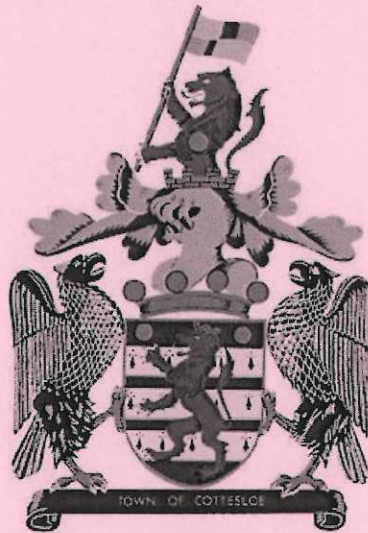


TOWN OF COTTESLOE



Works and Corporate Services
Committee

ATTACHMENT 10.2.1

Meeting Date: 16 October 2012

Business Plan: Sale of Town of Cottesloe Depot Site, Lot 34, rear of 253 Marmion Street, Cottesloe, Under Section 3.59 of the Local Government Act, 1995.

Section 3.59(3) of the Local Government Act, 1995, requires that the business plan is to include an overall assessment of the major land transaction and include details as follows:

The proposal is to sell a Town of Cottesloe – owned residential zoned property that has previously been used as a municipal depot. All existing municipal depot operations are to be relocated, making the existing depot site surplus to requirements.

Maintenance costs and liability concerns will be removed from Council. Ongoing new rates income will be generated and the income generated for the sale will enable a number of public benefits to be financed by the Town of Cottesloe.

a. Expected effect on provision of facilities and services by the Town of Cottesloe:

Positive effect due to:

- i) Disposal of surplus property that currently incurs substantial maintenance and liability costs.
- ii) Final solution to a variety of site environmental issues and occupational health and safety problems.
- iii) Removal of a light industry operation from the midst of a quality residential area.
- iv) Provision of surplus funds to be available for expenditure on a range of infrastructure works judged to be of benefit to the residents and ratepayers of the Town of Cottesloe and the provision of reserve funds for long term financial viability involving capital projects.

b. Expected effect on other persons providing facilities and services in the district:

Nil

c. Expected financial effect on the Town of Cottesloe:

Positive due to:

- i) Removes all maintenance and liability costs relating to a poor aesthetic, light industrial type operation from a residential area and provides ongoing new rate income from a number of private home properties on the site.
- ii) Provides substantial funds from sale to finance a variety of new or improved services and infrastructure assets plus the ability to pay off existing infrastructure loans.

iii) Allows replacement depot facility to be built to modern standards with greater efficiency and rationalisation of depot operations.

d. Expected effect on Town of Cottesloe Principal Activities and Future Plans:

Positive as it allows for the earlier implementation of plans for infrastructure improvements including foreshore development, commercial area beautification, disability access improvement and road safety/speed control installations.

e. Ability of Town of Cottesloe to manage undertaking:

Not an issue as the sale of the property would be undertaken by a qualified, experienced real estate agency.

GRAHAM R. DOWLAND

11 Clarendon Street
Cottesloe, Western Australia, 6011

Telephone : wk 08 94402626 hm 08 9284 3289

Mobile : 0413 945 595

E-mail : grd@amnet.net.au

9 October 2012

Mr Carl Askew
CEO
Cottesloe Town Council
109 Broome Street, Cottesloe WA 6011

council@cottesloe.wa.gov.au

Dear Mr Askew

Re: Public Notice for Submissions relating to the sale of Depot Site Lot 34

I refer to the Council's Public Notice declaring the intention to sell the depot land in accordance with the Council prepared business plan and seeking public submissions relating to this business plan.

My family own and reside at 11 Clarendon Street (Treffina Dowland, my wife & ratepayer, is the owner) situated to the North of the Depot and are interested in the plans for this site.

I have read the business plan that is on public file. It does not contain any of the standard information that I normally associated with a business plan. I am open minded to the sale process/development for this land but the business plan is bereft of any detail for any proposal to be developed or any decision to be made. Perhaps I am not fully aware of the process involved, however, the information I have is the public notice and the two page business plan referred to in that notice.

I am aware from advice received that it is usual for a 'Statutory Structure Plan' to be prepared, consulted upon and then lodged prior to advancing any sale of public land. The Business Plan is silent as to whether council intends to or is preparing such a plan. If it is not intending to do so, I recommend the preparation of such a plan. From my reading of the guidelines for such plans there are many benefits from this type of analysis.

My questions for council (that I reasonably expected to be found in the business plan – which may / are being considered under the Statutory Structure Plan) are as follows:

- 1) A cost - benefit analysis for the relocation of the municipal operations to the new site, which would include analysis of the financial, social, operating and environment factors. I understand from reading the business plan, council has performed this analysis prior to making its decision to relocate and sell the existing depot site. Your reference to 'surplus funds' and 'removes all maintenance and liability costs' indicates that a detailed analysis has been performed. In my opinion, this analysis is the starting point for any business plan that seeks to determine the

alternatives for the site. Please direct me to where I may source this information or if not publicly available, are you in a position to provide such information to Cottesloe residents.

- 2) As part of the proposed sale process has council agreed that the current zoning and planning requirements are not to be amended? My concern in this regard are :
 - a. Zoning – has council agreed that if any sale is to occur, it will be residential.
 - b. My understanding of certain sales of land by other councils there has been situations where maximising sale profits was given priority leading to relaxing residential zoning and planning restrictions for the council owned land to achieve higher sales revenue. Can you advise how council within the business plan proposes to undertake the sales process in relation to residential zoning and building requirements.
- 3) Planning for sale process. There are a number of specific concerns for residents nearby the depot site. Are you able to provide the analysis and recommendations for the planning & development aspects for the residential development of the depot site in relation to:
 - a. Environmental – how is the depot site to be levelled? If land fill, has the criteria for land fill been determined?
 - b. Access for traffic – how is this to be managed?
 - c. Open space / verge requirements – what are councils recommendations in this regard
- 4) Process - I suggest that representatives from the effected residents be included as part of a community reference group to assist Council with the planning for any sale / development of the depot site. If the Statutory Structure Plan is under preparation, I suggest that seeking the input and assistance from interested residents will assist in that process. I would be willing to assist in this regard.

I appreciate (and hope) that many of my questions and concerns may have been considered by council but the information that I have reviewed was very brief.

I look forward to your responses.

Kind regards



Graham Dowland

Attention: Mr Askew, Chief Executive Officer, Town of Cottesloe

SUBMISSION IN RELATION TO THE PROPOSED SALE OF DEPOT SITE LOT 34, REAR OF 253
MARMION STREET, COTTESLOE

I am a resident of Cottesloe. The nature and scale of any development on the above site will have a significant impact on residents of Cottesloe so the process for sale and development needs to be well managed and involve the community. The Business Plan does not provide a framework to ensure good management. In particular:

- The Business Plan is inadequate for a development of this scale with the potential to have a major impact on local residents. The Business Plan fails to address basic issues which will have a major impact on existing residents if not addressed prior to sale and in the context of an integrated plan for the site. These issues include:
 - Traffic flow and related safety issues
 - Access: Entry and exit to and from the site
 - Density of development
 - Height of buildings
 - Site works/levels. Eg, will the current ground level be raised?
 - Provision for public open space
 - Provision for parking
 - Amenity.

These issues should be addressed in the Business Plan by providing for the development of a Structure Plan prior to sale in order for the Council to fulfil its obligations to residents and also to reduce the overall risks to Council associated with such a sale.

- Under the headings that are addressed in the Business Plan there is a failure to fully consider relevant matters. Eg:
 - Under heading 'a – expected effect on provision of facilities and services by the Town of Cottesloe', no mention is made of any negative effects, such as the greater distance vehicles will have to travel from the new depot site to the township resulting in employees spending more time travelling and less time working.
 - Under heading 'e- Ability of Town of Cottesloe to manage undertaking', the indication is that the Council will manage it simply by getting an agent to sell it. I would have thought a robust business case would include a consideration of the need to have clear planning guidelines in place before sale so there is clarity around development expectations for all parties.
 - Under heading 'c – Expected financial benefit on the Town of Cottesloe', no consideration has been given to the potential development yield, so it is impossible for the Council to adequately consider the financial effect in any meaningful way.
- The Business Plan is deficient in that it fails to consider potential risks. There is considerable risk for the Council if the Council does not manage the planning process prior to sale, fails to engage with community, and fails to put a structure plan in place. Without such rigour there is a high risk that the expectations of developers, Council and residents will be at odds and conflict will ensue.

- The major focus of the Business Plan is on return to the Council. There seems to be no consideration of the Council's duty to balance the amenity of residents with its desire for a financial return.

What I seek is balance and good management in the Council's handling of this process. Although the brevity and glibness of the Business Plan cause concern, I trust the Council will provide this balance and good management.

I therefore request that the Council:

1. Provide more information to the residents about the plans for the sale of the site and the planning conditions that will attach to it. There must be far more information than that contained in the very brief Business Plan.
2. Re-draft the Business Plan to make it more comprehensive and rigorous.
3. Put in place a Structure Plan prior to sale. This should be included as part of the Business Plan.
4. Engage with a community reference group to help guide the preparation of the Structure Plan.

It is important that this process is properly managed so that the Council, developers and residents all have certainty and avoid future conflict.

Katrina Burton
3 Nailsworth Street
Cottesloe

E-mail Message

From: Craig Burton [SMTP:CraigB@ver.com.au]
To: council [EX:/O=TOWN OF
COTTESLOE/OU=COTTESLOE/CN=RECIPIENTS/CN=COUNCIL]
Cc: Katrina Burton [SMTP:KatrinaB@ver.com.au]
Sent: 27/09/2012 at 9:16 AM
Received: 27/09/2012 at 9:18 AM
Subject: For the attention of Mr Carl Askew, in relation to depot sale business plan

SUBMISSION IN RELATION TO THE PROPOSED SALE OF THE DEPOT SITE, REAR OF 253
MARMION STREET, COTTESLOE

Dear Sir,

I am concerned by the lack of detail in the Business Plan for the proposed sale of the depot site. This site is a major asset of the Council and its sale will have a significant impact on local residents.

The Council has an obligation to Cottesloe residents to carefully manage the sale and the ultimate development of the site. The current Business Plan does not provide the framework or detail for this to happen.

Of particular concern is:

It is not clear how many new residences will be permitted or what zoning rules will apply. Residents will oppose development that is unusually high density and out of character with the area, and it would be inappropriate for Council to enable this sort of development.

Access is a major concern for local residents. In particular Nailsworth St is narrow and hilly and unable to carry through traffic (it is so narrow that it is quite difficult for two cars to pass each other). Is there sufficient access to Marmion St? Residents will strongly oppose access through Nailsworth St and a potential purchaser needs to know this is an issue. Given the concerns already expressed by residents on this issue, and on the Council record, to not address this upfront might well be considered misleading and deceptive conduct.

I respectfully request that the Business Plan be amended to identify and detail the zoning and access issues, outline the planning process to be managed by Council prior to sale, provide for the preparation of a Structure Plan, and provide for involvement of a community reference group. Also, the known concerns of residents should be clearly disclosed to prospective purchasers.

Yours Sincerely,

Craig Burton

3 Nailsworth St, Cottesloe

E-mail Message

From: [Tim Moore \(Dorado\) \[SMTP:tim.moore@dorado.com.au\]](mailto:tim.moore@dorado.com.au)
To: [council \[EX:/O=TOWN OF COTTESLOE/OU=COTTESLOE/CN=RECIPIENTS/CN=COUNCIL\]](mailto:council@toteslo.com.au)
Cc:
Sent: 7/10/2012 at 12:15 PM
Received: 7/10/2012 at 12:16 PM
Subject: Please commit to a Statutory Structure Plan being lodged over the Depot Site prior to commencing any sales process

Dear Carl,

I have read the recently prepared document Structure Plan Preparation Guidelines August 2012 (which is at http://www.planning.wa.gov.au/dop_pub_pdf/StructurePlan_Guidelines.pdf)

This document outlines the many benefits that come from a Council-led planning process with input from a Community Reference Group that leads to the lodgement of a Statutory Structure Plan, prior to any sales process commencing.

I am sure that it is the intention of Council to lodge a Statutory Structure Plan in relation to the Depot Site however, the current draft of the Business Plan is ambiguous on this. I think the interested and concerned residents would be considerably heartened to see a firm commitment to a Statutory Structure Plan.

To this end I request, as a resident at 9 Clarendon Street (which is owned by the ratepayer my wife Rosanne Moore), that you amend the Business Plan to specifically undertake that a Statutory Structure Plan will be prepared and lodged prior to the commencement of any sales process.

I offer to sit on the Community Reference Group. There are a number of other considered and professional neighbours who would make excellent members and would be willing to serve.

Yours sincerely

Tim

Tim Moore
Director - Dorado
Level 3, 190 St Georges Tce, Perth, WA, 6000, Australia
HYPERLINK "tel:%2B61%20418%20924%20811" \n+61 418 924 811 (Mobile)
HYPERLINK "tel:%2B61%208%209467%207338" \n+61 8 9467 7338 (Direct)
HYPERLINK "tel:%2B61%208%206210%201455" \n+61 8 6210 1455 (Facsimile)
tim.moore.dorado (Skype)
HYPERLINK "mailto:tim.moore@dorado.com.au" \ntim.moore@dorado.com.au

HYPERLINK "http://www.dorado.com.au" \nwww.dorado.com.au

Investing | Financing | Divesting

E-mail Message

From: [Samantha Moore \[SMTP:sam@timmoore.com.au\]](mailto:Samantha.Moore@timmoore.com.au)
To: [council \[EX:/O=TOWN OF
COTTESLOE/OU=COTTESLOE/CN=RECIPIENTS/CN=COUNCIL\]](mailto:council@t0mvoqdl.com.au)
Cc:
Sent: 7/10/2012 at 1:22 PM
Received: 7/10/2012 at 1:23 PM
Subject: Cottesloe Depot

Dear Mr Askew,

I live at [HYPERLINK "x-apple-data-detectors://1"9 Clarendon Street](#) which is overlooking the Cottesloe Depot. I ask that the Business Plan be amended to specifically state that a Statutory Activity Centre Structure Plan will be prepared and lodged with the WA Planning Commission prior to the commencement of the Depot sales process.

Yours sincerely,

Samantha Moore
+61 439 941415

E-mail Message

From: Rose Moore [SMTP:rose@timmoore.com.au]
To: council [EX:/O=TOWN OF
COTTESLOE/OU=COTTESLOE/CN=RECIPIENTS/CN=COUNCIL]
Cc:
Sent: 7/10/2012 at 1:52 PM
Received: 7/10/2012 at 1:52 PM
Subject: Fwd: Depot - please undertake that a Statutory Structure Plan will be prepared and lodged prior to the commencement of any sales process

----- Forwarded message -----

From: Tim Moore (Dorado)
Date: 7 October 2012 12:23
Subject: Depot - please undertake that a Statutory Structure Plan will be prepared and lodged prior to the commencement of any sales process
To: ICE ICE

Can you send this tonight
ta
Tim
x

Dear Mr Askew,

I am sure that it is the intention of Council to lodge a Statutory Structure Plan in relation to the Depot Site however, the current draft of the Business Plan is ambiguous on this. I think the interested and concerned residents would be considerably heartened to see a firm commitment to a Statutory Structure Plan.

To this end I request, as the owner of 9 Clarendon Street that you amend the Business Plan to specifically undertake that a Statutory Structure Plan will be prepared and lodged prior to the commencement of any sales process.

My husband offers to sit on the Community Reference Group. There are a number of other considered and professional neighbours who would make excellent members and would be willing to serve.

Yours sincerely

Rosanne Louise MOORE
9 Clarendon Street
Cottesloe

--
Cheers

Rose

Rose Moore
HYPERLINK "mailto:rose@timmoore.com.au"rose@timmoore.com.au
+61 893851090
+61 419941415

E-mail Message

From: David Gillett [SMTP:davidgillett@me.com]
To: council [EX:/O=TOWN OF
COTTESLOE/OU=COTTESLOE/CN=RECIPIENTS/CN=COUNCIL]
Cc: lwp583@bigpond.com [SMTP:lwp583@bigpond.com]
Sent: 7/10/2012 at 9:28 PM
Received: 7/10/2012 at 9:29 PM
Subject: Cottesloe Council Depot

Dear Mr Askew

I live at 253 Marmion St which is within 100 metres of the Cottesloe Depot. i ask that the business plan be amended to specifically state that a Statutory Activity Centre Structure Plan will be prepared and lodged with theWA Planning Commission prior to the commencement of the Depot sales process.

Yours Sincerely
David Gillett

Christy Watterson

From: Meikle Meecham [meiklemeecham@westnet.com.au]
Sent: Monday, 8 October 2012 8:43 PM
To: council
Subject: DEPOT

Dear Mr. Askew,

I live at 3 Clarendon Street Cottesloe, which is within 100m of the Cottesloe Depot. I ask that the Business Plan be amended to specifically state that a Statutory Activity Centre Structure Plan will be prepared and lodged with the WA Planning Commission prior to the commencement of the Depot sales process.

Yours sincerely,

Meikle W.G. Meecham

Christy Watterson

From: Meikle Meecham [meiklemeecham@westnet.com.au]
Sent: Monday, 8 October 2012 8:40 PM
To: council
Subject: DEPOT

Dear Mr. Askew,

I live at 3 Clarendon Street, Cottesloe which is within 100m of the Cottesloe Depot. I ask that the Business Plan be amended to specifically state that a Statutory Activity Centre Structure Plan will be prepared and lodged with the WA Planning Commission prior to the commencement of the Depot sales process.

Yours sincerely,

Elizabeth Anne Meecham

Christy Watterson

From: Gunhild Marchant [gunhild@iinet.net.au]
Sent: Monday, 8 October 2012 4:53 PM
To: council
Subject: DEPOT

Dear Mr Askew,

I live at 1 Nailsworth Street, Cottesloe, which is within 100m of the Cottesloe Depot. I ask that the Business Plan be amended to specifically state that a Statutory Activity Centre Structure Plan will be prepared and lodged with the WA Planning Commission prior to the commencement of the Depot sales process.

Yours sincerely,
Gunhild Marchant

Author of Parzival Retold available from Amazon.Com

[Click Here](#)

http://www.amazon.com/Parzival-Gunhild-marchant/dp/1470949741/ref=sr_1_1?s=books&ie=UTF8&qid=1334115937&sr=1-1

Christy Watterson

From: Katelyn Smith [20920054@student.uwa.edu.au]
Sent: Monday, 8 October 2012 3:53 PM
To: council

Dear Mr Askew,

I live at 9 Clarendon Street which is overlooking the Cottesloe Depot. I ask that the Business Plan be amended to specifically state that a Statutory Activity Centre Structure Plan will be prepared and lodged with the WA Planning Commission prior to the commencement of the Depot sales process.

Yours sincerely,

Katelyn Smith

Christy Watterson

From: cdw@westnet.com.au [caroline.witting@gmail.com]
Sent: Monday, 8 October 2012 3:49 PM
To: council
Cc: lwp583@bigpond.com
Subject: Cottesloe Depot

Dear Mr Askew,

I live at 267 Marmion Street, which is within 100m of the Cottesloe Depot. I ask that the Business Plan be amended, to specifically state that a Statutory Activity Centre Structure Plan will be prepared and lodged with the WA Planning Commission, prior to the commencement of the Depot sales process.

Yours sincerely
Caroline Witting

Christy Watterson

From: Sheena Storm [sheena.storm@dorado.com.au]
Sent: Monday, 8 October 2012 2:57 PM
To: council

Dear Mr Askew,

I live at 38 Hawkstone St, Cottesloe which is in close proximity to the Cottesloe Depot. I ask that the Business Plan be amended to specifically state that a Statutory Activity Centre Structure Plan will be prepared and lodged with the WA Planning Commission prior to the commencement of the Depot sales process.

Yours sincerely,

Sheena Storm

Christy Watterson

From: Davina E Whittall [davinaw@bigpond.net.au]
Sent: Tuesday, 9 October 2012 6:54 AM
To: council
Subject: Cottesloe Depot

Dear Mt Askew

I live at 56A Napier Street, Cottesloe which is within 100m of the Cottesloe Depot. I ask that the Business Plan be amended to specifically state that a Statutory Activity Centre Structure Plan will be prepared and lodged with the WA Planning Commission prior to the commencement of the Depot sales process.

Yours sincerely
Davina Whittall

Christy Watterson

From: Linda Pismiris [lindapismiris@bigpond.com]
Sent: Tuesday, 9 October 2012 7:44 AM
To: council
Subject: Cottesloe Depot Statutory Activity Centre Structure Plan

Dear Mr. Carl Askew,

I live at **4 Nailsworth St Cottesloe** which is within 100m of the Cottesloe Depot. I ask that the Business Plan be amended to specifically state that a Statutory Activity Centre Structure Plan will be prepared and lodged with the WA Planning Commission prior to the commencement of the Depot sales process.

Yours sincerely,

Linda Pismiris

Christy Watterson

From: jane khan [jckhan@gmail.com]
Sent: Friday, 12 October 2012 7:25 AM
To: council
Subject: Cottesloe Depot

Dear Mr Askew

I live at 54 Napier Street, Cottesloe which is within 100m of the Cottesloe Depot.

I write to request that the Business Plan for the Depot be amended to specifically state that a Statutory Activity Centre Structure Plan will be prepared and lodged with the WA Planning Commission prior to the commencement of the Depot sales process.

Yours sincerely

Jane Khan

Christy Watterson

From: Personal [andy@timmoore.com.au]
Sent: Thursday, 11 October 2012 3:20 PM
To: council
Subject: Council depot

Dear Mr Askew,

I live at 9 Clarendon Street which is overlooking the Cottesloe Depot. I ask that the Business Plan be amended to specifically state that a Statutory Activity Centre Structure Plan will be prepared and lodged with the WA Planning Commission prior to the commencement of the Depot sales process.

Yours sincerely,

Andrew Moore

Sent from my iPhone

Christy Watterson

From: vivdench [vivdench@inet.net.au]
Sent: Thursday, 11 October 2012 1:31 PM
To: council
Subject: The Depot redevelopment

Dear Mr Askew,

I live at 257A Marmion Street, Cottesloe which is within 100m of the Cottesloe Depot.
The back wall of my house is about 1.8m from the lane way.

I am concerned about and would like to know how vehicles will access the depot site when it is developed?
Can you tell me who will have the ongoing responsibility for repairs to the lane ways and to the sewerage pipes under the lane ways?

I ask that the Business Plan be amended to specifically state that a Statutory Activity Centre Structure Plan will be prepared and lodged with the WA Planning Commission prior to the commencement of the Depot sales process.

Yours sincerely,
Vivienne Dench

Christy Watterson

From: Janet Maclean [jmaclean@7seasgrp.com]
Sent: Thursday, 11 October 2012 1:59 PM
To: council
Cc: lwp583@bigpond.com
Subject: Town of Cottesloe Depot

Dear Mr Askew

Thank you for your contact re the future development of The Cottesloe Depot. I live within 100m of the depot at 56b Napier St and will be seriously affected by any future development of the site. I ask that the business plan be amended to specifically state that a Statutory Activity Centre Structure Plan will be prepared and lodged with the WA Planning Commission prior to the commencement of the Depot sales process.

Yours sincerely
Janet MacLean

jmaclean@7seasgrp.com
PISTACHIO Pte Ltd : 开心果
Singapore Cell: +65 9384 2945
Australian Cell: +61 428887804