

Submission Summary

Below is a summary of the submissions received.

Name	For or against	Concerns / Objections	Staff Comment
Cr Sally Pyvis	Against	Notes that the current site is the optimal site; Raises concern over \$2.4 million figure mentioned in Cardno report; Asks if cash windfall has impaired financial judgement; States that the redevelopment should not be considered in isolation to the Foreshore Redevelopment; Affirms that the Town should provide public toilets; Concerns regarding the overall costs.	The options for the Town are few. As noted in the submission, the current location is the optimal site and the toilets need to be refurbished. There also needs to be improvements in the ventilation and access. Staff agree that the project should not be considered in isolation from the Foreshore Redevelopment and have kept Cardno up to date with the project. If the project proceeds to detailed design, the architects and Cardno will be required to work together to ensure the two projects seamlessly integrate. There are risks with any construction project, these risks will need to be managed through proper design, effective procurement and ongoing maintenance; The maintenance figures in the Cardno report are prepared on the basis the building is to be maintained as is, without a major refurbishment; The annual maintenance costs can be kept to a minimum by ensuring that maintenance is carried out in a timely fashion.
Shirley Primeau	Against	The main concern appears to be cost	There is a large cost associated with this project.
Brian Leyden	-		Submission expresses interest in leasing the building
Chris Shellabear	For	None raised	
Catherine Murphy	For	None raised	
Joseph Lenny	For	None raised	
Tania King	For	None raised	
Anthony Short	For	None raised	
Julie Short	For	None raised	

Stephen Power	For	Is concerned that arguments over details could prevent progress	No comment provided
Mark Smith	For	None raised	
Carmel James	For	Has questioned whether an upgrade to the Cott SLSC is possible	The land on which CSLSC sits is private land controlled by the CSLSC. While the Town could make an approach to the Club, it is very difficult to see where these facilities could be included on that site.
Tom and Lara Butcher	For	None raised	
Michael Finn	Broadly supportive	Has suggested design alterations	The alterations as presented are substantial. Moving the toilets to the east will also likely create issues with ventilation.
Peter Jeanes	For	None raised	
Suzanne Fielding	For	None raised	
Jeremy Shellabear	-	-	-
Alison Craig	For	None raised	
Julia Watts	For	Wants the majority of the beach area preserved	Nil
Matt Sheppard	For	None raised	Nil
Cr Rob Thomas	-	Concerned too much ventilation will make the changes rooms cold during winter; Safety concerns regarding open west aspect of the change rooms / toilets; Concerns raised regarding universal access; Concerns regarding lift maintenance;	The issues raised can be dealt with during the detailed design phase. Comments have been noted and will be actioned if the project proceeds to detailed design.
Kim Wallis	For	None raised	
Nick Wheeler	For	None raised	
Maddy Shellabear	For	None raised	
Jane and Tony Hope	For	Wants to see more detailed designs	Further, much more detailed designs will be made available if the project proceeds to detailed designs
Greg Boland	-	Concerned that the project may not adhere to	The Beach Policy does allow for the project in that

		<p>Council policy; Concerns raised about the financial aspects of the proposal; Raised concerns regarding the description of the outcome of the legal proceedings; Raised concerns regarding what would happen in the event the building could not be kept open; Has stated that the original architect should be consulted on the proposal.</p>	<p>increases should be limited, not ruled out altogether. The need for the increase comes from the need for expanded public toilets, not providing a larger restaurant. The moving of the kiosk to the upper level is the most efficient way of increasing the number toilets available. The new lease agreement will need to cover the situation where the lease it not able to be honored, as is the case for all leases the Town enters. The net result of the legal case was that the lessee ended up with a 45 year lease, not the 21 year lease that Council set out to enforce. The net effect of the options that the lessee has (at their sole discretion) is that they can lease on the current terms until August 2041.</p>
Cr Sandra Boulter	Against	<p>States the project should cease until the Town has had detailed legal advice regarding action it could take against the lessee; Requests that the formerly cancelled project for additional buildings be reinstated; Questions the level of detail provided in the business plan and whether it complies with the provisions of the LG Act (in particular the provided drawings); States that the lease documents are available at the Town's administration building and that this should have been stated in the BP; Raises many points around building design that are not covered by the concept plans; Objects to the trees being removed; Asserts that the kiosk relocation constitutes further redevelopment west of Marine Parade; Concerned that officers have not sought approval or advice from WAPC before advertising the concept plans;</p>	<p>We have requested another legal opinion on potential litigation the Town could take and likely outcomes of that litigation; At this stage, there is no stated intention for restarting the project for additional buildings. Given the opposition to the increased footprint from this submitter and others, it's difficult to perceive that there would be support for such a project; The level of detail provided in the business plan is sufficient for the needs of the LG Act. The plans are concept plans only, as stated in the business plan. If the concept is approved, a more detailed planning phase will follow; The lease documents are not available for inspection at the Town's administration; Again, many of the details and processes raised as missing would only be undertaken if the concept is approved. The funds and resources required for such work cannot be justified without public support for</p>

		<p>Concerned that no whole of life costing is provided; Asks what projects will be delayed as a result of the project;</p>	<p>the concept itself; While the concept plan shows several trees being removed, this issue can be further considered during detailed design. The relocation of the kiosk to allow for larger toilet facilities will result in a slightly increased building footprint. This would be significantly less than the increased building footprint from building separate toilets; No formal approval or advice has been sought from the WAPC as we do not have the level of detail required for such an application. Officers have no reason to believe that approval will be unreasonably difficult to attain; Whole of life costings, including plant replacement can only be reliably constructed once the plans for the building are completed in more detail; No projects will be delayed as a result of this project; Council identified this projects in its depot funds strategy and allocated \$2,200,000 to the project which now appears to require \$1,700,000.</p>
Roger Weston	Against	See notes from submission immediately above	See responses from submission immediately above
Rosemary Walsh	Against	<p>Asserts that the lessee and State should be providing more funding; Believes the project is a part of everyday Council administration and should not be that hard</p>	<p>No further comment can be provided on the level of funding that was not provided in the Business Plan; The complexity of work involved for administration is not the issue, as specialists will be brought in to deal with specific issues – the volume of work will be significant and will impact on the administration team’s ability to take on further projects.</p>
Robyn Benken	Against	<p>Concern about the financial legacy of the project; Objects to the loss of trees</p>	<p>There will be a cost to this project, however as a part of the detailed design phase, whole of life costings should be able to be determined, eliminating much of the uncertainty; The loss of trees will be considered during the</p>

			detailed design phase if the project proceeds.
Dieter Benken	Against	States that the Council should not make any decision until Council and ratepayers have had the chance to consider legal advice in regards to the obligations of the lessee; Raises concerns with the perceived competence level of staff.	Council has, over many years, received advice about the various obligations and options under the lease; Officers have already engaged several, highly regarded consultants in the development of this project. It is the intention of the staff to continue to make use of expert consultants if this project proceeds to a detailed design phase.
Chris Wiggins	Broadly for	Raises concerns surrounding the ongoing financial commitment to the Town with the transfer of ownership of the building; Stresses the importance of thorough investigation of the buildings existing structure and elements; Raises concerns regarding the costings and potential for over-runs.	The points raised are all good points and should be addressed in the detailed design phase, should the project proceed to that stage.
Hilary Rumley	-	Raised issues around universal access	Universal access will be addressed in the detailed design phase and with the consultants undertaking the Foreshore Redevelopment Plans.
Fulvio Painter	For	Raises concerns regarding trees and noise – suggests an acoustic consultant be employed	An acoustics report will be included in the detailed design phase.
Ruth Greble	Broadly supportive	Requests that the bus stop be kept as close as possible to the building; Requests specialist advice on universal access consultant be used during the design phase; Suggests a possible second lift for universal access; Parents room to be incorporated into design; Requests the decorative stone elephants be retained	We will consult with a consulting traffic engineer regarding the location of the bus stop – but the comments regarding the location have been taken on board; A specialist Universal Access Consultant can be engaged during the detailed design phase; A second lift can be considered, but will need to be costed; A parents room (including a feeding area) can be considered during detailed design; The stone elephants should be able to be retained.
Bob and Margaret Morrison	-	Concerns regarding bus stops and traffic issues	We will consult with a consulting traffic engineer regarding the bus stop and traffic issues as a part of this project and the Foreshore Redevelopment

			Project.
John Mengler	For	Has concerns regarding the ongoing maintenance costs and suggests an increased rent.	If the project proceeds to detailed designs, the detailed drawings would be used to create a whole of life costing for the project.
Cottesloe Residents and Ratepayers	Against	<p>Has raised concerns regarding the Beach Policy;</p> <p>The submissions suggests that a number of models be created (5 in total) and each costed and reported back for ratepayers to consider;</p> <p>The submission also suggests that the project be delayed until all design work on the Foreshore Redevelopment is complete;</p> <p>The submission requests evidence for the increase in toilets and additional maintenance cleaning be attained;</p> <p>Concerns raised around the financial aspects of the project;</p>	<p>As stated above, the increase in footprint is a result in the increased public toilets, the kiosk is being relocated;</p> <p>Council will receive further advice on options 1 and 2 put forward in the submission, regarding potential litigation;</p> <p>Option 3 is not currently being considered as ventilation is an issue, and the Town would still need to place additional portable toilets on the beach each summer to cater for the additional demand;</p> <p>Option 4 involves building a new set of toilets underneath carpark 1. The costs of this work would greatly exceed the current net cost to the Town;</p> <p>The Foreshore Redevelopment and the design work on this project need to be completed concurrently to prevent conflict;</p> <p>The Town currently provides additional portable toilets on the beach each summer to cope with peak demand – the costs of providing these facilities would need to be considered in the context of providing additional permanent facilities;</p> <p>Before any final decision is made on this project, detailed costings and whole of life costings will be available.</p>
Jack Walsh	Against	<p>Main concern raised is financial;</p> <p>Suggestion made that a comparative business case for refurbishment only be considered.</p>	<p>The project is a large project – thorough costings and a whole of life costing will be provided during the detailed design phase;</p> <p>Refurbishment of the toilets will not address the capacity and ventilation issues with the current facilities. The Town already provides additional</p>

			portable toilets during peak times.
Jarrad Oakley	Against	<p>Asserts that lessee should pay a greater portion of the capital costs;</p> <p>Asserts that further financial information should be provided;</p> <p>Raises universal access issues;</p> <p>Asks if a specific study has been undertaken for the need for additional toilets;</p>	<p>The amounts presented in the business plan represent the best value that could be attained given the constraint of the current lease;</p> <p>Further financial information will be prepared and released during the detailed design phase;</p> <p>While no specific study has been undertaken on the need for additional toilets, the provision of and use of the portable toilets provided during the peak season has resulted in evidence of need being collected.</p>
Patricia Carmichael	-	<p>Impact on the development of the Foreshore Redevelopment Plan;</p> <p>Only one option being presented;</p> <p>Lease issues and source of funding;</p> <p>Beach policy concerns.</p>	<p>The Foreshore Redevelopment Plan and the detailed designs for this project should be developed concurrently;</p>
Shirley Scanlon		<p>Concerned that the Business Plan is lacking detail;</p> <p>Concerned that Council is rushing into a new lease;</p> <p>Concerned about the cost to Council of the new project;</p>	<p>The Business Plan presents a concept for consideration. The plan makes statements to this affect;</p> <p>The Town has been working on the lease for some time – it will seek to make significant improvements on the current lease;</p> <p>The project does have a cost to the Town, however it is currently well under the amount set aside for this purpose.</p>
Ada McGeechie	-	<p>Questions the overall cost of cleaning the toilets</p>	<p>While there is definitely the opportunity to reduce ongoing cleaning costs through clever design, the main costs with cleaning is labour – which is determined primarily by the standard of service required.</p>

Lydia Halim

From: enquiries@cottesloe.wa.gov.au
Sent: Sunday, 8 November 2015 5:34 PM
Subject: Website Submission

Business Plan - Redevelopment of Indiana Tea House

Details Submitted

Name	Shirley Primeau
Address	
Telephone	
Email	
Comments	There is nothing wrong with the current toilets. They just need to be cleaned. As a ratepayer I don't want my rates funding a tourist development. Thank you.
Visitor Source	EXTERNAL www.cottesloe.wa.gov.au null

Lydia Halim

From: enquiries@cottesloe.wa.gov.au
Sent: Saturday, 14 November 2015 10:54 AM
Subject: Website Submission

Business Plan - Redevelopment of Indiana Tea House

Details Submitted	
Name	Brian Leyden
Address	
Telephone	
Email	
Comments	Dear Sir / Madame , Beaumonde Hospitality Australia Pty Ltd trading as Beaumonde Catering are interested in the operating lease and financial redevelopment contribution to the venue . The Redevelopment paper is not clear if the operating lease and redevelopment jointly will come to the open market for tender . It is also unclear which company has the rights to the Head ground lease and who will be leasing to who as the lease is being reconstructed by the Town . Look forward to discussing this with you Yours Sincerely Brian Leyden
Visitor Source	DIRECT null null

Collins Christian

From: enquiries@cottesloe.wa.gov.au
Sent: Thursday, 19 November 2015 2:11 PM
Subject: Website Submission

Business Plan - Redevelopment of Indiana Tea House

Details Submitted	
Name	Chris Shellabear
Address	
Telephone	
Email	
Comments	To whom it may concern , I fully support the business Plan and re development of the Indiana Tea House as proposed that will see a very important area for the town brought up to a standard that we as residents will be proud of . Complicated issue , but well overdue for a resolution.
Visitor Source	EXTERNAL www.cottesloe.wa.gov.au null

Collins Christian

From: enquiries@cottesloe.wa.gov.au
Sent: Thursday, 19 November 2015 2:19 PM
Subject: Website Submission

Business Plan - Redevelopment of Indiana Tea House

Details Submitted	
Name	Catherine Murphy
Address	
Telephone	
Email	
Comments	I fully support the councils plan for the Indiana tea house. I am very pleased something is finally being done as it is very disheartening having people loudly complaining about the state of affairs at the tearooms then when something is being done having more complaints to deal with. Lets get a move on! We waste time on resources on this constant inaction.
Visitor Source	DIRECT null null

Collins Christian

From: enquiries@cottesloe.wa.gov.au
Sent: Thursday, 19 November 2015 3:35 PM
Subject: Website Submission

Business Plan - Redevelopment of Indiana Tea House

Details Submitted	
Name	JOSEPH LENNY
Address	
Telephone	
Email	
Comments	I fully support this plan,this is an underused facility and needs work. please start ASAP
Visitor Source	DIRECT null null

Collins Christian

From: enquiries@cottesloe.wa.gov.au
Sent: Friday, 20 November 2015 7:27 AM
Subject: Website Submission

Business Plan - Redevelopment of Indiana Tea House

Details Submitted	
Name	Tania King
Address	
Telephone	
Email	
Comments	It clearly needs a revamp - I support the redevelopment
Visitor Source	DIRECT null null

Collins Christian

From: enquiries@cottesloe.wa.gov.au
Sent: Friday, 20 November 2015 8:54 AM
Subject: Website Submission

Business Plan - Redevelopment of Indiana Tea House

Details Submitted	
Name	anthony short
Address	
Telephone	
Email	
Comments	this is an outstanding initiative and is long overdue , i commend the council on taking the initiative to improve an iconic location
Visitor Source	DIRECT null null

Collins Christian

From: enquiries@cottesloe.wa.gov.au
Sent: Friday, 20 November 2015 8:57 AM
Subject: Website Submission

Business Plan - Redevelopment of Indiana Tea House

Details Submitted	
Name	julie short
Address	
Telephone	
Email	
Comments	the redevelopment is long overdue and an upgrade of the public facilities is much needed I fully support the plan
Visitor Source	DIRECT null null

Collins Christian

From: enquiries@cottesloe.wa.gov.au
Sent: Friday, 20 November 2015 10:27 AM
Subject: Website Submission

Business Plan - Redevelopment of Indiana Tea House

Details Submitted	
Name	Stephen Power
Address	
Telephone	
Email	
Comments	<p>I have been a Cottesloe landowner for in excess of 20 years and a resident for over 15 years. In all of that time, the Indiana Tea House building has been a problematic feature of the beachfront with obvious shortcomings with an overall negative effect on the suburb. I have reviewed the current plans and wholeheartedly support them. A step forward needs to be taken urgently and the current plans represent an obvious and positive means of doing so. I worry that, like so many things, arguments over the details will stop positive steps being taken. The building and surrounds need to be fixed. This is a good plan. Please proceed. I am not a resident who is given to making contributions on these issues and I would think that my views represent a silent majority. Just get it done.</p>
Visitor Source	DIRECT null null

From: enquiries@cottesloe.wa.gov.au
Sent: Friday, 20 November 2015 10:38 AM
Subject: Website Submission

Business Plan - Redevelopment of Indiana Tea House

Details Submitted	
Name	mark smith
Address	
Telephone	
Email	
Comments	Great idea . Should prove to be invaluable for the benefit of guests to Cottesloe beach and local residence .
Visitor Source	DIRECT null null

Collins Christian

From: enquiries@cottesloe.wa.gov.au
Sent: Sunday, 22 November 2015 10:25 AM
Subject: Website Submission

Business Plan - Redevelopment of Indiana Tea House

Details Submitted	
Name	Carmel James
Address	
Telephone	
Email	
Comments	<p>I was present at the meeting on Wed 11 November which I found most informative. The redevelopment plan addresses the problems of inadequate toilet facilities and maintenance of the area and indeed returns more of the area to Council control. This should be of benefit to both the public and ratepayers of Cottesloe. I can't visualise the proposed facade but the toilet facilities and public areas are well catered for. It does seem that a whole floor level with fabulous views for a toilet block is overkill but I assume is necessary. Whilst I am quite fond of the present Indiana building it is not historic nor does it have heritage value and it has been an "icon" for much less than 30 years. I am by no means qualified to comment on the cost but from what is presented it seems quite reasonable. Is there any merit in exploring the possibility of contributing to an upgrade of the Cottesloe Surf Club itself and incorporating public toilets and even a kiosk?</p>
Visitor Source	SEARCH www.google.com.au BLOCKED

Collins Christian

From: enquiries@cottesloe.wa.gov.au
Sent: Sunday, 22 November 2015 8:23 PM
Subject: Website Submission

Business Plan - Redevelopment of Indiana Tea House

Details Submitted	
Name	Tom and Lara Bucher
Address	
Telephone	
Email	
Comments	As local residents we have always felt that Indiana is tired and due a facelift. The current facilities are poor, smelly and inadequate. The plans look good and we fully support their implementation
Visitor Source	SEARCH www.google.com.au BLOCKED

c/o CEO TOWN OF COTTESLOE
MAT HUMFREY.



Michael Finn

23/11/2015

Town of Cottesloe (Submission)

Re Development of the "INDIANA TEA HOUSE COTTESLOE BEACH"

I have examined the "CONCEPT PLAN" by the architects for the "Indiana Tea House" site on Cottesloe Beach.

After much study and measurement I have come up with a totally different concept.

This Is My Submission

The Female and Male Toilets and Change Rooms would be moved to the rear (east elevation) in the area currently used as the lower level kiosk seating and open plan area. ie (Courtyard) .

This would be a major change from the current concept which has this area as a services and restaurant store etc. (in the space above and at current base level).

This new concept will provide a much greater floor space, excellent access, excellent ventilation and light than the toilets in the current concept.

I agree with the architects that the use of glass block work in many areas, and white glass wall finishes and maximum natural ventilation to all elevations of the female and male toilets and change rooms, would be very good.

This is all possible with these facilities in this area. Health, safety and security would also be enhanced in an aesthetic manner.

The most significant proposal of my new concept submission is...

To place the new **BEACH SHOP COFFEE SHOP and its spacious table seating areas** in the area currently occupied by the Female and Male toilet and change room areas.

And in the area where the current old kiosk and service area is located.

This can be achieved in style using...

USING THE EXISTING TOILET FLOOR LEVEL

USING THE EXISTING KIOSK FLOOR LEVEL

USING THE EXISTING CONCRETE CEILING HEIGHT

USING THE EXISTING CONCRETE NORTH & SOUTH ELEVATION WALLS

By demolishing the existing west facing toilet/change room walls and infrastructure (OCEAN BEACH ELEVATION.)

By demolishing the dividing female/male toilet change room wall and all the other non supporting walls.

Install LINTELS and remove the existing north and south elevation toilet/change rooms and kiosk walls (MASONRY) (support walls to remain) in part.)

THE ENTIRE WEST AND LARGE SECTIONS OF THE NORTH AND SOUTH ELEVATIONS of the existing toilet/change room kiosk areas will now be open to the EXPANSIVE OCEAN AND COAST LINE VIEWS.

The steel galvanised lintels would be treated by two pack epoxy protective system before installation.

The existing masonry interior walls would be flush rendered and painted with a "Acrotex" full masonry protective paint system (off white).

Aluminium Heavy Duty Window Frames.

Laminated Heavy Duty Green Tinted Glass Windows.

An extended timber deck (verandah) directly above the existing large surf club boat doors (full length of the arches enclosed void area).

Stainless Steel Railing ANS S/S 316 rigging wire safety (regulation) barriers.

Two sets of beach access steps at both north and south ends of the building.

To provide an inviting entry to the new Beach Shop, Coffee Shop and Table Seating areas. (FROM THE BEACH).

All of the steps, rails, posts etc would be 100% stainless steel and safety rigging wire (316) stainless.

The existing concrete ceilings to the existing toilets and kiosk would be lined with Hardi board type material (water resistant) and flush jointed and painted white.

The existing concrete floors to these areas would be tiled in a non-skid tile surface.

Two "DIAGONAL" feature entrance ramps from Marine Parade to each door (2) north and south.

The north ramp would start at the corner of the main car park (near the existing ~~pedestrian~~ crossing). = (MOTOR CYCLE PARKING BAY)
PEDESTRIAN

The south ramp would be the same length = shape and start near the current south traffic entrance road.

By having both ramps at the maximum diagonal spread by using the longest "take off" position to the buildings lower entrance doors, the fall would be kept to the "minimum", this would be comfortable to walk down and also give safe wheel chair access (NO STEPS).

Both ramps would provide a GRAND ENTRANCE to encourage people to walk down to the building entrance (2) also this would be used to access ~~THE~~ FOYER of male/female toilets.

I support the NOTATION LEGEND (ARCHITECT'S)

ITEMS

1. Support
2. Support
3. Support
4. Support
5. Support

4

6. Support
7. Support
8. Support
9. Support
10. Suggest Female and Male toilets (gain extra area). As my submission.
11. As per my submission.
12. Support
13. Support
14. Support
15. Support

I support moving the existing Bus Stop (outside of the Indiana) to 100 metres North (CAR PARK AREA) also remove the parking bays next to the existing bus stop.

I support the levelling of the area between Marine Parade and the Indiana.

Olive trees and cliff gravel (landscape) would be low maintenance and suitable for this environment (SAMPLE AT HAND).

Chip gravel is heavy and is much better than crushed limestone or wood/bark etc. – (it does not blow away, cause dust, discolour, it is a natural stone . retains moisture and works well with olive trees in salt and wind.

The render on the Indiana is starting to fret in areas I suggest a scim coat and a specification of a "Acra Tex type first" with specification of Render Primer under top coat (suggest independent expert's specification) ie. DU-PONT.

The colour shade "BREAD CRUMB" would be best for the INDIANA heritage style.

The RAW RENDER (UN-COATED) is most unsuitable for a building on the coast.

The current Indiana timber window frames are starting to break down and need a **ATTENTION**

I am happy to work with the architects to present my submission in a clear method.

I would like to have another Rate Payers Night Meeting (Chaired by the Mayor) I would also like interested rate payers to also meet at the Indiana Site.

Yours faithfully

Michael Finn

23/11/2015

Michael Finn

Some other basic suggestions for my submission.

1. The west (ocean) facing deck (fitting into the ARCHED areas – could extend out past the masonry arches.

I suggest this "Deck" should have a solid glass "Fence" (MAJOR WIND BREAK) completely enclosed for a part of the South/West corner of the building as an effective protection from the prevailing South/West winds. This glass "FENCE Barrier" is to **PROTECT** ...

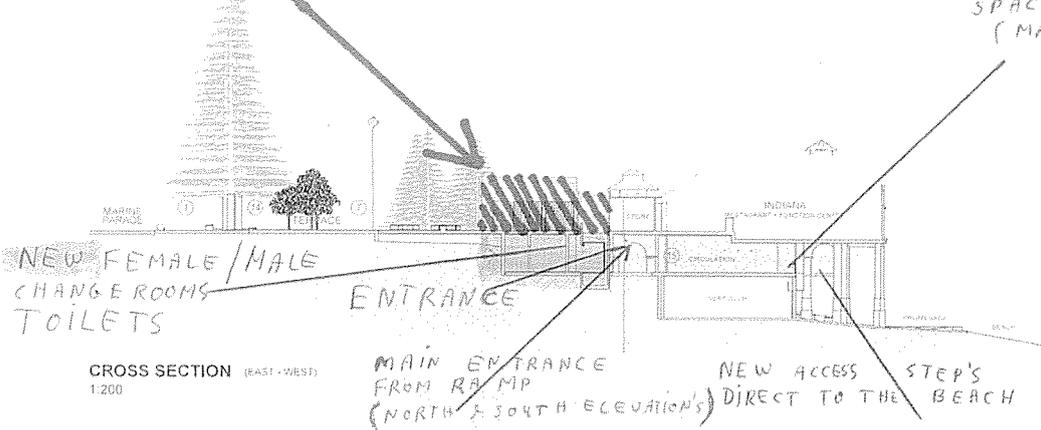
- (a) the Deck area
 - (b) protect the main West/North/South facing heavy duty glass doors
2. The verge fronting Marine Parade in front of the Indiana would have vegetation right to the road's edge with olive tree landscapes.

Also a gentle curved path sweeping down 10 metres from the road (providing a DISCONNECT from traffic).

3. No NEW BUILDING STRUCTURE'S or lifts to the existing Indiana Eastern elevations. (UPPER LEVEL)

NO NEW STRUCTURES
IN THE AREA ABOVE GROUND

NEW BEACH / COFFEE SHOP &
SPACIOUS TABLE SEATING AREA
(MAINLY UNDER COVER.)



AIMS + OBJECTIVES

Problem

A set of male and female toilet and change room facilities at the mid level of the Indiana Tearooms which suffers from poor natural light and ventilation and issues of security and safe use and whose maintenance is not adequately fulfilled by the responsible non-municipal entity. A facility which by its adjacency compromises the activities of the restaurant and the function centre on the upper level of the building.

Solution

A new set of male and female toilet and changeroom facilities replaces the existing inadequate facilities with an increased number of toilets and showers and an increased amenity by utilising the whole mid level of the Building. The new toilets are afforded a high level of light and ventilation and an improved level of security by virtue of enhanced visibility all within the limits of acceptable modesty in relation to the various uses of the facility. The kiosk is relocated to a more favourable position on the new terrace at the main restaurant level. Unused excavated areas under the proposed new north and south public terraces are made available for dry storage, plant rooms, bin stores, electrical services compounds, etc. A stair and lift connects the two levels allowing for direct connection for restaurant staff to toilets, coolrooms and drystores.

Benefits

The proposal establishes an extensive public interface on the Marine Parade frontage of the Indiana Tearooms serviced with licensed and unlicensed food and beverage facilities in conjunction with improved visibility and access to the main restaurant and function room.

CROSS SECTION (EAST - WEST)
1:200

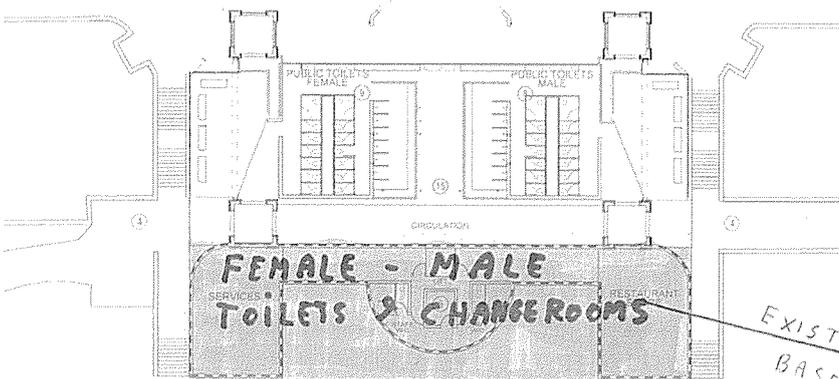
NEW FEMALE / MALE
CHANGE ROOMS
TOILETS

ENTRANCE

MAIN ENTRANCE
FROM RAMP
(NORTH & SOUTH ELEVATIONS)
DIRECT TO THE BEACH

NEW ACCESS
STEPS
DIRECT TO THE BEACH

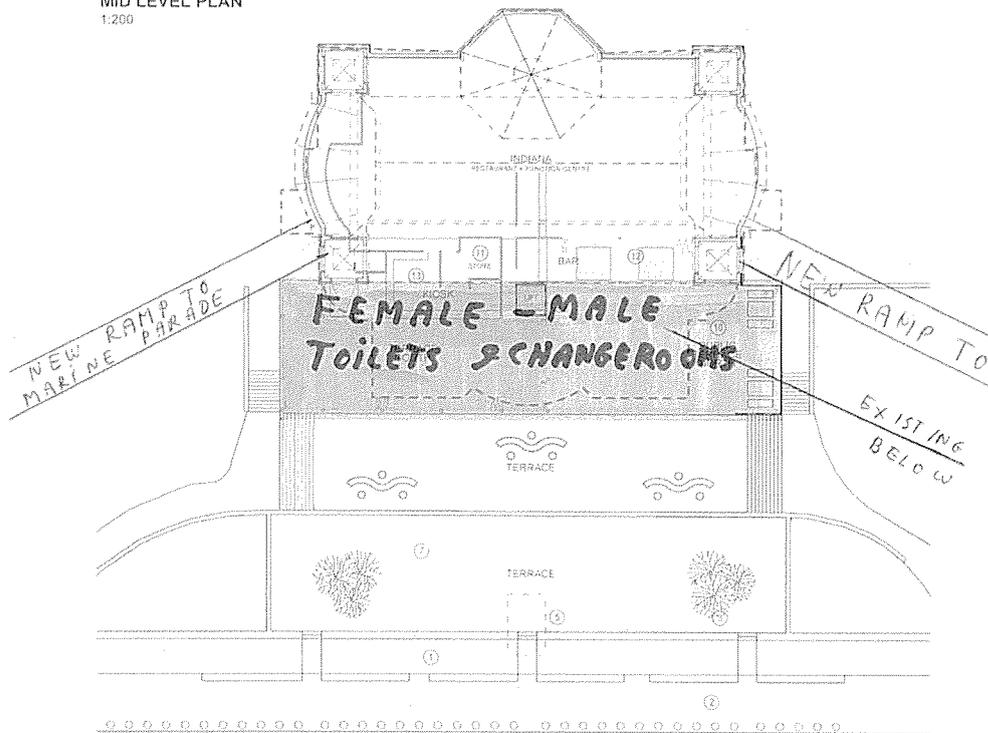
A. EAST ELEVATION COMPOSITE (MARINE PARADE)
1:200



NOTATION LEGEND

- Extend width of North South promenade.
- ① Ease pressure point along Marine Parade at the front of the Indiana Tearooms by relocating the bus stop and bus shelters to the area between the Surf Life Saving Club and Indiana Tearooms. Pave bus bay for pedestrian purposes.
- Extend width of North South promenade.
- ② Remove three short term car bays from in front of the Indiana Tearooms. Pave car bays for pedestrian purposes.
- Make level terrace areas.
- ③ Construct low height retaining wall along the footpath to Marine Parade and create level lawn terrace extending to the limestone retaining wall.
- Remove negative elements.
- ④ Demolish rubble wall arches to the North and South sides of the Indiana Tearooms.
- Remove negative elements.
- ⑤ Demolish existing timber pergola and remove stair.
- Remove negative elements.
- ⑥ Replace existing steep stair with lift for purposes of new kiosk and bar.
- Make level terrace areas.
- ⑦ Create level lawn terrace extending to the limestone wall.
- Establish new male toilets.
- ⑧ Remove existing toilet facilities and replan for a more effective, positive space with increased amenity.
- Establish new female toilets.
- ⑨ Remove existing toilet facilities and replan for a more effective, positive space with increased amenity.
- Establish new public terraces.
- ⑩ Establish two new public terraces above unused existing excavated voids.
- Establish new bar and kiosk.
- ⑪ New bar and kiosk to new terrace allows for replanned toilets facilities at midlevel and better public interaction and amenity at Indiana level.
- Promote public access.
- ⑫ Provide improved legible access to the Indiana Tearooms.
- Remove negative elements.
- ⑬ Refurbish the front facade and entry of the Indiana Tearooms
- Promote view corridors.
- ⑭ Under prune Norfolk Island Pine Trees to provide views from Marine Parade to the Indiana Tearooms and beyond. Remove Casuarinas on lawn area in front of the Indiana Tearooms.
- Promote public access.
- ⑮ Reclaim private area for public use and circulation.

MID LEVEL PLAN
1:200



AREA USE LEGEND

- Tenant (Lessee) - 1073m²
- Landlord (Lessor - TOC) - 534m²
- Existing Lease Area - 1553m²
- Proposed Lease Area - 257m²

UPPER LEVEL PLAN
1:200

BASEMENT BELOW =



Town of Cottesloe - Indiana Tearooms
Public Facilities Proposal
15th May 2015

A.01
Scale 1:200 @ A1

THIS BASIC DIAGRAM IS PART OF MY 5 PAGE SUBMISSION. YOURS FAITHFULLY *Michael Finn*

Collins Christian

From: enquiries@cottesloe.wa.gov.au
Sent: Monday, 23 November 2015 9:08 PM
Subject: Website Submission

Business Plan - Redevelopment of Indiana Tea House

Details Submitted	
Name	Peter Jeanes
Address	
Telephone	
Email	
Comments	<p>The Business Plan for Indianas redevelopment is a no brainer. It would cost about \$1.7 million for the Town to provide a new change room and toilet facility for beach goers. However for the \$1.7 million envisaged in the Business Plan, the Town, residents, beachgoers and tourists get much, much more than just first class changing and toilet facilities. The new café on the eastern side of Indianas will provide a much needed casual eatery out of the sea breeze where residents, beachgoers and tourists can meet to enjoy a meal or coffee. The area between Indianas and Marine Parade becomes usable public open space with a wider north-south path for pedestrians and cyclists. The Cottesloe Surf Life Saving Club gets a better boat shed and forecourt with universal access to the beach. And the existing lease, widely regarded as a dog, is scrapped and replaced by one that increases the Town's return, decreases the leasee's footprint and precisely stipulates responsibilities. This all adds up to a huge win for the Town, residents, beachgoers and tourists.</p>
Visitor Source	DIRECT null null

From: enquiries@cottesloe.wa.gov.au
Sent: Monday, 23 November 2015 9:49 PM
Subject: Website Submission

Business Plan - Redevelopment of Indiana Tea House

Details Submitted	
Name	Suzanne Fielding
Address	
Telephone	
Email	
Comments	<p>I wish to strongly support this plan. I attended the public presentation and am thrilled that the council has both a great development plan and a commitment from the state government and the lessee to contribute to the costs. The Town of Cottesloe has the responsibility of managing a hugely important state asset (ie Cottesloe Beach) that affects the well being of thousands of people. For too long the facilities have been badly neglected. Please don't waste any more time chasing the lessee to perform his obligations. I am thrilled that the town will take over the grounds around the building. I do hope the present councillors will be the ones who bring about this hugely overdue improvement that we will all enjoy so much. I have been going to Cottesloe beach at least 3 times a week throughout the whole year for 25 years.</p>
Visitor Source	SEARCH www.google.com.au BLOCKED

Collins Christian

From: enquiries@cottesloe.wa.gov.au
Sent: Tuesday, 24 November 2015 10:14 AM
Subject: Website Submission

Business Plan - Redevelopment of Indiana Tea House

Details Submitted	
Name	Jeremy Shellabear
Address	
Telephone	
Email	
Comments	
Visitor Source	SEARCH www.google.com.au BLOCKED

From: enquiries@cottesloe.wa.gov.au
Sent: Tuesday, 24 November 2015 11:04 AM
Subject: Website Submission

Business Plan - Redevelopment of Indiana Tea House

Details Submitted	
Name	Shirley Primeau
Address	:
Telephone	
Email	
Comments	Dear Mayor Dawkins, Councillors, Mr Humphrey and Staff, I am concerned about the liability to ratepayers of inheriting the Indiana building and its maintenance under any renegotiation of the lease. I would also like to know why council doesn't challenge Indiana lessee on their poor performance? Most residence I've spoken to in Cottesloe would prefer to replace exiting toilets with stainless steel fittings. Or install self-cleaning toilets. Thank you. Yours sincerely, Shirley Primeau
Visitor Source	DIRECT null null

Collins Christian

From: enquiries@cottesloe.wa.gov.au
Sent: Tuesday, 24 November 2015 12:56 PM
Subject: Website Submission

Business Plan - Redevelopment of Indiana Tea House

Details Submitted	
Name	Alison Craig
Address	
Telephone	
Email	
Comments	I attended the meeting at civic centre to hear about the Indiana development . I would like to support what was put up in improving the toilets & moving the kiosk, a very smart new development , just what we need down there. I do not want to read about smelly toilets this summer. I vote yes please do it I also agree council should take over the maintain economic of the building.
Visitor Source	DIRECT null null

Collins Christian

From: enquiries@cottesloe.wa.gov.au
Sent: Tuesday, 24 November 2015 3:06 PM
Subject: Website Submission

Business Plan - Redevelopment of Indiana Tea House

Details Submitted	
Name	Julia Watts
Address	
Telephone	
Email	
Comments	I think a revamp of the tea rooms is definitely needed - the public bathrooms are pretty awful. So I'm in favour! As long as the majority of the beach can remain preserved and natural (as that's what draws tourists to Cottesloe) I'm happy.
Visitor Source	EXTERNAL www.cottesloe.wa.gov.au null

Collins Christian

From: enquiries@cottesloe.wa.gov.au
Sent: Tuesday, 24 November 2015 3:08 PM
Subject: Website Submission

Business Plan - Redevelopment of Indiana Tea House

Details Submitted	
Name	Matt Shepherd
Address	
Telephone	
Email	
Comments	I support all developments along this stretch of coast.
Visitor Source	DIRECT null null

Collins Christian

From: Mat Humfrey
Sent: Tuesday, 24 November 2015 3:00 PM
To: Lydia Halim
Subject: FW: Indiana's proposal

Lydia,

Can this be included with the submissions for the Indiana Redevelopment please?

Thanks
Mat

-----Original Message-----

From: Rob Thomas
Sent: Tuesday, 24 November 2015 2:58 PM
To: Mat Humfrey
Cc: Andrew Jackson; Douglas Elkins; Garry Bird
Subject: Indiana's proposal

Hi Guys,

I'm not sure if I can make a submission on the concept plan for Indiana so if it is out of order then just bin this email.

My concerns are as follows:-

1/ whilst the open areas facing Westward in the Toilet area are great for providing ventilation and magnificent views they will make our new change rooms / toilets a cold and miserable place to be in Winter.

So my suggestion would be for some sort of fabricated panels which fit into the open spaces and seal off the area in the colder Autumn and Winter months. These could be in the form of panels which are hinged at the top and are permanently fixed in an "up" position during the good weather or they could be totally de-mountable.

2/ from an Occ Health & Safety point of view I wonder what deterrent there will be to stop a person high on drugs climbing onto the hand basin area and deciding to do a swan dive through the opening to crash onto the concrete below, and in so doing injuring themselves and any poor unfortunate person who happened to be below at that time.

3/ at first glance the wheel chair access from the Southern side, which comes off the roadway leading down to the Surf Club undercroft may be impossible to use as I can imagine anyone going down that roadway in a wheelchair, which is rather steep, will have problems turning onto the ramp and then have problems getting the momentum to start up the wheelchair access ramp.

4/ the mechanical item which will get a great deal of use, by the lessee accessing their storage and by the general public, will be the lift and I foresee this being an area where the Council may have to expend large sums on maintenance due to usage and the harsh conditions created by the salt air exacerbated by the close proximity to the ocean. I am a member of the Mosman Park Men's Shed and they have a lift in the building which I believe was fabricated off site and then installed in situ. This lift is subject to constant use and is in an environment where everything is covered in a fine layer of timber dust which is clearly evident at any time in the interior of the lift.

To my knowledge the lift performs its duties admirably in this harsh environment so I would like to recommend that whoever undertakes the redevelopment project contacts the

Men's Shed to find out who the lift manufacturers are and invite them to examine our requirement at Indiana and make a recommendation suitable for our needs.

There may be a need to include in the design the ability to remove a part of the roofing structure over the lift just in case there is a need to replace the lift anytime in the future.

Regards,

Rob Thomas

Collins Christian

From: enquiries@cottesloe.wa.gov.au
Sent: Tuesday, 24 November 2015 3:37 PM
Subject: Website Submission

Business Plan - Redevelopment of Indiana Tea House

Details Submitted	
Name	Kim Wallis
Address	
Telephone	
Email	
Comments	I have lived in Cottesloe for 9 years and I support this plan. Keep up the progress of our coast line! We need new infrastructure!
Visitor Source	DIRECT null null

From: enquiries@cottesloe.wa.gov.au
Sent: Tuesday, 24 November 2015 3:48 PM
Subject: Website Submission

Business Plan - Redevelopment of Indiana Tea House

Details Submitted	
Name	Nick Wheeler
Address	
Telephone	
Email	
Comments	Please take this comment as 100% support for the proposed redevelopment of the ITH, as a member of neighboring North Cott Surf Club i feel the proposed plans will add great community value to the surrounding. It is a great place making initiative that should have been done years ago.
Visitor Source	DIRECT null null

Collins Christian

From: enquiries@cottesloe.wa.gov.au
Sent: Tuesday, 24 November 2015 3:48 PM
Subject: Website Submission

Business Plan - Redevelopment of Indiana Tea House

Details Submitted	
Name	Maddy Shellabear
Address	
Telephone	
Email	
Comments	I fully support the development of the Indiana Tea House. It's about time we developed this iconic building into something to be proud of.
Visitor Source	DIRECT null null

Collins Christian

From: enquiries@cottesloe.wa.gov.au
Sent: Tuesday, 24 November 2015 3:55 PM
Subject: Website Submission

Business Plan - Redevelopment of Indiana Tea House

Details Submitted	
Name	Tony Hope
Address	
Telephone	
Email	
Comments	As the Irishman said "If I wanted a modern multi purpose building, I wouldn't have started from here". To change this solid lump into a open feeling, modern construction will not be easy and the plans need more airing. Six 3D models made of cardboard and polystyrene should be made and displayed at the 6 centres of Cottesloe so that people could feel this change is real and see and understand and feel some involvement and maybe feel some share in 'ownership', some acceptance could grow. We need to see how it deals with the sea breeze which spoils so many afternoons . We need more illustration of how good it could be! The plan will need modifying. Tony Hope
Visitor Source	DIRECT null null

Collins Christian

From: enquiries@cottesloe.wa.gov.au
Sent: Tuesday, 24 November 2015 4:02 PM
Subject: Website Submission

Business Plan - Redevelopment of Indiana Tea House

Details Submitted	
Name	Tony Hope
Address	
Telephone	
Email	
Comments	Previous message omitted to say We support any efforts to improve the beach and this building. Jane&Tony Hope
Visitor Source	DIRECT null null

From: enquiries@cottesloe.wa.gov.au
Sent: Tuesday, 24 November 2015 11:37 PM
Subject: Website Submission

Business Plan - Redevelopment of Indiana Tea House

Details Submitted	
Name	Greg Boland
Address	
Telephone	
Email	
Comments	<p>Much could be said in relation to this project. I will address 3 key areas of concern for me. ADHERENCE TO TOWN OF COTTESLOE POLICIES I am concerned that the Indiana Tea House Redevelopment is contradicting many well-founded and long-established policies which have contributed to the success of the beach front. To a large extent, community dissatisfaction with the beach front has only been in connection with the public ablution facilities. This has largely arisen from the "privatisation" of services that should better be provided in this location on a public basis. I am pleased with the part of the proposal that places the public ablution facilities back in the hands of the local authority. However, resolving that issue should not be the reason that other policies are disregarded or ignored. The long term framework for the beach front was adopted in the Beach Policy in May 2004, which was most recently reviewed in May 2012. Of particular concern to me is that there appears to be disregard of Strategy Part (7)(b) on "Building Control" part (i) which provides that "The policy of the Town of Cottesloe shall be to limit the construction of any enclosed and roofed structures west of Marine Parade to replacement only without significant expansion of the footprint, height or mass of the structure." Furthermore, in (ii) it is stated that "Any replacement program will only be considered following a public review of the need for the proposed facility." A public review of the need for the proposed facilities has not been carried out. It is obviously clear from the history of the public ablution facilities that there is a need for improvements in that respect. However, I am not aware of a public review establishing the need for the increase in the much enlarged Restaurant/Function Centre. The Beach Policy also has a strong focus on protection of the natural environment. For instance, Strategy (7)(f) on Revegetation provides that "The Town of Cottesloe will maintain the beach reserves with natural vegetation." The current plan removes natural vegetation by removing a number of sheoak trees. Also Strategy (7)(n)(iii) on Shade, provides that the Town of Cottesloe will seek to provide shaded areas particularly along the beach front, by the use of suitable shade trees or appropriate environmentally acceptable and simple structures.". The removal of the sheoak trees and the replacement with an open paved unshaded area is contradicting this particular strategy. FINANCIAL ASPECTS AND LEASE ARRANGEMENTS I am concerned about the financial aspects of the proposed transactions and whether they will be in the best interests of the Town. The major change in financial arrangements would be the transfer of the responsibility for the building from the current lessee to the Town. The main concern there would be that the potential cost to the Town could be very large if the structural integrity of the building has not been maintained and/or cannot be established. The terms of any new lease agreement need to be carefully considered. The Business Plan document made some reference to the history of the</p>

matter, although I would not entirely agree with the section headed "Basis for existing lease arrangements". The Council of the day in the mid 1990's made a very unwise decision at one stage to offer to enlarge the initial lease term from 21 years to 50 years with the rent being fixed throughout the 50 year period. The Town was able to avoid that unsatisfactory offer, but litigation did follow, and a commercial settlement was reached with reduced term and increased rent. I do not agree with the interpretation put that the proceedings were "ultimately settled in favour of Greenport". I know this subject well, as I was a Councillor in the late 1990's and I was a member of the Litigation Sub-Committee which resolved the litigation. Although that issue is largely historical, it should not influence the view taken of the strength of the negotiating position of the Town at this point in time. Similarly, in the section on page 12 headed "Business Plan", there is a statement that "the current Lessee has a lease until 2041". I understand the position to be that the current lessee has a lease until 4 August 2016. It then has options to renew the lease up until 2041. It is entirely open to the lessee to not exercise the option beyond 4 August 2016. I also notes that it is said in the Business Plan at page 7 that the current lease "does not provide the Town with any real ability to control the level of service provided from this facility". I do not consider this is accurate as I understand that the lease provides that the use of the premises is to be for a café and restaurant catering for a maximum of 170 people, and a kiosk for sale of take away food, drinks and ice creams. There are also many other provisions about various aspects. I also note that there is comment that in relation to the history at page 7 of the Business Plan that it was assumed that "the Lessee would assume responsibility for providing a high end facility". It is not clear who is making this assumption. It does not appear to be a correct assumption and it is clearly not the intent of the lease. The specific terms of the lease require the purposes of a range of services to be provided, not just (or even) "high end". This should remain the goal of the facility that it provides a range of food and beverage provision that caters for all beach goers. In fact, the need is far more for non- "high end" facilities, as the vast majority of beach goers are there for the natural beach experience, not a "high end" dining experience. The Town should not allow an incorrect version of fact and history, and the current lessee's preferred business model of a "high end" facility to influence the discussion away from broader community needs being delivered from a building located on this most significant site. Any new structures and lease arrangement should reflect the needs of the community in general, rather than "high end" users. ARCHITECTURAL ELEMENTS The existing building is very attractive to many people, however the proposed additions are very unsympathetic. The original architect should be consulted about the proposed additions. Thank you for the opportunity to comment. Greg Boland

Visitor Source

DIRECT null null

From: enquiries@cottesloe.wa.gov.au
Sent: Wednesday, 25 November 2015 8:39 AM
Subject: Website Submission

Business Plan - Redevelopment of Indiana Tea House

Details Submitted	
Name	Sandra Boulter
Address	
Telephone	
Email	
Comments	<p>Ratepayer and Resident submission Sandra Boulter 3 Millers Court Cottesloe WA 6011 24 November 2015 SUBMISSION SUMMARY 1. There should be no further expenditure on the Indiana toilets or redevelopment until Council has considered formal written legal advice about its options in relation to the failure of the Lessee to maintain the entire building, not just the toilets. 2. There are a number of potential costs to ratepayers that have not been identified in the CARDNO Report, and these should be estimated before any further progress of this plan is made. 3. The options of breaching the Lessee and/or of building a new separate toilet block should be put back on the table so the costs and future costs of these options can be compared to the costs and future costs of the ROITH. 4. The fact that the Indiana Tea House was built to serve the beach and the purpose of the reserve on which it sits and the purpose of the surrounding reserves should be uppermost in Council's deliberations on the ROITH, second only to the potential liability for ratepayers from the ROITH. REDEVELOPMENT OF INDIANA'S TEA HOUSE BUSINESS PLAN (ROITH) 5. The ROITH refers to application of reserve funds but does not explain which funds, where they came from and what the alternatives for expenditure of those funds would be. 6. Furthermore, if we did not have those reserve funds would be obtain/ be granted a loan on the basis of the ROITH? 7. Proper consultation would provide the alternative uses of the reserved funds and future operational costs budget that will be denied the ratepayers by the commitment of these funds to the liability for maintenance of the building. PUBLIC CONSULTATION 8. The level and quality of information given in respect of public consultation might be enhanced by Council embracing and adopting the Western Australian Whole of Government Open Data Policy, endorsed by Cabinet and launched by the Premier on 2 July 2015. The purpose of the policy is to improve management and use of the public sector assets. Data is considered open when it is released and available for the general public, easily discoverable, in formats that are modifiable, non-proprietary and machine readable, licensed for reuse and redistribution and available at no cost to the users. The principles of open data are that it is, open by default, easily discoverable, usable and timely (Up to date as possible): http://www.gcio.wa.gov.au/GCIO/media/Publications/Open-Data-Policy.pdf 9. Yvonne Hart, former Councillor and secretary of R&R gave a most enlightening history to Council on 23 November 2015. This history was very important for me as it was not included in the ROITH. It should be included in the ROITH and close liaison with Ms Hart fostered and encouraged by the CEO and the Mayor in relation to ANY Issue relating to the toilets. 10. I question whether the level of information in the ROITH satisfies the requirements of the Local Government Act in the level of detail provided in the ROITH. 11. This public consultation has been less than ideal because of the lack of detail that would be known to Council. a. There is insufficient detail in the ROITH to properly make submissions. For example: i. The map is hard to read. ii. The ROITH refers to use of reserve funds but does not explain what this means. 12. There is no note that the very difficult to read Concept Plan map at Appendix One can be obtained in more detail from the Town. 13. The Cardno report while public, is not easily accessible. 14. All the lease documents are publically available for inspection at Council offices and this should have been so stated in the public consultation document. 15. The ROITH is undated and unattributed. THE LAND 16. There is insufficient description in the ROITH of the affected reserve land, the purpose for which it is reserved, or the decision makers for this redevelopment proposal. 17. This information needs to be identified to properly consider this proposal, in its</p>

context. THE BUILDING: CARDNO BUILDING REPORT 18. The Cardno Report, contracted by the Town of Cottesloe, is the lead consultant with sub consultants' reports including: a. Cardno – Executive Summary, Façade and Structural Engineering Report. b. Alpha Zeta – Electrical, Hydraulic, Fire and Mechanical Services. c. Knight Frank – Structure and Fabric Report. (N.B. More of an Architectural Report.) 19. The Capital Expenditure Forecast in the front of the Cardno Report summarises the findings of all report sections and finds that the total required expenditure for the redevelopment plan is \$2.4 million dollars. The biggest individual items are: a. Building Structure, Fabric and Finishes = \$1.5M b. Mechanical Services (Air Conditioning) = \$635K c. Electrical Services = \$170K 20. The Cardno Report leaves several matters unresolved. For example: sufficiency of site power supply, for example several tripping events were recorded. This indicates a possible lack of power capacity to the site, the lack of which could be exacerbated by any further development/ appropriate maintenance of the building. This could require construction of a substation to resolve the power supply issues. Note is given of the possible need for Given that the air conditioning system has not operated for several years and that this would be a significant single electrical load if reinstated. POTENTIAL ISSUES WITH BUILDING AND EXTENSION 21. The construction of an extension to the building would involve a Building Permit application. 22. This application would require any new build to comply with current building codes (BCA/NCC 2015). 23. The application may also trigger some degree of/complete compliance for the existing building with the applicable current building codes. This would be up to the BCA Consultant and the authorities reviewing the Building Permit. This is not provided for in the costs estimates and there is no report about this. Some preliminary discussion with the decision makers about this must be undertaken. 24. Issues may include: a. Energy Efficiency – The old building would not meet the insulation and glazing provisions of the BCA/NCC. This is not provided for in the costs estimates and there is no report about this. b. Fire Services – If the building exceeds a floor area of 500m², this would require fire hydrant coverage which is currently does not have. Depending on local water pressure, fire pumps and tanks would be required. We are not told the floor area, and this is not provided for in the costs estimates and there is no report about this. c. Compliance with disabled access building codes. Ramps, Bathroom Size, Lifts. This is not provided for in the costs estimates and there is no report about this. d. In addition to the compliance issues above, there may be a practical issue with the capacity of the current power supply to the site that may trigger the requirements to install a substation and upgrade the Western Power supply. This would be a major cost. This is not provided for in the costs estimates and there is no report about this. 25. I am concerned to ensure that a comprehensive due diligence approach to the DA phase of the new development to get specific feedback on the BCA compliance issues and to look at services infrastructure issues for the site (e.g. power, water, fire water and sewer, and disability access) before Council makes any further financial commitments to this process 26. Council should also consider "Green" initiatives to be incorporated into the proposed redevelopment such as solar panels. This is not provided for in the costs estimates and there is no report about what options ought to be considered. Shade benefits and urban amenity from existing trees must be considered and a Cottesloe Tree Policy that addressed modern strategic and statutory planning consideration in respect of trees would be helpful. Furthermore, the value of the trees proposed to be removed, which I object to, should be assessed and charged to the developer as a TOC Tree Policy should provide for. PROPOSED EXTENSION 27. I do not support the design of the kiosk extension in the draft design and model presented to the community. 28. It is further development on the west side of Marine Parade, which is inconsistent with Town of Cottesloe Beach and Reserves Policy. Furthermore, such a decision should not be made until the Foreshore Plans are completed 29. I do not like the minimalist façade from an aesthetic perspective. The east facing side of the building currently sits softly within the landscape, whereas the new plan sits harshly on top of the landscape, requires removal of trees and will remove the desirability of picnicking in the public areas surrounding the vast deck. The ambience of the eastern grounds of the site are enormously important on hot summer nights. The current different levels provide amenity, ambience, privacy and shade. The said to be poor use of this space relates to the failure of the Lessee to maintain the building and spaces. My grandson loves the elephants, but even they are disappearing. 30. I do not agree that the façade of the building has little value as an architecture icon (Comment by Rodrigues at public meeting) given the number of photos of it represented in countless tourism and Cottesloe promotion literature – this is the peoples' view – it is famous because of the west facing aspect sitting within our iconic beach. It is a landmark. However, it is only the façade facing the beach framed in the beach context that is so beloved and admired and photographed. Being within the building itself is widely criticised for its lack of ambience and integration with the beach. In my opinion, a lot of that is do with the lack of care and maintenance of the building by the current Lessee and the failure of Council to enforce the Lessee's lease obligations. 31. The beach needs a beach kiosk where people in bathers and towel can buy a coffee and ice-cream, and kiosk/café food in a beach setting – the proposed new kiosk does not do this and has the potential to be licensed premises. The current kiosk site is poorly

maintained and designed and placed but it is a beach kiosk, which the site needs. There needs to be a radical rethink about best place for a beach kiosk – perhaps with the surf club storage given a different/better site, perhaps either side of a beach front kiosk; and then after and from this is resolved, the toilet redesign follows. It is the interface of the entrances to the toilets beside the entrance to the kiosk that is a major detractor for people using the kiosk in its present site. For example, having the entrance to the kiosk from the beach side, perhaps with some tables and chairs on the beach side and closing the current kiosk entrance from between the toilets, could be another option to be considered. After all the original brief for Indiana was "to serve the beach", which fits with public objectives for the reserve. The desire to resolve the toilet issue is driving the town towards significant financial risk much of which is as yet unquantified or even identified. STRATEGIC ENVIRONMENT 32. State Planning Policies regarding state coastal planning and rising sea levels should be addressed in the document, especially since it is the WAPC which will be the decision maker. 33. All relevant TOC plans, strategic plans, policies and by-laws should be specifically addressed in the ROITH as to how the ROITH complies or does not comply. 34. Complaints about the cleanliness and maintenance of the public toilets is purported to be driving this proposal. It does not make sense that such expense and liabilities should be incurred by the ratepayers, when other less expensive and risky options are open to the Town of Cottesloe simply to resolve the toilet issue. It is rather like the proverbial tail wagging the proverbial dog. 35. No design of or for the Indiana site should be contemplated or progressed before the Foreshore Redevelopment Plan has been completed. 36. No design of or for the Indiana site should be contemplated or progressed before the Bicycle Plan has been completed, or any other relevant plan currently being prepared for the TOC. 37. The proposal should be considered in the light of the Town's Number One Priority in its Strategic Community Plan, being the wellbeing of the community and whether there are better ways to resolve the Indiana public toilet issue and better ways to expend the reserved funds with this in mind. STATUTORY ENVIRONMENT 38. The WAPC will be the decision maker for the ROITH under the Metropolitan Region Scheme. 39. The WAPC attitude to this proposal should have been gauged and reported in the ROITH. 40. It must be remembered that this building is on precious land reserved by the WA State government for community use. What the reserves are and what their purpose is, should have been explained to the community in the ROITH. 41. The WAPC attitude on the redevelopment proposal should be urgently obtained before a report is brought back to Council about the public submissions. LEASE 42. There is insufficient detail in the ROITH about the Lease, for the community to assess the best way forward. 43. In a nutshell, as I understand it: • It is a ground lease, which means Red Roc (the current lessee) leases the public reserved land on which is situated Indiana, a building that Red Roc owns. • Under the terms of the lease Red Roc is responsible for maintenance of the building, including the cleaning and maintenance of the public toilets. • As I understand it, during the course of the lease the public reserve land, which was leased was changed from the protection of Class A reserve down to a Class C reserve (Less protection, less importance). 44. As I understand it, usually in commercial leases, the landlord owns the base building plant such as the air conditioning system. The tenant is expected to maintain it in workable condition during its economic design life. Once the units exceeds its economic design life, it is reasonable for the tenant to request the replacement of that plant so that maintenance costs once again become reasonable. Will this will be the situation under the proposed new lease arrangements? What will be the liability of Council for plant and equipment upgrades under the new lease? 45. In relation to the structural and building fabric issues, it is obvious that if the tenant (RED Roc) was responsible, they have let the building deteriorate to quite a high level. 46. The Town of Cottesloe should never be put in a position wherein the landlord can demand that certain plant be replaced or certain maintenance be performed to a certain standard in any future lease. Any lease that is renegotiated MUST have a binding a tight clause that any works relating to the building, the standard of those works, replacement of plant or equipment etc etc is entirely within the discretion of the Town of Cottesloe to minimise the risk of protected disputes about such matters and the risk this would pose to ratepayers funds. MISSING/WRONG INFORMATION 47. The Summary of Costs at page 15 of the ROITH is missing significant potential costs information referred to in this document and no doubt other costs that unknown, at present. 48. The Summary of Costs at page 15 of the ROITH is missing significant potential costs information relating to ongoing operational and maintenance costs that will be the responsibility of the Town, once the proposed new lease is entered into. 49. There ought to be one comprehensive summary of the costs, that includes capital and operational costs, including plant replacement and structural maintenance predicted until the end of the lease, not just within the 10 year financial plan of the Town, so ratepayers have TOC best estimate of the total cost of this proposal. 50. It is very difficult to see on the figures provided and the missing costs estimates how it could said with any degree of confidence, as stated on page 18 that "... there will be a small net increase in the costs to the Town as a result of this project..." 51. The ROITH at page 7 states "...the wording of the lease did not provide the Town with any real ability to control the level of service at the facility..." is disingenuous. The terms quite clearly require the

Lessee to maintain the building, which in turn relates to the quality of service dispensed from the building by the Lessee, toilet cleaning, restaurant service, maintenance of ground for picnics etc We need written legal advice about this. 52. The works required for the building referred to on page 4 of the building seem mostly as a result of the failure of the Lessee to maintain the building as required by the terms of the Lease. 53. Is it the case that the 26% contribution of the Lessee to the redevelopment costs, identified on page 11 diagram in the ROITH, includes the costs of the outstanding maintenance obligations thereby concealing what the real – much smaller - contribution of the Lessee is, given it is contractually obliged to maintain the building? 54. I am advised that Tom Brand built the original toilet block for the state government and that the standard of the construction was high. We could obtain those plans for more information about the sewerage and water supplies for the toilet block which would be helpful on working out what the issue is. They could have been included in the ROITH, given it is the toilets which appear to be the primary concern of the author of the ROITH. 55. It is simply not good enough to say Council has had lots of complaints about the toilets and that this is generating the need for this costly ROITH. The data about the complaints needs to be provided in the ROITH. Is it mainly about cleanliness, smell or maintenance? How many and did any of the proposals from the community include such an expensive response solution? 56. Given the large increase in the number of toilets and showers to be provided, thereby requiring moving the kiosk, is there a business case for such a large expansion, given the Town is going to have to clean and maintain all the toilets and showers. 57. There are five car parking bays proposed to be removed, not three. We do not have a transport/disability access report to show that the 5 car bays and bus stop to be removed, can be removed or should be removed. COUNCIL EXPOSURE 58. Is it the case that the Council will continue to pay for the cleaning of the toilets until the ROITH is implemented, which is likely to take at least 18 months once everything is in place, so not less than 3 summers away? 59. On the face of it, if, under the new lease arrangements, Council (that is the ratepayers) takes over the ownership of and maintenance of the Indiana building, they would be initially up for most of the \$2.4M mentioned above with unknown future costs and liabilities. Will Council take out a loan or use the depot site money? 60. Would Council get a loan to undertake this plan based on the due diligence to date if it did not have the depot site money? 61. What projects planned for the use of the depot money will be stalled or not possible because of the use of reserve funds for the ROITH: See LG Act s3.59(3)(a & c). I understand this section to have broader requirements such as those identified in this submission, and is not only about the narrow aspect of providing public toilets on the site. 62. What projects will be delayed or not possible because of the ongoing maintenance costs of the building once it is inherited by the TOC? See LG Act s3.59(3)(a & c) DUE DILIGENCE 63. Councillors should be in receipt of comprehensive written expert legal advice about its options in terms of the Lessee's failure to maintain the building, including the toilets, before Council considers any further expenditure on the ROITH. I would recommend a comprehensive due diligence approach to any renegotiation of the lease and all and any of the Development Application phase of any development to get specific feedback on the BCA compliance issues and to look at services infrastructure requirements and needs for the site (e.g. power, water, fire water, sewer and disability access especially in the context of Indiana infrastructure being part of the disability route to the beach.) IN SUMMARY If the plan of the Lessee is to succeed in the ROITH, and then sell the lease, then the ratepayers of Cottesloe will have funded the profits taken by the Lessee after it has moved on. Thank you for the opportunity to comment on this most significant, and potentially costly liability for the ratepayers of Cottesloe. Cheers Sandra Boulter Mobile: 0427 508 582 Email: sandraboulter@westnet.com.au Twitter: OATS@OATs4Democracy OATS = Open, Accountable, Transparent, Sustainable

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SEARCH www.google.com.au BLOCKED

From: enquiries@cottesloe.wa.gov.au
Sent: Wednesday, 25 November 2015 8:46 AM
Subject: Website Submission

Business Plan - Redevelopment of Indiana Tea House

Details Submitted	
Name	roger weston
Address	
Telephone	
Email	
Comments	<p>SUBMISSION SUMMARY 1. There should be no further expenditure on the Indiana toilets or redevelopment until Council has considered formal written legal advice about its options in relation to the failure of the Lessee to maintain the entire building, not just the toilets. 2. There are a number of potential costs to ratepayers that have not been identified in the CARDNO Report, and these should be estimated before any further progress of this plan is made. 3. The options of breaching the Lessee and/or of building a new separate toilet block should be put back on the table so the costs and future costs of these options can be compared to the costs and future costs of the ROITH. 4. The fact that the Indiana Tea House was built to serve the beach and the purpose of the reserve on which it sits and the purpose of the surrounding reserves should be uppermost in Council's deliberations on the ROITH, second only to the potential liability for ratepayers from the ROITH. REDEVELOPMENT OF INDIANA'S TEA HOUSE BUSINESS PLAN (ROITH) 5. The ROITH refers to application of reserve funds but does not explain which funds, where they came from and what the alternatives for expenditure of those funds would be. 6. Furthermore, if we did not have those reserve funds would be obtain/ be granted a loan on the basis of the ROITH? 7. Proper consultation would provide the alternative uses of the reserved funds and future operational costs budget that will be denied the ratepayers by the commitment of these funds to the liability for maintenance of the building. PUBLIC CONSULTATION 8. Yvonne Hart, former Councillor and secretary of R&R gave a most enlightening history to Council on 23 November 2015. This history was very important for me. It should be included in the ROITH and close liaison with Ms Hart fostered and encouraged by the CEO and the Mayor in relation to ANY Issue relating to the toilets. 9. I question whether the level of information in the ROITH satisfies the requirements of the Local Government Act in the level of detail provided in the ROITH. 10. This public consultation has been less than ideal because of the lack of detail that would be known to Council. a. There is insufficient detail in the ROITH to properly make submissions. For example: i. The map is hard to read. ii. The ROITH refers to use of reserve funds but does not explain what this means. 11. There is no note that the very difficult to read Concept Plan map at Appendix One can be obtained in more detail from the Town. 12. The Cardno report while public, is not easily accessible. 13. All the lease documents are publically available for inspection at Council offices and this should have been so stated in the public consultation document. 14. The ROITH is undated and unattributed. THE LAND 15. There is insufficient description in the ROITH of the affected reserve land, the purpose for which it is reserved, or the decision makers for this redevelopment proposal. 16. This information needs to be identified to properly consider this proposal, in its context. THE BUILDING: CARDNO BUILDING REPORT 17. The Cardno Report, contracted by the Town of</p>

Cottesloe, is the lead consultant with sub consultants' reports including: a. Cardno – Executive Summary, Façade and Structural Engineering Report. b. Alpha Zeta – Electrical, Hydraulic, Fire and Mechanical Services. c. Knight Frank – Structure and Fabric Report. (N.B. More of an Architectural Report.) 18. The Capital Expenditure Forecast in the front of the Cardno Report summarises the findings of all report sections and finds that the total required expenditure for the redevelopment plan is \$2.4 million dollars. The biggest individual items are: a. Building Structure, Fabric and Finishes = \$1.5M b. Mechanical Services (Air Conditioning) = \$635K c. Electrical Services = \$170K 19. The Cardno Report leaves several matters unresolved. For example: sufficiency of site power supply, for example several tripping events were recorded. This indicates a possible lack of power capacity to the site, the lack of which could be exacerbated by any further development/ appropriate maintenance of the building. This could require construction of a substation to resolve the power supply issues. Note is given of the possible need for Given that the air conditioning system has not operated for several years and that this would be a significant single electrical load if reinstated. POTENTIAL ISSUES WITH BUILDING AND EXTENSION 20. The construction of an extension to the building would involve a Building Permit application. 21. This application would require any new build to comply with current building codes (BCA/NCC 2015). 22. The application may also trigger some degree of/complete compliance for the existing building with the applicable current building codes. This would be up to the BCA Consultant and the authorities reviewing the Building Permit. This is not provided for in the costs estimates and there is no report about this. Some preliminary discussion with the decision makers about this must be undertaken. 23. Issues may include: a. Energy Efficiency – The old building would not meet the insulation and glazing provisions of the BCA/NCC. This is not provided for in the costs estimates and there is no report about this. b. Fire Services – If the building exceeds a floor area of 500m², this would require fire hydrant coverage which is currently does not have. Depending on local water pressure, fire pumps and tanks would be required. We are not told the floor area, and this is not provided for in the costs estimates and there is no report about this. c. Compliance with disabled access building codes. Ramps, Bathroom Size, Lifts. This is not provided for in the costs estimates and there is no report about this. d. In addition to the compliance issues above, there may be a practical issue with the capacity of the current power supply to the site that may trigger the requirements to install a substation and upgrade the Western Power supply. This would be a major cost. This is not provided for in the costs estimates and there is no report about this. 24. I am concerned to ensure that a comprehensive due diligence approach to the DA phase of the new development to get specific feedback on the BCA compliance issues and to look at services infrastructure issues for the site (e.g. power, water, fire water and sewer, and disability access) before Council makes any further financial commitments to this process 25. Council should also consider "Green" initiatives to be incorporated into the proposed redevelopment such as solar panels. This is not provided for in the costs estimates and there is no report about what options ought to be considered. Shade benefits and urban amenity from existing trees must be considered and a Cottesloe Tree Policy that addressed modern strategic and statutory planning consideration in respect of trees would be helpful. PROPOSED EXTENSION 26. I do not support the design of the kiosk extension in the draft design and model presented to the community. 27. It is further development on the west side of Marine Parade, which is inconsistent with Town of Cottesloe Beach and Reserves Policy. Furthermore, such a decision should not be made until the Foreshore Plans are completed 28. I do not like the minimalist façade from an aesthetic perspective. The east facing side of the building currently sits softly within the landscape, whereas the new plan sits harshly on top of the landscape, requires removal of trees and will remove the desirability of picnicking in the public areas surrounding the vast deck. The ambience of the eastern grounds of the site are enormously important on hot summer nights. The current different levels provide amenity, ambience, privacy and shade. The said to be poor use of this space relates to the failure of the Lessee to maintain the building and spaces. My grandson loves the elephants, but even they are disappearing. 29. I do not agree that the façade of

the building has little value as an architecture icon (Comment by Rodrigues at public meeting) given the number of photos of it represented in countless tourism and Cottesloe promotion literature – this is the peoples' view – it is famous because of the west facing aspect sitting within our iconic beach. It is a landmark. However, it is only the façade facing the beach framed in the beach context that is so beloved and admired and photographed. Being within the building itself is widely criticised for its lack of ambience and integration with the beach. In my opinion, a lot of that is do with the lack of care and maintenance of the building by the current Lessee and the failure of Council to enforce the Lessee's lease obligations. 30. The beach needs a beach kiosk where people in bathers and towel can buy a coffee and ice-cream, and kiosk/café food in a beach setting – the proposed new kiosk does not do this and has the potential to be licensed premises. The current kiosk site is poorly maintained and designed and placed but it is a beach kiosk, which the site needs. There needs to be a radical rethink about best place for a beach kiosk – perhaps with the surf club storage given a different/better site, perhaps either side of a beach front kiosk; and then after and from this is resolved, the toilet redesign follows. It is the interface of the entrances to the toilets beside the entrance to the kiosk that is a major detractor for people using the kiosk in its present site. For example, having the entrance to the kiosk from the beach side, perhaps with some tables and chairs on the beach side and closing the current kiosk entrance from between the toilets, could be another option to be considered. After all the original brief for Indiana was "to serve the beach", which fits with public objectives for the reserve. The desire to resolve the toilet issue is driving the town towards significant financial risk much of which is as yet unquantified or even identified.

STRATEGIC ENVIRONMENT 31. State Planning Policies regarding state coastal planning and rising seal levels should be addressed in the document, especially since it is the WAPC which will be the decision maker. 32. All relevant TOC plans, strategic plans, policies and by-laws should be specifically addressed in the ROITH as to how the ROITH complies or does not comply. 33. Complaints about the cleanliness and maintenance of the public toilets is purported to be driving this proposal. It does not make sense that such expense and liabilities should be incurred by the ratepayers, when other less expensive and risky options are open to the Town of Cottesloe simply to resolve the toilet issue. It is rather like the proverbial tail wagging the proverbial dog. 34. No design of or for the Indiana site should be contemplated or progressed before the Foreshore Redevelopment Plan has been completed. 35. No design of or for the Indiana site should be contemplated or progressed before the Bicycle Plan has been completed, or any other relevant plan currently being prepared for the TOC. 36. The proposal should be considered in the light of the Town's Number One Priority in its Strategic Community Plan, being the wellbeing of the community and whether there are better ways to resolve the Indiana public toilet issue and better ways to expend the reserved funds with this in mind. STATUTORY ENVIRONMENT 37. The WAPC will be the decision maker for the ROITH under the Metropolitan Region Scheme. 38. The WAPC attitude to this proposal should have been gauged and reported in the ROITH. 39. It must be remembered that this building is on precious land reserved by the WA State government for community use. What the reserves are and what their purpose is, should have been explained to the community in the ROITH. 40. The WAPC attitude on the redevelopment proposal should be urgently obtained before a report is brought back to Council about the public submissions. LEASE 41. There is insufficient detail in the ROITH about the Lease, for the community to assess the best way forward. 42. In a nutshell, as I understand it: · It is a ground lease, which means Red Roc (the current lessee) leases the public reserved land on which is situated Indiana, a building that Red Roc owns. · Under the terms of the lease Red Roc is responsible for maintenance of the building, including the cleaning and maintenance of the public toilets. · As I understand it, during the course of the lease the public reserve land, which was leased was changed from the protection of Class A reserve down to a Class C reserve (Less protection, less importance). 43. As I understand it, usually in commercial leases, the landlord owns the base building plant such as the air conditioning system. The tenant is expected to maintain it in workable condition during its economic design life. Once the units

exceeds its economic design life, it is reasonable for the tenant to request the replacement of that plant so that maintenance costs once again become reasonable. Will this will be the situation under the proposed new lease arrangements? What will be the liability of Council for plant and equipment upgrades under the new lease? 44. In relation to the structural and building fabric issues, it is obvious that if the tenant (RED Roc) was responsible, they have let the building deteriorate to quite a high level. 45. The Town of Cottesloe should never be put in a position wherein the landlord can demand that certain plant be replaced or certain maintenance be performed to a certain standard in any future lease. Any lease that is renegotiated MUST have a binding an tight clause that any works relating to the building, the standard of those works, replacement of plant or equipment etc etc is entirely within the discretion of the Town of Cottesloe to minimise the risk of protected disputes about such matters and the risk this would pose to ratepayers funds. MISSING/WRONG INFORMATION 46. The Summary of Costs at page 15 of the ROITH is missing significant potential costs information referred to in this document and no doubt other costs that unknown, at present. 47. The Summary of Costs at page 15 of the ROITH is missing significant potential costs information relating to ongoing operational and maintenance costs that will be the responsibility of the Town, once the proposed new lease is entered into. 48. There ought to be one comprehensive summary of the costs, that includes capital and operational costs, including plant replacement and structural maintenance predicted until the end of the lease, not just within the 10 year financial plan of the Town, so ratepayers have TOC best estimate of the total cost of this proposal. 49. It is very difficult to see on the figures provided and the missing costs estimates how it could be said with any degree of confidence, as stated on page 18 that "... there will be a small net increase in the costs to the Town as a result of this project..." 50. The ROITH at page 7 states "...the wording of the lease did not provide the Town with any real ability to control the level of service at the facility..." is disingenuous. The terms quite clearly require the Lessee to maintain the building, which in turn relates to the quality of service dispensed from the building by the Lessee, toilet cleaning, restaurant service, maintenance of ground for picnics etc We need written legal advice about this. 51. The works required for the building referred to on page 4 of the building seem mostly as a result of the failure of the Lessee to maintain the building as required by the terms of the Lease. 52. Is it the case that the 26% contribution of the Lessee to the redevelopment costs, identified on page 11 diagram in the ROITH, includes the costs of the outstanding maintenance obligations thereby concealing what the real - much smaller - contribution of the Lessee is, given it is contractually obliged to maintain the building? 53. I am advised that Tom Brand built the original toilet block for the state government and that the standard of the construction was high. We could obtain those plans for more information about the sewerage and water supplies for the toilet block which would be helpful on working out what the issue is. They could have been included in the ROITH, given it is the toilets which appear to be the primary concern of the author of the ROITH. 54. It is simply not good enough to say Council has had lots of complaints about the toilets and that this is generating the need for this costly ROITH. The data about the complaints needs to be provided in the ROITH. Is it mainly about cleanliness, smell or maintenance? How many and did any of the proposals from the community include such an expensive response solution? 55. Given the large increase in the number of toilets and showers to be provided, thereby requiring moving the kiosk, is there a business case for such a large expansion, given the Town is going to have to clean and maintain all the toilets and showers. 56. There are five car parking bays proposed to be removed, not three. We do not have a transport/disability access report to show that the 5 car bays and bus stop to be removed, can be removed or should be removed. COUNCIL EXPOSURE 57. Is it the case that the Council will continue to pay for the cleaning of the toilets until the ROITH is implemented, which is likely to take at least 18 months once everything is in place, so not less than 3 summers away? 58. On the face of it, if, under the new lease arrangements, Council (that is the ratepayers) takes over the ownership of and maintenance of the Indiana building, they would be initially up for most of the \$2.4M mentioned above with unknown future costs and

liabilities. Will Council take out a loan or use the depot site money? 59. Would Council get a loan to undertake this plan based on the due diligence to date if it did not have the depot site money? 60. What projects planned for the use of the depot money will be stalled or not possible because of the use of reserve funds for the ROITH: See LG Act s3.59(3)(a & c). I understand this section to have broader requirements such as those identified in this submission, and is not only about the narrow aspect of providing public toilets on the site. 61. What projects will be delayed or not possible because of the ongoing maintenance costs of the building once it is inherited by the TOC? See LG Act s3.59(3)(a & c) DUE DILIGENCE 62. Councillors should be in receipt of comprehensive written expert legal advice about its options in terms of the Lessee's failure to maintain the building, including the toilets, before Council considers any further expenditure on the ROITH. I would recommend a comprehensive due diligence approach to any renegotiation of the lease and all and any of the Development Application phase of any development to get specific feedback on the BCA compliance issues and to look at services infrastructure requirements and needs for the site (e.g. power, water, fire water, sewer and disability access especially in the context of Indiana infrastructure being part of the disability route to the beach.) IN SUMMARY If the plan of the Lessee is to succeed in the ROITH, and then sell the lease, then the ratepayers of Cottesloe will have funded the profits taken by the Lessee after it has moved on. Thank you for the opportunity to comment on this most significant, and potentially costly liability for the ratepayers of Cottesloe.

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SUBMISSION ON THE BUSINESS PLAN FOR THE INDIANA

MY COMMENTS ON THE PROPOSAL.

CATALYST: The community demanded properly maintained and cleaned restroom facilities at the Indiana – we now are presented with an expensive, full-blown renovation of the building with the lessees being the main beneficiaries. According to the council summary, the majority of the half million beach users are visitors.

LESSEE: The Business Plan says, “As per lease, the toilets are provided by a commercial operator”. Having avoided the responsibility of presenting the toilets in a clean, hygienic state, have the lessees breached their contract?

The Business Plan says under the current lease “the lessee is responsible for all building maintenance and repairs”. Under this plan, the Town will take on the cleaning and maintenance of the toilets AND the maintenance and repairs of the entire Indiana. How many millions of dollars of maintenance and repairs have the lessees failed to provide over many years? Have the lessees breached their contract?

STATE GOVERNMENT CONTRIBUTION: The Business Plan says the Indiana is constantly being used by the State Government for the “promotion of Western Australia to the rest of the world” and that many companies use it as a backdrop for advertising, exhibiting art etc. Since the Indiana is predominately used by visitors to Cottesloe - the report says “the vast majority of people accessing Cottesloe Beach each year are not Cottesloe residents”, I believe Cottesloe’s financial contribution as proposed in the Business Plan is excessive and the State Government along with the lessees, should be contributing much more, particularly in light of the Town proposing to take on the ongoing maintenance, repairs and cleaning of the toilets, and the rest of the building - at considerable, ongoing cost.

LESSEES’ CONTRIBUTION: As mentioned before, the lessees have avoided their responsibility by neglecting the maintenance of the Indiana for years and are now getting new, modern facilities throughout. For this they are contributing only \$1.3million plus an annual increase in rent of a mere \$55,000. Since the quoted cost of cleaning and maintaining the toilets is \$80,000-\$110,000 per year, they are not coming close to covering even that. Their contribution should be considerably more.

COTTESLOE’S CONTRIBUTION: Cottesloe is preparing to clean up the Indiana to the tune of \$1.668.840 million – to repair and modernize the building and its surrounds which have been sorely neglected over many years and to incur heavy ongoing expenses maintaining the restrooms, rarely used by Cottesloe people. If it wasn’t for the Depot development – where

would the Town contribution have come from? This is not a good deal for the residents of Cottesloe.

FORECOURT/TERRACED AREAS: The large cost of these areas should be divided amongst the State Government, the lessees, and Cottesloe, since they will all benefit from them.

PROFESSIONAL AND DESIGN FEES: These costs should be divided among the three stakeholders.

A comment on the last sentence in the Business Plan explaining how much time the Indiana will take Town officers to manage. It says: "this may prevent other significant projects from being able to be undertaken at the same time". Surely this is all part of everyday Council administration and should not be too difficult, even if it's a large project?

ROSEMARY WALSH,

Collins Christian

From: enquiries@cottesloe.wa.gov.au
Sent: Wednesday, 25 November 2015 10:15 AM
Subject: Website Submission

Business Plan - Redevelopment of Indiana Tea House

Details Submitted	
Name	Robyn Benken
Address	
Telephone	
Email	
Comments	<p>The Indiana toilets are an big issue for locals and for many of the quarter of a million visitors. However, I'm very unhappy that Cottesloe ratepayers would inherit a very uncertain financial legacy of the building and the toilets maintenance which could prove to be a huge financial risk and carry unknown liabilities. The picnic area and shade of the trees is extraordinarily important and a vital amenity for residents and visitors and it is a tragedy that much of this will be lost under the present plan. A beach kiosk would be a great boon - if it was simple and accessible for sandy footed beach users. Yours sincerely, Robyn Benken</p>
Visitor Source	SEARCH www.google.ca BLOCKED

From: enquiries@cottesloe.wa.gov.au
Sent: Wednesday, 25 November 2015 10:41 AM
Subject: Website Submission

Business Plan - Redevelopment of Indiana Tea House

Details Submitted	
Name	Dieter Benken
Address	
Telephone	
Email	
Comments	I am utterly opposed to any decision concerning the Indiana toilets issue until council and ratepayers had the opportunity to consider legal advice in regards to the obligations of the lessee of the Indiana Teahouse. Council has a long history of very reckless and naive financial decisions in this case and it would be appalling if this sad track record would be extended into the future. Please ensure a transparent and open assessment by legal, financial and environmental experts. The issues involved far exceed the in-house competence of the Council. Regards Dieter Benken 6 Lyons Street Cottesloe WA 3011
Visitor Source	DIRECT null null

From: enquiries@cottesloe.wa.gov.au
Sent: Wednesday, 25 November 2015 11:11 AM
Subject: Website Submission

Business Plan - Redevelopment of Indiana Tea House

Details Submitted	
Name	Chris Wiggins
Address	
Telephone	
Email	
Comments	<p>To: Cottesloe Council From: Chris Wiggins Cottesloe () Date: 25 Nov 2015 Submission re: Business Plan – Redevelopment of Indiana Teahouse Summary. The plan meets Cottesloe’s objectives. It provides a sound structure for ongoing management and relationship with Indiana. The proposal is very advantageous to Indiana. They get upgraded facilities which if managed properly should be very profitable. They only pay about a quarter of the renovation costs. They are released from any obligations for ongoing maintenance which has been neglected by lessees over the last 25 years. Council Management and Councilors should be commended for developing a well structured proposal after many years of inaction. Council should also be congratulated for the transparent and consultative way this important project is being advanced. Advantages to Cottesloe. The Indiana plan as outlined in the document circulated by the Council and discussed at the meeting accomplished the Council’s objectives. The proposed plan meets basic criterion for the redesign of the toilets and restaurant/cafe/ kiosk to provide improved amenities to the public. The plan as currently presented is shed like and unappealing. It needs work to provide a more human, friendly and interesting building to enhance Cottesloe’s eclectic and quirky character and sense of place. Transferring ownership and responsibility to the Council makes sense, as Cottesloe will be responsible for the building when the lease expires in 25 years time. It will ensure that the necessary maintenance is performed which Indiana has failed to do. Operation and maintenance of the toilets is transferred to the Council. The problematic lease is rewritten. Improved amenities to Cottesloe residents and public. Advantages to Indiana Released from obligations to manage public change rooms and toilets which does not fit with their business. Released from obligations to maintain building, and backlog of repairs not performed in the past. Larger and easier to manage premises should provide for a much more profitable business if properly managed. Better lease document. Risks The plan presents a number of risks to the Council which need to be considered carefully. Cost overruns. Final costs on complex renovations and alterations not infrequently amount to 50 - 100% of initial estimates. The existing numbers appear inadequate. The Council would finish up responsible for the majority of the overrun costs. Project management. Cottesloe Council has minimal experience and is underresourced to manage a project of this size or nature. There are many parties involved - Indiana, Council, Surf Club, State Government, Architects Contractor(s) etc. If problems occur, it will place enormous stress on Council resources. Consideration needs be given to as to how this will be resourced. Length of lease. Council is proposing to provide Indiana with a new 25 year lease. This is a very long term. Council is responsible for the condition of the building. What will be the Council’s position if the building should</p>

experience problems such as to interfere with or prevent the Indiana from operating their business. To what extent would Council be up for liquidated damages, such as loss of profits, renting another location, etc? Noise and disturbance to Cottesloe residents. If Indiana is used as a function centre, it could create noise and traffic after 10.00pm which would be detrimental to a significant number of residents. Especially given the proposed developments along Marine Parade. Indiana Management The conduct of Indiana's management team in the past is poor. They have been difficult to work with. Maintenance on the building has been neglected. The toilets have been poorly cleaned and maintained. Failure to maintain equipment has lead to serious inconvenience and discomfort of Cottesloe residents and public. The kiosk is only operated at peak times The restaurant is poorly patronised compared with surrounding establishments. There have been noise complaints during functions. This could become more problematic in the future when the site opposite is redeveloped. It is hard to fathom the logic behind Indiana's track record to date. Providing them with improved premises does not necessarily mean they will run the facilities any better in the future or be any easier to deal with. Working with Indiana management will remain a major risk. Leopards don't change their spots. Recommendation. The proposal is well structured and will benefit Cottesloe if satisfactorily concluded. Given the long time horizon and iconic nature of Indiana, it is important that the renovations be done well. There are major risks which need to carefully addressed. It is essential that Cottesloe have a fall back position so that they can walk away from negotiations when the Indiana demands make the project too expensive or risky. These could be either continue with status quo with enhanced toilet management, or to build separate toilets and leave Indiana to wrestle with their white elephant of a building. Given the potential for a very profitable operation, Council should seek a higher rental, or a profit sharing arrangement.

Visitor Source

DIRECT null null

Collins Christian

From: hilary rumley
Sent: Wednesday, 25 November 2015 11:28 AM
Subject: Re: Business Plan - Redevelopment of Indiana Tea House (ITH)

Dear Mat & all,
Cld u pls confirm that you have received my submission re Indiana by sending me a copy by return (hopefully with computer glitches corrected).
Thanks & regards,
Hilary

On Wed, Nov 11, 2015 at 12:23 PM, Mat Humfrey <CEO@cottesloe.wa.gov.au> wrote:

Hilary,

Thanks for the email. I can assure you that universal access will be a prime consideration if the project moves to the detailed design phase. The comments provided below will be included with the submissions received on this project and will be presented to Council for consideration in December.

Kind regards

Mat

From: hilary rumley [mailto:
Sent: Wednesday, 11 November 2015 11:44 AM
To: Andrew Jackson
Cc: Mat Humfrey; Douglas Elkins; Mayor Jo Dawkins; councillors@cottesloe.wa.gov.au; council; Jay Birnbrauer; Garry Bird; Lydia Halim; Sherilee Macready
Subject: Business Plan - Redevelopment of Indiana Tea House (ITH)

Dear Andrew & All,

Points which I would like to be

raised/addressed

at Wed 11 Nov

ToC Information

mtg

re above

(for which my apologies);

To all those

required to

implemen

t

disability access & inclusion in Cottesloe, I would initially draw your attention to the

Cottesloe

Enquiry

b

y

Design

Report March 2009

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p52

3.4 One of a number of dot points:-

Improve universal access to the beach and groy

ne

p54

New beach access

Opportunity for providing universal access from Marine Parade directly to the main beach via a

lift attached or adjacent to the Indiana Teahouse.

(WHY HAS THIS POINT NOT BEEN EXPLICITLY REFERRED TO/INCLUDED IN THE CURRENT PLAN?)

With

further &

particular ref to the current Business Plan - Redevelopment of Indiana Tea House (ITH), I would like you to note the following:

- Agree with point p4 para 2 that the ITH '... lacks many of the facilities expected of a modern tourist attraction...' & point p4 para 5 that the ITH '...should cater for the ability level of all users.'
- Agree that p8 para 1 '...entire site is in need of an overhaul...' & that facilities '...do not meet modern requirements.'
- p13 Unclear re vague points included in Att 1 - Concept Plans

which are hard to read

eg

:-

Under Notation Legend Pt 6 Negative Elements: Remove existing steep stair with lift for purposes of new kiosk & bar. **(THIS SHOULD INCLUDE USE BY PWD AS SUGGESTED IN THE 2009 Ebd REPORT).**

Under Notation Legend Pts 8 & 9 Male & Female toilets. **(THIS SHOULD CLEARLY INDICATE HOW UNIVERSAL ACCESS IS TO BE PROVIDED TO WHAT LOOK TO BE UNIVERSAL ACCESS/DISABLED ACCESS TOILETS)**

Under Notation Legend Pt 12 Promote Public Access: Provide improved legible access to the Indiana Tea Rooms. **(THIS NEEDS TO BE MUCH MORE SPECIFIC TO MAKE ANY SENSE).**

p16 para 4 'The improvements included in the lower level... (will) ... provide easier access to the beach level for equipment & improved first aid facilities.' **(WHAT ARE THE IMPROVEMENTS IN THE LOWER LEVEL? THE CONCEPT PLANS ON P16 DO NOT INCLUDE A LOWER LEVEL. IS IT TO BE ASSUMED THAT THIS IS CSLS**

C

ROOMS? DOES THE LIFT GO TO THIS LEVEL? WILL THIS PROVIDE UNIVERSAL ACCESS TO THE BEACH LEVEL

FROM MARINE PARADE

?)

p17 para 2 (**WHICH BEACH USERS? THIS SHOULD CLEARLY MAKE A STATEMENT ABOUT UNIVERSAL/DISABLED ACCESS & INCLUSION.**)

p19 Agree with Major Strategy 1.5 (**BUT DELET**

E

'CONTINUE TO' & BEGIN WITH 'IMPROVE ACCESS & INCLUSION OF AGED PERSONS

&

THOSE WITH DISABILITIES.)

p20 para 2 Any architect & project manager engaged by the Town **MUST** have a thorough understanding of the principles of **UNIVERSAL DESIGN, DISABILITY ACCESS & INCLUSION.**

I totally agree with points in the email recently sent by Cr Sally Pyvis and hope that the issues/questions asked/raised by both her & myself will be addressed in this evening's mtg. I hope answers will be provided in due course after community consultations are complete & submissions have been received.

Thanks & regards,

Hilary Rumley

--
*Hilary Rumley
BA Jt Hons (N-u-T); MA (UBC)
Senior Research Associate,
Indian Ocean Research Group (IORG)*

Australia

ph:

email:



Collins Christian

From: enquiries@cottesloe.wa.gov.au
Sent: Wednesday, 25 November 2015 12:33 PM
Subject: Website Submission

Business Plan - Redevelopment of Indiana Tea House

Details Submitted	
Name	Ruth Greble
Address	
Telephone	
Email	
Comments	<p>Dear Mayor, Councillors, CEO and staff Thank you for the information evening which provided background to the Concept design for the Redevelopment of Indiana Tea House. I have looked at the 3 dimensional model and enlarged diagram at Council's lobby. There were many questions and issues raised at the meeting which I feel sure will be covered by other submissions, predominantly about the Business Plan and its financial implications and planning the restaurant/kiosk for optimal enjoyment. Ruth Greble November 25, 2015 4:00 PM, Cottesloe (WA) Australia Email: rt.greble@cottesloe.wa.gov.au Submission: The Redevelopment Of Indiana Tea House, Cottesloe Beach 1. Public Transport, walk and cycle access: Bus Stop: The regular bus stop should be kept close to the building on Marine Parade, as it is now, for the regular Transperth no.102 and for the Cott Cat shuttle. The proposed allocation south of Forrest Street near the Cottesloe Surf Club is appropriate for school bus, tourist coaches and similar vehicles. Cycle Parking: I recommend a couple of dozen bike racks in view of the restaurant/kiosk customers as it will help to protect against theft and vandalism especially the higher priced bikes that get targeted. The Redevelopment could choose to promote more uptake of cycling to reach the destination and contribute to decongesting the Foreshore area. 2. Universal Access I appreciate that Council has statutory obligations in respect to access and am aware of the Town's Disability Access Plan and the compliance which is required. However the design currently shows plenty of room for improvement, especially the stair access, north and south to the kiosk area, circulation between lower promenade and upper promenade levels and access to the toilet and shower areas. I feel that while the architect will have an understanding of Universal Access, which includes disability access in its scope, this iconic WA building is deserving of specialist advice to supplement the current approach before the design goes to the next stage. If this is done, it will deliver medium and long-term economic and administration benefits over the life of the building, as I can attest to. I had very satisfactory experience using an Access Consultant before renovating my rental property at no.49 John Street and learned more than I expected because this has become quite a specialised area in recent years. It was very cost effective, so that I will not have expensive 'retro-fits' in future. The slight changes I made to the renovation plans had immediate benefits. It also has reduced the chance of accidents and lowers the probability of future compensation claims for injury. Therefore I strongly recommend that: Council contract a qualified experienced Access Consultant to provide the specialised assistance to the architect, as befits a State Landmark The consultant would be preferably a Western Australian member of the Association of Consultants in Access: https://access.asn.au/index.php/find-an-access-consultant For Town of Cottesloe the benefits would be large-</p>

scale particularly in the area of future possibility of accident and injury. Securing the specialised (and written) advice that a qualified Access Consultant provides will help the architect get the optimum amenity from the design and will show clearly that Council has assigned a high priority to Universal Access. It would also emphasise the goals in the Project Summary on page 4: The building needs to be befitting of its location. Incorporated into the facilities needs to be an area where local residents can congregate, enjoy a relaxed meal or to share a fine dining experience with family and friends. The facilities on offer for beach users need to be first class and should cater for the ability level of all users. A useful source of inspiration allied to Universal Access is the Vancouver Protocol for Ageing Friendly Communities (AFC) which has been used by the City of Melville. Information: <http://www.cotawa.org.au/wp-content/uploads/2013/10/Age-Friendly-WA-Toolkit.pdf> 3. Lift With respect to the lift being used by visitors and by the restaurant/kiosk also for moving equipment and supplies, I recommend two lifts instead of just one. That would allow faster and smoother movement and keeping passengers and goods separate if necessary (for security and duty of care to visitors) as well as a provision for continuing day-to-day operations if one of the lifts breaks down temporarily. 4. Toilets Change tables and parent room/s: I note that the current design does not appear to allow for change tables or even one parent room, and hope that I am wrong on this. 5. Decorative Stone Elephants The stone elephants by the path are enormously popular with children and I would love to see them saved during rebuilding by moving them nearby so they can still be enjoyed. It would be really nice to have some more low-level animal statues to spread the joy, if the budget allows. ----end

Visitor Source

DIRECT null null

Collins Christian

From: enquiries@cottesloe.wa.gov.au
Sent: Wednesday, 25 November 2015 2:40 PM
Subject: Website Submission

Business Plan - Redevelopment of Indiana Tea House

Details Submitted	
Name	Bob and Margaret Morrison
Address	
Telephone	
Email	
Comments	<p>We would like to make some comments on the Indiana proposal as follows. We have other comments but have run out of time to complete them by 4pm today. We may submit them in the next day or two in the hope they may still be considered. The proposal to move the bus stop now outside the Indiana to a location South of Forrest Street is not acceptable under any circumstances. The TransPerth Route 102 bus turns right from Forrest Street into Marine Parade. The Cott Cat bus does the same. Moving the stop South would prevent this. It is commonly accepted that public transport must be encouraged, and convenient, direct access to Cottesloe Beach must be preserved. The progressive development of roundabouts and traffic calming devices has already made matters more difficult for drivers, and nothing must be done that will further discourage TransPerth from including Cottesloe Beach in its routes. We have no objection to the stopping places for tour and group buses being South of Forrest Street.</p>
Visitor Source	DIRECT null null

Kishani Devi

From: enquiries@cottesloe.wa.gov.au
Sent: Wednesday, 25 November 2015 3:45 PM
Subject: Website Submission

Business Plan - Redevelopment of Indiana Tea House

Details Submitted	
Name	John Mengler
Address	
Telephone	
Email	
Comments	It seems to me that the proposal is a pragmatic endeavour by ToC to address a leasing error it made many years ago. With reservations about the real extent of the likely ongoing maintenance and administration costs to ToC, I support the proposal. A greater increase in the annual rent to be paid by Indiana would lessen my reservations.
Visitor Source	EXTERNAL www.cottesloe.wa.gov.au null

Kishani Devi

From:
Sent: Wednesday, 25 November 2015 3:46 PM
Subject: Indiana proposed redevelopment - Submission
Attachments: Indiana - Submission 25 Nov 2015.pdf

Town of Cottesloe & Councillors

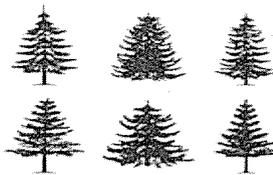
Please find attached a submission from the Cottesloe Residents' & Ratepayers' Association, for the proposed Indiana redevelopment.

Regards

Yvonne Hart

Secretary

Cottesloe Residents' & Ratepayers Assoc



SOS Cottesloe Inc
COTTESLOE RESIDENTS & RATEPAYERS ASSOCIATION
ARN A1005384K

PO Box 494, Cottesloe WA 6911

Redevelopment of Indiana

**Submission by
Cottesloe Residents' & Ratepayers' Association**

John Hammond, Chair
Greg Boland, Vice Chair
Yvonne Hart, Secretary

Wednesday 25 November 2015

ADHERENCE TO TOWN OF COTTESLOE POLICIES

Cottesloe Residents & Ratepayers' Association is concerned that the proposed Indiana Redevelopment is contradicting many well-founded and long-established policies that have contributed to the success of the beachfront.

Community dissatisfaction with the beachfront has been due to lack of maintenance of the public facilities. This has arisen from the lease agreement that requires Indiana to provide services that should better be provided in this location on a public basis.

Resolving that issue should not be the reason that other policies are disregarded or ignored.

Beach Policy

The long-term framework for the beachfront was adopted in the Beach Policy in May 2004, most recently reviewed in May 2012.

- 1 There appears to be disregard of Beach Policy, Strategy Part (7)(b) on Building Control part (i) that states:
 - The policy of the Town of Cottesloe shall be to limit the construction of any enclosed and roofed structures west of Marine Parade to replacement only without significant expansion of the footprint, height or mass of the structure."

- 2 Furthermore, in (ii) the policy states
 - 'Any replacement program will only be considered following a public review of the need for the proposed facility.'

A **public review of the need for the proposed facilities** has not been carried out. It is clear from the history of the public ablution facilities there is a need for improvements in that respect. However, there is no evidence of a public review establishing the need for the increase in a much enlarged Restaurant/Function Centre.

Conclusion: Redevelopment of Indiana should not take place until a public review has been carried out.

- 3 The Beach Policy has a strong focus on protection of the natural environment.
 - Strategy (7)(f) on Vegetation states 'The Town of Cottesloe will maintain the beach reserves with natural vegetation.'

Conclusion: The current plan removes natural vegetation by removing a number of sheoak trees.

- 4 Strategy (7)(n)(iii) on Shade, states 'The Town of Cottesloe will seek to provide shaded areas particularly along the beach front, by the use of suitable shade trees or appropriate environmentally acceptable and simple structures'.

Conclusion: The removal of the sheoak trees and the replacement with an open paved unshaded area is contradicting this particular strategy.

Recommendation 1:

The proposed redevelopment of Indiana cannot be supported until each item of the Beach Policy has been addressed.

OPTIONS

Beach Policy, Strategy Part 7

- (ii) 'Any replacement program will only be considered **following a public** review of the need for the proposed facilities. Each proposal will be examined individually on its merits. Such a review will incorporate need, environmental and social impact, long-term maintenance requirements and construction standards. It is acknowledged that existing buildings may require relocation in the light of such review'.

Basis for a public review as required by the Beach Policy:

- Option 1** Serve a Notice of Default on Indiana for its failure to meet the terms of its lease agreement in relation to Lease Agreement Part IV, 'Maintenance and Alternation to Premises'. This Option has never been tested.
Outcome: Cottesloe staff to enforce the Lease Agreement.
- Option 2** Should the Lessee fail to comply with its obligations under the lease agreement, be prepared to take the Lessee to court. This Option has never been tested.
Outcome: Use 'surplus' funds currently put aside for development
- Option 3** As natural light and ventilation is not a problem completely refurbish Indiana public facilities:
i) fully tile both male and female toilets
ii) replace all facilities with state-of-the-art cisterns, hand basins hand dryers, showerheads
Outcome: Full costs to be calculate and circulated to ratepayers
- Option 4** Close Indiana public toilets. Build a separate toilet block underneath car park 1.
Outcome: Projected costs compared to Indiana redevelopment.
- Option 5** Prepare a new lease agreement that does not require Town of Cottesloe to enter into a development that could place a heavy financial burden on future generations of ratepayers.

Recommendation 2:

The potential costs of to the ratepayers of the Indiana redevelopment could be extraordinary particularly as no comparative costs of the options above have been calculated. Take no action on the proposed Indiana redevelopment until all options have been explored and costed.

Recommendation 3:

As the Town is soon to enter a detailed design phase for the Marine Parade and Foreshore Area it would be prudent for any redevelopment of Indiana be considered in conjunction with the Foreshore Redevelopment Plan. Take no action on the proposed Indiana redevelopment until a strategic Foreshore Redevelopment Plan, that includes John Black Dune Park, is developed.

INDIANA PUBLIC TOILETS

The public toilets at Indiana have been a constant source of complaint.

The toilets are an embarrassment to the Town of Cottesloe and all those who visit the beach and require toilet facilities.

As recently as the Associations meeting on 19 November 2015 the Association received further complaints about the current state of the toilets, namely, that the toilets are dirty, odorous and dilapidated.

The Association has always focused on the lack of maintenance and poor quality of the cleaning which is a health risk. There has never been any suggestion from the ratepayer's Association that the Indiana building should be upgraded, refitted nor re-developed.

Our position has always been that the Lessee has failed to meet the terms of their Lease Agreement and that Council should take whatever approach is necessary to see Lease Agreement is maintained.

It is disappointing that Council would use the failure of the Lessee to maintain the toilets as an excuse to propose a re-development that is advantageous to the Lessee but has potential financial risk to ratepayers.

Short-term objectives

- 1 The toilets require regular cleaning and maintenance until any development is commenced.
- 2 A full time cleaner should be retained by the Town to have the toilets cleaned throughout the day, particularly in the summer months. **Cost to be borne by the Lessee.**
- 3 A Council telephone number should be provided for people dissatisfied with the toilet facilities. Evidence of complaints recorded and made available online or at least on request.
- 4 All broken toilet parts should be promptly repaired.

Long-term objectives:

- 1 The facilities need to be improved. There are clearly an inadequate number of toilets to service the Cottesloe beach and its users. However, what evidence is there to justify providing more than double the facilities now available, given such facilities have high use for approximately three months of the year.

Recommendation 4:

Given the large increase in the number of toilets and showers provide detailed evidence for such a large expansion, plus the annual costs of cleaning and maintenance that is to be borne by ratepayers.

FINANCIAL ASPECTS

The Cottesloe Residents' & Ratepayers' Assoc is concerned about the financial aspects of the proposed transactions and whether they will be in the best interests of the Town of Cottesloe and its ratepayers.

The major change in financial arrangements would be the transfer of the responsibility for the building from the current lessee (Indiana/Redrock) to the Town of Cottesloe.

- 1 The potential cost to the residents and ratepayers could be very large if the structural integrity of the building has not been maintained and/or cannot be established.
- 2 The terms of any new lease agreement need to be carefully considered. The Business Plan made reference to the history of the matter, although we do not agree with the section 'Basis for existing lease arrangements' (page 6).

The Council mid-1990s made a very unwise decision to offer to enlarge the initial lease term from 21 years to 50 years with the rent being fixed throughout the 50-year period. The Town was able to avoid that unsatisfactory offer, but litigation did follow, and a commercial settlement was reached with reduced term and increased rent. We do not agree with the interpretation put that the proceedings were 'ultimately settled in favour of Greenport. Although that issue is largely historical, it should not influence the view taken of the strength of the negotiating position of the Town at this point in time.

- 3 Similarly in the Business Plan (page 12), there is a statement that 'the current Lessee has a lease until 2041'. We understand the position to be that the current lessee has a lease until 4 August 2016. It then has options to renew the lease up until 2041. It is entirely open to the lessee to not exercise the option beyond 4 August 2016.
- 4 The Business Plan (page 7) claims the current lease 'does not provide the Town with any real ability to control the level of service provided from this facility'. This statement is not accurate as the lease provides for the use of the premises for a café and restaurant catering for a maximum of 170 people, and a kiosk for sale of take away food, drinks and ice creams.
- 5 We also note (page 6) there is comment 'the Lessee would assume responsibility for providing a high end facility'.
 - It is not clear who is making this assumption.
 - It does not appear to be a correct assumption and it is clearly not the intent of the lease.
 - The specific terms of the lease require the purposes of a range of services to be provided, not just 'high end'.
 - It should remain the goal of the Lessee that it provides a range of food and beverage provision that caters for all beach goers. In fact, the need is far more for non-high end facilities, as the vast majority of beach goers are there for the natural beach experience, not a high end dining experience.
 - The Town should not allow an incorrect version of fact and history, and the current lessee's preferred business model of a high end facility to influence the discussion away from broader community needs being delivered from a

building located on this most significant site. Beach users are far more significant and their needs for easy café/kiosk facilities need consideration.

- Any new structures and lease arrangement should reflect the needs of the community in general, rather than high end users.

Questions:

- 1 Expected effect (p15) – The cost of providing the public facilities 'is partly offset by the increased rent revenue that will be derived from the facility with the remaining costs to be accounted for within the Town's annual budget'.

(p18) 'There will be a small net increase in the to the Town as a result of this project'.

Any redevelopment should be cost neutral for residents and ratepayers. A greater share of redevelopment costs should be borne by the current Lessee who will be the major beneficiary of the project.

- 2 Should the Indiana redevelopment proceed, who will be responsible for the maintenance and cleaning of the toilets during the course of the redevelopment? What will be the annual costs and cumulative costs over a number of years?
- 2 In the 'Summary of Costs' (p14), Indiana maintenance to existing structures and plan is shown as \$250,000. Given Indiana has done no maintenance to the building over the last 23 years, is this amount adequate? Have maintenance requirements been identified, listed and individually costed?
- 3 Will the lease income cover the ongoing costs of maintenance of the new building and toilets?
- 3 What professional advice has been sought to ensure Cottesloe ratepayers receive the best return on this commercial development?
- 4 It appears the footprint of the redevelopment is larger than the current Indiana footprint. On what basis would a new lease agreement be calculated?
- 5 Is the Heads of Agreement process secure enough to ensure no problem emerges from a new lease?
- 6 Will there be a separate lease for the proposed café/kiosk facility?

Any new lease agreement should financially reflect the status of Indiana and the status this landmark has around the world. A new lease agreement would be highly sought after by competitive entrepreneurs.

Conclusions:

- 1 The redevelopment proposal is of advantage to Indiana rather than the ratepayers.
 - They will be provided with an upgraded building. There is no evidence yet as to who will be responsible for the costs associated with repairs and maintenance of the current building.
 - It appears they will be released from any obligations for ongoing maintenance, which has been neglected by Indiana over the last 25 years.
Outcome: This arrangement will be unacceptable to ratepayers.
 - A new 25-year lease appears generous considering difficulties of the past. As Indiana has not been a co-operative Lessee, a shorter lease with options should be considered or alternately, a better Lessee.
- 2 The Council could expose ratepayers to significant financial risk
 - Operational costs
 - Maintenance costs
 - Cost over runs
 - Under estimated costs due to unforeseen problems
 - Budget blowout
- 3 Consideration should be given to the number of stakeholders in the project. As the statutory authority in WA they will be a key body in the decision making process. It would be unwise to under-estimate their influence on any redevelopment of Indiana, considering its iconic status for the tourism industry.
- 4 Basic issues such as parking and traffic management, noise, hours of operation, liquor licensing are matters yet to be address.

The current Indiana building is recognised worldwide. Cottesloe Beach is acknowledged as one of the best beaches in the world.

Any re-development should:

- retain the building and status
- not expose future residents and ratepayers to financial risk
- be a source of income for the Town of Cottesloe

Kishani Devi

From: Mat Humfrey [CEO@cottesloe.wa.gov.au]
Sent: Wednesday, 25 November 2015 4:31 PM
Subject: FW: Submission re the Indiana Teahouse Business Plan

Chieko,

A submission on the Indiana Business Plan.

Thanks
Mat

From: John Francis Walsh [<mailto:>]
Sent: Wednesday, 25 November 2015 3:58 PM
To: Mat Humfrey; #Councillors; Mayor Jo Dawkins
Subject: Submission re the Indiana Teahouse Business Plan

I make the following comments re the Indiana Business Plan.

My main concerns are the overall cost of this development, the share of those costs between the relevant parties, and whether the Town of Cottesloe (TOC) is getting value for money.

Most of the money being provided by TOC will come from the sale of the Depot almost the last of the TOC's silverware. It is very easy to spend someone else's money but it is hard to see another cash windfall for the TOC when the Depot money is gone. Are we getting value for money with this proposal?

Alarm bells are raised with me when I see the original costing for the upgrade was \$8 million. This was clearly excessive and was revised down to \$4.7 million. Was the \$8 million plan required work or a case of other peoples' money --TOC— and easily spent? Or does the building require \$8 million to be spent and the current plan is only a bandaid? Could the costs be further revised down yet still meet the site requirement which is to fix the problems with the toilets?

In the share to be paid for by TOC I see Professional fees of \$285,000 followed by Design fees of \$119,000. Surely the design fees are Professional fees and should have already been accounted for there? Further the Design/Professional fees for TOC are an order above those of Red Roc. Are these fees for TOC the result of other peoples' money syndrome? Much of the design for the work has already been done by the TOC architect with much of the ongoing work able to be done by low level office workers. Are we getting value for money or are we paying for work done previously but not paid for otherwise these fees seem excessive.

The same query about the level of costs (and value for money) is valid for the area between the Indiana and Marine Pde. Expenditure here of \$600,000 seems excessive as does \$410,000 for a stairwell and paving in the forecourt. In this same general area Indiana Pty Ltd are spending \$200,000 while the State Govt is spending \$275,000 on works to Marine Pde and the dual use path. These are obviously areas of overlap and the total expenditure for what is a small area seems excessive.

While I commend Mat Humfrey for the deal he has rung out of Red Roc given the very difficult original lease agreement governing this site I question whether the Business Plan shows that TOC is getting even close to value for money.

TOC is getting increased rent for the premises but not enough to cover the cost of cleaning that it is assuming from Red Roc and its expenditure is greater than that of Red Roc for what appears to be a lesser amount of work.

Red Roc does very well with the new arrangements with the removal of its responsibility for the toilets (\$100,000 pa for a good job) and \$200,000 to \$400,000 of maintenance work on the façade. I consider their contribution should go up accordingly to cover the undone maintenance.

The Govt contribution is welcome but is a bare minimum given the situation. More than 80% of beach users come from outside Cottesloe and the beach is an important driver of tourist visitors to WA. The State Govt contribution should be greater and TOC should make every effort to ratchet it up given the amount of money TOC spends annually on keeping the beach clean and safe for these visitors.

I question whether the Business Case demonstrates that TOC should go ahead with the \$4.7 million redevelopment of the Indiana.

TOC should have run a Business Case for the renewal of the toilets only so that the two positions could be transparently compared.

This may well have shown TOC should have taken this alternate course of action. Any responsible corporate body in the private sector would have taken such a course of action before embarking on such major expenditure.

Complaints re the Indiana over the years were very much about the state of the toilets NOT of the building or the forecourt. Comparative Business cases may well have shown the strongest case was for only fixing the toilets particularly given the Govt contribution was towards this part of the plan.

Without this second Business case and a clear understanding of the relative merits I cannot support the currently proposed plan which seems to give major benefits to Red Roc at a minor cost to them.

A greater contribution from Red Roc and from the State Govt are required to make this plan equitable to the TOC.

J. F. Walsh

Kishani Devi

From: enquiries@cottesloe.wa.gov.au
Sent: Wednesday, 25 November 2015 4:48 PM
Subject: Website Submission

Business Plan - Redevelopment of Indiana Tea House

Details Submitted	
Name	Jarrad Oakley
Address	
Telephone	
Email	
Comments	<p>The overall vision for an upgraded and well integrated Indian Tea House being a significant coastal landmark in WA in principle is supported; however the concept design and business plan put forward by the town in its current format is insufficient and not supported. Justification is provided below; • With proposed funding from both Local and State Government, the current costs borne upon the public equate to 74% (\$3,443,840) of the total capital expenditure. This is significantly disproportionate to the outlay being offered by the Lessee at 26% (\$1,220,000) of the total \$4,663,840 cost excl. GST. • The intended gain by the current Lessee/operator far outweighs what the above percentages indicate; not taking into account the ongoing financial burden the Town is subject to as a result of adopting control and financial responsibility for the building. The operators given their significant physical presence within the Indiana Tea House have a vested interest in the ongoing upkeep and maintenance of the landmark and should therefore be held somewhat financially accountable for such costs. • The town has budgeted for capital costs associated with the upgrade and identified the ongoing additional costs required to maintain the building. The compilation of a greater and more comprehensive cost analysis business plan should be submitted for comment to clearly ascertain any ongoing costs and make predictions for any forecast costs that the Town will be burdened by including but not limited to the; Insurance costs associated with Public Liability, the Building & Structure, cleaning and maintenance of the public facilities has made mention in the report but its not clear if this includes caretaker responsibilities, etc. • The design of the public terraces is not clear and appears contradictory to the desired outcomes of the Town. The introduction of steps along principles paths is undesirable as it discriminates against people with mobility issues. Ramps should be encouraged where access is maintained along principle pedestrian routes. In addition to this whilst provision of zones have been set aside for public use, the flaw is in their relationship to the privately leased kiosk/bar. The overbearing presence of these private spaces will result in the public space not being effectively utilised, resulting in a loss of amenity that is currently available to the public in a more natural landscaped setting. • The proposed Kiosk being relocated from the mid-level of the Indiana Tea house to the Marine Parade street level is promoting a direct interface with the park and street. Whilst this can be seen as a positive outcome for the lessee with greater exposure, it should be stressed that one of the fundamental principles that make a beach kiosk attractive to patrons is informality and a relaxed environment. • There is a significant increase in the number of toilets being proposed as part of the upgrade, has there been any study to ascertain in one aspect, if the proposed increase is sufficient to cope with demand? Or in a different aspect, if the proposed number of facilities proposed is warranted and isn't overcompensating – as this equates to unnecessary capital outlay and associated ongoing financial burden. Thank you</p>
Visitor Source	SEARCH www.google.com.au BLOCKED

Kishani Devi

From: enquiries@cottesloe.wa.gov.au
Sent: Wednesday, 25 November 2015 5:07 PM
Subject: Website Submission

Business Plan - Redevelopment of Indiana Tea House

Details Submitted

Name Shirley Scanlan

Address

Telephone

Email

Comments

My understanding is that this whole project is the result of council's perceived need to provide cleaner toilets for the public that use Cottesloe beach. In that case it seems extremely excessive to proceed with a project that will cost in excess of \$4,000,000 to achieve that end, when that end result could be realised for a significantly smaller amount. Council have undertaken many studies recently and commissioned many reports such as the EBD, the foreshore master plan in order to produce an overall concept for the main Cottesloe coastal area between Forrest Street and Eric Street. There is no identification of how this current proposal fits within council's vision for the area. As a ratepayer I strongly object to the council proceeding with the proposal in its current format; more specifically:- 1. The business model is lacking in significant detail for such a large undertaking. In particular there appears to be no model that has identified the need for a significant increase in the number toilets. 2. Many of the comments at the public hearing from both the speakers and the audience related to the problems with the existing lease – it seems that council is rushing into a new lease arrangement that will not necessarily solve the existing problems and potentially create new problems down the track through all matters not given the due attention they deserve. 3. Many of the problems identified by council in their business plan are a result of the way the lessee operates its business and there appears to be nothing in the business plan that can or will change that situation. 4. The development of the existing Indiana Tea House was the result of an open competition with clearly defined scope of works, development brief and terms of reference with much publicity and wide canvassing of public opinion. The total cost of the development was privately funded by the winning proposal with no cost to Cottesloe Council (ie the ratepayers) and in fact it was a financial bonus for council in terms of the ground lease payment they received. 5. On the other hand this plan proposes: - a financial contribution of nearly \$1,700,000 by council – ie the ratepayers; - an additional cost to council to take over the maintenance of the building; - an additional cost to council to take over the cleaning and maintenance of the public toilets; - an increase in the lease payment under the new lease arrangements that does not come close to offsetting the additional costs taken on by council. - a contribution of \$1,220,000 by the current lessee to carry out works that are of benefit to the lessee only and includes no contribution to the cost of any of the public amenities. 6. This proposal removes many of the trees that exist between Indiana's and the street and several of the terraced lawns areas that provide sheltered spaces for families, visitors and tourists to enjoy and use for relaxing, picnics etc to be replaced with a wide, hard surfaced pathway that is unusable by cyclists and those with limited mobility (wide banks of stairs on either side). 7. I have included some extracts below from council's Business Plan document that identify some of the existing features of the area that council finds attractive and contribute to the current ambience around the Indiana Tea House. This current proposal has a large negative impact on these very features and totally transforms the current ambience of Cottesloe Beach. "The Indiana Tea House is a famous landmark. It is photographed widely and its image is synonymous with Perth" "What makes it a favourite among Perth's 19 sensational white sand beaches is its many charms. Shady Norfolk Pines, smooth terraced lawns and pristine sands offer the perfect setting for a lazy afternoon or family day out." "Most people would agree that, despite the controversy that followed, the ideals have been met and that the present much photographed Indiana Teahouse not only recaptures Cottesloe's past, but has introduced a certain ambience to a significant beachfront area which since the demise of the jetty and old Centenary Pavilion has lacked character."

Visitor Source

SEARCH www.google.com.au BLOCKED

To: Cottesloe Council

From: Chris Wiggins,

.t, Cottesloe.(ph

Date: 25 Nov 2015

Submission re:

Business Plan - Redevelopment of Indiana Teahouse

Summary.

The plan meets Cottesloe's objectives. It provides a sound structure for ongoing management and relationship with Indiana.

The proposal is very advantageous to Indiana. They get upgraded facilities which if managed properly should be very profitable. They only pay about a quarter of the renovation costs. They are released from any obligations for ongoing maintenance which has been neglected by lessees over the last 25 years.

Council Management and Councilors should be commended for developing a well structured proposal after many years of inaction. Council should also be congratulated for the transparent and consultative way this important project is being advanced.

Advantages to Cottesloe.

The Indiana plan as outlined in the document circulated by the Council and discussed at the meeting accomplished the Council's objectives.

The proposed plan meets basic criterion for the redesign of the toilets and restaurant/cafe/ kiosk to provide improved amenities to the public. The plan as currently presented is shed like and unappealing. It needs work to provide a more human, friendly and interesting building to enhance Cottesloe's eclectic and quirky character and sense of place.

Transferring ownership and responsibility to the Council makes sense, as Cottesloe will be responsible for the building when the lease expires in 25 years time. It will ensure that the necessary maintenance is performed which Indiana has failed to do

Operation and maintenance of the toilets is transferred to the Council.

The problematic lease is rewritten.

Improved amenities to Cottesloe residents and public.

Advantages to Indiana

Released from obligations to manage public change rooms and toilets which

does not fit with their business.

Released from obligations to maintain building, and backlog of repairs not performed in the past.

Larger and easier to manage premises should provide for a much more profitable business if properly managed.

Better lease document.

Risks

The plan presents a number of risks to the Council which need to be considered carefully.

Cost overruns. Final costs on complex renovations and alterations not infrequently amount to 50 - 100% of initial estimates. The existing numbers appear inadequate. The Council would finish up responsible for the majority of the overrun costs.

Project management. Cottesloe Council has minimal experience and is underresourced to manage a project of this size or nature. There are many parties involved - Indiana, Council, Surf Club, State Government, Architects Contractor(s) etc. If problems occur, it will place enormous stress on Council resources. Consideration needs to be given to as to how this will be resourced.

Length of lease. Council is proposing to provide Indiana with a new 25 year lease. This is a very long term. Council is responsible for the condition of the building. What will be the Council's position if the building should experience problems such as to interfere with or prevent the Indiana from operating their business. To what extent would Council be up for liquidated damages, such as loss of profits, renting another location, etc?

Noise and disturbance to Cottesloe residents. If Indiana is used as a function centre, it could create noise and traffic after 10.00pm which would be detrimental to a significant number of residents. Especially given the proposed developments along Marine Parade.

Indiana Management The conduct of Indiana's management team in the past is poor.

They have been difficult to work with.

Maintenance on the building has been neglected.

The toilets have been poorly cleaned and maintained. Failure to maintain equipment has led to serious inconvenience and discomfort of Cottesloe residents and public.

The kiosk is only operated at peak times

The restaurant is poorly patronised compared with surrounding establishments.

There have been noise complaints during functions. This could become more problematic in the future when the site opposite is redeveloped.

It is hard to fathom the logic behind Indiana's track record to date. Providing them with improved premises does not necessarily mean they will run the facilities any better in the future or be any easier to deal with. Working with Indiana management will remain a major risk. Leopards don't change their spots.

Recommendation.

The proposal is well structured and will benefit Cottesloe if satisfactorily concluded.

Given the long time horizon and iconic nature of Indiana, it is important that the renovations be done well.

There are major risks which need to be carefully addressed.

The proposal is expensive when taking into account the impact of depreciation and maintenance resulting from the Council taking ownership of the building. The proposal needs to be carefully costed, both from a capital and impact on profit and loss point of view.

Given the potential for a very profitable operation, Council should seek a higher rental, or a profit sharing arrangement.

It is essential that Cottesloe have a fall back position so that they can walk away from negotiations when the Indiana demands make the project too expensive or risky. These could be either continue with status quo with enhanced toilet management, or to build separate toilets and leave Indiana to wrestle with their white elephant of a building.

Kishani Devi

From: picarmichael [mailto:picarmichael@...]
Sent: Thursday, 26 November 2015 10:25 AM
Subject: Redevelopment of Indiana Tea House

SUBMISSION SUMMARY

Project history

Over a period of years the public toilets situated below the Indiana restaurant have become a public nightmare. Council had reviewed this problem on a number of occasions; however attempts to “sort” this issue, the male and female toilets and shower recess areas remain “alive” today.

Further building maintenance has been severely neglected. Lessees (past and present) had been given a “peppercorn lease” with a condition in one of the clauses that they (the lessee) repair and maintain the building. This clause of the contract has not been adhered to subsequently resulting in severe downgrade of its exterior.

Due to the lapse of compliance by the lessee in its contractual terms, combined with the Town of Cottesloe council not actively pursuing the tenant on its obligation, major repairs and maintenance are necessary to upgrade the building.

Current

The Town has now been brought into another level on the playing field by being given an option to redevelop and expand the existing Indiana structure.

This proposal reveals a number of problematic areas:

1. **IMPACT ON AMENITY** The impact on the amenity of the terraced grassed area east of building highly valued by visitors and residents alike.
2. **BUILDING** The building framework unattractive, too bulky with masonry and/or other building materials.
3. **MARINE PARADE FORESHORE REDEVELOPMENT PLAN (MPFRP)**. The building should not be a stand alone project and needs to be incorporated into the Marine Parade Foreshore Redevelopment “MASTER” Plan.
4. **LACK OF OPTIONS** One building option presented to the public for comment.
5. **LEASE** Why the Town of Cottesloe is paying for maintenance and repairs when that obligation lies within the terms of the contract?
6. **FUNDING** Sourcing of funding by the Town of Cottesloe for the re-development// extension of this building.

7. **PUBLIC TOILETS** The public facilities (toilets//showers) upgrade to be pinpointed in a separate costing exercise.
8. **BEACH POLICY** Non compliance with the Town's existing Beach Policy
9. **COMPLIANCE** To meet with Australian Standards in relation to Disability access.
10. **CONCEPT PLAN** Criticism of the Concept plan on the Town's webpage – too small.

Acceptance of the Proposal

Firstly I do applaud the Town council for trying to "fix" a problem which predominantly relates to the toilets and building degradation. If this proposal is adopted by the Town of Cottesloe it needs to be combined with the **MPFR"Master"Plan** reflecting a "VISION" for the Foreshore area, as must all potential redevelopment sites between Eric Street and Forrest Street.

1. **BOARDWALK** The boardwalk to be deleted and replaced with grass and tree landscaping, seating (benches) for the public, landscaped in harmony with the revised MPFRP.
2. **BUILDING REPAIRS & MAINTENANCE** To provide the **annual costs** of maintaining the building to a **standard** inclusive of a budget worksheet detailing items which will require repair//maintenance yearly. This information may be outlined in a worksheet available for public scrutiny.
3. **LEASE** The lease agreement terms to be scrutinised and available for public comment// feedback; and to create separate lease agreements with lessee (RedRoc?) for both the kiosk and restaurant areas.
4. **TOILETS** The public amenities (showers//toilets) to be built underground towards Marine Parade permitting the existing (proposed toilet) area to be re-developed for further// other commercial enterprises to operate such as surf club apparel shop or other.
5. **ETIQUETTE** Council to formally invite Laurie Scanlan (former Architect of the building) to comment on the project.

Please NOTE: Due to the size and scale of the MPFRP I have noted that this plan should include the word "MASTER"

Thanking you for the opportunity to comment on this proposal.

Patricia Carmichael

C 3011

**REDEVELOPMENT PLAN FOR INDIANA TEA HOUSE
PUBLIC COMMENT**

Sally Pyvis

Please consider the following comments I make as a Cottesloe resident and ratepayer.

BACKGROUND

My understanding is that the impetus for the proposed Redevelopment of Indiana Tea House (ITH) comes from the parlous state of the public toilets sited mid level in the ITH building.

Cleaning and maintenance of these toilets, under the current lease agreement, is the responsibility of Lessee Red Rock however years of complaints (from both locals and visitors) about the unhygienic public toilets bear testament to the fact that Red Rock has not been able to clean them to an acceptable standard.

As a means of addressing this ongoing problem, it is now proposed that a new lease with Red Rock will be entered into where the Town will take on the responsibility for

1. the cleaning the public toilets
2. the ITH building and its surrounds.

TOILET HISTORY

I believe there is general consensus that modern, functioning toilets are a need and a right of the beach going public who are the main users of public toilets at Cottesloe Beach.

The current provision of sub-standard, poorly maintained toilets encourages inappropriate use. (A person entering a dirty, smelly toilet is less likely to treat it with respect.) The existing toilets are therefore in a never ending, irretrievable spiral of decline in terms of both infrastructure and hygiene standards.

I believe the existing toilets contravene Australian public health standards although, for many reasons, this has proved difficult for the Town to prove.

WHO ARE THE PUBLIC TOILET USERS?

Patrons of cafes and hotels (east side Marine Parade) are able to use toilet facilities provided by these businesses.

Customers of shops (eg fish & chips, general store & takeaway) join beach users, picnickers, children's playground users, fitness station users, visitors to special events and passers by (pedestrians and cyclists) who need easy, safe access to public toilets.

These user groups comprise women, men, babies and children, the disabled and the aged - each with special needs (eg universal access, a baby changing station, a unisex toilet for the aged and disabled).

Tourist coaches visit Cottesloe Beach (Perth's premier beach) all year round. Tourists alight for a quick stop - to walk to the waters edge, take photos and use the public toilets.

PUBLIC TOILET LOCATION

I believe the current location of toilets (north and south side within ITH) is an optimal location for public toilets at Cottesloe Beach.

Toilet location is close to the main usage area (ie the beach west of Marine Parade). Urgency of need and ease of access are major factors in siting toilets and users must be able to quickly and easily identify toilet location and be provided with a direct access path to them.

The ITH is the dominant built form west of Marine Parade and, as such, leaves no room for error in the public locating toilets (ie. mid level between beach and Marine Pde) within this building. The location has worked perfectly for decades - it is the toilet facilities themselves that are the problem.

COUNCIL'S SOLUTIONS TO THE PROBLEM

Over the long history of complaints about the cleanliness and general condition of the public toilets (which is foremost a public health issue) Council has made several attempts to improve the situation.

In 2006 Council approved additional toilet cleaning by employing an independent cleaner for the 2006/2007 summer season.

In 2010 then CEO Carl Askew circulated a report including legal advice noting the Lessee was required to repair and maintain the whole of the premises in good, clean and tenable repair. The report noted that the Lessee was reviewing its cleaning contract and considering engaging an onsite permanent cleaner for the entire facility.

The 2010 report also states "it would not be appropriate for Council to meet such

costs and the Lessee's proposal to employ a permanent cleaner on site would address the matter." There were two attachments to the report, these being (1) Cleaning and (2) Maintenance.

Following the 2010 report, Council supported a request from Lessee Red Rock for a contribution to undertake capital related refurbishment work for the ITH public change room and toilets. Council extensively renovated the plumbing system at a cost of \$40,000

In 2011/2012, over two years, Council contributed an additional \$80,000 to repair plumbing of blocked toilets.

In 2012 Council contributed a further \$6,000 towards toilet plumbing repairs.

In March 2014 Council called for community comment on the Town's proposal to construct two public toilet building designs by consultant architects. These two free-standing buildings were to be sited north and south of ITH however the community rejected this proposal as a solution to the ongoing public toilet problem. Instead there was support for the existing toilets (located within the ITH building) to be redesigned and reconstructed to resolve the issue.

In March 2015 SOS Cottesloe (Residents & Ratepayers Association) prepared a 13 page Manual itemising procedures for cleaning and maintenance of the ITH public toilets. (The Manual included statutory requirements, cleaning specifications, a daily reporting schedule with a procedure that covered appropriate use of cleaning products.)

SOS President John Hammond and Secretary Yvonne Hart met with CEO Carl Askew and presented the Manual as a means of resolving the ongoing hygiene problems of the ITH toilets however there was no follow up by the Town and the problem remained.

In November 2015 Council resolved to employ a contract cleaner at a cost of \$40,000 (less the Lessee's contribution of \$16,000) meaning Cottesloe ratepayers are paying \$24,000 to ensure the public toilets are cleaned over summer (from 01 December 2015 - 01 April 2016).

THE INDIANA TEA HOUSE BUILDING

The current lease (a ground lease) effectively transfers the entire land area to the Lessee for the duration of the lease and gives total control of the buildings and structures on the land to the Lessee.

I understand that, as per this lease, the Lessee is responsible for all building maintenance and repairs.

CARDNO BUILDING REPORT

In 2015 the Town engaged consulting engineers Cardno to prepare a Building Condition Assessment Audit report, being a full condition assessment of ITH.

The Cardno Report summarises the findings of the three contributing consultants (Cardno, Alpha Zeta & Knight Frank) and in the Capital Expenditure Forecast estimates the total required expenditure to bring the existing building "up to speed" is \$2.4m.

I understand that Cardno's professional opinion is that the amount of \$2.4m is required to be spent in order to restore the ITH building to an acceptable standard. (Cardno has also been engaged by the Town to implement the Foreshore Redevelopment Plan and to develop a Bike Plan.)

As Cardno's assessment of ITH is based on limited visual inspection, their estimate of \$2.4m may be lower than the actual cost of building repairs.

In relation to the structural and building fabric issues, the Cardno Report findings confirm that the building has deteriorated to quite a high level.

By my reading, if Council takes over the maintenance of the building then they (which in effect means ratepayers) would be liable for the \$2.4m summarised in the Cardno Report.

The Cardno Report also cites likely compliance issues with redevelopment (eg BCA, universal access, electrical power, fire, water, sewer compliance) which are major costs that have not been factored into current budget estimates.

If Council proceeds with this proposed ITH Redevelopment, is not just the capital expenditure of the project that ratepayers would bear, but also the high ongoing (no end date) cost of maintaining an ageing building in a corrosive marine environment.

WHO PAYS?

In my view, without the recent sale of the Depot and its resultant cash windfall Council would not be in a financial position to even consider the proposed ITH Redevelopment. Coffers full of cash could detrimentally affect judgement.

A long term priority for Council has been the Foreshore Redevelopment Plan which is also now being progressed.

Unlike the ITH Redevelopment, the State Govt has thus far refused to contribute financially to the Foreshore Redevelopment Plan (a project that provides greater benefits to a far broader range of local and visiting foreshore users) for reasons I cannot fathom.

The State Govt has donated \$30m to the Scarborough Beach Redevelopment yet nothing to Cottesloe which is in the Premier's own electorate.

Cottesloe Beach has an average of 581,600 visits (September - April) each summer, confirming that the majority of people accessing the beachfront are visitors from other local, interstate and overseas locations.

One would think this is sound justification for financial support from the State Govt to upgrade what is WA's most popular tourist beach however their record is at best consistent as they also refused to contribute to finding an Eco Shark Barrier at Cott Main.

That they are willing to contribute \$1.775m (38%) to the current ITH Redevelopment proposal (which would achieve new public toilets, a bar, kiosk/cafe) and not to another more family friendly beachfront project is, in my view, perplexing.

For the limited (and non-essential) benefits ratepayers would gain from the ITH Redevelopment, I believe the \$1.668 Council proposes to expend on this would be better invested rebuilding the public toilets (which may cost less than 25% of this amount) which I remind you is the first priority here.

The fact that the Lessee Red Rock has not maintained the ITH building (to the tune of an estimated \$2.4m upgrade) should not be ratepayers' responsibility.

And while the ITH building is a major asset to the Town, and now a brand synonymous with Cottesloe Beach as a tourist destination, the Lessee Red Rock is, as per the lease, responsible for its maintenance.

THE DESIGN

The proposed design represents a contemporary architectural solution juxtaposing the neo-colonial style of the existing ITH.

As a resident who enjoys swimming and jogging in the beautiful natural environment that is Cottesloe Beach, I oppose any further development west of Marine Parade as per the TOC Beach and Reserves Policy.

This already narrow stretch of primary dunes (between the beach and the western side of Marine Pde) is extremely popular in recreation terms (this being the main purpose of this Reserve) and is increasingly under threat by irrefutable climate change and certain future increases in sea level.

The western side of the ITH (in particular the concrete stairs leading to the beach) is already exposed to ocean wave action in winter storms and in future years the building will need protection (or demolition) to mitigate the predicted increase in frequency and severity of storms.

As a ratepayer, I am very concerned about the future cost of mitigating the effects of climate change related coastal erosion and would expect insurance premiums for buildings like ITH to increase dramatically.

I am also concerned about universal access at the ITH site which is currently inadequate (see my end notes).

THE PROCESS

As public toilet complaints have grown over the years, Council has sought various solutions to this ongoing problem.

Tackling the Lessee over sub-optimal cleaning of the toilets has lead nowhere.

Council has demonstrated limited success by engaging additional independent toilet cleaners but this is at extra cost to ratepayers who generally feel this is the Lessee's responsibility under the lease Agreement.

The Town's initiative in proposing two new free standing toilet blocks was rejected by the community.

And now the current ITH proposal has been advertised for public comment.

But, in my view, the process thus far has lacked an overall integrated vision for improving Cottesloe's foreshore. This current proposal should not be considered in isolation and separate to the Foreshore Redevelopment Plan which, although currently being progressed, is not yet finalised. Piecemeal development is uneconomic and results in unworkable outcomes.

Over the years, ratepayers have been given a series of choices (like an incomplete flow chart) that, in my view, increasingly depart from the underlying problem of the sub-standard, unhygienic, unsustainable public toilets.

It appears the issues of the poorly worded, difficult to enforce ITH lease Agreement (between the TOC and Red Rock) and the ongoing problem of unsatisfactory public toilets have become enmeshed, meaning the current proposed solution of ITH Redevelopment comes at a huge financial cost to ratepayers with great benefits to Lessee Red Rock.

Should the Town resume ownership and maintenance of ITH under a new lease agreement, Red Rock is able at any time to on-sell the lease (which it seems is becoming the most valuable part of ITH) leaving Cottesloe ratepayers (not the new lease owner) with the ongoing and onerous cost of building maintenance.

CONCLUSION

As a resident, I will personally gain little from proposed ITH Redevelopment. I use

the beach as a natural haven for recreation in the otherwise built up commercial and residential area that is the Cottesloe Foreshore. If eating out or having coffee, I choose to frequent cafes east of Marine Pde. I have never used (although I have often inspected) the women's toilets in ITH.

I concede that Cottesloe should provide clean and functioning public toilets for beach users however I do not support the current ITH redevelopment proposal that, in my view, places enormous financial cost and risk to ratepayers in order to achieve this goal. In terms of priorities, I see public toilets and the Foreshore Redevelopment Plan as well ahead of the proposed ITH Redevelopment.

I have serious concerns about the state of the ITH building and I question the comment "The assessment completed indicates that overall the building is in good condition, and does not require any major structural works. There are a number of areas that do require some works" (p9 Redevelopment Plan for ITH) believing instead there are major ongoing costs associated with preserving this building on the beachfront long term.

Thank you for considering my comments.

NOTES ON UNIVERSAL ACCESS (sent in an email to MDS Andrew Jackson 11 November 2015)

1. UNISEX TOILET

There is no unisex toilet (sited with separate external public access) in the plan. I suggest there be at least one unisex toilet to provide access for disabled and aged persons. This means carers and partners (of different gender to the user) can assist another person using the toilet (this is not otherwise possible in the dedicated female and male toilets).

2. LIFT

I am not satisfied that the centrally located lift will meet disability access needs. In addition to users navigating within the redeveloped building itself, consideration should also be given to how the building sits in and is integrated with the surrounding landscape (eg paths to access the building's lower, mid and upper levels, the UAP, the beach and Marine Pde).

3. OPPORTUNITIES FOR IMPROVING UNIVERSAL ACCESS

The Concept Design does not identify opportunities for improvement in terms of universal access, in particular further work is needed to identify implications for the community of users (ie all users) of these new facilities (toilets, kiosk, bar, terraces, north-south pedestrian path).

The sloping site and resultant three level building presents significant challenges for wheelchair and pram users.

4. COMPLIANCE

Town staff can advise on compliance with national disability standards and interpretation of the Building Code of Australia (ie the rules that apply to every public building in Australia).

However I stress the importance of addressing universal access now rather than exposing the Town to liability issues (through the Disability Discrimination Act) from a discerning community of users at some future time.

There is also a risk (and cost) of future refurbishment if universal access is not resolved at the design stage.

IN SHORT

I believe the Town should engage an ACCESS CONSULTANT to provide comprehensive independent advice on the access needs of future generations. The Disability Services Commission and the State Government recommends the use of Access Consultants for significant developments.

A consultant's brief would include an audit for people with disabilities in relation to the proposed building redevelopment and its immediate surroundings. This advice would then inform the approval process.

Please see (below) a link to the Association of Consultants in Access Australia

<https://access.asn.au/>

THE END

TOWN OF COTTESLOE

23rd Nov. 2015

To Cottesloe Council
Indiana Beach Planning Committee - LAVA TORIS
RECEIVED

Dear Sirs,

I have always been puzzled why it should be so difficult and expensive to clean the beaches' loos.

May I suggest to put a pipeline for water outflow into the floors w, plugholes or small grates to catch cleaning water applied via a handheld hose.

Then tile or paint w. a water resistant surface treatment. Put the toilet paper into water spray resistant holders. Then staff can hose down each cabin w. a handheld hose and go fr. cubicle to cubicle. This can easily be done once or more times per day in the high season. In our climate the water will dry off soon within minutes. No harm would be done if the cabins were still a bit wet. People would even realize that there had been some cleaning.

All this would be easy, clean and not expensive. Certainly not \$50,000 p. year.

I used to come to Cottesloe Beach and raps died about it to my friends abroad until one day in broad daylight I saw a large rat at the foot of an Indiana dustbin. Regards Ada M^cGeachie (Mrs)

Lydia Halim

From: Mat Humfrey
Sent: Thursday, 12 November 2015 10:42 AM
To: Lydia Halim
Subject: FW: INDIANA CONCEPT DESIGN COMMENTS

Lydia,

Can you save this email in the submission for Indiana Redevelopment Project?

Thanks
Mat

-----Original Message-----

From: Fulvio Prainito [<mailto:>]
Sent: Wednesday, 11 November 2015 9:13 PM
To: Mat Humfrey
Cc: Mayor Jo Dawkins
Subject: INDIANA CONCEPT DESIGN COMMENTS

Mat,

Excellent presentation tonight. You should all be congratulated on your good work especially in renegotiating the best possible lease with Indiana. Here are my official comments for your consideration:

- 1) Please define the physical interface between the proposed Indiana redevelopment & the beachfront redevelopment master plan, especially with respect to parking & access, before you proceed any further with the design. Also please ensure that both are interfaced with Indiana's delivery logistics.
- 2) Please budget for an acoustics engineer to be involved at an early stage of design so that noise from Indiana can be kept within legal limits after 10pm.
- 3) Please try to keep at least both palm trees & preferably all the other trees in front of Indiana (I can't remember the name but the parrots use them at sunset).
- 4) Please try to interface Indiana's fit out with your scope of work so as to potentially allow views from the public area in front of Indiana to the sea. Indiana has concertina doors that are fully openable that may allow see thru to the sea views.

Note: After pulling apart the model to see the structure inside, the option of locating the kiosk to have the sea view that the toilets will have does not sound like a good idea anymore.

I did not mean to sound negative tonight & I probably talked too much. Please persevere with me because I don't want the unhappy outcome of the original Indiana project to happen again.

I hope that you will proceed with the project.

Fulvio Prainito BE MBA PCertArb

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