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COMMUNITY ENGAGEMENT REPORT

REVOCATION OF COMMUNITY LAND CLASSIFICATION

BLACK POINT RESERVES



SEPTEMBER 2016

COMMUNITY ENGAGEMENT REPORT

Purpose of report

To provide information in regard to the proposed revocation of the Community Land classification for Allotments 201, 202, 203 & 204, Black Point Drive, Black Point for the purpose of subdividing and then selling each of the properties.

Background

Back in the mid-1980s, Council was approached by developer Prodec Pty Ltd, with a proposal to offer freehold titles to the existing shack owners at Black Point. Subsequently, the road reserve at the rear of the beachfront shacks was sold to the developer.

The developer then created a new road south of the existing road reserve and subdivided the existing road. The new allotments were offered as freehold land to the then shack owners directly in front.

Council at the time were mindful that when the freeholding process was completed and the shacks relocated onto the freehold land, public access to the beach would be restricted. Council negotiated to obtain several reserve areas within the old road reserve so that public access to the beach could be secured for the future and the balance of the land could be utilised for recreational purposes. This resulted in four reserves being created along Black Point Drive being Allotments 201, 202, 203 and 204.

The four properties are registered in the ownership of Yorke Peninsula Council and not subject to any dedication, additional reservation or trust other than being vested to Council as a reserve. Council are not aware of any Government assistance to initially acquire the land.

Reason for proposal

There has been significant interest expressed by adjoining property owners, and other interested parties, in the possibility of purchasing the properties.

Since the creation of the reserve, the primary use of the reserves is by the adjacent shack owners for access and storage of vehicles and boats.

The open space reserves have minimal value from a recreational or leisure perspective and have little or no impact on future recreational opportunities for the local or wider community. The land is not being utilised in this manner due to the location of the reserves being at the rear of the existing leasehold shacks and the adjoining properties being residential.

As there is no strategic or operational need to retain ownership of the subject lands, they have been identified as being surplus to Council's needs.

Disposal, with the view to sell the properties, is considered to be appropriate in this instance.

To enable Council to sell the subject lands and in accordance with the Local Government Act 1999, it is necessary for Council to revoke the Community Land classification on each of the allotments.

As a matter of consistency with existing freehold allotments at Black Point, a Land Management Agreement (LMA) may need to be registered on the Certificate of Title for new allotments, to advise future owners of any development restrictions on the land, until any existing buildings are removed from the adjoining Crown land.

A commercial valuation of the properties will be sought should the revocation process proceed and land division occur.

Proceeds of proposed sale

It is proposed that the proceeds of the sale of the reserve will contribute to the following projects -

- \$150k - Black Point Boat Ramp (\$300k Project with SABFAC committing \$150k).
- Installation of fixed walkways on both sides which may minimise any future safety concerns and assist with launching and retrieval activities.
- \$150k - Community projects on application from Black Point Progress / Black Point community.
- Road renewals –
 - ❖ The balance of all other proceeds to be injected into Council's unsealed road network, above and beyond those currently identified and projected in Council's Long Term Financial Plan.

Property details

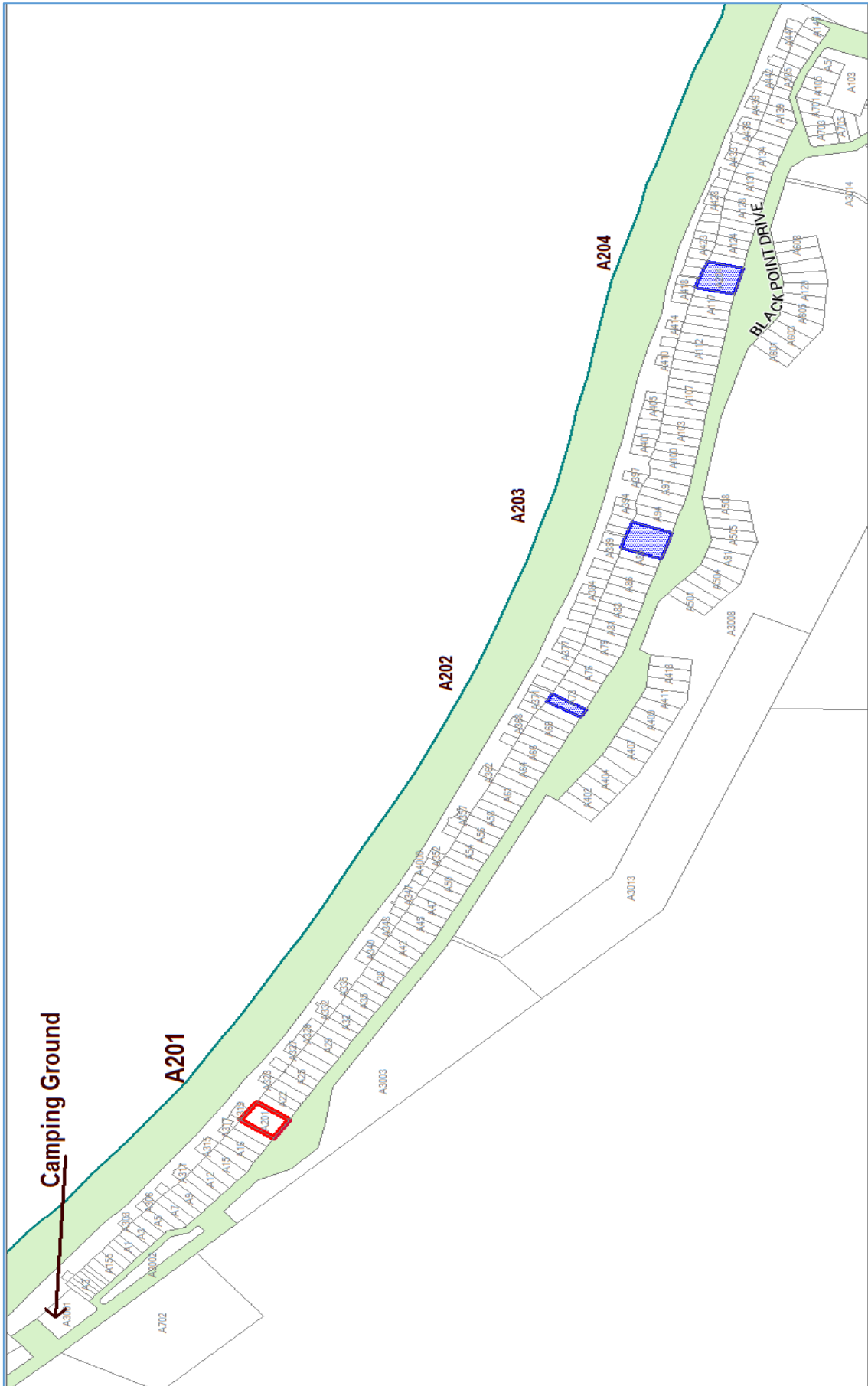
Allotment 201 Black Point Drive, Black Point

- Certificate of Title: Volume 5294 Folio 896.
- Listed on Council's Community Land register as Category 2 Recreation and Sport.
- Located within Council's Settlement Zone.
- Vested in Council as a public reserve and comprises a site area of 1980m² with a width of 36.94m and average depth of 53.68m.
- Governed by planning controls of the Policy Area 3 Black Point which permits a land division for detached dwelling sites of 450m² minimum, where Community Wastewater Management Scheme (CWMS) service is available.
- Shacks and sheds exist in the respective privately owned properties, to the east and west of the allotment.
- At the Black Point Drive frontage a power transformer is located on the easement in the western corner of the site, one CWMS connection exists and there is one private water supply connection to the Council owned/run water supply scheme.
- Electricity, water and telecom underground lines run along the front of the allotment.
- The property has an existing 6m (approx.) wide vehicular & walking access track, from Black Point Drive to the beach located near the centre of the site which appears to serve shack Allotment 319 (annual Crown licence until 30/6/2037) located at the north-east corner.
- A survey has been undertaken to establish the position of existing services that run through Allotment 201. The cable locator used for the survey on site, has located all services as far as is practically possible.
- The water line appears to end approximately a third way into the property as this is where the locating equipment lost the signal and the services were no longer traceable.

Proposal for Allotment 201

- ❖ Create two allotments of approximately 950m² and 800m² subject to easements with average frontage of 15m.
- ❖ Have a 3m public walkway access to the beach.
- ❖ Register a Right of Way to the shack owner of Allotment 319 through the new allotment.
- ❖ Use the Right of Way to run effluent, water and power services.

Allotment 201 Location map



Allotment 201 Proposed plan



-  ● Water
-  ● Electricity

Property details

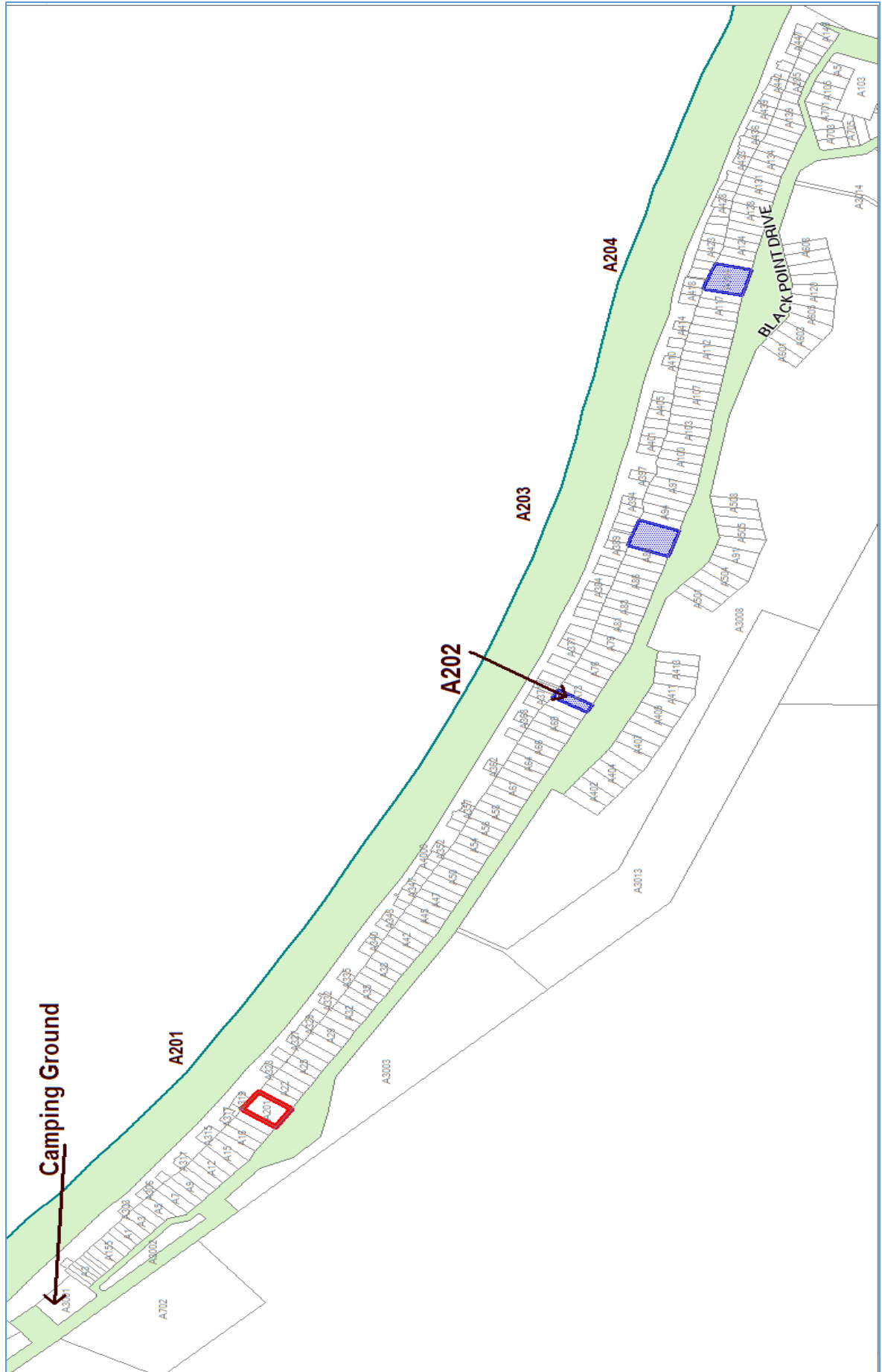
Allotment 202 Black Point Drive, Black Point

- Certificate of Title: Volume 5294 Folio 897.
- Listed on Council's Community Land register as Category 2 Recreation and Sport.
- Located within Council's Settlement Zone.
- Comprises a site area of 784m² with a width of 14.92m and average depth 52.82m.
- Governed by planning controls of the Policy Area 3 Black Point which permits a land division for detached dwelling sites of 450m² minimum, where Community Wastewater Management Scheme (CWMS) service is available.
- The privately owned properties, to the east and west of the partially treed allotment extend respectively onto Allotment 371 (Crown Licence until 30/6/2037) and Allotment 373 (fixed term Crown lease until 30/6/2037).
- A driveway exists through the property which leads to adjoining shack Allotment 372 (annual Crown licence until 30/6/2037).
- One CWMS connection and private water supply connection to the Council owned/run water supply scheme is located at the Black Point Drive frontage.
- Electricity, water, sewer and telecom underground lines run along the front of the allotment.
- A survey has been undertaken to establish the position of existing services that run through Allotment 202. The cable locator used for the survey on site, has located all services as far as is practically possible.
- The electricity line appears to end in the middle of the property as this is where the locating equipment lost the signal and the services were no longer traceable.

Proposal for Allotment 202

- ❖ Create a new allotment comprising of approx. 630m² on the western side of the 3m walkway.
- ❖ Retain the 3m wide walkway to provide access to the beach between Allotments 372 and 373.

Allotment 202 Location map



Allotment 202 Proposed plan



-  ● Water
-  ● Electricity

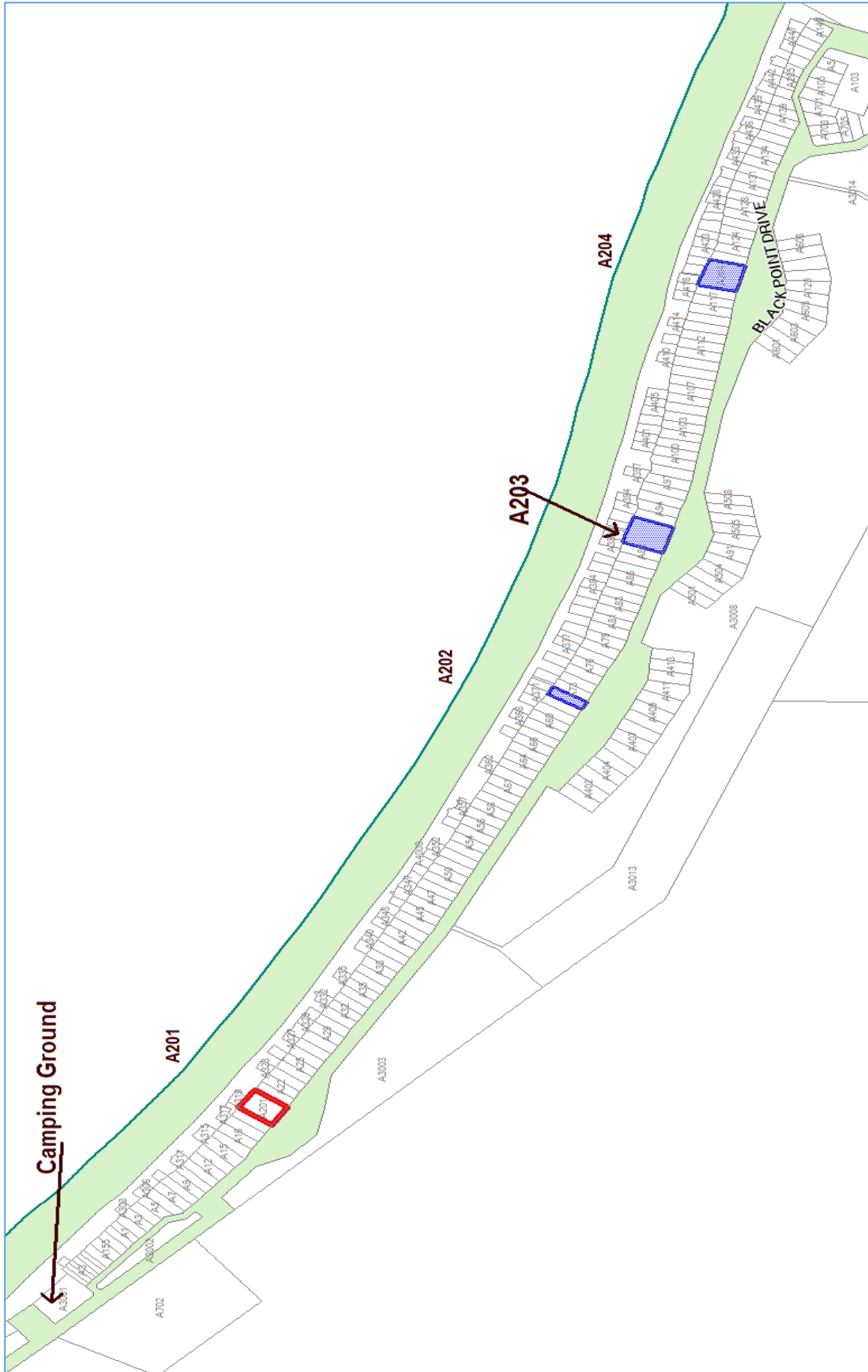
Allotment 203 Black Point Drive, Black Point

- Certificate of Title: Volume 5294 Folio 898.
- Listed on Council's Community Land Register as Category 2 Recreation and Sport.
- Located within Council's Settlement Zone.
- Vested in Council as a public reserve and comprises a site area of 2604m² with a width of 45.43m and average depth 56.8m.
- Governed by planning controls of the Policy Area 3 Black Point, which permit a land division for detached dwelling sites of 450m² minimum, where Community Wastewater Management Scheme (CWMS) service is available.
- Shacks and sheds exist in the respective privately owned properties, to the western and eastern sides of the allotment.
- Has 2 existing vehicular & walking access tracks approx. 6m wide, from Black Point Drive to the beach with the westerly track appearing to be access to the adjoining Allotments 390 & 391 and the easterly track serving as access to shack site, Allotment 392.
- Two electricity, one CWMS, two water and two telecom lines run through the property underground. A power transformer is located on the easement in the western corner of the property.
- Two CWMS connections and one private water supply connection to the Council owned/run water supply scheme are located at the Black Point Drive frontage.
- Telecom, CWMS, water and electricity underground lines run along the front of the property.
- A survey has been undertaken to establish the position of existing services that run through Allotment 203. The cable locator used for the survey on site, has located all services as far as is practically possible.
- The water line appears to end approx. one third of the way into the property with the electricity line ending three quarters of the way in. This is where the locating equipment lost the signal and the services were no longer traceable.

Proposal for Allotment 203

- ❖ Create three allotments of approximately the same size.
- ❖ Straighten the existing 6m track as a public road which can provide legal frontage and services to adjoining shack sites Allotments 390 and 391, both which hold annual Crown licences until 30/6/2037.
- ❖ A 3m right of way is needed to provide access to shack Allotment 392 (annual Crown licence until 30/6/2037) and which could contain easements for services to the three shack allotments and allow access to the beach.

Allotment 203 Location map



Allotment 203 Location map



- Water
- Electricity

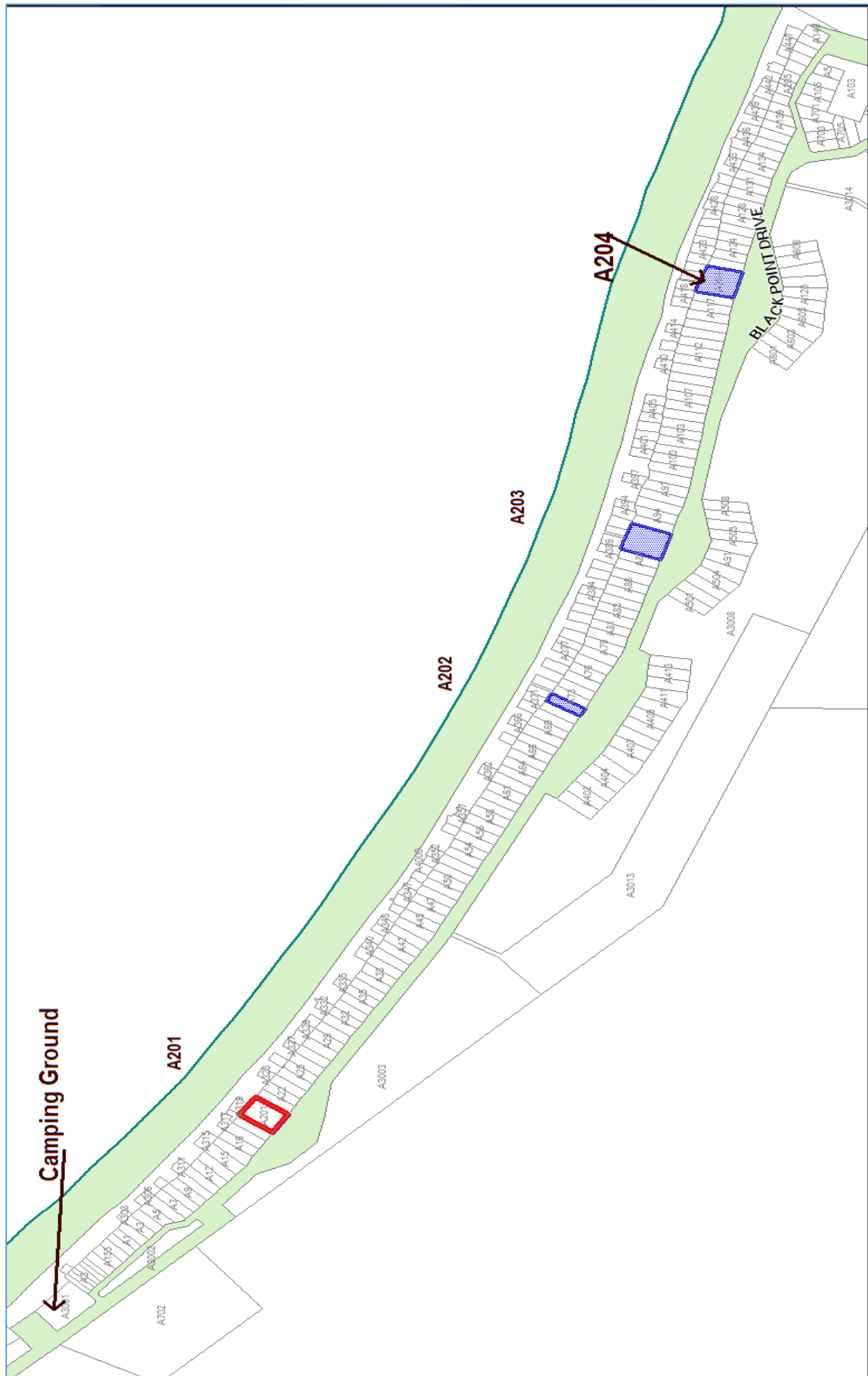
Allotment 204 Black Point Drive, Black Point

- Certificate of Title: Volume 5294 Folio 899.
- Vested in Council as a Public Reserve and comprises a site area of 2336m² with a width of 44.38m and average depth 52.2m.
- Has 2 existing vehicular & walking access tracks approx. 6m wide, from Black Point Drive to the beach with the westerly track appearing to be access to the adjoining Allotments 419, 420 and 421 shack sites (all with annual Crown licence until 30/6/2037).
- Governed by planning controls of the Policy Area 3 Black Point, which permit a land division for detached dwelling sites of 450m² minimum, where Community Wastewater Management Scheme (CWMS) service is available.
- Three electricity, two telecom, one CWMS and one water line run through the property.
- Electricity, water, sewer and telecom underground lines run along the front of the allotment.
- A survey has been undertaken to establish the position of existing services that run through Allotment 204. The cable locator used for the survey on site, has located all services as far as is practically possible.
- The water line appears to end in the middle of the property as this is where the locating equipment lost the signal and the services were no longer traceable.

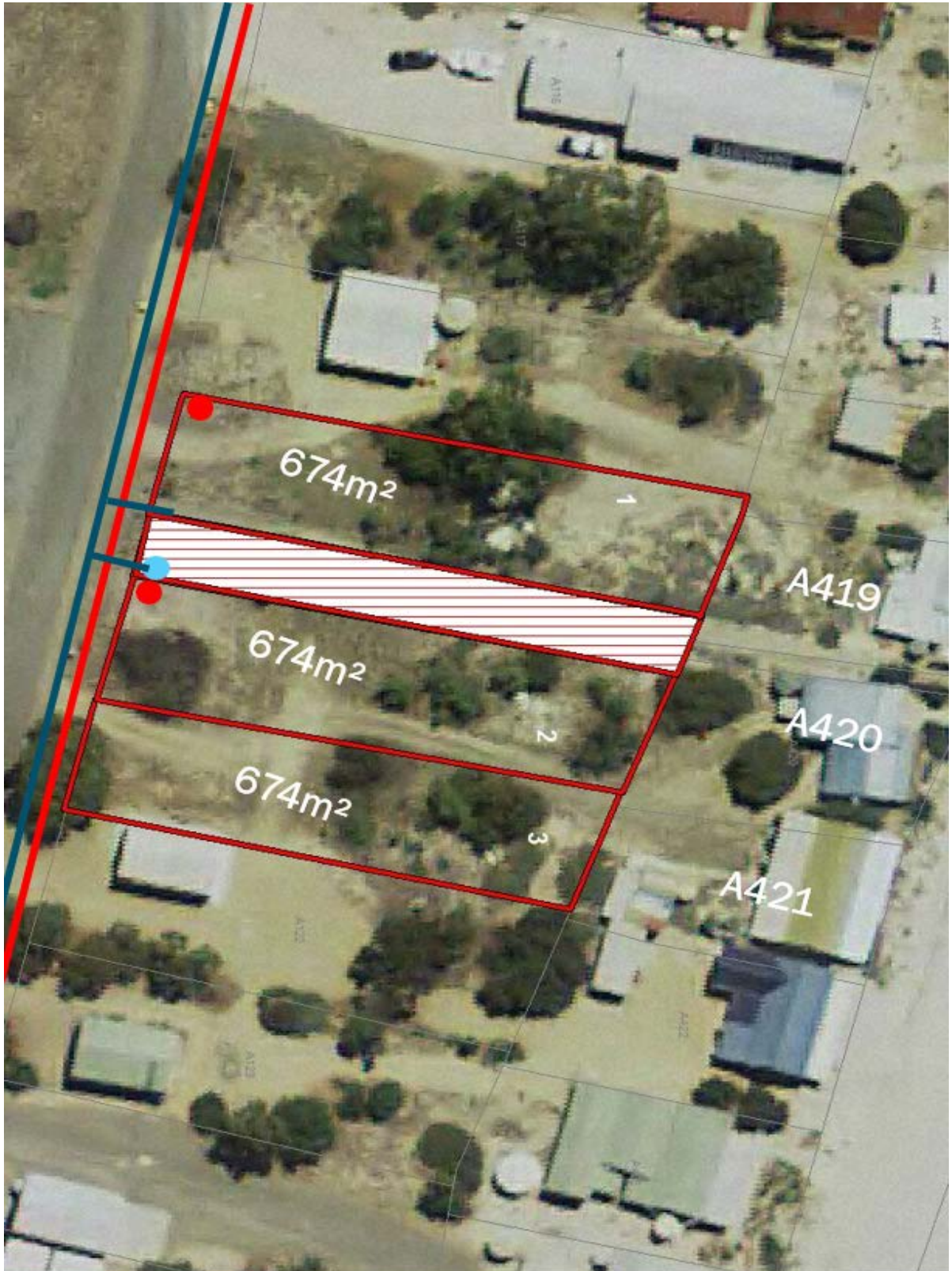
Proposal for Allotment 204

- ❖ Create three allotments of approx. 660m², 640m² and 740m².
- ❖ Straighten the existing track to provide access to Allotments 419 & 420.
- ❖ A right of Way will need to be created for Allotment Lot 421 which could also contain easements for water and electricity for Allotments 419, 420 & 421.

Allotment 204 Location Map



Allotment 204 - Proposed plan



-  Water
-  Electricity

The Community Engagement process


A public notice advertising the community engagement process and describing the matter of the revocation will appear in the Yorke Peninsula Country Times and on Council's website, with an invitation for interested persons to make submissions to Council in relation to the matter.

A sign will be displayed on site of each Reserve and all Black Point property owners and surrounding property owners will receive a copy of the public notice. Persons may also make a written submission to appear before Council.

This detailed information report will be made available at all Council Offices and on Council's website for the public to access.

It is proposed that a further report will be presented to Council on the 8th February 2017 on the outcome of the community engagement process. The report will include any written submissions received for Council's consideration and to decide if Council should proceed with the revocation process by applying for the consent of the Minister for Planning.

Process timeline:

		<h3>COMMUNITY ENGAGEMENT PLAN</h3>				SF215
						Responsible Officer: Business Improvement Officer
						Issue Date: 10th June 2015
						Next Review Date: June 2019
<p align="center">PROJECT NAME: Revocation of Community Land Allotments 201, 202, 203 & 204 Black Point</p>						
Stakeholders	Level 2 CONSULT	Responsibility	Start Date	End Date	Status	Evaluation Method
Affected residents	Personalised Letter	Director Development Services	5/09/2016	5/09/2016	C	Report back to Council on the outcome of the Community Engagement process. Elected Members to make decision based on any submissions received from the Community Engagement process.
Entire community	Public Notice	Director Development Services	21/09/2016	25/11/2016	NS	
Entire community	Website	Director Development Services	21/09/2016	25/11/2016	NS	
Entire community	Social Media	Director Development Services	21/09/2016	25/11/2016	NS	
Entire community	Signage	Director Development Services	21/09/2016	25/11/2016	NS	
Entire community	Ability to appear before Council	Director Development Services	8/02/2017	8/02/2017	NS	

Public Notice



YORKE PENINSULA COUNCIL

COMMUNITY ENGAGEMENT

PROPOSED REVOCATION OF COMMUNITY LAND CLASSIFICATION

Notice is hereby given pursuant to Section 194(2)(b) of the Local Government Act 1999 that Yorke Peninsula Council proposes to revoke the classification of Community Land for the following properties:

- The whole of Allotment 201 Black Point Drive, Black Point, in Deposit Plan 41613 comprised in Certificate of Title Volume 5294 Folio 896**
- The whole of Allotment 202 Black Point Drive, Black Point in Deposit Plan 41613 comprised in Certificate of Title Volume 5294 Folio 897**
- The whole of Allotment 203 Black Point Drive, Black Point in Deposit Plan 41613 comprised in Certificate of Title Volume 5294 Folio 898**
- The whole of Allotment 204 Black Point Drive, Black Point in Deposit Plan 41613 comprised in Certificate of Title Volume 5294 Folio 899**

The proposed revocation is to enable Council to consider subdividing the subject properties with the intent to sell each allotment.

A detailed report in relation to the proposed revocation and future intentions of the land is available for viewing at Yorke Peninsula Council offices at Maitland, Minlaton, Yorketown and Warooka and on Council's website, www.yorke.sa.gov.au

Enquiries on this matter can be directed to
Roger Brooks, Director Development Services
Phone: (08) 8832 0000

Written submissions are to be addressed to:
Revocation Black Point
Attention: Director Development Services

Submissions close at **5.00pm Friday, 25th November 2016** and can be forwarded by;
Post: Yorke Peninsula Council, PO Box 57 Maitland SA 5573
Facsimile: (08) 8853 2494
Email: admin@yorke.sa.gov.au
Personal Delivery: Council offices as listed above.

All submissions received will be provided to Council for consideration.
Please indicate in the submission if you wish to appear before Council on this matter.

Andrew Cameron
Chief Executive Officer