

**City of Greater Geraldton – DRS219 – Lease of Portion of Crown Reserve 50100 – Sea Container Café  
Schedule of Submissions**

<b>Number &amp; Date</b>	<b>Submitter</b>	<b>Nature of Submission</b>	<b>Comment</b>	<b>Recommendation</b>
1 7 May 2015	Private Submission	Concern over another building on the foreshore. Proposal is against council resolution which is being disregarded. Is there any legal requirement for council/councillors to adhere to a resolution made?	Acknowledgement of concerns raised and issue has been clarified in the draft policy.	Note submission
2 13 May 2015	Private Submission	Concerns regarding the proposed location on the foreshore when other locations are available to lease in the CBD. Lease fee for 24m <sup>2</sup> and not for the extra 100m <sup>2</sup> . The proposal does not fit the definition of a “Pop Up” Café. What financial and community benefit is there to have a café in this location? The City should have given public tenders to develop a business on the foreshore.	<ul style="list-style-type: none"> <li>• Acknowledgement of concerns raised. The proponent approached the City with a concept that was believed to have merit, the concept was the proponents idea. The question considered by officers was “should the City then have taken that idea and offered it to others to put a bid in?” There has to be recognition that someone had an idea, it had value and be supported. The process for the potential ground lease is advertised, it does not stop others from expressing interest for other activities.</li> <li>• The alfresco area will be provided by the proponent who will not be given exclusive rights to the area. It has been treated the same way other alfresco areas for other businesses in the City Centre/ Foreshore area i.e. no lease fees.</li> <li>• The term “Pop Up” came from research into similar uses of containers interstate and overseas where they “Pop Up” on site. To reflect the use the term “Sea Container Café” is now used.</li> </ul>	Note submission

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3 18 May 2015	R Mavath, Director, Batavia Property Trust	Disagrees with the term “Pop Up” by definition is for a structure built for short periods of time not years. Questions regarding operating hours and rubbish removal. Proposed area currently being used by children and fitness groups. Concern regarding café staff parking in the unrestricted parking areas.	Acknowledgement of objection. As above & rubbish removal etc will be a lease condition.	Note submission
4 20 May 2015	G Maddren, Foreshore Backpackers	Objects to proposal as not a “Pop Up” shop by definition, fee to be charged, lack of tender when public space became available. Lessee should pay for entire area used not just 24m <sup>2</sup> . Deck area will not be perceived as POS. Council should have revisited the surf clubs proposal which could incorporate an alfresco area that maybe sublet to raise funds for the club. General public and ratepayers do not want the foreshore redeveloped to become one for buildings.	Acknowledgement of objection as above.	Note submission
5 21 May 2015	Private Submission	Support the proposal of the Jaffle Shack on the foreshore as it will revitalise our City and CBD and provide more reasons for visitors and citizens to engage the foreshore.	Acknowledgement of support.	Note submission
6 22 May 2015	Private Submission	Encouraged that there are people in the community with great foresight, energy and enthusiasm to enhance the City. Support for developments such as this will benefit Geraldton as a whole.	Acknowledgement of support.	Note submission
7 22 May 2015	Private Submission	Positive support to the proposed Pop Up Café. Applauds the proponent for innovative thinking and a trendy, funky eatery at that end of the foreshore will be an asset to the City.	Acknowledgement of support.	Note submission

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8 23 May 2015	Private Submission	Shocked that the Council is planning to put a sea container on the foreshore after spending so much on making it beautiful. People will park in the disabled parking area.	No reply details provided.	Note submission.
9 25 May 2015	T Edwards, Director, EA Properties Pty Ltd, Westzeal Pty Ltd.	Object to the proposal on the grounds of unrealistic rent and rent should be calculated on 124m <sup>2</sup> not 24m <sup>2</sup> . Why was this not put out to tender? Transparency of the process used is questioned.	Acknowledgement of objection. As above & the Act requires the City to obtain a valuation, which it did, the lease fee is for a ground valuation only as is, the proponent must pay to supply services to the site, which is part of the cost of setting up this business.	Note submission
10 25 May 2015	Private Submission	Object to the location of the proposed Pop Up Café as it is opposite residential houses. Concerns regarding the housing of rubbish and smell, encouraging people to congregate when the venue is not used, signage, lighting, security, traffic and limited parking etc.	Acknowledgement of objection and responses as above.	Note submission
11 25 May 2015	Private Submission	Support for the proposed disposal of foreshore land for a Pop Up Café. Such a facility will enhance the popularity and atmosphere of the Geraldton foreshore as a family entertainment precinct and will encourage tourism and benefit our economy.	Acknowledgement of support.	Note submission

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12 25 May 2015	Private Submission	Object to the proposal as it is not part of the original Hames Sharly concept plan for the foreshore and it reduces the public open space. The fixed furniture on 100m <sup>2</sup> will exacerbate anti-social problems. Objection to offering a 10 year lease to a Pop Up Café which proposal is outside the definition. It will block the vista to the offices opposite and is a culturally sensitive location.	Acknowledgement of objection and responses as above.	Note submission
13 25 May 2015	Private Submission	Express support to the City to lease portion of the foreshore for a Pop Up Café. Encouraged to see local business people prepared to invest in the amenity of the City. Hope the proponents are given the opportunity to undertake this new venture.	Acknowledgement of support.	Note submission
14 25 May 2015	Private Submission	Object to a sea container being placed on the foreshore after Council promised no more buildings on the foreshore and how many more will be allowed? No Expressions of Interest was called. Series of questions relating to the operation of the proposed lease of foreshore land.	Acknowledgement of objection and responses as above.	Note submission
15 26 May 2015	Private Submission	Support for the initiative of a Pop Up Café on the foreshore by West End Hospitality Pty Ltd. Will enhance the beachfront by providing increased diversity of services to locals and visitors. Council should support dynamic new enterprise at every chance. Plenty of room on the foreshore to accommodate this enterprise.	Acknowledgement of support.	Note submission
16 30 May 2015	Private Submission	Interesting developments of this nature offer amenity and vibrancy to our beautiful and growing City and provide a relaxing respite while touring our attractions to both young and old.	Acknowledgement of support.	Note submission

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17 1 June 2015	Private Submission	Strongly object to the proposal. Council moved a motion stating no further substantial buildings should be built on the foreshore therefore retaining the maximum amount of space. Proposed building of 124m <sup>2</sup> is a substantial building. Lease term contradicts “Pop Up”. Rental return figure is ridiculously low. The Council should be working in the best interest of all rate payers.	Acknowledgement of objection and responses as above.	Note submission
18 1 June 2015	Private Submission	Not a “Pop Up” Café as it has a permanent lease for 10 years and will be operating all year. Does the approval meet all the guidelines in Sea Container Local Planning Policy?	Acknowledgement of objection and responses as above. Sea Container policy applies to residential areas.	Note submission
19 1 June 2015	Private Submission	Lease is only over 24m <sup>2</sup> of the sea container footprint not the 100m <sup>2</sup> external deck. The City has determined the alfresco area to be public open space. Is it realistic that the owner/operator would allow food or drink not purchased there to be consumed there and that large groups could use the deck in the same way that can use the foreshore now? It is not the role of Council to financially support a private enterprise either directly or indirectly. Why is Council allowing this when there are already too many vacant areas for lease and underutilised buildings in the CBD?	Acknowledgement of objection and responses as above.	Note submission

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20 2 June 2015	A Craven, Director, Westzeal Pty Ltd	Strongly object to the process and outcomes of this proposed development. Extremely low rent being justified by calling the café a “pop up”. The lessee is being granted 100m2 rent free because it is a public amenity which clearly benefits only this business. In addition, local parking, parkland and toilets are provided by the Council. Were these included in the valuation? How can you expect to attract more investment into an area where there are many empty shops when the Council itself is undermining the market?	Acknowledgement of objection and responses as above.	Note submission
21 2 June 2015	G Sertorio, Director, Dome Café Geraldton	Does the application for a Pop Up Café to be erected on the foreshore go against the Council resolution not to allow any buildings on the Geraldton Foreshore? If the Pop Up Café is allowed on the foreshore and a lease fee of \$3,948 per annum, is the fair on all parties?	Acknowledgement of objection and responses as above.	Note submission
22 2 June 2015	P Nelson, President, Champion Bay Surf Life Saving Club (CBSLSC)	As a major stake holder in the immediate area, the CBSLSC was not contacted regarding this proposal even after being advised by a member of the council executive that they would. CBSLSC Board of Management has concerns that the proposed café will have an effect on the fund raising activities that is it conducts each Sunday during summer. The proposed lease fee of \$3,948 seems grossly inadequate. CBSLSC have been denied the approvals to build club rooms on the foreshore. Despite the contributions to the community, the club do not rate consideration above a pop up café for allocation of land for use on the foreshore.	Acknowledgement of objection and responses as above. There is a significant difference in scale between the proposal (24m2) and Surf Club concept for a building in excess of 350m2. Policy clarifies that there will be no more permanent structures.	Note submission

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23 2 June 2015	Private Submission	Passionate about initiative ideas and seeing Geraldton grow. Being situated on the foreshore it adds value of engaging family and friends to the beach and foreshore.	Acknowledgement of support	Note submission
24 2 June 2015	Private Submission	Passionate about initiative ideas and seeing Geraldton grow. Being situated on the foreshore it adds value of engaging family and friends to the beach and foreshore.	Acknowledgement of support	Note submission
25 2 June 2015	Christian Watters, Proponent, West End Hospitality Pty Ltd	In response to the petition being circulated, there is a large misinformation campaign to attempt to derail our idea. I ask Council to refer to the positive impact our café will have on the area and not allow a small sector of the community to stifle development in part by their fear of competition on their own businesses.	Acknowledgement of support.	Note submission
26 2 June 2015	N and C Sellei, Salt Dish Cafe	Strongly Object to the proposed disposition for the following: Proposed model does not fit the description of Pop Up café; terms of the lease will place permanent fixed tenancy businesses at a competitive disadvantage; does little to address the burgeoning number of empty commercial spaced in the CBD; not appropriate use of Crown land; if approved, sets a worrying precedent for the foreshore area.	Acknowledgement of objection and responses as above.	Note submission
27 2 June 2015	Private Submission	Concerns regarding proposed Jaffle Shack on the foreshore. Council stated there would be no more development along the foreshore and this is of no financial benefit to council. Wo will be responsible for keeping the decking clean and public liability? Effects on the environment and allocated aboriginal land.	Acknowledgement of objection and responses as above.	Note submission.

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28 3 June 2015	Private Submission	Strongly objects to proposal. Why has a “secret deal” been struck? Is there a new structure plan for the area? What happens if the new business fails? Where was the opportunity for other business people to submit a proposal? City offers do not appear to have followed correct process dealing with this process.	Acknowledgement of objection and responses as above.	Note submission.