

EUROBODALLA SHIRE COUNCIL

PUBLIC FORUM

Ordinary Meeting of Council on 19 March 2024

Please refer to the minutes of the [Council Meeting](#) for outcomes of the agenda items.

Name	Subject/Comments	Presentation Provided	Hybrid
Michael Stavroulakis	PET24/001 Vehicular Access to Maloneys Beach	Yes	In person

**Closure of
ESC Gravel Road
to Maloneys Beach
and
Removal of Boat
Launch Access**

1. Document Information

Document Name: Closure of ESC Gravel Road to Maloneys Beach and Removal of Boat Launch Access

Document Version: 1.3

Document Date: 18/02/2024

Document by: Michael Stavroulakis

Geoff Davis

John Klapsis

2. Acronyms and abbreviations

ESC Eurobodalla Shire Council

NPWS National Parks and Wildlife Service

MBRA Maloneys Beach Residents Association

3. References

1: NPWS : Murramarang South Coast Walk master plan

<https://www.environment.nsw.gov.au/research-and-publications/publications-search/murramarang-south-coast-walk-master-plan>

2: NPWS: Murramarang South Coast Walk (NPWS Estate) Final alignment

<https://www.environment.nsw.gov.au/-/media/OEH/Corporate-Site/Documents/Parks-reserves-and-protected-areas/Parks-management-other/murramarang-south-coast-walk-review-environmental-factors.pdf>

3: BATEMANS BAY COASTLINE HAZARD MANAGEMENT PLAN 2010

https://www.esc.nsw.gov.au/_data/assets/pdf_file/0006/135375/BateCoastHazardPlan.pdf

4: Eurobodalla Shire Coastal Hazards Scoping Study 2010

<https://www.esc.nsw.gov.au/environment/coast-and-waterways/coastal-management-projects/coastal-hazards-scoping-study>

5: Eurobodalla Coastal Hazard Assessment – WRL Technical Report 2017

https://www.esc.nsw.gov.au/_data/assets/pdf_file/0020/158132/Eurobodalla-Coastal-Hazard-Assessment-2017.pdf

6: Open Coast Coastal Management Program 2022

<https://www.esc.nsw.gov.au/environment/coast-and-waterways/coastal-management-projects>

4. Introduction

This document notes the changes to Maloneys Beach which has resulted in the loss of significant community amenity and assets.

It is to highlight what was there prior, what has been lost.

It will also document the errors and misleading descriptions of the proposed scope and implementation of the NPWS Murramarang Coast Walk project, which has caused the loss of significant community amenity and assets.

The document also provides details on best practice governance failures associated with works undertaken.

5. Background - What was there

At Maloneys Beach, we had a gravel road, on ESC land, which runs from Hibiscus Close and leads to the beach, BBQ facilities, and an old decommissioned boat ramp.

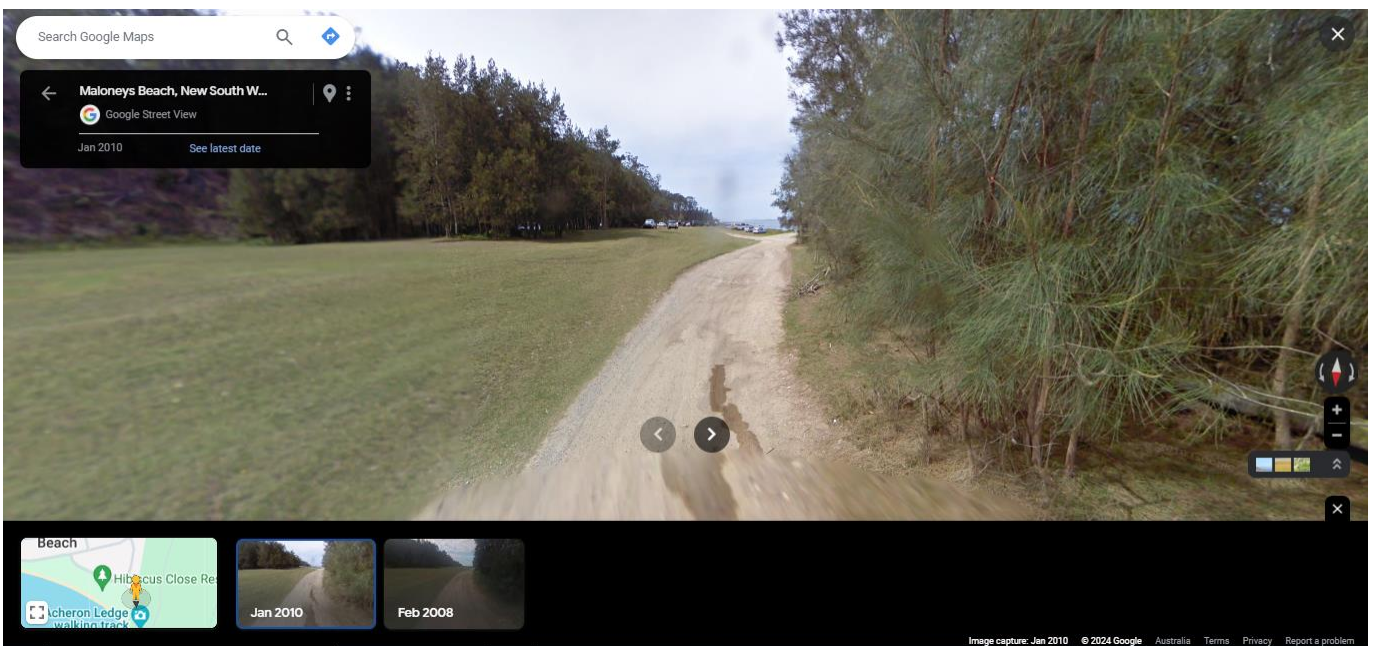
Leading off this gravel road, is a track which leads on to NPWS land, where vehicle access to the beach was used to launch small boats and provide access for the sick, aged and infirmed. The NPWS grass area adjacent to council land was also used as parking for the beach, BBQ facilities, and boat trailers.

The area was always well maintained, and the track was passable by most vehicles.

This can be best seen in the following virtual drive, using google maps. Images are from 2008-2010.

5.1. Google Maps virtual drive









5.2. Use cases

This road and access is used for:

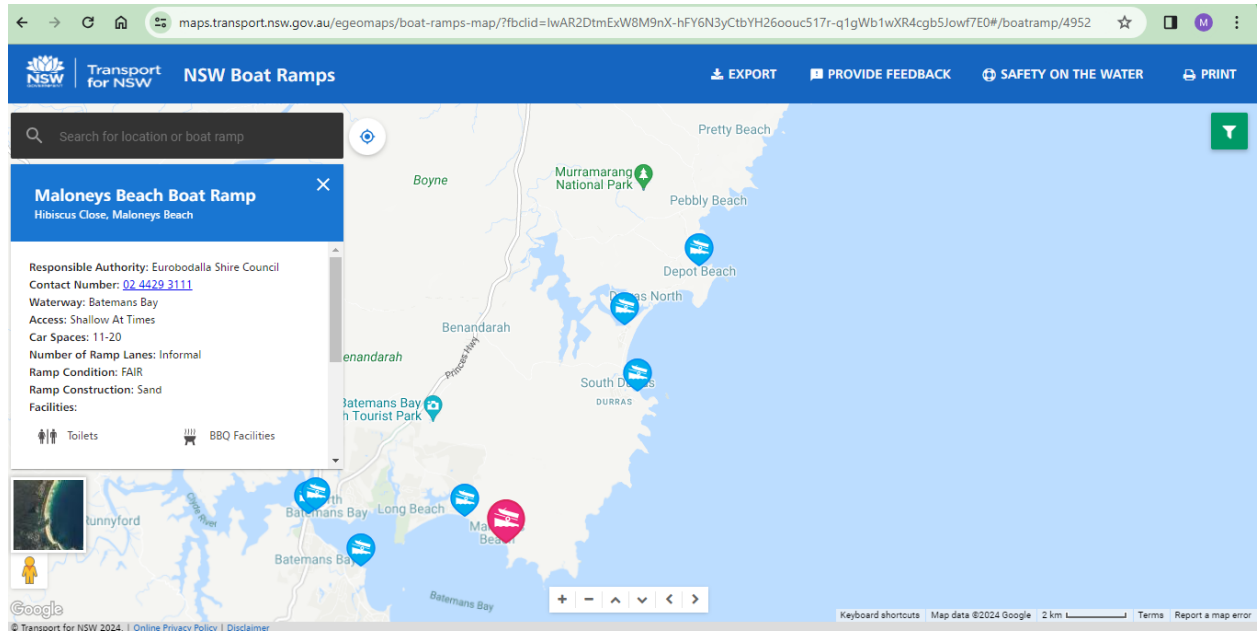
- Small Boat launch
- Elderly access to beach
- Kayak launch
- Access to BBQ facilities
- Access for trucks to empty bins at beach and BBQ facilities
- Wheel chair free access for the frail, injured and infirmed
- Sea access for many who cannot manage the dangerous journey from Batemans Bay across the dangerous bar
- Unfettered access for emergency vehicles, including makeshift use of private vehicles in an emergency
- Special family occasion events, including for example, weddings and ash scattering
- School camps launching safety boats as a precaution when their students are conducting activities

5.3. Boat ramp listings (Transport for NSW)

These 2 boat ramps (Maloneys Beach boat ramp, and Long Beach boat ramp) are still listed boat ramps on Transport for NSW website of boat ramp listings, as of 7/1/2024.

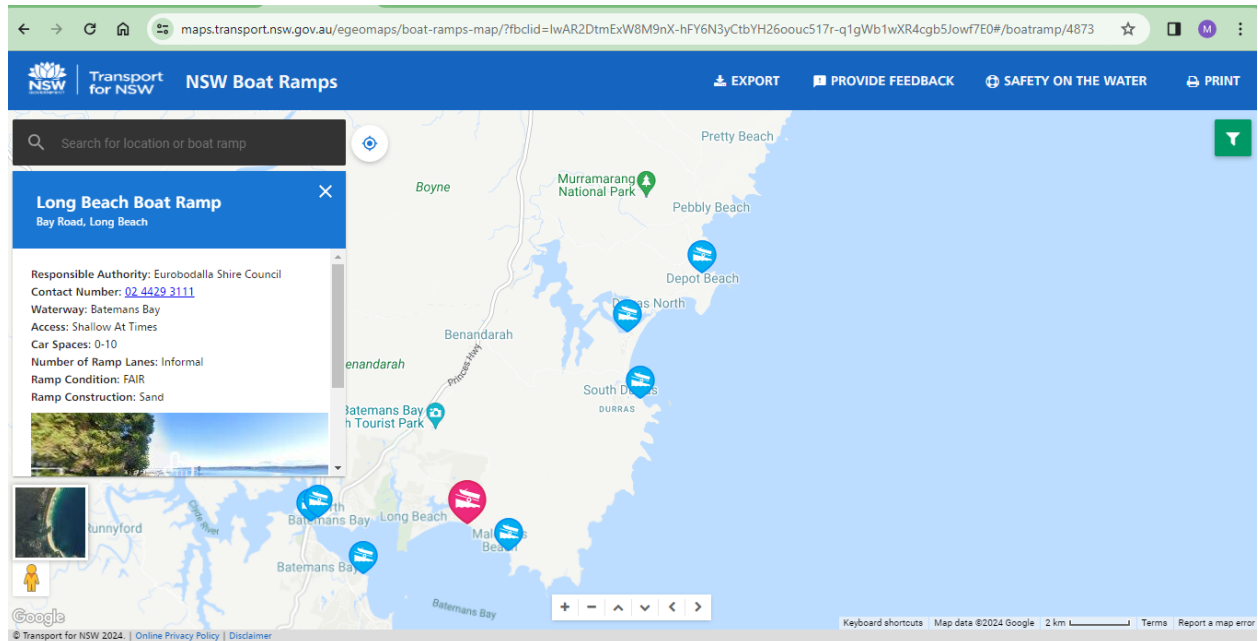
- Maloneys Beach boat ramp:

<https://maps.transport.nsw.gov.au/egeomaps/boat-ramps-map/#/boatramp/4952>



- Long Beach boat ramp:

<https://maps.transport.nsw.gov.au/egeomaps/boat-ramps-map/#/boatramp/4873>



6. Recent changes – What's been taken away

Recent changes to the eastern ends of Maloneys Beach and Long Beach has denied access for the very long established uses listed at paragraph 5.2 above.

This document is primarily focussed on the closure of the Maloneys Beach access.

The closure at Maloneys Beach access was done through the works of NPWS project of the Murramarang South Coast walk.

Compounding this decision is the closure of the Long Beach boat ramp, with the nearest boat ramps for these two small communities now being in Batemans Bay, Batehaven or South Durras.

The combination of NPWS and ESC works denies direct access to the beach to launch small boats, and to all the families that have been restricted from spending the day in the spot that have done so for 50 plus years

It's forcing small boats (small boats that were neither built nor purchased to safely operate in the now forced sea conditions) from Maloneys Beach and Long Beach to now clog up boat ramps in town and cross a treacherous sand bar to be able to utilize the protected waters of Maloneys Beach.

It also has a flow on effect, with boaters being forced to either queue up to get into town, and then queue up the boat ramps in town, car parks at the ramp are already full many of the times, also it clogs up places like Durras if we were to use that.

It changes a quick launch of a small boat, to an all-day affair, and a whole lot extra in fuel costs, to utilise the waters that are literally in our backyard. This impact is serious because many of the previous users of beach access are older and carry the wounds of old age that seriously limits the amount of time than can safely spend at sea.

Its forcing people with 30+ years' experience in local waters, to fish in waters they are unfamiliar with.

Many locals are now selling their boats and giving up on the recreational sport altogether.

It also previously provided direct access to the beach for all people with mobility issues. Many elderly used to get great enjoyment from being able to drive down the track to the beach where they could sit comfortably while watching the ocean in the comfort of their vehicle. This is also taken away.

Maloneys beach (and Long Beach) is a one way in / out area, and can very easily be cut off during a fire. With so many people still worried about the 2019 fires, removal of this access stops people from being able to expeditiously access the beach. The trivial retort, the fire brigade has a key, insults the reality in an emergency everything that can go wrong does, as happened in the 2019 fires. NPWS and ESC have been unable to provide a 'Safety Case' that provides any risk assessment associated with this impact. Further should the worst happen the liability for this would squarely rest with the ESC and the associated costs passed to the ratepayers of Maloneys Beach.

6.1. Reasons for the closure

According to council:

“The consultation for this project and subsequent closure of vehicle access to the beach was driven by NPWS as part of their masterplan”

And

“The bollards installed and revegetation of the informal access road was executed by National Parks, with the support of Council”

So we refer to the NPWS Master plan for the reasons of the closure:

“Maloneys Beach provides an appealing entrance to Murramarang National Park but has become degraded over time due to uncontrolled vehicle access to the grassy foreshore, foredune and beach. This is not permitted under the park’s statutory plan of management.

Vehicle access has also led to illegal camping and human waste disposal, littering, and uncontained fires. These activities are a source of regular complaints.

The foredune is also not vegetated with the natural range of plants and does not capture and accumulate sand. The beach and foredune is particularly vulnerable to erosion due to high tides, storm surges and sea level changes.

For the above reasons, the current condition of the Murramarang National Park section of Maloney Beach is not satisfactory as a starting site for a signature walk.

The council reserve alongside the national park provides parking, public toilet facilities, barbecue facilities, tables and a shelter. Within this area, vehicle access is restricted to formal roads and car parks.

NPWS will continue to work closely with Eurobodalla Shire Council in the planning and delivery of the proposed precinct upgrade to ensure all parts of Maloneys Beach are balanced and connected.”

The NPWS plan provides no cross reference to any scientific evidence to support its wildly inaccurate claims.

Regarding the erosion and accretion of the grassy foreshore and fordunes, we welcome any documented evidence showing this. So far requests to NPWS and ESC have failed to produce any such documents.

According to locals, this area is largely unchanged in the 50+ years it has been in use.

In fact, ESC’s own documentation and reports do not raise this. Reports from 2001, 2010, 2017, and 2022 were done, and found no evidence of erosion and accretion issues at the eastern end of Maloneys beach. All issues highlighted by these reports refer to concerns at the western end of Maloneys beach, near the bridge and Northcove Road. This will be further detailed in the findings below.

If the grassy area can support a new car park to support visitors to the new development, then surely it should be fine for local beach goers and boaters to also park.

Regarding the camping complaints, surely there are better ways to deal with illegal camping than removing a facility from the local community. There is nothing stopping illegal camping in the newly built car park either. In fact, it may even encourage it, giving illegal campers a nice clean car park to set up camp. In fact, there have already been campers spotted in the new car park by locals.

This issue should be separated from the boat ramp facility, and should not be used as a reason to remove the boat ramp facility. If it is an issue and a regular source of complaints, it can and should be dealt with separately from the boat ramp and at the time of the offence by sending police / rangers to issue infringements to the campers, rather than punishing the local community.

In response to the final statement above, "NPWS will continue to work closely with Eurobodalla Shire Council in the planning and delivery of the proposed precinct upgrade to ensure all parts of Maloneys Beach are balanced and connected."

I believe this has not happened. How have NPWS and ESC ensured the local Maloneys Beach and Long Beach boating community remained connected with the waters it has enjoyed for the last 30+ years?

7. Findings

Through our investigation, a number of findings will be discussed here.

7.1. Issues with the NPWS Coast Walk implementation

What has been implemented by NPWS for this project is not as per the plans.

The plans being the NPWS draft master plan used for community consultation, which is now the approved master plan, along with another more detailed NPWS document called the "Final Alignment" document.

The details in the master plan also align with the details in the Final alignment document, which is dated 29/7/2021, so we assume there was no scope change to this, and this is what was to be implemented.

Our investigation looks into the reasons the implementation is not aligned with the planning documentation.

Below are 2 diagrams from NPWS Final alignment document on p51 and 52.

These identical diagrams are in the NPWS master plan on p30.

These drawings show the boundary between council and NPWS lands, and have been confirmed as accurate by council.

These diagrams shows various other pieces of key information and will be referred to in the following few points.

Figure 21: Maloneys Beach precinct design specifications - northern area

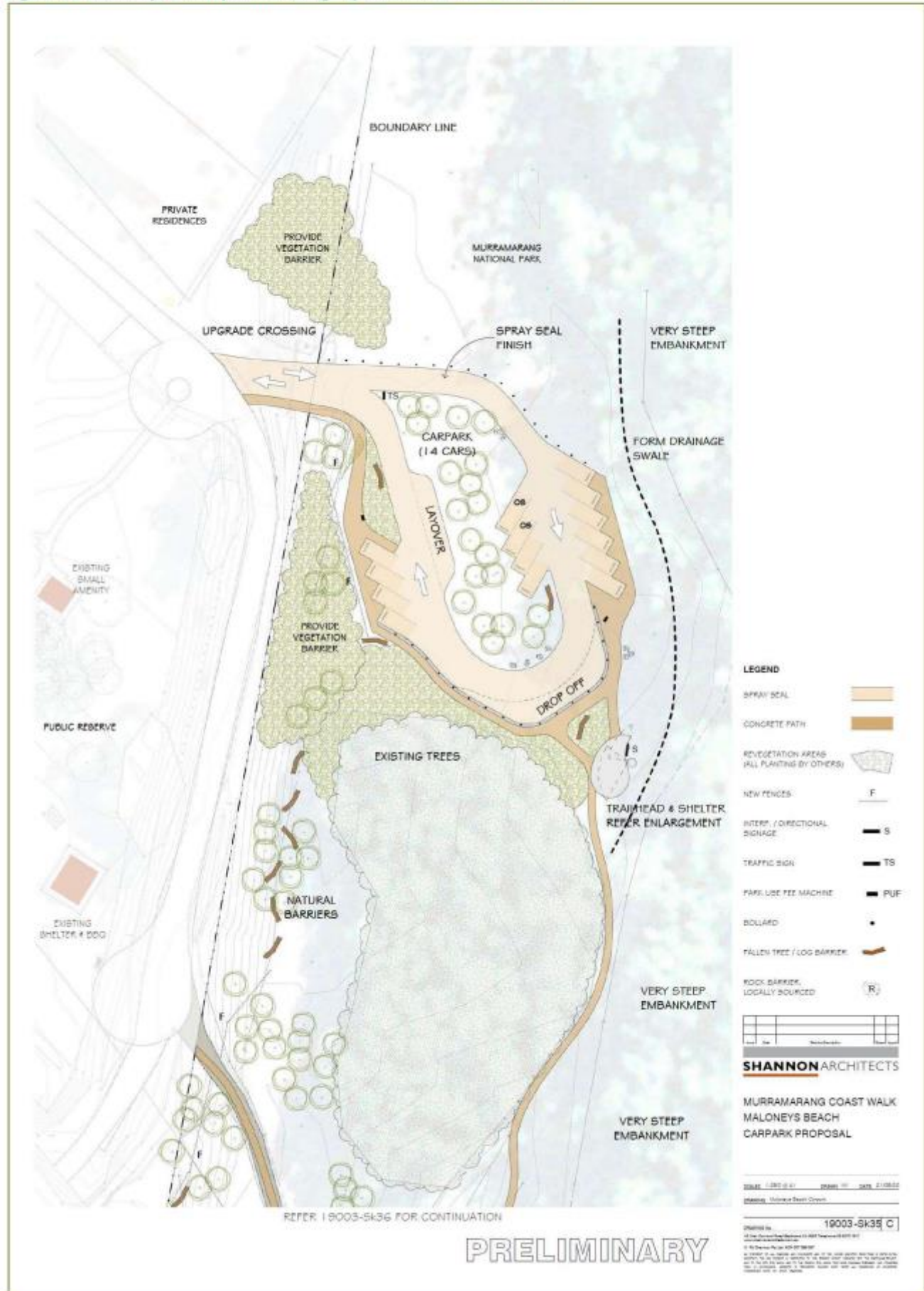
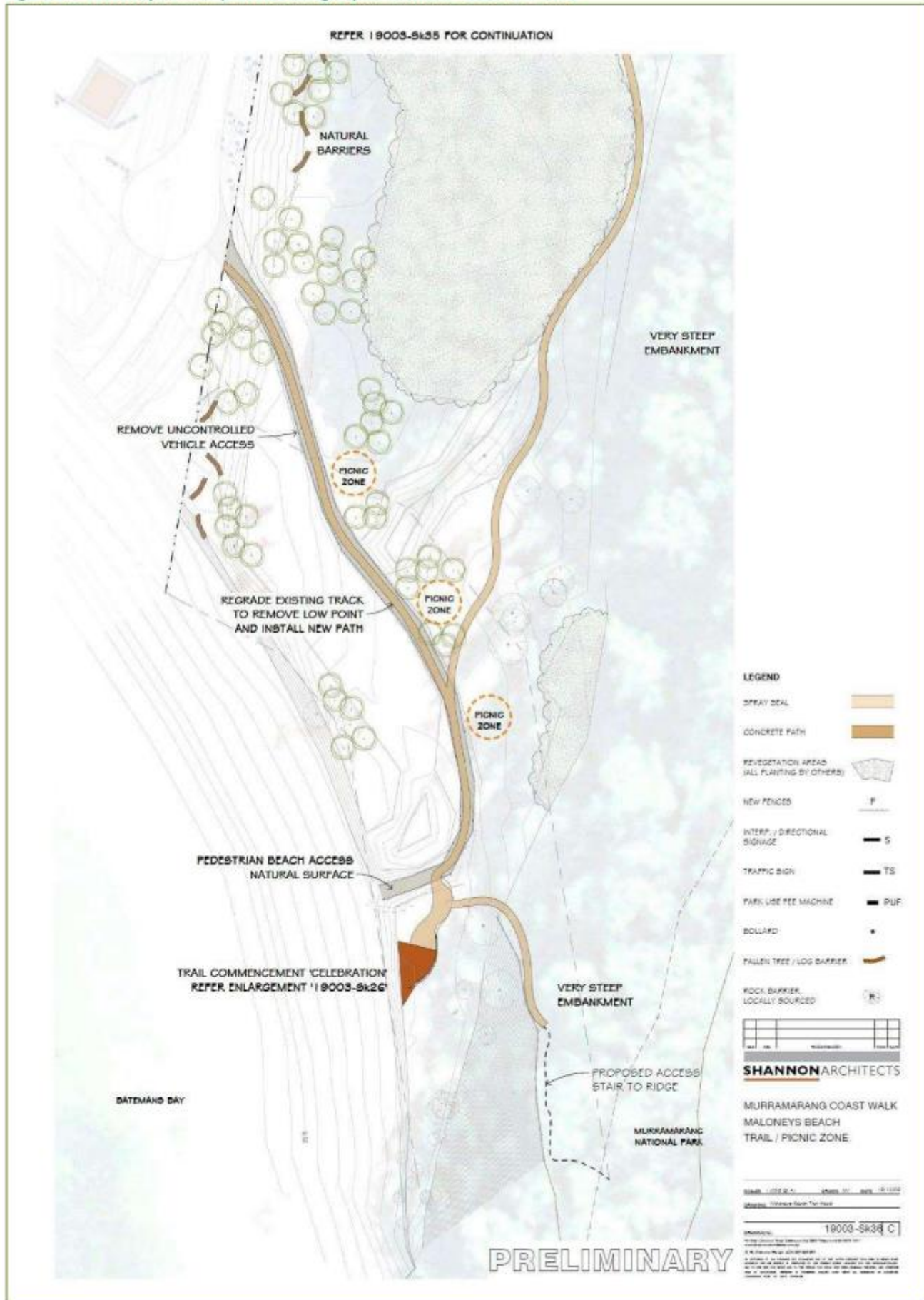


Figure 22: Maloneys Beach precinct design specifications - southern area



7.1.1. Implementation issues on ESC land

First is the additional work of the bollards blocking the ESC gravel road and grassing the surface of the ESC gravel road.

We have had confirmation from ESC and NPWS that this work was implemented by NPWS as part of the Murramarang Coast Walk project.

Furthermore, ESC also advised that this was the “wish” of NPWS, and not of council:

“ NSW National Parks and Wildlife wished to remove this uncontrolled vehicular access as part of their Murramarang South Coast Walk masterplan.”

Contradictory to this, NPWS have claimed:

“The ESC requested NPWS to undertake the works that occurred on the council managed land.”

It is still unclear who (NPWS or ESC) initiated for this work to be undertaken.

In the planning documents and above diagrams, what is clear though, is the following.

It is quite clear where the bollards are to be installed.

There is NO indication of bollards blocking the council gravel road, as has been implemented.

It is also quite clear that the council gravel road remains intact all the way to the BBQ facilities.

There is NO indication of grassing this gravel road.

The document talks about restricting vehicle access, and one can assume that that is the purpose of the "provide vegetation barrier" and "natural barriers" markings on the NPWS land on its boundary with the ESC land, therefore restricting vehicles entering NPWS land, which was the grassy area used for parking, from the ESC gravel road.

This change in implementation has resulted in a community asset being lost - that asset being the ESC gravel road leading to the beach and BBQ facilities.

7.1.2. Implementation issues on NPWS land

The second part of the implementation not done as per the approved design is there is supposed to be an additional path leading from the new path at beach access point, linking to the existing ESC gravel road and BBQ facilities.

This is best seen in the above figures (figure 22 on p52 of the final alignment document). Where it says ***"Regrade existing track to remove low points and install new path"***

This path has not been built.

This omitted path links the old gravel road on ESC land and the new path at the beach access point. So instead of linking the ESC gravel road and the new path, it has been implemented by removing the ESC gravel road, and not building the new path.

This result is a lost community asset that was not apparent in the community consultation material. In fact the consultation material looks to improve the community assets by linking the ESC gravel road and the new path.

Again invalidating the community consultation that occurred, as the community were not made aware they would lose this asset.

7.2. Issues with the NPWS Coast Walk community consultation

7.2.1. Consultation for works on NPWS land

The community consultation process used by NPWS for this project was significantly flawed, and did not reach the community as it should have. Given the scale of amenity and asset loss it is reasonable to expect the NPWS conducted a risk assessment to discover the quantum of impact and in so doing appoint an independent probity auditor to ensure integrity of process. This did not happen. Further we have not been able to find any best practice consultation guidelines utilised by NPWS.

The most concerning aspect about the consultation process was both the scope of works underpinning the consultation (in effect describing what was planned to be done) and breadth of community canvassed.

In regard to describing the planned works no mention was ever made of the intent to deny beach access for small boats with a concomitant requirement to undertake work on ESC land without appropriate impact assessment. This egregious breach of public trust is of significant concern. When in consultation with the ESC these inappropriate decisions were taken the community consultation process should have been reconsidered and revisited including the engagement of an independent probity auditor.

We refer to the document, titled "Murramarang South Coast Walk (NPWS Estate) Final alignment"

This document talks about the community consultation strategy used, and specifically how certain groups were targeted.

Refer to table 5 on page 23.

Table 5: List of targeted non-government consultations undertaken during the exhibition period

NPWS targeted the self-proclaimed "Maloneys Beach Residents Association " (MBRA). Meaning you could only participate in consultation if you were a paid-up member. Hardly a best practice consultation

The MBRA is in no way representative or an authority for the community at Maloneys Beach, so we are not sure why it was chosen to be targeted rather than targeting the whole community.

The demographic they represent does not represent the large number of the community that used the beach access.

The MBRA has no means of contacting residents other than through their subscribers on their Facebook page.

From what we can see on their Facebook page, the only effort made by them is a post or 2 advertising the deadlines for submissions at the time.

In order to see this, you have to be subscribed to their page. There is no reason to think or assume any of the community has seen these posts.

We also refer to a post made by the MBRA:



Maloneys Beach Residents Association

March 2, 2021 · 🌐



MALONEYS BEACH RESIDENTS ASSOCIATION - AGM

Sunday 7 March 2pm at the Long Beach RFS Fire Shed, Cullendulla Drive.

Current covid restrictions require attendees to sign an attendance register and maintain 1.5m social distancing between non-household members.

Michael Phelan, NPWS, will be giving us an update on the Murramarang Walk and a report on NPWS' hazard reduction.

Everyone welcome but only financial members can be active participants during the meeting, which includes having the right to vote. Also financial members receive copies of the minutes, important relevant information during the year, and the monthly newsletter.

Thank you to all those, all 22 of you, who have already paid their fees for 2021-22.

You can pay by bank transfer, email association@maloneysbeach.com for details, or pay cash on the day. Bring your \$5 for an individual, or \$10 for a household membership, to the meeting but please arrive early, make yourself known to the Treasurer, and have the correct money if at all possible.



This was their MBRA AGM on Sunday 7 March (2021) 2pm at the Long Beach RFS Fire Shed, Cullendulla Drive, in which Michael Phelan gave an update on the coast walk, either in person or other means we are not sure.

Interesting comment:

"Everyone welcome but only financial members can be active participants during the meeting"

So the general non MBRA public from Maloneys Beach community are not welcome to participate in the community consultation.

You can't participate in the consultation unless you pay to become a member of the MBRA. That is if you even knew about the meeting, of which they had no means of contacting the residents, like the council can.

This confirms the consultation is completely biased in that they targeted the Maloneys beach consultation toward the MBRA - a statistically skewed group.

This non-government group could be (and in our opinion was and still is) completely biased. If you don't agree with their narrative, you get blocked. You have to pay money to join, in order to give feedback and participate.

It is in no way an open forum.

They have to approve any content on the page.

We had requested weeks ago to post some content up on the page relevant to the community, and had been ignored/rejected. Soon after a friend requested membership info, and they replied immediately, showing they are seeing the messages, and are happy to take membership money, but not willing to put a link to their page relevant to the community to discuss. This is not the behaviour indicative of a residents association.

The numbers in this group are quite small, and their demographic is in no way representative of the wider community and our interests.

So their views are biased to their interests.

Further to this, I also refer you to section 5.1.2 on page 22 of the final alignment document.

With this I assume this master plan was the material used for the community consultation. I cannot confirm, as we were not part of the consultation process!

This says the draft masterplan was on public display.

The consultation process was during Covid lock downs, where not all residents were able to go to Maloneys Beach, due to NSW Government restrictions. This further restricted the extremely limited consultation reach.

For these reasons, we believe the targeting of this group for the community consultation was a mistake and the results of the community consultation are invalid.

7.2.2. Consultation for works on ESC land

There was NO consultation for the works closing the ESC gravel road and grassing the surface of the ESC road.

ESC claim:

“National Parks and Wildlife Service (NPWS) undertook community consultation prior to commencing works on their Murramarang Coastal Walk project. As previously advised, Council was involved in the master planning process and detailed design phase with NPWS and the Maloneys Beach community and supports NPWS in this project.”

NPWS claim:

“Council undertook separate consultation with local community regarding the access track on Council land.”

To date, we have not received any details from ESC on this consultation.

What is certain, is that this work on ESC land was not detailed in any of the consultation material used by NPWS.

This additional work that was not detailed in the planning documents should have triggered another round of community consultation, which it didn't.

Should NPWS be responsible for the community consultation of these works on ESC land?

Is ESC even able to outsource the community consultation works to NPWS for works on ESC land?

Ultimately ESC should be responsible for the community consultation for works on ESC land, and this was not done at all, by either ESC or NPWS.

In addition to this, the MBRA provided its members with the following update on the development long after the call for submissions, which seems to be an update from NPWS to MBRA:

“At the request of the ESC, NPWS has agreed to relocate the telegraph poles presently laying near the shelter and place them on the beach side of the road leading to the new car parking area. This will close the road on Council land and all unauthorised vehicle access to the National Park. As discussed throughout the planning phase, the road on the Council land cannot be reprofiled in the absence of an environmental / cultural assessment. ESC has accepted NPWS's offer to undertake minor restoration works on the closed Council road – this may appear relatively superficial but will reflect the limits of what can be undertaken in the absence of these assessments. NPWS has also agreed to apply mill seed and provide the first watering to this area.”

Closing a road and grassing its surface is NOT maintenance as claimed in this statement.

It is reprofiling the ESC land, which they have stated they cannot do without "environmental / cultural assessment".

So according to this update, ESC and NPWS, knowingly did this to avoid the scrutiny of environmental / cultural assessment.

This initial work, of closing the ESC gravel with the telegraph pole mentioned above, was implemented sometime in the weeks prior to June long weekend of 2023. The following photo was taken on 10/6/2023:



Then sometime between 12/07/2023 and 2/10/2023, this was redone, with the telegraph pole being replaced with bollards, and steel gates were installed.

The below photo was taken on 2 2/10/2023 /10/2023:



7.3. Funding of works on ESC land

Who funded who to do what, the saga of funding to pay contractors who closed our road at Maloney's Beach.

When we started our discovery journey we struggled to understand where the funding source came from that paid the contractors who did the work to close our road. This was far from transparent. This is material because it goes to the heart of what should have been disclosed in the planning process informing public consultation. Reminding all that NPWS never ever proposed closing our road during any of their public disclosure. NPWS remind us that this was councils' responsibility and that council undertook separate consultation.

Initially we imagined, as you would, that council paid the contractors as it was works on their land. Discovery then suggested it was paid out of the grant obtained from our state government as a consequence of the NPWS walks project. This means the public disclosure process should have considered the amenity impact - profound - of closing our road. NPWS did not see it as their responsibility as ESC asked them to close the road to avoid impact assessment. Hence no meaningful consultation took place.

Now the story shifts direction.

"The additional works were not funded by the grant that NPWS received from the NSW Government...NPWS allocated internal funds that covered the cost of the additional work".

Reinforcing the understanding this was situated to avoid public disclosure.

When pressed on what appropriation was used, maintenance or capital, as this is material in regard to consultation. We find a new, and frankly novel approach for contractor engagement. It is called *'in-kind by NPWS contractors'*.

"The works were carried out in-kind by NPWS contractors as part of the Maloneys Beach upgrade."

So where did this money come from that pays the *'in-kind'* contractors, it is possible they are benevolent institutions. You got it **grant funding**. Well, not quite, the most recent correspondence actually does not confirm where the funds came from.

It was not much money anyway so this novel contracting vehicle does not trigger any consultation obligations.

So, after a long, tortuous and convoluted process we have discovered that **grant funding** for the NPWS walks project might have been used to fund work to close our road, to avoid impact assessment. And because it was drip fed over years appropriate public consultation about the full impacts of the NPWS walks projects implications were never considered.

And this is the reason we have 900 signatures on our petition.

There is a legitimate inference associated with this obfuscation, if you confirm our road was closed by NPWS using Grant funding then the intent to close the road should have been disclosed during the initial public consultation, and we know it was never disclosed by NPWS. After all it was councils responsibility as they asked NPWS to close the road to avoid impact assessment!

NPWS have confirmed they have *'undertaken an independent internal review and is satisfied that the expenditure was appropriate'*. They have not answered the obvious question what were the terms of reference or authority for this internal review. Nor clarified what this funding appropriation was approved by government for. Given the *expenditure was appropriate* it might be reasonable to assume the contracting vehicle to expend these monies was appropriate. Then maybe not!!

7.4. Claims of Erosion concerns

One of the reasons for the closure in the NPWS master plan document is erosion concerns:

“The foredune is also not vegetated with the natural range of plants and does not capture and accumulate sand. The beach and foredune is particularly vulnerable to erosion due to high tides, storm surges and sea level changes.”

And from ESC”

“They (NPWS) also found that the beach and foredune were particularly vulnerable to erosion due to high tides, storm surges and sea level changes.”

Communications to ESC and NPWS echo concerns of erosion and accretion. To date, ESC and NPWS have been unable to provide us with documented scientific evidence to support such claims.

In regards to the dunes mentioned above, there is no plan in NPWS to make any changes to the dune area at the beach access point. It is detailed in the final alignment document that vehicle access will remain:

“The current practice of driving vehicles into the NPWS section of Maloneys Beach area has damaged the foredune resulting in little vegetation cover and a lack of sand accumulation. Consistent with the Plan of Management, beach access for vehicles will not be provided from within the Murramarang National Park, except by emergency services, NPWS and existing commercial operators.”

Therefore this break in the dune cannot be restored to continue to allow this vehicular access, nor is there anything detailed in the plans to restore this point in the dunes.

In relation to the break in the dune on ESC land. This is where the decommissioned boat ramp is located. There is no dune at this point on the beachfront as it is a natural water course. Yes, it is overgrown by weeds. NPWS paid to have works done on this council land to improve water flow, which hardly consistent with establishing a sand dune. For a millennium there has been no sand dune, and would there be, water would block up and flood areas upstream of the work undertaken by NPWS on council land.

Therefore this break in the dune cannot be restored, nor is there anything detailed in the plans to restore this point in the dunes.

Furthermore, ESC has had studies and reports done in 2001, 2010, 2017, and 2022. These are document references 3 -6.

These reports have found no evidence of erosion and accretion issues to raise any concerns at the eastern end of Maloneys beach. All issues highlighted by these reports refer to concerns at the western end of Maloneys beach, near the bridge / Maloneys beach lagoon / Maloneys Creek and Northcove Road.

Some sections of the above referenced documents of note are detailed below.

We can conclude from this that these claims of erosion are completely unfounded.

7.4.1. 2001 report: BATEMANS BAY COASTLINE HAZARD MANAGEMENT PLAN

No issues of concern raised for Maloneys Beach in this report, as highlighted below:

1.7.7 Maloneys Beach

Details of the Maloneys Beach assessment are given in Chapter 10. There are no major coastal hazards affecting Maloneys Beach, although flooding of the back beach lagoon area and maintenance problems with the beach boat launching ramp are related to storm waves (see Figure 8).

Because of the minor nature of the coastal hazards identified for Maloneys Beach, no major management options have been recommended. Suggested options could include a flood study of Maloneys Creek, including the combined effects of catchment runoff and elevated ocean levels (\$40 000), and regular maintenance on the boat ramp (\$5000 per year).

7.4.2. 2010 report: Eurobodalla Shire Coastal Hazards Scoping Study

The issues relating to Maloneys beach in this report are related to the western end.

3.3 Maloneys Beach

The dune has been mown over and some trees appear to be poisoned and cut (Figure 3.6). The dune seems artificial given the very steep dune face. The wave climate is low and the beach well-protected. The reef at the eastern end is very exposed at low tide. Some housing and Northcove Beach Road/Maloneys Drive are located behind the dune. A toilet block and a small car park are located further back from the beach. It is suggested that the dune be replanted, fenced off and some formal access should be provided.

There generally is a low immediate risk for the properties at Maloneys Beach. However, the road and around five dwellings located around 30-40m away from the dune might be subject to future risk at the western end of the beach as a consequence of beach recession due to sea level rise (Figure 3.7). The loss of the road may cut the access to the town. This part of the beach is a little more exposed to waves than the eastern half but a reef protects the bay from the largest swell.

There is a small creek entrance at the western end of the beach that may generate flooding issues for one house located along the creek near the entrance. Some houses may be subject to geotechnical (slope stability) hazard along the headland west of the beach as the rock is very erodible (soft siltstone).

7.4.3. 2017 report: Eurobodalla Coastal Hazard Assessment – WRL Technical Report 2017

The issues relating to Maloneys beach in this report are related to the western end.

Maloneys Beach

Maloneys Beach (Figure 3-3) is an 810 m long embayed beach located just inside the northern entrance to Batemans Bay. It occupies a drowned valley that has been infilled with estuarine and marine sands, the latter building a 460 m regressive beach-foredune ridge barrier with a volume of ~2 M m³ (Table 3-2). While it faces almost due south (200°) it is sheltered by its eastern Acheron Ledge and the Tollgate Islands, with

waves averaging only about 0.4 m, increasing slightly east along the beach. Sediments are fine, moderately-sorted, carbonate-rich (78%) sand (Table 3-3), with some cobbles eroded from the adjacent headland present along the eastern end of the beach and a slight increase in grain size to the west. This increase suggests a stable sediment compartment usually free of beach rips, that is, the sand has rearranged itself over time with no longshore transport and little intra-beach transport. However, during high waves a temporary boundary rip flows out against the western rocks and would transport some sand out into the bay. The beach grades from a low energy low tide terrace (LTT) with no cusps in the east to a slightly higher energy LTT with high tide cusps in the west. It is narrow (~10 m), moderately steep (1V:10H) and backed by a low foredune and the now developed foredune ridge plain. The valley has acted as a sink for sand moving into the bay, which led to the development of the barrier system. **This system now appears to be stable with the recent photogrammetry indicating no net recession, but a possible counter-clockwise rotation of the shoreline. It is very unlikely any sand is moving west around the Acheron Ledge, nor moving from Maloneys Beach around its western rocky point into the Long Beach compartment.** While they may be similar in sediment texture and source, they do not appear to be laterally connected. It appears to be a compact tertiary sediment compartment with onoffshore transport during erosion-recovery events, but no lateral connections. Storm demand for Maloneys Beach is expected to be in the order of 50 m³ /m in the east increasing to 80 m³ /m



7.4.4.6: 2022 report: Open Coast Coastal Management Program

The 3 issues relating to Maloneys beach in this report are below. None of these are to do with the eastern end.

- CH1_B Maloney Beach Erosion Protection Stage 1: Undertake investigation and design for Northcove Road erosion protection and flood proofing

The analysis undertaken of the full implementation of the works as part of the CMP identified that the existing risk was not significant, and as a result the coast benefit analysis did not support the implementation of erosion and flood proofing within the CMP 10 year plan. However, a future need for these works was identified, as a result the investigation and design works will be undertaken as part of the CMP. Further details can be found in Section 3.2.4.

- CH9_A Prepare frontal dune management plans

Prepare frontal dune management plan for dunes seaward of caravan parks and camping grounds, and foreshore reserves to optimise resilience of the dunes as protection for temporary land uses and enhance ecological connectivity. Target locations to include beach reserves at Maloneys Beach, Long Beach, Surfside, Corrigans (include Clyde View Holiday Park) and Malua Bay Reserve. The locations do not include Coastal Wetland Areas

- RA2_B Undertake dune vegetation management and minimise unregulated pedestrian access

The dune vegetation at Rosedale Beach is being impacted by unregulated pedestrian access and in some cases illegal clearing of vegetation. An annual strategy will be undertaken to target these actions, replace vegetation, where possible, and install barriers and / or signage. The community identified that pedestrian access occurs across the dunes at numerous locations at Broulee. Access to be consolidated through clearly marked and structured access points, and barriers to close off those access locations no longer to be used. During public exhibition, concerns were raised in regard to unregulated access at Maloneys Beach. This action includes resources to address this issue.

8. Governance

In discovering the circumstances surrounding this debacle that is the implementation of the NPWS Master Plan for Maloneys Beach we have sort to understand the extant 'best practice' governance that would have guided NPWS in gaining approval to spend taxpayers' money on this project that has caused such major community amenity impact.

Our requests for information about governance aspects through representations to NPWS and ESC have so far provided nil response.

By governance discovery we would include a suite of extant NPWS and ESC guidance that Project Proponents would normally follow to ensure taxpayers money was sought and spent with integrity.

The principal areas of interest include:

1. Best practice guidance in regard to community consultation;
2. What Risk assessment process was used, particularly in regard to stair safety, emergency access and indemnity for NPWS undertaking work on ESC land?
3. Project Management guidance and Project Controls to manage scope variation;
4. Finance regulations that might endorse NPWS Project decisions to spend capital endorsed money to undertake both maintenance and capital works on ESC property. In so doing avoiding appropriate impact assessment scrutiny;
5. What thresholds were/are used to determine the need to engage an independent probity auditor to endorse the integrity of the consultation process?
6. How were checks and balances applied to avoid omissions, misleading and incorrect statements of fact in both NPSW and ESC planning documents? For example, were these professionally scrutinised;

9. Petition

Upon seeing the outrage in the community for the loss of amenity and lack of consolation that took place, a petition was started to showcase this lack of consultation,, and failure to understand the needs of the local community, and requests to reinstate the ESC gravel road and beach access back to its original form.

The petition has gathered 916 signatures in a space of 3 weeks, and will be submitted to council in Feb 2024 in accordance with its petition guidelines.

10. Summary

The following is a summary in the way of statement of facts that have been established in this document, and communications with NPWS and ESC

1. Implementation of the NPWS Coast walk project is not as per the master plan communicated during the NPWS consultation process.
2. There was NO consultation for the works closing the ESC gravel road and grassing the surface of the ESC road.
3. The NPWS consultation process was completely flawed for the works of the Coast walk project, as it did not reach the community. We have over 900 signatures that attest to this.
4. Claims of erosion and accretion are claims without scientific basis or relevance to the issues.
5. ESC misrepresented the usage of the council road. They claim **“given that it only served the track on NPWS land”**. This statement is so disconnected from the truth. If council would have taken the appropriate consultative process it would have discovered this road was used for a myriad of other purposes. All important and established legitimate public amenity. After all this is why these consultative processes exist.
6. Council claim: **“Council has no plans to upgrade or reinstate the boat ramp, therefore there is no need for the beach access track across the dune”**. This statement ‘access across the dune’ is not based on any fact. There is no dune at this point on the beachfront as it is a natural water course, yes, it is overgrown by weeds. As the NPWS paid to have works done on this council land to improve water flow, hardly consistent with establishing a sand dune!! For a millennium there has been no sand dune, and would there be, water would block up and flood areas upstream of the work undertaken by NPWS on council land.
7. ESC did not seek from the NPWS, or conduct their own, a risk assessment associated with the installation of heavy gates, which never appeared in the original approval drawings, prior to placing bollards denying emergency ingress and egress. NPWS confirm it is not their responsibility as they closed this emergency access at the request of council. During the 2019 fires council was unable to remove the single chain blocking access for refuge on the foreshore, concerned locals solved this problem. If the council find it acceptable from a safety perspective, presumably through a rigorous risk assessment process, to block access using a single chain, why is a Fort Knox approach appropriate on NPWS property in effect blocking refuge through council property?
8. The majority of small boat owners no longer have access to the water since most all of the boat owners impacted boats are not suitable for the open sea conditions you now have exposed them to.
9. These 2 boat ramps (Maloneys Beach boat ramp, and Long Beach boat ramp) are still listed boat ramps on Transport for NSW website of boat ramp listings, as of 7/1/2024. People are still booking holidays, expecting nothing has changed.
10. Council claim **“Council agreed that NPWS contractors undertake some works on Council land to prevent vehicles illegally accessing the beach.”** – With reference to illegal activity, either the law has not been enforced for the past 60 years or it is an ass!! This facility is listed on the transport for NSW website as an informal boat ramp. Inferring Transport NSW is condoning illegal activities.
11. Grant funding for the NPWS walks project was used to fund work to close the ESC road, and in doing so, avoided impact assessment

In summary we urge the appropriate action be taken to remove bollards blocking access and the road surface be restored to where it was prior to the NPWS destroying significant public amenity, and in doing so, allowing vehicle access to the beach via the break in the dune where the decommissioned boat ramp is.

11. Community sentiment

Below are some quotes from the community:

“The disgusting environmental vandalism we see today speaks loudly of the mentality and thoughtlessness of those who allowed their misguided plan to take effect. Urgent remedial action is needed to rectify this blatant assault on what was a pristine grassed area and access to the beach.”

“As a 40 year resident of the unique village of Maloneys Beach I would firstly like to say the reason we chose Maloneys to build our home. Being surrounded by the magnificent national park as a background to a very safe beach , and being set on level ground makes taking walks a pleasure and with one road leading in / out lends the area in the main, to be safe from crime . Soon other members of our families also built settled in Maloneys Beach.

Both my parents and my wife's mother and son being elderly used to get great enjoyment from being able to drive down the track to the beach where they could sit comfortably while watching the ocean during colder weather in the comfort of their vehicle. Other times when younger members and visitors were swimming or fishing they could drive down to watch or take a few steps to sit under a shade shelter that others had taken down for their comfort. Personally I have always used the area to launch my smaller boat for fishing and family fun. I've seen young mothers with children drive down to the beach where they could unload picnic baskets, Esky, and shade covers etc without having to cart it all in several trips.

On safety for smaller boats there have been many times when people have launched their boats at the boat ramp in Batemans Bay but on returning they found that the sea over the bar had deteriorated and now had breaking waves making it extremely dangerous. In these cases they have come across to Maloneys where they have asked a local if they could get a lift to the ramp in Batemans Bay where their vehicle and trailer was parked. They then returned to safely retrieve their boat. Unfortunately there have been people that have passed away on our beach and the ambulances were able to drive down the track to attend to those people. Another had a heart attack and once again the ambulance used the track . We are a unique with the elderly and those with younger families that are most upset because we have lost the ability to launch small craft whether paddle boards, fishing boat and jet skis. Apart from locals, others such as vintage car and bike clubs would drive their vehicles down the track where they would put their vehicles / bikes on display while also using the BBQ and shelter shed. Weddings have been held at the beach with the bride and bridesmaids and the groom being driven down the track and the ceremonies held on the grassed area. To lose the ability to use the beach head as we have in the past saddens me and is a huge loss to us residents and visitors alike.”

“I first moved from Sydney to Long Beach in 1987.

At that time, there was

beach access ramps at Long Beach and Maloney's.

Council saw fit to disable the ramp at Maloney's in the early 90's, and the community 'users' were forced to create an access point (over the dune), which was in use up until recent times.

The loss of launching capacity at Long Beach, is due to storm action. It has survived for years and years with zero maintenance from Council, and the easy option has been to just close it off.

Both Maloney's & Long Beach launching spots have simply been 'removed' by stealth, and the community that used these spots to launch tinnies, kayaks, & other small draft watercraft have been utterly ignored.

As an aside, my family are all barefoot and slalom water skiers. We found out recently while up the Clyde River, the upper reaches toward Currowan Creek, has had a 4 knot speed limit placed on a strip of water (approx 4 kms), which has effectively stopped all boating & water sports on that upper strip of smooth waterway.

Of note, Waterways still show both Maloney's & Long Beach launch access on their website, and NO speed limit is denoted on the upper Clyde River.

We boaters, pay license fees, registration and safe boating compliance costs, yet statutory authorities see fit to 'cancel' our recreational access, without consultation, or consideration of users who have been blocked and prevented from access to these usable features.

It's a disgrace.

What do Council want to reinstate boat launching?

Is it a financial issue, or is it just a belligerent bureaucracy who get off on bullying people and not giving a toss about the consequences of their hard arsed stupidity?

I couldn't make last Wednesdays meet, but I'm keen to do what I can to bring about a reinstatement of facilities that were ours to use, before the bureaucrats took control."

"what they have done is absolutely outrageous

I have been using this safe passage to drop the tinnie in the water at maloneys beach for over 25 years

Now I have been trying to Explain to my kids why these geniuses have spoiled the recreational time we have together and this does not include the rest of the community.

It is very disappointing to see that our hard working tax paying families have no say and the minority do.

All I'm saying is please stop taking away the important things that bring our families together."

"I know 2 elderly gentlemen in their 70s, fathers, grandfathers, husbands, who have been fishing these waters off maloneys beach for 35 years to catch a feed for their families. Due to the loss of the access, they have been forced to fish other areas, which are nowhere near as safe as what they had at maloneys, where they have less experience and less knowledge of those waters.

On the 23/01/2024, they decided to go for a fish off south Durras. Their small tinny was capsized when it was hit by a wave on the side. They were extremely lucky to come home to their families that day. Yes it was a navigational error causing the accident. But if they were not forced to fish waters they were less experienced in, this would not have happened. It makes me sick to my stomach that these beurocrats can sit behind their desks and make stupid decisions like removing this access which has been in place for 50+ years, and all for what. Placing value of a patchy bit of grass over the lives of these 2 gentlemen, and every other boater that used the maloneys beach ramp. I sincerely hope it does not take a tragedy for these beurocrats to come to their senses and reinstate what is rightfully ours and not theirs to take from us.”

“Mortgage, we bought out here for the beach and boat ramps, intended on staying here a long time, I’m not going to cross the bar in my tinnie due to safety,”

“I am 62 years old, have Arthritis and no Cartlidge in one of my knees. I struggle with stairs and long walks on concrete are not good either. Prior to the works at the eastern end of Maloneys beach I was able to access the beach OK and enjoy time with the kids and grand kids, fish and walk on the sand. Due to the changes I am no longer able to enjoy this beach anymore. Clearly accessibility for those people with physical disabilities was not given consideration, I have written to Government about this and the the response I received was not acceptable as they did not address my concerns regarding accessibility.”

“I have come for holidays my whole life to long beach. I'm 44 years old. Launching a boat at Maloneys is a beautiful safe spot to launch that doesnt disturb anyone. The kangaroos even enjoy watching. I have a severely disabled 8 year old we have spent hours upon hours sitting in the car watching the ocean parked next to the boat ramp. It calms him its quiet its peaceful. It also gives him easy access to the beach when he wants to play. I can not think of any other spot in long beach or maloneys that is safer and esier for a disabled person to access the beach. One my sons favourite little spots in the world to go (and mine) is now denied.... unless u have the magic key that opens the gate that is used daily by chosen few? Why? Please give back the acess to the community that appreciate and respect this precious area God has provided. This decision to deny acess has impacted the community in such a detrimental way that Im sure the decision makers do not realise. It's actually one of the worst decisions for the safety of people on Maloneys and Long beach ill explain why. This summer hols was perfect example. Long Beach boat acess has naturally eroded away so we can no longer safely launch boats in long Beach. Maloneys acess no longer available meant little to no boats were in the water in these Areas for most of the holidays. On a lovely sunny day just after Christmas 2 teenagers nearly drowned on long beach they were very far out I watch helplessly as they waved and struggled to keep above water. In my 44 years being there never has there not been a boat around that I could have grabbed to go rescue them. I called batehaven marina for the rescue boat they said the boats ready to go but no one to drive it. First time I've ever had to call for assistance because usually a member of the boating community would lend a hand and rescue. Praise God a kyaker going the opposite direction saw what was happening and went to them just in time. BUT that was the first time ever I who has very good water skills was unable to do anything to assit on long beach.... deadful feeling. So many of us have boats and no one at the busiest time of year had a boat on the beach or in the water first time ever due to no acess allowed? Let's get the acess back and make the the area safe again. If it continues to be denied at minimum we need lifeguards with rubber duckies and a paddle boards available

on Maloneys and long beach to do the rescues the community was otherwise doing before our access was denied. Also needed would be access for disabled members of the community as this was the only spot for the disabled to easily access Maloneys Beach.”

“After losing access to the beach ramp my children and I haven’t been able to use our small aluminium boat as it is too unsafe for us to cross the bar to fish the areas that we have fished for the last ten years, as well as losing access to the grassed area on the beach to have family and friend gatherings,”

“It's the lack of access for all water activities. Previously it was easy to get paddle boards, kayaks etc from the car onto the beach - now it's become too difficult. I could only imagine how difficult it would be for someone less mobile who wouldn't have as much of an issue prior to the changes”

“The denial of beach access to those wishing to launch small water craft is a tragic loss to the community. At least to that part of the community that enjoy either participating in water activities or enjoy watching others having fun and delighting in families with children and the young at heart making full use of such an idyllic beach location as Maloneys Beach. This year the feeling and atmosphere on Maloneys Beach was not the same. Any reasonable objections about bad behavior is best dealt with in the proper way by the proper authorities and not penalise the many by the conduct of the few. That is simply common sense.

But more tragic is the manner by which the local community was duped by our municipal council and NSWPW hoping to bypass proper processes and thereby satisfy their own desire and preference.

I submitted my suggestions when asked to by NSWPW/Council/MBRA and my concerns, inter alia, related to rectify the dirt track, which needed work to properly serve to drain water and suitable to carry a small amount of vehicles to access the beach safely. It was an eyesore and a disgrace to local rate payers. But what I and many others envisaged, and what we assumed would happen was that the authorities were listening to the concerns of the local community. The end result was not in response to the many, not to mention those who felt they were not properly advised nor given the opportunity to air their views. I can only hope that the proper authorities can assist our community to reinstate access for the benefit of all concerned.”

“My dad Mr Percy Bower has lived here and visited for a long time . As an 83 year old that enjoys fishing both beach and boat this is a disgrace to someone that has done so much for our beautiful part of the world”

“When my 78 year old mother comes to stay we would drive to the grass area close to the beach so she could get close enough to enjoy and access the beach.

Family days out you could drive the kayaks, camp chairs etc for unloading. Used to be families all along with their pergolas enjoying the day. We miss the social and family day.

Recently when a kayak business visited MB they had to drag 10 or more kayaks across the 50 metres or so to get to the beach.”

“Like most people that come to Maloneys Beach they were accustomed to the natural beauty of the place, the national park access, the beach and ofcourse the beach access for small watercraft and the like. This is what makes Maloneys and Long beach so special and has done for over 40 years since our family has been coming here. To now remove the watercraft and beach access hasnt been thought through enough as this also provides access for our elderly residents and those with mobility issues to walk a short distance to the beach. Not once in over 40 years did we ever have a issue with pollution or any risk to people as we all respect this place. The walking track is brilliant for those who choose to use it but what about those who choose to enjoy The Bay... anyhow if a boat ramp is not a solution why not just give back the beach access as per before.”

“My family have been coming for over 35 years and we have always used the beach ramp being for either fishing or recreation. It was extremely disappointing to find that the access has been closed with no consultation to the land owners and for reasons unknown to us.

That beach ramp is used for 10 days of the year during Xmas period, more so by the local land owners thereby respecting the rules of its use and the people around us.

I find it extremely disappointing that as owners and rate payers we have been excluded of all decisions made (none impacting the people who made this decision to close the ramp).

I challenge anyone to come forward to discuss any negative impact that the beach ramp has had on them.”

“Much harder to access the beach at Maloneys as it is now.

Use to be able to get close and step down a very small incline to the beach.

Now have to walk further. I loved going to Maloneys Beach for walks and spending time with family. You could park the car close. Don't go as often as I could as I can't manage the wooden stairs like I did before.

The Elderly community here have lost access to this lovely beach”

“we have owned property in Longbeach since 1980..was always able to launch small tinnies catamarans majority of the time..however when it was too rough we used Maloneys..always calmer..I brought my house in Maloneys in 2000...the only reason was the beach natural beach access which speaking to some people has been that way for around 70 years..and to what cost to the council and NPWS ..?? Minimal if anything...I'm disgusted and feel sick to the stomach how someone sitting in an office whom I guarantee has probably never even been to the area can take away from so many families ..kayakers..fisherman..jet skiers...paddle boarders and the list goes on..I raised my kids down there teaching them how to fish..ski..swim..enjoy a bbq and hang out with mates..I know have grandkids that have been denied that same opportunity ..why..??..why should I have to go to town to launch my boat..?? . Anyone with half a brain knows how busy town is around any holiday period..it turns a 5 min drive to launch a boat into a whole day affair..then there is the safety aspect...if there is a large N/E swell the bar is dangerous however launching of Maloneys is flat..it's not all about pleasure craft either..it's how many families with children have been denied recreation time at the protected corner watching the sunset having a bbq and a cpl of drinks with the car close by to load everything from chairs..esky's..gazebos..shade shelters..inflatables etc....we have lost a major part of what Maloneys was all about..no doubt decreasing property values in the area..I made a promise to my boys I would never sell this house and pass it to them..it's only recently that it's unfortunately crossed my mind...there is no atmosphere here at all..it breaks my heart to drive across the little bridge each day and see the beach dead..it actually is pathetic..I could go on for ages more but I won't...one last thing however is the chance to use that access to launch small boats in the case of a fire sweeping through Longbeach and Maloneys..there is no other way out..and to you nay sayers ..if a fire was to tear through Northcove Road..it's not going to reopen the following day..it could be a week..anyone needing medication or supplies...a trip to town by boat is the only way..just put it back to how it always has been..at virtually zero cost..I'm sure even the locals would be happy to mow it..”

“My family have been residents of Maloneys Beach for a period of 40 years.

We purchased land in this area because of its beauty, being surrounded impart by Murramarang National Park and the Ocean to the front.

Access to the National Park was via Maloney's Drive onto a gravel road gazetted and known as Pine Knob Road which. Runs on top of the abutment and if followed would take one through to South Durras through the Pristine National Park. It was a track which allowed the aged, infirmed, wheelchair bound , push bike rider or motorcyclist access through to various little camping spots used by locals since the early pioneering days of Batemans Bay and was in reasonable condition. This also allowed for fire fighters to gain access.

This Road has been now closed by National Parks with a heavy galvanised steel locked gate for reasons unknown to me.

Access now is via a set of galvanised steps attached to the abbutment, scaring the once virgin Forrest floor. It is an eye sore which also causes a discriminatory practice; in that only the fit and active can now access the beauty, once being able to be enjoyed by all.

The other aspect of great significance and beauty was the access enjoyed by all, both resident and visitor to what we call (our beach.) Maloney's Beach. A safe beach protected from heavy ocean swells by Acheron Ledge a rocky outcrop which runs seaward for some 500 metres out into the bay. This beach is a relatively shallow little bay where the Angler, Child, Aged,

Small boat owner, kayaker, wind surfer and floating Castles have been used.

There now exists a barrier to these activities and that is the earthen track which stood

the test of time without any significant degeneration has now been closed.

This action now results in a cessation to the use of the grassed area, where once Weddings were held with the Bridal Cars being able to be utilised. It has caused young mothers with children to be unable to make the walk with shades, toys, articles for the health and hygiene of babies from using the area, whereas once they could drive to the grassed area close to the beach and place a picnic blanket down with a shade.

It has caused the inability of the beach fisherman to get close to the beach with his multiple buckets, fishing rods, food and drink for a days fishing or a nights fishing with his vehicle mounted lights, to assist him or her. The closing of this track (road) and the limited parking now available for those in wheelchairs make it impossible or extremely difficult to make their way across the length expected to a where a comfortable place near to the facilities when needed; without multiple people to aid them, whereas when a vehicle was able to take them near to the shelter shed, bbq or toilet area their burden was far less.

We have had 3 death at this Beach and previously emergency vehicles could quickly be on the beach. We have had at least one heart attack where the Ambulance service was able to get right to the patient in need on the beach.

Many times my own parents and others of their great age, would purchase their fish and chips and drive to the grassed area to watch the sunset as the fisherman went about his activities or the children were at play and this was significant in helping with their aging mental health.

This track was not a boat ramp as one supposes a boat ramp. It was an access where small boat users, kayakers, jet skiers, sail boarders, canoeist etc could gain access to the beach from which they would prepare their vessel and launch their craft from the beach. Then having done so would take their vehicle and trailer off the beach to be parked safely nearby. It would it be an exaggeration to say that at least 45 or more boats or all types would be enjoying these safe and in the main smooth waters. The area is of quite some distance from homes and any noise associated with the use was dampened to a state where the activities were barely able to be heard due to the high sand dunes.

Over the forty years that I have been in this area the only work that has been carried out on this track was decades ago when the Army landed a Heavy Landing Craft on the beach lowering its ramp onto the actual sand in barely 250 mm of water. The Army then set about with the equipment they had in this landing craft, graded the track to smooth , then laid down aggregate and placed a material over the top after compacting. They then placed reinforcement wire over the whole track. Over the following month s they set up a camp headquarters on the grassed area and used the track daily. No damage or impact in the environment was caused ,

notwithstanding the massive weight of the Armed personnel carriers, trucks a d tank like vehicles.

That track remained and over a decade later became degraded and removed whereas it could have quite easily have been sealed at minimal cost and remain to this day.

Nevertheless, each Easter time or there near too ; large four wheel drives with large timber boats, nets and (dozers at times when the catch is large) used to use the track to gain access to the beach. They then camped on the beach whilst waiting for the sea mullet to enter the area. Then row out their nets and use their trucks to drive onto the beach to drag nets , boats and tons of fish that had been caught. Sometimes this activity could last a week or so. The locals and visitors alike would drive down the track to watch the spectacular event, even lending a hand to the nets . This was watched by many aged sitting comfortably in their vehicles which were parked in the grassed area.

Over the 40 years our family have enjoyed this access for many purposes and especially 3 years ago during the bush fires when we parked our car down on the beach up against the sand dunes with our small tinny with our caravan parked in the grass behind the dune readied for an escape should the fire have encroached closer than it did.

Maloney's Beach is a single access road area and thus when that road becomes unusable as it did in that fire our only means of gaining a place of safety is by being able to access the beach by the track to take our small boat.

This track though never given any remedial attention has stood the test of time well. There was one 2 metre maximum dip in the track towards the beach, which after a heavy rain would become about 150mm to 200 mm deep . It was not a bog. It was not a danger to anyone. It simply drained through the natural formed short causeway to spill into the sand and soak away.

The grassed area which is now closed was widely used by the Vintage car Club to display their vehicles as well as old Motor Cycles and much enjoyment was had drawing crowds to the area.

We are a Holiday Destination and a major attraction is because we have these areas to utilise and they were very well patronised. However what has occurred with the closing of the track is that the area is no longer a draw card bringing much needed tourism.

On the hygiene side the closing of the track meant that the Garbage truck was no longer able to empty to two large bins placed by the shelter shed and BBQ. Those who use the galvanised steel stairs to access the top of the abutment now do not have garbage bins and the result can be seen especially at the top of the stairs and alongside the track where wrappers and kimby nappies now adorn the once pristine bush.

I have seen toilet paper in piles off to one side of the track or the other.

Disgusting.

So any person who has a empty can, wrapper, plastic bag etc or left overs from the bbq no longer have a rubbish bin and yet the steel posts in which they were attached remain.

I and my wider family are disgusted with what has occurred in the closing of the track and being able to use the grassed area for wider social activities.

Lastly I would like to point out that north of the Batemans Bay Bridge, Maloney's Beach is the only reasonably safe haven for small craft to take shelter in or beach. The next place would be a hazardous ocean journey to South Durras Boat Ramp area.

Many small vessels that have launched in Batemans Bay and negotiated the dangers of the sand bar entrance have found they are unable to return due to the sudden sea state changes which can often occur when a southerly or nor easterly blows up and the bar become impossible to cross or at the least very dangerous.

They would quite often beach at Maloney's and quite readily get a lift from one of the locals or visitors into town to recover their vehicle and trailer and then retrieve their craft from the beach.

I forward this for your information and trust that the Responsible authority take action to rectify this situation."
