

PEACEFUL BAY PROGRESS ASSOCIATION INC

Peaceful Bay WA 6333

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Peaceful Bay Freehold/Strata Community Forum

Saturday 19th April 6.30pm

at the Peaceful Bay Fire Shed

Introduction

The meeting was chaired by Callum Baxter, President of the Peaceful Bay Progress Association. Shire of Denmark Councillors, Kelli Gillies and Roger Seeney were present to help answer questions. Notes were recorded by Emma Holland, Secretary of the Peaceful Bay Progress Association.

139 entries were recorded on the attendee list. In several instances 2 or more members of one family are shown as one entry. Estimated number of attendees was at least 150. The attendee list is attached.

Welcome

Thank you for attending. This Community Forum was established to answer questions and, more importantly, let the Community have their say (make statements) on the current Freehold/Strata proposal by the Shire of Denmark.

The role of the Peaceful Bay Progress Association is to make sure the Community is fully informed of the Freehold/Strata proposal and to facilitate the exchange of information between the Community and the Shire of Denmark.

An information sheet was handed out, along with a blank submission form for written submissions to the Shire of Denmark.

Each cottage was strongly encouraged to lodge their written submission with the Shire of Denmark, and send a copy to the Peaceful Bay Progress Association for its records.

Questions

- What will happen when leases expire?

The leases may or may not be renewed in 2031.

- Who currently owns the land the cottages are on.

The cottages are situated on an A Class reserve which is managed by the Shire of Denmark who has power to lease.

- How much will it cost to convert to freehold?

Based on the figures presented in the TME Report it will cost approximately \$150 000 per block. (Ref Figure 11 Peaceful Bay Normalisation Pre Feasibility Report June 2013 TME).

- If we did move away from Leasehold why is Freehold preferred over Strata Title

Freehold is preferred over Strata Title because the costs and administrative burden on the Corporate Body required to manage the area would be very large.

- Will the Denmark Shire be developing additional lots and when?

The current proposal only deals with the existing 203 leasehold lots and does not include the development of additional lots. However, the Peaceful Bay Local Structure Plan (2000) shows additional freehold lots adjacent to the existing freehold area. (Ref Figure 7 Peaceful Bay Normalisation Pre Feasibility Report June 2013 TME).

- I live in the freehold. Will I need to pay to connect to the services provided?

Yes, that is very likely.

- Have other options been explored for the feasibility study (stage 1)?

No, there are currently no other companies engaged to look at other options.

- Will different companies be asked to tender for the feasibility study (stage 1)?

Yes, it is likely that other companies will be asked to tender.

- What is the view of the Progress Association on the Freehold Strata proposal?

The Peaceful Bay Progress Association does not currently have a view on the proposal and will be guided by the Community via results of the written submissions so it is very important that leaseholders lodge a written submission.

- What are costs associated with only going freehold and not including the infrastructure costs?

Freeholding can't occur without the infrastructure because approvals would not be given. Construction cost is shown in the TME Report (Ref Figure 11 Peaceful Bay Normalisation Pre Feasibility Report June 2013 TME).

- Did the request for written submissions go out to all residents of the Denmark Shire or only the 203 lease holders?

Only the 203 leaseholders.

- If freehold goes ahead who will the developers be?

Under the current proposal the developer will be the Shire of Denmark (Ref page 33, Peaceful Bay Normalisation Pre Feasibility Report June 2013 TME).

- Will there be additional annual costs if the decision to go freehold goes ahead?

Yes. The Shire of Denmark is proposing to have the 203 leaseholders pay for cost associated with stage 1 – approximately \$4,600 per block payable over a four to five year period charged in addition to the rates annually.

- If the decision is made to freehold and the costs of infrastructure is much greater than estimated, who bears the cost?

The leaseholders will bear the cost. However firm costing will be presented at the end of stage 1 and leaseholders will have the opportunity to opt out at that point.

- What is the heritage listing on the leasehold lots at present time?

Cottages within 1st to 4th, East, Central and West Avenues and surrounds have been recognised as having heritage value as per the Peaceful Bay Heritage Precinct Report dated Dec 2003. The Shire of Denmark has adopted some of the recommendations from the 2003 report with Town Planning Policy 35 Peaceful Bay Conservation Plan Development Guidelines. Currently the relevant bodies are aware of the potential heritage values of the precinct, however it would take further effort to achieve significant formal recognition.

- Does gazettal of Peaceful Bay as a town site change the outcomes of going freehold?

No. Gazettal of the town site simply allows the Shire to enforce local laws, eg parking and dogs on leads, etc.

- What steps have been taken by the Shire of Denmark to raise money for the feasibility study (i.e. stage 1)?

The Shire of Denmark is proposing to have the 203 leaseholders pay for cost associated with stage 1 –approximately \$4,600 per block payable over a four to five year period charged in addition to the rates annually. Additionally the TME Report suggests the Shire of Denmark should seek government grants (Ref page 34 Peaceful Bay Normalisation Pre Feasibility Report June 2013 TME).

- How much will the feasibility study (stage 1) cost?

Estimated total cost of stage 1 is \$935 000. \$935 000 divided by 203 leasehold lots is \$4,606 per lot.

- When will the feasibility (stage 1) money be required?

It is anticipated that payment for stage 1 can be paid over 4 years and be levied annually separate to lease fees and rates.

- When will the valuer general put values on the properties?

Firm pricing of the lots will be determined at the end of the Business Plan phase of stage 1. Leaseholders will be asked again at the end of the Business Plan phase if they wish to proceed. The value of the lots is to be determined by independent evaluation (e.g. Valuer General).

- Have the Water Corporation been consulted on costs regarding sewerage infill?

No. Costs can only be determined for sewerage infrastructure if Council proceeds to the feasibility study (stage 1).

- What will happen in 2031 when leases expire and I can't afford to pay for freehold?

If freehold proceeds and you have decided not to participate then your lease will expire in 2031. At that point you may remove the cottage. But, be assured that your existing rights under the current lease will be secure until 2031.

- If the decision is made to freehold and the leaseholder does not purchase their block can I sell my lease to someone else?

Yes, lease transactions can continue as they have done. But there is likely to be an impact on the market price.

- If many people need to sell the lease at the same time towards the end of the current lease, will the value of the cottages go down?

If freehold does proceed and you have decided not to participate then nearing 2031 it will be very difficult for you to sell your lease.

- Will curbing and straightening of the road be added to the cost of going freehold?

The TME report recognises the low key pedestrian character of the heritage precinct and states that these values should not be unduly compromised. (Ref page 20 Peaceful Bay Normalisation Pre Feasibility Report June 2013 TME)

- Why is the cost of land so expensive compared to the similar sized lots in Albany?

We are not real estate agents but understand it is very rare that a lot can be purchased for under \$150,000 in Albany in a similar sea side locality. The average cost per lot of around \$150,000 is in line with that of similar projects which are currently progressing. (Ref page 30 Peaceful Bay Normalisation Pre Feasibility Report June 2013 TME)

- Has ground water monitoring been done and is there evidence of contamination? Where can I find the data for past surveys and recommendations?

Monitoring of ground water has been undertaken by the Shire of Denmark over a number of years. The Shire should be contacted for the data for past surveys and recommendations.

- Is there evidence that the water tanks and septic tanks are not working?

None that we are aware of.

- How many votes per leasehold property?

Only one written submission per leasehold property. One cottage , one vote.

- If we convert to freehold will residences need to comply with building regulations?

Yes, just as you currently need to comply with building regulations.

- Will the caravan park benefit from the deep sewerage infrastructure?

Yes. If deep sewerage infrastructure is installed then the caravan park is likely to be required to connect. But, please bear in mind that deep sewerage for freehold may not happen immediately and that the use of aerobic treatment units (ATU's) on each property could be an acceptable interim solution (Ref page 23 Peaceful Bay Normalisation Pre Feasibility Report June 2013 TME).

Information Sheet and Blank Submission Form

See attached

Statements

The following statements were made by community members at the forum.

- Let all the leaseholders work as a group together and be proactive (... to continue leasehold?). Let's formulate our ideas and approach the government to stop it getting out of hand.
- Comparisons with Coral Bay Leasehold lots. We need to act conservatively to retain control over our land. Freehold is the best solution.
- Five years ago it was proposed to cost \$14 000 000 to convert to deep sewerage. Now the costs have jumped to \$26 000 000.
- Comparisons made to Burns Beach. Leaseholders were given 3 options in the Burns Beach conversion to freehold. 1. Owner can pay for the full value of the lot of land. 2. Increments can be made over the term of the lease to pay for the lot of land. 3. The balance owing at time of sale of the lot is made by the purchaser. We need to consider all options as the population is increasing on the south coast and putting pressure on Peaceful Bay infrastructure.
- We must be wary of the environment and ensure actions are put in place to protect it.
- The heritage values of Peaceful Bay have been recognised. If the change is made to go ahead with freehold it may be difficult to keep the heritage values. I don't want Peaceful Bay to be regarded as "normal", rather as "unique".
- If the waste treatment plant is installed I am concerned that other infrastructure will be installed which will lead to many changes.
- The caravan park must be causing more impacts on the water table than the cottages. The caravan park has been enlarged but the services have not.
- Don't be bullied into thinking that the leases will not be renewed in 2031.
- I feel lease holders should get their own independent advice from a solicitor to ensure that you are clear and concise about your rights.
- The caravan park has not been offered the option of Freehold.

Close of Meeting

Thank you all for coming and participating in this Community Forum. A reminder - it is very important that you lodge a written submission with the Shire of Denmark and please send a copy to the Peaceful Bay Progress Association for our records. Close of Meeting – 8.45 pm.



FREEHOLD/STRATA COMMUNITY FORUM

Saturday 19th April 6:30pm

Peaceful Bay Fire Shed

The Shire of Denmark has provided pre-feasibility information to the Community to convert the 203 Leasehold lots at Peaceful Bay to Freehold or Strata Title. The Community has been given the opportunity to consider this proposal and you will be asked to provide written comment.

The Peaceful Bay Progress Association has participated throughout the pre-feasibility study and is fully informed. All information from the pre-feasibility has been made available to the public for approximately 6 months.

It is the view of the Peaceful Bay Progress Association that it is not a question of 'why can't Peaceful Bay stay leasehold after 2031?' it is more a question of 'will Peaceful Bay stay leasehold after 2031?'.

POSITIVES	NEGATIVES
• Security of tenure (you will own the land) • Financial gain over time (prime real estate) • Solid inheritance to many generations (property stays secure in your family) • Infrastructure (drainage, etc)	• Cost (too expensive for some) • May change the feel of Peaceful Bay (permanent population)

As a member of the Community you **must have your say**. You must **complete a written submission** to the Shire of Denmark **with your view**. These can be brief and completed on the forms provided. This will be **your 'vote'** for or against and it **is important**.

For example, 'I support freeholding of the lots at Peaceful Bay because it will provide security of tenure.'

Or conversely, 'I do not support freeholding of the lots at Peaceful Bay because I am not in a position to afford the suggested purchase price.'

Due date for submissions is 16 May 2014 and please send a copy of your submission to the Peaceful Bay Progress Association for our records.

SUBMISSION – Peaceful Bay Normalisation Pre-Feasibility Report

Your submission needs to be received at the Shire Administration Office **by 4.00pm, Wednesday, 16 July 2014.**

For ease, you may complete this form and forward it to the Chief Executive Officer; alternatively you can write your own letter or email.

Should you wish to only complete responses to the 24 Conclusions of the Report then please complete the form over the page.

In addition you are welcome to make submission / comment in relation to the Peaceful Bay Normalisation – Pre-Feasibility Report using the following free-format page.

To
Mr Dale Stewart
Chief Executive Officer
Shire of Denmark
PO Box 183
DENMARK WA 6333
Email: enquiries@denmark.wa.gov.au

Date: _____
[PLEASE WRITE THE DATE]

Dear Mr Stewart

[illegible]

Regards

[PLEASE PROVIDE YOUR NAME, ADDRESS & CONTACT DETAILS]

You are welcome to attached additional pages.