



BLACK POINT PROGRESS ASSOCIATION

ANNUAL GENERAL MEETING

Saturday, 15 April 2017
Roger Sexton
Chairman



INTRODUCTION

- 1. Welcome**
- 2. Apologies**
- 3. Previous Minutes**
- 4. Chairman's Report**
- 5. Treasurers Report**
- 6. Audit Approval**
- 7. Appointment of Committee**
- 8. Subscriptions**
- 9. Other Business**

AGENDA ITEM 3

- Minutes from previous AGM, held on Saturday, 26 March 2016.
 - Kym Woolford
- Resolution of Minutes

AGENDA ITEM 4

Chairman's Report



COMMITTEE MEMBERS IN 2017

Roger Sexton	(Chairman)
Bill Gill	(Deputy Chairman)
Kym Woolford	(Secretary)
Andrew Clarkson	(Treasurer)
Greg Harmer	
Patrick Hill	(RETIRING)
Graham Mattschoss	
Barry Noble	
Emma Sutter	
Warren Wilson	(RETIRING)
Adam Wright	



A BIG THANK YOU

to our Retiring Committee Members

- Warren Wilson – the Wilson Family have been active on the BPPA Committee for the past 20 years. Warren has served on the Committee for more than 10 years, including as Assistant Treasurer in recent years.
- Patrick Hill – has been an active member of the Committee for 27 years, including as Chairman for 13 years and during the critical days of the land freeholding at Black Point.

LOOKING BACK: KEY ISSUES

2014 - 2015

1. Ceres Wind Farm
2. Boat Ramp
3. Hillside Mine
4. “Work the Yorke” Trail
5. 40 Year Crown Leases
6. Membership

2015 - 2016

1. Memorial Wall
2. Hillside Mine
3. Boat Ramp
4. Lot 3003
5. Coastal Protection

2016 - 2017

1. Hillside Mine
2. Ceres Wind Farm
3. Lot 3003
4. Boat Ramp
 - safety walkways
5. Public Reserve
 - land revocation

1. HILLSIDE MINE

1.1 Background

- Rex Minerals Ltd has scaled back its plans for an \$800 million + copper and gold mine to a mine which is around half the size of the original proposal.
- The mining lease requires Rex to submit a PEPR (Program for Environment Protection and Rehabilitation) and a SMP (Social Management Plan) within 12 months of the grant of the lease. This has still not occurred.
- The development licenses (and time frames for the PEPR and SMP) were extended to 28 August 2016 and have recently been extended further to 16 September, 2017.
- Rex has stated to the ASX that the major obstacles to financing the project is the state of commodity markets and exchange rate movements.
- The current-economic feasibility study shows a 14% IRR on the project.
- Rex is looking for a potential partner with a “bullish view” of the copper market, in order to move forward.

1. HILLSIDE MINE

1.2 Current Status

- The Department of State Development (DSD) has undertaken an assessment of the smaller operation proposed by Rex Minerals
- DSD has concluded that the new proposal is not consistent with the original approved Mining Lease
- Rex has declined to submit a new Mining Lease proposal
- Rather it has resolved to attempt to resolve the inconsistencies identified by DSD in the PEPR document which Rex is currently drafting
- Rex expects to start releasing draft sections of the PEPR over the next month
- Given the outlook for commodities, funding constraints, and the “hardening” of the attitude by DSD, Rex Minerals faces an uphill battle in getting its Hillside Mine project off the ground

2. CERES WIND FARM PROJECT

2.1 Background

- The AGM on Saturday 30 March, 2013 passed a resolution to oppose the development of the Ceres Wind Farm project
- This led to formal submissions being made on behalf of the BPPA to a number of Commonwealth and State Government Inquiries
- Conditional planning consent for the project was given to Senvion (the developers) in February 2014, with works to be completed by late 2015
- A 12 month planning extension was granted in May 2015, requiring Senvion to start works by August 10, 2016 and complete the project by August 2019.
- While the project did not proceed, the BPPA became aware in September 2016, that Senvion had applied to the SA Government for an extension of its planning approval

2. CERES WIND FARM PROJECT

2.2 Basis of BPPA Submissions

- The arguments made by BPPA against Ceres were not based on emotion (such as the visual impact of the wind towers)
- The arguments were based on fundamental economics:
 - An increase in wind power via Ceres (beyond the 40% market share occupied by the renewables) would increase the intermittency of SA's electricity supply
 - The taxpayer and consumer subsidies involved would further distort the energy market
 - The electricity provided by wind power is intermittent and therefore unreliable
 - A heavy reliance on wind powered energy can only work if it is supported by baseload power (for back-up and peak load generation).

2. CERES WIND FARM PROJECT

2.3 Outcome

- Market realities, in large part, prevented the project from proceeding (not withstanding the considerable taxpayer and consumer subsidies on offer).
- The Ceres project required a Power Purchasing Agreement (PPA) from energy distributors.... which it was not able to obtain.



2. CERES WIND FARM PROJECT

2.4 Is Ceres likely to Re-Appear?

- Enthusiasm for the funding of renewable power projects by State and Federal Governments has waned
- The recent announcement by the State Government of a \$150 million “Battery Storage and Renewable Energy Fund” is focussed on:
 - Projects which “make renewable energy available 24 hours a day, 7 days a week”
 - New technologies such as hydrogen, pumped hydro and solar-thermal storage proposals
- Hence, we believe that it is very unlikely that the Ceres Wind Farm Project will re-appear... at least, in the near future.

3. LOT 3003

3.1 Background

- The Council gave Burke Urban approval to proceed with the subdivision of Lot 3003 on the basis of 15 allotments
- The final result reflected a lot of lobbying by BPPA (primarily to Burke Urban) to restrict the size of the subdivision and avoid it being cut into some 30+ smaller allotments.
- The smaller allotments would have placed added pressure on the infrastructure and utilities (particularly water supply) at Black Point.
- The agreement of Burke Urban was conditional on achieving at least 5 pre-sales... which occurred.



3. LOT 3003

3.2 Current Status

- The installation of services (power, water) to each of the allotments has been completed.
- Work has commenced on the first development on Lot 3003.
- A number of buyers have indicated that they have purchased an allotment purely to retain the land in its natural state



4. BOAT RAMP

4.1 Background

- The new boat ramp was completed for Easter 2014 (i.e. 18 April, 2014).
- Total cost was \$810,000 of which the following contributions were made:

- Yorke Peninsula Council	\$343,000
- SABFAC	\$424,000
- BPPA	\$43,000
- The Black Point boat ramp is the only ticketed/fee charging boat ramp built on Yorke Peninsula without a jetty or a pontoon
- The ramp is significantly steeper than the old one (in order to meet Coastal Protection regulations)

4. BOAT RAMP

4.2 Safety Issues

- Some users have had difficulty in launching and retrieving boats on their own (i.e. difficult to secure a boat while taking or collecting their trailer from the car park)
- Rocks on each side of the ramp present a hazard to boat hulls (and to users who walk over them while launching or retrieving their boats).
- Lack of protection on either side of the ramp (and the rocks) presents problems in times of strong cross-winds or tidal surges.
- The lower section of the ramp is always submerged and therefore extremely slippery (which has led to falls, and knee and shoulder injuries).

4. BOAT RAMP

4.3 Safety Walkways

- The development (and design) of a solution to the safety issues at the boat ramp was undertaken by Aztec Engineers (funded jointly by Yorke Peninsula Council and BPPA) over a period of some 12 months.
- Council approved in-principle funding for the walkways on 10 February, 2016 and resolved to submit a formal application to SABFAC for 50% of the cost
- SABFAC approved a contribution of \$183,213 towards the cost of walkways, subject to final design and costings
- Council called for tenders. A recommendation on the successful tender, with final costings, went to a Council meeting on 8 February, 2017.
- The final tender and Council's contribution of \$177,000 was approved at that meeting
- The tender was awarded

4. BOAT RAMP

4.4 Rescission Motion

- Subsequent to the 8 February meeting, a Councillor lodged a Rescission Motion to over-turn the Council's approval
- No new evidence or information was presented to justify overturning the Council approval of 8 February, 2017
- The BPPA sent letters to Councillors, and held one-on-one discussions to point out that:
 - the Council is the owner of the boat ramp and bears ultimate responsibility for safety issues
 - A failure on the part of the Council to mitigate risks to ramp users when the risks are "known and foreseeable" could be a reckless and wrongful act and in breach of the Local Government Act
 - Council's insurer could challenge any claim under these circumstances
- Notwithstanding our concerns, the rescission motion was passed at the March 8, 2017 Council meeting.

4. BOAT RAMP

4.5 Sand Erosion

- Black Point beach has experienced quite a lot of sand erosion, particularly in the last 12 months
- The obvious question is: Is this due to the new boat ramp?
- Advice from the Coastal Protection Board is “No”:
 - sand levels across all Yorke Peninsula beaches have significantly lowered in the last 12-18 months
 - the sand erosion was exacerbated by last years storm events
 - over time, the beach is expected to recover.
- Council would require approval from Coast Protection Board if any beach replenishment action (sand carting) was to be considered.



5. LAND REVOCATION PROPOSAL

5.1 Background

- Council served notice, on the BPPA and Black Point residents, in September 2016, that it intended to revoke the public reserve status of all the waterfront allotments owned by Council.
- Council has identified nine allotments that it wishes to sell
- If all sold, and at market prices, the sale would theoretically generate proceeds to Council of approx. \$9 million
- BPPA surveyed its members and found 92% were opposed to the proposal.
- BPPA obtained advice from Brian Haynes QC and consulted with State and Federal politicians
- We then lodged a formal submission to Council objecting to the proposal

5. LAND REVOCATION PROPOSAL

5.2 Basis for Objection

- The reserves were an integral part of the original land subdivision, and were required by the then Council as a condition of the land subdivision
- While owned by Council, the allotments are held on trust by the Council on behalf of the community and were effectively paid for by Black Point residents
- The specific reasons for our objection in the submission lodged with Council are:
 - Breach of Trust (with Black Point property owners and the Community at large)
 - Double Dipping by Council
 - Diminution of public space
 - Inadequate infrastructure at Black Point (particularly water supply)
 - Determination of Fair Value is problematic
 - Conflicts between freehold landowners and leaseholders
- The reasons for setting aside the public reserve lands for community use were as valid at the time of the land division as they are now.

5. LAND REVOCATION PROPOSAL

5.3 Response from Council

- The Council expressed surprise at the depth of feeling expressed against the land revocation proposal.
- The Council resolved to enter into further consultation with the Black Point Community, and defer formal consideration of the proposal until May.
- Since the passing of the rescission motion on the safety walkways and the Council's withdrawal of funding, certain Councillors have sought to link the two matters of the boat ramp safety walkways and the land revocation.
- This means, in essence, that the Council is seeking to make the funding of the boat ramp safety walkways conditional on the Black Point community giving its support to the land revocation

5. LAND REVOCATION PROPOSAL

5.4 Position of BPPA

- The BPPA is not prepared to link the two matters; in our view, they should be considered on their individual merits
- The BPPA nevertheless has advised Council that it is prepared to develop a negotiated settlement on the safety walkways matter.
- The key is that the Council has to accept that:
 - (1) There are serious safety problems involved with the use of the boat ramp
 - (2) The Council has to take ownership of the problems .
 - (3) The Council needs to take steps to fix the problems without further delay via installation of the walkways
- We requested in writing that Council confirm their position on these three issues.
- Council now has a motion on foot to approve of the safety ramp works proceeding “if funding can be achieved outside of the Council’s Budget”.

5. LAND REVOCATION PROPOSAL

5.5 Next Steps

- It is clear that some “hard heads” in Council wish to see the Black Point community contribute further to the boat ramp project in some way so as to reduce the impost on the Council budget.
- A number of options have been considered by the BPPA Committee. These include:
 - Do Nothing
 - A “community loan” from DCYP
 - Raising bank debt by BPPA
 - A levy on BP ratepayers by the Council
 - A partial land revocation of the public reserve land (i.e. BP support for the sale of one allotment only)
- Extraordinary General Meeting (EGM) to be called once the BPPA Committee is in a position to recommend a preferred option

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CONCLUSION

CONCLUSION

- My sincere thanks to all the hard working members of the Committee
- Particular thanks to the members of the Sub-Committee involved in the Boat Ramp Safety Ramp project: Barry Noble, Patrick Hill, Bill Gill and Kym Woolford
- As my most recent “Deck Chair” editorial piece explained - we need more volunteers to join the Committee
- Very pleasing to see several of our younger generation of Black Pointers put themselves forward for election at this AGM
- As we have seen this year, with the boat ramp and land revocation proposal, we never know what challenges lie around the corner for us in “protecting what we have got” at Black Point.

CONCLUSION

(continued)

- In my very first “Deck Chair” editorial for the Winter 2014 Newsletter, I said that most of the work of BPPA will be on projects to achieve “incremental” improvements in our quality of living at Black Point.
- But I also said that from time to time, we are also likely to have “step-function” issues that we need to deal with.
- When these “step-function” issues arise, the role of the BPPA will be to **“marshal the facts to enable the Black Point community to make an informed and considered decision”**.
- This is precisely the situation we have now with the boat ramp and land revocation issues and why we will be calling an EGM in the near future.

LIFE MEMBERSHIP

NOW.... A SPECIAL PRIVILEGE FOR ME

**... THAT IS, TO AWARD A LIFE MEMBERSHIP OF
BPPA**

**THIS IS ONLY THE THIRD TIME IN THE HISTORY OF
THE BPPA THAT A LIFE MEMBERSHIP HAS BEEN
AWARDED.**



LIFE MEMBERSHIP: PATRICK HILL

1. Background

- Patrick has served for some 27 years on our BPPA Committee, starting with the former Black Point Shack Owners Association (BPSOA) in 1990.
- Patrick took over as Chairman of the Black Point Shack Owners Association from John Pattern and remained as Chairman until the AGM of April 2003... a period of 13 years.
- As such, Patrick has led the Committee through some very tough periods of negotiation including on:
 - Land division and Freeholding of Black Point Shack sites
 - 40 Year Leases for existing shack sites
 - Rental of Crown Land shack sites
 - Shack site Relocation Policy
 - Maxine Hawke Park
 - Boat Ramp
- His work on behalf of the Black Point community has been tireless – and the results which he (and the Committee) achieved with these critical matters has made an enormous contribution to the betterment of Black Point.

LIFE MEMBERSHIP: PATRICK HILL

2. Contributions

- The magnitude of the work involved in these various projects, and the achievements which were realised is testament to the tenacity and commercial expertise of Patrick:

1. FREEHOLDING

Some might consider the most significant achievement ever by the Committee of the BPSOA.

Fierce negotiations between BPSOA, Council and Government resulted in Shack Owners getting a freehold shack site adjacent to their existing Crown Land shack site. The original proposal by Government was that shacks as their leases expired from 1995 would need to relocate to Prodec owned land south of the old road.

2. 40 YEAR LEASES

At the time, Freeholding was achieved on adjacent land at Black Point other parts of the state were receiving freehold of their existing shack sites. BPSOA lobbied aggressively and achieved 40 year leases on the existing shack sites which meant that shack owners didn't have to move and could keep their shack for a further 40 years and be able to sell it during that period if it was inseparable with the adjacent freehold in the same name.

Final Lease Documents weren't finally negotiated until 2015.

LIFE MEMBERSHIP: PATRICK HILL

3. RENTAL OF CROWN LAND

During negotiations for freeholding and the forty year leases it was necessary to agree a new rental of the Crown Land shack sites. BPSOA again negotiated fearlessly with the Government. A final agreed annual rental was \$1000pa commencing year 2000 and escalated every 3 years. At present this is \$1588pa. Other shack communities in South Australia can currently pay up to \$10000pa.

This must be considered as another major achievement by the Committee of the BPSOA.

4. SHACK SITE RELOCATION POLICY

Forty Year Lease documents could not be finalised until an agreed Relocation Protocol could be established. The problem here was the Land Management Agreement required removal of seawalls when a Crown Land Shack Owner was relocating to a Freehold Site. It became evident when Shack 132 moved back and the neighbours were in danger of being washed away. Negotiations were protracted and took many years, but an acceptable policy was resolved and agreed with all stakeholders.

LIFE MEMBERSHIP: PATRICK HILL

5. MAXINE HAWKE PARK

Establishment of the Maxine Hawke Park commenced in 1999. A planning consultant (Ian Barwick) was engaged who produced a master plan. The park was originally surveyed and pegged out and construction was arranged and supervised by BPSOA with help from Council.

6. BOAT RAMP

Patrick has been a member of the Sub-Committee which achieved the construction of the boat ramp in 2014. He has continued to be involved since this time in developing a solution to the safety problems which became apparent post-construction.

LIFE MEMBERSHIP: PATRICK HILL

3. In Summary...

- Patrick has made an outstanding contribution to the Black Point Community over a long period of time
- The BPPA Committee has great pleasure in recommending to this AGM that Patrick be rewarded for his efforts with the bestowing of **LIFE MEMBERSHIP**.
- Patrick: we all owe you a great debt of gratitude
- **THANK YOU!**

AGENDA ITEM 5

TREASURERS REPORT

Andrew Clarkson

Adoption of Report

AGENDA ITEM 6

APPOINTMENT OF AUDITOR

Dr Guy Williamson

Thank you

AGENDA ITEM 7

APPOINTMENT OF COMMITTEE

- Nominations and Recommendations
- Vacancies
- Resolution

AGENDA ITEM 8

MEMBERSHIP SUBSCRIPTIONS 2018

- Confirming subscription fees for 2018

AGENDA ITEM 9

OTHER BUSINESS



CLOSE

THANK YOU FOR COMING

