the winter storms or the pre-winter storms into March and April of next year, there is no guarantee that the Great Ocean Road is going to be there one morning when you get up. Mother

Nature works in a mysterious way, and until we get a bad south-easter you will not know how your infrastructure is going to sustain damage. But unfortunately, we have the optimistic views.

The CHAIR — Can I just get a tiny bit of clarification. The harbour itself is managed by whom?

Mr FERRIER — The Colac Otway shire.

The CHAIR — The shire, with no involvement from DSE?

Mr FERRIER — DSE has the ability to pay out the big cheques — i.e., on this \$1.3 million or \$1.6 million marina pens. There were eight applications sent out to private contractors to put in a floating marina for the 28 vessels that currently use it. Out of the eight companies that were approached, after their consultants were finished with it, only one applied. So we are all a bit sceptical and on tenterhooks, because what we have had for 50 or 40 years has been suitable. There has been no damage sustained by vessels. We are all a bit sceptical that the new position they are putting in, with the floating marinas, to look good, with disabled access and all the rest of it, is not going to be as good a structure or venture as what we have. Hence, when the wintertime comes, or even prior to the wintertime, when the big boats get into the berth and they get the surge movement, it will get carried away. You will read in the paper and see on the TV: vessels and yachts sustain damage.

The CHAIR — You mentioned before the involvement of DOI in one part of this, the provision of new infrastructure; is that correct?

Mr FERRIER — That is correct, yes.

The CHAIR — How did that operate? They just paid for the infrastructure and the council delivered it; am I correct in understanding it?

Mr FERRIER — Yes. I think when that transition happened between the Port of Geelong Authority, the Surf Coast shire looked at taking on the port of Apollo Bay. I think the Moyne shire in Port Fairy looked at taking on Apollo Bay, but it was too far away. So then the Otway shire took up the jewel in the crown, so to speak — you know, ‘Apollo Bay has this port facility; let’s grab it’. I know for a fact that the infrastructure money, they do get about \$5 million or \$6 million a year.

The CHAIR — To manage it, do they?

Mr FERRIER — I think it is still that, yes, to manage the floating plants such as the dredge and the work boat. Again, our work boat is a fiasco. It is probably not in a 3D survey to venture out to sea and assist anyone in distress. It has just absolutely gone to the pack.

The CHAIR — You think it is now quite unsafe?

Mr FERRIER — Mr Stuckey had a guest several weeks ago, a gentleman with a boat who wanted to come from Docklands, and my advice to him was to leave it at Docklands; do not even come to Apollo Bay. We used to be blessed with a number of yachts sailing in from Melbourne, Sandringham, Mornington and all the rest of them. They used to come to Apollo Bay for a bit of a weekend away. A few of their boats ran aground here at the entrance. The work boat would not go out and assist them. Then they changed the regime from the public works department to the Port of Geelong Authority, so they would not send the master out to tow or assist these yachts in or out of the harbour. So in the end they sustained damage and they turned around and sailed off, and they have not been back since. They used to fill the place up with yachts people and their families. You do not have that facility or it is not giving them the opportunity to do that now.

I say that if you adjust it that way so that you can get those people to come back here, wonderful. The woman who put in the \$5 million jetty, she saw me again and said, ‘Mr Ferrier, I’ve been in touch with the shipping companies’. ‘Oh, yes’. She said, ‘We’ve got pictures of a big cruise ship floating out in the bay’. I said, ‘Wonderful. What are you going to do?’. ‘Oh,’ she said, ‘have the buses to take them to the Twelve Apostles, do the wine and cheese at Timboon, and then bring them back’. I said, ‘Great, but understand, darling, when he gets to the harbour entrance and he sees a wave as high as that seat and he’s in the little boat, he’s going to turn around and go back to the ship, because he’s not in Honolulu. You have no idea, so don’t even go there’.

Ms PENNICUIK — Could you clarify why the recent works were done?

Mr FERRIER — Recent?

Ms PENNICUIK — The 25-metre extension.

Mr FERRIER — That is a good one, because we thought that when they came and reshaped the seawall. The seawall was built as a breakwater, so it is designed for the wave motion to smash into it and wash over the top. Down came Mr Bob the Builder with his big, long excavator, and many, many hundreds of tonnes of rock came from the quarry at Colac, and they reshaped the seawall — from a straight, vertical drop to a slope. So now what it has done to the sea movement on the seawall side — forget the sand and the depth of the water — is you have a big wave coming at you like a surfer. It will build up and surge up the seawall and run back, and it is doing this all the way in to the bay.

You go down there now after the little moderate easterly we have had. And they have not had the balls to go out there and take a sounding in the big work boat — whether they are frightened the engine might stop I do not know — to get some idea of the depth of water. There would be lucky to be 6 feet of water there at half tide. Us locals know that. The water is dirty and murky and all the rest of it. But when they come along and they draw the plan that this is where the seawall is now, it is not long enough but we will shove another 70 metres on to it out into deeper water, that is not doing anything. That is not solving a thing because the natural movement of that water when it is at ebb tide coming out of Apollo Bay is that it has to swish past that northern seawall. There is your northern seawall running out, there is your eastern seawall that used to be tucked in behind it. Now it is another 20 metres further out, so where is the siltation going to build up? In along here in front of the township of Apollo Bay. It is fabulous to think about. It is too long. Get the excavator back and get Bob the builder to dig up the 20 metres of rock that he should not have put there. But no-one has spoken up about this bar me, and it just gets heard and falls on deaf ears.

Ms PENNICUIK — But whose decision was it to put it there? The council?

Mr FERRIER — I think it must have been the council or the experts, darling, the experts. There are lots of them. The GHD company that put in the —

Ms PENNICUIK — Who is GHD?

Mr FERRIER — They were the people employed to put in the new fishermen's wharf. I got to know the lad fairly well, but the joke was it was fairly inconvenient to many of us fishermen because the fuel tanker could only come on a set day and then they had to get the big excavator out of the way for the semi to get in and fuel you up. It has been a dilemma. He had the bloke there with the boring bar going down through the timber wharf down into the siltation until he hit rock bottom. I saw him and he was struggling and I said, 'Don't worry, mate, it will stop at 26 feet'. He said, 'How do you know that?'. I said, 'Because I could go home and dig out of the shed the minister of public works' plan of Apollo Bay harbour when they had the bridge up in the corner near the boat ramp that used to let the water flow through'. There used to be two entrances: one just over here and the one that you currently go in now.

Again I get back to the fact of Mother Nature reclaiming and the siltation, the sand moving east. It is suffocating the bay. Come back in 100 years time and this will be the back street of Apollo Bay. It will be out here. Do not laugh, it will. Go to Warmambool and have a look there. Go to Port Fairy and have a look at the dilemma they have got there. Go to Portland. The only natural harbour on the Victorian coastline happens to be that of Port Campbell, and Christ, you cannot even get a duck in there. It is a fiasco, and unfortunately, for those people who sail past these waters, if someone gets injured or they need fuel or whatever and they say, 'Let's go to Apollo Bay', not anymore, because they will see a fisherman sitting on the end of the pier thinking, 'Will we go today or won't we?'. I still owe the Colac Otway shire \$870 for a berthing bill because they failed to have duty of care for my vessel to go to sea and I had to leave it tied to the wharf for a week. I refuse to pay for the simple reason they do not keep a suitable channel. They know nothing about it, they absolutely know nothing about it.

The CHAIR — I thank you for your contribution; it was extremely interesting and we will be examining it carefully.

Mr FERRIER — I hope you do, because I have seen my fellow fishermen drown there. I have seen other men in amateur boats drown there. I have seen vessels sustain some serious damage there. It is a wonderful little

spot, do not get me wrong. I think whoever manages it for the future and all the rest of it, they just have to be a bit sharper than what they have been. Thank you for your time.

Mr McGain (from gallery) — May I add just something to that? I have seen the 1996 sand study report done by the DSE — —

The CHAIR — We might get a copy of that. It was referred to earlier and we might get ourselves a copy of that, but thank you.

Committee adjourned.