

# Hon Paul Brown MP

Member of Parliament

Hon Simon O'Brien MLC  
Chairman  
Standing Committee on Environment and Public Affairs  
Parliament House  
West Perth WA 6005

May 11, 2016

Dear Mr O'Brien

***Petition No: 116 – Point Moore Leases – Geraldton Western Australia 6530***

## **Submission**

I confirm that I have not taken any action on this issue with the Parliamentary Commissioner for Administrative Investigations.

The seaside suburb of Point Moore has existed since the 1960's under lease, via a management order from the Department of Lands to the City of Greater Geraldton. The Point Moore beach cottages have a rich history and hold a special place in the hearts of the Geraldton community.

Apart for their historical value to the community, the Point Moore beach cottages have also played a very important role in the social fabric of the community, evolving from holiday cottages by the sea, to being a means of affordable housing for those less fortunate, and particularly for pensioners.

Currently, there are 176 beach cottage blocks and a commercial caravan park under lease with the City of Greater Geraldton, with three different lease expiry dates being 2025, 2028 and 2042.

The City of Greater Geraldton (CGG) has indicated that it will not renew residential leases beyond 2028 until detailed studies are prepared on what the CGG considers to be the following risk factors:

- Coastal inundation/coastal protection assessment
- Environmental assessment; and
- The unknown conformity with state coastal legislation requirement of the septic tank systems used in Point Moore.

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The CGG has recently tabled a coastal inundation/coastal protection report, and with support from the Department of Water commissioned a report into onsite effluent treatment and disposal in Point Moore. The tabling of the effluent treatment and disposal of the area will ascertain if there are any environment concerns.

Both reports will allay the fears of the CGG and allow for a way forward to see the renewal of residential leases beyond 2028. The residents of Point Moore are also seeking consistency across the various lease conditions to ensure equity. Currently, there are three lease expiry dates – 2025 and 2028 for the beach cottages and 2042 for the Belair Caravan Park and Lifestyle Village. Point Moore residents are requesting that their residential leases are consistent with the Belair Caravan Park and extended until 2042.

The variation in the lease terms are derived from both State and local planning laws, also containing a variety of local government rates discounting across the leases. Certainty of lease continuation for all parties until 2042 will provide equity and also alleviate the concerns of, and the anxiety felt by Point Moore residents, particularly those who are elderly, and/or financially disadvantaged.

It is understood that the City of Greater Geraldton does have a responsibility to its ratepayers to mitigate risk, but it is also a requirement of good government at all levels, to ensure social sustainability, through maintaining mutually beneficial relationships with their communities.

Currently there is considerable concern for lease owners at Point Moore, primarily due to the inequity in the variable time frames that existing leases reach expiration. The residents here have made significant contribution to the amenity of the Point Moore area and fear that without resolution of the leases being extended through to 2042 there will be an erosion of the amenity and value that this area has provided to residents. As lease expiration becomes imminent in less than a decade for many residents it is likely that the standard of maintenance of buildings will decline and that many of the elderly residents will be faced with economic ruin for no other reason than bureaucratic inertia.

I believe that the CGG can maintain the leases at Point Moore indefinitely through a series of 'soft' legal mechanisms, such as a risk disclaimer on lease documents and through notification in entry points to the area. In my recent discussions with most residents of Point Moore, I am reassured that they are collectively of the belief that reasonable steps that would mitigate future risk for the City of Greater Geraldton would be accepted.

The residents of Point Moore are also willing to actively engage with the City of Greater Geraldton, as Manager of the land agreement on behalf of the Department of Lands, to negotiate all existing leases being voided once an all-encompassing lease for all residents through to 2042 is agreed to.

As such, I am seeking the support of the Minister for Planning and the Minister for Lands to work together with the City of Greater Geraldton and the residents of Point Moore to provide lease certainty to 2042 and beyond.

Yours Sincerely

A handwritten signature in black ink, appearing to be 'Paul Brown', with a long horizontal flourish extending to the right.

Hon Paul Brown MLC  
Member for the Agricultural Region