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<b>SUBMISSION TO:</b>	<b>Administration</b>
<b>AGENDA REFERENCE:</b>	10.4.4
<b>SUBJECT:</b>	Bremer Bay Youth Camp
<b>LOCATION/ADDRESS:</b>	Lot 155 Bremer Bay Road Bremer Bay
<b>NAME OF APPLICANT:</b>	N/A
<b>FILE REFERENCE:</b>	
<b>AUTHOR:</b>	Brent Bailey
<b>DISCLOSURE OF ANY INTEREST:</b>	Nil
<b>DATE OF REPORT:</b>	12 <sup>th</sup> June 2015

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## **SUMMARY**

In March 2015, Council approved the leasing of lot 155 Bremer Bay Road Bremer Bay to Megatime Pty Ltd. The 5 year lease term has been advertised for public submissions in accordance with the Local Government Act 1995. Two submissions were received which opposed the proposal which requires Council formal consideration. One other submission was made seeking a reinstatement of a group accommodation facility at the site.

## **ATTACHMENT**

Submissions received on the proposal to lease Lot 155 Bremer Bay Road.

## **BACKGROUND**

The Bremer Bay Youth Camp was established by the Shire of Gnowangerup in approximately 1971. Following the removal of dilapidated amenities from the site in 2010 the Shire entered into a lease arrangement with Megatime Pty Ltd for the land and since that time it has been used as a camping ground extension to the main caravan park facility.

The original lease term was 5 years which will conclude in September 2015. Megatime Pty Ltd approached the Shire formally requesting a further lease term of 5 years with a 5 year option. Council in March 2015 opted to enter into a 5 year lease with no option and advertise the proposal as required by the Local Government Act 1995. It was noted that Council wanted the opportunity to review and determine the sites best economic and community function after the 5 year term rather than a 10 year time period.

One submission has been received which is opposed to the proposed lease. There were two other submissions made which promote a new facility being constructed on the site to meet the demand for group accommodation and wider community uses.

At present there are no identified projects or plans within the Shire's Community Strategic Plan or Corporate Business Plan to undertake any significant development on the site.

## **CONSULTATION**

Public advertising has been undertaken in relation to this proposal.

## **COMMENT**

The following table provides a summary of the submissions received on the proposal;

Name	Summary of Submission
Mr Nathan McQuoid	Supports a short term lease of the site on proviso that: 1) Council seek and plan the Youth Camps reinstatement with community input. 2) That the site is not altered during the lease period. 3) No expectations on further leases of the site are developed.
Mr Matt Atkinson	Opposed to the proposed lessee having exclusive access to the site and would prefer a shared use arrangement. Supports reinstating a facility at the site to its former service level.
Dr Ian Weir	Detailed submission on the history of the facility including the ECU Labs and is opposed to the 5 year lease on the grounds that it will eliminate the site from consideration regarding future group accommodation in Bremer Bay. Highlights the suitability of the site for group accommodation compared to other sites in Bremer Bay (namely the Sports Club) and requests that Council reinstate a similar community facility.

The three submissions which were received are based on a common theme for reinstating the Youth Camp to replicate the infrastructure and service which was provided in the past. At present the Shire has not identified this project within its Strategic Community Plan or Corporate Business Plan and further planning and funding processes will need to be completed should this direction or alternative infrastructure investment at the site be endorsed further by Council and the wider community. As such the short term lease which is proposed would provide management over the site and a revenue stream while the future of the site is considered and determined.

The proposal for non-exclusive access to the site would be problematic to implement and would be beyond the organisations current capacity to manage and implement. There is also no clear differentiation in product between the proposed use and anything that the Shire would be able to implement for community groups over the coming 5 years.

## **STATUTORY REQUIREMENTS**

The Local Government Act 1995 applies to this proposed land transaction. Section 3.58 of the Act requires a local government to perform certain functions prior to disposing of land.

### **3.58. Disposing of property**

(1) In this section —

**dispose** includes to sell, lease, or otherwise dispose of, whether absolutely or not;

**property** includes the whole or any part of the interest of a local government in property, but does not include money.

- (2) Except as stated in this section, a local government can only dispose of property to —
- (a) the highest bidder at public auction; or
  - (b) the person who at public tender called by the local government makes what is, in the opinion of the local government, the most acceptable tender, whether or not it is the highest tender.
- (3) A local government can dispose of property other than under subsection (2) if, before agreeing to dispose of the property —
- (a) it gives local public notice of the proposed disposition —
    - (i) describing the property concerned;
    - (ii) giving details of the proposed disposition; and
    - (iii) inviting submissions to be made to the local government before a date to be specified in the notice, being a date not less than 2 weeks after the notice is first given;
- and
- (b) it considers any submissions made to it before the date specified in the notice and, if its decision is made by the council or a committee, the decision and the reasons for it are recorded in the minutes of the meeting at which the decision was made.
- (4) The details of a proposed disposition that are required by subsection (3)(a)(ii) include —
- (a) the names of all other parties concerned;
  - (b) the consideration to be received by the local government for the disposition; and
  - (c) the market value of the disposition as ascertained by a valuation carried out not more than 6 months before the proposed disposition.

## **STRATEGIC IMPLICATIONS**

This item largely relates to the tourism industry which is covered by Aspiration 9: An economically diverse community where primary industry is supported by a strong secondary and service industry.

## **FINANCIAL IMPLICATIONS**

The Shire of Jerramungup would receive \$15,500 for the lease of this site indexed annually by 3% if the 5 year lease is formalised.

## **POLICY IMPLICATIONS**

Nil

## **VOTING REQUIREMENTS**

Simple Majority

## **RECOMMENDATION**

**That Council;**

- 1. Note the submissions received for the proposal to dispose of a portion of Reserve 24619 via lease to Megatime Pty Ltd by lease for a period of 5 years.**
- 2. Affirm its decision to lease the site for 5 years to Megatime Pty Ltd based on the requirement for further planning and consideration of the sites future being consistent with the lease term being offered.**
- 3. Authorise the Shire President and Chief Executive Officer to execute the lease agreement and register the lease with the Minister for Lands.**
- 4. Undertake to engage with the community regarding the long term future of the site in the next review of the Community Strategic Plan.**