



Peaceful Bay Lease Renewal Policy

1. BACKGROUND

The Shire has 203 “holiday cottage” leasehold lots at Peaceful Bay on Deposited Plan 220017, within Reserve 24510, with power to lease for a period up to 21 years, subject to the consent of the Minister for Lands.

The leases were last renewed for 21 years in 2010 and all expire in the year 2031.

2. DEFINITIONS

Premises is as defined in the lease.

Substantial development means development undertaken at the premises that has:

- a) Received development approval and/or a building permit where required under the relevant legislation with a value of \$50,000 (ex GST) and above; or
- b) Such other renovations and improvements to the premises as determined by the Shire of Denmark to constitute substantial development and with a total value of \$50,000 (ex GST) and above.

CEO means the Chief Executive Officer of the Shire of Denmark.

3. PURPOSE

To permit a new 21-year lease to be entered into to provide lessees with security of tenure, in any of the circumstances identified in this policy.

4. POLICY

Council will permit a new 21-year lease under the following circumstances;

- A. Assignment of lease (sale);
- B. Assignment of lease – on bequeathment; or
- C. Upon completion of substantial development of the premises.

5. CONDITIONS

- 5.1 This policy will not operate retrospectively.
- 5.2 The lessee will be responsible for all associated costs, including any fees associated with registration and de-registration of a lease through Landgate.
- 5.2 The lease will be in accordance with the template adopted by the Council on [15 November 2022 / Resolution No. 151122].
- 5.3 The annual rent will be determined as per the most current market rental valuation for the leasehold lots at Peaceful Bay.

6. APPROVAL PROCESS

- 6.1 An inspection will be carried out to determine whether the premises, including all improvements, is compliant with any statutory requirements and is in a fit state to be leased. The lessee will have an opportunity to rectify any non-compliance or works requests prior to final determination of the application.
- 6.2 The CEO will determine each request for a new lease and if approved, the disposal will be in accordance with Delegation 1.2.18 (Disposing of Property).

7. RECORDING REQUIREMENTS

All documentation will be recorded on the relevant assessment file.

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