

20 JUN 2016

RECEIVED

Submission Form

Regulation 24(1)(a), 26(6)(a), 40(1)(a) & 49(1)(a)

Planning and Development Act 2005

To: The Chief Executive Officer of the Town of Cottesloe.

Submission on: Local Planning Scheme 3 / Amendment No 5 + LDP1Name: MARKO KNEZEVICOrganisation / Company (if applicable): RETIRED BUILDER

Phone: _____

Address: COTTESLOE 6011

State how your interests are affected, whether as a private citizen, on behalf of a company or other organisation, or as an owner or occupier of property.

I am a private citizen living around the corner from proposed development
I object to the change from R20 to R60 with no regard for local residents.

ADDRESS OF PROPERTY AFFECTED (if applicable). (Include lot number and nearest street intersection).

Seaview Terrace Cottesloe and surrounding streets.

SUBMISSION - Provide your comments in full and any arguments to support them (attach additional pages if necessary).

In my opinion there should be no more than 6 units on this site at
Lot 24 and 25 on Congdon St and Railway St Cottesloe. That would
be reasonable and acceptable.

The proposal to change from R20 to R60 and for a 13 unit, 5 storey
building is unacceptable. Undercroft parking as in Figure 4 picture
is another story making it 6 storeys. Such a development will lead to
too many cars, increased traffic, and looks disproportionate to the
surrounding area. Does this mean all surrounding lots can become R60?

Date: 17th June 2016 Signature _____

Submission Form

Regulation 24(1)(a), 26(5)(a), 40(1)(a) & 49(1)(a)

Planning and Development Act 2005

PO Box 606, Cottesloe WA 6911 or

To: The Chief Executive Officer of the Town of Cottesloe.

council@cottesloe.wa.gov.au

Submission on: Local Planning Scheme 3 / Amendment No 5Name: MARKO KNEZEVIC

Organisation / Company (if applicable): _____

Phone: _____

Address: COTTESLOE CCN

State how your interests are affected, whether as a private citizen, on behalf of a company or other organisation, or as an owner or occupier of property.

I AM A PRIVATE CITIZEN AND HAVE LIVED IN CLOSE PROXIMITY TO PROPOSED DEVELOPMENT FOR 35 YEARS

ADDRESS OF PROPERTY AFFECTED (if applicable). (Include lot number and nearest street intersection).

CRA CONCORDIA RAILWAY ST - NEW PROPOSED DEVELOPMENT
I LIVE NEARBY AT THE ABOVE ADDRESS IN SECURE TERRACE

SUBMISSION - Provide your comments in full and any arguments to support them (attach additional pages if necessary).

As a resident of Cottesloe I do not object to any reasonable, well planned, high density infill developments. This should be done with full consultation especially of local residents who will be affected!This development fails on all accounts:
it is unreasonable in its scale
it will seriously detract from the local neighbourhood
congestion, traffic problems, noise and parking!Date: 14-7-2016 Signature: _____

The Chief Executive Officer

22-06-16

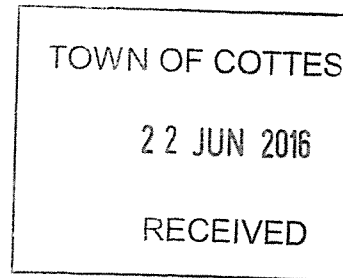
Town of Cottesloe

109 Broome Street

Cottesloe WA 6011

Dr S. Selladurai and Dr V. Surendran

Cottesloe WA 6011



Dear Sir/ Madam,

Sub: LOCAL PLANNING SCHEME NO. 3 / AMENDMENT NO.5

We, Dr Selladurai and Dr Surendran are submitting this document regarding the Local Planning Scheme No. 3 / Amendment No.5 to re-zone LOT 24 (House No 126) and LOT 25 (House No. 128) Railway Street, Cottesloe which is currently seeking community consultation. We with our two daughters reside at Cottesloe located at the Boundary of the proposed re-zoning of LOT 24 (House No. 126) and LOT 25 (House No. 128).

As a next neighbouring LOTS of ours, we do not agree and strongly oppose the subject of rezoning and proposed redevelopment set out in the Local Planning Scheme No. 3 / Amendment No.5 to re-zone of LOT 24 (House No 126) and LOT 25 (House 128) Railway Street.

The entire proposal is written in a way to support "spot re-development" which will be targeted by the commercial re-developers those are having purely commercial benefit rather having in mind of high-density strategy. It has raised many issues to us since we are drastically affected residents by this proposal of rezoning and redevelopment of the proposed sites.

LOT 24 (House No 126) and LOT 25 (House 128) are currently sitting R20 coding and the neighbouring properties in southern and western boundaries are also sitting in

R20 coding. The proposed amendment of rezoning seeks zone coding from R20 to R60 with another 20% bonus of LOTS 126 and 128 to increase the density in the residential areas, but it has failed to consider amending the scheme to Swanbourne Local centre situated eastern side of the proposed rezoning lots separated by wider Congdon Street. It is believed to be appropriate to consider and redevelop Swanbourne Local centre (current coding R50) rather looking established residential zones (R20). The rezoning and redevelopment proposal will bring a higher level of differences in zone coding (R60 with 20% bonus) between adjacent neighbouring properties (R20). We are unable to see any transitional zones here as we have seen between Windsor Street and Parry Street to the east of the Swanbourne Local Centre. Transition zones between higher density and lower density must be resolved before considering spot rezoning and redevelopment proposal.

Setbacks outlined

We deeply concern about setbacks indicated in the document “Town of Cottesloe Local Planning Scheme No. 3; Local Development Plan No. 1 – Lots 24 and 25 Railway Street, Cottesloe”. Our property coding is R20 and the eastern side boundary of our property is facing both Lots 24 and 25. Setbacks outlined in this document are with many exceptions. These kinds of setbacks with allowances and exceptions are breaking our privacy. We categorically deny and oppose these kind setbacks to be given to the commercially oriented developers to develop the lots under the rezoning proposal.

Traffic Hazard

We have already witnessed of traffic builds up during peak hours in Railway Street, Congdon Street, Melville Street, Mann Street and William Street. Traffic incidents during peak hours are already a day to day issues to the local residents. Further increase in traffic and on-street parking including parking on the reserve of Congdon Street will be occurred as a result of this development.

In summary, the proposal is not appropriate to this location since:

1. This proposal will deny our privacy
2. The proposal has not come across transitional zones between higher density (R60 with 20% bonus) and lower density (R20).
3. Significant increase in local traffic and on-street parking by this development. This traffic increments will be unavoidable because of the location of the rezoning and development and nature of Railway Road
4. The entire proposal is raising the questions that the proposed rezoning and redevelopment does comply with Councils own planning policies.
5. The rezoning and redevelopment proposal causes reduction of amenity on neighbouring properties.

We categorically oppose re-zoning and re-development proposal of LOT 24 (House No 126) and LOT 25 (House 128) by considering all the risks faced by us and the local residents.

Truly,

<

S. Selladurai and V. Surendran

Submission Form

Regulation 24(1)(a), 26(6)(a), 40(1)(a) & 49(1)(a)

Planning and Development Act 2005

To: The Chief Executive Officer of the Town of Cottesloe. *PO Box 606, Cottesloe WA 6911 OR council@cottesloe.wa.gov.au*

Submission on: Local Planning Scheme 3 / Amendment No 5 *and copy to councillors & mayor*

Name: MARGARET SOMMERVILLE

Organisation / Company (if applicable): _____

Phone: _____

Address: _____, COTTESLOE 6011

State how your interests are affected, whether as a private citizen, on behalf of a company or other organisation, or as an owner or occupier of property.
HOME OWNER

COTTESLOE / BACKING ONTO WILLIAM ST
COTTESLOE

ADDRESS OF PROPERTY AFFECTED (if applicable). (Include lot number and nearest street intersection).
(BACK OF BLOCK IS WILLIAM ST.
COTTESLOE

SUBMISSION - Provide your comments in full and any arguments to support them (attach additional pages if

THERE ARE 6 PAGES + THE COVER SHEET OF THIS SUBMISSION.

Please read them all.

REGARDS.

19.7.2016.

To the CEO of Cottesloe
The Mayor
Councillors

I have never been more appalled as I am right now and I wonder if you have not lost sight of just what and how Cottesloe is.

I have resided here at _____ Cottesloe, a block that runs between Grant and William Street Cottesloe for 17 years.

It is a unique part of Cottesloe with many low density mixed home styles, heritage homes beautifully restored and maintained with passion and investment, to holding on to a heritage, pride in the past and the desire to pass something on to future generations to treasure, learn from and appreciate.

I see myself not as just a homeowner, but someone who is a custodian of an older style home.

We have a heritage to hold with care and honour in this neighbourhood. This preposed development is oversized, way out of the parameters set for the area.

It is High-rise, when placed next to the low rise existing family homes. Loss of amenity will definitely happen here and effect the entire community.

This area is very congested and is a gridlock area at peak hour traffic times and dangerous in an emergency situation.

Add parking areas and this development will further add to this diabolical situation.

With the many schools in the area this area is very family friendly.

The amenity of the area is truly beautiful.

The verge scapes are homes for people children, dogs and birds and community gatherings. They enhance and enrich our lives each day.

Apart from money.....

What will such a development in this family home, historically low-density dwelling community, contribute. A Blot on the Landscape?

I have spoken to local residents and have enclosed some of their comments along with our reactionary comments on this proposal. So my action is to beg you to reconsider your vote for this proposal and say NO to it.

Can you please also acknowledge and answer me this:

What do you honestly believe this proposed development will bring to our community in the short term and long term?

"All the flowers of all our tomorrows are in the seeds of today"

Sincerely

Margaret Sommerville.

Cottesloe. 6011.

"All the flowers of all our tomorrows are in the seeds of today"

Submission

Rezoning 126-128 Railway Street, Cottesloe
R20 to R60.

WHAT ARE YOU THINKING?

WE WANT TO BE THE NUMBER ONE MONEY GRABBING SHIRE?

POOR DEVELOPMENT BUT LETS GET INTO BED WITH A DEVELOPER. AGAIN! HOPEFULLY NO ONE WILL NOTICE.

BUGGER THE FAMILIES OF THIS AREA. THEY HAVE BOUGHT INTO A VERY FAMILY LOCATION OF A HOUSE WITH PRIVACY AND SOME SPACE TO PLAY AND EVEN HERITAGE, GARDENS AND PRIVACY. AMENITY

“Gosh surely they knew we don’t care about amenity”.

THERE IS TOTAL DANGEROUS TRAFIC CONGESTION IN THIS AREA ALREADY. LETS MAKE IT WORSE AND MORE UNSAFE FOR PEDESTRIANS, SCHOOL KIDS ON BIKES. GRID LOCK IS GOOD. ESPECIALLY IN A DISASTER OR MAJOR TRAFIC ACCIDENT.

HERITAGE! AMENITY TREES! WHY KEEP THEM WE ARE NOT MAINTAINING THE ONES WE HAVE SO LETS GET RID OF ALL WE CAN AND HAVE CONCRETE PARKING INSTEAD.

STUFF THE BEAUTIFUL WELL MAINTAINED HERITAGE HOMES IN THE AREA.

LETS DISTROY SUNLIGHT, PRIVACY,
INSTEAD LETS HAVE OVERSHADOWING, OVERLOOKING
FOR OUR RESIDENTS.

**LETS ASSIST TO GREATE A MONSTEROUS
DEVELOPMENT OF MUCH HIGHER DENSITY IN THE
AREA THAT HAS ALWAYS BEEN LOW DENSITY.**

**WE THE SHIRE AND SOME COUNCILORS CAN DISTROY
ALL TRACE OF THESE HERITAGE AND OLDER STYLE
DWELLINGS EXCEPT OF COURSE FOR A FEW THAT WE
WILL INSIST ON KEEPING.**

**HECK WE CAN MISSUSE OUR POWERS ANY TIME WE
FEEL LIKE IT. WE'VE GOT THE POWER.**

**LETS DISTROY THE WIDE VERGE AREAS. GET RID OF
PLAY AREAS, SEATING, AND GREEN SPACES FOR THE
COMMUNITY. LETS MASACRE THE BIRD LIFE TOO.**

**WE'VE ALREADY SLIPPED A 4 UNIT DEVELOPMENT IN
JUST DOWN THE STREET ON A VERY SMALL BLOCK!!!!**

*LETS FORGET ABOUT THE BEACH
DEVELOPMENT – THAT'S GOT TOO HARD.*

OR

***COULD I ASK YOU ALL TO
ACTUALLY THINK?***

***PLEASE TAKE A WALK AND
THINK, FEEL AND SEE THIS
AREA.***

***DO SOMETHING REALLY
IMPORTANT AND STAND UP
FOR THE RESIDENTS, AND
FUTURE GENERATIONS,
HERITAGE, HISTORY,
AMENITY AND COMMUNITY.
STOP THIS UGLY,
OVERSIZED MONSTROSITY***

***OF A PROPOSED
DEVELOPMENT. AT
126/128 RAILWAY STREET
COTTESLOE.***

***MAKE US BE PROUD OF YOU
AS COUNCILORS AND AS A
SHIRE THAT CARES FOR
PEOPLE..... MONEY DOES
NO TALK... PEOPLE DO.
JUST ONE WORD IS ALL YOU
NEED.....***

NO

ABSOLUTELY NO

Signed

Margaret Sommerville :Date 19th /07/16

Submission Form

Regulation 24(1)(a), 26(6)(a), 40(1)(a) & 49(1)(a)

Planning and Development Act 2005

TOWN OF COTTESLOE

27 JUL 2016

RECEIVED

To: The Chief Executive Officer of the Town of Cottesloe.

Submission on: Local Planning Scheme 3 / Amendment No 5

Name: Mrs M. Chester

Organisation / Company (if applicable): _____

Phone: _____

Address: _____ Cottesloe.

State how your interests are affected, whether as a private citizen, on behalf of a company or other organisation, or as an owner or occupier of property.

Owner & occupier in Congdon St for more than 70 years.

ADDRESS OF PROPERTY AFFECTED (if applicable). (Include lot number and nearest street intersection).

43 Congdon St

SUBMISSION - Provide your comments in full and any arguments to support them (attach additional pages if necessary).

I do not support the proposal.
see letter attached.

Date: 21 July 2016 Signature: _____

Cottesloe 6011

Dear CEO, Mayor and Councillors,

Submission Objecting to Amendment 5 of Local Planning Scheme 3

I strongly object to the proposed amendment to the Local Planning Scheme.

The proposal to rezone part of Congdon Street to high density housing is completely out of character with the surrounding ambience of residential homes. The two blocks that are proposed for rezoning only support single level housing like those of surrounding homes.

As well as being out of character with neighbouring homes, the proposal is not supported because it will increase traffic, parking problems, noise and congestion and result in problems for those currently residing in neighbouring homes.

I have lived for 70 years in Congdon Street and, as an aged citizen, believe my call for the area to remain as low density housing should not be overshadowed by those who are advocating for 'baby boomer' rights and wanting 'to be in command of their own retirement' as stated by the developers in The Post.

There are plenty of other locations that already support higher density development where the developers can build their retirement living. Those living in Congdon Street should not have to feel as though we are being pushed to accept high density housing.

I do NOT want the proposal to go ahead.

Yours sincerely

Mrs M Chester

Submission Form

Regulation 24(1)(a), 26(6)(a), 40(1)(a) & 49(1)(a)

Planning and Development Act 2005

To: The Chief Executive Officer of the Town of Cottesloe.

Submission on: Local Planning Scheme 3 / Amendment No ____

Name: BRAD OSBORNE

Organisation / Company (if applicable): _____

Phone: _____

Address: COTTESLOE

State how your interests are affected, whether as a private citizen, on behalf of a company or other organisation, or as an owner or occupier of property.
NEIGHBOUR

ADDRESS OF PROPERTY AFFECTED (if applicable). (Include lot number and nearest street intersection).
AS ABOVE

SUBMISSION - Provide your comments in full and any arguments to support them (attach additional pages if necessary).
SEE LETTER ATTACHED

Date: 29/6/16 Signature: _____

Brad Osborne

Cottesloe WA 6011

27 June 2016

Mr Mat Humfrey
Chief Executive Officer
Town of Cottesloe
109 Broome Street
Cottesloe WA 6011

Re: Draft Scheme Amendment No.5 – 126-128 Railway Street, Cottesloe

Dear Mr Humfrey,

I write with regards to the above mentioned draft scheme amendment to re-zone 126-128 Railway Street Cottesloe from Residential R20 to Residential R60, which is currently out for community consultation. My family and I reside at _____ being the neighbour to the _____ boundary of the subject land.

We are not opposed in principle to the concept of densification around public transport and activity centres, however as a directly affected neighbour, the proposal as it is currently drafted would result in:

1. Significant loss of private amenity;
2. Significant increase in local traffic;
3. A development which is not in keeping with the immediate precinct and provides no transition between higher density development areas and lower density residential development; and
4. A development which is not in accordance with the Councils own local planning policies.

On this basis, we strongly oppose the subject rezoning and the format and content of the proposed Local Development Plan (LDP) as set out in this submission.

SCHEME AMENDMENT/UPCODING

The scheme amendment has been written in the context of presenting/supporting a development proposal. This raises a number of issues. Firstly, the rezoning will rest with the property and as such, once the property is rezoned, the developer may sell the site to alternate developers that have a different development intention from that proposed by the current developer. For this reason, supporting commentary contained within the amendment report based on a single 'development proposal' which is used to support the scheme amendment is irrelevant.

Secondly, the amendment appears to be written for the support of a development application, rather than for the strategic benefit of the Scheme or the Swanbourne Local Centre. As it currently stands the Swanbourne Local Centre is yet to fulfil the level of density permitted under its current zone and R-Code. Only following this fulfillment of existing capacity, should it be considered necessary to increase the density of the Centre or increase its current size. Further, should this be necessary, then analysis of the, size, density and demand for land uses should occur for the Centre as a whole, before any consideration is given to spot up-coding of non 'Centre' areas.

This proposal appears to represent a 'spot' rezoning' for the commercial benefit of a developer. If a more strategic approach was undertaken then, issues like transition zones between higher density and lower density, overall demand and traffic impacts could be considered and resolved. None of these have been completed in this context.

Residential Code / Density

The proposed amendment seeks to increase the code from R20 as it currently exists, to R60. It is noted however that it is not proposed to amend the Scheme to reflect a change of boundary to the Swanbourne Local Centre, but rather to increase the density permitted under the Residential zone in respect of 2 landholdings only.

The density, as proposed, is excessive relative to its location to both the Local Centre and to its neighbouring R20 sites.

As referenced in the Scheme the objective of the Residential Zone is;

"(a) encourage residential development only which is compatible with the scale and amenity of the locality.¹"

Given the separation of the site from the Swanbourne Local Centre (by Congdon Street) and the fact that the amendment is not seeking to amend densities within the broader Swanbourne Local Centre, utmost consideration should be provided to the relevance of the coding to its immediate neighbours in the R20 coded area.

Notwithstanding the above, it is acknowledged that it is appropriate for higher density 'Centre' zones to have a transition coding to neighbouring residential zoned areas to provide a buffer between high density and lower density built form.

This form of buffer zone is seen in the current context of the R40 coded area between Windsor Street and Parry Street to the east of the Swanbourne Local Centre. This amendment however, does not seek to provide a transition to a lower density level but rather increases the density to R60 (which exceeds the coding of the Swanbourne Local Centre, being R50). This is at odds with proper and orderly planning. In addition, the coding as proposed is in excess of other areas within Cottesloe including:

- Eric Street Local Centre R50
- Forrest Street (near Town Centre) R40

We understand the strategic requirement to meet state planning policies and specifically the density targets in the Cottesloe area. However, as the Local Planning Scheme No.3 was only written a few short years ago, including nomination of key areas of focus for achieving densification within the Town, it is not appropriate to be amending existing zones to enable

¹ Local Planning Scheme No.3 – Part 4.2.1

increased density, when clearly, these nominated 'Centres' are yet to fulfill their role in supporting densification and housing choice. In fact, through the progression of this amendment, the Council would be diluting the strength of these existing centre zones.

Counter to Cottesloe Planning Policies

The amendment is in conflict with the current local planning policies. The Local Planning Policy Design Guidelines clearly articulates the intentions for the 'Railway Street Local Centre' stating;

"Plot Ratio Maximum: 0.5:1, up to 0.8:1 subject to appropriate upper floor setbacks, building design and landscaping."²

As articulated in the Residential Design Codes, the below table demonstrates the applicable maximum coding to meet local planning policy.

126 & 128 Site Analysis		
Land Area (m2)	1475	
Gross Floor Area (m2)	1430	
Plot Ratio Proposed	97%	(as currently proposed)
Alternative Site Analysis (based on R40)	Max. Plot Ratio	WAPC Plot Ratio Bonus Included
R40	60.0%	25.0%
R40 Equivalent Areas (m2)	885.0	1,106
Maximum Achieved Plot Ratio		75.0%

It is questioned therefore, why a coding of R60 (R80 with 25% WAPC density bonus under Planning Bulletin No.113) is deemed appropriate. Should the Town see benefit in providing a buffer zone between low density residential and the Centre, then a coding of R35 or R40 (as an alternative to the current R60 proposal) would not only be more closely aligned with the Town's planning framework together with facilitating a suitable increase in density whilst being sensitive to adjoining low density residential areas.

Land Use

The amendment also seeks to introduce new land uses as special provisions. Both office and Recreational – Private are 'X' (not permitted) uses. As such, these land use types are more appropriate in the Local Centre zone. As Amendment No.5 does not seek to expand the Local Centre zone, then then these usages should not be permitted.

Parking & Traffic

As the Town can appreciate, an important associated issue of increased density on the site is the issue of increased traffic. The Railway Street traffic particularly during peak periods is a real and everyday issue for the local residents, not only for lots fronting Railway Street but also for those located on Condon Street, Melville Street, Mann Street and William Street. We have personally witnessed traffic incidents as a result of the natural bend in Railway

² Local Planning Policy Design Guidelines – pg 14.

Street located right on the boundary of the subject site and further are wary of the speed of travel coming down Congdon Street.

By allowing the level of density contemplated by the amendment to R60, this attracts a significant level of increased parking and therefore incremental traffic. By reducing the level of density, the development would be able to accommodate all of their car parking on site without the need for supplementary car parking on street. Overall, it is considered issues of traffic have not been comprehensively considered as part of the amendment and LDP.

Traffic in this area is a significant public safety issue. Placing 4 angled car parks on the bottom of the Congdon Street hill is of significant concern. Traffic during peak periods already use Congdon Street as a short cut to cross the Swanbourne Bridge and this solution is dangerous and ill considered. Car Parking for any development should be accommodated on site and accessed in a safe and logical location.

Further the issue is exacerbated by the fact that the proposal supports a single access point right on our common boundary which is the closest point to the blind corner in Railway Street. With North Cottesloe Primary School located just down Railway Street, a large number of children and families use Railway Street as the primary path to school. Placing that level of incremental traffic egress (particularly coming from a blind basement) is a potential fatality in the making.

LOCAL DEVELOPMENT PLAN

Independent of the issues associated with the proposed up-coding of the site, the proposed LDP also has significant issues and is not supported in its current form. A summary of our key concerns is provided below.

Drafting and Clarity of the Document

The LDP has been written with clear consideration for a single development proposal that has not yet been (and likely won't be) made public. It is therefore confusing and illegible. References to development specific outcomes, when the public has not had the ability to review these specific development proposals, reinforces the understanding that the combined amendment and LDP is a purely commercial-led process and more importantly opens the document up for misunderstanding and confusion.

References to site constraints should refer to the title and boundaries not development outcomes. For example, the setbacks should be clearly drafted relative to boundaries and graphically represented on the plan to avoid confusion. The LDP as currently drafted appears to allow nil setbacks to all lot boundaries which would impact considerably on the surrounding streetscape and neighbouring properties.

Including a summary table and legend on the plan itself would also significantly reduce confusion and misunderstanding. I draw reference to the LDP prepared and endorsed by Council for the former works depot on Nailsworth Street, Cottesloe. This document is well drafted and makes clear all parameters associated with the site(s) without reference to development specifics. Further, its graphical representation makes it easy for the local community residents with no planning skills to understand.

It is noted that the WAPC recently released deemed provisions for local planning schemes in respect of LDP's through gazettal of the *Planning and Development (Local Planning*

Schemes) Regulations 2015, gazetted in October 2015, in addition to the Framework for Local Development Plans – August 2015. As the Town would be aware, the deemed provisions automatically took effect in all local planning scheme at the time of gazettal and therefore apply to the LDP in question.

It is noted that most of the concerns I have raised in this submission relative to the LDP are covered in this document and that further the current draft has not included the suggested contents of a proposed LDP as required by the deemed provisions.

WAPC Planning Bulletin No.113 – Plot Ratio Bonus

We have considerable concern that the LDP appears to enshrine within the document itself, the WAPC's plot ratio bonus as articulated in Planning Bulletin 113/2015. The result of this is the development has capacity to be developed to the equivalent to an R80 coding (when applying a 25% plot ratio bonus).

Furthermore, the document assumes the maximum bonus is supported (and enshrined) based on a development proposal that has neither been exhibited publically, nor approved by the Council. As articulated in the Planning Bulletin, the maximum plot ratio bonus is only permitted if all desired outcomes are achieved. It states;

"In order for the maximum amount of variation to be supported via an exercise of discretion, the proposal should achieve all such criteria.

Criteria could relate to, but not limited to, building design and quality, dwelling size and type (particularly provision of adaptable and/or universally accessible aged or dependent persons' and single bedroom dwellings), sustainability and energy efficiency, housing affordability, heritage and vegetation retention, removing vehicle access fronting a major road, removing a non-conforming use, communal facilities, public open space and public art.³"

It is our clear view that the proposal as currently articulated, does not achieve all of the criteria and therefore should not be accepted.

Further, the issue of a plot ratio bonus should rest with the development application and not the LDP. I can only assume the reasoning for the bonus being enshrined in the LDP is to enable the development application, once lodged, to not be advertised under the Town of Cottesloe Local Planning Scheme which includes 'multiple dwellings' as a permitted 'P' land use within the Residential R60 zone, meaning it is permitted as-of-right subject to meeting all development standards as contained in the then approved LDP.

Setbacks

The LDP is not clear on the exact location of the development footprint other than to state that the R-Codes apply with the exception of a zero lot line to all street frontages, including:

- Railway Street residential units.
- Office space/communal recreation at Congdon Street.
- Communal strata laundry.
- Congdon Street residential unit.

³ Western Australian Planning Commission – Planning Bulletin 113/2015

There is no clear indication of where the Railway Street units are nor where the communal laundry is. As stated above, these are development outcomes that have not been defined.

We would be seeking a closer adherence to the Residential Design Codes regarding setbacks, specifically having reference to Table 2a & 2b and Table 4;

- Minimum 4m primary street setback (R35 and R40);
- Minimum 1.5m secondary street setback (R35 and R40);
- A minimum 1.0m setback from the boundary for wall heights up to 3.5m;
- A minimum 3.0m setback from the boundary for wall heights in excess of 3.5m up to a maximum of 9m in accordance with the Local Planning Policy Design Guidelines.

Conclusion

In summary, the draft proposal as currently advertised, is excessive in its density and poorly drafted and is not aligned with proper and orderly planning principles. We are not opposed in principle to the concept of densification around public transport, however as a directly affected neighbour, the proposal as it is currently drafted would result in:

1. Significant loss of private amenity;
2. Significant increase in local traffic;
3. A development which is not in keeping with the immediate precinct and provides no transition between higher density development areas and lower density residential development; and
4. A development which is not in accordance with the Council's own local planning policies.

If a rezoning is deemed appropriate by the Council, we believe that a coding of no greater than R35 to R40 be permitted and that reasonable setbacks to our title boundary be introduced to ensure the elements of greatest density are setback from the R20 residential neighbours.

Further, the LDP should be completely re-drafted to ensure clarity and certainty to immediately affected neighbours, irrespective of the development proposed or proposals that may eventuate over time.

I would be happy to discuss our concerns should you feel that necessary.

Regards

Brad Osborne

Submission Form

Regulation 24(1)(a), 26(6)(a), 40(1)(a) & 49(1)(a)

Planning and Development Act 2005

To: The Chief Executive Officer of the Town of Cottesloe.

Submission on: Local Planning Scheme 3 / Amendment No 5

Name: HILTON JOHN BUTLER & NICOLA SUZANNE BUTLER

Organisation / Company (if applicable): NIA

Phone: _____

Address: S

State how your interests are affected, whether as a private citizen, on behalf of a company or other organisation, or as an owner or occupier of property:
OWNER OF COTTESLOE WA 6011
ONE HOUSE AWAY FROM THE DEVELOPMENT

ADDRESS OF PROPERTY AFFECTED (if applicable). (Include lot number and nearest street intersection).
COTTESLOE WA 6011, RAILWAY
STREET & CONGDON ST / SEAVIEW TERRACE

SUBMISSION - Provide your comments in full and any arguments to support them (attach additional pages if necessary).
PLEASE SEE ATTACHED DETAILED REASONS FOR
OUR OBJECTION TO THE PROPOSAL.

Date: 9th JULY 2016 Signature: _____

Proposed Scheme No. 3 Amendment No. 5 and Local Development Plan 1- Lots 24 and 25 corner Railway and Congdon Streets, Cottesloe

This amendment discounts the residential amenity and character of the surrounding locality - and the rest of Cottesloe. We object to it in the strongest possible terms on the following grounds.

Safety:

- We have very real safety concerns for the many children in the vicinity from the nearby North Cottesloe Primary School and the rail access at Swanbourne station. Our house, is on a bend with a blind view to the right - towards the proposed new development. Allowing this amount of units to be built will create even more traffic in an already unsafe location. We have already experienced near misses over the years trying to access the road and both of our dogs have been run over by cars on this section of the road. If this large number of units are allowed to be developed I fear for the safety of the many children who live and walk to the local North Cottesloe primary school in Railway Street. Additionally, with so many new people living and working in the proposed new development we will see more cars parked illegally on the verge opposite our home further adding to the safety risks for young children. The Council need to consider the real danger of death or serious injury resulting from the material increase in danger from this R Zone changes proposal

Breach of Council Guidelines:

- 126-128 Railway St is a 1475 square metre block. Currently 3 dwellings are allowed; that is one dwelling per 500 square metres; approximately 9 residents. This amendment proposes 13 dwellings; that is one dwelling per 112 square metres; up to 39 residents. This is not 'medium density' as described in the proposal.
- The amendment describes the infill development as R60, however 112s.m = R85. Neither R60 or R85 is medium density. This development and rezoning is totally out of scale given the residential nature of the area to the west of Congdon Street.
- Currently Congdon Street and Parry Street to the east provide a "natural" buffer zone between the higher density commercial space and the R20 residential zones due to their scale and width. I do not understand how the proposal to allow "effectively R80", when the Eastern side of Congdon Street along railway Street is only R50, fits in with the tapering of R code zones "buffer zones" under the council guidelines.

Lack of amenity and privacy for adjoining houses:

- It is likely that 41 Congdon Street will have little of no natural north facing light due to the scale of the proposed buildings allowed under the re-zoning.
- This 3 storey development will look right down on the existing single and double storey houses including our own home. The developer is planning to put in roof top gardens so all of the neighbours privacy will be impacted. The noise, shadowing from the extra height of the building, foot and car traffic is going to severely impact on the neighbours and community. We do not want our right to privacy lost and have all these new residents looking down in to our garden and swimming pool.

Compatibility with Locality:

- The report says the infill development is supported for its "sustainable, energy efficient, solar access and roof gardens" components. These elements are integral in modern developments and therefore are not legitimate excuses for allowing a development of this scale.

- The report says the infill development is supported as it "provides a choice of lifestyles". This is not a legitimate argument. Cottesloe already has more multiple dwellings than any neighbouring suburbs.
- The report states that the infill development is "compatible with the scale and amenity of the locality". Untrue. This proposal is far removed from the residential character of the surrounding area and density.
- 3 storey developments are not permitted in this area. 3 storey developments are not compatible with the locality.
- The loss of space, trees and gardens to concrete, a four-fold increase in inhabitants and in cars and in traffic, is incompatible with the locality.
- This gross density increase poses a serious and ominous precedent to the character of Cottesloe.

In conclusion, real consideration needs to be made around what is appropriate to the community needs as a whole as opposed to those of a select group of property developers who have their own agenda and have developed a very effective "sales document" whose request if granted, would, in my opinion, be to the detriment of the broader community, materially increase road safety risks and which goes against the councils own planning guidelines.

Yours faithfully

Hilton and Nicola Butler

Dear Council Members

We moved to Cottesloe and to ___ Railway Street in good faith in 2010 knowing it was zoned R20 as we wanted to be part of a residential community, non-commercial and low storey area and are now dismayed to see yet another developer trying to change the entire fabric of the area. We are currently living in a hardship location (Kazakhstan) to earn enough money to be able to stay in our beautiful home when we retire so this news of a development proposal that appears to have circumvented proper process, which we expect as a ratepayer, is very troubling indeed.

Our house, _____ Street, is on a bend with a blind view to the right - towards the proposed new development. Allowing these units to be built where each person may potentially have up to 2 cars per unit ie 24 more cars will create even more traffic in an already unsafe location. We have already experienced near misses over the years trying to access the road and both of our dogs have been run over by cars on this section of the road. If this large number of units are allowed to be developed I fear for the safety of the many children who live and walk to the local North Cottesloe primary school in Railway Street. Additionally, with so many new people living and working in the proposed new development we will see more cars parked illegally on the verge opposite our home further adding to the safety risks for young children.

Higher density housing was only allowed in the area of Railway St bordered by Congdon and Parry St and even then the highest zoning was R50. How can this development with an even higher zoning capacity be allowed through when even in the commercial area it is only zoned R50? How can the council allow this? Where is all this development going to stop? If this goes through then arguably we can develop our our property and then the whole area will become a high density area. The charm of Cottesloe is being removed and at a time when housing is not in short supply.

Another factor we would like to highlight is that this 3 storey development will look right down on the existing single and double storey houses including our own home. The developer is planning to put in roof top gardens so all of the neighbours privacy will be impacted. The noise, shadowing from the extra height of the building, foot and car traffic is going to severely impact on the neighbours and community. We do not want our right to privacy lost and have all these new residents looking down in to our garden and swimming pool.

We entirely support the comments from Rosemary below. We do not understand how this proposal has got so far without the proper and due consultation with the community.

We strongly object to it and look forward to your response.

Regards

Hilton and Nicola Butler

Submission Form

Regulation 24(1)(a), 26(6)(a), 40(1)(a) & 49(1)(a)

Planning and Development Act 2005

To: The Chief Executive Officer of the Town of Cottesloe.

Submission on: Local Planning Scheme 3 / Amendment No 5

Name:	<u>Grant + Sally Gibson</u>
Organisation / Company (if applicable):	_____
Phone:	_____
Address:	<u>COTTESLOE WA 6011</u>
State how your interests are affected, whether as a private citizen, on behalf of a company or other organisation, or as an owner or occupier of property.	
<u>We are the owner and occupier of the house to the</u> <u>of the proposed amendment - refer to attached letter</u>	
ADDRESS OF PROPERTY AFFECTED (if applicable). (Include lot number and nearest street intersection).	
<u>as above</u>	
SUBMISSION - Provide your comments in full and any arguments to support them (attach additional pages if necessary).	
<u>Please refer to the attached letter dated 24/6/16.</u>	

Date:	<u>24/6/16</u>
Signature:	_____

✓

Grant & Sally Gibson

Cottesloe WA 6011

24 June 2016

Mr Andrew Jackson
Manager Development Services
Town of Cottesloe
109 Broome Street
Cottesloe WA 6011

Scheme Amendment No. 5 – 126-128 Railway Street, Cottesloe

Dear Andrew

We refer to the above mentioned draft scheme amendment to re-zone 126-128 Railway Street. Cottesloe WA 6011, which is currently seeking community consultation. My family and I reside and own _____, Cottesloe WA 6011, being the _____ house to the _____ on Congdon Street of the properties seeking re-zoning.

As owners and residents, we strongly oppose the zoning, format and content of the proposed Local Development Plan (LDP). Whilst we are not property development or planning experts, we have attempted as best we can, to articulate our concerns in this letter with reference to planning policies and guidelines where possible and also a degree of common sense.

SCHEME AMENDMENT / REZONE

It consider that it is clear that the Scheme Amendment has been drafted alongside a development proposal. We have a number of concerns with this approach:

- 1) the re-zone stays with the title and once the property is re-zoned, the owner is free to sell the site to other developers who do not have to stick to the proposed development plan. As such, the supporting commentary in the amendment report relating to the development proposal should not be taken into account. The re-zoning and any subsequent development proposal are two distinct separate issues. Once a re-zoning takes effect, what actually is built is a separate matter and will have separate approvals.
- 2) the amendment should be written with regard to the strategic benefits of the Scheme or the Swanbourne Local Centre in mind and not written for the "proposed development" itself. If it is considered necessary to increase the density of the Swanbourne Local Centre then there should be a proper investigation of the whole Swanbourne Local Centre with regard the size,

density and land use. We do not see issues like buffer zones and transitioning between higher and lower density having been taken into account or dealt with appropriately under the current proposal. Given this, we consider that the application is a “spot re-zoning” application with no real regard for the impact on the local community. Should the Council want to the Swanbourne Local Centre, then we consider that a full investigation and analysis should be undertaken.

Code Changes:

We understand that the amendment is seeking to increase the code from R20 to R60 and that there will be no change to the Scheme to incorporate a change of boundary to the Swanbourne Local Centre. What is sought however, is an increase the density allowed under the residential zone.

We consider that the proposed density is very excessive given its location to both the Swanbourne Local Centre and the R20 sites surrounding it.

We are not experts in this area, but having read the Scheme, it does not seem that the proposed amendment matches the Scheme’s objective of the Residential Zone, which states:

“(a) encourage residential development only which is compatible with the scale and amenity of the locality.”¹

It is quite clear that the site is significantly separated from the Swanbourne Local Centre by Condon Street, which in itself is a wide buffer zone due to its two one way streets and wide expansive green space. Given the fact that the amendment is not seeking to change the area of the Swanbourne Local Centre, we consider that the relevance of the coding amendment to its immediate and surrounding neighbours in an R20 coded area should be of highest priority.

We also consider that it is clear that higher density Swanbourne Local Centre zones should have, as a priority, a transition coding to neighbouring residential zoned areas to provide a buffer between high density and lower density building. This is clearly not being taken into account in the proposed amendment and is even more important given the scale of the “natural buffer zone” created by the Congdon Street. A zone change from R20 to R60 is clearly NOT “compatible with the scale and amenity of the locality”.

Looking at the local area, there is a buffer zone created by the R40 coded area between Windsor Street and Parry Street to the east of the Swanbourne Local Centre. However, this amendment does not seek to provide a transition to a lower density level. It DOES, however, seek to increase the density to R60, as the code of the Swanbourne Local Centre being R50. We propose that this is at odds with correct town planning and is even more stark given the natural buffer zone of Congdon Street. I also would like to note that the proposed recoding is in excess of other areas within Cottesloe including:

- Eric Street Local Centre R50
- Forrest Street (near Town Centre) R40

¹ Local Planning Scheme No3 – Part 4.2.1

We also consider that the amendment is in conflict with the current local planning policies. The Local Planning Policy Design Guidelines clearly states the intentions for the 'Railway Street Local Centre' stating:

*"Plot Ratio Maximum: 0.5:1, up to 0.8:1 subject to appropriate upper floor setbacks, building design and landscaping."*²

As outlined in the Residential Design Codes, the below table demonstrates the applicable coding to meet local planning policy.

126 & 128 Site Analysis			
Land Area (m2)	1475		
Gross Floor Area (m2)	1430		
Plot Ratio Proposed	97%		
	Max. Plot Ratio	WAPC Plot Ratio Bonus Included	
R40	60.0%	25.0%	
R40 Equivalent Areas (m2)	885.0	1,106	
Maximum Achieved Plot Ratio		75.0%	

Given the above, we do not understand why a coding of R60 or effectively R80 (with 25% WAPC density bonus), is appropriate. This is out of place and not in line with the current policies and guidelines. **We would consider that a coding of R40 as an alternative to the current proposal would be clearly more appropriate given:**

- 1) It would sit within the Scheme guidelines
- 2) It would allow for an increase in density that the Council feels would potentially be of benefit to the local needs of the town and residents; and
- 3) It would provide an appropriate buffer between the R50 code of the Swanbourne Local Centre and the neighbouring R20 sites. It would also fit better with the "natural buffer zone" provided by Congdon Street.

Land Use:

Another serious issue is the fact that not only is the proposed amendment significantly exceeding scheme intentions, it also seeks to introduce new land uses expressly prohibited in a residential zoned area. Both Office and Recreational – Private are not permitted uses. Given the amendment does not seek to expand the Swanbourne Local Centre zone, we consider that the proposed changes should not be permitted.

Parking & Traffic:

A practical consequence of a significant increase in density on the site will be the increase in traffic and parking issues. As the Council is aware, the Railway Street traffic and Swanbourne Bridge traffic, particularly during peak times, is a real and worsening issue faced by local residents. This is not only an issue for the properties facing Railway Street but those also on Congdon Street, Melville Street, Mann Street and William Street. We face issues pulling out on to Railway Street from Congdon

² Local Planning Policy Design Guidelines – pg 14.

Street every day due to the bend in the in the Street, the potential scale and density of built property that could be built on the site by the re-zoning may materially affect the safety at this intersection.

Allowing the level of density under a re-zone to R60 (effectively R80), there will be a significant increase in parking and incremental traffic, which is also magnified by the location of the single access point proposed. The effect of the re-zoning will be that the site will not be able to accommodate the parking needs of the residential and office accommodation and therefore there is a real practical issue of where these cars will be parked during the day and evening. There is not enough parking as it is and there are practical safety issues (as noted above) to consider as well. We have been informed that there was a mention that overflow parking could be accommodated by the TransPerth park and ride site on Railway Street opposite the site. We do not consider that this proposal adequately addresses the issue. We are also unsure whether TransPerth has been consulted about this proposal and whether they would actually agree to a proposal (I doubt it would be received favourably). Given the above, we fail to see how these issues fall within the Council's policies and guidelines for the immediate area.

LOCAL AREA DEVELOPMENT PLAN:

Separate to the issues associated with the proposed increase in zone, the proposed Local Development Plan No.1 (LDP) also has major issues.

Drafting:

We find the LDP very confusing and misleading. It appears clear to my wife and I that the LDP has clearly been written for a development proposal that has not be made public. We consider that all references to development specific outcomes reinforces our understanding that the combined amendment and LDP is a commercial property development led process. We find this confusing. We understand that these types of proposals need to be made public and for a consultation period to allow the public to review a specific development proposal.

We consider that references to the potential constraints of the site should focus on the title and boundaries and not what the development is hoping to achieve. A good example of this is the issue of setbacks which is of great concern to the surrounding neighbours and myself. These should be clearly drafted relative to boundaries and graphically represented on the plan to avoid confusion.

We have reviewed other documents including the LDP prepared for the former Council works depot, for example. This document makes all parameters associated with the site without reference to development specifics, which assists the reader to focus on the real issues and not those of the developers plans. We are concerned that the LDP put forward by the owners of the site is designed to focus attention away from the actual re-zoning request and focuses on pretty pictures and development concepts as a distraction as a means of persuading the reader about the merits of the re-zoning and what it will deliver, It does not address the real issues.

We have read the WAPC guideline for the preparation of LDP's (Framework for Local Development Plans – August 2015) and most of our concerns in this letter are covered within the guidelines and as such we consider that the LDP is deficient of the suggested content.

WAPC Plot Ratio Bonus:

A major issue in the LDP is that it includes the WAPC's plot ratio bonus (Planning Bulletin 113/2015). This has resulted in the effective development capacity being equivalent to that of an R80 code. This is totally unacceptable and is against planning guidelines and policies (as already noted above).

The LDP assumes, by including a large amount of focus on the proposed development, that has neither been provided for public comment nor been given Council approval, that the maximum bonus is supported.

The bulletin clearly states that the maximum bonus is only permitted if all desired outcomes are achieved. It states:

"In order for the maximum amount of variation to be supported via an exercise of discretion, the proposal should achieve all such criteria.

Criteria could relate to, but not limited to, building design and quality, dwelling size and type (particularly provision of adaptable and/or universally accessible aged or dependent persons' and single bedroom dwellings), sustainability and energy efficiency, housing affordability, heritage and vegetation retention, removing vehicle access fronting a major road, removing a non-conforming use, communal facilities, public open space and public art.³"

Our understanding is that the LDP does not achieve all of the criteria and as such, should not be accepted.

It is also our understanding that the issue of plot bonuses is decided in the development plan and not the LDP. Blurring these issues is confusing separate approval processes. As we have noted above, the owner under the LDP is not seeking approval for the development and therefore, should the code be approved, the developer is free to do as they please including selling and not developing the site, contrary to the focus of their proposal. We are not comfortable about the bonus being "enshrined" in the LDP and we can only assume it is to bypass the usual advertising processes for a Development Application through 'deemed-to-comply' provisions of the codes.

Setbacks:

The LDP is not clear on the exact location of the development footprint other than to state "zero lot line to Railway Street units" & "zero lot line to communal strata laundry". There is no clear indication of where these are located. We feel that the focus on development outcomes is deficient. We consider that there should be focus on the Residential Design Codes regarding set backs with a focus on the effect on neighbouring properties and the amenity of the area.

³ Western Australian Planning Commission – Planning Bulletin 113/2015

In summary, we are not opposed to increasing density around transport hubs, in fact we see the merits and are generally in favour of such development. However, we are strongly opposed to the current advertised proposal as it is too excessive in its request, poorly drafted and deficient in its clarity. Being in very close proximity to the site, we have real concerns and consider that the application as currently drafted:

1. would result in a significant increase in traffic and associated parking issues
2. is not in keeping with the surrounding area and provides no transition between high density development areas and low density residential areas;
3. is actually creating a reverse density transition due to the "natural density transition zone" provided by Congdon Street's width and green space. The code will go from R50 in the Swanbourne Local Centre, to wide road/green space, to proposed R60 (effectively R80 with office and residential space), to R20 residential;
4. is effectively asking for R80 due to the WAPC plot ratio bonus;
5. will result in significant loss of private amenity; and
6. is not in accordance with the Council's own planning policies.

Should the Council deem that a re-zoning of the site be appropriate, we consider that a coding of no greater than R40 be permitted. Furthermore, to provide for proper transitioning, we consider that the setbacks to neighbouring properties be reasonable and sensible and ensure that any areas of higher density are setback from the R20 residential neighbours. In our opinion this would constitute sensible planning and compliment the amenity of the local area.

Given the issues highlighted with the drafting of the LDP, we consider that it should be re-drafted in line with proper guidelines and policies. .

Please feel free to contact Grant Gibson on mobile _____ or email _____ should you wish to talk through our concerns or any questions.

Kind regards,

Grant Gibson

Sally Gibson

Submission Form

Regulation 24(1)(a), 26(6)(a), 40(1)(a) & 49(1)(a)

Planning and Development Act 2005

To: The Chief Executive Officer of the Town of Cottesloe.

Submission on: Local Planning Scheme 3 / Amendment No 5

Name:

Peter Law

Organisation / Company (if applicable):

Phone:

Address:

Cottesloe

State how your interests are affected, whether as a private citizen, on behalf of a company or other organisation, or as an owner or occupier of property.

Cottesloe Resident

ADDRESS OF PROPERTY AFFECTED (if applicable). (Include lot number and nearest street intersection).

North Cottesloe Primary School Cnr Railway St and Eric St
Cottesloe & General Area.

SUBMISSION - Provide your comments in full and any arguments to support them (attach additional pages if necessary).

We are objecting for 2 major reasons:

Firstly this 'Quarter of Cottesloe', Congdon St/Railway St/Jasper Green 'Quarter' has:

- a) great set-backs,
- b) family homes.

Secondly the zoning change from R20 to R60 with 'Environmental Entitlements' effectively makes it R85 zoning.

This development which is an obvious individual and unusual entitlement removes these characters from this existing community and severely increases density for this existing low density community.

Date:

21/7/16

Signature:

Submission Form

Regulation 24(1)(a), 26(6)(a), 40(1)(a) & 49(1)(a)

Planning and Development Act 2005

To: The Chief Executive Officer of the Town of Cottesloe.

Submission on: **Local Planning Scheme 3 / Amendment No** _____

Name: PETER DICKSON

Organisation / Company (if applicable): _____

Phone: HOME MOBILE

Address: SWANBOURNE

State how your interests are affected, whether as a private citizen, on behalf of a company or other organisation, or as an owner or occupier of property.

DEGRADING OF THE LIFESTYLE OF SWANBOURNE

ADDRESS OF PROPERTY AFFECTED (if applicable). (Include lot number and nearest street intersection).

SWANBOURNE

SUBMISSION - Provide your comments in full and any arguments to support them (attach additional pages if necessary).

This development is way beyond the site density existing planning codes allow. Rezoning of the site to allow density of dwellings as proposed is not acceptable The developers are been given special privileges not available to other existing ratepayers.

The number of dwelling proposed will significantly add to the congestion of that area.

The scale of the development and greatly increased density of dwelling is not keeping with the location and would dramatically alter the existing lifestyle the current ratepayers.

This development is no more that the developers wanting to maximize their profit at the expense of the present ambiance and lifestyle of residence.

Date: 03/07/2016 Signature: _____

Submission Form

Regulation 24(1)(a), 26(6)(a), 40(1)(a) & 49(1)(a)

Planning and Development Act 2005

To: The Chief Executive Officer of the Town of Cottesloe.

Submission on: Local Planning Scheme 3 / Amendment No 5

Name: Eric Hutchinson

Organisation / Company (if applicable): _____

Phone: _____

Address: _____ Cottesloe

State how your interests are affected, whether as a private citizen, on behalf of a company or other organisation, or as an owner or occupier of property.

Long term occupier of neighbouring house affected.

ADDRESS OF PROPERTY AFFECTED (if applicable). (Include lot number and nearest street intersection).

43 Congdon St.

SUBMISSION - Provide your comments in full and any arguments to support them (attach additional pages if necessary).

Please do not allow R60 zoning in our street.

I object to the proposal - see letter attached.

I object to the process of no prior consultation with neighbours.

Date: 18 July Signature: [Signature]

I am against the proposal to increase the residential density for the land on the corner of Congdon and Railway Streets from R20 to R60.

As a long term resident of Congdon Street, I foresee that this proposed development which is unlike the surrounding houses, if allowed to proceed, will change the amenity of a well-established and quieter residential area to one that is less pleasant, due to a massively different streetscape with large scale high boundary walls, overshadowing, minimal open space and excessive bulk and scale for the area.

As a nearby resident, a large scale high density development will also adversely affect my access to street parking, increase traffic flow, increase pedestrian traffic and footpath noise. With rooftop patios, I will also be affected by noise and overlooking into our backyard and living areas.

Please do not allow an R60 zoning in our street!

I am also objecting to the process followed by the Council to date of not consulting with the community prior to advertising the Scheme Amendment. This has disadvantaged us in favour of developers!

TOWN OF COTTESLOE
RECEIVED

- 9 MAR 2016

Cottesloe WA 6011

6 March 2016

Dear Councillor and Cottesloe Council

Congdon Street (Corner Railway Street) Development

We were shocked to read about plans for an unprecedented development in Congdon Street in this week's Post newspaper. Whilst we had noted that two neighbouring residential blocks had been cleared and we expected two new dwellings to be built, we had never anticipated the scale of what now seems to be proposed and most certainly do NOT support any part of it, for the following reasons.

1. Local Planning Scheme 2014

The two blocks on the corner of Congdon and Railways Streets have always been zoned residential. An enormous amount of work and consultation over a long period of time went into the development of the current and recent Local Planning Scheme 2014. These two blocks remain residential in the Local Planning Scheme as they should. It is NOT appropriate to even consider alternative zoning for two residential blocks so soon after a major review. Surely residents can have some surety that any development will not be occurring within a short to medium timeframe (at least ten years) after the release of the Local Planning Scheme. Town planning should not be done 'on the run' when a developer decides a commercial opportunity exists.

2. Beginning of over development in residential Cottesloe?

According to the Post, the developer and his friends are motivated 'to live debt free for the next 20 years' by selling more than half of the 13-14 flats proposed. This is clearly a commercial business development among those in the building industry. That is not a good enough reason to change the zoning on a peaceful residential area of Cottesloe.

How many flats can two average Cottesloe blocks fit? I refer to the proposed dwellings as flats because such a high number could only be located in a multi-level block and look like a ghetto of flats. The two blocks on the corner of Congdon Street when combined, look about 1500 sm. We were expecting two new residences over the two blocks. Anything more will result in this residential area becoming a commercial development and way out of keeping with the current dwellings.

3. Proximity to shops and public transport

The bottom part of Congdon Street is close to the station and shops but this is also not a good enough reason to change the zoning. Many existing houses are also close to these shops and public transport and this is a desirable thing with some houses just as close or even closer than these two blocks and still zoned residential.

4. Precedent

Changing of zoning (so soon after it was reviewed) would set a precedent for anyone in Cottesloe with land close to public transport including three train stations and numerous bus stops to attempt to plan to build blocks of flats.

5. Amenity of Congdon Street

Congdon Street (and its neighbouring Parry Street) have long been considered attractive and relatively quiet streets with appealing streetscape and with many stately and desirable residential HOUSES. The wide verge in Congdon Street has always formed an obvious demarcation between residential houses on the west side of the street and some commercial at the lower end on the east side of the street.

There is no doubt that a large block of flats at the lower end of Congdon Street will devalue the surrounding houses.

6. Traffic flow

The bottom end of Congdon Street is a busy corner especially on school days when a lot of cars travel quickly down the hill then queue back up the hill waiting to turn right before queuing to cross the Swanbourne Bridge, during both mornings and afternoons.

No doubt a driveway is proposed in Congdon Street so can you imagine a significant number of people trying to enter the traffic flow at the lower end? It's hard enough entering the street, including backing out, into a single lane of traffic from a few houses further up the street especially when cars are parked in the street, visibility is restricted and the traffic flow is fast.

7. Parking

There are only a handful of car parks (two hour limits) at the lower end in Congdon Street and NONE outside the two blocks proposed for development. There is also no street parking outside this part of Railway Street. Where would visitors to these flats park? If there could be 14 flats (according to the Post, some will be three bedroom and some one bedroom) and approximately 28 residents, where will they all park? Parking in recent times has already become more of a problem in this area due to increased numbers of people supporting local businesses. The street can NOT support so many additional people parking in this vicinity.

8. Noise

An additional number of dwellings will bring accompanying noise and impact on neighbouring residents who currently enjoy a peaceful neighbourhood.

9. Impact on neighbours

A commercial level development of this proportion will adversely impact on the neighbouring residents. As mentioned above, issues such as parking, noise, traffic and devaluation of property will all adversely affect neighbours.

According to the Post, 'neighbours had seen plans and were supportive so far'. This is not our experience. We have not seen any plans. Apart from ourselves, we have spoken to owners of the other three houses in Congdon Street immediately next to the site and all were surprised to hear of the information outlined in the Post, particularly the large number of dwellings proposed.

For the reasons outlined above, please do NOT approve any changes to the zoning of Congdon Street and do NOT allow development of anymore dwellings than is currently allowed to be built on this site.

Yours sincerely

Dell and Eric Hutchinson

Submission Form

Regulation 24(1)(a), 26(6)(a), 40(1)(a) & 49(1)(a)

Planning and Development Act 2005

To: The Chief Executive Officer of the Town of Cottesloe.

Submission on: Local Planning Scheme 3 / Amendment No 5

Name:	<u>DEAN STOCKWELL</u>
Organisation / Company (if applicable):	_____
Phone:	_____
Address:	<u>LOTTE SLOE WA 6011</u>
State how your interests are affected, whether as a private citizen, on behalf of a company or other organisation, or as an owner or occupier of property.	
<u>Occupier of the house that is about</u> <u>houses to the south on Conynon St relative to the development</u> <u>in question.</u>	
ADDRESS OF PROPERTY AFFECTED (if applicable). (Include lot number and nearest street intersection).	
<u>As above</u>	
SUBMISSION - Provide your comments in full and any arguments to support them (attach additional pages if necessary).	
<u>Please refer to the attached letter</u> <u>dated 21st July</u>	

Date:	<u>22/7/16</u>
Signature:	_____

Dean Stockwell

Cottesloe WA 6011

21st July 2016

Mr Andrew Jackson
Manager Development Services
Town of Cottesloe
109 Broome Street
Cottesloe WA 6011

Scheme Amendment No. 5 – 126-128 Railway Street, Cottesloe

Dear Andrew

We refer to the above mentioned draft scheme amendment to re-zone 126-128 Railway Street, Cottesloe WA 6011, which is currently seeking community consultation. My family and I reside at Street, Cottesloe WA 6011, being the house to the south on Congdon Street of the properties seeking re-zoning.

As residents, we strongly oppose the zoning, format and content of the proposed Local Development Plan (LDP). Whilst we are not property development or planning experts, we have attempted, as best we can, to articulate our concerns in this letter with reference to planning policies and guidelines where possible and also a degree of common sense.

1. Overall, this amendment discounts the residential amenity and character of the surrounding locality and the rest of Cottesloe.
2. 126-128 Railway St is a 1475 square metre block. Currently 3 dwellings are allowed; that is one dwelling per 500 square metres; approximately 9 residents. This amendment proposes 13 dwellings; that is one dwelling per 112 square metres; up to 39 residents. This is not 'medium density' as described in the proposal.
3. The amendment describes the infill development as R60, however 112s.m = R85. Neither R60 or R85 is medium density.
4. The effective R80/85 is far in excess of the commercial zone of R50 and does not taper to the lower density residential zones; it actually increases the density.
5. Potential for zone creep higher in the existing R50 zone to possibly R100, which is large scale development and not in keeping with the area. It is not a "town centre" like Claremont.
6. Parking allowance for 24 cars is excessive. However, there is likely to be more parking required to accommodate the needs of the occupants. Where will they park?

7. The report says the infill development is supported for its "sustainable, energy efficient, solar access and roof gardens" components. These elements are integral in modern developments and therefore are not legitimate excuses for allowing a development of this scale.
8. The report says the infill development is supported as it "provides a choice of lifestyles". This is not a legitimate argument. Cottesloe already has more multiple dwellings than any neighbouring suburbs.
9. The report states that the infill development is "compatible with the scale and amenity of the locality". Untrue. This proposal is far removed from the residential character of the surrounding area and density. It is also higher than the existing commercial "Swanbourne Village" zone, which this development is not part of and there is a natural buffer zone due to the width and scale of Congdon Street between the commercial zone and residential zone of lower density.
10. 3 storey developments are not permitted in this area. 3 storey developments are not compatible with the locality. Part of the development will be 4 story plus roof terraces.
11. The loss of space, trees and gardens to concrete, a four-fold increase in inhabitants and in cars and in traffic, is incompatible with the locality. There will be insufficient parking to accommodate the residents and their visitors and commercial tenants and their visitors. Traffic is already a serious issue in the locality especially at school run times in and around the Swanbourne bridge. It is gridlock and dangerous and the number of dwellings will exacerbate an already existing problem.
12. This gross density increase poses a serious and ominous precedent to the character of Cottesloe.
13. The re-zoning and development proposal does not take into account the potential for the impact on the safety of motorists and cyclists given the impact the development will have on line-of-sight turning right onto Railway Street from Congdon Street. The proposed entrance to the underground car park is on the Western boundary which is on the corner and also has a large telegraph pole in the middle of the footpath, which blocks all views to the west. This is dangerous for children, pedestrians and motorists alike.

THE ROLE OF THE COUNCIL IN THIS AMENDMENT:

1. The developer has had access and support from the Council for over a year. The community has received no information, no consultation, nothing.
2. LPS3 is the compilation of extensive and expensive community consultation. It reflects community expectations. Town staff have given time, encouragement and support to a non-conforming proposal which is abjectly opposed to the community's vision as expressed in LPS3, by residents in this particular locality and the community as a whole.
3. Regarding this amendment, the Council has ignored and disregarded its own community consultation policy.
4. The mayor's statement to the Post newspaper that 'Cottesloe is lucky to have Mr Baverstock's proposal', was unprofessional. It appears she was trying to justify her support for the project and influence public opinion. The re-zoning and development should be considered in two

separate approval processes as there is nothing stopping the developer from achieving the re-zoning and on-selling the project to another developer. The pretty pictures are not what should be being considered.

5. I consider the Council acted improperly in voting to support the amendment BEFORE consulting the community. It appears that it is being "pushed through" ... for whose benefit, the community or the developer?
6. The subsequent vote to REFUSE a motion to defer that decision pending proper community consultation is even more alarming; there would be nothing lost for the community had this motion been voted in favour of.
7. The Council was made aware that voting for this amendment immediately handed control of the project to the WAPC which can then up-zone a much wider area. To vote in favour of this was unacceptable.
8. Those elected members who voted for this amendment without consultation, have failed to honour their oaths and commitments to the Cottesloe community and have instead favoured developers, irrespective of the cost to the community. Ratepayers have demonstrated publicly, their expectation to be represented by an independent council. The Council's duty is to the community; it is not an auxiliary branch of the State Government. To use government infill targets as an excuse for this amendment, at the expense of Cottesloe's character, amenity, lifestyle, and natural and built environment, is not what the Council was elected to do.

ADVERTISING OF THE AMENDMENT:

1. Proper community consultation should have been conducted when support for this infill was first solicited a year ago. Current advertising is insufficient. This amendment affects the whole of Cottesloe and a survey of all residents should now be conducted before further decision making.
2. Current mandatory advertising is perfunctory. All residents should be told that this Council has voted to support the amendment and has ceded control to the WAPC. It's evident that as a consequence, community comments will hold little value.
3. Typically following such a decision, submissions are few in number, especially considering advertisements are ineffective.

The report supporting this amendment states that a "survey" has been undertaken – to "identify possible redevelopment sites in the surrounding areas". It states – "the responsible design will provide a stimulus for future possible medium density residential development opportunities throughout the area", and goes on to describe a large area surrounding this project.

It therefore appears that this Council intends to redesign the larger Swanbourne area, rezoning the locality with no regard for proper community consultation or LPS3 and to this, I object to this strongly.

The developer is set to reap a tidy sum. Benefits will flow to him, not to the Cottesloe community.

IN CONCLUSION: This Baverstock project is non-compliant and of a gross scale which is incompatible with the amenity, character and streetscape of Swanbourne and Cottesloe. In voting to pass this amendment this Council has shown a serious lack of proper consultation, accountability, transparency and credibility and I strongly object to the proposed amendment and development proposal.

Kind regards,

Dean Stockwell

OBJECTIONS to AMENDMENT No.5. LOCAL DEVELOPMENT PLAN No.1 (126 and 128 Railway St Cottesloe).

OBJECTIONS:

This amendment discounts the residential amenity and character of the surrounding locality - and the rest of Cottesloe.

1. 126-128 Railway St is a 1475 square metre block. Currently 3 dwellings are allowed; that is one dwelling per 500 square metres; approximately 9 residents. This amendment proposes 13 dwellings; that is one dwelling per 112 square metres; up to 39 residents. This is not 'medium density' as described in the proposal.
2. The amendment describes the infill development as R60, however 112s.m = R85. Neither R60 or R85 is medium density.
3. Parking allowance for 24 cars is excessive.
4. The report says the infill development is supported for its "*sustainable, energy efficient, solar access and roof gardens*" components. These elements are integral in modern developments and therefore are not legitimate excuses for allowing a development of this scale.
5. The report says the infill development is supported as it "*provides a choice of lifestyles*". This is not a legitimate argument. Cottesloe already has more multiple dwellings than any neighbouring suburbs.
6. The report states that the infill development is "*compatible with the scale and amenity of the locality*". Untrue. This proposal is far removed from the residential character of the surrounding area and density.
7. 3 storey developments are not permitted in this area. 3 storey developments are not compatible with the locality.
8. The loss of space, trees and gardens to concrete, a four-fold increase in inhabitants and in cars and in traffic, is incompatible with the locality.
9. This gross density increase poses a serious and ominous precedent to the character of Cottesloe.

THE ROLE OF THE COUNCIL IN THIS AMENDMENT :

1. The developer has had access and support from the Council for over a year. The community has received no information, no consultation, nothing.
2. LPS3 is the compilation of extensive and expensive community consultation. It reflects community expectations. Town staff have given time, encouragement and support to a non-conforming proposal which is abjectly opposed to the community's vision as expressed in LPS3, by residents in this particular locality and the community as a whole.

3. Regarding this amendment, the Council has ignored and disregarded its own community consultation policy.
4. The mayor's statement to the Post newspaper that '*Cottesloe is lucky to have Mr Baverstock's proposal*', was unprofessional and untoward. It appears she was trying to justify her support for the project and influence public opinion.
5. I consider the Council acted improperly in voting to support the amendment BEFORE consulting the community. Such stealth is unjustifiable.
6. The subsequent vote to REFUSE a motion to defer that decision pending proper community consultation is even more unconscionable.
7. The Council was made aware that voting for this amendment immediately handed control of the project to the WAPC which can then up-zone a much wider area. To vote in favour of this was inexcusable.
8. Those elected members who voted for this amendment without consultation, have failed to honour their oaths and commitments to the Cottesloe community. Ratepayers have demonstrated publicly, their expectation to be represented by an independent council. The Council's duty is to the community; it is not an auxiliary branch of the State Government. To use government infill targets as an excuse for this amendment, at the expense of Cottesloe's character, amenity, lifestyle, and natural and built environment, is disgraceful.

ADVERTISING OF THE AMENDMENT:

1. Proper community consultation should have been conducted when support for this infill was first solicited a year ago. Current advertising is insufficient. This amendment affects the whole of Cottesloe and a survey of all residents should now be conducted before further decision-making.
2. Current mandatory advertising is perfunctory. All residents should be told that this Council has voted to support the amendment and has ceded control to the WAPC. It's evident that as a consequence, community comments will hold little value.
3. Typically following such a decision, submissions are few in number, especially considering advertisements are ineffective.

The report supporting this amendment states that a "survey" has been undertaken – to "*identify possible redevelopment sites in the surrounding areas*". It states – "*the responsible design will provide a stimulus for future possible medium density residential development opportunities throughout the area*", and goes on to describe a large area surrounding this project.

It therefore appears that this Council intends to redesign the larger Swanbourne area, rezoning the locality with no regard for proper community consultation or LPS3 and to this, I object in the strongest possible terms - especially since local hearsay says that the developer is buying up

several properties in the locale, which will eradicate neighbours' objections and provide extra infill opportunities.

The developer is set to reap a tidy sum. Benefits will flow to him, not to the Cottesloe community.

IN CONCLUSION: This Baverstock project is noncompliant and of a gross scale which is incompatible with the amenity, character and streetscape of Swanbourne and Cottesloe.

In voting to pass this amendment this Council has shown a serious lack of proper consultation, accountability, transparency and credibility.

NAME: Rosemary D. Walsh, resident and ratepayer.

ADDRESS: Cottesloe. TELEPHONE:

Further Comment

Councillors,

Further to my email of this morning re the Baverstock proposal, and in the expectation that the council still welcomes community comment, I make further comment:

Several councillors and staff were not around when our TPS was determined and it seems some don't appreciate the work and input that went into the development of the Cottesloe Town Planning Scheme.

The process was a long one, with the council conducting many community surveys and many public meetings including several precinct planning meetings for which the town was divided into small areas and sessions were arranged for residents within. Responses to all were amazing; they included hundreds of residents who cared about their neighbourhood and their town attending and having their opinions recorded. It was extensive and expensive and took many months. This was followed by the Enquiry by Design, which showed a very definite reflection of the residents' vision for their town (despite money-hungry developers and a couple of their allies on the council). The LPS was the culmination of all of this and more. While it took time, it was finally accepted by the state government as TPS3.

This should explain my concern that developers, town officers and a few councillors - all who are only in those positions temporarily, can decide that they want to change the TPS without any direction from the community.

If/when you do ask for public comment, why should any objectors think they would be taken seriously since you have already shown where you stand - you support the developers.

Some councillors and council staff do not seem to appreciate that their function is to represent the Cottesloe community, not to represent developers who decide to ignore the rules and gain support from those they can best persuade. I repeat, if you want to ignore the TPS, you should ask the community for their permission .

Rosemary D Walsh
Cottesloe

Submission Form

Regulation 24(1)(a), 26(6)(a), 40(1)(a) & 49(1)(a)

Planning and Development Act 2005

To: The Chief Executive Officer of the Town of Cottesloe.

Submission on: Local Planning Scheme 3 / Amendment No 5

Name:	<u>Nicole Osborne</u>
Organisation / Company (if applicable):	_____
Phone:	_____
Address:	<u>Cottesloe WA 6011</u>
State how your interests are affected, whether as a private citizen, on behalf of a company or other organisation, or as an owner or occupier of property. <u>I am an owner and occupier of a property immediately next door to the proposed rezoning/development</u>	
ADDRESS OF PROPERTY AFFECTED (if applicable). (Include lot number and nearest street intersection). <u>Cottesloe WA 6011 Lot number 13</u> <u>Nearest Cross Street is Condon St</u>	
SUBMISSION - Provide your comments in full and any arguments to support them (attach additional pages if necessary). <u>My submission and arguments are in the document attached to my email.</u>	

Date: <u>11th July 2016</u>	Signature _____

Nicole Osborne
COTTESLOE WA 6011

11th July, 2016

Mr Mat Humfrey
Chief Executive Officer
Town of Cottesloe
109 Broome St
COTTESLOE WA 6011

CC: Cottesloe Councillors and Cottesloe Mayor

Dear Mr Humfrey.

**OBJECTION to Amendment No 5 Local Development Plan No 1
(126 and 128 Railway St Cottesloe)**

I am writing to you with a **strong objection** for the above amendment – for the changes that are being proposed and for the mismanagement and biased approach from the Town of Cottesloe in dealing with the proposed amendment.

Firstly my objections to the proposed amendment:

- This is spot rezoning and **does not follow Cottesloe Council's own Town Planning Policies.**
- The proposed zoning increase is huge – from R20 to R60 (with bonus considerations it will be R85) – bigger than any zoning in the whole of the Swanbourne Village area. The land is questionably on the fringe if not outside the Village Precinct. Cottesloe Council needs to be clear on it's plan of what the "Swanbourne Village Precinct" is before approving plans of such **high density** on land that my not be in the zone.
- The new development will be **3 storeys plus** (when you consider underground parking and roof terraces). This height will create significant shadows on my property and other properties on the boundary. Because of the height of the development, our backyard will be overlooked – by not one dwelling but many dwellings. This is not acceptable in a solely R20 zoned residential block. ***Note see attached map. Railway St boarded by Congdon St and Grant St is clearly all R20 and no higher.***

- The increase in zoning will allow the developer to build to the property boundary lines. i.e. **zero setback**. Not only is this type of development ugly and unfriendly to the neighbouring properties, it also causes pedestrian safety issues, especially to children cycling to North Cottesloe Primary School and using the footpath. It also creates sight issues for motorists at the Congdon/Railway St intersection. It also goes against the guidelines of the “Claremont Hill Precinct”, where it is noted the importance of setbacks and development.
- Driveway access on the proposed plan is on Railway St, which I strongly object to. **This goes against the Residential Design Codes of WA which states “Access is to be provided from the primary street only where there is no secondary street or right-of-way.”** Ie the driveway should be in Congdon St yet the developer plans to put the driveway on the busier and more congested Railway St. Not only that the placement of the driveway is closest to the dangerous blind corner on Railway St.
http://www.planning.wa.gov.au/dop_pub_pdf/Residential_Design_Codes-Explanatory_Guidelines.pdf - note point 6.5 Vehicular Access
- Safety of school children is also a big issue. North Cottesloe Primary is also located on Railway St. Many school children cycle and walk past my property each day, twice a day. The children will have to not only deal with a cramped footpath if the development is zero setback, but the children will have to deal with **24 plus cars entering and exiting the driveway on Railway St. Why has a Traffic Engineers report not been done?**
- The planned recreation room is of concern. I have heard of other local developments having problems with such rooms being used for group activities such as yoga classes and then non-residents start to come to these classes, which cause significant parking and noise issues.
- By having an office space in the development and making the development effectively “mixed use”, creates further parking and noise issues.
- The developer is advertising his development as “medium density”. Yet the amendment proposes 13 dwellings i.e. one dwelling per 112 square metres – up to 39 residents. **This is not “medium density” and council and the developer need to recognise and formally acknowledge this.**
- The development is simply too big and needs to be revised down **considerably. 3 stories is unacceptable, zero setback is unacceptable, R60 in and R20 zone is unacceptable.**

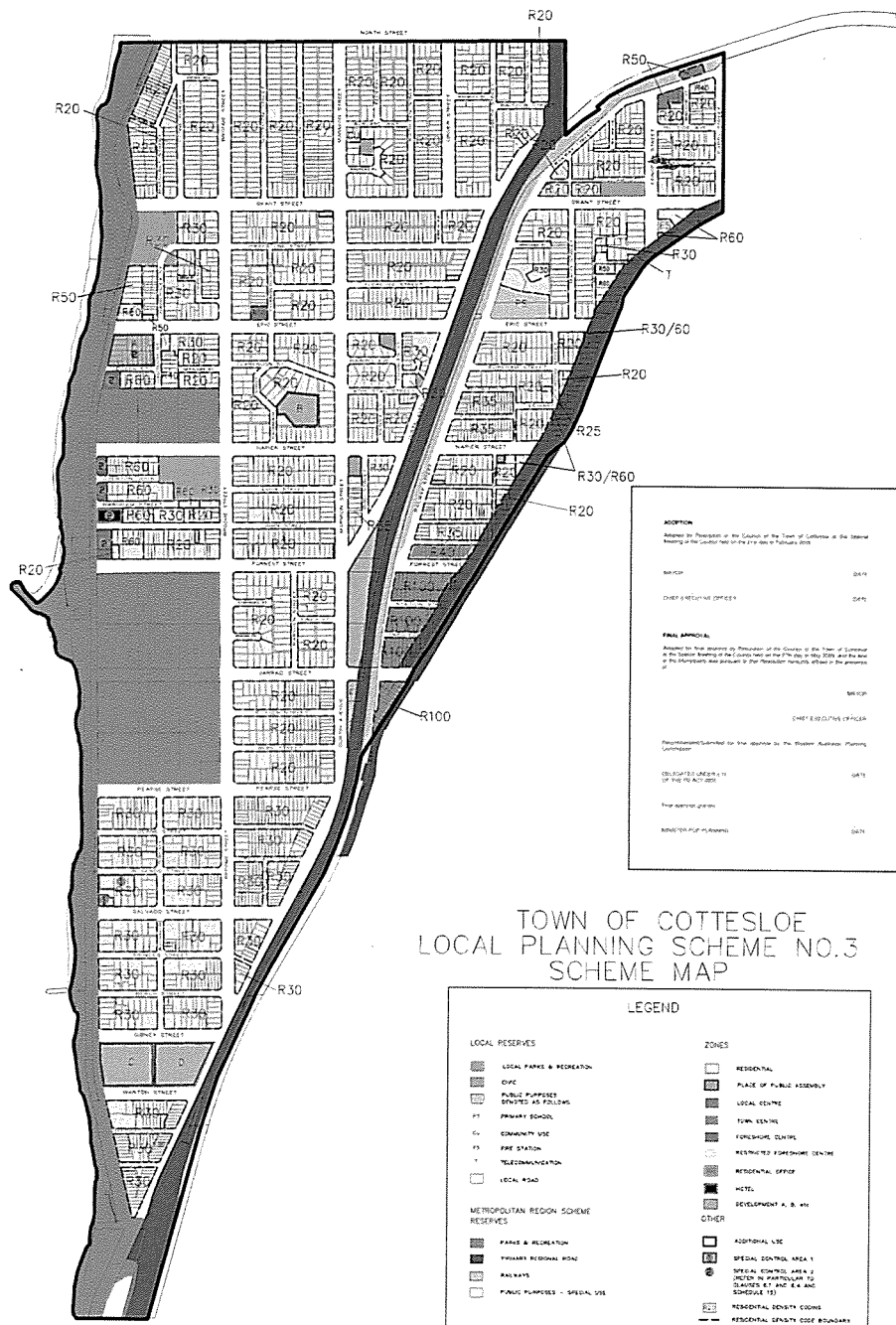
Secondly my objections to the way the council and the developer have handled the proposed amendment:

- The developer has had access and support from Cottesloe Council for over a year. The developer's relationship with council is questionable, having been a previous employee/contractor. This needs to be investigated before any development/rezoning application is considered. The community has received no information, no consultation, nothing. Why does Mr Baverstock only want to win the approval of council and not residents?
- The Mayors' statement at the Council Meeting on 26th April 2016 that "Cottesloe is lucky to have Mr Baverstock's proposal.", was unprofessional. It appears The Mayor was trying to justify her support for the project and influence public opinion. **This was announced just before councillors voted to send the Amendment out for advertising. Did this comment sway any councillors' vote?**
- ***All direct neighbours are opposed to such a large development, yet the developer and The Mayor have indicated that this development is good for Cottesloe. The only thing this development is good for is Mr Baverstock, his investors and their pockets.***

I strongly object to the proposed Amendment. Cottesloe needs properly planned developments that are as per the Town Planning Scheme & Policies. This development is opportunistic and will ruin the neighbourhood – Council must acknowledge the complaints from Residents who currently live near the proposed development and stop 13 units, an office and a recreation room being built in a solely R20 residential area.

Yours faithfully,

Nicole Osborne
Resident and Ratepayer



ADDITION
 Adopted by Resolution of the Council of the Town of Cottesloe at the Special Meeting of the Council held on the 17th day of February 2014

DATE: 04/11/14
 CHIEF EXECUTIVE OFFICER: DATE: 04/11/14

FINAL APPROVAL
 Adopted by the Council of the Town of Cottesloe at the Special Meeting of the Council held on the 17th day of February 2014 and the date of the Meeting was provided to the Metropolitan Planning Commission in the presence of:

DATE: 04/11/14
 CHIEF EXECUTIVE OFFICER

Prepared and submitted for this purpose by the Planner, Metrolink Planning Commission

DATE: 04/11/14
 CHIEF EXECUTIVE OFFICER

Prepared and submitted for this purpose by the Planner, Metrolink Planning Commission

DATE: 04/11/14
 CHIEF EXECUTIVE OFFICER

TOWN OF COTTESLOE
 LOCAL PLANNING SCHEME NO.3
 SCHEME MAP

LEGEND

LOCAL RESERVES	ZONES
LOCAL PARKS & RECREATION	RESIDENTIAL
CIVIC	PLACE OF PUBLIC ASSEMBLY
PUBLIC PURPOSES - SPECIFIED AS FOLLOWS:	LOCAL CENTRE
PS PRIMARY SCHOOL	TOWN CENTRE
CS COMMUNITY USE	FOUNDRY CENTRE
FS FIRE STATION	RESTRICTED SHOPPING CENTRE
T TELECOMMUNICATION	RESIDENTIAL OFFICE
LOCAL ROAD	HOTEL
METROPOLITAN REGION SCHEME RESERVES	DEVELOPMENT A, B, & H
PARKS & RECREATION	OTHER
PRIVATE REGIONAL ROAD	ADDITIONAL USE
RAILWAYS	SPECIAL CONTROL AREA 1
PUBLIC PURPOSES - SPECIAL USE	SPECIAL CONTROL AREA 2
	SECTION IN PARTICULAR TO CLASSES R1, R2, R3, R4, R5 AND R6
	RESIDENTIAL DENSITY CODES
	RESIDENTIAL DENSITY CODE BOUNDARY
	ZONE BOUNDARY

As finalised for gazettal 2014

Submission Form

Regulation 24(1)(a), 26(6)(a), 40(1)(a) & 49(1)(a)

Planning and Development Act 2005

To: The Chief Executive Officer of the Town of Cottesloe.

Submission on: Local Planning Scheme 3 / Amendment No 5

Name:	<u>SALLY GIBSON</u>
Organisation / Company (if applicable):	_____
Phone:	_____
Address:	<u>COTTESLOE WA 6011</u>
State how your interests are affected, whether as a private citizen, on behalf of a company or other organisation, or as an owner or occupier of property.	
<u>Loss of local amenity, traffic, parking etc - See letter attached</u>	
ADDRESS OF PROPERTY AFFECTED (if applicable). (Include lot number and nearest street intersection).	
<u>See letter attached</u>	
SUBMISSION - Provide your comments in full and any arguments to support them (attach additional pages if necessary).	
<u>See letter attached</u>	
Date:	<u>20/7/16</u>
Signature:	_____

Sally Gibson
Cottesloe WA 6011

20 July 2016

Mr Andrew Jackson
Manager Development Services
Town of Cottesloe
109 Broome Street
Cottesloe WA 6011

Scheme Amendment No. 5 – 126-128 Railway Street, Cottesloe

Dear Andrew

We refer to the above mentioned draft scheme amendment to re-zone 126-128 Railway Street, Cottesloe WA 6011, which is currently seeking community consultation. My family and I reside and own Street, Cottesloe WA 6011, being the house to the north on Congdon Street of the properties seeking re-zoning.

As owners and residents, we strongly oppose the zoning, format and content of the proposed Local Development Plan (LDP). Whilst we are not property development or planning experts, we have attempted as best we can, to articulate our concerns in this letter with reference to planning policies and guidelines where possible and also a degree of common sense.

1. Overall, this amendment discounts the residential amenity and character of the surrounding locality and the rest of Cottesloe.
2. 126-128 Railway St is a 1475 square metre block. Currently 3 dwellings are allowed; that is one dwelling per 500 square metres; approximately 9 residents. This amendment proposes 13 dwellings; that is one dwelling per 112 square metres; up to 39 residents. This is not 'medium density' as described in the proposal.
3. The amendment describes the infill development as R60, however 112s.m = R85. Neither R60 or R85 is medium density.
4. The effective R80/85 is far in excess of the commercial zone of R50 and does not taper to the lower density residential zones, it actually increases the density.
5. Potential for zone creep higher in the existing R50 zone to possibly R100, which is large scale development and not in keeping with the area. It is not a "town centre" like Claremont
6. Parking allowance for 24 cars is excessive. However, there is likely to be more parking required to accommodate the needs of the occupants. Where will they park.

7. The report says the infill development is supported for its “sustainable, energy efficient, solar access and roof gardens” components. These elements are integral in modern developments and therefore are not legitimate excuses for allowing a development of this scale.
8. The report says the infill development is supported as it “provides a choice of lifestyles”. This is not a legitimate argument. Cottesloe already has more multiple dwellings than any neighbouring suburbs.
9. The report states that the infill development is “compatible with the scale and amenity of the locality”. Untrue. This proposal is far removed from the residential character of the surrounding area and density. It is also higher than the existing commercial “Swanbourne Village” zone, which this development is not part of and there is a natural buffer zone due to the width and scale of Congdon Street between the commercial zone and residential zone of lower density.
10. 3 storey developments are not permitted in this area. 3 storey developments are not compatible with the locality. Part of the development will be 4 story plus roof terraces.
11. The loss of space, trees and gardens to concrete, a four-fold increase in inhabitants and in cars and in traffic, is incompatible with the locality. There will be insufficient parking to accommodate the residents and their visitors and commercial tenants and their visitors. Traffic is already a serious issue in the locality especially at school run times in and around the Swanbourne bridge. It is gridlock and dangerous and the number of dwellings will exacerbate an already existing problem.
12. This gross density increase poses a serious and ominous precedent to the character of Cottesloe.
13. The re-zoning and development proposal does not take into account the potential for the impact on the safety for motorists and cyclists given the impact the development will have on line of sight turning right onto Railway Street from Congdon Street. I have young children who are keen cyclists and the proposed development causes grave danger for them either in the footpath or the road. The proposed entrance to the underground car park is on the Western boundary which is on the corner and also has a large telegraph pole in the middle of the footpath which blocks all views to the west. This is dangerous for children, pedestrians and motorists alike.

THE ROLE OF THE COUNCIL IN THIS AMENDMENT :

1. The developer has had access and support from the Council for over a year. The community has received no information, no consultation, nothing.
2. LPS3 is the compilation of extensive and expensive community consultation. It reflects community expectations. Town staff have given time, encouragement and support to a non-conforming proposal which is abjectly opposed to the community's vision as expressed in LPS3, by residents in this particular locality and the community as a whole.
3. Regarding this amendment, the Council has ignored and disregarded its own community consultation policy.

4. The mayor's statement to the Post newspaper that 'Cottesloe is lucky to have Mr Baverstock's proposal', was unprofessional. It appears she was trying to justify her support for the project and influence public opinion. The re-zoning and development should be considered in two separate approval processes as there is nothing stopping the developer from achieving the re-zoning and on-selling the project to another developer. The pretty pictures are not what should be being considered.
5. I consider the Council acted improperly in voting to support the amendment BEFORE consulting the community. It appears that it is being "pushed through" ... for whose benefit, the community or the developer?
6. The subsequent vote to REFUSE a motion to defer that decision pending proper community consultation is even more alarming, there would be nothing lost for the community had this motion been voted in favour of.
7. The Council was made aware that voting for this amendment immediately handed control of the project to the WAPC which can then up-zone a much wider area. To vote in favour of this was unacceptable.
8. Those elected members who voted for this amendment without consultation, have failed to honour their oaths and commitments to the Cottesloe community and have instead favoured developers, irrespective of the cost to the community. Ratepayers have demonstrated publicly, their expectation to be represented by an independent council. The Council's duty is to the community; it is not an auxiliary branch of the State Government. To use government infill targets as an excuse for this amendment, at the expense of Cottesloe's character, amenity, lifestyle, and natural and built environment, is not what the Council was elected to do.

ADVERTISING OF THE AMENDMENT:

1. Proper community consultation should have been conducted when support for this infill was first solicited a year ago. Current advertising is insufficient. This amendment affects the whole of Cottesloe and a survey of all residents should now be conducted before further decision making.
2. Current mandatory advertising is perfunctory. All residents should be told that this Council has voted to support the amendment and has ceded control to the WAPC. It's evident that as a consequence, community comments will hold little value.
3. Typically following such a decision, submissions are few in number, especially considering advertisements are ineffective.

The report supporting this amendment states that a "survey" has been undertaken – to "identify possible redevelopment sites in the surrounding areas". It states – "the responsible design will provide a stimulus for future possible medium density residential development opportunities throughout the area", and goes on to describe a large area surrounding this project.

It therefore appears that this Council intends to redesign the larger Swanbourne area, rezoning the locality with no regard for proper community consultation or LPS3 and to this, I object to this strongly.

The developer is set to reap a tidy sum. Benefits will flow to him, not to the Cottesloe community.

IN CONCLUSION: This Baverstock project is non-compliant and of a gross scale which is incompatible with the amenity, character and streetscape of Swanbourne and Cottesloe. In voting to pass this amendment this Council has shown a serious lack of proper consultation, accountability, transparency and credibility and I strongly object to the proposed amendment and development proposal.

Please feel free to contact me via email
concerns or have any questions.

should you wish to talk through my

Kind regards,

Sally Gibson

Submission Form

Form 3A

Regulation 24(1)(a), 26(5)(a), 40(1)(a) & 49(1)(a)

Planning and Development Act 2005

To: The Chief Executive Officer of the Town of Cotswold

Submission on: Local Planning Scheme 3 / Amendment No 5

Name: JUDY LOADER

Organisation / Company (if applicable):

Phone:

Address: COTSWOLD WA 6011

State how your interests are affected, whether as a private citizen, on behalf of a company or other organisation or as an owner or occupier of property. The development on the corner of Longson & Railway Sts will affect me due to the increased traffic on the area and the over capitalisation of units on the size of the block and its not in character with the area.

ADDRESS OF PROPERTY AFFECTED (if applicable). (Include lot number and nearest street intersection).

126-128 Railway St

Cotswold

SUBMISSION - Provide your comments in full and any arguments to support them (attach additional pages if necessary).

1. The Cotswold Council were in breach of process in rezoning the above block

2. To Dawkins extoll the virtues of Mr Bayerstock by declaring Cotswold was lucky Mr Bayerstock has put forward his proposal "an offensive man to should remain impartial". Does that make those not associated with him or this development are indeed "unlucky".

3. The re-zoning of the above from R20 to R35 is NOT

in line with the TPS and this is clearly ad hoc planning

The Council has shown lack of proper consultation, accountability,

P.T.O. transparency & credibility.

Date 23/7/16

Signature

4. I strongly object to so many units⁽¹⁰⁾ replacing two previous homes and is not in keeping with the current dwellings and landscape.
5. The traffic on Railway St and the Railway bridge is already problematic and the area simply won't cope with extra traffic the dwellings.
6. Commercial space will bring to the area.

I use this area multiple times a day and it's at breaking point now. This is a low density area.

6. The proposed development on the corner of 126-128 Railway Street which is not compatible with the character and other dwellings in the area. The architecture is more in line with that of Subiaco.

7. I STRONGLY object to any of the terraces on London St being re-claimed for parking. Again, this is not in line with the character and look of the area. We should not be taking open space and using it for parking.

8. I am concerned about increased crime in the area due to the size of the dwellings so close to the Railway line.

Please note my objection to the proposed zoning change of this area from R20 to R60.

Cottesloe Council needs to be able to enforce standards to mitigate the likely impacts of this proposal therefore I request feedback based on the following:

1. Has a study been made within this area to address traffic impacts such as dangerous crossings, congestion, noise pollution, etc. which has high impact peak hour traffic flow through to the schools on Stirling Hwy, Scotch College and Shenton Park?

Reason - Does Council recall the traffic hazards in McNamara Way when it approved the redevelopment of that laneway with no plan in place to deal with the increase in vehicular movement?

2. Will Council pass a policy to adequately address traffic planning re-future zoning changes?

3. Does Council have funds available for the necessary improved road works and footpath upgrades within this area?

4. Who will be liable for these costs - the residents/ratepayers or developers?

5. Has Structure planning been considered for this development?

6. Has Council invited affected residents to a workshop to iron out the pending problems of the rezoning?

7. Is it willing to tailor zoning changes to suit individual neighbourhoods?

Patricia Carmichael

Submission Form

Regulation 24(1)(a), 26(6)(a), 40(1)(a) & 49(1)(a)

Planning and Development Act 2005

To: The Chief Executive Officer of the Town of Cottesloe.

Submission on: Local Planning Scheme 3 / Amendment No 5.

Name: Angus Kennedy - Perkins

Organisation / Company (if applicable): -

Phone: _____

Address: COTTESLOE, WA 6011

State how your interests are affected, whether as a private citizen, on behalf of a company or other organisation, or as an owner or occupier of property.

PRIVATE CITIZEN, concerned that the ad hoc nature of the amendment will adversely affect the suburb, failure to protect setback, height and character

ADDRESS OF PROPERTY AFFECTED (if applicable). (Include lot number and nearest street intersection).

COWARD ST RAILWAY ST CORNER

SUBMISSION - Provide your comments in full and any arguments to support them (attach additional pages if necessary).

The proposed development is incongruous with its neighbours and the Cottesloe precinct in which it sits. The building looks too commercial, bulky - like a dressed up blackhouse. I walk that stretch a lot - the traffic is horrendous. The developers profit motive aside their pitch is savvy "baby boomers" "transport hub" "retirement" what sort of precedent are you setting?? My wife & I are Grant & its close to the Grant St Station are you saying we can bang up 13 units, put a nice piece of art in - Bob's your uncle!

Date: 19/7/2016

Signature: _____

Submission Form

Regulation 24(1)(a), 26(6)(a), 40(1)(a) & 49(1)(a)

Planning and Development Act 2005

PO Box 606, Cottesloe WA 6911 OR
council@cottesloe.wa.gov.au

To: The Chief Executive Officer of the Town of Cottesloe.

Submission on: Local Planning Scheme 3 / Amendment No 5

Name: Mercedes Elliott

Organisation / Company (if applicable):

Phone: COTTESLOE

Address:

State how your interests are affected, whether as a private citizen, on behalf of a company or other organisation, or as an owner or occupier of property.

Private citizen - as someone who lives nearby (1 block away); I am someone personally affected by big development adjacent to me

ADDRESS OF PROPERTY AFFECTED (if applicable). (Include lot number and nearest street intersection).

as above

SUBMISSION - Provide your comments in full and any arguments to support them (attach additional pages if necessary).

NO TO RE-ZONING

- That is a dangerous corner already. Poor sight-lines. I have personally witnessed incidents here
- The traffic is already unbearable. There is no-where for visitors or residents to park now, the side streets are full of long-stay parkers
- The bulk & scale does NOT suit the area.
- The overlooking, outlook for neighbours, loss of privacy, loss of amenity & quality of life are all serious problems.

Date: 20/7/16 Signature:

All adjacent properties are severely de-valued

I have a block of units being built next to me. The balconies look straight into my home - living area, kitchen, dining & my teenage daughter's bedroom. The traffic to & from the units shine their lights & right into our home, the noise wakes us every time. I pity the neighbours of 126-128. It causes us great anxiety & sadness. SHOULD NOT HAPPEN.

SUBMISSION REGARDING AMENDMENT 5 LOCAL DEVELOPMENT PLAN No.1 126-128 Railway St, COTTESLOE

I write to oppose proposed Amendment 5 – Local Development Plan for 126-128 Railway St, Cottesloe.

I oppose this proposed amendment because it shows very poor governance and very poor planning.

PLANNING

As stated in clause 1.6 of TPS 3, the purpose of the Town Planning Scheme is -

- a) To implement the State Planning Strategy, and
- b) To promote the Local Planning Strategy.

Clause 2.1 of TPS 3 states that ...*"determinations of the local government under the Scheme are to be consistent with the Local Planning Strategy."*

Further, under 10.2, Local Government is to have due regard to such of the following matters a) the aims and provisions of the Scheme ... and b) the Local Planning Strategy..

The Town of Cottesloe (page 9) states in its LPS after a list of State Government Policies, that *"The Council considers and applies these policies where relevant when carrying out its planning and development proposals assessment functions"*

TPS 3 and its associated LPS are the result of extensive community consultation and consideration of all the matters relevant from State Government Policies. As shown above, Council decisions re development proposals are to be consistent with its LPS. Support for this proposal to rezone 126-128 Railway St to R60 (R80?) is certainly NOT consistent with TPS 3.

I further point out that spot rezoning in isolation, of 2 blocks from R 20 to "R 60" is very poor planning practice and one that few planners would support.

Our TPS states that it provides for *"the maintenance of open space and appropriate building setbacks"* and *"the integration of complementary and compatible redevelopment"*. This amendment, if passed, logically says that spot rezoning to R60 is supportable anywhere in Cottesloe.

This is not the position outlined in our TPS 3 which states it provides for the dot points of the previous paragraph, and that its Density Strategy calls for *"Retention of the extensive areas of R 20 and R 30 density coding covering the district"*. On page 32 of the LPS it states that *"Council has been concerned about the undesirable impacts on amenity of additional subdivision and development at these reduced standards which change the character of localities due to closer built form, loss of trees and gardens, extra crossovers and traffic, and so on... "*, while Page 33 wants to *"preserve the Residential character and amenity of Cottesloe and maintain constraints to Housing Provisions"*.

Claremont Hill is a particularly attractive part of Cottesloe with its large blocks and handsome houses. When TPS 3 was with the WAPC for approval, the WAPC pushed for a R 40 zoning for this area but was convinced - obviously for planning reasons, that it should remain at R 20.

This spot rezoning flies in the face of the stated aims of our TPS 3 and should never have been supported. This particularly applies when it is being proposed BEFORE any community consultation on the matter. What we are seeing here is very poor planning (spot rezoning by a X3 factor) and very poor governance.

GOVERNANCE

The Town of Cottesloe previously showed a strong commitment to community consultation and was recognized for such by its residents. Such consultation is stated by the Department of Local Government and Regional development (Joondalup Inquiry et al) as a very important measure of good government along with the need to be morally accountable to the people on whose behalf the local authority is governing.

What we see here is the opposite of a strong commitment to community consultation. Here Council has supported a request that requires spot upzoning from R 20 to "R 60" minimum, at the request of a developer who stands to gain windfall profits from such upzoning. This proposal will end before the WAPC who want the area upzoned and can now point to Council support as the WAPC takes over the final planning decision here.

To arrive at TPS 3, extensive community consultation was carried out. The community was strongly involved, from the precinct meetings through many other consultations to the final drafting of TPS 3 and its LPS. As stated in this broad community process there was very strong support (6 of the 7 precincts) to retain R20 zoning and the green, leafy character of the suburb, with little support for smaller blocks and more apartments.

This proposal shows no consideration for the decisions of the community that strongly guided the formulation of TPS 3. It is poor governance as per the Dept of Local Government. Spot rezoning is very poor planning and passing it to the WAPC before community consultation, is abrogating the planning powers of the Town of Cottesloe.

This Amendment should have never been proposed in this fashion and should be withdrawn.

JACK WALSH

COTTESLOE

Dear Major and Councillors,

We write with reference to the Scheme Amendment No5 to re-zone the property at 126/128 Railway St, Cottesloe. We own and live at _____, Cottesloe between Congdon St and Windor Rd.

We have been watching with interest to see what will be developing on the site at the corner of Congdon St and Railway St. We were impressed by the developers website and its endorsements. However, there is no getting around our concerns that this development is too big for the site, so big that council has needed to amend its local planning scheme in order to allow its progress.

As owners and residents in the local vicinity of the property seeking re-zoning, we are writing to oppose the scale and density of the development, and outline our concerns below in brief.

DENSITY

We are not opposed to higher density around train stations, and have no issue with a smaller increase in density on the site (R40), particularly as it is on a corner, however safety issues need to be addressed on this particular corner as it is already difficult to see around the corner from Congdon St into Railway St when turning left. So many children walk and ride bikes coming from North Cottesloe Primary School it is not going to be long before the corner becomes a danger.

RE-ZONING

We also have concerns that the scheme amendment has been drafted with this particular development in sight. Once re-zoned, a completely different set of units could be built on the site and it will set a precedence for the area. Any changes to the scheme should be conducted by the council with the broader community in mind, not simply one address.

PLOT RATIO

The proposed plot ratio on this development site is not appropriate for this residential area. There is no apparent setback on Congdon or Railway St's creating a very dangerous corner. We don't understand how one site can be deemed appropriate as (effectively) R80 next door to residential R20.

NEW LAND USE

The developers are seeking to introduce new land uses on the site which will set a precedence. There are appropriately zoned areas for 'Office' directly across the road which remain vacant.

TRAFFIC

Congestion and parking are increasingly issues that reduce the amenity of the local area. While the Ranger has been diligent in recent weeks due to numerous hazards created by people parking in surrounding streets instead of using the Transperth Park and Ride area, her diligence has not been a deterrent and increased density will only exacerbate the dangers to our children. There are more kids on our local streets moving between homes/transport and MLC, Scotch, Christchurch, and

North Cott Primary. This is something the council should encourage and be proud of as it is why so many people want to live in the area.

AMENITY

The council clearly outlines the current scheme objective of its Residential Zone, stating to "encourage residential development only which is compatible with the scale and amenity of the locality'. This development is outside the councils objective for proposed development and will without doubt effect our amenity and enjoyment of the area if it allows a development of this scale and density by amending the scheme.

If the council deems re-zoning a necessity for this site, we believe proper set-backs should be enforced to prevent the intersection from becoming notoriously dangerous, and that R40 be the appropriate zoning for the site.

Regards,

Guy Bailey and Jodi Corica

Dear Councilors,

Thank you for the opportunity to voice my opinion on the zoning changes.

I think the proposed development is too big for the land area and I am against any change in the R codes.

My opinion is the building adversely impacts it's immediate neighbors and is too big for the block.

There needs to be some flexibility in the planning code for high quality developments that have some Architectural merit, and from what I have seen I do not believe any relaxation of the planning code for this development is warranted.

Best Regards,

Jim Wilshire

Submission continued for Gill Vivian for Amendment No 5 Railway/Congdon Street proposed development.

As a concerned Resident & ratepayer I am a bit shocked really that this land is currently Zoned R20 is even up for discussion/proposal as it is not in line with the Cottesloe Town Planning Scheme (Cottesloe Council has obviously approved it in principle otherwise it wouldn't be being discussed now) the developers are now asking to be rezoned to R60 and with the possibility of it being R85 with all the allowances that will be given to them. The people that bought the land as R20 bought it on that basis and if it was rezoned R60-R85 it would have been priced very differently, this would have been a much more expensive piece of land.

Why are we even contemplating spot re zoning on two small blocks of land, this will then set a precedence for other developments to occur on R20 land parcels in the area.

I am not against development in Cottesloe I totally agree with it and personally want to see more of it, but really on two small pieces of land, a whopping big compound that should only realistically house 4-5 townhouses at the most. It's not zoned commercial and don't understand why that is casually thrown in there. There is very little outdoor space and if I was building a house on that land I would not be allowed that sort of coverage over the land I would be knocked back.

Deemed for old people I cannot see old people living in 60m² of space in the one bedroom apartments the townhouses are fabulous and there is four of them and that should be all that is allowed on that site, or if they wanted to build 8 large apartments that are secure would also be an option but not something that size, what a huge impact on the homes around it (glad I don't live next to it).

I don't believe they have had discussions with the neighbour next door about the whole plan as the way I see it all their Northern light will be taken up by the townhouse alongside it.

This massive development would be so well suited on a 3 block site not a 2 block site.

On a positive note I really like the development that they have proposed and commend them on their design but again I reiterate it's not suitable for 1,476m² of land.

Wentworth Street homes on 280m² are very small and you would only be able to get 5 of those on this amount of land not 13 apartments, 4 townhouses and one commercial property and a recreation room, is there something I am missing here?

Also it would be unreasonable to expect young and old to live in harmony it just won't happen, the young will be the ones that will want to snap up 60m² of living space in Cottesloe without any shadow of a doubt my kids would. Young people have a totally different way of living than older/mature people it would create huge problems.

Older people living in this particular location going out directly onto Railway with their cars wouldn't be a very desirable situation knowing how I have had to negotiate already the older population coming down Mann Street and Railway Street can be very harrowing at times. The constant stream of school children riding their bikes, people walking their dogs, the cars that speed down Railway is an often occurrence it's just problems we just don't need on that main little road that takes a fair amount of traffic already.

The development opposite Dawson's is a prime example of a well thought out plan for retirees who want to be next to the train line, shops but not compromising too much on space. There was four of those sold and very quickly as well. I would definitely support a development of 8 apartments zoned suited for retirees as we are in dire need of these homes not 12 60m² apartments, 4 townhouses and one commercial.

After living in this area for 30+ years I think I am quite qualified to comment on the area and I hope to retire in a smaller complex myself but could not see myself in 60m² of space.

As the development currently stands I couldn't support such a massive infill in that particular location and considering it was sold as R20 and them knowing that it was not big enough to successfully have that many dwellings on the site when they bought it I think that it is a long shot on their behalf.

Regards

Gill Vivian

TOWN OF COTTESLOE

Form 3A

15 JUL 2016

Submission Form

Regulation 24(1)(a), 26(6)(a), 40(1)(a) & 49(1)(a)

RECEIVED

Planning and Development Act 2005

PO Box 606, Cottesloe WA 6911 or

To: The Chief Executive Officer of the Town of Cottesloe.

council@cottesloe.wa.gov.au

Submission on: Local Planning Scheme 3 / Amendment No 5

Name: LOADER W. R. H

Organisation / Company (if applicable): _____

Phone: _____

Address: CLAREMONT 6010

State how your interests are affected, whether as a private citizen, on behalf of a company or other organisation, or as an owner or occupier of property.
OWNER / OF NEARBY RESIDENCE
OCCUPIER

ADDRESS OF PROPERTY AFFECTED (if applicable). (Include lot number and nearest street intersection).
AS ABOVE

SUBMISSION - Provide your comments in full and any arguments to support them (attach additional pages if necessary).
RE: BAVERSTOCK DEVELOPMENT
I AM AGAINST THIS PROPOSAL - I SEE NO REASON
FOR VARYING THE ZONING FROM R20 TO R85.
THIS CHANGE CONFLICTS WITH THE AMENITY OF THE
AREA

Date: 13/7/16 Signature: _____

Submission Form

Regulation 24(1)(a), 26(6)(a), 40(1)(a) & 49(1)(a)

Planning and Development Act 2005

To: The Chief Executive Officer of the Town of Cottesloe.

Submission on: Local Planning Scheme 3 / Amendment No 5

Name:

Chris Palandri

Organisation / Company (if applicable):

Phone:

Address:

Cottesloe.

State how your interests are affected, whether as a private citizen, on behalf of a company or other organisation, or as an owner or occupier of property.

Neighbour

ADDRESS OF PROPERTY AFFECTED (if applicable). (Include lot number and nearest street intersection).

126 - 128 Railway Rezoning

SUBMISSION - Provide your comments in full and any arguments to support them (attach additional pages if necessary).

Key points in objection to the proposal

1. Significant loss of private amenity to neighbours

2. Significant increase in local traffic

3. Not in keeping with the immediate precinct, no transition between higher and lower density.

4. Not in accordance with local planning policies.

Commentary; I am 100% in favour of increasing density in Cottesloe. Council must update its planning scheme to increase density in the appropriate areas.

Date: 17/7/16 Signature: _____

TOWN OF COTTESLOE

18 JUL 2016

RECEIVED

Form 3A

Submission Form

Regulation 24(1)(a), 26(6)(a), 40(1)(a) & 49(1)(a)

Planning and Development Act 2005

PO Box 606, Cottesloe WA 6911 or

To: The Chief Executive Officer of the Town of Cottesloe.

council@cottesloe.wa.gov.au

Submission on: Local Planning Scheme 3 / Amendment No 5

and copy to councillors & mayor

Name: ANTHONY CARPENTER HAMMOND

Organisation / Company (if applicable): N/A

Phone: _____

Address: COTTESLOE

State how your interests are affected, whether as a private citizen, on behalf of a company or other organisation, or as an owner or occupier of property.
PRIVATE CITIZEN AND OWNER OF PROPERTY

ADDRESS OF PROPERTY AFFECTED (if applicable). (Include lot number and nearest street intersection).
RAILWAY ST.

SUBMISSION - Provide your comments in full and any arguments to support them (attach additional pages if necessary).
DISGUSTED AT THE PROPOSAL THIRTEEN HOMES WHERE THERE WERE TWO! DEVELOPERS MAKE A BIG PROFIT, VALUE OF NEAR BY PROPERTIES FALLS AND ROAD CONGESTION AT THIS JUNCTURE - ALREADY A PROBLEM GETS WORSE. AND WHO PAYS FOR THE INFRASTRUCTURE? IF YOU WANT TO "SCARBOROUGHISE" COTTESLOE, THIS IS THE RIGHT WAY TO DO IT.

Date: 13 July '16 Signature: _____

TOWN OF COTTESLOE

18 JUL 2016

RECEIVED

Form 3A

Submission Form

Regulation 24(1)(a), 26(6)(a), 40(1)(a) & 49(1)(a)

Planning and Development Act 2005

PO Box 606, Cottesloe WA 6911 OR
council@cottesloe.wa.gov.au

To: The Chief Executive Officer of the Town of Cottesloe.

Submission on: Local Planning Scheme 3 / Amendment No 5

Name:

Maeve + Dirk Sweeney

Organisation / Company (if applicable):

Phone:

Address:

State how your interests are affected, whether as a private citizen, on behalf of a company or other organisation, or as an owner or occupier of property.

We are private homeowners. This development will be too high and too many cars.

ADDRESS OF PROPERTY AFFECTED (if applicable). (Include lot number and nearest street intersection).

SUBMISSION - Provide your comments in full and any arguments to support them (attach additional pages if necessary).

- ①. Not acceptable that Council has changed the R codes for 2 properties with no community consultation.
- ②. Baverstock has a history of bending the rules - put a granny flat into his backyard - raised the acceptable height, promised it was for over 55's then proceeded to install young (& noisy!) people once her father had died.
- ③. Way too many cars in an area that is →

Date:

14. 7. 2016

Signature:

always gridlocked. Many children are trying to walk to North Cott Primary as well as the private schools, and increasing the density of cars at this location is poorly thought out. Where will their visitors park? Already Windsor St + Hillside Avenue are completely parked out every day.

This development is too large for its location. We are not happy.

Submission Form

Regulation 24(1)(a), 26(6)(a), 40(1)(a) & 49(1)(a)

Planning and Development Act 2005

25 JUL 2016

RECEIVED

PO Box 606, Cottesloe WA 6911 or
council@cottesloe.wa.gov.au

To: The Chief Executive Officer of the Town of Cottesloe.

Submission on: Local Planning Scheme 3 / Amendment No 5

Name:

GARY + PATRICIA COX

Organisation / Company (if applicable):

Phone:

Address:

State how your interests are affected, whether as a private citizen, on behalf of a company or other organisation, or as an owner or occupier of property.

OWNER / OCCUPIER

ADDRESS OF PROPERTY AFFECTED (if applicable). (Include lot number and nearest street intersection).

CLAREMONT 6010

SUBMISSION - Provide your comments in full and any arguments to support them (attach additional pages if necessary).

- ① DISREGARD FOR OWNERS OF ADJOINING PROPERTIES BEING POSITIONED ALONGSIDE A MASSIVE BUILDING
- ② CHANGE OF R20 TO R60 OR (R80) IS CLEARLY UNACCEPTABLE AND SENDS THE WRONG MESSAGE TO FUTURE DEVELOPERS
- ③ BAYERSTOCK PLAN IS WAY OVER THE PARAMETERS OF TPS AND SHOULD NOT HAVE BEEN AMENDED BY A 5/3 COUNCIL VOTE WITHOUT COMMUNITY SANCTION
- ④ THIS TYPE OF DEVELOPMENT SHOULD NOT BECOME THE NORM FOR OUR AREA + HOPEFULLY IT WON'T.

Date:

20.07.2016

Signature: _____

Submission Form

Regulation 24(1)(a), 26(6)(a), 40(1)(a) & 49(1)(a)

Planning and Development Act 2005

PO Box 606, Cottesloe WA 6911 OR

To: The Chief Executive Officer of the Town of Cottesloe.

council@cottesloe.wa.gov.au

Submission on: Local Planning Scheme 3 / Amendment No 5

and copy to councillors & mayor

Name: Neil Campbell

Organisation / Company (if applicable): N/A

Phone: _____

Address: _____, Swanbourne WA 6010

State how your interests are affected, whether as a private citizen, on behalf of a company or other organisation, or as an owner or occupier of property.
Resident

ADDRESS OF PROPERTY AFFECTED (if applicable). (Include lot number and nearest street intersection).
Street

SUBMISSION - Provide your comments in full and any arguments to support them (attach additional pages if necessary).

I strongly oppose the proposed development and the amendment to the planning scheme.

Please refer to the attachment.

Date: 18/7/2016 Signature: _____ N

Proposed Amendment to the Planning Scheme for the Corner of Railway Street and Congdon Street, Cottesloe.

- The two blocks involved have historically had single level dwellings in keeping with their neighbours.
- Changing the zoning from R20 to R60 (R80) is completely out-of-step with the surrounding residences and would set an undesirable precedent for Cottesloe.
- The attraction of the area is for low density living with areas set aside on each block for gardens.
- The verge area in the middle of Congdon Street should be used as a natural demarcation/buffer between higher density development (to the East) and standard R20 zoning to the West.
- The number of units (13) and height of the proposed development is a huge change from the previous dwellings and current neighbouring properties.
- The additional vehicle traffic and parking required in Congdon Street will only add to traffic on an already busy corner. Apart from inconvenience this would also be a safety concern.
- The proposed re-zoning will also set a poor precedent for the rest of Cottesloe and seems to be a case of spot re-zoning rather than sticking to the existing Planning Scheme.
- The height of the proposed development means that it would overlook neighbouring residents with associated privacy and shading issues.
- I am also very disappointed that submissions from affected residents have only been invited after the Council had already voted on the issue!!?? This shows poor consultation and transparency by the Council.
- **I am strongly opposed to the proposed development and trust that the Council will seriously consider the feedback from residents and reject the proposed development.**

Submission Form

Regulation 24(1)(a), 26(6)(a), 40(1)(a) & 49(1)(a)

Planning and Development Act 2005

PO Box 606, Cottesloe WA 6911 OR
council@cottesloe.wa.gov.au

To: The Chief Executive Officer of the Town of Cottesloe.

Submission on: Local Planning Scheme 3 / Amendment No 5

Name: FIONA EYRES

Organisation / Company (if applicable): _____

Phone: _____

Address: CLAREMONT

State how your interests are affected, whether as a private citizen, on behalf of a company or other organisation, or as an owner or occupier of property.
Private citizen and owner and occupier of
property

ADDRESS OF PROPERTY AFFECTED (if applicable). (Include lot number and nearest street intersection).
Claremont

SUBMISSION - Provide your comments in full and any arguments to support them (attach additional pages if necessary).
As a nearby resident to the above proposal for development
I am concerned about the density of the proposal. It
seem excessive for this amount of land. I live
nearby and already feel the traffic congestion at
the Swanbourne rail bridge needs addressing and
the parking at the shops near ICA forces cars
to reverse into oncoming traffic. I locally
frequent the nearby cafe 'The other Side' and

Date: 16/07/16 Signature: _____

have experienced parking difficulties personally, for friends and family. Parking for the existing shops currently spills onto Congdon St and the railway carpark (intended for commuters not shoppers).

I feel the intended proposal will increase the parking and traffic congestion in this area. At the very least, the Railway bridge congestion needs to be addressed prior to this approval. I also think the density is excessive and I wouldn't want this to set a precedent for other developers to do similar things in this area.

I am a supporter of development and would not mind the density of this complex being rezoned beyond R20 but feel six to eight dwellings would be more reasonable and thirteen is too much.

Yours Sincerely

Fian Eyres.

Hello,

Name: Jane and Adam Kent

Telephone:

Email:

Comments: May we object in the strongest terms to the proposed high density development on the corner of Railway and Congdon St. Swanbourne. the development should be limed to 3 dwellings only. PLEASE STOP THE SACK OF COTTESLOE.

King regards Adam and Jane Kent

Cottesloe - Ratepayers, Residents and Citizens Who Vote In Council Elections!

Thank You.

Submission Form

Regulation 24(1)(a), 26(6)(a), 40(1)(a) & 49(1)(a)

Planning and Development Act 2005

PO Box 606, Cottesloe WA 6911 OR

To: The Chief Executive Officer of the Town of Cottesloe.

council@cottesloe.wa.gov.au

Submission on: Local Planning Scheme 3 / Amendment No 5

Name: ROWENA & TIMOTHY LEE

Organisation / Company (if applicable): _____

Phone: _____

Address: _____

State how your interests are affected, whether as a private citizen, on behalf of a company or other organisation, or as an owner or occupier of property.
Owner & occupier of property

ADDRESS OF PROPERTY AFFECTED (if applicable). (Include lot number and nearest street intersection).

SUBMISSION - Provide your comments in full and any arguments to support them (attach additional pages if necessary).
As per attached document.

Date: 21/7/2016 Signature: _____
 ROWENA LEE
 TIMOTHY LEE

Attached Document accompanying 'submission form 3A'.

We are disputing the council proposal to rezone 126-128 Railway Street, Cottesloe from R20 to R60 (R80).

The proposed zone change is very aggressive, and NOT in keeping with the character of Cottesloe. To potentially develop 2 x single dwelling blocks (previous R20 blocks) to accommodate 13 dwellings is very excessive.

- Planning should have been based on the R50 zoning applied further to the west along Railway St.
- The height of 4 storeys will impact the 'character' of the Street, the surrounding properties, and cause traffic issues along Congdon St, Railway St and the bottleneck at Swanbourne bridge. .
- The proposed design focuses selfishly on maximizing the outlook at northern sun for the 13 dwellings. **There is no consideration to the current dwellings immediately adjacent to the proposed development and on the surrounding Streets.**
- Their northern aspect is totally obstructed, by the back of the proposed dwelling; as such, their property value will drop along with their quality of comfort.

There is **no** proposed set back and is **not** in keeping with the current Street appearance. It will create a dangerous 'black spot' for traffic travelling along Railway St and cars turning right out of Congdon St. Already during peak times the traffic comes to a total stand still, and adding 13 dwelling on what was previously 2 x dwellings, now has the potential of adding 26 extra vehicles.

There has been minimal and inadequate local community consultation on this development which sets a dangerous precedent on future planning elsewhere within the immediate neighborhood and wider council area.

We totally disagree with the proposal to utilize the medium strip on Congdon St for paved car parking, as this will set a precedent to follow this along Congdon St, and eventually front of our premises.

Rowena and Timothy Lee

Submission Form

Regulation 24(1)(a), 26(6)(a), 40(1)(a) & 49(1)(a)

Planning and Development Act 2005

To: The Chief Executive Officer of the Town of Cottesloe.

PO Box 606, Cottesloe WA 6911 OR
council@cottesloe.wa.gov.au

Submission on: Local Planning Scheme 3 / Amendment No 5

Name: Cathy Campbell

Organisation / Company (if applicable): _____

Phone: _____

Address: _____, Cottesloe

State how your interests are affected, whether as a private citizen, on behalf of a company or other organisation, or as an owner or occupier of property.

Resident of Cottesloe, regular visitor to Congdon
ST

ADDRESS OF PROPERTY AFFECTED (if applicable). (Include lot number and nearest street intersection).

Cnr Congdon St & Railway St.

SUBMISSION - Provide your comments in full and any arguments to support them (attach additional pages if necessary).

objection and arguments attached.

Please review the decision that has allowed
this amendment to proceed to advertising
with minimal community consultation,
accountability, transparency and credibility.

Date: 18 07 2016 Signature: _____

Local Planning Scheme 3 / Amendment No 5: Attachment to Submission Form

I do not support the proposal to change the zoning from R20 to R60 in this residential area of Cottesloe.

I regularly visit Congdon Street and lived there for 30 years. It has always been a street with 'old style' character homes and some newer homes on large blocks and with a small commercial area (formerly a picture theatre and fish shop at one time) at the lower east side. This type of street, particularly on its western side, does not favour R60+ development.

The degree and extent of zoning change proposed is not suitable for a R20 area where all the neighbouring homes are R20 and where the current zoning for the proposed development is R20. It doesn't make sense to have such an increase in density in a residential area.

The sheer height and size of the proposed building will be much higher than any other building along Railway Street including the commercial area nearby. This would be completely new for this area rather than replacement of something that has existed previously. This is not something that would have ever been expected by neighbours when purchasing their properties in a well-established residential area.

The median strip also forms part of the character of Congdon Street and the feel of open space and a buffer between the commercial zone and residential zone on the western side of the street. This strip is a natural divider and should remain intact and as a buffer between R20 and the existing R50 commercial area.

Other concerns include parking and traffic safety. I am aware of car accidents that have occurred at the lower part of Congdon Street due to poor line of sight when pulling into traffic and the fast speed that drivers reach on this popular and busy downhill part of a major link between Stirling Highway and Railway Street. Substantially more traffic would be generated if this proposal went ahead which will result in hazards to drivers, residents and pedestrians.

Parking is already an issue in this area due to a limited number of bays and the proximity of a popular commercial area. Increased density would impact current residents and their visitors and be at odds with enjoying a nice place to visit and live.

High density zoning such as that proposed should remain for the commercial area with some lower density as currently exists closer to the railway station.

TOWN OF COTTESLOE

Submission Form

Form 3A

20 JUL 2016

Regulation 24(1)(a), 26(6)(a), 40(1)(a) & 49(1)(a)

Planning and Development Act 2005

RECEIVED

PO Box 606, Cottesloe WA 6911 OR

To: The Chief Executive Officer of the Town of Cottesloe.

council@cottesloe.wa.gov.au
and copy to councillors & mayor

Submission on: Local Planning Scheme 3 / Amendment No 5

Name: VIVIANE BURKHAM

Organisation / Company (if applicable): _____

Phone: _____

Address: Claremont

State how your interests are affected, whether as a private citizen, on behalf of a company or other organisation, or as an owner or occupier of property.
This development changes the streetscape and nature of the "estate" bounded by Congdon/Railway/Parry Streeting

ADDRESS OF PROPERTY AFFECTED (if applicable). (Include lot number and nearest street intersection). CLAREMONT BETWEEN CONGDON + PARRY STS

SUBMISSION - Provide your comments in full and any arguments to support them (attach additional pages if necessary).
Claremont Hill has a fascinating history and a consistency in architecture not found in many parts of Cottesloe. - This development is simply TOO BIG for the site and increases residential density to a level not consistent with the "estate" that bounded by Parry/Congdon/Streeting Hwy + the Railway. Whilst an increase in density around rail stations is supported by everybody, the scale + architectural merit must be considered in any approval.

Date: _____ Signature: _____

Submission Form

Regulation 24(1)(a), 26(6)(a), 40(1)(a) & 49(1)(a)

Planning and Development Act 2005

PO Box 606, Cottesloe WA 6911 OR

To: The Chief Executive Officer of the Town of Cottesloe.

council@cottesloe.wa.gov.au

Submission on: Local Planning Scheme 3 / Amendment No 5

and copy to councillors & mayor

Name: RICHARD HAZLEWOOD

Organisation / Company (if applicable): _____

Phone: _____

Address: WESTPERTH, WA 6872

State how your interests are affected, whether as a private citizen, on behalf of a company or other organisation, or as an owner or occupier of property.
PRIVATE CITIZEN

ADDRESS OF PROPERTY AFFECTED (if applicable). (Include lot number and nearest street intersection).
CORNER CONGDEN AND RAILWAY STREETS

SUBMISSION - Provide your comments in full and any arguments to support them (attach additional pages if necessary).
OBJECTION TO LOCAL PLANNING SCHEME 3 /
AMENDMENT NOS.
MY DETAILED SUBMISSION IS ATTACHED

Date: 18/7/16 Signature: [Signature]

Attachment to Submission

As a ten-year resident of Cottesloe with strong family connections in Congdon Street I wish to lodge my **objection** to the proposed rezoning of 126/128 Railway Street.

In my opinion the proposed development is **highly inappropriate** on the corner of Congdon Street and Railway Street.

Of even greater concern is the potential for this Scheme Amendment to be the 'thin end of a wedge' which completely undermines the good intent of the recently finalized Local Planning Scheme 2014 which protected the integrity of this very special leafy suburb.

The processes by which the Town of Cottesloe approved this amendment were flawed to say the least and prevented proper community consideration and response. It would seem that the Council no longer has any say in this amendment other than to make representations to the responsible Government of WA Minister.

All Councilors are elected by the community as a whole and should represent the interests of all community members. The perception in this case is that the interests of a developer have taken precedent which is most disturbing.

I strongly request that Council advise the Minister that they no longer support this amendment.

Submission Form

Regulation 24(1)(a), 26(6)(a), 40(1)(a) & 49(1)(a)

Planning and Development Act 2005

TOWN OF COTTESLOE

22 JUL 2016

RECEIVED

To: The Chief Executive Officer of the Town of Cottesloe.

Submission on: Local Planning Scheme 3 / Amendment No 5Name: Katherine & Ben MossOrganisation / Company (if applicable): Jones Lang LaSalle

Phone: _____

Address: _____, Cottesloe

State how your interests are affected, whether as a private citizen, on behalf of a company or other organisation, or as an owner or occupier of property.

Traffic, overlooking, poorly planned neighbourhood with potential for adhoc development, reviewed on a case by case basis. Private Citizen

ADDRESS OF PROPERTY AFFECTED (if applicable). (Include lot number and nearest street intersection).

(nearest street intersection Seaview and railway)

SUBMISSION - Provide your comments in full and any arguments to support them (attach additional pages if necessary).

① Overall objection to the amendment to plan allowing a rezoning of these sites without assessing if a rezoning should apply to all sites around this transport node. Council should make a plan for the whole area around this transport node in order that the public may review the rezoning of the subject site to R60 in the context of the plan for other sites. It seems odd Council would be entertaining R60 on this site if they have only (see reverse)

Date: 21st July 16 Signature: _____

rezoned Dawsons and others to a max of R40 & R50. So in the context of the current Cottisloe scheme & Plan, this development ~~is~~ doesn't comply and the scale is out of context. Agree with increasing density in the broader neighbourhood as a whole.

② Traffic - already issues around the bridge over the railway line at peak periods. 14 cars (12 more than there have been living in this area previously) ~~and~~ as well as the additional cars that will come with the other R40 & R50 sites, will serve to intensify the issue. A traffic management plan should be drawn up for the area to cope with the inevitable increase in residential density.

③ Access & egress in to proposed plan needs to be reviewed. Current proposition brings increased activity to an already dangerous corner/bend (as railway meets intersection with sea view if coming from North Cottisloe). ~~I~~ Suggest review of access from Congdon St whilst removing central grassed reservation & installing filter lanes / turn right or left ~~lanes~~ only lanes on Congdon St.

Submission Form

Regulation 24(1)(a), 26(6)(a), 40(1)(a) & 49(1)(a)

Planning and Development Act 2005

To: The Chief Executive Officer of the Town of Cottesloe.

Submission on: Local Planning Scheme 3 / Amendment No 5

Name:	<u>MARJORIE HUTCHINSON</u>
Organisation / Company (if applicable):	_____
Phone:	_____
Address:	_____, <u>COTTESLOE</u>
State how your interests are affected, whether as a private citizen, on behalf of a company or other organisation, or as an owner or occupier of property.	
<u>OWNER AND OCCUPIER</u>	
ADDRESS OF PROPERTY AFFECTED (if applicable). (Include lot number and nearest street intersection).	
<u>43 CONGDON STREET, CORNER RAILWAY STREET</u>	
SUBMISSION - Provide your comments in full and any arguments to support them (attach additional pages if necessary).	
<u>I STRONGLY OBJECT TO THE PROPOSED SCHEME AMENDMENT.</u>	
<u>SEE MY COMMENTS AND SUPPORTING ARGUMENTS ATTACHED.</u>	

Date:	<u>16/07/16</u> . Signature: _____

Cottesloe WA 6011

16 July 2016

Dear Councillors and Cottesloe Council

Congdon Street (Corner Railway Street) Development

I have lived in Congdon Street for 50 years and in the Swanbourne village area all my life! I am still shocked about plans for an unprecedented development very close by at 43 Congdon Street.

We strongly OPPOSE Amendment No.5 to increase residential density and do NOT support change from R20, for the following reasons:

1. Dramatic Increase in Density

I strongly object to the proposed up zoning from R20 to R80 (i.e. R60 + 25% allowance). To go from a single level to a three level building (four levels counting the carpark) with roof top patios is TOO great a change for this quiet established residential neighbourhood and does NOT reflect the existing lot density.

The Town of Cottesloe has recently stated, for the proposed Curtin Ave development, that residential zoning does not favour R60 use so this proposal should not be approved for such relatively high density.

It is not suitable to put a large three level building which occupies most of the block next to neighbouring single level houses because they will be adversely impacted by high walls, lack of sunlight and privacy and increased proximity to large numbers of people. This development is out of scale with the adjoining properties and should be compatible with the scale and amenity of the locality.

What I consider reasonable setbacks, bulk and scale would not suit this site. Where else in Cottesloe is there a new development of R60/80 next to existing R20? Other areas along both Railway Road and Curtin Ave do NOT have R60/80 zonings.

Surely this cannot be good or best practice town planning for the community in general, regardless of how much time the developer has spent working with our town planners.

How many flats can two average Cottesloe blocks fit? I refer to the proposed dwellings as flats because such a high number could only be located in a multi-level concrete block and look like a ghetto of flats. The two blocks on the corner of Congdon Street when combined, are approximately 1500 sm. We were expecting two new residences

over the two blocks. Anything more will result in this residential area becoming a commercial development and way out of keeping with the current dwellings.

Can the town planning officers consider a zoning of R30 which in itself is a significant up zoning for an area that has always been R20?

According to The Post, the developer and his friends are motivated 'to live debt free for the next 20 years' by selling more than half of the 13 flats proposed. This is clearly a commercial business development among those in the building industry. That is not a good enough reason to drastically increase the zoning on a peaceful residential area of Cottesloe.

2. No 'buffer' zone

Any proposed increase in density from R20 to R80 should have a buffer zone in between for those existing residents and the impact on their amenity of the area. There is no buffer zone for this proposal.

It would be wrong to compare this site with the over 55s complex across the railway line because a hotel had previously been on that site (it had never been residential). As well as being a much larger site, residents preferred retirement units rather than a busy and noisy hotel with live music to midnight on Fridays and Saturdays and on Sunday afternoons which also impacted residents at the bottom part of Congdon Street.

3. Change to Land Use

I strongly oppose the change to land use that would allow a commercial unit in the proposed development. Commercial premises should remain to the east side of Congdon Street and not encroach on residential sites to retain the amenity of the area for home owners and others using the area.

Even if the use of the proposed commercial unit is proposed to be restricted to the developer, the design of the commercial space will no doubt be used as an argument to keep it in situ for anyone else and any other type of commercial premise.

This is too drastic a change to the current R20 zoning and should not be supported.

4. Amenity of Congdon Street

The Town of Cottesloe claims to 'fosters residential amenity' and Congdon Street has long appealed to its home owners for its open space and character homes.

Congdon Street has long been considered an attractive and relatively quiet street with appealing streetscape and with many stately and desirable residential HOUSES. The wide verge in Congdon Street has always formed an obvious demarcation or buffer area between residential houses on the west side of the street and some commercial units at the lower end on the east side of the street.

This proposal is not consistent with community identity and amenity, sustaining character and streetscape and a convenient pleasant public domain. There is no doubt that a large block of flats at the lower end of Congdon Street will devalue the surrounding houses.

The submissions of the immediate neighbours of this proposed development should be taken into account and accepted as they are those most impacted.

5. Traffic flow

The bottom end of Congdon Street is a busy corner especially on school days when a lot of cars travel quickly down the hill then queue back up the hill waiting to turn right before queuing to cross the Swanbourne Bridge, during both mornings and afternoons.

Railway Road is also busy and, with an additional 26 cars using a driveway on a bend, will be a danger to anyone using that space.

Even though it may be near a train station, the development will still result in an extra approximately 26 resident cars using this small busy corner area as well as several more visitor and trade vehicles. This is an unacceptable increase in traffic generation and circulation as already this corner is busy enough.

Sight lines will be new and dangerous for both drivers and pedestrians.

This development proposal should be rejected on safety alone.

6. Parking

There are only a handful of car parks (two hour limits) at the lower end in Congdon Street and NONE outside the two blocks proposed for development. There is also no street parking outside this part of Railway Street. Where would visitors to these flats park? If there could be 13 flats (some will be three bedrooms and some one bedroom) and approximately 26 residents, where will they all park? Parking in recent times has already become more of a problem in this area due to increased numbers of people supporting local businesses. The street can NOT support so many additional people parking in this vicinity.

The proposal for four angled parking bays on the verge is extremely dangerous at the bottom of a steep hill where backing out into a single lane of traffic with restricted visibility from other cars parked further up the street will put lives at risk.

This site is not suitable for such high density zoning!

The median strip should NEVER be used for parking and should remain a no parking area.

7. Noise

An additional number of dwellings and people including a commercial business will bring accompanying noise and impact on neighbouring residents who currently enjoy

a peaceful neighbourhood. Roof top patios will also result in increased noise as well as privacy concerns and adversely impact on neighbours.

8. Impact on neighbours

A commercial level development of this proportion will adversely impact on the neighbouring residents. As mentioned above, issues such as building density, building height, shadowing, parking, noise, traffic, privacy and devaluation of property will all adversely affect neighbours.

9. Spot Rezoning and the Local Planning Scheme 2014

The two blocks on the corner of Congdon and Railways Streets have always been zoned residential. An enormous amount of work and consultation over a long period of time went into the development of the current and recent Local Planning Scheme 2014. These two blocks remain residential in the Local Planning Scheme as they should.

It is NOT appropriate to consider alternative spot rezoning for two residential blocks so soon after a major review. Surely residents can have some surety that any development will not be occurring within a short to medium timeframe (at least ten years) after the release of the Local Planning Scheme. Town planning should not be done 'on the run' when a developer decides a commercial opportunity exists.

Additionally, the developer clearly has plans for building units above the commercial units in Swanbourne, as noted on his website. How can high risk amendments be done in isolation, in an incremental piecemeal approach and render the Local Planning Scheme redundant?

10. Precedent

This dramatic increase in density is unprecedented in Cottesloe!

Changing of zoning (so soon after it was reviewed) would set a precedent for anyone in Cottesloe with land close to public transport including three train stations and numerous bus stops to attempt to plan to build blocks of flats.

11. Beginning of over development in residential Cottesloe?

This proposed development is the beginning of over development in Cottesloe around the Swanbourne shops. As noted above, the developer has intentions of developing the shops in Swanbourne to include units above. Also in The Post recently is a story about 1322 new homes planned for Stirling Highway Claremont. Does Cottesloe need this style of development for our residential areas? Let the developer up zone his own block behind the Swanbourne shops and keep very high density zoning to the east side of Congdon and Railways Streets.

The Reserve Bank of Australia has issued a warning on the surplus of unit developments in capital cities including Perth. Is this the right time for Cottesloe to be increasing density in residential areas?

12. Proximity to shops and public transport

The bottom part of Congdon Street is close to the station and shops but this is also not a good enough reason to change the zoning at this time. Many existing houses are also close to these shops and public transport and this is a desirable thing with some houses just as close or even closer than these two blocks and still zoned residential.

Please maintain the current R20 zoning and keep the higher zoned areas on the eastern side of Congdon Street.

13. Development process

The developer has spent hours consulting with the Council but not consulted with the immediate neighbours on his high density plan.

According to The Post, 'neighbours had seen plans and were supportive so far'. This is not our experience. We had not seen any plans.

Councillors knew more about the plans long before neighbours. Almost by accident, some neighbours had a couple of hours' notice of the ESSENTIAL and IMPORTANT Council meeting where this proposal for rezoning was discussed. Not all neighbours were aware. Surely the Town of Cottesloe and Councillors must agree that this has not been a fair and reasonable process for the neighbours but weighs heavily in favour of the developer.

For this reason, I request that Council revoke its previous decision and use the consultation so far on this proposal to reconsider and inform its decisions.

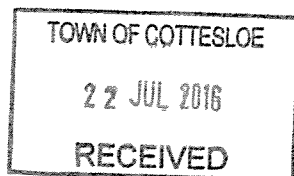
Conclusion

For the reasons outlined above, please do NOT approve the proposed changes to the zoning of Congdon Street.

Please also revoke the previous Council decision 'to adopt for the purpose of advertising these proposed amendments to the Local Planning Scheme No 3' and undertake further strategic review of appropriate high density development in Cottesloe.

Yours sincerely

Marjorie Hutchinson



Mr John Hammond
COTTESLOE WA 6011

19 July 2016

Mr Mat Humfrey
Chief Executive Officer
The Town of Cottesloe
PO Box 606
COTTESLOE WA 6911

By Email: ceo@cottesloe.wa.gov.au
And By Post

Dear Mr Humfrey

**OBJECTION TO AMENDMENT NO. 5 LOCAL DEVELOPMENT PLAN NO. 1
(126 & 128 RAILWAY STREET, COTTESLOE)**

I write to object to proposed amendment no. 5.

My objection is based on the following considerations:

1. The amendment constitutes "planning on the run" and is inconsistent with Cottesloe's Town Planning policies.
2. There appears to be no setback and the development is built to the boundary lines of the property.
3. The development is unsympathetic to the Claremont Hill precinct which comprises single residential dwellings of substantial character.
4. The proposed development is simply too large. Three stories is unacceptable.
5. The increase in density provides for an unfavourable precedent for the Claremont Hill precinct and Cottesloe generally.
6. There has been inadequate community consultation for such a radical proposal.

Yours sincerely

 John Hammond

Submission Form

Regulation 24(1)(a), 26(6)(a), 40(1)(a) & 49(1)(a)

Planning and Development Act 2005

To: The Chief Executive Officer of the Town of Cottesloe.

Submission on: Local Planning Scheme 3 / Amendment No 5

Name: Amy Barber

Organisation / Company (if applicable): _____

Phone: _____

Address: Cottesloe

State how your interests are affected, whether as a private citizen, on behalf of a company or other organisation, or as an owner or occupier of property.

Cottesloe resident for more than 25 years.
Regular user and visitor to Congdon St

ADDRESS OF PROPERTY AFFECTED (if applicable). (Include lot number and nearest street intersection).

126 and 128 Railway St

SUBMISSION - Provide your comments in full and any arguments to support them (attach additional pages if necessary).

I object to the major increase in zoning!
The western side of Congdon St is a well established residential area which has never been or favour R60 use. Any development should be compatible with the scale and amenity of the surrounding homes.
The degree and extent of up-coding proposed is too great ie. R20 -> R60.

Date: 19 July 2016 Signature: _____

Planning and Development Act 2008

To: Box 606, Cottesloe WA 6021
council@cottesloe.wa.gov.au

To: The Chief Executive Officer of the Town of Cottesloe

Submission on: Local Planning Scheme 8 / Amended by 5

Name: Leonie Hallam

Department / Company of Applicant: [Redacted]

Phone: 1-Per

Address: [Redacted] Clateman Dr

State: WA

Postcode: [Redacted]

Do you have your interests affected, whether as a person, tenant, or holder of a company or other legal interest, or as an owner or possessor of property?

owner of a property in area

AREAS OF PROPERTY AFFECTED (if applicable) (include lot number and street intersection)

REMARKS (Provide your comments in full and the requirements to support them (attach additional pages if required))

- * The scale of the proposed development is not compatible with the character of Cottesloe inclusive of excessive height, and reduced setbacks
- * Limitation of parking and allowing the use of public space to compensate this issue
- * Increase in the traffic creating further congestion around the Congdon / Railway intersection
- * Creating a precedent for other developments along Railway Parade which are not in character of the area

Date: [Redacted]

1. The scale of the proposed development is not compatible with the character of the Cottesloe - inclusive of but not limited to excessive height, and reduced setbacks.
2. Limitation of parking and allowing the use of public space to compensate this issue
3. Increase in the traffic creating further congestion around the Congdon st/railway st intersection
4. Creates a precedent for other developments along Railway Parade which are not in character of the area.
5. Devalues the history of the area - leading to the demolition of period style homes

Regards

Leonie Hallam

Submission Form

Regulation 24(1)(a), 26(6)(a), 40(1)(a) & 49(1)(a)

Planning and Development Act 2005

To: The Chief Executive Officer of the Town of Cottesloe.

Submission on: Local Planning Scheme 3 / Amendment No 5 + LDP1

Name:

Wally Knezevic

Organisation / Company (if applicable):

NA

Phone:

Address:

Cottesloe

State how your interest is affected, whether as a private citizen, on behalf of a company or other organisation, or as an owner or occupier of property.

No interest to declare except the wish to preserve the character of Cottesloe and its neighbourhoods

ADDRESS OF PROPERTY AFFECTED (if applicable). (Include lot number and nearest street intersection).

As on header.

SUBMISSION - Provide your comments in full and any arguments to support them (attach additional pages if necessary).

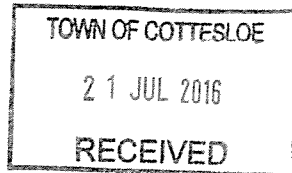
I am opposed to the above development as it is completely out of character with the street and the neighbourhood. It is in stark opposition to the rest of the housing in both Condon & Williams streets, and will prove an eyesore the same as the edges of the previous periods of flatbuilding from the 1960's and have and continue to be. We the ratepayers do not accept dictates from bureaucrats, and I am disappointed that our elected councillors who are elected to represent the ratepayers wishes to quickly abandon us. The development willDate: 20.7.16

Signature: _____

be an eyesore, like one of those Soviet style flat-blocks which are dotted around our suburbs, and so different from our neighbourhoods.

19th July 2016

Mr Mat Humfrey
Chief Executive Officer
Town of Cottesloe
109 Broome Street
COTTESLOE WA 6011



Dear Mr Humfrey

RE: LOCAL PLANNING SCHEME 3 - DRAFT AMENDMENT NO. 5
126-128 RAILWAY STREET, COTTESLOE

We are writing to express our objection to the abovementioned amendment proposing to increase residential density from R20 to R60 at 126-128 Railway Street, Cottesloe for the following reasons:-

Increasing density here from R20 to R60 will mean that where there were previously 2 dwellings, now there will be potentially 13. This significant increase in dwellings will increase the requirement for more cars to be parked, and will definitely increase traffic in the local area. Many people walk and cycle along Railway St, for leisure, to access the shops and services, and to attend the local primary school. The Railway St area in question is already very congested with parked cars. Increasing traffic to the area will impact on the safety of local residents, pedestrians, cyclists and motorists, and we believe that this matter of concern should be given due consideration.

In our opinion, this amendment to the Scheme does not 'encourage residential development that is compatible with the scale and amenity of the locality' as referred to in the Town Planning Scheme as one of its objectives. There appears to be no buffer or transitional zones proposed to separate this high density proposal from its low density neighbours. This proposed development will cause a significant loss of privacy and amenity for the immediate neighbours, which we believe is unfair and lacking consideration. We live in a wonderful place that encourages positive community feel. It would be a great shame for individuals to feel that their needs have been given less consideration than the wants and desires of more powerful and influential developers.

In addition, we believe that for any development proposal to be approved, it must adhere to the Residential Design Codes Rules and Regulations that it is subjected to, and must stay within Plot Ratio Maximums approved for the area. It is unclear as to whether the proposed development that is the subject of this proposed scheme amendment does this.

To reiterate, we are opposed to the proposed development scheme amendment no 5 for the abovementioned reasons, and are available to be contacted in this matter on

Kind regards

Adam Hall and Melinda Walters
Owners and Residents

Cottesloe WA 6011

Submission Form

Regulation 24(1)(a), 26(6)(a), 40(1)(a) & 49(1)(a)

~~Planning and Development Act 2000~~

To: The Chief Executive Officer of the Town of Cottesloe.

Submission of: ~~Local Planning~~ 3 Amendment 5
Scheme

Name: Adam Hall + Melinda Walter

Organisation / Company (if applicable): _____

Phone: 0408 865 365

Address: 10 Sea View Tce Cottesloe

~~State how your interest in the land, which may be a leasehold, is held (as an owner, tenant, mortgagee, or other interest), or as an owner or mortgagee of property.~~

Neighbour

~~ADDRESS OF PROPERTY AFFECTED (if applicable). (Include lot number and street name.)~~

'as above'

~~SUBMISSION - Provide your comments in full and support them (attach additional pages if necessary).~~

'please see attached letter'

Date: 19/7/2016 _____

pp Adam Hall.

Submission Form

Regulation 24(1)(a), 26(5)(a), 40(1)(a) & 49(1)(a)

Planning and Development Act 2005

To: The Chief Executive Officer of the Town of Cottesloe.

Submission on: Local Planning Scheme 3 / Amendment No 5

Name: YVONNE HART

Organisation / Company (if applicable): COTTESLOE RESIDENTS & RATEPAYERS ASSOC

Phone: _____

Address: COTTESLOE

State how your interests are affected, whether as a private citizen, on behalf of a company or other organisation, or as an owner or occupier of property.

Behalf of Residents & ratepayers of Cottesloe

ADDRESS OF PROPERTY AFFECTED (if applicable). (Include lot number and nearest street intersection).

126-128 Railway Street, Cottesloe

SUBMISSION - Provide your comments in full and any arguments to support them (attach additional pages if necessary).

See attached

Date: 22 July 2016 Signature: _____

Dear Councillors and CEO

Following extensive consultation with the community over several years, LPS3 was finalised in 2014. It is unacceptable for developers to now seek advantages from Council that will allow the developer to nibble at the edges of LPS3. Rezoning 126-128 Railway Street to allow development contrary to LPS3 planning is discordant with everything that Cottesloe stands for.

It is disturbing that the process Council followed was flawed, in that there was no community consultation on this MAJOR rezoning. It also appears the decision was made at Council in undue haste. Councillors are elected to represent the interests of ratepayers but in this case it appears that the interests of a developer have taken precedence over those of local residents not only in the short term, but of the future of Cottesloe as a whole.

Cottesloe Residents & Ratepayers Association does not support this rezoning and urges Council to advise the Minister the Council no longer supports this amendment.

Submission attached.

Regards

Yvonne Hart

Secretary

Cottesloe Residents' & Ratepayers Assoc



**Submission Rezoning 126-128 Railway Street, Cottesloe
Proposed Local Planning Scheme Amendment No 5 and
Local Development Plan**

Cottesloe Council has voted to initiate a zoning of two blocks at 126-128 Railway St from R20 to R60 (R80).

The Rezoning:

- Voting to change from R20 to R60 (R80) is MAJOR rezoning. It is 'spot' rezoning in response to a development consortium that have selected the site for its views across the valley and to the ocean beyond. Rezoning the site will maximise profits for the consortium.
- LPS3 already has designated R60 and R100 sites in Cottesloe, zones deemed suitable for development. LPS3 carefully preserved the R20 corridors, which are so important to the character and amenity of Cottesloe.
- Next to the Cottesloe train station, the current R60/R100 zonings meet all the state government criteria of infill, transport and infrastructure. Any developer requiring an R60 (R80) site would be well aware of those opportunities already under the LPS3 zoning. Ad hoc infill is unplanned, unwarranted and in the case of 126-128 Railway Street, excessive.
- If the developer is genuine in offering this style of development, the 13 multiple units, with office and recreation space should be in an area already zoned for this purpose. For example, the Town Centre around the Cottesloe railway station is R100. The Beach Centre is R60.
- **We challenge the developers to withdraw their proposed development at this site.**
- The reason the developers are bringing a Scheme Amendment to Council is to try to justify the proposed development, which is a mixed use, strata village within a bigger plan for a bigger Centre that will encompass a 400m catchment area around the Swanbourne railway station.
- The scale of the proposed development is not compatible with the local amenity, environment or character of Cottesloe. The development is imposing a much higher density in an area that is, and has always been, low density and which is preserved by the Planning Strategy and LPS3,
- Because of a shortfall in parking, this development intends for the Congdon Street reserve to be used for supplementary parking. The Congdon Street reserve belongs to the residents and ratepayers of Cottesloe and is maintained by the Town of Cottesloe.

- By voting to initiate this density change, Cottesloe Council has automatically passed control of the project to the West Australian Planning Commission and the Minister for Planning. The WAPC may decide to make further changes in the area such as imposing increased density, increased building height and further mixed use/commercial opportunities.

The Process:

In voting to pass this amendment Cottesloe Council has shown a serious lack of proper consultation, accountability, transparency and credibility.

It is completely unacceptable that Council:

- 1 Received a presentation by the developer.
- 2 Voted to initiate a significant ad hoc amendment to LPS3 and support this development BEFORE informing the community and calling for community submissions, when Council would then have still had an opportunity to refuse it.
- 3 Were either unaware of, or chose to support developers, who aim for medium density mixed use development not only along Railway Street and Parry Streets, but also areas of the Claremont/Cottesloe 'hill'.

One of the duties of a Councillor is to represent the interests of electors, ratepayers and residents. However, in this instance, Council appear to be out of touch with reality or ignorant of the implications of the decision.

One of the objectives of the Cottesloe Residents & Ratepayers Association is to enable residents and ratepayers of to voice their opinions on the management and development of Cottesloe. Therefore, we make the following recommendations:

Council:

- 1 immediately ceases any amendment to LPS3
- 2 immediately withdraws support for Amendment No 5
 - a) do not amend the Scheme Map to change the current residential coding in any area of Cottesloe and specifically Lots 24 and 25 Railway Street,
 - b) do not amend the Scheme Text and do not insert Schedule 12.
- 3 **Advise all authorities such as the Minister, WAPC, the Department of Environment and any other relevant authority to refuse the amendment due to:**
 - i the proposal not being advertised to the community
 - ii breach of the Council's Communication and Consultation policies
 - iii breach of the Town of Cottesloe Mission statement. (*To preserve and improve Cottesloe's natural and built environment and beach lifestyle by using sustainable strategies in consultation with the community*).
- 4 Adopt a policy of advertising ALL scheme amendment proposals to the community BEFORE initiating any scheme amendment.

Cottesloe Residents & Ratepayers does not support this rezoning and urges Council to reconsider its actions that will have a long-term affect on the East Ward of Cottesloe well into the future.

Submission Form

Regulation 24(1)(a), 26(6)(a), 40(1)(a) & 49(1)(a)

Planning and Development Act 2005

To: The Chief Executive Officer of the Town of Cottesloe.

Submission on: Local Planning Scheme 3 / Amendment No 5

Name:	<u>James Barber</u>
Organisation / Company (if applicable):	_____
Phone:	_____
Address:	<u>Cottesloe</u>
State how your interests are affected, whether as a private citizen, on behalf of a company or other organisation, or as an owner or occupier of property.	
<u>Resident of Cottesloe for 25 years.</u>	
<u>Regular visitor to Congdon Street.</u>	
ADDRESS OF PROPERTY AFFECTED (if applicable). (Include lot number and nearest street intersection).	
<u>126 -128 Railway Street</u>	
SUBMISSION - Provide your comments in full and any arguments to support them (attach additional pages if necessary).	
<u>Objection to increase of density to R60 -</u>	
<u>High density units are not in keeping with the</u>	
<u>current character of housing and spacious</u>	
<u>streetscape.</u>	
<u>The scale and bulk of the proposed development</u>	
<u>will adversely affect neighbours and visitors</u>	
<u>with traffic, parking, noise, shading, overlooking</u>	
<u>problems.</u>	
Date:	<u>19/7/16</u> Signature: _____

Submission Form

Form 3A

Regulation 24(1)(a), 26(6)(a), 40(1)(a) & 49(1)(a)

Planning and Development Act 2005

To: The Chief Executive Officer of the Town of Cottesloe.

Submission on: Local Planning Scheme 3 / Amendment No 5 + LDP1

Name: DR JOHN and MRS LYNDIA BELLBY

Organisation / Company (if applicable): _____

Phone: _____

Address: Cottesloe

State how your interest are affected, whether as a private citizen, on behalf of a company or other organisation, or as an owner or occupier of property.

Private citizens of Cottesloe concerned about the detrimental effect this development will have to our suburb.

ADDRESS OF PROPERTY AFFECTED (if applicable). (Include lot number and nearest street intersection).

AS ABOVE - in garden and Parkway Road Cottesloe

SUBMISSION - Provide your comments in full and any arguments to support them (attach additional pages if necessary).

We object to this infill. It is too dense, three stories, too inappropriate for the streetscape and area. Traffic congestion problems will be worsened. It could be a precursor to high density infill development in other streets in the future. Please do not go ahead with this development.

Date: 2/7/16 Signature: _____

Submission Form

Regulation 24(1)(a), 26(6)(a), 40(1)(a) & 49(1)(a)

Planning and Development Act 2005

PO Box 606, Cottesloe WA 6911 OR
council@cottesloe.wa.gov.au

To: The Chief Executive Officer of the Town of Cottesloe.

Submission on: Local Planning Scheme 3 / Amendment No 5

Name:	MARIE J. DE LONGIS
Organisation / Company (if applicable):	
Phone:	
Address:	COTTESLOE
State how your interests are affected, whether as a private citizen, on behalf of a company or other organisation, or as an owner or occupier of property.	
PRIVATE CITIZEN	
ADDRESS OF PROPERTY AFFECTED (if applicable). (Include lot number and nearest street intersection).	
CNR SEAVIEW TERRACE + RAILWAY STREET	
SUBMISSION - Provide your comments in full and any arguments to support them (attach additional pages if necessary).	
PLEASE REFER TO THE ATTACHED LETTER.	
Date:	21.07.16
Signature:	

MARIE J. DE LONGIS

COTTESLOE, WA 6011

21 July 2016

Mr. Mat Humfrey
Chief Executive Officer
Town of Cottesloe
109 Broome Street
COTTESLOE WA 6011

Dear Mr. Humfrey,

RE: LOCAL PLANNING SCHEME 3 – DRAFT AMENDMENT NO. 5
126 – 128 RAILWAY STREET, COTTESLOE

I am writing to express my objection to the abovementioned amendment proposing to increase residential density from R20 to R60 at 126 – 128 Railway Street, Cottesloe.

This increase would allow for potentially 14 Lots where 2 Lots previously existed.

I feel that the very high density proposed is not in keeping with the currently developed Lots within the Swanbourne Village area.

The height and appearance of the proposed development is completely out of character, and will cause a loss of privacy for the immediate neighbours.

I am not averse to a development of 6 to 8 Lots maximum on the site.

However even six to eight Lots will considerably increase the traffic flow and also the need for parking off-site for visitors. This will create further congestion within Railway Street.

The parking provision for twenty cars using an access from Railway Street is extremely dangerous as any crossover would be situated on a bend in the road with limited visibility. Reconsideration should be given to having vehicles enter and exit the property from Congdon Street only, and not using Railway Street as access, so as not to impact on the safety of local residents, pedestrians, cyclists and motorists.

In summary I am totally opposed to the proposed Local Planning Scheme 3 / Amendment No. 5 for 126 – 128 Railway Street, Cottesloe, and request that a lower zoning of R35 or R40 be established on the site.

Thanking you

MARIE J. DELONGIS
Resident Owner of

Cottesloe.

Submission Form

22 JUL 2016

Regulation 24(1)(a), 26(6)(a), 40(1)(a) & 49(1)(a)

RECEIVED

Planning and Development Act 2005

PO Box 606, Cottesloe WA 6911 OR

To: The Chief Executive Officer of the Town of Cottesloe.

council@cottesloe.wa.gov.au

Submission on: Local Planning Scheme 3 / Amendment No 5

and copy to councillors & mayor

Name: Ross Campbell

Organisation / Company (if applicable): _____

Phone: _____

Address: _____, Swanbourne

State how your interests are affected, whether as a private citizen, on behalf of a company or other organisation, or as an owner or occupier of property.
Occupier

ADDRESS OF PROPERTY AFFECTED (if applicable). (Include lot number and nearest street intersection).
 _____, two houses up street

SUBMISSION - Provide your comments in full and any arguments to support them (attach additional pages if necessary).
I am totally against this development. This money making eye sore obviously will have a huge effect on its neighbours, not just adjacent but on the whole area. Where's the buffer to temper this effect? There's no way 24 cars can safely access and exit this development. ~~How can~~ the street reserve be used for private development? Why did the zoning get increased so easily? I don't believe the spin.

Date: 20/7/16 Signature: _____

Dear Cottesloe Council

please find my submission on the above as follows...

1. I am amazed council approved this re zoning without ANY community consultation.
2. Following the Northern Dog Beach debacle and Forrest St Dual Use Path dramas, the council advised residents it would consult when major issues were to be considered.
3. This rezoning from R20 to R?60/80 is a major issue. It has the potential to change the amenity of the whole suburb if a precedent like this is set.
4. The proposes scale and density of the development...ir zero set back on Railway, high density three storey (roof garden plus roof) removing winter sun from neighbours. No adequate parking in an already busy area...is in my opinion totally unacceptable.
5. Councillors are supposed to represent residents? Making such a major decision as the above without asking ratepayers shows a total disregard and contempt for proper process and the role we expect our elected members to fulfil.
6. This decision should immediately be rescinded until community consultation (Council Policy???)
7. Why do we have a local planning scheme..LPS 3...if elected members can blatantly disregard it?

Adrian Wilson

P M GOFF

COTTESLOE WA 6011

21 July 2016

Chief Executive Officer
Town of Cottesloe
109 Broome Street
COTTESLOE WA 6011

Dear Sir

Re: Amendment 5 Local Planning Scheme No. 3

I have been requested by the Ratepayers Association to comment on Amendment No. 5.

The main concern is the brutal interface the proposed development consequent on the Amendment presents to adjacent low density residential development. The draft Liveable Neighbourhoods Policy (2015) calls for higher density, mixed use development in commercial centres such as the Swanbourne Centre. This occurs through the application of an R50 Code to the commercial area east of Congdon Street.

Figure 6 of the draft Liveable Neighbourhoods and associated discussion then shows how there should be a transition from the higher densities of the commercial area down to the low density residential area. Amendment 5 proposes to reverse this principle by imposing a density higher than that applied to the commercial area in what should be the transition zone.

The consequence of this is high and largely blank walls adjacent to low density housing, out of character with the existing built environment. Emerging planning policy calls for a stepping down of densities and therefore building intensity to avoid the creation of brutal interfaces.

I trust these comments help Council to work out a compromise satisfying all parties.

Yours faithfully

P M GOFF

Submission Form

Form 32

Amendment 24(2)(a), 2015(a), 40(1)(a) & 98(1)(a)

Planning and Development Act 2003

PO Box 606, Cottlesloe WA 6011 or

To: The Chief Executive Officer of the Town of Cottlesloe

council@cottlesloe.wa.gov.au

Submission for: Local Planning Scheme 1 / Amendment No 5

Name: JONATHAN + STEPHAN KEILIN

Organisation / Company (if applicable): _____

Phone: _____

Address: COTTESLOE, 6011

State how your interests are affected, whether as a private citizen, or behalf of a company or other organisation, or as a trustee or proprietor of property.
OWNER OCCUPIER + PRIVATE CITIZEN

ADDRESS OF PROPERTY AFFECTED (if applicable) (include lot number and nearest street intersection)
ABOVE ADDRESS AND ON PROPERTIES IN AREA

SUBMISSION - Provide your comments in full and any arguments to support them (attach additional pages if necessary)
PLEASE SEE ACCOMPANYING LETTER

Date: 21/7/15 Signature: _____

Drs Jonathan and Siobhan Beilin

Cottesloe, 6011

20 July 2016

Mr Andrew Jackson
Manager Development Services
Town of Cottesloe
109 Broome Street
Cottesloe WA 6011

Scheme Amendment No. 5 – 126-128 Railway Street, Cottesloe

Dear Andrew

We write in regard to the above- mentioned draft scheme amendment to re-zone 126-128 Railway Street. Cottesloe WA 6011, which is currently seeking community consultation. We have lived in two locations on Claremont Hill over the last 25 years, on Dean Street and now in Congdon Street.

As owners and residents, we strongly oppose the zoning, format and content of the proposed Local Development Plan (LDP).

We endorse the council's plan to increase density in Cottesloe , especially in areas close to public transportation lines but the scale of the proposed increase at this site is unwarranted. Dean Street is R 40 currently and the commercial corner on the opposite side of Congdon Street (East) is R 50. It is hard to fathom why the Council would opt to step up the density next to homes in R20 land rather than step down to R40. I think that serious questions about the process need to be raised. Why was this voted on in council without extensive community consultation, ensuring that the views of current residents were properly canvassed? It would seem to me that the council have failed the residents of this area by voting to amend the R code to R 60 (with a view to R80). It is reprehensible that the council failed to ENSURE that the issue was sufficiently publicized prior to taking the vote and that resident's views were not ACTIVELY sought. Can councilors defend their action to REFUSE a motion to defer the decision pending proper community consultation? Why was there such unseemly haste as there would be nothing lost for the community had this motion been voted in favour of.

There has been no study to look at this development's impact on traffic and safety in the area, especially traffic over the congested bridge leading to Swanbourne Crescent. The section or road from Seaview Tce to Congdon Road along Railway Street is already a dangerous roadway and I have observed many near misses with cars, bicycles and pedestrians.

The proposed development clearly shows understanding of the importance of Northern light as it ensures that units in the development are placed to optimize this, yet the developers have done this at the expense of the adjoining property on Congdon Street by building three storeys at the front end of the development (on Railway Street – with one of those being underground) but four

storeys to the back (i.e. three storeys above ground). If they were truly being community minded then they would do the opposite and build the greater number of storeys at the front, facing Railway Street AND step down to two storeys on the area adjacent to the neighbor on Railway Street.

This development compromises the amenity of the area and its neighbours. The purpose of increasing density and giving greater options for housing can be achieved in far more sympathetic ways. Admittedly, the development could also be far worse – but this has only become the threat because of council's actions to Re-Zone without proper community consultation.

Kind Regards,

Jonathan and Siobhan Beilin

Submission Form

Regulation 24(1)(a), 26(6)(a), 40(1)(a) & 49(1)(a)

Planning and Development Act 2005

To: The Chief Executive Officer of the Town of Cottesloe.

Submission on: Local Planning Scheme 3 / Amendment No 5 + LDP1

Name: Beverley Koczera

Organisation / Company (if applicable): N/A

Phone: [Redacted]

Address: [Redacted] Cottesloe

State how your interests are affected, whether as a private citizen, on behalf of a company or other organisation, or as an owner or occupier of property.
Category of Cottesloe for over 35 years.

ADDRESS OF PROPERTY AFFECTED (if applicable). (Include lot number and nearest street intersection).
As above - on corner of Kenilworth Rd

SUBMISSION - Provide your comments in full and any arguments to support them (attach additional pages if necessary).

I object to these items in residential area.

Please review surrounding towns - planning code on this property

Date: 22/7/16 Signature: [Redacted]

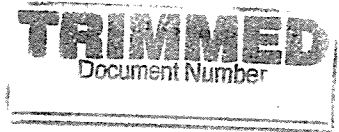
7 2 JUL 2016

RECEIVED

Submission Form

Regulation 24(1)(a), 26(6)(a), 40(1)(a) & 49(1)(a)

Planning and Development Act 2005



To: The Chief Executive Officer of the Town of Cottesloe.

Submission on: Local Planning Scheme 3 / Amendment No 5

Name: GREG BOLAND

Organisation / Company (if applicable): _____

Phone: _____

Address: COTTESLOE

State how your interests are affected, whether as a private citizen, on behalf of a company or other organisation, or as an owner or occupier of property.

Private citizen. Local resident.

ADDRESS OF PROPERTY AFFECTED (if applicable). (Include lot number and nearest street intersection).

SUBMISSION - Provide your comments in full and any arguments to support them (attach additional pages if necessary).

I am not in favour of the Scheme Amendment.
It seems to be an ad hoc decision outside the
planning framework. CPS 3 was worked up extensively
over many years with a number of TOD rezonings
approved. This ~~development~~ project appears opportunistic
that a couple of large properties have been acquired,
and that represents an opportunity for windfall profits.
It would set a bad precedent for Cottesloe.
I do support environmental housing, and in the appropriate
site e.g. the Deaf School site, it should be endowed.

Date: 22/7/16

Signature: _____

TOWN OF COTTESLOE

26 JUL 2016

RECEIVED

Form 3A

Submission Form

Regulation 24(1)(a), 26(6)(a), 40(1)(a) & 49(1)(a)

Planning and Development Act 2005

PO Box 606, Cottesloe WA 6911 OR

To: The Chief Executive Officer of the Town of Cottesloe.

~~council@cottesloe.wa.gov.au~~

Submission on: Local Planning Scheme 3 / Amendment No 5

and copy to councillors & mayor

Name: ADRIAN DAVIS.

Organisation / Company (if applicable): _____

Phone: _____

Address: COTTESLOE 6011

State how your interests are affected, whether as a private citizen, on behalf of a company or other organisation, or as an owner or occupier of property.
AS AN OWNER OF A BUSINESS IN COTTESLOE CHAMBERS, MY BUSINESS RELIES ON PEOPLE BEING ABLE TO PARK IN CLOSE PROXIMITY

ADDRESS OF PROPERTY AFFECTED (if applicable). (Include lot number and nearest street intersection).
CNR CONGDON ST, COTTESLOE. 6011

SUBMISSION - Provide your comments in full and any arguments to support them (attach additional pages if necessary).
THERE IS A MAJOR ISSUE REGARDING PARKING AROUND RAILWAY AND CONGDON STREETS. THIS DEVELOPMENT WILL ONLY COMPOUND THE PROBLEM. PEOPLE WHO COME TO MY PRACTICE ARE ALWAYS COMPLAINING THAT THERE IS NOWHERE TO PARK IN THE AREA.

Date: 19-7-16 Signature: _____