

Hardwicke Bay Progress Association Inc



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Mr R Bruhn

Chief Executive Officer
District Council of Yorke Peninsula
PO Box 88
MINLATON SA 5575

30th January 2007

Dear Mr Bruhn,

**HARDWICKE BAY COMMUNITY SURVEY &
DEVELOPMENT ACT 1993 Section 30 (1) Review**

Council recently advertised seeking input from interested parties into the 5 yearly review of the Development Plan.

The Hardwicke Bay and District Progress Association advertised this review to the Hardwicke Bay community via the noticeboard at the Community Hall and the 'Progress Times', the newsletter of the Association. We have also discussed the Review at Committee meetings, when collecting membership fees during the last month and in informal discussions. We then held a General Meeting to further access the views of the community.

We were astounded by the extent of interest and the enthusiasm our community displayed in presenting their views on the future of Hardwicke Bay. We have submitted this representation to the Chief Executive Officer as many items that have been raised are not planning issues. Nevertheless they are most important to our community.

During our discussions one point that is clearly obvious is the quality and the value of the relationship members of this Association and the general Hardwicke Bay community have with Council officers and staff. Their attention and actions are appreciated. Although some recommendations within this report are being attended to by staff they are included to maintain the objective legitimacy of the representation.

SCOPE of this SUBMISSION

Our response has been prepared after considerable community consultation. After publicising the review a public meeting was held to discuss improvements to our township environment.

Our submission represents the views of the clear majority of members of the Hardwicke Bay community. They include land owners, residents and regular visitors. Any point that may be contentious has not been included and the parties have been requested to make independent submissions to Council. This is the most thorough review of our community's environmental desires yet undertaken and we believe it is both well researched and unbiased.

Many of the points raised in this submission may not be planning issues but are included so the Development Plan may interface with other programmes to implement our recommendations. Some recommendations are relevant following the Gazettal of the Bushfires PAR. This is important as the Hardwicke Bay township abuts both general and high bushfire risk areas.

To highlight the relevance of this submission we have aligned our recommendations with the objectives of Council's Strategic and Corporate Plan.

As the Development Plan must be reviewed every 5 years our response covers only our view of this period. Our recommendations should not have any negative long term impact but, if so, the Plan could be modified at the next review.

HARDWICKE BAY TOWNSHIP and HISTORY

This seaside settlement is located on the Spencer Gulf side of the Yorke Peninsula around 20 kilometres from Minlaton and 13 kilometres from Warooka. The small town of Brentwood is around 3 kilometres towards Minlaton.

The pristine sandy beach has such a gentle gradient that boat launching is usually carried out with a tractor or a four wheel drive. It is not only parents and children who love the safe beach. The sandy expanses and safe waters provide a popular sports and recreation area for people of all ages.

The community was originally established as a fishing shack area in the 1950's. It started as a row of seafront leasehold shacks. In the 1970's and 1980's adjoining farmland was divided to increase our township to now around 310 allotments. We understand that within the zoned township area only one building (an old farmhouse on Progress Way) was constructed prior to the 1950's.

The settlement has grown as the natural beauty of the beach, sand hills and location is more widely appreciated.

The sand hills both to the north and to the south are loved and respected by the community.

Dwelling construction is continuing and now provides us with a sizable community. As a relatively recent settlement it does not have any historical infrastructure. What is not within Hardwicke bay is listed and it is significant.

The facilities Hardwicke Bay does **not** have includes;

- A local CFS service
- Any fire hydrants
- Any CFS refill points
- Ambulance station
- First aid post
- Doctor or medical surgery
- Chemist
- Hospital
- Post office
- Hotel or gaming machines
- Caravan park or camping ground
- Jetty or boating marina
- Bank or ATM
- Restaurant
- Supermarket
- Butcher
- Hairdresser
- Church
- Police station
- School
- Retirement home
- Library or Council office
- TAB or Cross Lotto agent
- Hairdresser
- Hardware store
- Any off beach sporting facilities

Hardwicke Bay Township has only;

- Around 310 allotments (with potential for another 30) including around 250 residences, of which 25% are permanently occupied
- A community shop/ fuel supply (privately owned)
- A motor & marine repair shop (privately owned)

- A community hall (substantially funded & built by the community)
- Boat ramps to beautiful natural beaches and sand hills
- A public telephone (one was removed without notice earlier this month)
- Roads some sealed, some unsealed
- Public lighting
- Public toilet block (not on the passing STED scheme)
- Three public picnic areas (maintained by the community)
- A limited number of public rubbish bins

Adjoining the township

- STED plant entirely paid for by the users
- Water tanks being paid in entirety by the township
- Telephone exchange box (property of Telstra)

Almost all of the original leasehold shacks have been converted to freehold title. There is a noticeable improvement in the appearance of the buildings since this title change. Some have been rebuilt and many others are planned to undergo major building works.

Most of the infrastructure of Hardwicke Bay is relatively modern and (apart from the user funded water system) is debt free.

If the current stock of vacant allotments is developed and larger allotments divided, say over a 10 year period, Hardwicke Bay will have a population (persons per night, per annum) greater than many towns on the Peninsula. Each of these towns and other former historic coastal grain embarkation points contain infrastructure that was provided when they were significant economic centres. This lack of historic infrastructure is both an advantage and a disadvantage.

It can be clearly seen that our community is different from most other towns on the Peninsula and therefore the concept of universal planning zones with generic proposed uses is inappropriate for the Hardwicke Bay township.

Our enquiries of community members about their considered views can be summarised as follows. There is no particular reason for the order in which headings are listed and in some areas recommendations are not recorded but the intent of our community opinion is obvious. The objects of any future zone can be deduced from our comments herein contained.

HARDWICKE BAY GROWTH LAST 5 YEARS

Year ending	30/6/2001	30/6/2006
Total rating assessments	300	302
Vacant allotments	83	56
Total general rates	\$95,407	\$181,180

Service charges (water & STED)	nil	\$116,010
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Source District Council of Yorke Peninsula

The number of allotments has been increased from the number above following a recent land division. Currently there are around 60 vacant allotments with potential to divide at least a further 30. Using the average take up over the last 5 years as a base, there is around 10 years supply of land already divided. A further 5 years supply at the current take up rate can be divided within the existing zone boundaries. We understand the owners of both these larger sites have had discussions with Council.

OUR VIEW of the NEXT FIVE YEARS

The population of Hardwicke Bay is changing. There is a growing core group of permanent residents which is being supported by an ever increasing semi-retired population staying for longer periods outside the prime tourist season. The peak tourist season sees a population of around 1000 people. We expect all of these groups to increase during the next 5 years.

It would appear some fishing exclusion zones may be created. Perhaps larger boats will be required.

Our community is very conscious of our environment and water conservation will be more important. There is currently a shortage of building skills in the area and demand for these services is increasing.

Our community spirit is strong and growing. This is being seen by the increasing use of the community hall (which is to be extended to meet demand) and the development of resident working parties. These working parties maintain our beaches, remove rubbish, replant vegetation, clean up road sides, remove feral plants and maintain community recreation facilities. The very active Environmental Sub Committee of this progress association has just completed a substantial programme to remove some non native plants. This association does not want the responsibility that attaches to the application of pesticides, herbicides and animal baits.

There is a belief that the broader population is becoming increasingly less disciplined. This is being seen as non members of the Hardwicke Bay community speed through the township. They use the beach and sand hills as racing tracks. There is an increase in annoying, but so far, minor pilfering.

FIRE PROTECTION

The original plan for a water system at Hardwicke Bay contained a fire hydrant layout. Our community feels defrauded by the deletion of fire hydrants from the plans for our water system.

The system does not provide the fire protection contained in Council's prospectus. The system ran out of water earlier this year.

ETSA Utilities advise the public that power may be cut during bush fires. Our water pressure depends upon electricity.

Recommendations:

**Align with Strategic and Corporate Plan (hereinafter referred to as S&CP)
Community Services objectives 6&7**

Any expansion of the town area is to be bounded by a road as a fire separation zone.

Substantial fire separation zones should be constructed at the northern and southern extremities of the township. This should reduce the risk of fire spreading to or from the township. Very little work is required to provide these.

Gravity feed CFS access filling points be installed on Brentwood Road. These should be constructed using large diameter piping to permit a substantial water flow even without electricity.

ENVIRONMENTAL HEALTH

During holiday periods there are many visitors to this township. Not all are residents and the usual touring circuit includes unsealed roads and this raises a considerable amount of dust. This is a contributing factor to asthma attacks and other breathing complications.

The recent increase of Ross River Fever and other mosquito borne diseases is of considerable concern. Residents are treating rain water tanks to lower the surface tension and therefore stop these becoming a breeding facility.

There are several different varieties of non-native cacti growing adjacent to the beach. They have a particularly dangerous ragged leaf. Some children have had their feet cut and limbs scarred.

There have been localised infestations of fleas.

Hardwicke Bay is a holiday area with many people leaving the township at the end of a weekend. As they leave full rubbish bins are placed on the road side. They are not collected until the following Friday. Being located on the very road edge some are knocked over. Others, after this time in the sun, simply stink and have hosted a new generation of flies.

Recommendations:

Council seal all roads within the township but as a priority seal the southern loop road that connects to Southshore Road. This southern loop is only approximately an additional 150 lineal meters of road.

Aligns with S&CP Community Services objectives 2&4 as well as Infrastructure & Environment objective 1

To reduce areas where mosquitoes breed Council provide an annual hard rubbish collection. The first of these should encourage any item with the intent to remove old tyres, fridges and tractors. This will also provide a cleaner township easier to clear for fire protection as well as reduce breeding areas for vermin and mosquitoes.

Aligns with S&CP Infrastructure & Environment objectives 12 &13 as well as Community Services objectives 1, 2 &4

Pesticide tablets to control mosquitoes breeding in septic tanks should be made available to the Progress Association for distribution within our township. Council to provide information on the insect proofing of tanks.

Aligns with S&CP Infrastructure & Environment objectives 12 &13 as well as Community Services objectives 1, 2 & 4

Council should spray to kill non native cacti as well as provide appropriate advice on a replacement flora programme. This Association does not wish to be concerned with the application of herbicides but is most willing to assist with a replanting programme.

Aligns with S&CP Community Services 4

Fleas are being carried by feral animals and vermin. We seek the introduction of a program to remove all rabbits and wild cats from, initially the township and secondly, the sand hill reserves. Again our Association does not wish to be concerned with the laying of baits.

Aligns with S&CP Community Services objectives 1, 2, 3, 4 &5 as well as Infrastructure & Environment objective 5

Council assists with the connection of properties to the existing STED scheme. The system was paid for by donations and contributions as part of the shack free-holding programme cost. The current fee structure is a money grabbing deterrent and not in the interests of public health. This is particularly important in regard to smaller allotments or those near the sea front.

Aligns with S&CP Infrastructure & Environment objective 18 as well as Administration objective 22

Council immediately connect the public toilets to the STED system. The STED piping passes within meters of the existing foreshore located pump out tanks.

Aligns with S&CP Infrastructure & Environment objective 18

Council changes the rubbish collection day to a Tuesday. If Council finds it is not possible to reschedule the pick up programme a private contractor should be sought. A second service in the weeks after Christmas and New Year should be considered. The current situation is a serious public health issue.

Aligns with S&CP Infrastructure & Environment objectives 12 & 13

PUBLIC & ROAD SAFETY

As a holiday area there are many children visiting and playing on or near the beach. As they enjoy themselves they are less concerned about safety.

There is a problem with vehicles many involving under aged operators on unregistered motor bi, tri, or quad bikes speeding within the township and along the beach.

During holiday periods there appear many unrestrained dogs within the township.

There are two intersections along the Minlaton-Warooka Road that connect to Hardwicke Bay township. The northern junction involves traffic from 5 directions and is located on a crest and a bend on the main road. The southern intersection with Cutline Road is on a narrow stretch of road and is difficult to identify at night.

Many visitors are unaware of walkways and play grounds and speed past these poorly signed areas.

Recommendations:

Council restrict the movement of vehicles along the beach, from the southern boat ramp and the northern most shacks, so as to permit only vehicles launching and retrieving boats or passing through the section. A speed limit of 10 km per hour must apply within this area. A physical barrier preventing vehicles driving between the two boat ramps should be constructed.

This aligns with S&CP Infrastructure & Environment objectives 1,2,16 & 23.

Council formalise a 40km/h speed limit throughout the township. These speed restriction zones as well as junctions with public walkways should be prominently sign posted.

This aligns with S&CP Infrastructure & Environment objectives 1,2,16 & 23.

Council's dog control officer polices unrestrained animals within the township particularly during holiday periods.

Aligns with S&CP Community Services objectives 2 & 5

The township public lighting system must be extended to cover both the intersections on the Minlaton-Warooka Road to enable them to be clearly identified at night. The road should be widened to permit the construction of turn right lanes to avoid rear end collisions and the road edges be extended.

This aligns with S&CP Infrastructure & Environment objectives 1,2,16 & 23.

SAND HILL & FORESHORE PROTECTION

We are concerned about the breeding of feral animals within these beautiful areas. A minority of motor bike riders access these dunes.

There are some areas of noxious weeds, including boxthorn and Lincoln weed, and they are spreading. These weeds are now also appearing within the township and on farmland adjoining the coast.

At the end of Boundy Court are the unsightly and dangerous remains of an abandoned boat launching ramp. Vehicle access to this area has been blocked. These remains should be removed.

INAPPROPRIATE LAND USES

It can be seen we have a sensitive environment and limited supporting infrastructure. Our township, as it is currently configured, is not appropriate to many uses that may be approved “subject to merit” under the current development plan.

Recommendation;

The existing zones are to be replaced with a ‘Residential Hardwicke Bay Zone’ and a ‘Local Commercial Zone,. That Local Commercial Zone is addressed later. This ‘Residential Hardwicke Bay Zone’ should additionally include as non complying development the following uses:

- Caravan park
- Hotel
- Motel with in excess of 6 rooms
- Any premises seeking a licence pursuant to the Liquor Licensing Act
- Camping ground
- Residential village with a density of less than 1 unit per 400 square metres.
- Any commercial use (other than those described below) that trades directly with the public from those premises.

This aligns with S&CP Infrastructure & Environment objective 14

We do seek to support those trade’s persons who live and operate from Hardwicke Bay. They may require larger shedding, a home office and business identification signage.

This aligns with S&CP Economic Development objectives 3 & 4.

A separate zone for Hardwicke Bay may assist Council to meet the requirements of the Local Government (Financial Management) Variation Regulations (2007).

PROPERTY SECURITY

In recent years there has been an increase in minor theft. Much of this is not reported to the police.

The theft includes; fuel from boats, tractors, motor vehicles, as well as, boat fittings, fishing gear and unattended possessions.

There have been several property break-ins and boats stolen. Hardwicke Bay permanent residents are observant and provide an unofficial neighbourhood watch. This is more evidence of a strong community.

Recommendations;

All properties be permitted (subject to it not exceeding 6 metres of street frontage or 40% of the street frontage) to construct garaging to house; 2 vehicles, a tractor & boat. This requires a minimum area of 60 square metres.

SA Police are to be requested to show a presence in the township as well as be observant for vehicles within the sand hills and vehicles speeding within the 40 km per hour zone.

Council should conduct a review of street lighting to ensure it meets the relevant Australian standard.

The above recommendations align with S&CP Community Services objective 8

BUILDING STYLES & MATERIALS

The current development plan prescribes materials that may be used to construct buildings. It also prohibits second hand materials and that is not in line with current recycling practices.

Recommendation:

The Development Plan permit the tasteful use of sound recycled materials and emphasise the quality of design and standard of finish rather than prescribe a list of non approved products.

This aligns with S&CP Infrastructure & Environment objective 13 &14 as well as Community Services objective 8

ENVIRONMENTALLY SOUND DEVELOPMENT

The Hardwicke Bay community is most conscious of the environment and the future predictions of climate change, shortage of water and the pressures on our energy supply. The community supports Australian native flora.

Recommendations;

The development plan encourages the use of sun shading and verandahs. The area of these verandahs or shading is not to be assessed as building area in places where there may be a site restriction.

Designs that maximise natural light use be encouraged.

The use of solar hot water systems and, when economical, solar voltaic cell technology is to be promoted.

The insulation of buildings is to be promoted.

The provision of a main roof area fed rainwater tank with a capacity of not less than 22,500 litres is to be mandatory. This supply must be in parallel with the restricted pressure service within the area. That low pressure service must not fill directly to the rain water tank.

Landscaping plants are to be low water demand native species. Any lawn area is to be planted with a low water demanding or drought tolerant grass.

Two storey development is to be encouraged on small allotments to reduce the site area of buildings and provide off street car parking. This will also provide better fire separation between buildings.

Where possible, and where the cost is not greater than a septic system, new buildings be connected to the STED system.

The above recommendations align with S&CP Infrastructure & Environment objectives 18, 19, 25 as well as Community Services objectives 7, & 8

ZONE BOUNDARIES

As the planning review covers the next 5 years we consider there is sufficient vacant land within the existing boundaries to satisfy demand within that period. There are areas yet to be divided together with a supply of vacant allotments. Some of the new buildings constructed within the township replace obsolete structures. Many owners have rebuilding plans.

The predicted demand for land can be satisfied from the stock of existing allotments. There is no market demand to increase the township boundaries within 5 or even 10 years.

Allotment sizes connected to a STED scheme need not be as large as those currently required.

There are two reserve areas eastward of Southshore Road to adjoining farmland and between Northshore Road and the Esplanade. We believe they are subject to a Native Title Claim.

The free-holding of shacks is all but complete and those issued titles all have Land Management Agreements registered on the titles. These agreements are most comprehensive. They cover future development and provide building envelopes.

They were negotiated with the relevant Government Department and accepted by the Development Assessment Commission at the time of freeholding. It is inappropriate to confuse the intent of these agreements with conflicting zoning conditions. This is significant as it covers in excess of 50 properties. The existing separate Urban Coastal Zone now has no use and is obsolete.

Recommendations:

The two reserve areas should be zoned as being similar to the southern sand hills so as to be consistent with their use. They are currently inappropriately zoned Holiday Settlement.

This aligns with S&CP Infrastructure & Environment objectives 5&14 and most importantly Governance objective 7.

The area separately zoned as Urban Coastal that is protected by land management agreements is to be included in the new 'Residential-Hardwicke Bay Zone'.

This aligns with S&CP Infrastructure & Environment objectives 5 & 23 as well as Community Services objective 8

LOCAL COMMERCIAL ZONE

There are three properties along Progress Way that are not residential. They are; the community hall, the motor repair station and the local shop/fuel outlet.

The current zoning restricts the uses and confuses any right of expansion to match increasing demand. The current zoning is unattractive to banks as security.

Recommendation:

These three allotments are to be rezoned to Local Commercial with similar characteristics to the like named zone within Point Turton but permitting a motor repair station, retail liquor merchant and allowing strong signage visible from the passing Minlaton-Warooka Road.

This aligns with S&CP Economic Development objectives 3 & 4 as well as Infrastructure & Environment objectives 16, 24 &25

COMMERCIAL ADVERTISING

Our community is proud of its commercial members and we wish them to be successful. Businesses located within the “Local Commercial Zone” should be permitted to be prominently advertised.

Those businesses elsewhere within the township should be permitted reasonable identification signage.

Roadside advertising promoting a Hardwicke Bay business but not a third party product should be permitted within 1 kilometre of the township.

Any charges for these signs should respect the highly seasonal nature of these enterprises and take into account the cost to Council.

This aligns with S&CP Economic Development objectives 1, 2, 3, 4&5

OUR FINANCIAL CONTRIBUTION TO THE COUNCIL

The Hardwicke Bay community contributes around \$290,000 per annum in rates and service charges. The general rates have increased at an average lineal rate of just under 20% per annum over the last 5 years. This is far greater than the CPI or the advertised annual increase in rates.

Over the last 5 years the cost of grants, infrastructure works, rubbish collection, public lighting and other services provided by Council are far less than the total rates collected within our township.

As our community is such a strong positive cash flow for Council we consider all of the above recommendations can be funded with financial ease. Many of the recommendations are cost neutral.

We trust Council will consider these points and we hope our comments may be of assistance with the preparation of a Regulation 5A Business Plan. If Council develop contrary views we seek to discuss the logical basis for these. We seek timely feed back on these points.

This aligns with S&CP Governance objectives 1, 3 &15

We have stated our community spirit is strong and we are prepared to assist Council with the implementation of these recommendations. Members of our executive are happy to meet with Council officers on site to identify our concerns.

We request the opportunity to address any public meeting on planning matters and seek a meeting with our ward Councillors and yourself to establish a programme to implement these recommendations.

Yours faithfully,

Elizabeth Dau
Secretary
Hardwicke Bay Progress Association Inc
Signed pursuant to a resolution of the General Meeting

The Hardwicke Bay Progress Association Inc is a totally independent community association and has NOT been established pursuant to Section 41 of the Local Government Act 1999.

Copies forwarded to;

The Hon Mr R Agnew	Mayor
Cr J Cook	Ward Councillor
Cr G Dodd	Ward Councillor
Cr R Nicholls	Ward Councillor
Ms S Fogarty	Planning SA