

Revocation speech 10th May, 2017

I would like to acknowledge and thank you Mayor Agnew, Councillors and staff for the opportunity to talk to you tonight regarding the proposed revocation and sale of land at Black Point and for allowing me sufficient time to do so. My name is John Gray. I have been holidaying at BP for 55 years and have lived there full time for the last 9 years. I have been and am once again a Committee member of the BP representative body now known as the Black Point Progress Association. I am a medical practitioner that has provided services to every medical practice on the Yorke Peninsula for the last 20 years and have had the opportunity to meet many of the residents and visitors. I have a good knowledge of BP's history and its development and of the views of the locals regarding your proposal. To ignore history or to fail to listen before acting is perilous.

The 4 Lots under consideration are the 9 sites behind those who held those foreshore crown leases. These reserves were paid for by the residents of BP as part of the original sub division process and then entrusted to council to be held for the future benefit of the community and visitors to BP. They are beach front green open spaces and act as natural wood lot buffers between the shacks. They provide access and sea views to the beach for both residents and visitors. Should the proposal to sell off these "Parklands" proceed, then Council would need to consider the impact on the disaffected stakeholders. I feel that they should be developed for the benefit of the local community, tourists and day visitors to Black Point. This was the original intent. They should not be under sold for a short term financial benefit to council.

You have listed 9 key issues but neglected others that are important to the stakeholders. Regarding your key issues I make the following comments.

Point 1.

It would be financially negligent for council to sell these lots now. It would only be after the extinguishment of the current crown leases with the blocks cleared that true market value could be achieved. The revocation process has been instigated at the request of a few of the current crown lease holders desiring to purchase a freehold site. On 8 of these 9 sites, the crown lease holder either declined or did not respond to the opportunity to freehold the site within the allotted time frame. Why, now some 20 years later, should they be entitled to a windfall capital gain at the expense of others? There are already at least 10 freehold blocks of land for sale at BP

that these crown lease holders could purchase. In fact 3 of these original crown leaseholders have purchased a freehold site including 1 who now requests to also purchase the site behind his crown lease.

Point 2.

I disagree with your statement that “open space reserves have minimal value”. They have significant value as parklands and for the unencumbered views they provide for residents at BP. You have overlooked residents concerns regarding visual amenity, the premium paid on their blocks and compensation they may seek if disaffected.

Point 3.

Councils comment that “Council’s development plan will ensure that any further development will be in keeping with the character of the area, if the revocation were to proceed” shows that Council does not understand that the loss of ones view would negatively impact on the affected property owners and would devalue their properties. The submission from Mr. Brian Harmer (who was Secretary of the BPPA in 1996 at the time of freeholding) confirms that as part of the freeholding Council required provision of these reserves which were to provide public access to the beach and views for future shack owners. It was acknowledged that these blocks would not be fully utilized until after the crown leases had expired and the shacks removed.

Point 4.

Linking revocation and sale of **all allotments** to fund boat ramp issues is heavy handed and misses the point. It has caused significant distress to BP residents. These are two separate issues which need to be dealt with by separate processes and on their own merits.

Point 5.

Your comments and I quote “It is noted that the caravan park area contains a BBQ and tables with chairs for public use” is not only false but again misses the point. Caravan Park facilities are for caravan park residents only. YP Council has erected signage clearly making the point that the facilities are for paying campers only. In fact I took a photo of your sign yesterday. Visitors use of caravan park facilities is frowned upon. Plus you need a key code to use the showers!

Point 6.

I suggest that an alternative beachfront reserve with facilities including parking, BBQ, picnic tables, shelter, toilet and showers would encourage tourists and visitors to Black Point and the Peninsula including those 'walking the Yorke'

I believe that the unencumbered site 20 (part lot 201) would be an ideal location for such facilities. It could rectify the injustice afforded to the family of Des Lodge and acknowledge one of the areas past councillors and farmer by naming it "The Des Lodge Reserve". Funding arrangements could be sourced in partnership with the local community and council for the benefit of all.

This was the 9th site on which the crown leaseholder (Des Lodge and his family) did not purchase the freehold land but this was not because they declined or failed to respond in a timely manner. It was because council in error deemed that the crown lease had been surrendered, despite the fact that the family had paid all rates and crown lease taxes up until the freeholding in 1996. The family were astounded and expressed many other emotions when they learnt that as freeholding was being offered, their site was not available. It had in fact been converted into part of lot 201 reserve. Rather than seeking compensation or wishing to profit from this injustice, the Lodge family supports my view.

Other issues not addressed are:-

1. The overwhelming local communities vote against the proposal.
2. The future provision of a foreshore community facility as more and more residents become permanent has been ignored.
3. That the sale would limit beach usage by non residents and only reinforce the feeling by some that BP is for the elite only. Sure walkways would be provided but who would set up for the day on the beach in front of an existing shack.

Notwithstanding the above, the most obvious reason your revocation proposal should not proceed is that it lacks community support. In fact, looking at the 38 individual submissions and the single petition reported on your web site,

means that approx. 60% of BP residents have responded, with an overwhelming >97% of respondents voting against your proposal.

I have also corresponded with our State Member (Mr Steve Griffiths) regarding the proposed revocation at Black Point. He states on the 23rd December, 2016 and I quote “it is the opinion of the community that has to drive the decision made”. “With now having read the BP Progress Association review, as a representative body, I am working on the basis that YP Council will **NOT** support the proposal”. (end of quote).

Personally, I understand and acknowledge Council’s right to review their land assets and to create management plans for community land. I have spoken with and listened to many of the affected stakeholders and after their feedback I have come to the conclusion that none should be sold.

The Local Government Act, 1999, Section 194-Revocation of Classification of Land as Community Land, States:-

1. “Community Land cannot be revoked unless the Minister approves the Revocation” and
2. “requires an assessment of how implementation of the proposal would affect the area and the local community”.

Sale of the community land reserves at Black Point would clearly be negative and divisive for both our local community and visitors, both now and in the future.

No informed Minister would sign off on this proposal.

If council requires additional funds to pursue its road renewals and other projects then a look at Section 207, Register of Community Land, will show you that Council has vast land assets that they could consider for revocation and sale.

You have engaged your community and they have spoken. You are now in a position to make an informed decision regarding the land revocation.

I respectfully request that Council listens to the community and votes **AGAINST** the revocation proposal tonight, by voting for recommendation B on all 4 lots. Prolonging this process or voting otherwise will harm the good relationship that the community enjoys with Council.

Thank you.

Do you have any questions?

Dr John Gray