

BLACK POINT PROGRESS ASSOCIATION INC.

NEWSLETTER

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FROM THE (DECK) CHAIR

This will be my last editorial piece from the “Deck Chair” as I will retire as Chairman of the BPPA at our forthcoming AGM on Easter Saturday. I took on the role in 2014 on the basis that I would stay only for the normal 3-year term. Bill Gill who was elected as Deputy Chairman in 2014 will step into the role as Chairman after the conclusion of the AGM.

As I have commented in previous newsletters, while our “sleepy”, idyllic haven at Black Point might be expected to escape some of the “real life” pressures experienced in other places, my time on the BPPA Committee over a period of some 10 years has shown that this seldom proves to happen, and has certainly not been the case over the past three years. We have had to deal, inter alia, with the possible impacts on Black Point of the proposed Ceres Wind Farm project and the Rex Minerals Hillside copper-gold project as well as liaise with various Local, State, and Federal Government authorities in relation to a number of infrastructure projects at Black point itself, in particular the slip lane and the boat ramp.

In recent months, the BPPA has been heavily involved with two key matters:

1. Liaison with Yorke Peninsula Council on solutions for the safety issues which materialised after the construction of the new boat ramp.
2. Assessment of the proposal put forward by the Yorke Peninsula Council to revoke the public reserve status and sell all of the allotments on the waterfront side of Black Point Drive.

While these two matters could be expected to be quite independent of each other, unfortunately this has not proven to be the case.

Continued on page 2



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FROM THE (DECK) CHAIR *(continued)*

The Yorke Peninsula Council, or at least certain Councillors, have in recent weeks sought to link the two matters as a way of achieving both an outcome in relation to the construction of safety walkways at the boat ramp on the one hand, and the outcome desired by the Council in relation to the public reserve land revocation and sale on the other hand.

The intertwining of the two matters explains a lot of the angst that was experienced at the recent Council meeting on 8 March 2017.

This newsletter contains summary reports on both matters. It is important that all Black Pointers have a good understanding of the key points on each of the matters so that you are able to put the information into proper context, including anything you might hear on the "grapevine". The key points of each are therefore set out hereunder:

Public Reserve Revocation Proposal

In September 2016, the District Council of Yorke Peninsula served notice on the BPPA and Black Point residents that the Council intended to revoke the public reserve status of all of the water facing allotments owned by Council. The land involved has been signposted by the Council at each of the sites. The purpose of the proposal is to supplement the financial budget of the Council. To put this into context, the Council currently has annual recurring revenue receipts of around \$27 million. The public reserve allotments, if all sold and at market prices, would generate one-off revenues of around close to \$9 million (i.e. approx. one third of the annual revenue of the Council).

While owned by Council, these allotments are held on trust by Council on behalf of the community and were effectively paid for by Black Point property owners at the time of the land subdivision at Black Point.

The BPPA conducted a survey of its members and found that some 92% of Black Point residents were opposed to the land revocation proposal. (Nearly all of those in the 8% who supported the proposal expressed interest in buying one or more allotments were they to be placed on the market for sale; a few, less than 2%, indicated that they were indifferent).

Based on this response, and the knowledge that several petitions against the revocation were also circulating amongst Black Point residents, quite independently of BPPA, the BPPA formulated a written response to Council which expressed its strong opposition towards the proposal. The reason for the opposition was several fold, but a fundamental concern was the reserves had been put in place at the time of the land division at Black Point at the direction of the then York Peninsula Council, and the reasons for having these reserves were as valid then as they are now (if not more so in fact).

A summary of our submission to Council on the land revocation proposal was contained in our last Newsletter and a formal presentation on our proposal was



Boat Ramp ● Barry Noble, Patrick Hill
Leases, Licences, Coastal Protection
● Adrian Sutter
Newsletter ● Kym Woolford
Hillside Mine ● Graham Mattschoss
Rex Minerals, CCG ● Graham Mattschoss
Hillside Community Voice ● Graham
Mattschoss

RecFish ● Kym Woolford
Strategic Plan ● Bill Gill
Maxine Hawke Park ● Graham Mattschoss
Membership Officer ● Greg Harmer
Walk the Yorke ● Bill Gill
Brochures ● Emma Sutter

Website ● Greg Harmer
Wind Farm ● Roger Sexton, Barry Noble
Community Helpers
Water Trailer ● Brian Bishop
Bin Returns ● Malcolm & Sue Wheare
Recycling Bins Manager ● Bob Walkley

FROM THE (DECK) CHAIR *(continued)*

made by myself and other representatives of BPPA at the Council meeting on 8 February, 2017.

As part of the preparation of our submission, the BPPA obtained advice from Mr Brian Hayes QC, one of the leading Urban Planning Barristers in South Australia. The BPPA also consulted with a number of relevant State Government officials and politicians.

The legal advice obtained, and the feedback from our consultations indicated that without the support of the Black Point Community, the Council would find it extremely difficult to proceed with its land revocation proposal.

As it turned out, our presentation to Council in relation to the land revocation proposal by the BPPA on 8 February, 2017 coincided with the Council's consideration of the final tender and funding of the boat ramp safety walkways.

The Council approved the funding for the walkways that night. However, the approval was subsequently overturned a month later on a Rescission Motion lodged by one of the Councillors (as explained below and in the separate article by Barry Noble).

Boat Ramp Safety Walkways

The project to construct safety walkways at the boat ramp consists of three stepped down, non-slip ramps which would enable boat users to launch and retrieve their boats from either side of the ramp without needing to access the algae coated, slippery submerged concrete section of the main boat ramp, or climb across the retaining rocks on either side of the ramp as part of their boat launching or retrieving activities.

The decision to seek expert marine engineer and safety advice on the boat ramp resulted from a series of slips and falls by users of the boat ramp, a number of which have resulted in knee and shoulder reconstructive surgery. With partial funding assistance from the BPPA, the Yorke Peninsula Council received advice that the construction of safety ramps on either side of the ramp was the best option to minimise the risk of further accidents. The boat ramp at Black Point is currently the only ticketed/fee charging boat ramp on Yorke Peninsula which does not have pontoons or walkways.

At its meeting in February 2016, the Council considered a funding to meet 50% of the cost of the project subject to the other 50% being met by SABFAC (along with a small contribution from BPPA). An application was subsequently made to SABFAC by Council. The BPPA lobbied the State Government to support the application (particularly since all SABFAC funding had been frozen at the time) and approval of the SABFAC funding was obtained.

The Yorke Peninsula Council then called for tenders for construction of the safety walkways. A recommendation on the successful tender, with final costings, went to a Council meeting on 8 February 2017. The final tender and the Council's contribution of \$177,000 to the overall project cost was approved at that meeting. The tender contract was signed by Council management the following day in order to commence the works.

Subsequent to the Council meeting, a Councillor, who had voted against the funding motion on 8 February, lodged a Rescission Motion to overturn the Council's approvals for the safety walkways.

This action on the part of the Councillor came as a complete surprise to the BPPA, and others. In our view, the Rescission Motion reflected a disregard for all normal principles of good corporate governance given that:

1. The approach to SABFAC for 50% of the initial funding of the project was approved by Council in February 2016 (which was the trigger for the following).
2. The Council, in conjunction with the BPPA, spent a year in obtaining final design work from professional marine engineers and safety experts.
3. Tenders had been called.
4. SABFAC approval for 50% of the cost had been obtained; and
5. Final funding and the award of the tender contract had been approved by Council on the basis of all of the above work, and the contract had been awarded.

FROM THE (DECK) CHAIR *(continued)*

6. No new evidence or information was presented as part of the Rescission Motion to justify the over-turning of the Council approval.

In all of the more than 100 years of combined corporate experience of the Executive Committee of the BPPA, none of us had ever seen a situation where a decision taken by a Board, after undertaking appropriate due diligence and receiving proper professional advice, was overturned the next month without any new facts or different evidence being presented.

As is the right of all constituents in dealing with their democratically elected representatives in Local Government, the BPPA therefore resolved to write to each of the Councillors, and to contact some of them personally, to outline our concerns should the Rescission Motion be approved at the scheduled Council meeting on 8 March, 2017.

A copy of the letter sent to Councillors was emailed to BPPA members by our Secretary, Kym Woolford so as to ensure that our members have as full an understanding of the issues as possible.

In addition to sending this letter to Councillors, a separate, more detailed letter was sent to the proponent of the Rescission Motion, and a number of one-on-one meetings were held by several BPPA Committee members with individual Councillors.

The letter to the proponent of the Rescission Motion, was objective and respectful. Its intention was to ensure that the Councillor fully understood all the background issues and the long-term liability issues for Council, should the Rescission Motion be approved. The letter made the point, in carefully worded language, that the BPPA was struggling to understand the motive and reason for the proponent of the Rescission Motion as the reasons given in the written submission to Council did not stand up to logical scrutiny nor have relevance to the problem which the safety walkways were designed to fix. The discussion in the letter concluded by “respectfully requesting” that the Councillor withdraw the Rescission Motion in the light of the information presented by the BPPA.

The letter pointed out that the objective of the BPPA in requesting a boat ramp safety walkway was not simply about Black Point getting another amenity for its community, but rather was based on a fundamental concern about the risks to human life and limb for users of the boat ramp.

The Council is the owner of the boat ramp and ultimately bears responsibility for any safety issues involving its use. A failure on the part of the Council to mitigate the risks to boat ramp users, when the risks are known, predictable and proven, could be seen as a reckless and wrongful act on the part of the Council. As such, the Council may be liable for any injury, damage or loss at the boat ramp under the provisions of Clause 244 of the Local Government Act. Having LGA omnibus insurance cover in place will not absolve the Council from the consequences of a major claim under the circumstances where a public safety risk has been identified and has not been addressed. Moreover, the Council's insurer may challenge the claim in these circumstances.

While I could not be present at the Council meeting on 8 March 2017 (due to a long standing commitment overseas), all of the accounts I have received of the Council proceedings on that night have been that the behaviour of certain Councillors was appalling and that the practice of corporate governance and adherence to the principles of the Local Government Act as displayed that night was at its worst.

The BPPA, (which represents most of the land owners/residents at Black Point) has only ever sought to ensure that the facts involving the Black Point boat ramp were put squarely on the table so that all involved are fully informed. These facts are:

- There are risks to human life and limb for users of the Black Point boat ramp (as evidenced by the injuries incurred to date)
- A solution to these risks has been developed by professional marine engineers with expertise in this area
- The safety risks were acknowledged by Council in February 2016 and in putting its funding application forward to SABFAC

FROM THE (DECK) CHAIR *(continued)*

- The safety risks have been acknowledged by SABFAC in agreeing to fund 50% of the rectification works (safety walkways)
- The Council has ownership of the boat ramp and carries legal responsibility for risk mitigation, by virtue of its ownership, and by charging for its use (via the ticket machine).
- The fact that the safety risks to ramp users are now “known and expected” (rather than “unknown and unexpected”) has heightened the responsibilities of the Council to exercise appropriate duty of care when addressing proposals to mitigate the risks to ramp users.

It seems quite extraordinary that elected officials in Local Government should be surprised when they are lobbied by their constituents about matters on which they have strong views. The BPPA did not take to the streets of Minlaton with placards to protest against the poor corporate governance which went on display at the Council subsequent to the decision which had been made on February 8 to approve the walkways. Indeed, our concerns were expressed in a very considered and professional manner via individual letters and discussions and in a way which was designed to minimise any embarrassment to individual Councillors and to avoid any misunderstandings about the nature of our concerns.

The fundamental issue, which the BPPA was (and remains) concerned that the Council or at least certain individual Councillors, chosen either to overlook or ignore is that the Black Point boat ramp is a Yorke Peninsula community asset and is the legal responsibility of the Council. The Council has had responsibility for the design and construction of the boat ramp, has on-going responsibility for its maintenance and carries all of the liability for any injuries (or worse) incurred by the public in using the boat ramp.

This is at the core of the matter and any attempt by Council to avoid these responsibilities, or to link the responsibilities to the land revocation proposal, and shift the costs of rectification of the safety issues to Black Point property owners, is, in the view of the BPPA, entirely inappropriate and improper.

The BPPA is not prepared to condone or be a party to the linking of these two matters which, in our view, should be considered on their individual merits. This position is at the core of our on-going discussions with Council on the two matters.

The BPPA is nevertheless prepared to continue to work with Council to develop a negotiated settlement on the safety walkways matter, and that process is underway again after the setback on the Rescission Motion.

Signing Off!

In signing off in my role as Chairman of the BPPA Committee for the past three years, I would like to thank all my fellow Committee members for their hard work during this time, and for their support for me personally. I intend to stay on the Committee for some time, to help them in turn, as there is still much work to be done.

Having the “sleepy, idyllic” lifestyle at Black Point that I referred to at the outset is not something that we can take for granted. There will always be issues to address, such as the ones we currently are dealing with, as reported above.

This is why the role of the BPPA is so important... and warrants the support of all Black Point residents. There may be some residents who don't always agree with everything which the BPPA does. But if so, the answer is simple: join the Committee and contribute your point of view and efforts.

At the AGM, we will be calling for nominations to fill a number of vacancies on the Committee (due to the retirement of several members), and would welcome your participation.

Roger Sexton

Chairman Black Point Progress Association

NOTICE OF ANNUAL GENERAL MEETING

To be held in the Pine Point Hall, Pine Point on Saturday the 15th of April, 2017 at 10.00 am.

AGENDA

Welcome
Apologies
Previous Minutes
Chairman's report
Treasurer's report
Audit approval
Appointment of committee
Subscriptions
Boat Ramp Walkways - Safety Issues
Members' support will be sought for a way forward
Other business

ANNUAL GENERAL MEETING



Kym Woolford, Secretary

Please note; Arrive punctually to ensure short and sharp but informative meeting

PROPOSED ALLOTMENTS 201, 202, 203 & 204 SALE

Council have deferred the process until after their April Council Meeting and we expect to be able to report more at the BPPA AGM. The Committee will be asking our Members for direction on this sensitive matter.

CROWN LAND LEASES AND ANNUAL LICENSE

Still waiting!.

2017 MEMBERSHIP REMINDER

2017 Membership and bin return service payment due from the 1st of January.

From March 1st those that have not paid their 2017 fees will not have their bins returned

YOU CAN RENEW FOR 2017 ONLINE NOW

We also wish to encourage you to provide email addresses to replace postal addresses for distribution of the Newsletter. This will keep membership costs down and reduce the work load for distribution of the Newsletter. Other benefits include a colour Newsletter with clear photos which enhances the reading of the Newsletter. Please send email addresses to Kym at vhw@bigpond.com

Renew now



SHACK LEASES

The following is a Media release by the shadow Minister for the Environment which we have been advised has no reference to the Black Point Leases, so report for your information only.

David Speirs MP

Shadow Minister for Environment 2/03/17.

SHACKING UP FOR THE LONG TERM

The State Liberals today introduced legislation to give lasting peace of mind to hundreds of South Australian shack owners.

If passed, the legislation will allow lessees of 'life-lease' shack sites to enter into permanent arrangements, reinforcing the State Liberal's longstanding commitment to allowing South Australian shack owners to enjoy their properties for generations to come.

Shadow Minister for the Environment David Speirs is concerned that approximately 300 shack owners are currently in a situation where they will lose their homes when the last person on their lease dies.

"South Australians holding 'life-leases' on their shacks have been kept in a constant state of uncertainty by the Weatherill Labor Government, who at the stroke of a pen can cancel the lease and all associated property rights," Mr Speirs said.

"As the situation currently stands, leases can't be transferred or renewed, meaning there is simply no incentive for site owners to invest in a property which they could lose in the blink of an eye.

"Allowing renewable and transferable tenure under the proposed legislation gives shack owners greater autonomy and certainty, while ensuring these structures are upgraded to meet modern safety, amenity and environmental standards.

"Most importantly these legislative amendments will help preserve a historic piece of South Australia's holiday culture for decades into the future, providing an affordable retreat for generations of families and friends and bringing in important tourism dollars to local towns."

SAND MOVEMENT

Council contacted the Coast Protection Board, who offered the following information.

In summary, their advice is as follows;

- Beach levels have significantly lowered across the state, including Yorke Peninsula during last year's storm events
- It's expected that the beach at Black Point to naturally recover with time
- Anecdotal reports received of beach recovery starting to occur at a number of locations around the state
- Profile plan 560011 near the boat ramp and a plot of historic survey information. "The beach itself starts at about the 60m chainage point. The record is quite limited, but does show the expected minor fluctuation in levels over time"

Also the following;

My advice to Council (and other Black Point stakeholders) is that this type of beach condition is to be expected after a period of such extreme weather is being experienced throughout the state, and that over time the beach is expected to recover. I think patience is the best approach at this point in time rather than consideration being given to any sort of management intervention such as beach replenishment.

I also consider it highly unlikely that the Coast Protection Board would support any beach replenishment in response to the current conditions.

We generally discourage removal of rocks from the beach. Having said that, if it was small scale relocation, ie. moving them from under the shade structures, then I don't think there would be any issues.

Anything on a larger scale runs into issues associated with potential habitat disruption.

The Coast Protection Board and Council will monitor closely.

BOAT RAMP

SLIPPERY

There has been three reported recent incidents associated with the slippery ramp surface – one requiring stitches. This is after the positive result from the jet blaster which scoured the surface before Christmas.

Council acknowledged that they were in a learning period with the new scouring machine (Black Point was the first job) and hope the next application might last longer. We would encourage anybody who has had an incident associated with the slippery surface of the BP boat ramp to inform Council and the BPPA for future reference.

WALKWAYS – SAFETY ISSUES – AN EDITED CHRONOLOGY

Much has been written over recent weeks on the unfortunate events surrounding the Council's share of funding for the boat ramp walkways which, after being approved at the Council Meeting on 8 February '17, was then revoked through the passing of a Rescission Motion at the Council Meeting on 8 March '17.

At the beginning of this Newsletter our Chairman, Roger Sexton, has discussed the key points on this walkways safety issues matter. This edited chronology of events since 8 February '17 fills in some detail. Members with email access would have seen much of this material, but we thought it would be useful to reproduce it below especially for those members who do not have email access.

Firstly, though, we report that your Association is continuing to work with Council to come up with a negotiated settlement on the walkways' safety issues matter in the hope that a mutually acceptable way forward can be agreed upon. This matter is expected to be actively discussed at our Annual General Meeting on 15 April 2017, and we would encourage as many members as possible to attend.

Now to our Edited Chronology.

REQUEST EMAILED TO BPPA MEMBERS 6 MARCH '17

"BOAT RAMP SETBACK - NEED YOUR HELP PLEASE"

"Dear Members,

We recently advised you that at the Council Meeting on 8 February 2017 the Council approved their share of the funding, and the appointment of a construction firm, for the boat ramp walkways - which meant that construction on this project could proceed. All that was true but it has since come unstuck. One of the Councillors lodged a motion to revoke the funding approval given on 8 February.

The Councillor's reasons for lodging the rescission motion are not all that clear. At the 8 February Council meeting, there were claims the money could be better spent elsewhere (and those claims were dealt with in our letter to Councillors covered below). In his Rescission Motion, the Councillor questions the safety and risk mitigation issues (which were our primary reasons for justifying the walkways and are also covered in our letter to Councillors).

The Rescission Motion will be considered this coming Wednesday at the 8 March meeting. If it is passed, it will undo the Council's funding approval and very likely cause the planned construction work on the walkways to be cancelled. This would be a major setback for our Association having put in many hours and with significant expenditure being incurred in getting this far.

If the Rescission Motion is defeated, the Council's funding approval will remain in place and the construction work can proceed.

We have of course been busy lobbying against the Rescission Motion and our letter that was sent to all Councillors on 28 February is copied below.

But next Wednesday's (8 March) Council meeting will be a crucial milestone for the BPPA and our boat ramp walkways project. On our current reading, the voting on the rescission motion will be tight and could go either way. And this leads to our request for help. We would ask that as many members as possible attend next Wednesday's Council meeting which will be held in the Town Hall at Minlaton commencing at 5:30pm. You will need to arrive a little earlier because the Rescission Motion is effectively the first item on the agenda and likely to be dealt with quite quickly.

While we were able to give a presentation at the 8 February meeting, this will not be the case at the upcoming meeting. So the only way we can demonstrate the strength of support from the Black Point community for the boat ramp walkways is to have a good number of us attend the meeting - the more the better. It will be more difficult for any Councillors who are thinking of voting against us (ie, in favour of the motion) to do that if we're there "in force".

So please get there if you possibly can, and let Kym Woolford know in advance that you are coming (on email vhw@bigpond.com or mobile 0427 974 901). We, the BPPA Sub-Committee who has been driving this and indeed the whole Committee, would be very grateful.

And please read our letter below sent to all Councillors which sets out in more detail why we believe the motion must not get up.

We regret and apologise for the limited notice you are getting of this request but events have conspired against us.

Thanking you in anticipation and kind regards,

The BPPA Committee"

BOAT RAMP

LETTER SENT TO ALL COUNCILORS ON 28 FEBRUARY '17

"Dear Mayor/ Deputy Mayor/ Councilor (names and individual titles were added)

We understand that a Motion to Rescind the resolution passed at the February Council meeting to support funding of the proposed walkways at the Black Point boat ramp is on the agenda for consideration at your March meeting. We urge you NOT to support this resolution.

The main issue put forward at the 8 February meeting by Councillors opposing continuation of the project was that the money could be better spent elsewhere. Yet we understand there is sufficient Council funding available to cover both the Black Point project and other projects where a strong case can be made for the expenditure. And \$177,000 is a small price to pay to mitigate the risks to Council and Councillors.

Other than the inherent safety issues, the new ramp has been a tremendous success. On any good boating day the car park is usually full of trailers from local farmers, Black Pointers, Pine Pointers and others from the wider community who have made Black Point their preferred launching site.

The safety concerns have been well documented by Council and ourselves over the last 12 months. All stakeholders have agreed that the slippery surface is a problem and the issue has been put through a robust review process to come up with the best solution to minimise ongoing risk. The proposed walkways have been recommended after an independent risk assessment and sanctioned by SABFAC who agreed to fund half the project. The process that has taken place follows basic risk management protocols and will minimise the risks for the Council and Councilors from any further claims for injuries sustained at the boat ramp.

We understand the Council has insurance to cover such claims. However, this issue is now a "known and expected risk" rather than being an "unknown and sudden event" which is the fundamental premise of all legitimate insurance claims. Coupled with the obligation of all insured entities to risk manage and minimise any known risks the Council needs to seriously consider the impact if it decides not to proceed with the walkways. At the very least the Council would be obliged to notify its insurers of the now known and recorded risks.

If the Council supports the Motion to Rescind, it will be voting against its own policy objectives. We draw your attention to policies "P0001-Work-Health-Safety-and-Injury" and "P0091 Risk-Management-Policy". As Councillors, you have a duty of care to treat the general public in the same way you are prepared to treat your own employees.

Over the last couple of years the BPPA and Council have been working together on a number of significant projects including the boat ramp, road slipway and Walk the Yorke. There is a lot of mutual goodwill and respect between us and there are issues on the table now, and may well be in the future, where Council will be looking for support from the BPPA. If Council does an about face on the decision taken last month, it will drive a wedge between the Black Point ratepayers and the Council. The result of the decision will permeate far wider than Black Point and have a negative effect on the community's confidence in Council.

As confirmation of our goodwill, we have advised Council Management that we would be prepared to assist in the community consultation process on the land revocation matter to see if a partial solution can be negotiated with Black Point residents and some funding found from this process to help fund (after the event) the boat ramp safety walkways; this is notwithstanding that the BPPA and the vast majority of Black Point residents are opposed to the Council's Land Revocation Proposal overall.

In closing, this issue is all about safety. It cannot be ignored and it will not go away. With the information before us today and the risk adverse society we live in, the walkways will need to be built now or sometime in the future. There is no other alternative other than shutting the boat ramp – and we don't believe anyone would seriously be advocating that.

Subject to your vote at the next meeting, at this point of time we have every major stakeholder on side and aligned to get the job done. Provision of Council's formal funding approval will be the final step to allow construction to proceed. If the Council rescinds its resolution and does not proceed with the project, this will not change our view that the ramp needs to be made safer for all the boating community who use it and we will continue to advocate for that outcome, no matter how difficult that pathway may be.

We advise that if the Motion to Rescind is passed, it is our intention to ask the CEO to put forward on our behalf a further Motion which would be substantially the same as the Motion passed at the 8 February Council meeting.

You should also be aware that if the Motion to Rescind is passed, the funding approved by SABFAC would very likely also be lost, and that would render useless the considerable investment made in this project already. To be frank, it is beyond our comprehension why some Councilors would apparently want this to happen.

As Councilors, we ask you to consider your duty of care, your roles and responsibilities to the community and the potential negative impacts on Council and vote NO to the Motion to Rescind.

Yours sincerely

Dr Roger Sexton AM

Chairman, Black Point Progress Association"

BOAT RAMP

REPORT EMAILED TO BPPA MEMBERS 13 MARCH '17

"Dear Black Point members,

In our note of 6 March '17, we reported that a "Rescission Motion" was to be put to the 8 March Council Meeting to revoke the funding approval for the walkways which had been given at the 8 February Meeting. The motion was duly put by Cr Adam Meyer and carried by 7 votes to 2, with another 2 Councillors, Cr Veronica Brundell and Cr Tania Stock, abstaining.

A description of the proceedings at the meeting follows.

In speaking to his Motion, Cr Meyer claimed he was seeking to overturn the Walkways funding because of "simple, factual reasons" - like the need for funds at Port Moorowie, Port Minlacowie and Balgowan. He further claimed to have spoken to "many people" who objected because Black Point already had a much better boat ramp than some other places on Yorke Peninsula. He was also upset by what he saw as undue influence by such a large group from Black Point being present at the meeting.

He even questioned the validity of the case put forward by the BPPA that there were some serious safety risks with the current ramp that made it imperative that action be taken to reduce them. He dismissed the reports of dangers, risks, accidents and personal injury put forward by our Association.

Cr Meyer also made the following assertions about safety issues:

- there are other boat ramps that need repairs;
- there has been no risk assessment on the dangers of falling off a walkway and being crushed by a boat
- if it is really dangerous, the Black Point ramp should be closed.

Cr Meyer went on to say that if the safety risks (presumably his) and better community consultation were covered, he could support the walkways funding. However, he also considered the option should be considered of a \$177,000 "community loan" being made by Council to the BPPA, as had been done with other infrastructure projects on Yorke Peninsula.

Cr Naomi Bittner spoke eloquently against the Rescission Motion. She considered that a professional study and report had been prepared by independent experts on the safety/ risk issues, and on what was needed to fix them. Those experts had recommended the appropriate way forward through the building of the walkways, and it behoved the Councillors to take proper notice of that advice and to exercise their duty of care. She added that it was inappropriate to expect the BPPA to fund a project that would in the end belong to the Council.

Cr John Rich also spoke well, against the Rescission Motion, and along similar lines to Cr Bittner. He was particularly concerned that passing the Rescission Motion could jeopardise SABFAC's funding, which he said would be a travesty. Sadly, both Councillors' efforts were in vain.

Cr Meyer's Rescission Motion was then formally put (and seconded by Cr Trevor Davey) and carried by 7 votes to 2 (with only Cr Bittner and Cr Rich against).

Cr Meyer's second Motion was then put (and seconded by Cr Davey) and it was in two parts:

1. that Council receive the report and tender submissions;
2. that Council decline approval of the \$177k.

This motion was also passed.

Finally Cr Alan Headon, then moved a Motion without notice that the Walkways Funding Proposal continue to remain on the table, and this was seconded by Cr Scott Hoyle. It was passed with only Cr Davey and Cr David Langford voting against.

We sincerely thank the contingent of 18 or so from Black Point who took the trouble to be there (with many of us driving over from Adelaide). Some of us adjourned to the Curramulka Pub for a couple of drinks afterwards, which was a timely reminder that much of the world is a decent place after all.

We are not giving up; we can't because the safety issues and risks are still there. We are regrouping and have commenced further research and discussions on options that might enable us to move this matter forward. We may have to find some alternative financing and make some compromises in the interests of getting the walkways built. We will keep you informed, and will as appropriate seek members' endorsement of our plans.

And very finally we make this request to all our members and other users of the boat ramp. Please report to the BPPA (as well as to necessary authorities) all dangerous incidents, including near misses, on the boat ramp, including the extent of personal injuries caused. Such reports could be retrospective where the victims or witnesses have a clear recollection of the detail of such incidents. In this way, we would build up a useful data base of accidents and personal injuries to support our representations to Council."

ARTIFICIAL REEF

The Nature Conservancy, the South Australian Government, Regional Development Australia Yorke and Mid North, Yorke Peninsula Council, recreational fishers and the community are working together to restore up to 20 ha of shellfish reef habitat along the western coast of Gulf St Vincent, near Ardrossan. The project is modelled off successful restoration projects of similar size in the United States, and once complete will be the largest restored oyster reef in the southern hemisphere. This site is the first of what could be many for South Australia and will also serve as model for other States for how to rebuild shellfish reefs to help restore fish populations, water quality and improve biodiversity.

The purpose of this survey is to register your interest to be involved in the shellfish reef restoration project. We are keen to hear from potential service providers, businesses and community members who are capable of undertaking specific work or projects.

Please click here to go to the survey: <https://www.surveymonkey.com/r/ShellfishReef>

Thankyou Regards, Jo

Economic Development – Yorke Peninsula

Regional Development Australia Yorke and Mid North – Kadina Office

L | 08 88 211 072

M | 0429 095 805

E | jbuchanan@yorkeandmidnorth.com.au

W | www.yorkeandmidnorth.com.au

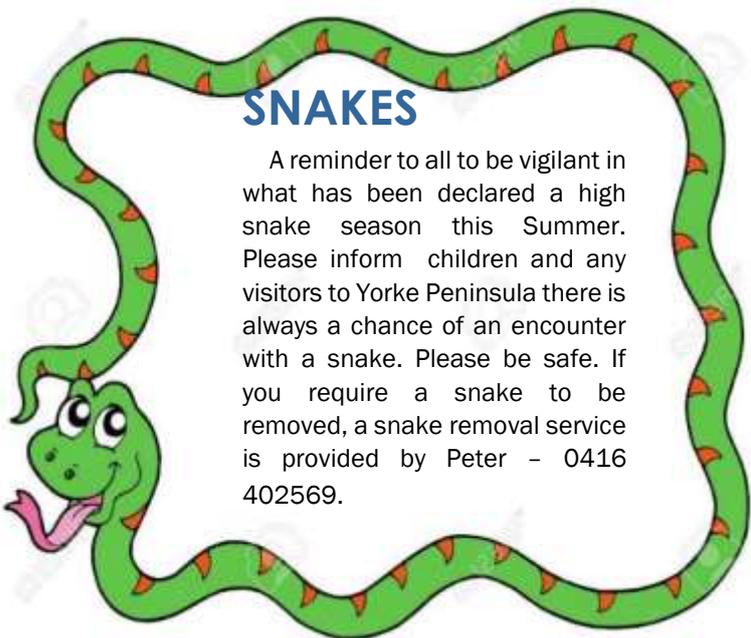
85 Ellen Street PORT PIRIE SA 5540

BLACK POINT MEMORIAL WALL

The BPPA thank Council for the installation of the protective bollards around the Memorial wall as we were concerned of possible accidental damage from a wayward boat trailer. Much appreciated.

The Memorial Wall continues to attract positive comments as Black Pointers are able to reflect on the lives of past members of their families. As more plaques, and therefore identities, are added to the Memorial Wall – a historical reference will develop of those who trod the Black Point beach before us.

If you would like more information or an application form, visit the BPPA website or contact Kym Woolford.



SNAKES

A reminder to all to be vigilant in what has been declared a high snake season this Summer. Please inform children and any visitors to Yorke Peninsula there is always a chance of an encounter with a snake. Please be safe. If you require a snake to be removed, a snake removal service is provided by Peter – 0416 402569.

RABBITS

The NRM continue to offer assistance to the BPPA to reduce rabbit numbers and ask for reports of any recent rabbit carcasses found to be passed to them for evaluation. Please contact Graham Mattschoss.

YPLOG - HILLSIDE MINE

IMPORTANT NEWS FLASH

DSD Assessment of Rex Minerals' Proposed small scale start up

CONCLUSION: NOT CONSISTENT WITH THE ORIGINAL MINING LEASE PROPOSAL

BACKGROUND

- In July 2014, the Minister for Mineral Resources and Energy approved Rex Minerals' proposal for a full scale copper/gold/iron mine at Hillside on Yorke Peninsula.
- Just two weeks later, Rex announced it would not proceed with the full scale proposal at that stage because of a lack of financial backing. Instead, it announced it would investigate options for a smaller start-up operation at Hillside.
- As a result of this change in plans, the Department of State Development has undertaken a lengthy assessment process to determine whether the newly proposed start-up operation is consistent with the originally approved Mining Lease Proposal.

The outcome of this assessment was announced yesterday (Tuesday, 28th Feb 2017). (A copy of the Assessment Report is attached. For more information, go to

http://www.minerals.statedevelopment.sa.gov.au/mining/mines_and_quarries/hillside_project.

DSD'S CONCLUSION

DSD has concluded that the smaller start up plans submitted by Rex are not consistent with the original Mining Lease Proposal. To quote:

"DSD considers that if Rex were to present a PEPR detailing activities consistent with the May and September 2016 documentation (provided by Rex to DSD as a requirement of the assessment process) DSD could not recommend to the Minister or his delegate that they approve it. This is because the mining operations described in Rex's submissions are sufficiently different to those described in the Proposal and Response document as to be inconsistent with them."

DSD's decision validates what YPLOG has been saying from the beginning.

WHERE TO FROM HERE?

Now that the new plans have been judged to be inconsistent with the original proposal, Rex has two options:

- Either submit an entirely new Mining Lease Proposal or
- Try to resolve all inconsistencies identified by DSD in the next stage of the process – ie in the preparation of their Program for Environmental Protection and Rehabilitation (PEPR).

Rex has chosen the second option (see attached letter from Rex to DSD dated 2 Feb 2017).

We are still working our way through DSD's full assessment report to gain a clearer understanding of what this means for the local community. However, one message is very clear: community involvement in Rex's preparation of its PEPR is now more critical than ever.

Rex intends to start releasing draft sections of its PEPR this month to the Hillside Mine Community Voice (HMCV), with community discussion sessions to be organised by the HMCV soon after.

We will let you know the details as they become available.

For more information, please contact; YPLOG on 0487431366



DOGS AND FISH CLEANING AND SPEEDING CARS/BOATS

These are the complaints we receive most from our Members and the Public.

But the BPPA are not the police in matters of law breaking, but we are encouraged by our members to communicate their frustrations to the Community. These Members do not wish to involve the appropriate authorities, whether they are Police or Council, and would rather that other Black Pointers are educated rather than reported.

Therefore we wish to remind all Black Pointers that it is an offence to clean/dump any fish or crabs on, or within close proximity of the foreshore at Black Point.

In regards to dogs, by the Council law – no dogs are allowed off lead at Black Point. In the past this has been overlooked. But if Council receives complaints of dog behaviour at Black Point, this could quickly change.

Vehicles speeds along our road are regularly patrolled by the Police along with illegal motor bike activity.

Similarly, Police and Marine & Harbours are regularly on the lookout for those who do not obey all water safety regulations including the gazetted 4 knot speed zones at Black Point.

For the safety all, let's use some commonsense.

THE PINE POINT COMMUNITY POSTAL AGENCY HAS MOVED

The Pine Point Community Postal Agency has relocated to Pine Point Community Hall at 50 Main Coast Road, Pine Point.

Mail is available for collection from the Community Hall during the following hours:

Monday to Friday 11:30am - 1:30pm.

Post Office Boxes are now securely installed and located at the rear of the Pine Point Town Hall.

Post Box numbers are unchanged and the new keys are available for collection when regular mail services are provided.

The **RED MAIL BOX** for posting letters is now situated at the Hall grounds by the fence of the Pine Point Caravan Park.

This Box will be cleared daily between 11.30am- 12.00noon Monday to Friday.

We thought we would let you know we still have available mail boxes for rental.

Our rental fees are as follows:	SMALL BOXES	\$29.00 per year
	MEDIUM BOXES	\$48.00 per year
	LARGE BOXES	\$74.00 per year

Any one interest please let us know.

Kind regards

Secretary Pine Point Progress Association

Wendy Magor



MAITLAND DISTRICT LIONS CLUB



40TH ANNIVERSARY CELEBRATION – Notice to past members.

Please contact ASAP for details of celebration John Koenders (President) 0418 859 455; or email

Kristine.colliver@hotmail.com

SA RECREATIONAL FISHING GUIDE

PIRSA have advised that the SA Recreational Fishing Guide has moved entirely to an online version, together with an app, SA Fishing.

http://www.pir.sa.gov.au/fisheries/recreational_fishing/recfishingapp

Suspicious fishing activity can be reported to FISHWATCH on 1800 065 522.

RECREATIONAL FISHING RULE CHANGES

[New fishing rules](#)[New King George Whiting changes](#)[Downloads](#)[More information](#)

From **1 December 2016**, the following new rules apply to the 26 species below.

Download the [new Recreational Fishing limits brochure \(PDF 764.9 KB\)](#).

NB. All limits apply statewide unless specified otherwise. The following are the species most relevant to Black Point fishers and are not a comprehensive statewide list.

Australian Herring (Tommy Ruff)

Size (cm): no size limit

Bag limit (per person): 40

Boat limit (per boat): 120

Blue Swimmer Crab (combined limits with Sand Crabs)

Size (cm): 11

Bag limit (per person): 20

Boat limit (per boat): 60

King George Whiting

East of 136° E: (including all Gulf waters)

Size (cm): 32

Bag limit (per person): 10

Boat limit (per boat): 30

Possession limit: 72 fish or 10 kg of fillets or where in possession of fish and fillets 36 fish and up to 5 kg of fillets.

West of 136° E:

Size (cm): 30

Bag limit (per person): 10

Boat limit (per boat): 30

Possession limit: 72 fish or 10 kg of fillets or where in possession of fish and fillets 36 fish and up to 5 kg of fillets.

A spatial spawning closure has been introduced for the month of May. Go to [the fishing closures page](#).

Check the PIRSA website for details:

http://www.pir.sa.gov.au/fishing/recreational_fishing/recreational_fishing_rule_changes

Further information can be found in the SA Recreational Fishing Guide either online or app – SA Fishing.

http://www.pir.sa.gov.au/fisheries/recreational_fishing/recfishingapp

MEMBERSHIP REMINDER

We wish to remind all Black Pointers that the membership year now coincides with the calendar year ie, from the 1st of January to the 31st of December. If you do not have a 2015 BPPA Member sticker on your rubbish bins and your bins are not returned off the roadway you are not financial members. If you believe you are financial members and have not received your sticker please contact Kym Woolford.

At the request of all Members present at the BPPA AGM at Easter 2013, we will be publishing in future Newsletters the property numbers of who are financial members of the BPPA.

Therefore to avoid embarrassment - make sure you are Financial now.

We also wish to encourage you to provide email addresses to replace postal addresses for distribution of the Newsletter. This will keep membership costs down and reduce the work load for distribution of the Newsletter. Other benefits include a colour Newsletter with clear photos which enhances the reading of the Newsletter. Please send email addresses to Kym at vhw@bigpond.com.

FINANCIAL MEMBERS OF THE BPPA

At the last BPPA AGM, Easter 2013, the members present voted unanimously to publish a list of all financial members of the Black Point Progress Association in the BPPA Newsletter. The below list is as we interpret at the time of compiling this Newsletter and we apologise if there have been any payments after this time. Also, if you believe your property is not on this list & should be, please correspond with us to rectify the error.

For an up to date listing, please visit the [Membership Status online](#).

The Financial properties are;

BPR39	L7	L21	L36	L50	L59	L72	L88	L105	L122	L134	L404	L601
L151	L8	L22	L37	L51	L59A	L74	L89	L107	L123	L135	L408	L602
L151A	L9	L23	L38	L52	L60	L75	S90	L108	L125	L136	L409	L604
L152	L10	L24	L40	L53	L62	L76	S91	L109	L126	L139	L410	L702
L152A	L11	L26	L41	L54	L63	L78	L94	L114	L127	L140	L414	L703
L154	L12	L27	L43	L55	L64	L79	L98	L115	L128	L146	L501	L706
L156	L13	L28	L44	L56	L66	L82	L100	L116	L129	L147	L503	
L157	L16	L32	L47	L56	L68	L83	L101	L117	L130	L148	L504	
L5	L18	L34	L48	L58A	L69	L84	L103	L118	L132	L149	L91	
L6	L19 (L1	L35	L49	L58B	L71	L85	L104	S119	L133	L402	L507	

Note: Lots are denoted by "L" and sites denoted by "S". NR is non-resident, and BPR is Black Point Road.

PINE POINT GENERAL STORE Summer Opening Hours

Monday to Thursday, 8am to 6pm

Friday and Saturday, 8am to 7pm

Sunday, 9am to 6pm

62-64 St. Vincent Highway, Pine Point, SA, 5571

Telephone (08) 8838 2200 Fax (08) 8838 2444

SHACK RENTAL LISTINGS

As a service to all members, we are interested in compiling a list of shacks that are available for rent. At times the Association receives requests for a shack to rent. This not only comes from visitors but also Black Pointers who wish to suggest a shack to family or friends. We will list shack numbers and a contact avenue as people wish in the newsletter. This will be a free service to members. Please contact the secretary, Kym Woolford via phone or at vhw@bigpond.com. Also, on BP Online, the listings can be placed on www.blackpoint.org.au. Members just need to fill out an online form, provide some details about the shack, and a listing will be automatically generated.

SHACK NO	CONTACT	NUMBER	
21	Michael Gee	8379 3091	0419 228 894
59 & 59A	Vickie Easter (LJ Hooker)	8853 7383	
77	Andrew Underwood	8295 8155	0407 723 563
136	Joanne Castas-Marouli		0403 325 113
402	Bruce Debenham	8373 7672	0488 294 560
414	Jo Whenan	0428 256 277	

Country Getaways Helly Easter-Smith 8832 2623 website www.countrygetaways.info

DATES FOR RECYCLED RUBBISH COLLECTION

Red: General Waste: Every Monday.

Yellow Recycling Bin, Mondays

March 27th
 April 10th and 24th
 May 8th and 22nd
 June 15th and 29th

Green Garden Bin, Wednesdays

March
 April 5th
 May 3rd
 June 7th

[Click to download a copy](#)



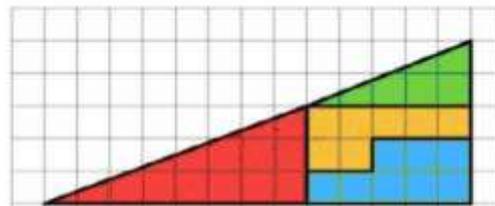
Download the full 2016-17 Calendar from BP Online, or click in the image on the right to open/download.

NO STONES ON RUBBISH BIN LIDS BY ORDER OF COUNCIL

Can you find the
 the **mistake?**

1 2 3 4 5 6 7 8 9

HOW CAN THIS BE TRUE?



Below the first
 parts are
 moved around

The parts are
 exactly the
 same, as those
 used above

From where comes the "hole"?

Looking for the details of an ad you saw and the Black Point Newsletter, but can't find the latest copy, well, fret no more! All the advertisements are now shown on Black Point Online, just click on [Advertisements](#) on the menu on the left.



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Amy: 0434 962 866

Liz: 0433 822 086

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free call 1800 720 350
shop 08 8852 1666
email phialock@gmail.com
address 69 Warooka Road, Yorketown SA 5576
facebook [Peninsula-Home-Improvements-Locksmiths](#)



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We offer design and planning advice to assist with your renovations.

Darrell Colliver is fully licensed and can manage your job from A – Z.

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For further enquiries and information please contact us on:

M: 0414 370 781 E: designtofruition@hotmail.com

FB: Design to Fruition

We look forward to hearing from you and working with you.

KITCHEN INSTALLATIONS

LAUNDRY RENOVATIONS

BATHROOM RENOVATIONS

TILING

PAINTING

FLOOR SANDING & SEALING

FLAT PACK ASSEMBLY

CUSTOM BUILT SHELVING SOLUTIONS

TIMBER FURNITURE RESTORATIONS

CUSTOM DESIGNED & BUILT TIMBER WORK

WATER BLASTING

STONEMASONRY USING TRADITIONAL METHODS

BOAT BUILDING & BOAT RESTORATIONS (Darrell's skills are not limited to land; being a fully qualified shipwright with 30 Plus years experience)

M&R Contract Painters

All types of painting and repairs

Big or small jobs
All work guaranteed

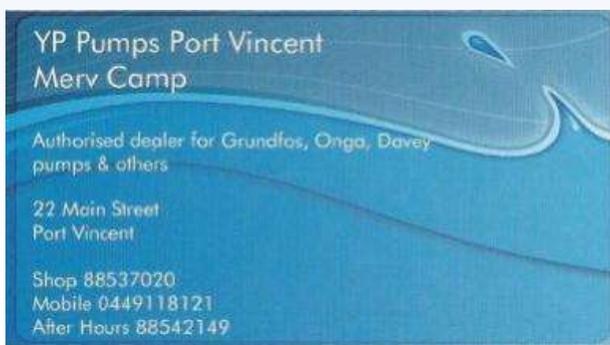
Ring Mark – 0408 814 392
Or Elli – 0428 710 803

Hills and Valley Building Maintenance

Available to travel to Black Point for the following:

- New and/or repairs to Pergolas, Decks and Boardwalks
- New and / or repairs to Kitchens and Wardrobes
- General Building Maintenance

Please phone Wayne for quotations
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Yorke Peninsular and Copper Coast



Steven Griffiths
Member for Goyder

*Working for you
in Goyder*

Should you require any assistance in relation to
State matters, please don't hesitate to contact
the Goyder Electorate Office team on
Phone - (08) 8832 2455 Fax - (08) 8832 2699
Email - goyder@parliament.sa.gov.au
Website - www.stevengriffiths.com.au

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Ardrossan SA 5571

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Mob. 0427 373409
E mail - pavloster@bigpond.com

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- Demolition
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- Trenching
- Site levelling & cleaning
- Rubbish removal
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- Sandblasting
- Septic tank supply and installation
- Sand, soil and gravels supplies

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Ph 88322623

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License - PGE 204 503

Thank you to all Committee, Members and the staff of the Yorke Peninsula Council that have had input in this Newsletter.

Yorke Peninsula Shellfish Reef

The Yorke Peninsula Shellfish Reef aims to restore shellfish reef habitat in the region, providing new habitat for marine life and helping to enhance recreational fishing experiences in the region.

In June 2016, north-west Gulf St Vincent was announced as the location of South Australia's first trial shellfish reef as part of the State Government's \$3.25 million commitment to enhancing recreational fishing experiences. This trial shellfish reef will be the first of two construction phases, trialing the best method for building a living shellfish reef.

Why is shellfish reef restoration important?

Globally 85% of shellfish reefs have been lost from coastal areas, with a loss of 99% of shellfish reefs from Australia's coastal waters. Historically, shellfish reefs were prevalent in the Yorke Peninsula region.

Shellfish reefs made up of oysters and mussels provide important food and habitat for marine life. Working like coral reefs, they support the growth of important fish species like Snapper and King George Whiting while also helping to improve water quality, reduce coastal erosion and increase biodiversity.

How does shellfish restoration work?

Shellfish reef restoration can take many forms and typically includes the creation of habitat, made from environmentally friendly materials (e.g. limestone) deployed onto the seafloor using barges.

These materials are then layered with juvenile shellfish so they can attach to the materials and the new habitat can grow to become a living shellfish reef. See Figure 1.

What is the Yorke Peninsula Shellfish Reef project?

A shellfish reef restoration project is now underway 7 km south of Ardrossan in north west Gulf St Vincent and in a water depth of approximately 8 to 10 metres. See Figure 2.

It will predominantly be made from locally sourced limestone rock layered with Pacific Oyster shells covered in juvenile native oysters. Custom made concrete structures will also make up part of the reef design. This is the first shellfish restoration project of its kind in South Australia.

How was the reef site chosen?

Two rounds of public consultation were undertaken to allow for community input on the reef site location, with broad support received for the north west Gulf St Vincent region.

Finer scale site selection was based on underwater surveys and marine engineering reports, which demonstrated that the area south of Ardrossan supported environmental conditions suitable for the development of a shellfish reef.

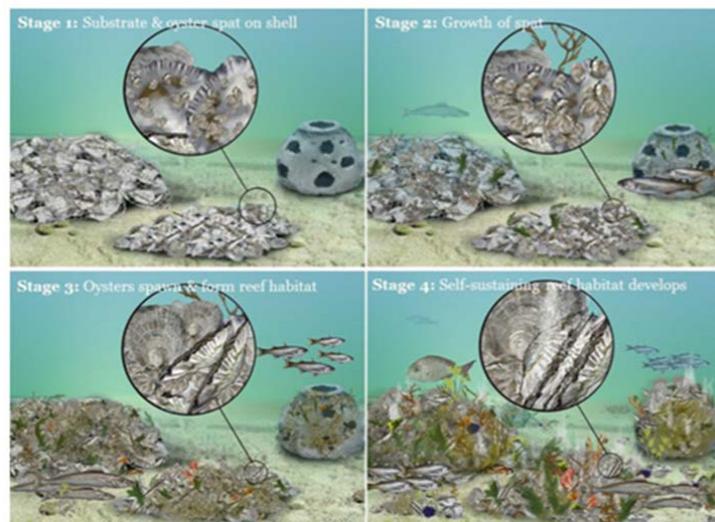


Figure 1: The four key stages of oyster reef establishment after deployment. Stage 1: The reef structures are deployed with seeded-on-shell native oyster spat released amongst the limestone pieces of plot 1; stage 2: oyster spat continue to grow and increase the shellfish profile of the reef; stage 3: native oysters mature and reproduce, from which the new spat settle on nearby artificial reef structures and continue growing and increasing the reef profile, and; stage 4: the oyster reef reaches a self-sustaining point producing oysters and habitat for fish as well as providing various ecosystem services.

When will the reef be built? And how big is the area?

- *Phase one* will commence in 2017 and includes construction of a trial shellfish reef of up to four hectares.
- *Phase two* will be completed by the end of 2018 with up to 20 hectares of shellfish reef expansion.

Who is responsible for building the reef?

The South Australian Government, The Nature Conservancy and Yorke Peninsula Council are working in partnership to deliver both phases of construction.

Who is The Nature Conservancy?

The Nature Conservancy is a leading non-for-profit conservation organisation which has over 15 years of experience in shellfish reef restoration.

When is an increase in fish presence expected at the reef site?

Within the first few months but it will take at least two years before the reef starts becoming a complex habitat that supports fish production.

Will the reef be open to recreational fishers?

While short term restrictions may be required during the initial settlement process following construction to avoid any damage, once settled recreational fishers will have access to the reef. A guide to fishing at the reef will also be made available closer to the opening of the reef.

What economic benefits does shellfish restoration provide?

The reef will create construction jobs, and over time, is expected to enhance recreational fishing experiences and associated tourism activity and boost ecotourism opportunities. In the long term, it is expected the reef's new marine habitat will increase fish production in Gulf St Vincent, thereby enhancing both recreational and commercial fishing opportunities more broadly.

What opportunities are there for locals to be involved?

Local businesses may be engaged during the construction process for the provision of services required during fabrication and deployment of the reef. Once the reef site is open there will be opportunities for volunteers to become involved in monitoring different aspects of the reef.

More information:

Shellfish reef restoration www.pir.sa.gov.au/habitatenhancement

The Nature Conservancy: www.natureaustralia.org.au

Phase one (trial reef) and reef site management:

Sarah-Lena Reinhold, Program Leader, Fisheries Enhancement, PIRSA

Phone: 8226 0900 Email: sarah-lena.reinhold@sa.gov.au

Phase two and shellfish reef restoration monitoring:

Anita Nedosyko, SA Marine Restoration Coordinator, The Nature Conservancy

Phone: 0400 779 279 Email: anita.nedosyko@tnc.org



Figure 2. Approximate location of the trial Yorke Peninsula Shellfish Reef.

The Pine Point Progress Association Inc



Dawn Service

Tuesday, 25th April 2017

6.30am

Pine Point Soldiers Memorial Hall

**Followed by bacon, egg and sausage
breakfast**

agold coin donation appreciated

ALL WELCOME TO ATTEND