



Form 1 – Responsible Authority Report (Regulation 12)

Property Location:	Lot 26 (126) Railway Street, Cottesloe
Development Description:	Nine residential multiple dwellings, one community yoga or performance space and office development
DAP Name:	Metro West JDAP
Applicant:	Mr Ian Brashaw, Urbanplan
Owner:	Garry Baverstock/Wise Earth Pty Ltd
Value of Development:	\$8 million
LG Reference:	3772
Responsible Authority:	Town of Cottesloe
Authorising Officer:	Mat Humfrey, Chief Executive Officer
DAP File No:	DAP/18/01539
Report Due Date:	5 February 2019
Application Received Date:	20 November 2018
Application Process Days:	90 days
Attachments:	<ol style="list-style-type: none">1. Site location plan.2. Applicant's report and concept drawings from Josh Byrne & Associates received 20 November 2018.3. Amended development plans received 25 January 2019.4. Certificate of Title.5. Local Development Plan.6. Submissions.7. Design Advisory Panel Minutes.

Officer Recommendation:

That the Metro-West JDAP resolves to:

REFUSE DAP Application reference DAP/18/01539 and accompanying plans from Josh Byrne & Associates received 20 November 2018, and drawing nos CD01, CD02, CD03, CD04, CD05, CD06, CD07, CD08, CD09, CD10, CD11, CD12, CD13, CD14, and CD15 received 25 January 2019, in accordance with Clause 68 of Schedule 2 (Deemed Provisions) of the *Planning and Development (Local Planning Schemes) Regulations 2015*, and the provision of the Town of Cottesloe's Local Planning Scheme No.3, for the following reasons:

1. The development does not comply with the Town of Cottesloe's Local Planning Scheme No. 3 with respect to the maximum permitted building heights for the proposed two-storey buildings.
2. The development does not satisfy the relevant design principles of the Residential Design Codes, or meet the requirements of the Local Development Plan, with respect to:
 - (a) Plot Ratio;
 - (b) Street setback to Congdon Street; and
 - (c) Front fencing.

3. The failure to provide any on-site parking bays for the non-residential uses is not compliant with the Town of Cottesloe's Local Planning Scheme No. 3, *Table 3 - Vehicle Parking Requirements, Schedule 13 (Clause 7.1), and Clause 5.8.5*; and it does not satisfy the requirements of the Local Development Plan. In particular, the on-site parking shortfall will have a detrimental impact on street parking in the locality should the non-residential uses no longer be required solely for use by the residential owners/tenants on the site.

Details: Outline of Development Application

Zoning	MRS:	Urban
	LPS3:	Residential R60 (Additional uses permitted: Office, Communal Recreation and other purposes as permissible in the Residential zone, excluding the use Serviced Apartments).
Use Classes:		<ul style="list-style-type: none"> • Grouped dwelling • Multiple dwellings • Office • Communal Recreation
Strategy Policy:		Local Development Plan
Development Scheme:		Local Planning Scheme No. 3
Lot Size:		1475m ²
Existing Land Use:		Vacant

The application proposes a development comprising the following:

- A two-storey dwelling with private roof terrace;
- Eight multiple dwellings, four with private roof terraces;
- 213.18m² of Office space, with a communal roof terrace; and
- 12 basement level car parking for residents, 3 visitor bays, storerooms, bin storage, service areas, communal workshop (27.81m²), and strata owners meeting place/yoga performance venue (107.58m²).

Details of the individual floors are as follows:

Basement	15 car bays for residents (including 3 visitor bays), 10 storerooms, bin storage, bike storage, stairs, access ramp, lift, services area, communal workshop, and a yoga performance venue.
Level 2	Unit 1 (ground floor); Unit 1 (single storey); Earth Unit 1 (single storey); Earth Unit 2 (single storey); Earth Unit 3 (single storey); Office (lower floor) Bike storage Communal laundry
Level 3	Unit 1 (upper floor); Unit 2 (single storey); Unit 2 (two-storey: ground floor); Unit 3 (two-storey: ground floor); Unit 4 (two-storey: ground floor) Office (upper floor)

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Level 4	Unit 1 (private roof terrace); Unit 2 (private roof terrace); Unit 2 (two-storey: upper floor); Unit 3 (two-storey: upper floor); Unit 4 (two-storey: upper floor); Communal roof terrace above office
Level 5	Unit 2 (two-storey: private roof terrace); Unit 3 (two-storey: private roof terrace); Unit 4 (two-storey: private roof terrace)

Background:

A summary of the background to the development is as follows:

6 May 2015	Planning approval granted for demolition of dwelling(s) on site.
27 October 2017	Local Planning Scheme No. 3, Amendment No. 5 gazetted to amend the density from R20 to R60, with Additional Uses and Special Provisions listed in Schedule 2 & Schedule 12 of the Scheme.
4 April 2018	Conditional approval issued by the Western Australian Planning Commission (WAPC) for the amalgamation of two lots into one (WAPC ref: 156195).
25 September 2018	Council approved a Local Development Plan for the site (signed 24 October 2018).
9 November 2018	Deposited Plan approved by WAPC following amalgamation of the lots.
20 November 2018	Development application submitted.
4 December 2018	New Certificate of Title issued.
13 December 2018	Amended plans received.
24 January 2019	Review of application by the Town’s Design Advisory Panel
25 January 2019	Amended plans received.

Context

The site is 1475m² in area and vacant. It is located on the south-west corner of Railway Street and Congdon Street in Cottesloe and is approximately 150m from Swanbourne train station and 40m to the west of a small local centre known as ‘Cottesloe Chambers’. The predominant residential density in the locality is R20 and there are mostly single and two-storey dwellings to the south and west of the site. To the north is the Perth-Fremantle train line and Swanbourne village which is located in the Town of Claremont.



Site location plan



Aerial photo of site

The topography of the site rises approximately 4.5m from its northern-western corner to its southern-eastern corner.

The site has the remains of three crossovers, two located in Congdon Street and one (dropped kerb) in Railway Street. These crossovers were required to be removed as a condition of the WAPC's approval for the amalgamation of the lots. However, the Town accepted a bond from the owner to cover the cost of the required works to enable a clearance letter to be issued and the amalgamation to proceed. This is quite a common practice where a site is proposed to be developed as it avoids new kerbing, paving and/or landscaping being damaged during construction.



View of site from Railway Street

Local Planning Scheme No.3

The map below shows the zoning of the locality.



Zoning map

On 27 October 2017, the site was rezoned from Residential R20 to Residential R60, with additional permitted uses of Office and Communal Recreation. The Amendment had been submitted to the Town by the owners of the site with its intent to allow for the proposed development.

Special Provisions were included in Schedule 12 of Local Planning Scheme No. 3 as part of the Amendment which are specific to the site. These are as follows:

Land use

Residential; office; communal recreation and other purposes as permissible in the Residential zone, excluding the use Serviced Apartment.

Special Provisions

- *Development on the land shall be generally in accordance with a Local Development Plan;*
- *The building height limit shall be three storeys, plus undercroft parking.*

Although 'communal recreation' is not a use class that is listed in the Scheme, a Council report dated 26 April 2016 regarding the proposed amendment advised that as the office and recreation uses are intended for private purposes by the residents as integral to the development, the term 'communal recreation' is considered apt to connote this.

Aims of the Scheme

The aims of the Scheme relevant to this development include:

- a) *facilitate implementation of the State Planning Strategy and relevant regional plans and policies, including the Metropolitan Region Scheme, by coordinating the Scheme with such plans and policies;*
- b) *support land use, transport and development within the Scheme area;*
- c) *sustain population levels within the Scheme area by maintaining residential zones and encouraging, where appropriate, residential use of buildings in other zones.*
- d) *provide opportunities for housing choice and variety in localities which have a strong sense of community identity and high levels of amenity;*
- e) *sustain the amenity, character and streetscape quality of the Scheme area;*
- f) *ensure that residents and visitors continue to experience a high level of access to a range of transport modes within the Scheme area by maintaining the existing road grid pattern and making provision for an integrated road, rail, bus, cycle, and pedestrian network; and*
- (g) *ensure that proper regard is given to the needs of the local community in the determination of land use and development proposals.*

Objectives of the Scheme

The objectives of the Residential zone are to:

- a) *encourage residential development only which is compatible with the scale and amenity of the locality;*
- b) *provide the opportunity for a variety and choice in housing in specified residential areas;*
- c) *allow for some non-residential uses where they are compatible with the amenity of residential localities; and*
- d) *encourage the retention of local facilities and services within specified residential areas for the convenience of the local community.*

Legislation and Policy:

Legislation

- *Planning and Development Act 2005*
- *Metropolitan Region Scheme*
- *Planning and Development (Local Planning Schemes) Regulations 2015*
- *Local Planning Scheme No. 3*

State Government Policies

- State Planning Policy 3.1 – Residential Design Codes

Other

- Local Development Plan, adopted 25 September 2018
- WAPC Planning Bulletin 113/2015 - Multiple dwellings in R40 coded areas and variation to R-Codes multiple dwelling development standards

Consultation:

Public Consultation

The application was advertised for a period of 14 days from 8 to 22 January 2019 in accordance with the *Planning and Development (Local Planning Schemes) Regulations 2015* and the Residential Design Codes. Advertising was undertaken by writing to adjoining landowners/occupiers and making the plans and supporting information available on the Town's website and at the Council Offices.

28 submissions were received during the advertising period. These submissions comprised:

- 27 letters of support (including one submission from the owner and one from the architect); and
- One letter of objection.

In addition, one submission in support of the development was received after the advertising period.

A copy of the submissions is attached.

Issue Raised	Officer's comments
Plot ratio	Noted. The plot ratio exceeds that permitted under the deemed-to-comply requirements of the Residential Design Codes, and in the Local Development Plan.
Building height	Noted. The building height of the residential units on the northern side of the site exceed the maximum permitted 7m building height for two-storeys.
Open space	Noted. Amended plans received 25 January 2019 show 50.6% open space, excluding roof decks, which is compliant with the deemed-to-comply requirements of the Residential Design Codes, and the Local Development Plan.

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Issue Raised	Officer's comments
Setbacks	Noted. Setbacks to western and southern boundaries satisfy the deemed-to-comply requirements of the Residential Design Codes.
Land Use Permissibility	Noted. The proposed land uses are permissible providing that the yoga performance venue is only available to the public without charge.
Parking	Noted. There is a shortfall of on-site parking for the non-residential uses – See Officer comment's below.
Power lines	Noted. The proximity of the power lines to the proposed development is not a planning consideration, but rather a matter for the owner/applicant to discuss with the relevant authority.
Clause 67 of the Planning & Development (Local Planning Schemes) Regulations 2015	Noted. This is addressed in the Officer comment's below.

Design Advisory Panel

The application was considered by the Town's Design Advisory Panel on 24 January 2019. The Panel was asked to comment on specific issues that were considered subjective and where the decision-maker is being asked to exercise its discretion.

The Design Advisory Panel's comments are summarised as follows (subject to confirmation of minutes):

- **Landmark architecture**

The development includes landmark architecture elements which will identify the site's prominent corner location and provide visual interest. However, more significant differentiation between the residential and non-residential components would be appropriate, and streetscape interaction could be improved.

- **Building height**

The photo voltaic shade structures and stair wells on the roof decks could be treated as minor projections and be exempt from the Town's building height requirements.

- Plot ratio

The plot ratio variation may be supported as the development will not appear bulky and it will sit well in its location.

- Nil setback of basement parking structure along Railway Street

The proposed length of the undercroft parking structure adjoining Railway Street is supported as it would not have a detrimental impact on the streetscape. However, the portion of solid limestone wall to the courtyards above the undercroft parking structure should be visually permeable to address the streetscape and provide better street surveillance.

- Reduced setback to Congdon Street

The proposed eastern external stairs shown in the amended plans adjoining the double-storey Unit 2 appear too heavy and needs to be more light-weight in appearance and open-sided for it to be considered in the Congdon Street setback, and to satisfy the requirements of the Local Development Plan.

- Parking

The shortfall of parking for the non-residential uses could be supported if the uses were restricted to on-site owners/tenants only.

- Compatibility of the development with its setting, including height, bulk, scale, orientation and appearance.

The efforts of the architect are generally praised and the development, together with its use of communal areas and roof decks, is considered responsible, creative, and appropriate for its location. However, the comments outlined by the Panel should be addressed by the architect.

Further comments are included in the Planning Assessment below.

Planning Assessment:

The table below sets out the planning assessment of the proposal against the provisions of the Town's Local Planning Scheme No. 3, the Residential Design Codes, the Planning and Development (Local Planning Schemes) Regulations 2015, and having regard to the Local Development Plan.

Planning Element	Use Permissibility/ Deemed-to-Comply	Discretion Required
Land uses	✓	
Landmark architecture	✓ (subject to addressing the Design Advisory Panel's comments)	
Awnings	✓	
Building height		✓
Building size (plot ratio)		✓
Street setbacks (residential)		✓
Street setback (non-residential)	✓	

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Planning Element	Use Permissibility/ Deemed-to-Comply	Discretion Required
Lot Boundary Setbacks	✓	
Open space	✓	
Street surveillance	✓	
Street walls and fences		✓
Sightlines	✓	
Outdoor living areas	✓	
Landscaping	✓ (subject to provision of a Landscape Management Plan)	
Parking		✓
Design of car parking areas	✓	
Vehicle access	✓	
Site works	✓	
Retaining walls	✓	
Stormwater management	✓	
Visual privacy	✓	
Solar access	✓	
Dwelling size	✓	
External fixtures and fittings	✓	
Utilities and facilities	✓	
Matters to be considered by local government		✓

Officer Comments

The following comments are made in respect to the amended plans received 25 January 2019.

Building height	
Requirement	Proposal
<p>Local Planning Scheme No. 3: (clause 5.7, Schedules 12 & 13)</p> <p><u>Schedule 12:</u> Building height limit shall be three-storeys, plus undercroft parking.</p> <p><u>Clause 5.7:</u></p> <ul style="list-style-type: none"> 7m maximum permitted height for two-storeys; 10m maximum permitted height for three-storeys. 	<p>Unit 1 (two-storey building) Up to 7.92m (to top of roof deck privacy screen) - <u>non-compliant</u></p> <p>Single-storey Units 1 & 2 (two-storey building) Up to 7.12m (to top of roof deck baluster) - <u>non-compliant.</u></p> <p>Double-storey Unit 2 (three-storey building) Up to 7.92m (to top of stair wall) - complies</p>

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<p><u>Schedule 13</u> Excludes the operation of discretion in respect to building heights for residential dwellings.</p> <p>Local Development Plan Building height shall be in accordance with the requirements of the Town of Cottesloe - Local Planning Scheme No. 3. No variations shall be permitted.</p>	<p>Double storey Unit 3 (three-storey building) Up to 8.27m (to top of stair wall) - complies</p> <p>Double storey Unit 4 (three-storey building) Up to 8.84m (to top of stair wall) - complies</p> <p>Office (three-storey building) Up to 7.42m (to top of baluster) - complies.</p>
<p><u>Comment</u></p> <p>On 25 January 2019, the applicant provided a revised roof plan (drawing no. CD14) showing AHD levels at the corners of the buildings/parapets/screens/projections and the relative levels of the proposed roof structures. This was at the request of the Town to assist in calculating building heights measured vertically above natural ground level.</p> <p>The applicant also confirmed that the proposed photo voltaic shade structures will be open-sided and have a water-permeable roof so as to be excluded from the definition of a 'Building' under the Residential Design Codes, and not subject to the Local Planning Scheme's Building Height requirements.</p> <p><u>Southern side residential buildings and the non-residential building</u></p> <p>The three, 3-storey, residential buildings proposed along the southern side of the site and the 3-storey non-residential building on the north-east corner of the site are all below the maximum permitted 10m building height, including the stair access, and are compliant with Local Planning Scheme No. 3 and the Local Development Plan.</p> <p><u>Northern side residential buildings</u></p> <p>The two-storey residential buildings proposed along the northern side of the site partially exceed the maximum allowable 7m building height due to the height of privacy screens and balusters (up to 7.92m). These are non-compliant with Local Planning Scheme No. 3 and the Local Development Plan.</p> <p><u>Minor projections</u></p> <p>Minor projections are exempt from being included in the building heights requirements in Local Planning Scheme No. 3. However these are defined in the Residential Design Codes as:</p> <p><i>In relation to the height of a building: a chimney, vent pipe, aerial or other appurtenance of like scale;</i></p>	

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In relation to a wall: a rainwater pipe, vent pipe, eaves overhang, cornice or other moulding or decorative feature, provided that the projection does not exceed 0.75m measured horizontally.

The proposed roof access points may be considered as minor projections as they are relatively small in area and similar in scale to a lift shaft. This was also the opinion of the Town's Design Advisory Panel. However, the privacy screens and balusters are not considered to be 'minor projections' and are therefore required to not exceed the 7m building height limit for the two-storey buildings, whilst still meeting the necessary minimum height for privacy screening and balustrading.

Conclusion

The privacy screens and balusters on the two, two-storey residential buildings along the northern side of the site partially exceed the maximum 7m building height that is permitted in Local Planning Scheme No. 3 and the Local Development Plan.

Building size provisions (plot ratio)	
Requirement	Proposal
<p>Residential Design Codes - Clause 6.1.1 <u>Deemed-to-comply</u> Maximum plot ratio: 0.7 (ie: 1032.5m² for residential).</p> <p>Local Planning Scheme No. 3 - Table 2 <u>Residential:</u> In accordance with the Residential Design Codes.</p> <p><u>Non-residential</u> Maximum plot ratio 0.5:1 (ie: max. 737.5m²).</p> <p>Local Development Plan In accordance with the deemed-to-comply provisions of the Residential Design Codes for multiple dwellings and mixed use development. No variations permitted.</p>	<p>Level 1 Under natural ground level.</p> <p>Level 2 Double Storey Unit 1 (lower) - 75.27sqm; Single storey Unit 1 - 126.33sqm; Commercial (lower) - 96.85sqm. Earth unit 1 - 21.69sqm Earth unit 2 - 16.23sqm Earth unit 3 - 7.13sqm Note – Areas of the Earth Units that are not below natural ground level are used in the Plot Ratio calculation.</p> <p>Level 3 Double Storey Unit 1 (upper) - 68.84sqm; Single storey Unit 2 - 121.39sqm; Commercial (upper) - 116.33sqm; Double Storey Unit 2 (lower) - 93.04sqm; Double Storey Unit 3 (lower) - 90.77sqm; Double Storey Unit 4 (lower) - 90.77sqm.</p> <p>Level 4 Double Storey Unit 1 (stair) - 6.38sqm; Double Storey Unit 2 (upper) - 89.72sqm; Double Storey Unit 3 (upper) - 87.5sqm Double Storey Unit 4 (upper) - 87.5sqm.</p>

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	<p>Level 5 Double Storey Unit 2 (stair) - 6.39sqm; Double Storey Unit 3 (stair) - 6.39sqm; Double Storey Unit 4 (stair) - 6.39sqm.</p> <p>Plot ratio 1,214.91 divided by 1,475 = 0.823 plot ratio</p>
<p><u>Comment</u></p> <p>Plot ratio is defined in the Residential Design Codes as:</p> <p><i>The ratio of the gross plot ratio area of buildings on a development site to the area of land in the site boundaries.</i></p> <p>Plot ratio area is defined in the Residential Design Codes as:</p> <p><i>The gross total area of all floors of buildings on a development site, including the area of any internal and external walls but not including:</i></p> <ul style="list-style-type: none">• <i>the areas of any lift shafts;</i>• <i>stairs or stair landings common to two or more dwellings;</i>• <i>machinery, air conditioning and equipment rooms;</i>• <i>space that is wholly below natural ground level;</i>• <i>areas used exclusively for the parking of wheeled vehicles at or below natural ground level;</i>• <i>storerooms;</i>• <i>lobbies, bin storage areas, passageways to bin storage areas or amenities areas common to more than one dwelling; or</i>• <i>balconies, eaves, verandahs, courtyards and roof terraces.</i> <p>Plot ratio is defined in Local Planning Scheme No. 3 (applicable to non-residential use) as:</p> <p><i>In the case of non-residential development, means the ratio of the gross total of the areas of all the floors to the area of land within the site boundaries, and in calculating the gross total of the areas of all the floors the areas shall be measured over any walls, provided that lobbies, corridors, hallways, lift shafts, stairways, toilets, bath, shower or change rooms, laundries, plant or meter rooms, cellars, storerooms without windows, external wall thicknesses, and the gross floor area of any floor space used for the parking of wheeled vehicles, including access to and from that space within the building, shall not be included.</i></p> <p>A plot ratio of 0.7 for the residential buildings equates to 1032.5m² of plot ratio area based on the total site area. This is the maximum plot ratio area permitted under the Local Development Plan. However, the proposed development has a plot ratio of 0.829, which equates to 1222.7m² of plot ratio area based on the total site area, and is 190.3m² over that permitted under the deemed-to-comply requirements of the Residential Design Codes and the Local Development Plan.</p>	

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Local Planning Scheme No. 3 (Table 2) refers to non-residential uses being allowed a plot ratio of 0.5:1, which equates to 737.5m² of plot ratio area based on the total site area. However, as the total plot ratio area proposed for the non-residential uses is 213.18m², this is less than that permitted in the Scheme and is compliant

The applicant has referred to the proposed plot ratio area in their report on page 13 and requested that the JDAP approve this under design principles.

The relevant design principles in the Residential Design Codes state:

Development of the building is at a bulk and scale indicated in the local planning framework and is consistent with the existing and future desired built form of the locality.

In this case, the local planning framework includes the Local Development Plan which does not allow variations to deemed-to-comply provisions of the Codes.

Furthermore, the 2017 R-Codes Practice Notes advises, inter alia:

In most cases the decision-maker will not vary the plot ratio standards outlined in the R-Codes Table 4 unless the relevant local planning scheme contains provisions for allowing variation to plot ratio and other development standards such as height, which combined, determine development bulk and scale.

The applicant's reference to WAPC Bulletin 115/2015 and a possible 25% bonus to residential density is not a relevant consideration as the Bulletin refers to Local Planning Schemes which allow discretion to broadly vary site and development standards and makes the suggestion that where maximum variations are not stipulated, such as for plot ratio, then the WAPC would support a local planning policy to appropriately deal with multiple dwelling development proposals seeking variation to the R-Codes 'deemed-to-comply' standards for up to a maximum plot ratio bonus of 25%, providing the local government determines what criteria is appropriate for its area/precinct.

In this regard, Schedule 13 of Local Planning Scheme No. 3 states:

Where the provisions of Table 2 require plot ratio to be in accordance with the Residential Design Codes, subject to clause 5.3 of the Scheme, the discretion provided in clause 5.5.1 may only be exercised to the extent permitted by, and in accordance with, the provisions of the Residential Design Codes dealing with plot ratio.

Although the Town's Design Advisory Panel was supportive of the plot ratio variation as it was considered that the development appeared to be of a bulk and scale that would generally suit its location, any variation to plot ratio for residential development must still satisfy either the *deemed-to-comply* requirements or the *design principles* in the Residential Design Codes.

Conclusion

The proposed plot ratio for the development exceeds the deemed-to-comply requirements of the Residential Design Codes and does not satisfy the relevant design principles or the Local Development Plan for the variation to be approved.

Street setback (residential)	
Requirement	Proposal
<p>Residential Design Codes Minimum 2m from primary and secondary streets.</p> <p>Local Development Plan Minimum 2m, maximum 4m (applied to both Railway & Congdon Streets for residential buildings)</p> <p>Open sided structures such as porches, balconies, verandahs or the equivalent may be setback at nil from both Railway Street and Congdon Street.</p> <p><u>Railway Street</u> Undercroft parking structures may be reduced to nil to a maximum 30% of the lot boundary. The nil setback may be extended to 75% of the lot boundary subject to the creation of an aesthetic and articulated streetscape design, which may include the use of different building materials and colours. Any undercroft parking structure shall not protrude higher than 1.2m above the natural ground level of the boundary.</p> <p><u>Congdon Street</u> Residential building setback may be reduced to nil for a maximum of 20% of the length of the lot boundary where only residential development is proposed adjacent to Congdon Street.</p> <p>Where commercial development is proposed, residential building setbacks may be reduced to nil for a maximum 20% of the remaining balance of the length of the lot boundary.</p>	<p>Residential buildings setback from streets between 2m & 4m – complies.</p> <p>Open-sided solar pergolas - permitted in street setbacks.</p> <p>The undercroft parking structure adjoining Railway Street at nil setback extends for approximately 69% of the lot boundary.</p> <p>The entrance porch and external stairs adjoining Congdon Street extend for approximately 31% of the length of the boundary, excluding the area proposed for commercial development.</p>
<p><u>Comment</u></p> <p><u>Railway Street</u></p> <p>The proposed nil setback to the undercroft parking structure adjoining Railway Street was referred to the Town’s Design Advisory Panel to consider whether the streetscape design satisfied the Local Development Plan as its length exceeded 30% of the lot boundary.</p>	

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The Panel was supportive of the proposed nil setback along Railway Street up to a maximum height of 1.2m, providing the arches shown remained open and there was careful consideration of the proposed materials and finishes.

Congdon Street

The proposed external stairs to the upper floor of Unit 2 adjoining Congdon Street, together with the separate entrance porch, occupies approximately 31% of the length of the residential boundary with a nil setback, which exceeds the 20% that is referred to in the Local Development Plan.

The relevant design principles for street setbacks in the Residential Design Codes states:

Buildings are set back from street boundaries (primary and secondary) an appropriate distance to ensure they:

- *contribute to the desired streetscape;*
- *provide articulation of the building on the primary and secondary streets;*
- *allow for minor projections that add interest and reflect the character of the street without impacting on the appearance of bulk over the site;*
- *are appropriate to its location, respecting the adjoining development and existing streetscape; and*
- *facilitate the provision of weather protection where appropriate.*

The combined length of the proposed entry and external stairs with a nil setback along Congdon Street exceed that permitted in the Local Development Plan and are not considered to contribute to the desired streetscape. The structures also are not defined as minor projections in the Residential Design Codes, and the external stairs to the upper floor of Unit 2 do not appear necessary as the double-storey multiple dwelling has alternative internal stairs.

Although the applicant has slightly modified the design of the stairs fronting Congdon Street, the Town's Design Advisory Panel considered that although the structure provided articulation to the building, it could not be considered as a minor projection and would not contribute to the desired streetscape as it was too heavy in appearance.

Conclusion

The proposed entry and stairs that are located within the required minimum 2m setback to Congdon Street extend beyond the permitted 20% length of the lot boundary as allowed in the Local Development Plan. The stairs are not considered to be defined as a minor projection under the Residential Design Codes and will detract from the streetscape.

Street walls and fences	
Requirement	Proposal
<p>Local Planning Scheme No specific reference.</p> <p>Residential Design Codes - clause 6.1.4 Front fences within the primary street setback area that are visually permeable to 1.2m above natural ground level.</p> <p>Local Development Plan No specific reference.</p>	<p>The applicant has advised that this is not applicable.</p>
<p><u>Comment</u></p> <p>The northern elevation shown on drawing nos. CD07 & CD10 show solid walls and planters up to 0.5m in height above the undercroft parking structure.</p> <p>The Local Development Plan advises that the undercroft parking structure shall not protrude higher than 1.2m above the natural ground level. However, the design of the solid walls and planters above the undercroft parking structure are such that the western portion of front wall will appear up to 1.7m in height above the natural ground level.</p> <p>The relevant design principle in the Residential Design Codes states:</p> <p><i>Front fences to enable surveillance and enhance streetscape.</i></p> <p>The Town's Design Advisory Panel expressed concern with the appearance of the solid wall along Railway Street to the residential terraces and suggested that the wall above the undercroft parking structure be 'visually permeable' to enable surveillance and enhance the streetscape.</p> <p><u>Conclusion</u></p> <p>The solid fence along the northern boundary and above the undercroft parking structure does not satisfy the design principles of the Residential Design Codes and the Local Development Plan.</p>	

Parking	
Requirement	Proposal
<p>Local Planning Scheme No. 3</p> <p><u>Office</u> (213.18m²) 4.26 car bays required, based on 1 space to every 50m² of gross floor area</p> <p><u>Recreation – gymnasium/health club</u> (107.58m²) 4.30 car bays required, based on 1 space to every 25m² of gross floor area</p>	<p><u>Residential</u> 12 car bays + 3 visitor bays = 15 car bays</p> <p><u>Non-residential</u> None.</p>

(continued)

<p>Residential Design Codes clause 6.3.3 (Location A)</p> <p><u>1 or 2 bedrooms:</u> 3 car bays required, based on 1 bay per dwelling.</p> <p><u>3 or more bedrooms:</u> 7.5 car bays required, based on 1.25 bays per dwelling.</p> <p><u>Visitor spaces:</u> 2.25 car bays required, based on 0.25 spaces per dwelling.</p> <p>Local Development Plan All car parking requirements shall be as per Table 3 of the Local Planning Scheme No. 3. No variations shall be permitted.</p> <p>Total car bays required = (23 bays):</p> <p><u>Residential:</u> 11 car bays (rounded up) + 3 <u>Visitor bays</u> (rounded up) = 14 car bays.</p> <p><u>Non-residential:</u> 9 car bays (rounded up)</p>	
<p><u>Comment</u></p> <p>The proposed development has an on-site parking shortfall of 9 car bays for the non-residential uses.</p> <p><u>Local Planning Scheme No. 3 – vehicle parking requirements:</u></p> <p>Clause 5.8.5 states:</p> <p><i>Except in the Town Centre, Foreshore Centre, Restricted Foreshore Centre, Hotel or Development zones, in assessing the number of parking spaces required for a development containing more than one use, the local government may have regard to the likely patterns of usage, in particular the likely maximum use of the development at any time, and may reduce the number of parking bays required.</i></p> <p>Schedule 13 (7.1) states, inter alia:</p> <p><i>Subject to the following, the parking requirements set out in Table 3 may be varied, so as to reduce the number of parking spaces required in respect to a particular development by up to 20% of the number of parking spaces that would otherwise be required by the application of the provisions of Table 3, subject to the provision of a traffic impact assessment, to the satisfaction of the Council, addressing matters referred to in clause 5.5.4c.</i></p> <p>Clause 5.5.4 (Variations to site and development standards and requirements) states:</p>	

(continued)

The power conferred by this clause may only be exercised –

(a) subject to the exclusions, limitations, maximums and other provisions set out in Schedule 13;

(b) if the local government is satisfied that approval of the proposed development would be appropriate having regard to the matters set out in clause 10.2; and

(c) if the local government is satisfied that the non-compliance will not have an adverse effect upon the occupiers or users of the development, the inhabitants of the locality or the likely future development in the locality.

On 12 December 2018, the applicant emailed an updated report from a Senior Traffic Engineer from DVCWorld.com which advised, inter alia:

The office space and yoga studio are to be for tenant use only, and is not anticipated to generate any significant amount of additional traffic, and subsequently not deemed to require additional parking. Furthermore, the site is in very close vicinity to the Swanbourne train station and to the local centre on Claremont Crescent – all within 90m to 200m walking distance respectively.

The fact that the non-residential office/yoga centre is a dual use to the residential component means that the parking requirement for the non-residential component could qualify for the 20% reduction stated in Schedule 13, item 7.1, or possibly more of a reduction under Clause 5.8.5, providing the decision-maker is satisfied with the traffic impact assessment, that the non-compliance will not have an adverse effect upon the occupiers or users of the development or the inhabitants of the locality, or likely future development in the locality.

Although the applicant has advised that the non-residential uses will be for tenants only and not require parking, this is not consistent with the Local Planning Scheme Vehicle Parking Requirements, or the Local Development Plan, and could result in parking difficulties arising should the owners/tenants no longer require the spaces and want to lease them out. Furthermore, there is only limited on-street parking available in the locality and the carpark located opposite the site is owned by the PTA and provides paid parking for commuters.

Conclusion

The proposed non-residential uses have a shortfall of 9 car bays which may have a detrimental impact on the locality if the uses are not required exclusively by the on-site owners/ tenants in the future

Planning and Development (Local Planning Schemes) Regulations 2015 – Relevant matters to be considered by local government

In considering an application for development approval the local government is to have due regard to the following relevant matters:

- (a) the aims and provisions of this Scheme;
- (b) the requirements of orderly and proper planning;
- (c) any approved State planning policy;
- (d) any policy of the Commission;
- (e) any policy of the State;
- (f) any local development plan that relates to the development;
- (g) the compatibility of the development with its setting including the relationship of the development to development on adjoining land or on other land in the locality including, but not limited to, the likely effect of the height, bulk, scale, orientation and appearance of the development;
- (h) the amenity of the locality including the following:
 - (i) environmental impacts of the development;
 - (ii) the character of the locality;
 - (iii) social impacts of the development;
- (i) any submissions received on the application; and
- (j) any other planning consideration the local government considers appropriate.

Comment

The development has not addressed all the relevant provisions of Local Planning Scheme No. 3, the Residential Design Codes, or the Local Development Plan.

Conclusion

Although the Town received only one objection and 27 letters of support (not all from the immediate area) during the advertising period, the proposal should not be supported in its current form for the reasons provided in this report.

In particular, building height, parking, plot ratio and the design of structures within the Railway Street and Congdon Street setbacks need further review to ensure compliance with Local Planning Scheme No. 3, the Residential Design Codes, and the Local Development Plan.

Alternate Recommendation

Notwithstanding the officer's recommendation, should the JDAP be minded to approve the development then the following alternative recommendation is provided:

That the Metro-West JDAP resolves to:

Approve DAP Application reference DAP/18/01539 and accompanying plans from Josh Byrne & Associates received 20 November 2018, and drawing nos. CD01, CD02, CD03, CD04, CD05, CD06, CD07, CD08, CD09, CD10, CD11, CD12, CD13, CD14, and CD15 received 25 January 2019, in accordance with Clause 68 of Schedule 2 (Deemed Provisions) of the *Planning and Development (Local Planning Schemes) Regulations 2015*, subject to the following conditions:

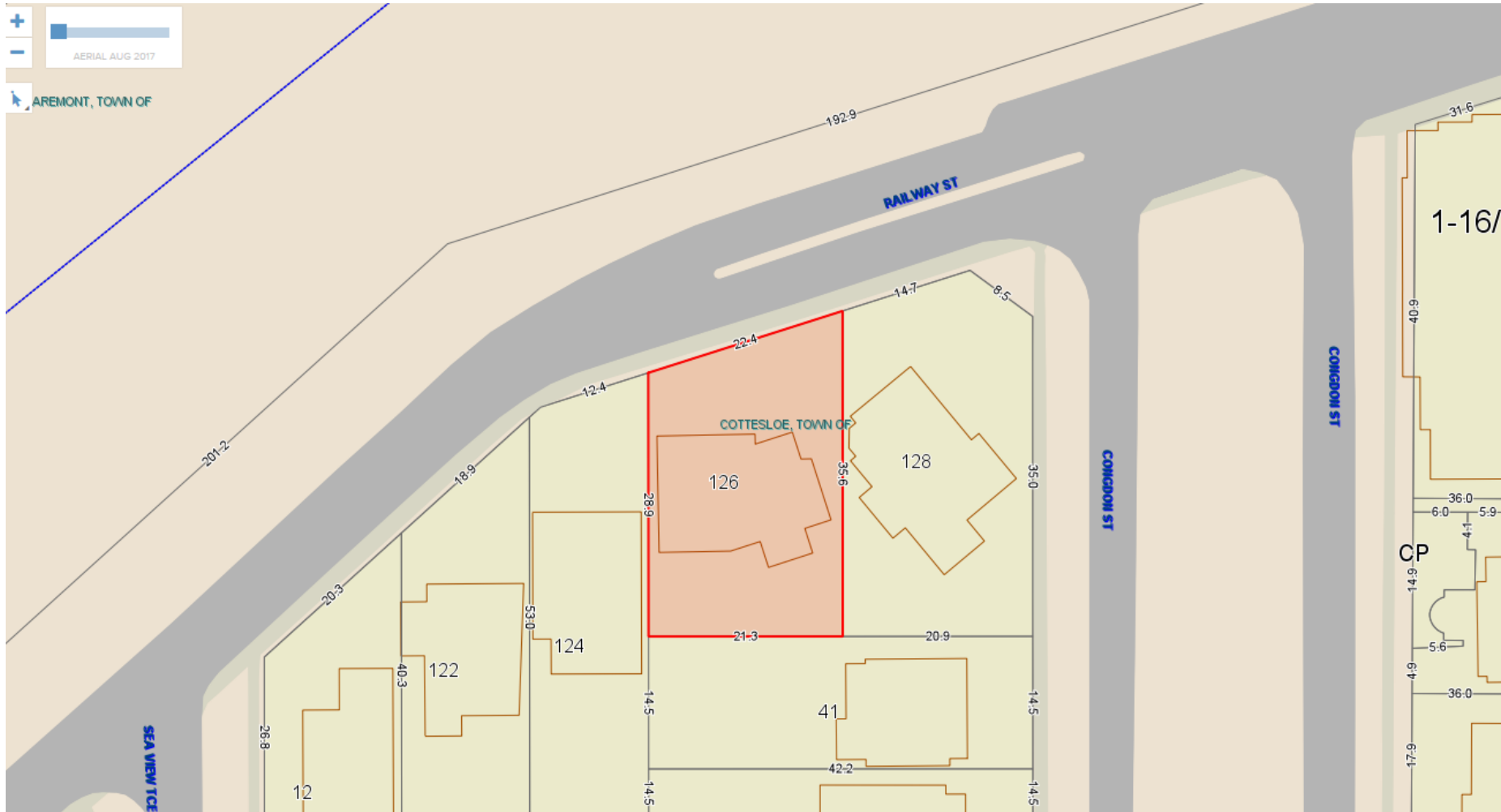
- 1 The maximum building height not exceeding 7m above the natural ground level for the two-storey buildings. Details to be submitted at the Building Permit stage to the satisfaction of the Town.
- 2 The external stairs associated with the residential use in the Congdon Street setback shall be light-weight in appearance and open-sided. Details to be submitted at the Building Permit stage to the satisfaction of the Town.
- 3 Three on-site visitor bays shall be provided, all clearly marked, located close to the point of entry to the development, and outside any security barrier or gate. Details to be submitted at the Building Permit stage to the satisfaction of the Town.
- 4 Front walls along Railway Street adjoining the residential buildings shall be visually permeable above 1.2m. Details to be submitted at the Building Permit stage to the satisfaction of the Town.
- 5 Vehicle access to/from Railway Street shall be left in/left out only.
- 6 All construction work being carried out in accordance with the Environmental Protection (Noise) Regulations 1997, Regulation 13. - Construction sites.
- 7 The external profile of the development as shown on the approved plans not being changed, whether by the addition of any service plant, fitting, fixture or otherwise, except with the written consent of the Town.
- 8 All water draining from roofs and other impermeable surfaces shall be directed to garden areas, sumps or rainwater tanks within the development site, where climatic and soil conditions allow for the effective retention of stormwater on-site.
- 9 All air-conditioning and other plant or equipment being designed, positioned and screened so as to be visually concealed and treated as may be necessary so as to ensure that sound levels emitted shall not exceed those specified in the Environment Protection (Noise) Regulations 1997.
- 10 A separate application for construction of a new crossover meeting the Town's specifications and Australian Standards shall be submitted for approval by the Town.
- 11 The design and functionality of the access ramp and bin store shall be to the Town's specifications and Australian Standards. Details to be submitted at the Building Permit stage to the satisfaction of the Town.
- 12 The privacy screens shown on the approved plans shall be permanently fixed, made of durable material, and designed to restrict overlooking of the adjoining properties. Details to be submitted at the Building Permit stage to the satisfaction of the Town.
- 13 The landowner shall be responsible for the costs of any changes to the public domain outside the site proposed by or due to the development, including (but not limited to) the removal of any redundant crossovers and reinstatement of the verge and kerb, construction of any new crossover and any upgrading of verge pavements or landscaping. All such works shall be to the specification and satisfaction of the Town.

- 14 A comprehensive Construction Management Plan shall be submitted to the satisfaction of the Town prior to the issue of a Building Permit, and shall address (amongst other things): traffic management and safety for the streets and site worker parking, including off-site parking and street verges, in consultation with and approval by the Town.
- 15 The office and yoga performance venue shall be for use by the owners/tenants only.
- 16 A Landscape Management Plan shall be provided to the satisfaction of the Town and shall include verge areas directly adjacent to the site, and address sustainability, deep soil planting, visual amenity, water sensitive urban design, water-wise planting, and objectives for long term tree establishment. Details to be submitted prior to issue of the building permit to the satisfaction of the Town.
- 17 A schedule of materials and finishes shall be submitted at the Building Permit stage to the satisfaction of the Town.
- 18 The pergola structures shown on the approved plans shall be open-framed and covered in a water permeable material or unroofed. Details to be submitted at the Building Permit stage to the satisfaction of the Town.

Advice Notes:

1. The owner/applicant is responsible for ensuring that all lot boundaries shown on the approved plans are correct and that the proposed development is constructed entirely within the owner's property.
2. The owner/applicant is responsible for applying to the Town for a Building Permit and obtaining approval prior to undertaking the development.
3. The owner/applicant may be required to submit an acoustic noise report that includes predicted noise emissions from plant and equipment at the Building Permit stage and comply with all relevant health requirements.

SITE MAP - LOT 26 (126) RAILWAY STREET, COTTESLOE



urban
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jdap application
residential mixed use development
lot 26 railway street




**JDAP DEVELOPMENT APPLICATION
PROPOSED RESIDENTIAL, OFFICE AND PRIVATE
RECREATION
LOT 26 RAILWAY STREET, COTTESLOE**

October 2018

By urbanplan

On behalf of Swanbourne Village Trust

Approved by: Ian Brashaw

Signed / Date: per 
02/11/2018

Position: Principal Consultant

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**urban
plan**

jdap application
residential mixed use development
lot 26 railway street

1. INTRODUCTION

urbanplan, on behalf of Swanbourne Village Trust submits this development application to the Town of Cottesloe for determination of the Joint Development Assessment Panel (JDAP) regarding a development at Lot 26 (DP 411509) Railway Street, Cottesloe. The land is classified as a Residential Zone and permits the development described as residential, office and private recreation and other purposes as permitted in the Residential zone, excluding the use Serviced Apartments.

The proposed 9 multiple dwelling unit strata development, including one community strata yoga or performance space and one office, is a contextually scaled urban built form situated at the Swanbourne Village that relates to the Cottesloe and Claremont planning schemes and state strategic planning policy.

The proposed development is predicated on quality design principles achieving sustainable outcomes drawn from Bulletin 113/2015 with a focus on age in place together in the village.

1.1 PURPOSE

On behalf of Swanbourne Village Trust, **urbanplan** seeks the JDAP approval for the proposed performance-based multiple dwelling mixed use development at lot 26, Railway Street, Cottesloe through the implementation of essential design principles of the Residential Design Codes.

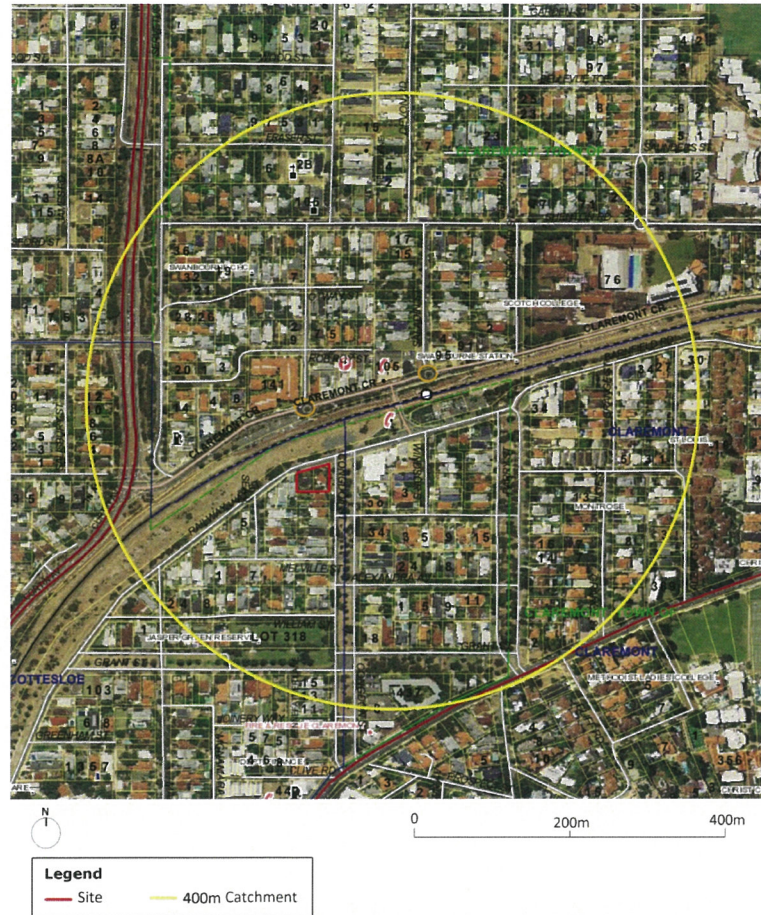
1.2 LOT DESCRIPTION

The subject land is at Lot 26 (formerly Lots 24 and 25 of Volume 1156, Folios 371 and 370) Railway Street Cottesloe as described on Deposited Plan DP 411059 (at Annex A) with a total site area is 1,475 square metres. Lot 26 is Coded R60 pursuant to Scheme Amendment No.5 of Town of Cottesloe Local Planning Scheme No.3 and includes special provisions under Schedule 12 and Schedule 2 that respectively state:

1. Development on the land shall be generally in accordance with the Local Development Plan.
2. The building height limit shall be three storeys, plus undercroft parking.
3. Additional Uses of office and communal recreation are permitted.

The subject land is within 90 metres of the Swanbourne Railway Platform and is sited at the southwest corner of the Swanbourne Village at the intersection of Congdon Street. The Swanbourne Village is situated on both sides of Swanbourne railway station, the context and extent of that village is indicated at Figure 1.

Figure 1: Site Location



1.3 DESCRIPTION OF DEVELOPMENT PROPOSAL

To respond to the changing local market and to enable aging in place of existing Cottesloe residents, the proposed development comprises a variety of two and three bedroom units in a cluster of five individual building modules around a courtyard setting. The proposed development is a two building with underground parking and rooftop gardens. The siting of the modules is in response to:

- central courtyard garden
- solar access,
- breezeways,
- views across the valley; and
- undercroft parking recessed into the sloping site.

The proposal comprises 9 residential units, office space of approximately 218 square metres and a yoga and performance studio of 100 square metres. The

modular design of the development and roof top gardens that envelop the building eliminates the bulky built form typically found in other multiple dwelling developments.

The proposed development is predicated on sustainable builtform criteria as encouraged by the Residential Density Codes, as given in WAPC Bulletin 113/2015, inclusive of:

- sustainable building design with variable dwelling size and type
- dwelling adaptability and universality of access
- sustainable modular built form for solar and breezeway access and energy efficient design and construction
- open space and communal facilities.

In support of state strategic planning directions, the proposal appropriately increases density within an existing commercial centre that itself is located around Swanbourne train station, enhancing walkability and encouraging sustainable modes of transport. The proposed development is designed to complement Swanbourne Village's existing commercial built form character with simple proud parapets and street awnings while respecting the surrounding residential amenity. The proposed zero lot line of the corner office creates a book-end to the western end of the Swanbourne Village rather than an encroachment into the existing quality housing to the west and south.

All design development plans, scaled drawings and images are at Annex C.

2. STRATEGIC PLANNING FRAMEWORK

2.1 COTTESLOE PLANNING STRATEGY

Published in January 2008 this strategy is due for review, albeit deferred. However, considerations applicable to this proposed development are as follows. The Planning strategy makes reference to:

- Aim to sustain the population stability and diversity that makes up the residential population of Cottesloe
- Provide a range of residential densities in the district to accommodate a variety of housing needs, including single dwellings, grouped dwellings and multiple dwellings
- Encourage higher density residential development in activity centres close to transport and other facilities
- Provide for aged housing but with attention to residential character and amenity.

Commentary

The proposal enables:

- a sustainable population of existing Cottesloe residents that support the economic growth of the of the Swanbourne Village local centre
- a range of residential densities for a variety of housing needs
- an environment with high levels of sustainable living amenity that offers a variety and diversity that better reflects the context of a local centre adjacent a high frequency transit node
- aging in place for existing Cottesloe residents with strong sense of community and identity.

3. STATUTORY PLANNING FRAMEWORK

3.1 LOCAL DEVELOPMENT PLAN - PLANNING AND DEVELOPMENT REGULATIONS

Special Provisions under Schedule 12 of Scheme Amendment No. 5 to LPS3 require that:

Development on the land shall be generally in accordance with the Local Development Plan.

The Local Development Plan (LDP) offers standard development guidance on the type and nature of built form specifically for this site. In relation to the statutory implementation of the Local Development Plan, section 56 (1) of the Planning and Development (Local Planning Schemes) Regulations 2015 state:

A decision maker for an application for development approval... must have due regard, but is not bound by, the Local Development Plan when deciding the application.

While the LDP is required by the Scheme and that the proposed development be generally in accordance, the overriding statute of the Regulations require decision makers to have due regard, but is not bound by, the LDP when deciding the application. Therefore, relative to presiding statutory powers, this places the LDP subordinate to the requirements of the design statute of the R-Codes. Further that when determining a proposal under the R- Codes either the deemed-to comply or the design principles are applied in a mutually exclusive manner.

- ensure access to daylight and direct sun for adjoining properties; and
- assist with the protection of privacy between adjoining properties.

Commentary: Southern Boundary Setback

The proposed southern elevation is highly articulated in terms of setbacks and modulation. Setbacks to the southern boundary are staggered and vary from 2.5 metres, 2.7 metres and 1.8 metres. In contrast, implementation of a prescriptive code would suggest that a single continuous building of 38 metres in length with an average height of 5 metres, with no articulation, requires a 2.3 metre setback from southern boundary. The three separate buildings of the modular built form of the proposal compares favourably to a standard unit block with a 38 metre long wall without articulations. The three separate units break up the bulk of the built form of the 1 1/2 storeys southern elevation – average 5 metres in height - with the added variations of building materials, privacy screens, sloping roof, colour palate and landscaped roof gardens providing a series of different textures and architectural elements.

Commentary: Setback Between Buildings

The proposed southern elevation is highly modulated with building units separated by 2.4 metres between the west and central units and 3.7 metres between the central and east units. In contrast, implementation of a prescriptive code would suggest buildings of 6.0 metres height must ensure that the gap between buildings is greater than 4.0 metres under the R60 zoning; given the modulation and articulation of the southern elevation, the proposed building compares favourable.

The Swanbourne Village design is predicated on design principles for a communal living foundation that intentionally orients the buildings around intimate landscaped spaces as well as rooftop gardens.

Commentary: Western Elevation

The setbacks along the western elevation comply with the Residential Design Codes, as described:

- The 3 metre long laundry is setback 1 metre from boundary.
- The Railway Street units are setback 7 metres from western boundary.
- The south west units are setback 1.8 metres with screens to two habitable room windows.

Commentary: Street Setbacks

The building modules fronting Railway Street are setback 3.54 metres, in compliance with the R-Codes, while the commercial building has a nil setback to the street corner to provide a landmark feature to Railway and Congdon Streets that

mimics the commercial buildings on the eastern side of Congdon Street. Further, the overall frontage to Railway Street addresses the design principles of the R-Codes as it contributes to the streetscape with a variety of building materials, minor projections, awnings and balustrade gardens to the roof deck that break up the bulk of the development.

The Congdon Street frontage provides articulation through the use of minor projections such as a limestone stairwell that is setback 1 metre from the street. The majority of the Congdon street façade comprises building elements that address the street with transparent wrought iron fencing and gates, windows, a range of building materials and garden beds.

The overall frontages along Railway and Congdon Streets, including the commercial building contribute to the desired streetscape without sacrificing necessary communal and living spaces within the development site.

Summary

In relation to the test of whether the proposal meets the design principle purpose of Clause 6.1.4, Swanbourne Village ensures appropriate setbacks between adjacent buildings and boundaries that create privacy for neighbours and articulation of building elevation because the modular articulated built form:

- ensures adequate daylight, direct sun and ventilation for existing and proposed buildings and the open space associated with them;
- moderates the visual impact of building bulk on a neighbouring property through modulation, separation, articulation, materials and colour palate;
- ensures access to daylight and direct sun for adjoining properties falling beneath the required 25 % overshadowing; and
- assists with the protection of privacy between adjoining properties with the use of screens to habitable rooms and fencing to boundaries.

In relation to the Objectives of the Planning Scheme, the proposed mixed use multiple dwelling development:

- (a) is compatible with the scale and amenity of the locality;
- (b) provides for a variety and choice in housing in specified residential areas;
- (c) allows for some non-residential uses in a setting compatible with the amenity of residential localities; and
- (d) retains local facilities and services within specified residential areas for the convenience of the local community.

3.3.2 PLOT RATIO AREA

The Residential Design Codes define plot ratio area as:

The ratio of the gross total area of all floors of buildings to the development site, including the area of any internal and external walls but not including the areas of any lift shafts, stairs or stair landings common to two or more dwellings, machinery, air conditioning and equipment rooms, any space that is below natural ground level, areas used exclusively for the parking of wheeled vehicles at or below natural ground level, storerooms, lobbies, bin storage areas and passageways to bin storage areas or amenities areas common to more than one dwelling, or balconies, eaves, verandas, courtyards and roof terraces.

Commentary

The Joint Development Assessment Panel will be aware that the building is recessed into the sloping site; those parts of the units that are under the natural ground level have no impact on the bulk of the project and therefore are not considered in the calculation of the plot ratio area.

Implementation of a prescriptive code would suggest Table 4 of the Residential Design Codes, requires a plot ratio of 0.7. The proposal sits at a plot ratio of 0.829. This aspect warrants consideration against the design principle appraisal where quality design outcomes of modular builtform, capture of breezes and northern aspect break up the bulk of the residential units resulting in an attractive and highly liveable, communal housing proposal. Integral to the project is the communal and landscaped open space including rooftop gardens that envelop each building. The modular built form clustered around communal garden allows for a more interesting outcome, essential for the collaborative community focus of the development.

In comparison to a standard unit block, the proposed garden focused design outcome reduces the heat island affect. By nature, this builtform approach creates a development that is unobtrusive to the surrounding residential context. **urbanplan** submits that these quality design principles justify the resultant plot ratio.

There are two other relative and striking gauges of built form and bulk: minimum site area and consideration of R-Code Bulletin 113/2015:

The current residential density is 164 square metres per unit, 14 square metres over the comparative requirement.

The Residential Design Code WAPC Bulletin 113/2015 promote sustainable development criteria that enables a 25% bonus to residential density. The sustainable development criteria in that Bulletin comprise:

- building design and quality
- variable dwelling size and type
- dwelling adaptability and universality of access

- sustainable modular built form for solar and breezeway access and energy efficient design and construction
- private open space and communal facilities.

The proposal before the JDAP has sustainable building composition including:

- Separate building modules responding to sustainable design outcomes
- Four, three bedroom units
- Three, two bedroom units Six
- Universal access via lift and stairwell from the basement car park to residential units via courtyard level
- Communal rooftop garden to each module
- One office at corner of Congdon and Railway Streets
- One private recreation room for residents

Summary

In relation to the test of whether the proposal meets the design principle purpose of the R-Codes, the modular articulated built form of the Swanbourne Village proposal:

- Provides a diversity in dwellings to ensure a range of types and sizes;³
- Each dwelling is of sufficient size to cater for the needs of residents, including direct access to private open spaces;
- Ensures adequate daylight, direct sun and ventilation for existing and proposed buildings and the open space associated with them;
- Moderates the visual impact of building bulk on a neighbouring property through modulation, separation, articulation, materials and colour palate;
- Creates a bulk and scale consistent with the built form of the locality, fitting of the Swanbourne local centre;

³ The original three storey proposal lodged with the Town of Cottesloe, three storeys permitted by Scheme Amendment No. 5, included six one bedroom units; these were removed by a Council Motion.

- Is less than the height permitted in the Planning Scheme amendment No.5 to LPS No.3 that would otherwise increase unit diversity.

3.4 CONFORMANCE WITH DEEMED-TO-COMPLY

3.4.1 PARKING PROVISION

R-Code parking requirements are tabulated below:

R-Codes Requirements		Provision
For 9 Units greater than 110m²	1.25 bay per dwelling + 0.25 per dwelling for visitors = 13.5 bays	15 bays
Cycle parking	1 per 3 dwellings + 1 per 10 dwellings for visitors = 4 Bays	Cycle bays to basement and Courtyard

3.4.2 PRIVATE OPEN SPACE

The Town of Cottesloe Town Planning Scheme No. 3 permits rooftop gardens for residential development greater than R40 enabling assessment of private open space to include rooftop gardens. Relevant clauses are: 7.1.3. and 7.1.3.1 ⁴

- Roof Decks: For the purposes of calculating the open space requirement for a residential development on land coded less than R40, roof decks are excluded.

⁴ AMD 4 GG 27.5.2016 and AMD 4 GG 27.5.2016

- Roof deck means an open, accessible and usable flat roof and includes roof gardens, roof pools, viewing platforms and other roof top recreation space.

Deemed-to-comply provision C5 provides the prescriptions that ensure development complies with minimum open space set out in Table 4 of the Residential Design Codes.

Commentary

The proposed development is a communal living unit development in which open space and rooftop gardens are integral to the living environment of those people.

A key design feature of the proposal is the composite open space comprising the central courtyard surrounded by five building modules with rooftop gardens above the office and each residential building. Together these provide a large, landscaped space for residents to enjoy. Pursuant to the Planning Scheme the overall private open space calculation is 50.5 square metres. Accordingly, the private open space provision as determined by the Local Planning Scheme and Table 4 of the R-Codes are well catered for.

3.4.3 OVERSHADOWING ON THE SOUTHERN BOUNDARY

The purpose of Clause 6.4.2 is to ensure that development is designed to protect solar access for neighbouring properties taking in to account the potential to overshadow existing:

- outdoor living areas;
- north facing major openings to habitable rooms, within 15 degrees of north in each direction; or
- roof mounted solar collectors.

The deemed-to-comply provisions set out that on neighbouring properties coded R25 and lower, overshadowing must not exceed 25% of the site area.

Commentary

In analysing the overshadowing potential to the southern neighbour, refer Site Analysis Plan at Annex B, it is evident that the proposed Swanbourne Village has 23.4% overshadow to the southern boundary. The Joint Development Assessment Panel will be aware the building is recessed into the sloping site. The floor level of the southern neighbour is 600m below the upper floor of the east and central units. Natural ground level is 1.8 to 2.9 metres below the top floor of the east and central units and 2 to 2.6 metres below the top floor of the southwest unit.

3.4.4 **OVERLOOKING**

In addressing overlooking deemed-to-comply requirements refer to Site Analysis Plan the cross sections at Annex B for the western neighbour and the southern neighbouring houses. These cross sections demonstrate there are a total of two habitable rooms that overlook the neighbouring property to the west; both are to be screened. Windows to the southern elevation comprise non-habitable rooms, for example of bathrooms and toilets; a 1.8 metre fence is on the common boundary.

3.5 **LANDSCAPING**

Proposed landscaping concepts by Josh Byrne and Associates at Annex C illustrate the proposed ornamental and edible plant varieties in dispersed and balustrade planter boxes, the roof top space partly shaded by PV Pergolas setback from the margins of the building.

If necessary, with respect, these landscape design plans can be further detailed as a condition of approval.

4. CONCLUSION

urbanplan, on behalf of Swanbourne Village Trust, submits this development application to the Town of Cottesloe for the determination of the Joint Development Assessment Panel (JDAP) regarding a development at Lot 26 Railway Street, Cottesloe.

Viewed in its entirety, the proposed quality outcomes are design principle based and oriented towards establishing communal living in a central village location predicated on sustainable development principles of Bulletin 113/2015.

The proposal is generally in accordance with the Local Development Plan. Pursuant the Planning and Development Regulations, section 56 (1) the LDP is not a mandatory statute.

The proposed development addresses the deemed-to-comply standards and design principles of the Residential Design Codes and the objectives of the R-Codes and Town of Cottesloe Local Planning Scheme No. 3. In the two instance where complete compliance is not achieved, **urbanplan** and Ecotect Architects have demonstrated to the JDAP the quality mixed use dwelling development, with high standards applied to the built form and landscaped communal open space, are ably supported by design principles. The overall approach has been to balance integrated private and communal living environment and amenity to enable aging in place of existing Cottesloe residents.

Setbacks to the southern boundary are staggered and vary from 2.5 metres, 2.7 metres and 1.8 metres – an average of 2.3 metres. In contrast, implementation of a prescriptive code would suggest that a continuous 38 metre long building with an average height of 5 metres, with no articulation, requires a 2.3 metre setback from southern boundary. The three separate unit modules to the southern boundary break up the bulk of the project, with the added variations of building materials, privacy screens, sloping roof, colour palate and landscaped roof gardens that provide a series of different textures and architectural elements.

The proposal sits at a plot ratio of 0.829. In relation to the test of whether the proposal meets the design principle purpose of the R-Codes, the modular articulated built form of the Swanbourne Village proposal:

- Provides a diversity in dwellings to ensure a range of types and sizes;
- Each dwelling is of sufficient size to cater for the needs of residents, including direct access to private open spaces;
- Ensures adequate daylight, direct sun and ventilation for existing and proposed buildings and the open space associated with them;
- Moderates the visual impact of building bulk on a neighbouring property through modulation, separation, articulation, materials and colour palate;

- Creates a bulk and scale consistent with the built form of the locality, fitting of the Swanbourne local centre;
- Is less than the height permitted in the Planning Scheme amendment No.5 to LPS No.3 that would otherwise increase unit diversity.

Pursuant to the Planning Scheme the overall private open space calculation is 50.5 square metres. Accordingly, the private open space provision, as determined by the Local Planning Scheme and not the LDP, is well catered for.

4.1 KEY CONTRIBUTIONS TO PLANNING PRACTICE

Key contributing factors to good planning practice as exhibited by the proposal's siting and situation.

4.1.1 SITUATION

The Western Australian Planning Commission endorsement of the Scheme Amendment No. 5 sets the scene for increasing the residential density in the context of:

- Transit Oriented Development
- Walkable catchment
- Mixed use contemporary living within a local centre
- Optimised commercial and residential growth through appropriately scaled buildings and higher-density
- Provides housing need and choice that suits the needs of the local community
- Enables aging in place for a people with strong sense of community and identity
- Sustains population levels that support the economic growth of the of the Swanbourne Village local centre commercial enterprise in an area of high accessibility to local and CBD amenity and convenience.

Although out dated, these principles are mirrored in the Town of Cottesloe Local planning strategy.

4.1.2 SITING

With reference to siting, the design outcome:

- is a contextually scaled urban built form nestled into a sloping site

- offers a variety and diversity mixed use living that better reflects the context of a local centre
- responds to the Residential Design Codes fulfilling the Design Principles and objectives of the R-Codes and emulating Local Planning Scheme objectives that offer relatively clear scope when assessing proposals
- provides high levels of sustainable living amenity
- contributes to the character and streetscape quality

This is a quality sustainable, principled design development fit for purpose and **urbanplan** strongly recommends it to the JDAP for approval please.

Annex A

Diagram of Survey and Tiltes

218U
Perth Batch
M899460



WESTERN



AUSTRALIA

REGISTER NUMBER 25/D17655	
DUPLICATE EDITION 1	DATE DUPLICATE ISSUED 4/2/2015

DUPLICATE CERTIFICATE OF TITLE
UNDER THE TRANSFER OF LAND ACT 1893

VOLUME **1156** FOLIO **370**

The person described in the first schedule is the registered proprietor of an estate in fee simple in the land described below subject to the reservations, conditions and depth limit contained in the original grant (if a grant issued) and to the limitations, interests, encumbrances and notifications shown in the second schedule.



REGISTRAR OF TITLES

LAND DESCRIPTION:

LOT 25 ON DIAGRAM 17655

REGISTERED PROPRIETOR:
(FIRST SCHEDULE)

WISE EARTH PTY LTD OF LEVEL 2, 100 RAILWAY ROAD, SUBIACO
(T M899460) REGISTERED 30 JANUARY 2015

LIMITATIONS, INTERESTS, ENCUMBRANCES AND NOTIFICATIONS:
(SECOND SCHEDULE)

Warning: A current search of the certificate of title held in electronic form should be obtained before dealing on this land.
Lot as described in the land description may be a lot or location.

-----END OF DUPLICATE CERTIFICATE OF TITLE-----

STATEMENTS:

The statements set out below are not intended to be nor should they be relied on as substitutes for inspection of the land and the relevant documents or for local government, legal, surveying or other professional advice.

SKETCH OF LAND: 1156-370 (25/D17655).
PREVIOUS TITLE: 1083-256.
PROPERTY STREET ADDRESS: 128 RAILWAY ST, COTTESLOE.
LOCAL GOVERNMENT AREA: TOWN OF COTTESLOE.



218U
Perth Batch
M895225



WESTERN



AUSTRALIA

REGISTER NUMBER 24/D17655	
DUPLICATE EDITION 1	DATE DUPLICATE ISSUED 25/2/2015

DUPLICATE CERTIFICATE OF TITLE
UNDER THE TRANSFER OF LAND ACT 1893

VOLUME **1156** FOLIO **371**

The person described in the first schedule is the registered proprietor of an estate in fee simple in the land described below subject to the reservations, conditions and depth limit contained in the original grant (if a grant issued) and to the limitations, interests, encumbrances and notifications shown in the second schedule.



REGISTRAR OF TITLES

LAND DESCRIPTION:

LOT 24 ON DIAGRAM 17655

REGISTERED PROPRIETOR:
(FIRST SCHEDULE)

WISE EARTH PTY LTD OF LEVEL 2, 100 RAILWAY ROAD, SUBIACO
(T M895225) REGISTERED 27 JANUARY 2015

LIMITATIONS, INTERESTS, ENCUMBRANCES AND NOTIFICATIONS:
(SECOND SCHEDULE)

Warning: A current search of the certificate of title held in electronic form should be obtained before dealing on this land.
Lot as described in the land description may be a lot or location.


-----END OF DUPLICATE CERTIFICATE OF TITLE-----

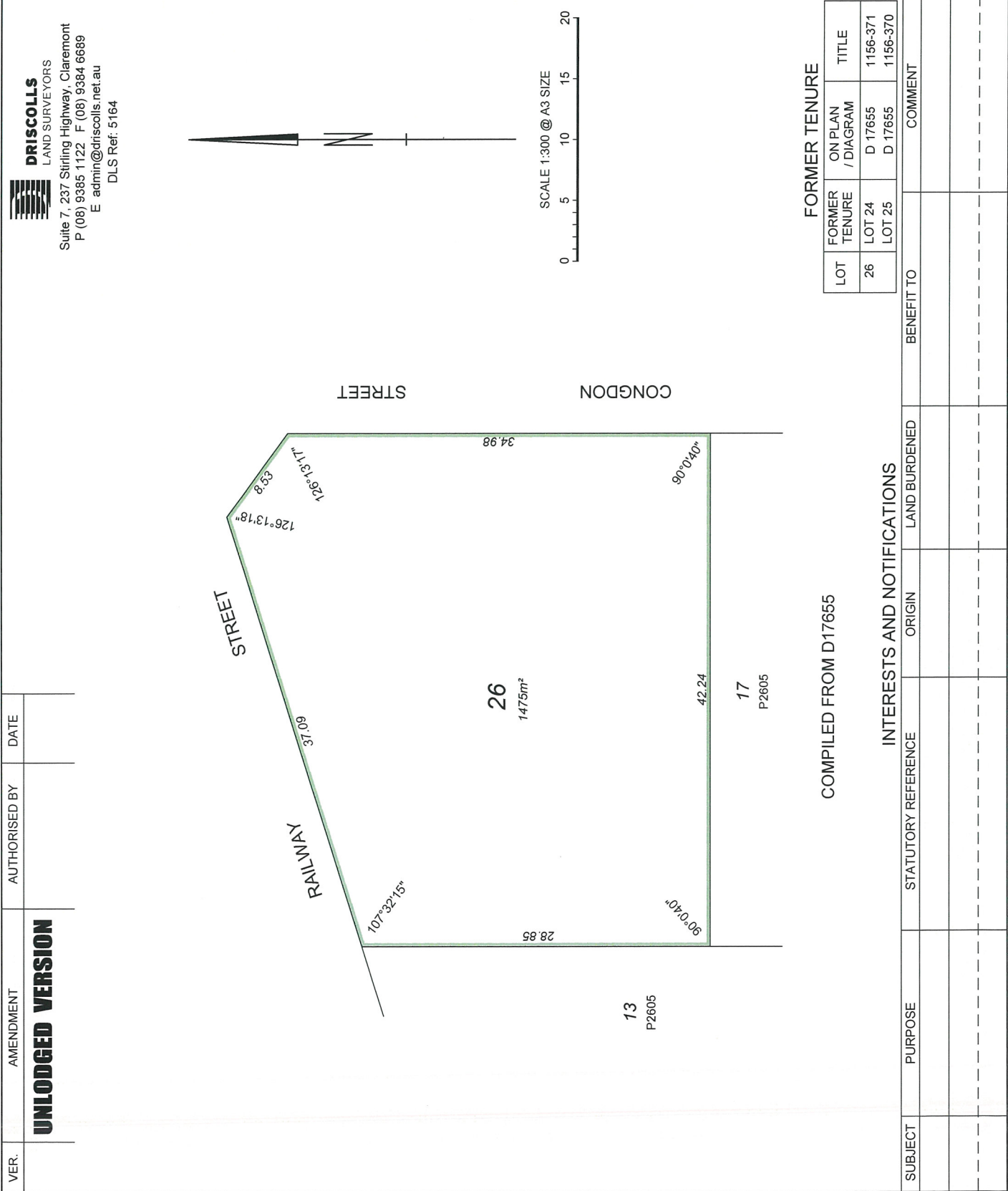
STATEMENTS:

The statements set out below are not intended to be nor should they be relied on as substitutes for inspection of the land and the relevant documents or for local government, legal, surveying or other professional advice.

SKETCH OF LAND: 1156-371 (24/D17655).
PREVIOUS TITLE: 1083-256.
PROPERTY STREET ADDRESS: 126 RAILWAY ST. COTTESLOE.
LOCAL GOVERNMENT AREA: TOWN OF COTTESLOE.



TYPE	FREEHOLD	S.S.A. NO
PURPOSE	SUBDIVISION	
PLAN OF	LOT 26	
FORMER TENURE	SEE TABLE	
LOCAL AUTHORITY	TOWN OF COTTESLOE	
LOCALITY	COTTESLOE	
D.O.L. FILE		
FIELD RECORD	COMPILED	
SURVEYOR'S CERTIFICATE - Compiled I, VICTOR ROBINSON SMITH hereby certify that this compiled plan:- (a) is a correct and accurate representation of the survey(s) of the subject land; and (b) is in accordance with the relevant law in relation to which it is lodged.		
LICENSED SURVEYOR		24.07.2018 DATE
DATE	FEE PAID	ASSESS No.
I.S.C.	LODGED	
DATE	EXAMINED	
WESTERN AUSTRALIAN PLANNING COMMISSION FILE 156195		
Delegated under S.16 P&D Act 2005	DATE	
SUBJECT TO IN ORDER FOR DEALINGS		
FOR INSPECTOR OF PLANS AND SURVEYS	DATE	
APPROVED		
INSPECTOR OF PLANS AND SURVEYS / AUTHORISED LAND OFFICER	DATE	



AMENDMENT	AUTHORISED BY	DATE																					
UNLOGGED VERSION																							
<p>DRISCOLLS LAND SURVEYORS Suite 7, 237 Stirling Highway, Claremont P (08) 9385 1122 F (08) 9384 6689 E admin@driscolls.net.au DLS Ref: 5164</p>																							
<p>FORMER TENURE</p> <table border="1"> <thead> <tr> <th>LOT</th> <th>FORMER TENURE</th> <th>ON PLAN / DIAGRAM</th> <th>TITLE</th> </tr> </thead> <tbody> <tr> <td>26</td> <td>LOT 24</td> <td>D 17655</td> <td>1156-371</td> </tr> <tr> <td></td> <td>LOT 25</td> <td>D 17655</td> <td>1156-370</td> </tr> </tbody> </table>			LOT	FORMER TENURE	ON PLAN / DIAGRAM	TITLE	26	LOT 24	D 17655	1156-371		LOT 25	D 17655	1156-370									
LOT	FORMER TENURE	ON PLAN / DIAGRAM	TITLE																				
26	LOT 24	D 17655	1156-371																				
	LOT 25	D 17655	1156-370																				
<p>INTERESTS AND NOTIFICATIONS</p> <table border="1"> <thead> <tr> <th>SUBJECT</th> <th>PURPOSE</th> <th>STATUTORY REFERENCE</th> <th>ORIGIN</th> <th>LAND BURDENED</th> <th>BENEFIT TO</th> <th>COMMENT</th> </tr> </thead> <tbody> <tr> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> </tbody> </table>			SUBJECT	PURPOSE	STATUTORY REFERENCE	ORIGIN	LAND BURDENED	BENEFIT TO	COMMENT														
SUBJECT	PURPOSE	STATUTORY REFERENCE	ORIGIN	LAND BURDENED	BENEFIT TO	COMMENT																	
<p>COMPILED FROM D17655</p>																							
<p>DEPOSITED PLAN 411059 SHEET 1 OF 1 SHEETS VERSION 1</p>																							

**urban
plan**

jdap application
residential mixed use development
lot 26 railway street

Annex B

Site Analysis Plan

**urban
plan**

jdap application
residential mixed use development
lot 26 railway street

Annex C

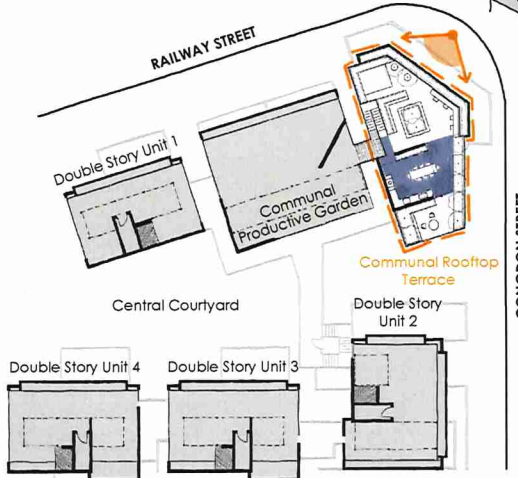
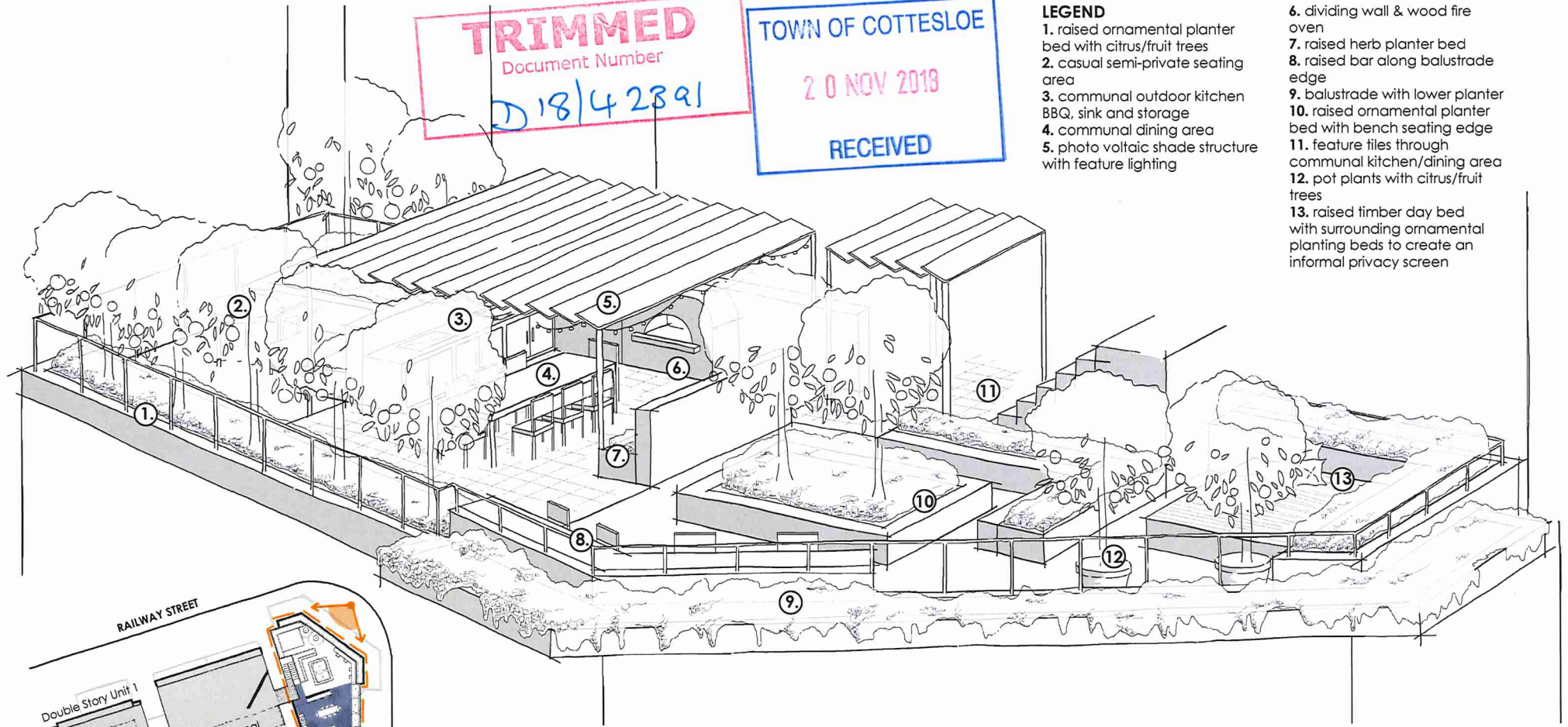
Design Development Plans and Drawings

TRIMMED
Document Number
D18/42391

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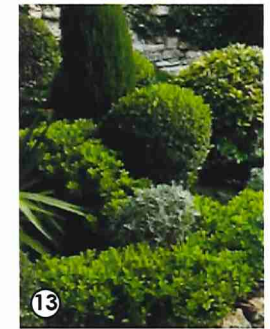
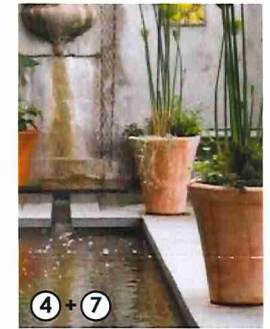
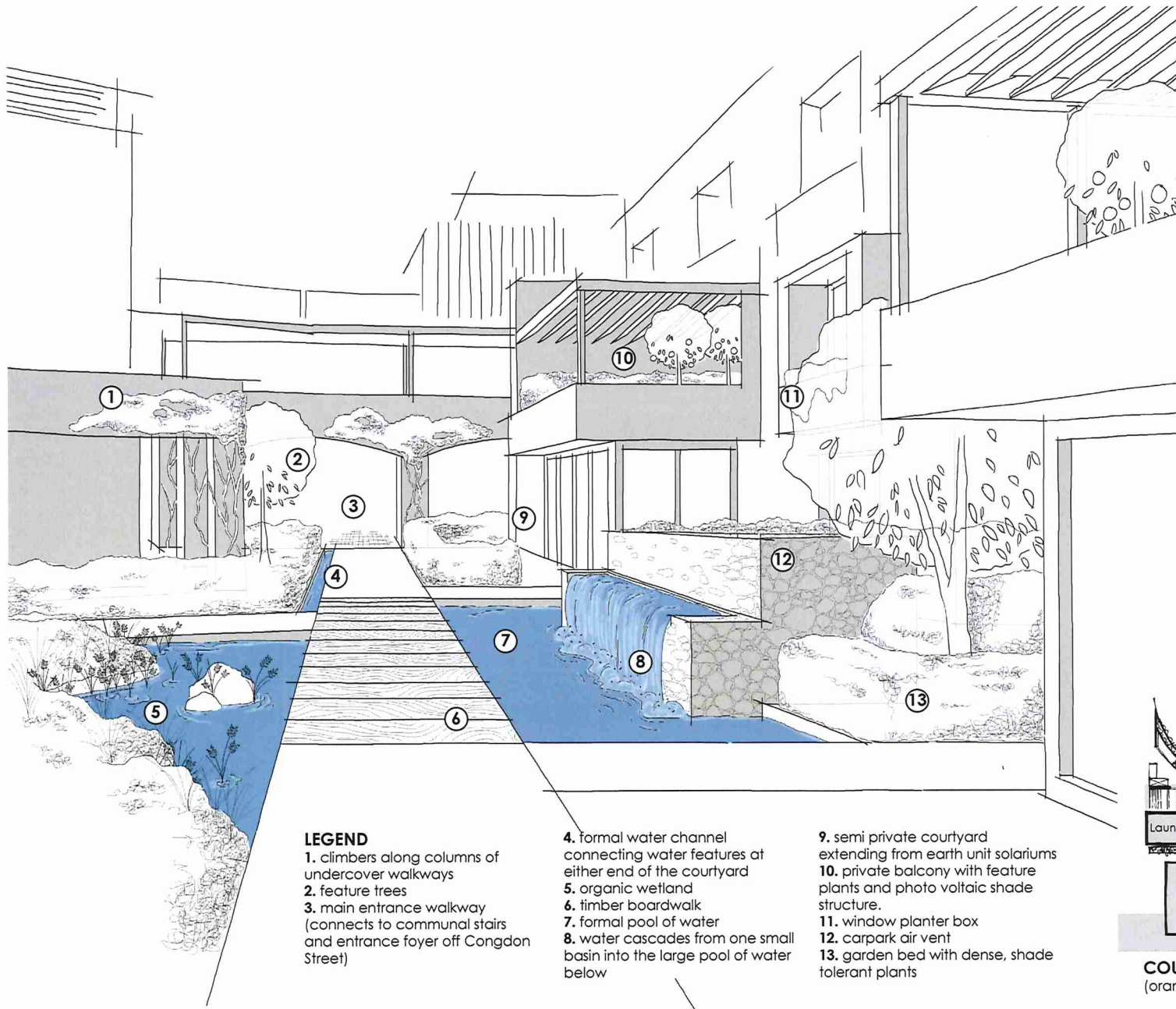
LEGEND

- 1. raised ornamental planter bed with citrus/fruit trees
- 2. casual semi-private seating area
- 3. communal outdoor kitchen BBQ, sink and storage
- 4. communal dining area
- 5. photo voltaic shade structure with feature lighting
- 6. dividing wall & wood fire oven
- 7. raised herb planter bed
- 8. raised bar along balustrade edge
- 9. balustrade with lower planter edge
- 10. raised ornamental planter bed with bench seating edge
- 11. feature tiles through communal kitchen/dining area
- 12. pot plants with citrus/fruit trees
- 13. raised timber day bed with surrounding ornamental planting beds to create an informal privacy screen



ROOFTOP CONTEXT PLAN
(orange indicates the area and angle of perspective view)



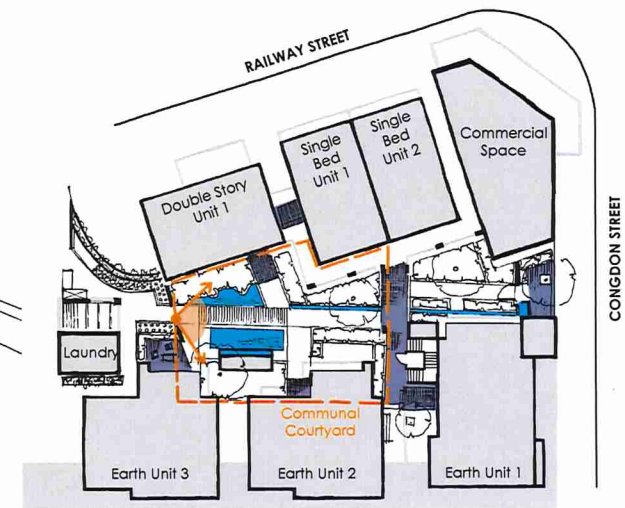


LEGEND

- 1. climbers along columns of undercover walkways
- 2. feature trees
- 3. main entrance walkway (connects to communal stairs and entrance foyer off Congdon Street)

- 4. formal water channel connecting water features at either end of the courtyard
- 5. organic wetland
- 6. timber boardwalk
- 7. formal pool of water
- 8. water cascades from one small basin into the large pool of water below

- 9. semi private courtyard extending from earth unit solariums
- 10. private balcony with feature plants and photo voltaic shade structure.
- 11. window planter box
- 12. carpark air vent
- 13. garden bed with dense, shade tolerant plants



COURTYARD CONTEXT PLAN

(orange indicates the area and angle of perspective view)

PROJECT TITLE SWANBOURNE VILLAGE TRUST LANDSCAPE CONCEPT

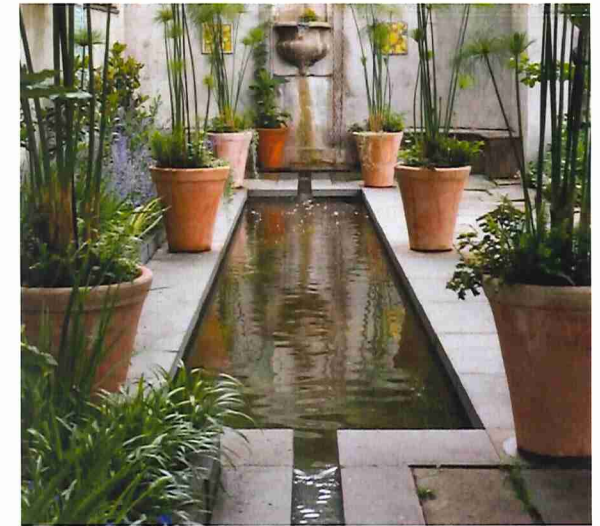
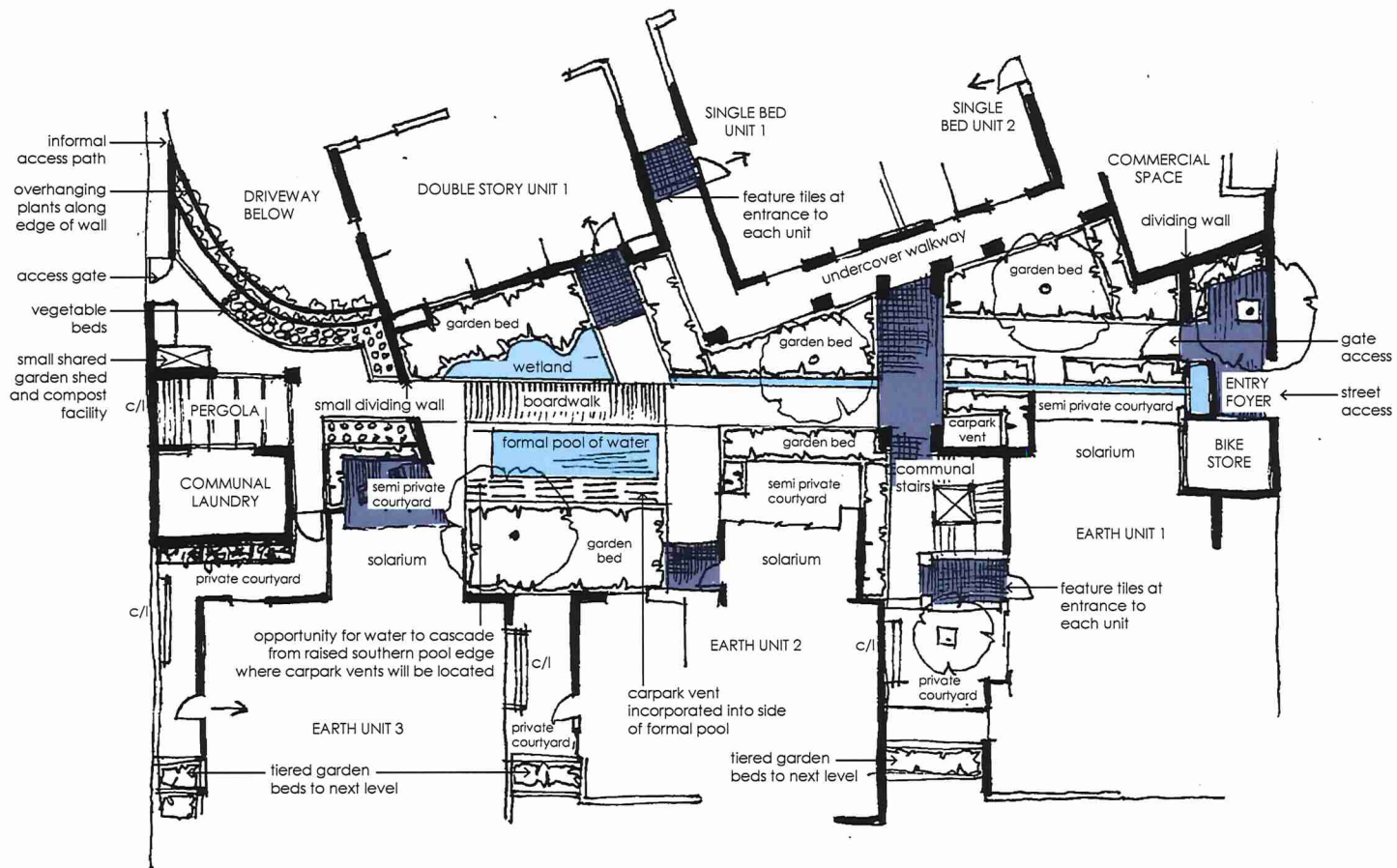
CLIENT SWANBOURNE VILLAGE TRUST **LOCATION** SWANBOURNE, WA

DRAWING TITLE COURTYARD CONCEPT PERSPECTIVES

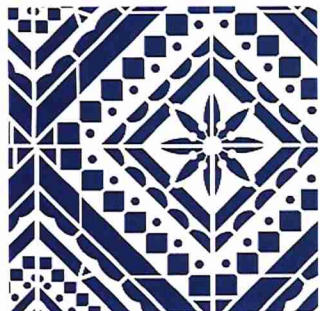
PROJECT NO. 1513 **ISSUE DATE** FEBRUARY 2016 **DRAWN/CHECKED BY** HL/RR **DRAWING NO.** CP-05 **PAGE NO.** 2 OF 2

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A Suite 109 Atwell Buildings 3 Cantonment Street Fremantle WA 6160





There are several water elements within the 'ground floor' courtyard which will create softened soothing noise whilst cleverly dividing intimate and shared spaces. Commencing at the entrance foyer water will flow from a low key free standing or wall mounted water bubbler into a formal channel which will feed into a centrally located pool of water and adjoining organic wetland. This water element reflects the Mediterranean/North African garden style which will complement the building style.



feature tiles along the main walkway and at the entrance to each unit (highlighted dark blue on plan)



semi private courtyard extending from unit solariums



main entrance walkway with feature tiles and arched columns to courtyard areas



dense, shade tolerant plants throughout garden bed areas



climbers along columns of undercover walkways



productive vegetable & herb beds next to garden shed and compost facilities

PROJECT TITLE SWANBOURNE VILLAGE TRUST LANDSCAPE CONCEPT

CLIENT SWANBOURNE VILLAGE TRUST LOCATION SWANBOURNE, WA

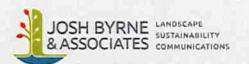
DRAWING TITLE COURTYARD CONCEPT PLAN

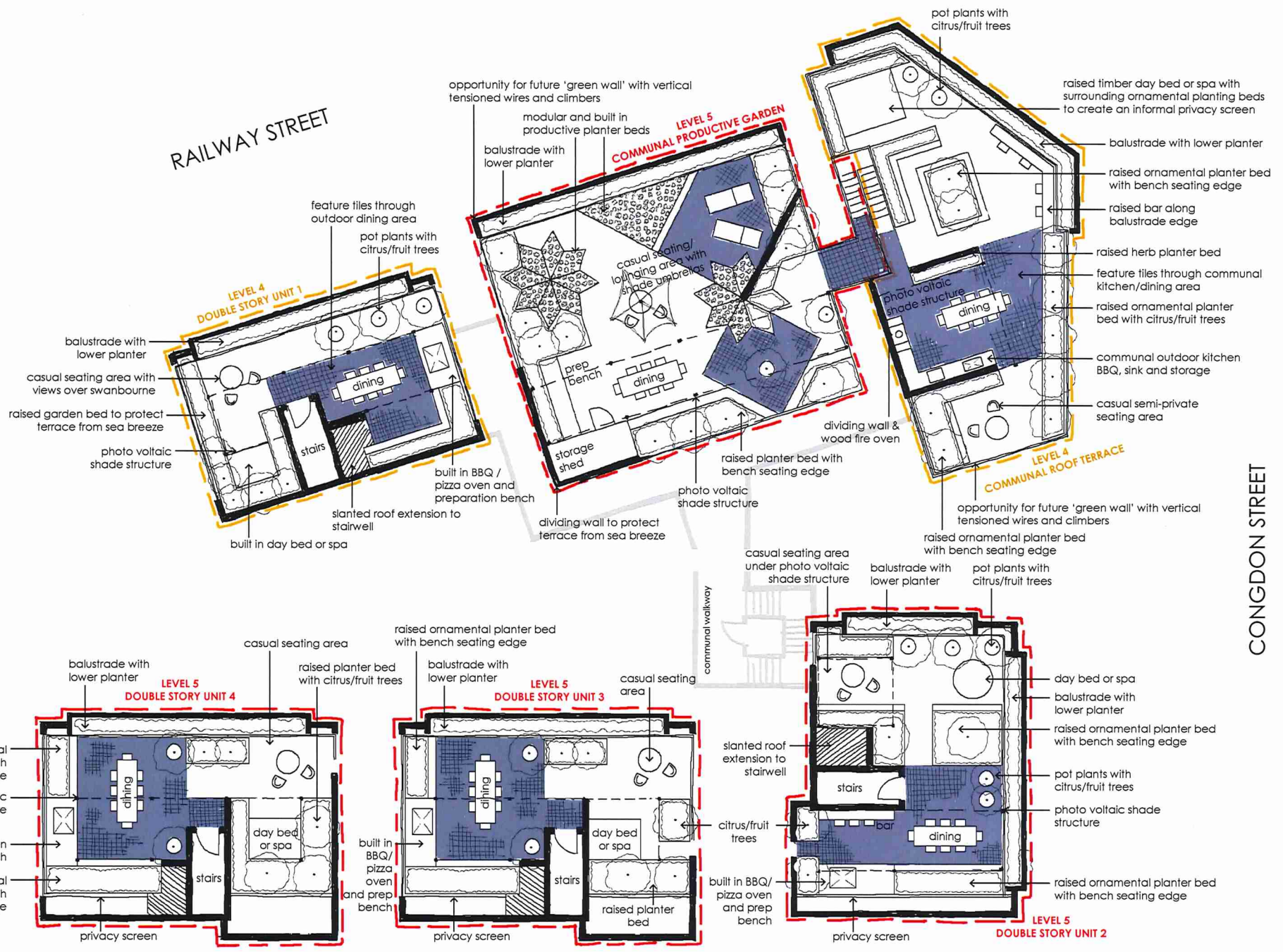
PROJECT NO. 1513 ISSUE DATE JANUARY 2016 DRAWN/CHECKED BY HL/RR DRAWING NO. CP-01 PAGE NO. 1 OF 3



NORTH
NOT TO SCALE

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PROJECT TITLE SWANBOURNE VILLAGE TRUST LANDSCAPE CONCEPT
CLIENT SWANBOURNE VILLAGE TRUST **LOCATION** SWANBOURNE, WA
DRAWING TITLE ROOFTOP TERRACES CONCEPT PLAN
PROJECT NO. 1513 **ISSUE DATE** JANUARY 2016 **DRAWN/CHECKED BY** HL/RR **DRAWING NO.** CP-02 **PAGE NO.** 2 OF 3



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1. Feature tiles define outdoor entertaining areas for casual gatherings & formal dining, as well as at entrance of each unit and rooftop terrace.



4. A large communal dining table and outdoor kitchen facilities allow for an array of entertaining possibilities



6. Beautiful pot plants of different shapes and sizes feature throughout the communal and private areas to accumulate the Mediterranean/North African style. Not only are they modular but also individual pieces of art within landscape

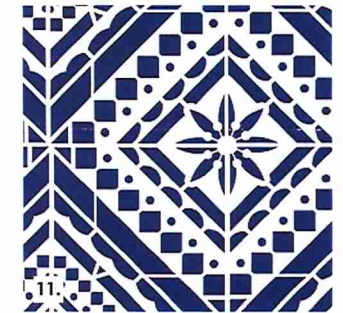


8. Feature lighting to be included underneath the photo voltaic shade structures in both the communal and private areas to create an equally warm night time experience



9. Opportunity for luxurious day beds or spas, semi hidden among raised planter beds in several private terraces and the main communal terrace. Opportunity for storage beneath day bed of pillows and cushions

11. The geometric pattern of the feature tiles have inspire of the layout of the communal productive garden



2. Raised modular productive planter beds incorporating timber and steel in geometric shapes

5. Citrus and fruit trees are located on roof terraces to add to the Mediterranean/North African style, whilst also providing edible fruits

7. A wood fire pizza oven to be the centre piece of the dining areas, on several of the rooftop terraces

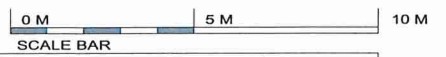
10. Herb gardens to be incorporated within several of the rooftop terraces conveniently located to the outdoor kitchen facilities

12. Opportunity to incorporate natural, warm timbers into the casual seating areas within both the communal and private areas



Plan - Lvl 1

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CLIENT|PROJECT:
**MIXED USE DEVELOPMENT
 ON LOT 26 (formerly Lots 24 & 25)
 RAILWAY STREET, COTTESLOE.**

DRAWING TITLE
PLAN - LEVEL 1

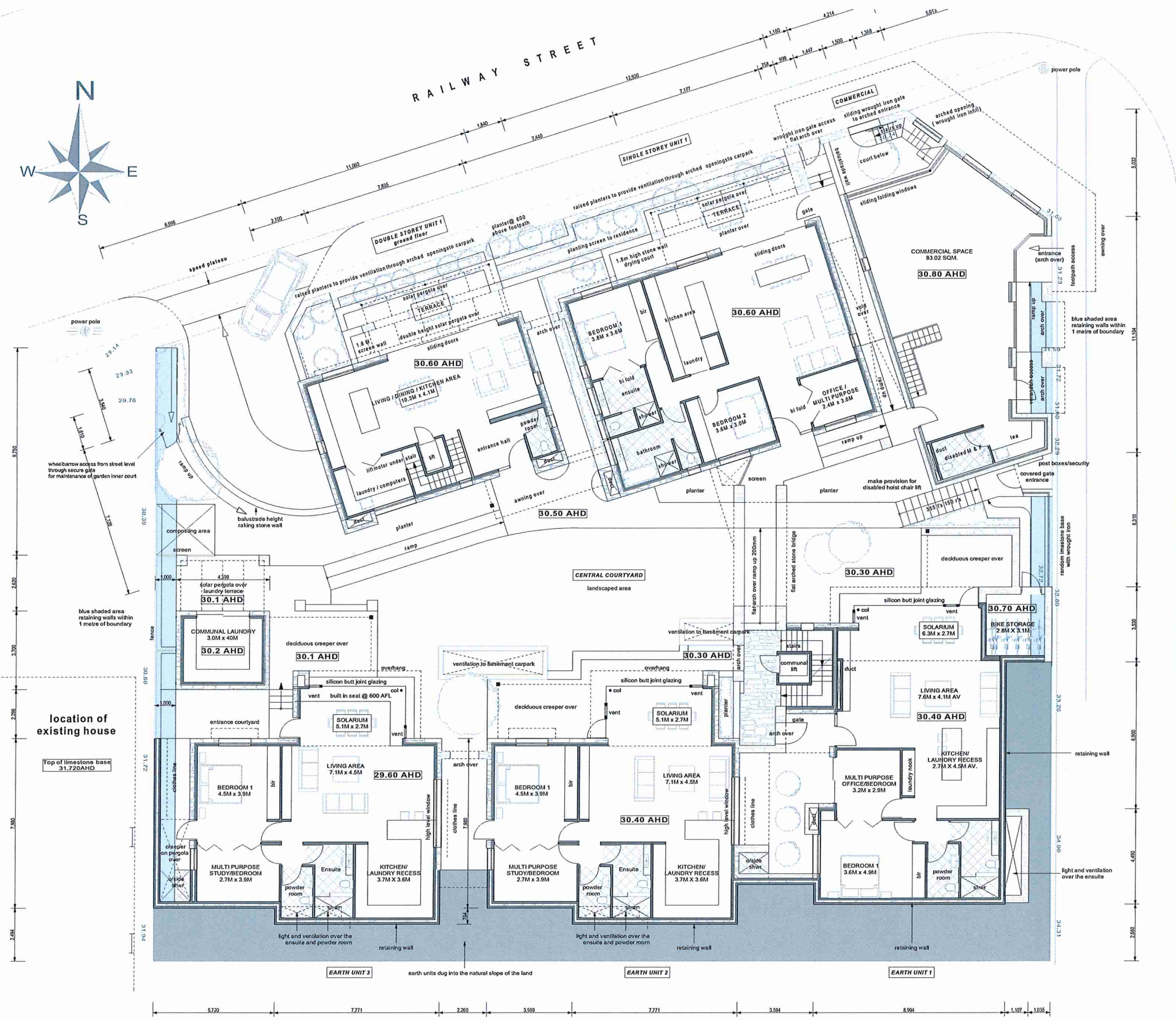
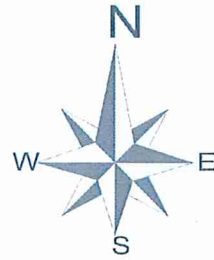
PROJECT STATUS:
PLANNING APPROVAL

ARCHITECT:
 James Shaw
 DRAWN:

SCALE:
 1:100
 PRINT DATE:
 24/01/2019

PROJECT NO:
 15001
 REVISION

DWG NO:
CD01



Plan - Lvl 2

TABLE 1.9(a)

PRIVATE OPEN SPACE - 17/1/2019

EARTH UNIT 1	31.64 sqm
EARTH UNIT 2	27.03sqm
EARTH UNIT 3	38.97 sqm
DOUBLE STOREY UNIT 1	21.40 sqm
DOUBLE STOREY UNIT 2	48.47 sqm
DOUBLE STOREY UNIT 3	31.28 sqm
DOUBLE STOREY UNIT 4	31.93 sqm
SINGLE STOREY UNIT 1	25.35 sqm
SINGLE STOREY UNIT 1	19.10 sqm

- The above areas exclude the private roof terraces.
- NOTE – private open space definition: "Open space set aside on a lot for the exclusive use of the occupants of the dwelling to which it abuts and excludes car parking and access ways."
- The above areas exclude Communal open space.
- Communal open space definition: "Open space set aside for the recreational use of the occupants of the dwellings in a common development and does not include driveway or car parking areas."

TABLE 2

PLOT RATIO CALCULATION dated 17/1/2019

LEVEL	Description	Area	Note
LEVEL 1	Under natural ground level		
LEVEL 2	Double Storey Unit 1 (lower)	-75.27sqm	Note – Areas of Earth Units that are not wholly below natural ground level are used in the Plot Ratio calculation.
	Single storey Unit 1	-126.33sqm	
	Commercial (lower)	-96.85sqm	
	Earth unit 1	-21.69sqm	
	Earth unit 2	-16.23sqm	
LEVEL 3	Double Storey Unit 1 (upper)	-68.84sqm	
	Single storey Unit 2	-121.39sqm	
	Commercial (upper)	-116.33sqm	
	Double Storey Unit 2 (lower)	-93.04sqm	
	Double Storey Unit 3 (lower)	-90.77sqm	
	Double Storey Unit 4 (lower)	-90.77sqm	
LEVEL 4	Double Storey Unit 1 (stair)	-6.38sqm	
	Double Storey Unit 2 (upper)	-89.72sqm	
	Double Storey Unit 3 (upper)	-87.55sqm	
	Double Storey Unit 4 (upper)	-87.55sqm	
LEVEL 5	Double Storey Unit 2 (stair)	-6.39sqm	
	Double Storey Unit 3 (stair)	-6.39sqm	
	Double Storey Unit 4 (stair)	-6.39sqm	
PLOT RATIO	1,214.91 divided by 1,475		0.823 PLOT RATIO

TABLE 3

GROSS AREAS dated 17/1/2019

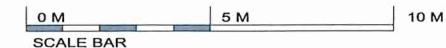
LEVEL	Description	Area	Note
LEVEL 1	765.13sqm (gross) - carparking, workshop, yoga performance venue, storage, lift/stairs and plant room.		Gross area Includes Workshop – 27.81sqm and yoga performance venue – 107.58sqm
LEVEL 2	Double Storey Unit 1 (lower)	-75.27sqm	Note – Areas of Earth Units that are wholly below natural ground level are: Earth unit 1 – 93.06sqm Earth unit 2 – 97.69sqm Earth unit 3 – 106.90sqm
	Single storey Unit 1	-126.33sqm	
	Commercial (lower)	-96.85sqm	
	Earth unit 1	-114.75sqm	
	Earth unit 2	-113.92sqm	
LEVEL 3	Double Storey Unit 1 (upper)	-68.84sqm	
	Single storey Unit 2	-121.39sqm	
	Commercial (upper)	-116.33sqm	
	Double Storey Unit 2 (lower)	-93.04sqm	
	Double Storey Unit 3 (lower)	-90.77sqm	
	Double Storey Unit 4 (lower)	-90.77sqm	
LEVEL 4	Double Storey Unit 1 (stair)	-6.38sqm	
	Double Storey Unit 2 (upper)	-89.72sqm	
	Double Storey Unit 3 (upper)	-87.55sqm	
	Double Storey Unit 4 (upper)	-87.55sqm	
LEVEL 5	Double Storey Unit 2 (stair)	-6.39sqm	
	Double Storey Unit 3 (stair)	-6.39sqm	
	Double Storey Unit 4 (stair)	-6.39sqm	

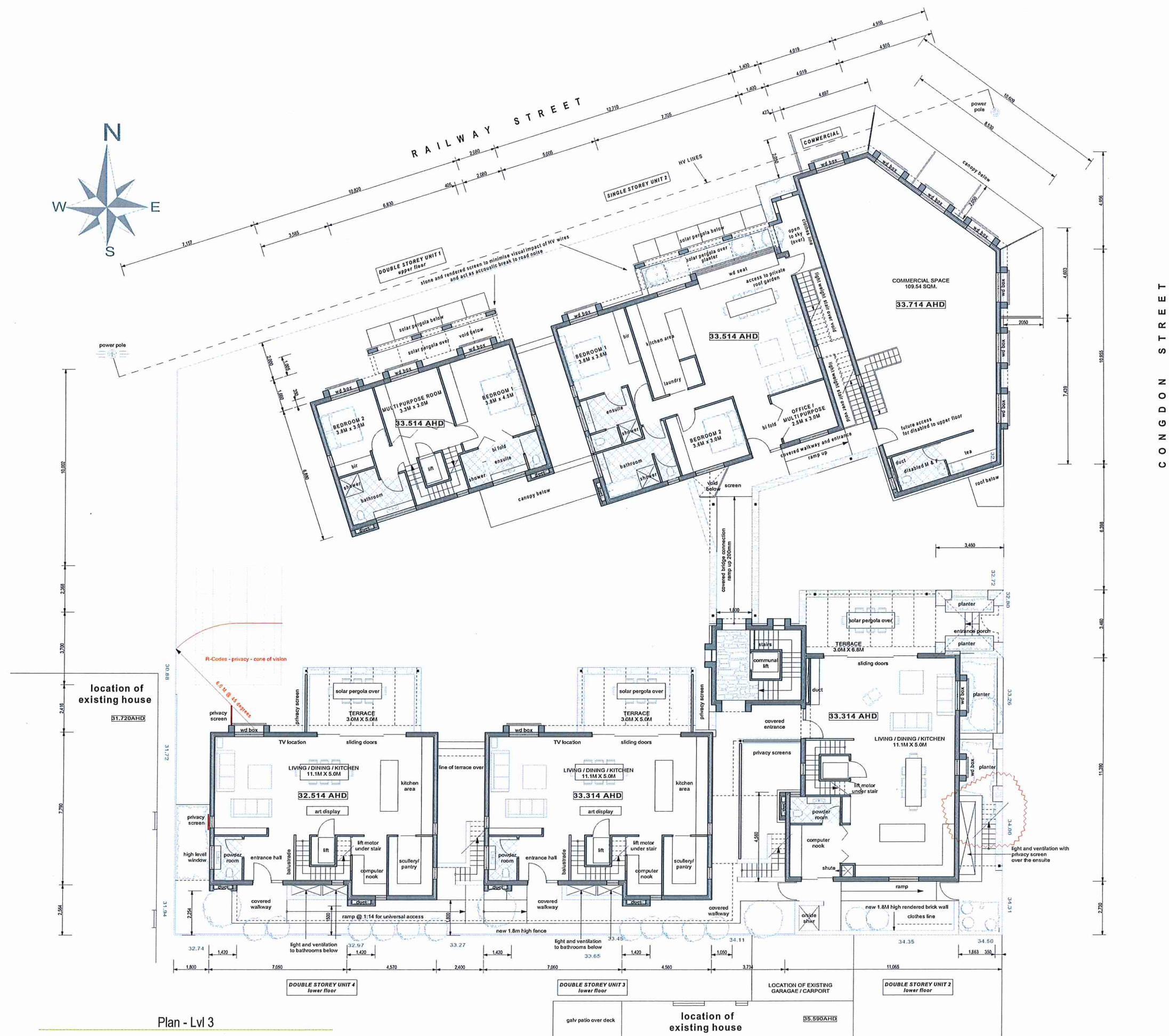
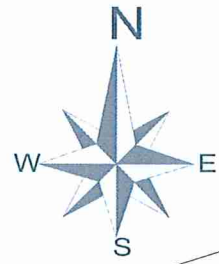
Assumed Construction type –

External insulated stone cavity walls = 350mm thickness

External insulated rendered cavity brick walls = 230mm thickness

Retaining Walls concrete filled brick = 300mm thickness





location of existing house
81.720AHD

location of existing house
85.580AHD

Plan - Lvl 3

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MIXED USE DEVELOPMENT
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RAILWAY STREET, COTTESLOE.

DRAWING TITLE
PLAN - LEVEL 3

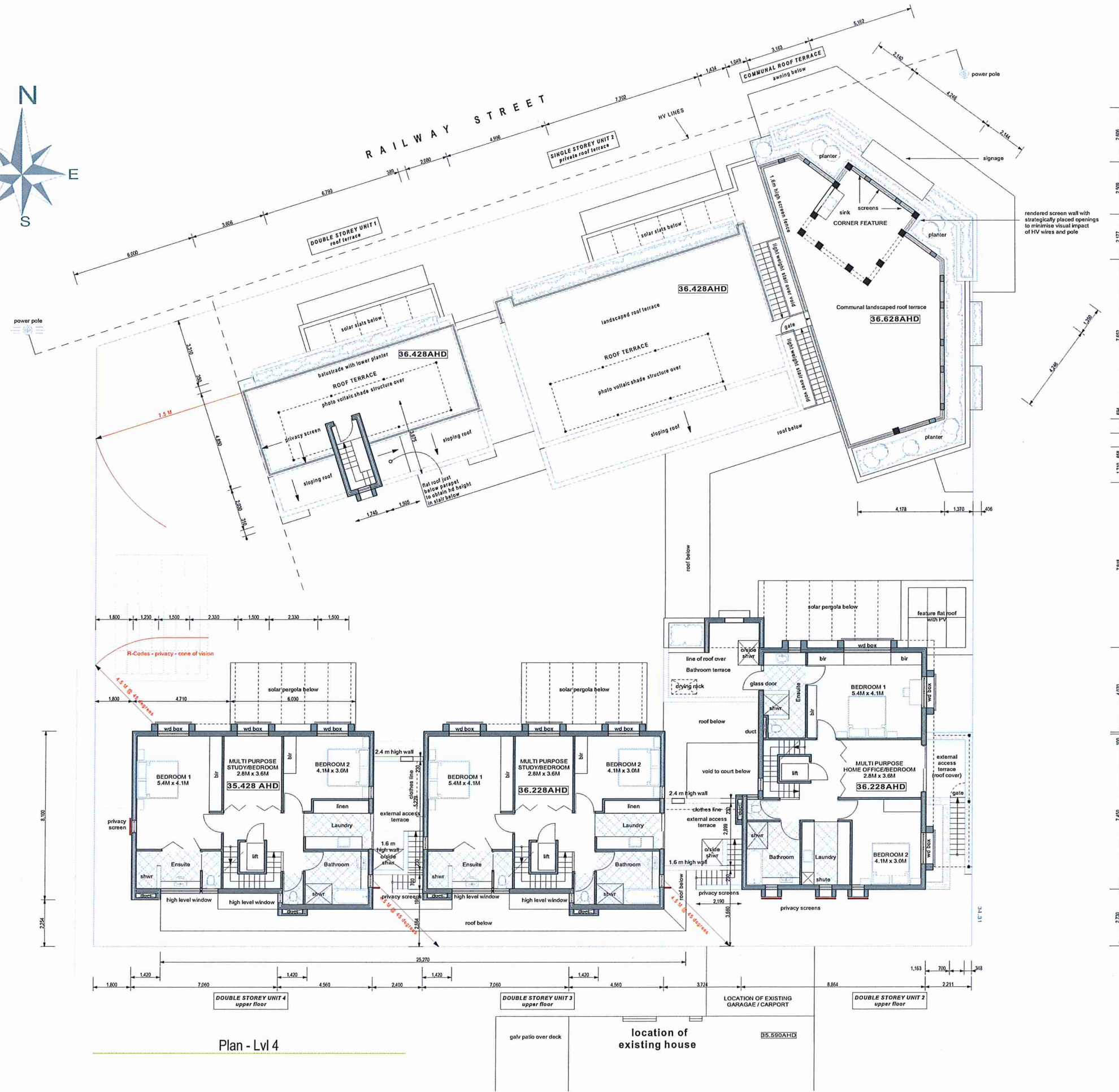
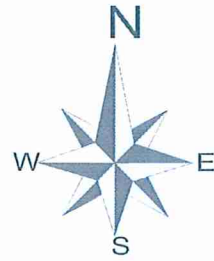
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PLANNING APPROVAL

ARCHITECT:
James Shaw
DRAWN:

SCALE:
1:100
PRINT DATE:
24/01/2019

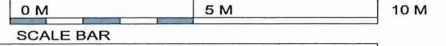
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CONGDON STREET

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 ON LOT 26 (formerly Lots 24 & 25)
 RAILWAY STREET, COTTESLOE.

DRAWING TITLE
 PLAN - LEVEL 4

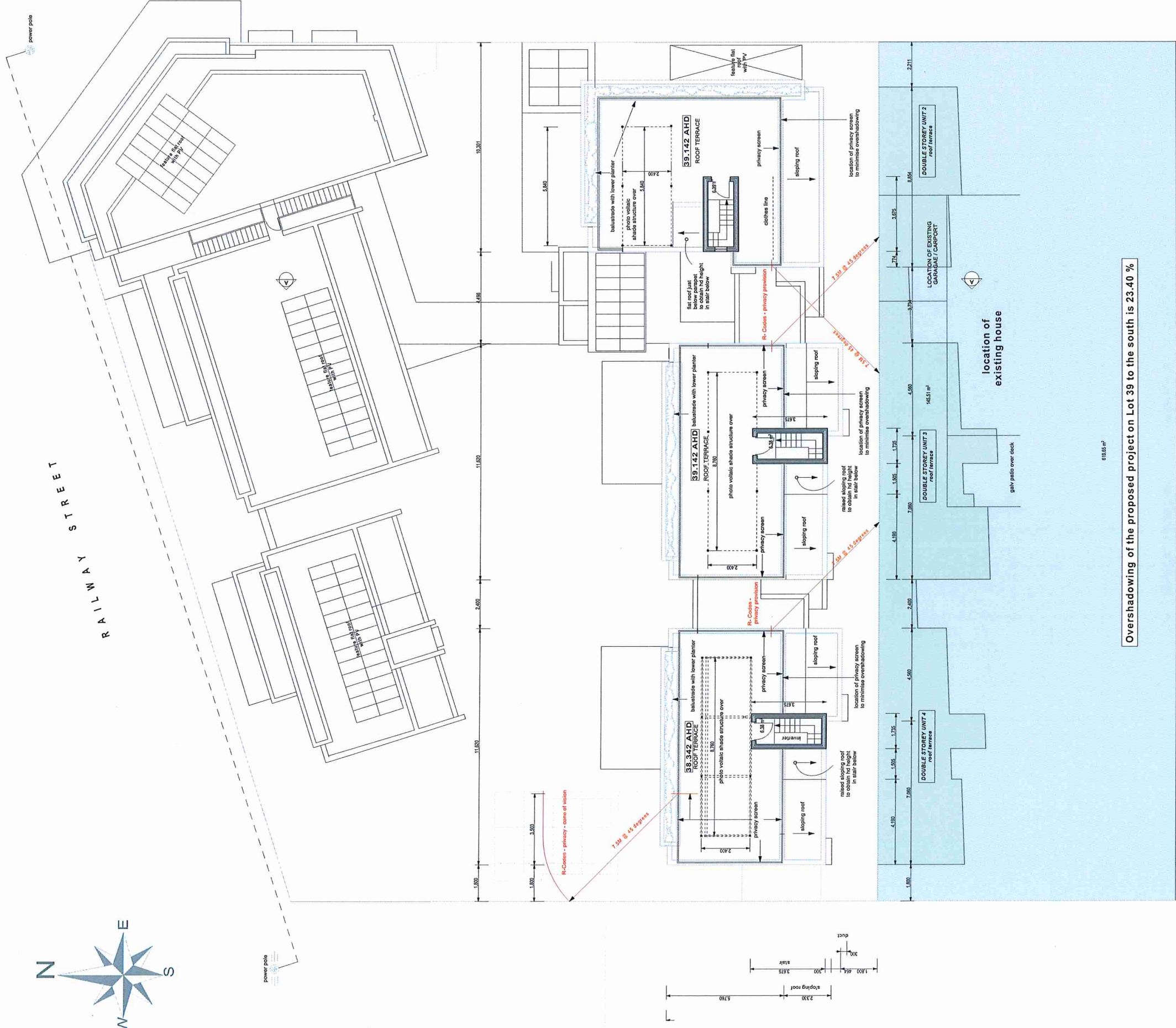
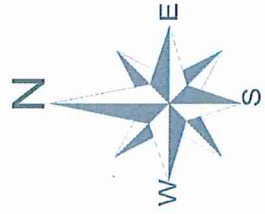
PROJECT STATUS:
 PLANNING APPROVAL

ARCHITECT:
 James Shaw
 DRAWN:

SCALE:
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PROJECT NO:
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DWG NO:
CD04



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Overshadowing plan

0 M
 SCALE BAR 5 M 10 M

NO.	DATE	BY	CHKD.	DESC.
1	06/02/2019	J.S.	J.S.	ISSUE FOR PERMIT
2	06/02/2019	J.S.	J.S.	ISSUE FOR PERMIT
3	06/02/2019	J.S.	J.S.	ISSUE FOR PERMIT

DRAWING TITLE
 OVERSHADOWING PLAN

CLIENT/PROJECT:
 MIXED USE DEVELOPMENT
 ON LOT 26 (formerly lots 24 & 25)
 RAILWAY STREET, COTTESLOE.

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 phone | +61 8 9286 3811
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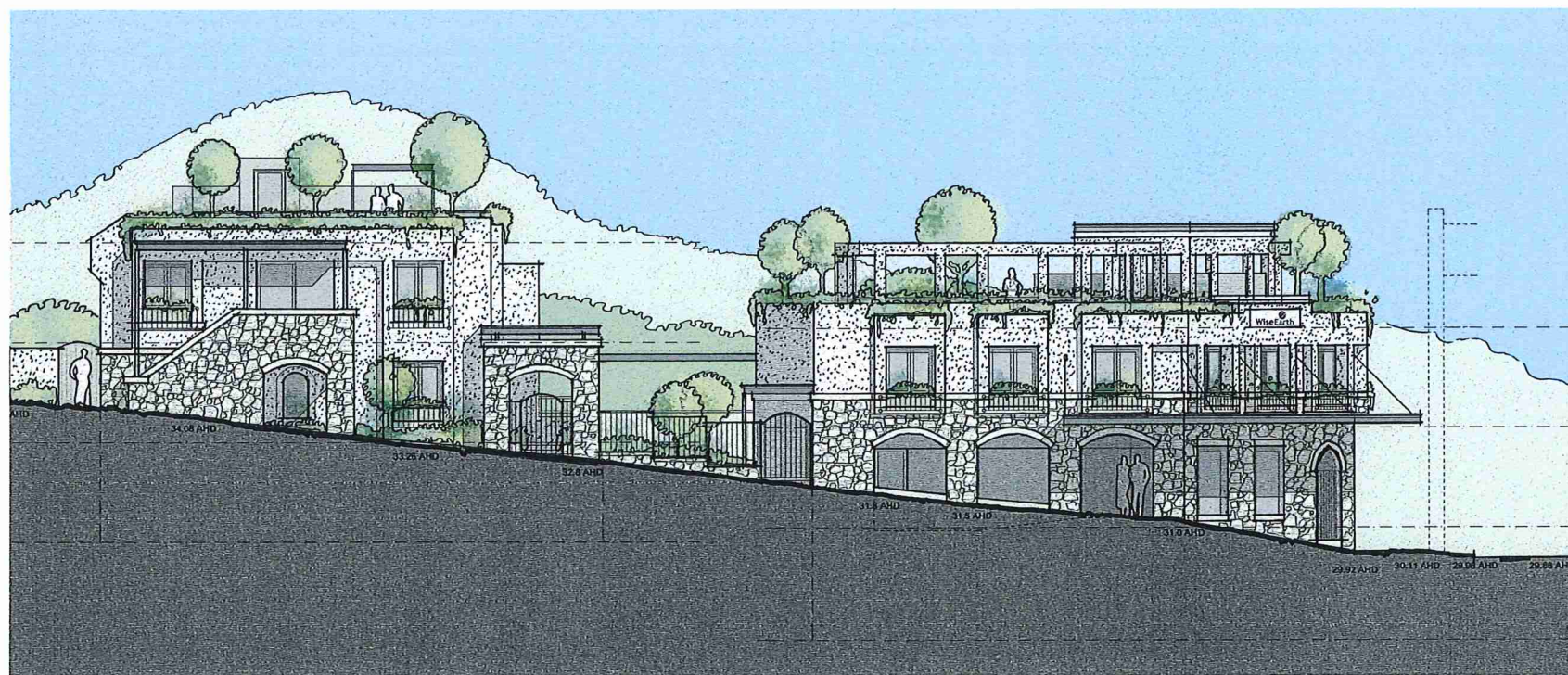
ARCHITECT:
 James Shaw
 DRAWN:
 James Shaw

PROJECT STATUS:
 preliminary

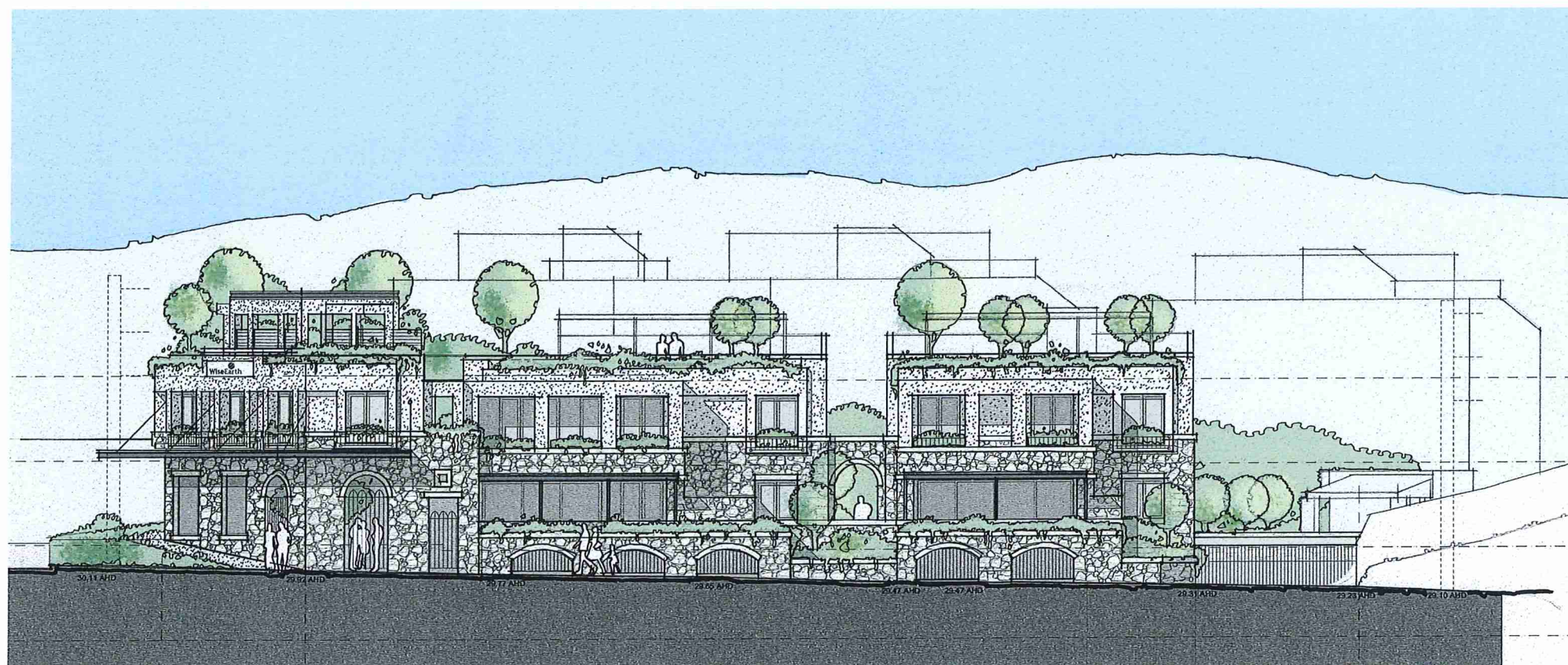
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 SCALE:
 1:100
 PRINT DATE:
 24/01/2019

DWG NO:
CD06

REVISION
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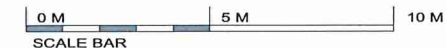


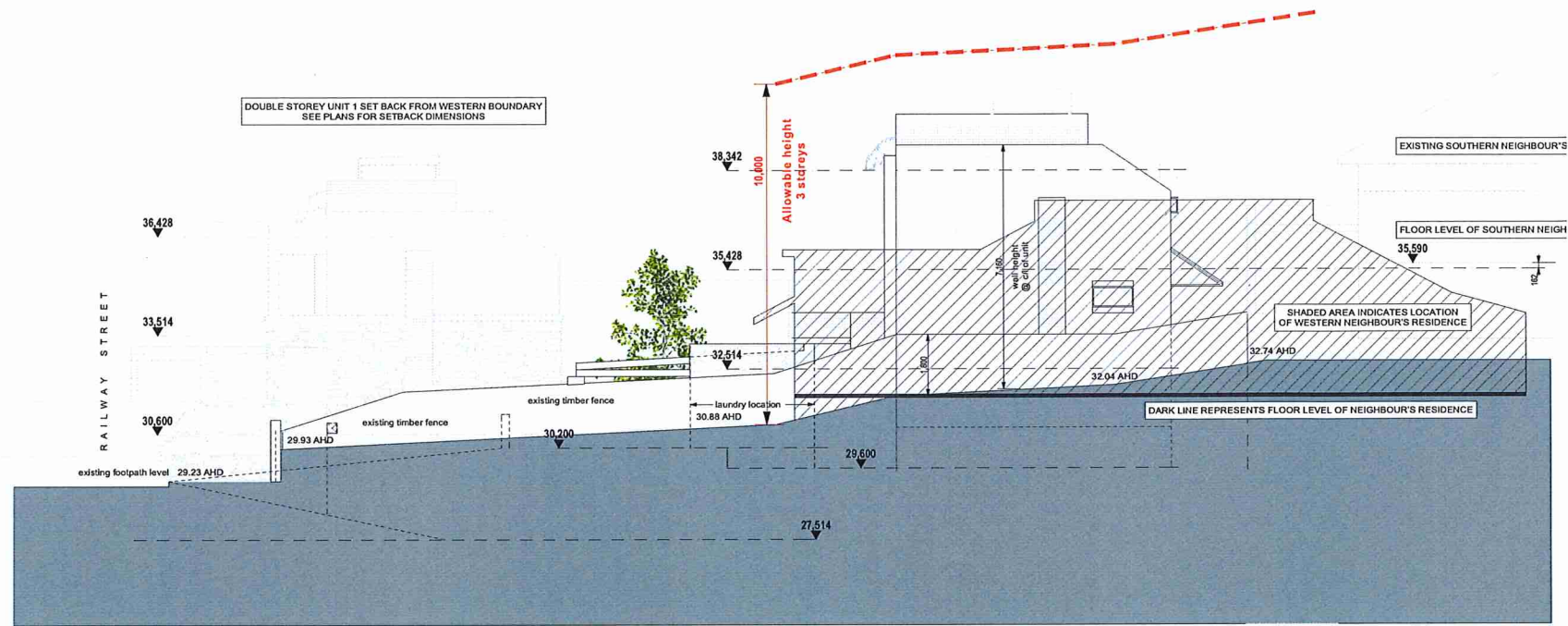
CONGDON STREET ELEVATION



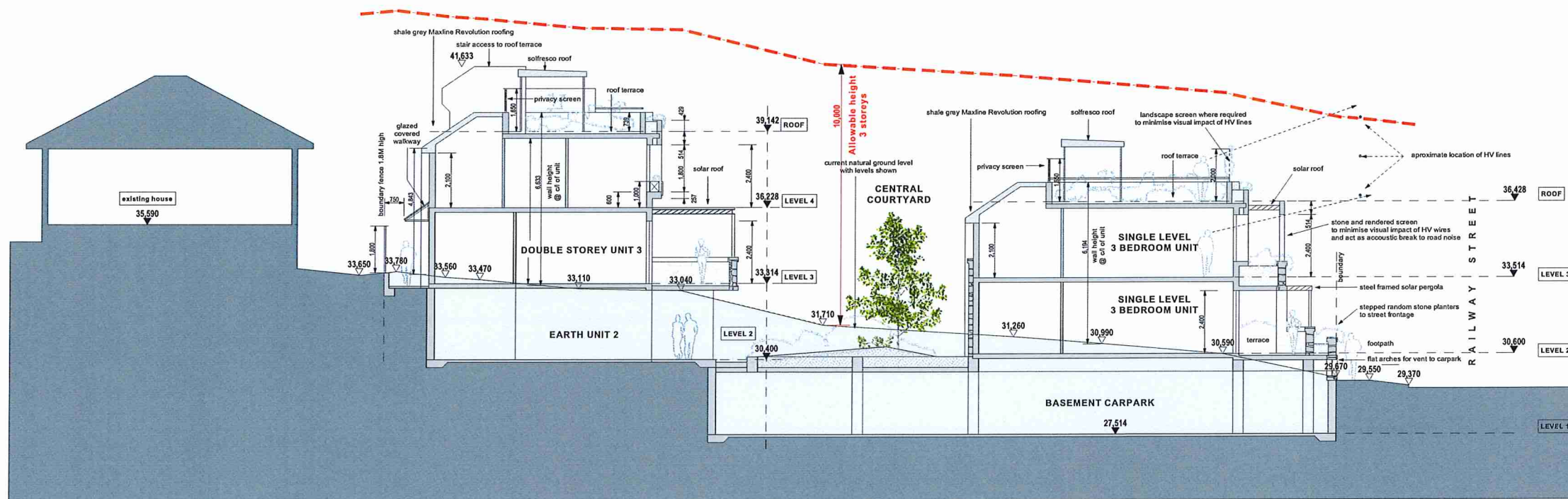
RAILWAY STREET ELEVATION

TOWN OF COTTESLOE
 25 JAN 2019
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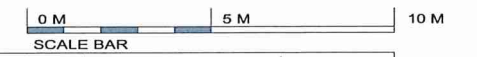


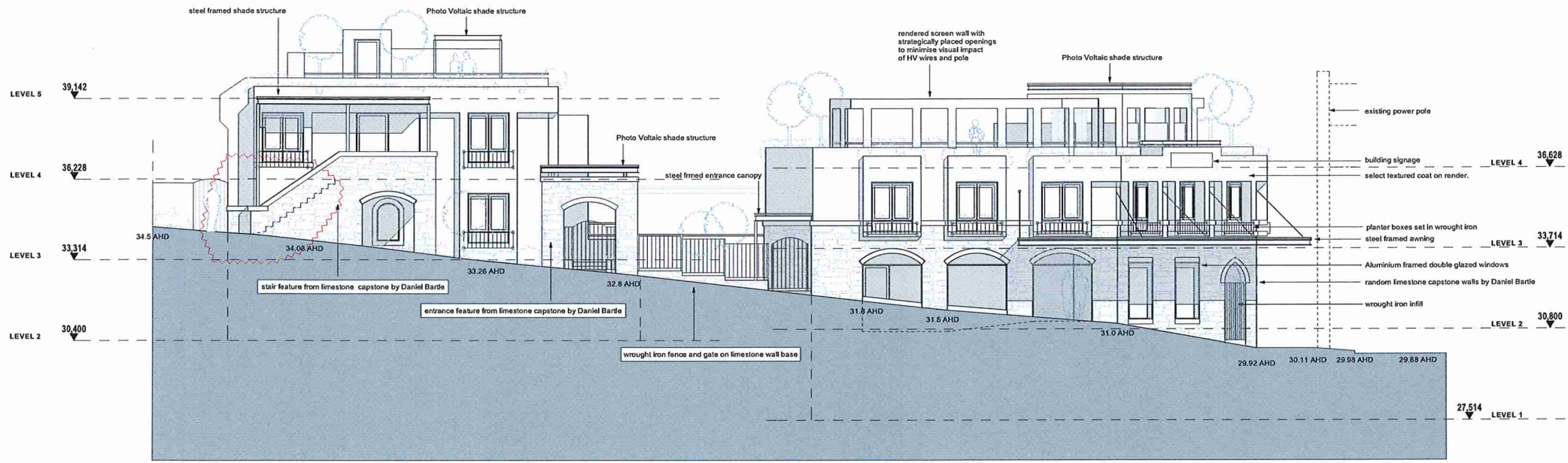
West Elevation



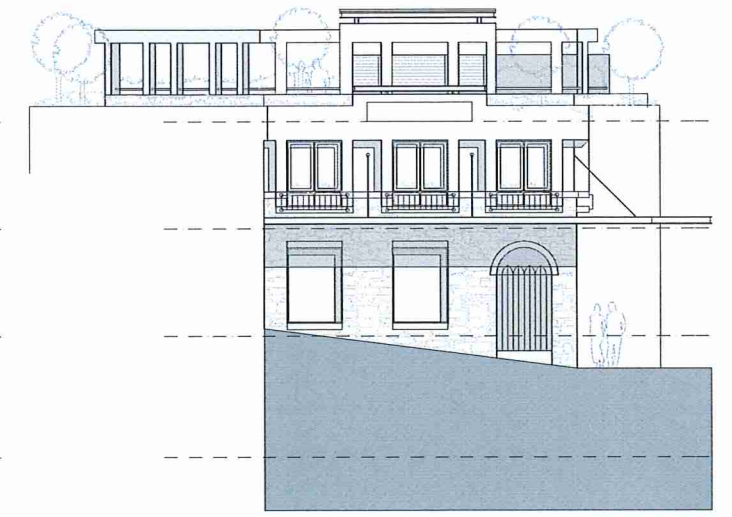
Section AA

TOWN OF COTTESLOE
25 JAN 2019
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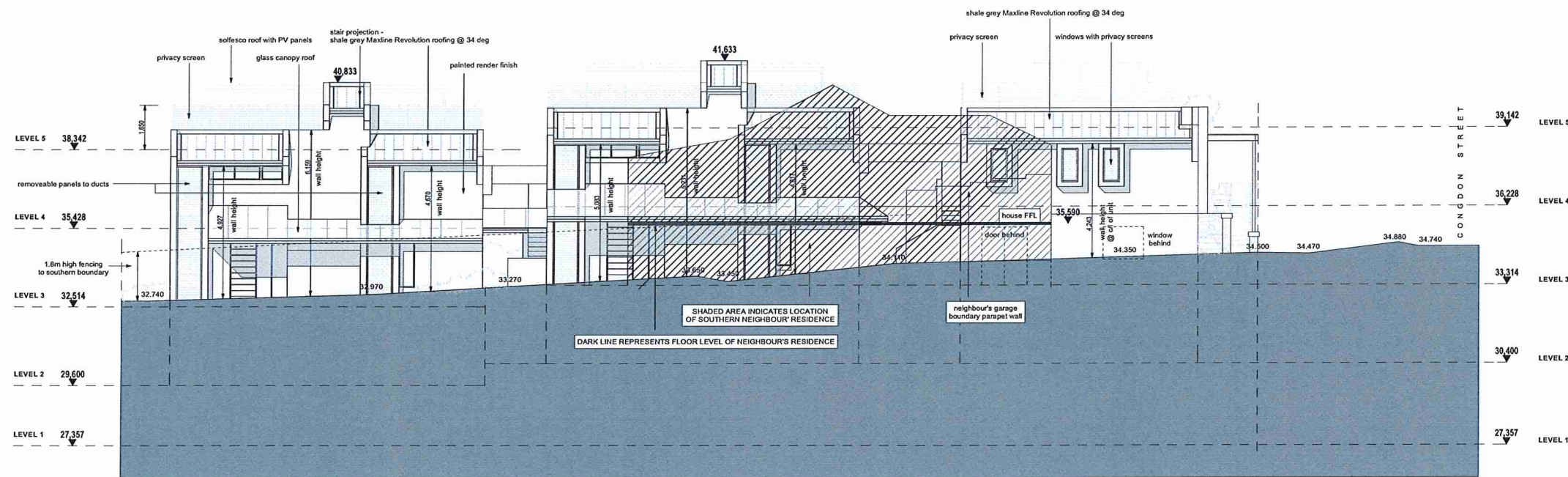




East Elevation

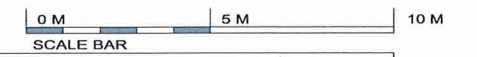


North East corner Elevation



South Elevation

TOWN OF COTTESLOE
25 JAN 2019
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ECOTECT-ARCHITECTS
energy efficient architecture + urban design

address | 4/136 Railway St Swanbourne WA
phone | +61 8 9286 3811
email | contact@ecotect-architects.com

CLIENT/PROJECT:
**MIXED USE DEVELOPMENT
ON LOT 26 (formerly Lots 24 & 25)
RAILWAY STREET, COTTESLOE.**

DRAWING TITLE
ELEVATIONS

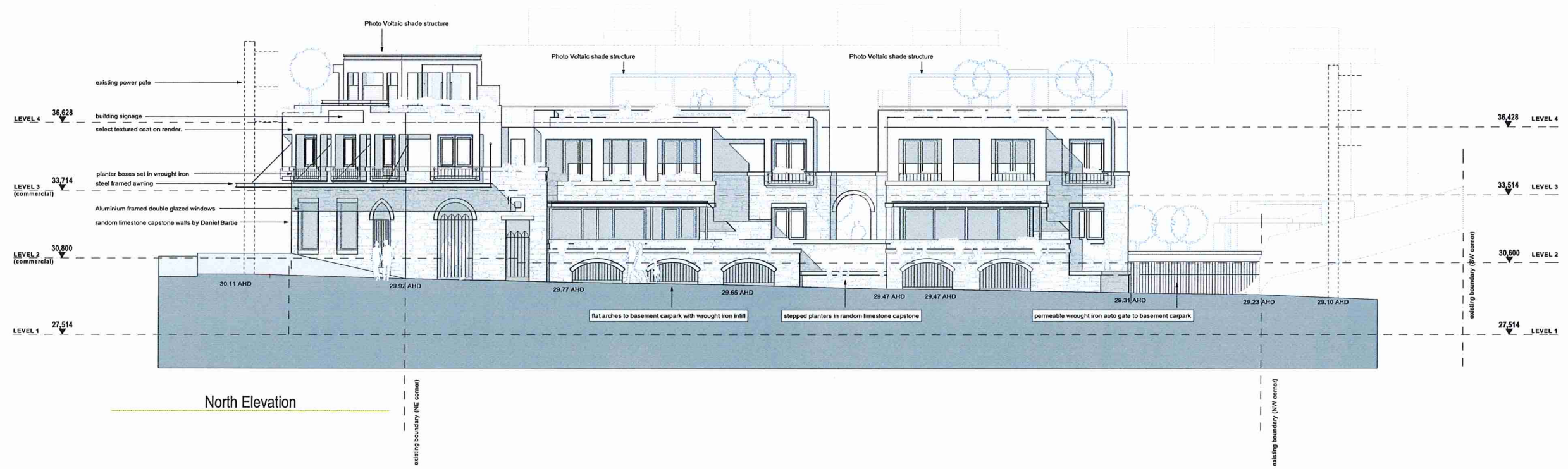
PROJECT STATUS:
PLANNING APPROVAL

ARCHITECT:
James Shaw
DRAWN:

SCALE:
1:100
PRINT DATE:
24/01/2019

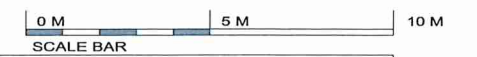
PROJECT NO:
15001
REVISION

DWG NO:
CD09

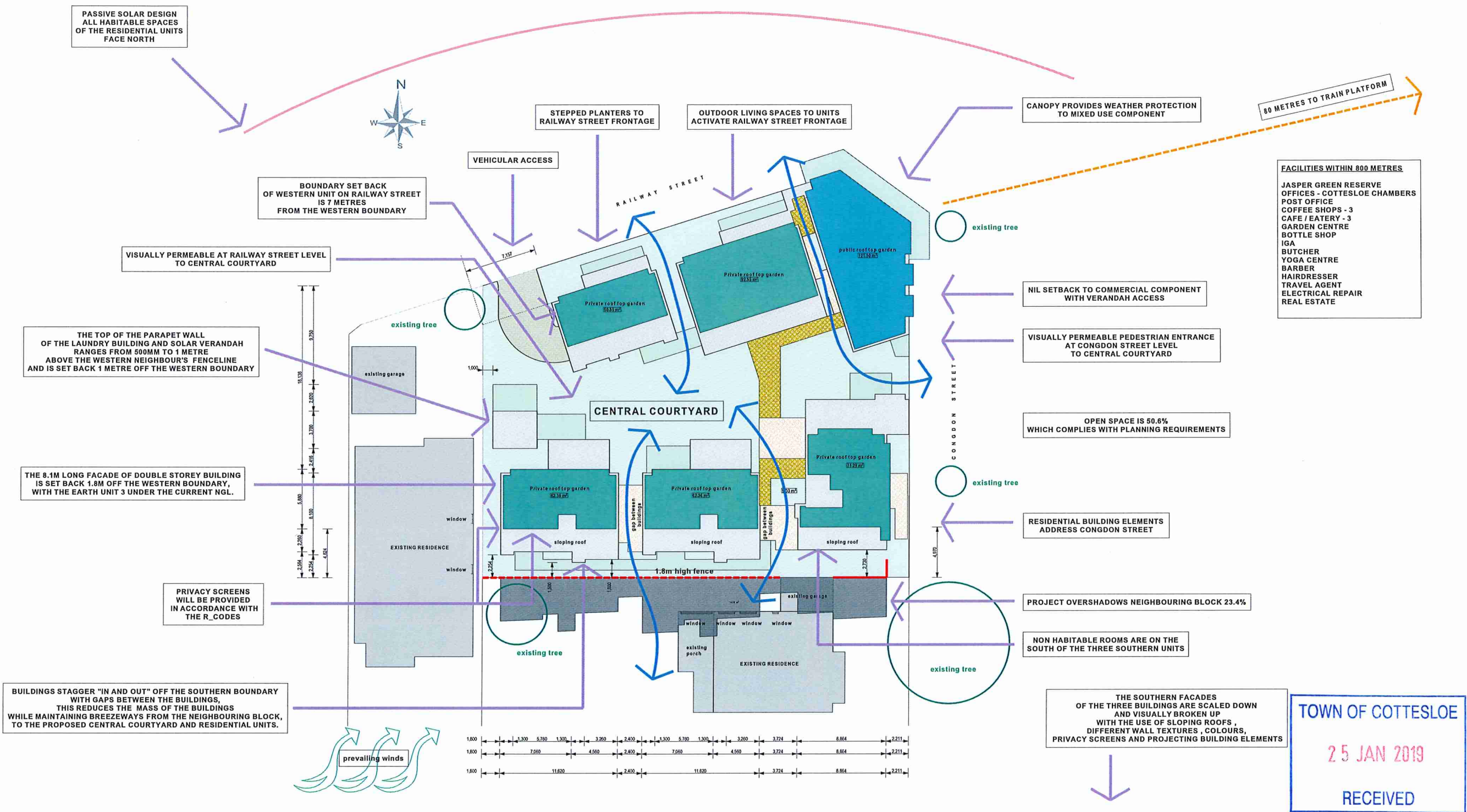


North Elevation

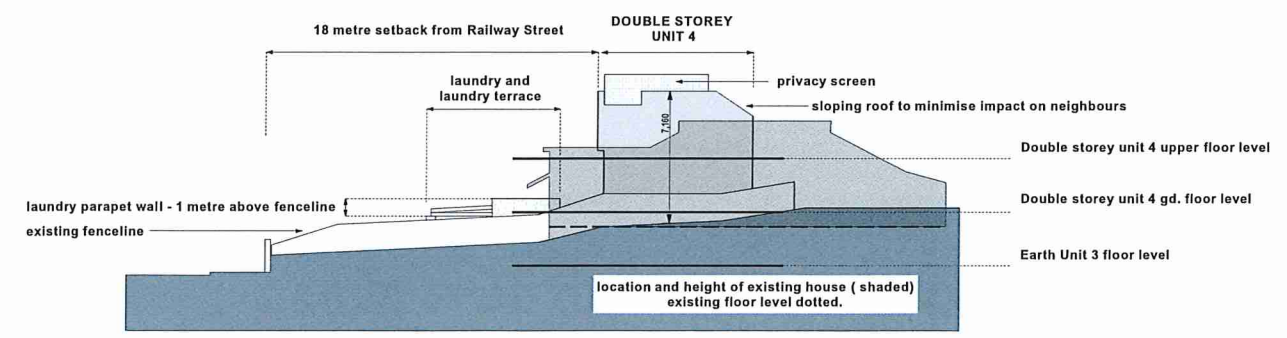
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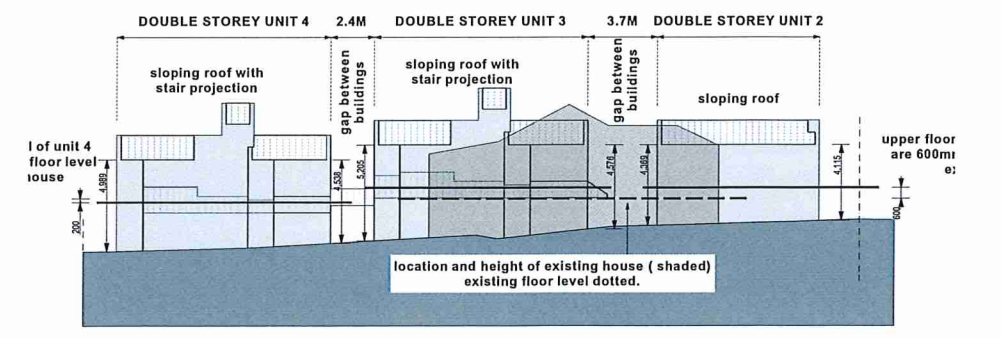
ECOTECT-ARCHITECTS energy efficient architecture + urban design	address 4/136 Railway St Swanbourne WA phone +61 8 9286 3811 email contact@ecotect-architects.com	CLIENT PROJECT: MIXED USE DEVELOPMENT ON LOT 26 (formerly Lots 24 & 25) RAILWAY STREET , COTTESLOE.	DRAWING TITLE ELEVATION	PROJECT STATUS: PLANNING APPROVAL	ARCHITECT: James Shaw DRAWN:	SCALE: 1:100 PRINT DATE: 24/01/2019	PROJECT NO: 15001 REVISION	DWG NO: CD10



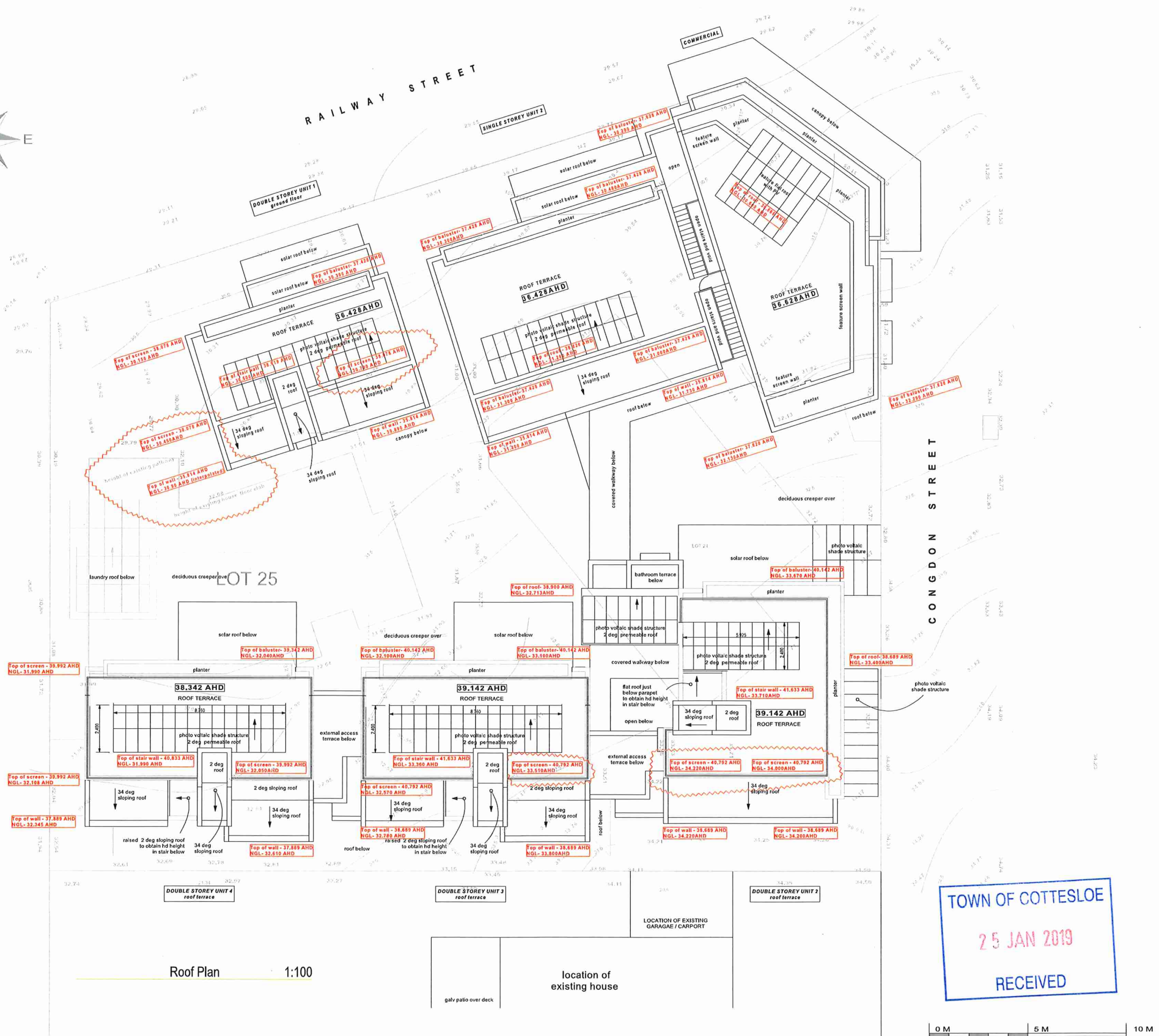
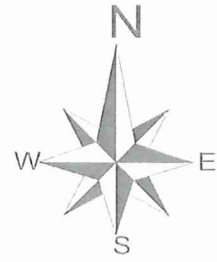
Site Analysis plan



West elevation

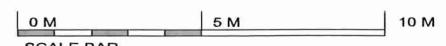


South elevation

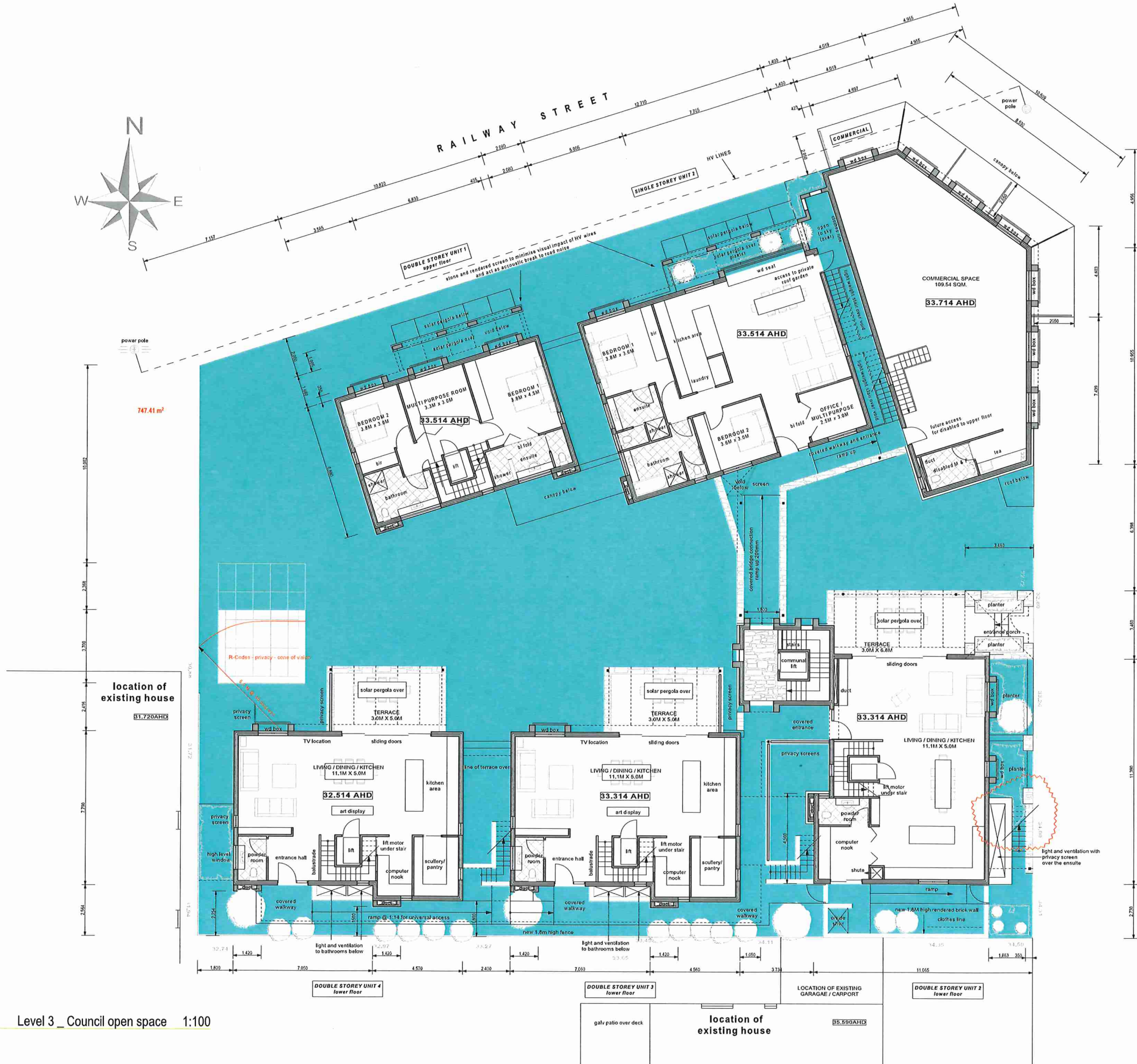


Roof Plan 1:100

TOWN OF COTTESLOE
25 JAN 2019
RECEIVED



ECOTECT-ARCHITECTS energy efficient architecture + urban design	address 4/136 Railway St Swanbourne WA phone +61 8 9286 3811 email contact@ecotect-architects.com	CLIENT/PROJECT: MIXED USE DEVELOPMENT ON LOT 26 (formerly Lots 24 & 25) RAILWAY STREET, COTTESLOE.	DRAWING TITLE ROOF PLAN	PROJECT STATUS: PLANNING APPROVAL	ARCHITECT: James Shaw	SCALE: PRINT DATE: 24/01/2019	PROJECT NO: 15001 REVISION	DWG NO: CD14



Level 3_Council open space 1:100

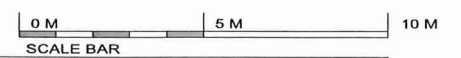
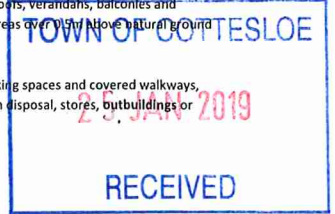
OPEN SPACE = 747.41sqm
 site area = 1,475sqm
 OPEN SPACE = 50.6%

TABLE 1(b)
Open Space
 Generally that area of a lot not occupied by any building and includes:

- Open areas of accessible and useable flat roofs and Outdoor living areas above natural ground level.
- Areas beneath eaves;
- verandahs, patios and other such roofed structures not more than 0.5m above natural ground level, unenclosed on at least two sides, and covering no more than 10 per cent of the site area or 50sqm, whichever is the lesser;
- Unroofed open structures such as pergolas;
- Uncovered driveways (including access aisles in car parking areas) and uncovered car parking spaces.

but excludes:

- Non accessible roofs, verandahs, balconies and Outdoor living areas over 1.0m above natural ground level; and/or
- Covered car parking spaces and covered walkways, Areas for rubbish disposal, stores, outbuildings or plant rooms.



WESTERN



AUSTRALIA

REGISTER NUMBER

26/DP411059

DUPLICATE
EDITION

1

DATE DUPLICATE ISSUED

4/12/2018

RECORD OF CERTIFICATE OF TITLE
UNDER THE TRANSFER OF LAND ACT 1893

VOLUME
2958

FOLIO
795

The person described in the first schedule is the registered proprietor of an estate in fee simple in the land described below subject to the reservations, conditions and depth limit contained in the original grant (if a grant issued) and to the limitations, interests, encumbrances and notifications shown in the second schedule.



REGISTRAR OF TITLES

LAND DESCRIPTION:

LOT 26 ON DEPOSITED PLAN 411059

REGISTERED PROPRIETOR:
(FIRST SCHEDULE)

WISE EARTH PTY LTD OF LEVEL 2 100 RAILWAY ROAD SUBIACO WA 6008

(AF 0033910) REGISTERED 20/11/2018

LIMITATIONS, INTERESTS, ENCUMBRANCES AND NOTIFICATIONS:
(SECOND SCHEDULE)

Warning: A current search of the sketch of the land should be obtained where detail of position, dimensions or area of the lot is required.
* Any entries preceded by an asterisk may not appear on the current edition of the duplicate certificate of title.
Lot as described in the land description may be a lot or location.

-----END OF CERTIFICATE OF TITLE-----

STATEMENTS:

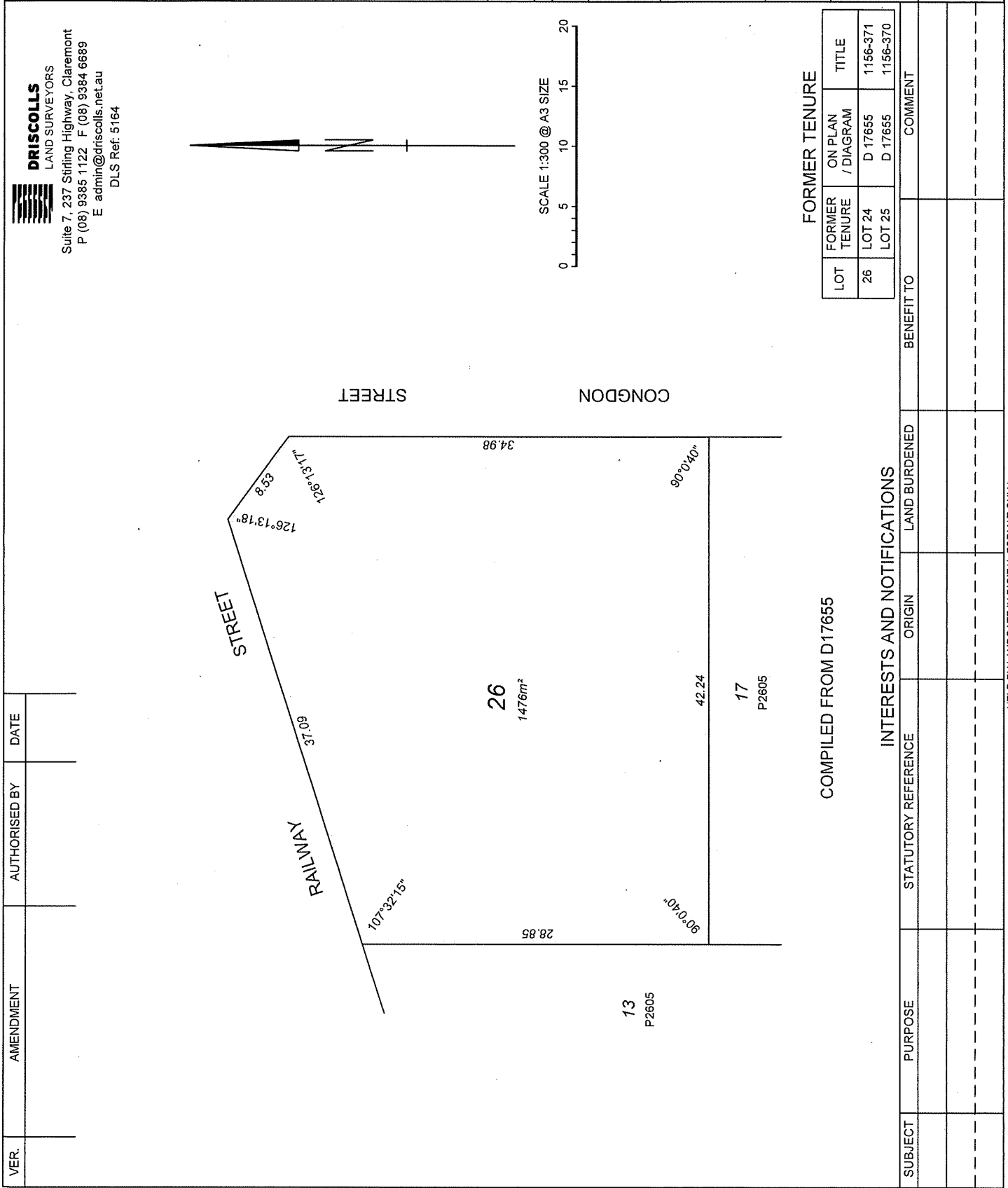
The statements set out below are not intended to be nor should they be relied on as substitutes for inspection of the land and the relevant documents or for local government, legal, surveying or other professional advice.

SKETCH OF LAND: DP411059
PREVIOUS TITLE: 1156-370, 1156-371
PROPERTY STREET ADDRESS: 126 RAILWAY ST, COTTESLOE.
LOCAL GOVERNMENT AUTHORITY: TOWN OF COTTESLOE

TYPE FREEHOLD	S.S.A. NO
PURPOSE SUBDIVISION	
PLAN OF	LOT 26
FORMER TENURE	SEE TABLE
LOCAL AUTHORITY	TOWN OF COTTESLOE
LOCALITY	COTTESLOE
D.O.L. FILE	
FIELD RECORD	COMPILED
SURVEYOR'S CERTIFICATE - Compiled I. VICTOR ROBINSON SMITH hereby certify that this compiled plan :- (a) is a correct and accurate representation of the survey(s) of the subject land ; and (b) is in accordance with the relevant law in relation to which it is lodged.	
LICENSED SURVEYOR	24.07.2018 DATE
17-Oct-2018	LOGGED
\$350.00	532934
	ASSESS No.
I.S.C.	
<i>R. Gano</i>	EXAMINED 7-Nov-2018 DATE
WESTERN AUSTRALIAN PLANNING COMMISSION	
FILE 156195	
Delegated under S.16 P&D Act 2005	09-Nov-2018 DATE
IN ORDER FOR DEALINGS	
SUBJECT TO	
FOR INSPECTOR OF PLANS AND SURVEYS	DATE
APPROVED	
INSPECTOR OF PLANS AND SURVEYS / AUTHORISED LAND OFFICER	DATE



DEPOSITED PLAN
411059
 SHEET 1 OF 1 SHEETS
 VERSION 1



APPLICATION OF LOCAL DEVELOPMENT PLAN

- a. This Local Development Plan (LDP) operates in conjunction with the requirements of the Residential Design Codes (R-Codes) by applying additional controls or by varying the "Deemed-to-comply" provisions. Where this LDP varies any requirements of the R-Codes, compliance shall constitute "Deemed-to-comply", and community consultation in respect to those items is not required.
- b. Unless provided for below, the provisions of the Town of Cottesloe Local Planning Scheme No.3 and the R-Codes apply.

REQUIREMENTS

1. Residential Design Code - Lots 24 (No.126) and 25 (No.128) Railway Street, Cottesloe are coded Residential R60 in accordance with the Town of Cottesloe - Local Planning Scheme No.3.

2. Building Heights - Building height shall be in accordance with the requirements of the Town of Cottesloe - Local Planning Scheme No.3. No variations shall be permitted.

3. Setbacks

Railway Street Setbacks

- a) Buildings fronting Railway Street shall be setback a maximum of 4.0m and minimum of 2.0m.
- b) Undercroft car parking structures may be reduced to nil to a maximum of 30% of the lot boundary. The nil setback may be extended to 75% of the lot boundary subject to the creation of an aesthetic and articulated streetscape design, which may include the use of different building materials and colours. Any undercroft parking structure shall not protrude higher than 1.2m above the natural ground level of the boundary.
- c) Open sided structures such as porches, balconies, verandahs or the equivalent may be setback at nil from the Railway Street boundary.

Congdon Street Setbacks

- d) Development fronting Congdon Street shall be setback a maximum of 4.0m and minimum of 2.0m.
- e) Residential building setbacks may be reduced to nil for a maximum of 20% of the length of the lot boundary where only residential development is proposed adjacent to Congdon Street.
- f) Where commercial development is proposed, residential building setbacks may be reduced to nil for a maximum of 20% of the remaining balance of the length of the lot boundary.
- g) Open sided structures such as porches, balconies, verandahs or the equivalent may be setback at nil from the Congdon Street Boundary.

Commercial Development Setbacks

h) Where commercial development is proposed, a nil setback shall be provided to the corner of Congdon Street and Railway Street generally where identified on this LDP.

Other Setbacks

i) All other building setbacks shall be provided in accordance with the 'Deemed to Comply' provisions of the R-Codes.

4. Visual Privacy - Visual privacy shall be provided in accordance with the 'Deemed-to-comply' provisions of the R-Codes. No variations shall be permitted.

5. Open Space - For the purposes of calculating the open space requirements for a residential development, roof decks are excluded. Roof Deck means an open, accessible and useable flat roof and includes roof gardens, roof pools, viewing platforms and other roof top recreation space. No variations shall be permitted.

6. Plot Ratio - For multiple dwellings and mixed use development, maximum plot ratio shall be provided in accordance with the 'Deemed-to-comply' provisions of the R-Codes. No variations shall be permitted.

7. Outdoor Living Areas - Outdoor living areas (OLA's) are permitted within the front setback areas abutting Railway Street and Congdon Street.

8. Overshadowing - Overshadowing of adjacent properties must be no greater than 25% of the site area in accordance with the Deemed to Comply requirements of the R Codes. No variations shall be permitted.

9. Landmark Architecture - Development on the corner of Railway Street and Congdon Street shall include landmark architectural elements which identify the corner, provide visual interest and streetscape interaction.

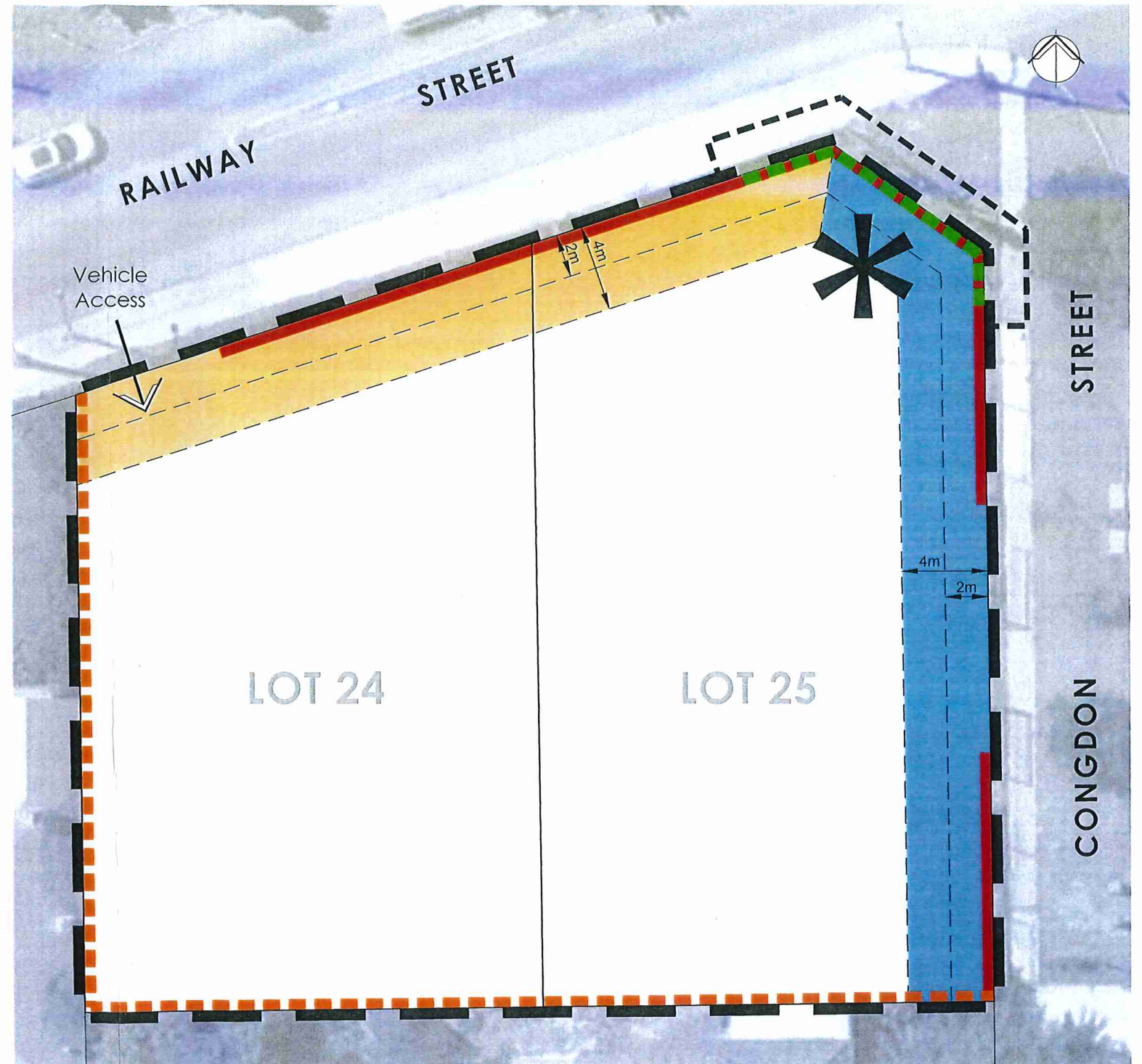
10. Awnings - Where commercial development is proposed, awnings may be provided to a maximum width of 2m generally where identified on this LDP.

11. Vehicle Access and Parking

- a) The primary access/egress shall be from Railway Street in the location shown on the LDP. No further vehicle access or egress is permitted on Railway Street.
- b) A secondary access/egress may be considered on Congdon Street generally in the location shown on the LDP. This secondary access/egress shall be 'left in' - 'left out' only. No further vehicle access or egress is permitted on Congdon Street.
- c) All car parking requirements shall be as per Table 3 of the Town of Cottesloe Local Planning Scheme No. 3. No variations shall be permitted.
- d) Any at-grade resident parking shall be screened from both Railway Street and Congdon Street.

12. Road Reserve Infrastructure - Changes to the road carriageway and verge areas for the purpose of traffic calming and management, may be required by the Town of Cottesloe. The developer of Lots 24 and 25 may be required to make a pro-rata contribution towards these works.

13. Landscaping - A Landscape Management Plan (LMP) shall be provided, either with a development application, or as a condition of development approval, to the satisfaction of the Town of Cottesloe. The Landscape Management Plan shall include all verge areas directly adjacent to Lots 24 and 25 and must address sustainability; deep soil planting; visual amenity; water sensitive urban design; water-wise planting; and objectives for long term tree establishment.



LEGEND

- LDP Boundary
- Vehicle access
- No vehicle access permitted
- Boundary setbacks as per R-Codes
- Landmark Architecture
- Nil commercial building setback (refer requirement 3)
- Maximum 4.0m setback, minimum 2.0m setback with potential incursions to nil for undercroft parking structures (refer requirement 3)
- Maximum 4.0m setback, minimum 2.0m setback with potential incursions to nil for no more than 20% of the frontage (refer requirement 3)
- Awning to a maximum of 2.0m (refer requirement 6)

LOCAL DEVELOPMENT PLAN

**LOTS 24 (No. 126) AND 25 (No. 128) RAILWAY STREET, COTTESLOE
TOWN OF COTTESLOE LOCAL PLANNING SCHEME No. 3**

THIS LOCAL DEVELOPMENT PLAN HAS BEEN APPROVED BY THE TOWN OF COTTESLOE UNDER CLAUSE 52(1)(a) OF THE DEEMED PROVISIONS OF THE TOWN OF COTTESLOE LOCAL PLANNING SCHEME NO. 3.

Ull
SIGNATURE

24/10/2018
DATE

1. PLOT RATIO

A review of the proposed plans does not indicate, nor does it provide sufficient information as to the floor space areas to enable a calculation of plot ratio. As per discussions with the Town's staff, it is understood that plot ratio plans have been requested on multiple occasions and have subsequently not been provided by the proponent. Therefore, we are left only with a summary on page 13 of the application of the total plot ratio. On this matter alone, this application should be considered incomplete and therefore not progress, until such time that this information is provided. Notwithstanding, and on the basis of the information that has been provided, the proposed exceedance of the allowable plot ratio at the site is not supported.

As per the LDP, it is noted that for multiple dwellings and mixed-use development that the maximum plot ratio is to be in accordance with the deemed-to-comply provisions of the R-Codes, with no variations permitted. This is further supported by Table 2 of LPS3 which notes that residential development is to be "in accordance with the Residential Design Codes".

The proposal, as referenced on page 13, exceeds the required plot ratio of 0.7 as set out for R60 zoned land and proposes a plot ratio of 0.829, which is progressing closer to an R80 plot ratio (1:1), particularly given certain aspects of the development have been considered exempt from this calculation (areas wholly below NGL, roof terraces etc), and subsequently add to the overall bulk and scale.

Clearly exceeding the maximum plot ratio of 0.7, the proposed development is inconsistent with the requirements set out within both LPS3 and the LDP, with the later a detailed design planning instrument adopted less than 3 months ago. The applicant seeks to justify this variation by noting that the site is sloping, and the development is recessed into the site. This design solution does not reduce its bulk but rather seeks to achieve a larger scale development than permitted by working through significant excavation of the site.

As previously noted, the surrounding land generally comprises of a single residential (R20) neighbourhood where there are no multiple dwellings or large commercial developments. While multiple dwellings may be a permissible land use, they need to be placed in a way that is sympathetic to its context; in this instance being a predominantly suburban area.

Through the variation of the plot ratio, the resulting development creates a bulk and scale which is considered overbearing in consideration of the context of the surrounding developments. In this regard, it is considered that the increase in plot ratio is not appropriate to the area and results in an overdevelopment of the site. It is recommended that a firm requirement of the 0.7 plot ratio be applied as specified under LPS3, the LDP and the R-Codes R60 requirements; with no variation.

2. HEIGHT

As per Schedule 12 of LPS3, the building height limit shall be three storeys, plus undercroft parking. No consideration of the building heights has been outlined within the application, nor its compliance with the above requirements.

A review of the proposed plans indicates that the northern most development could be considered compliant with the Schedule 12 requirement, providing a basement carpark, two storeys of residential and a rooftop terrace. Notwithstanding, the southern units are not considered compliant, as the development proposes a building which would be considered to be 4-storeys in height as defined by the requirements of the LPS3 and the R-Codes.

Whilst it is noted that the 'earth unit' is considered as being 'below ground level', the development should still be required to adhere to the maximum building height limit as specified within LPS3 of three storeys.

3. OPEN SPACE

It is identified under clause 5.3.8 of the LPS3 that “for the purposes of calculating the open space requirements for a residential development on land coded less than R40, roof decks are excluded”. It is considered that this clause does not subsequently state that anything greater should include roof decks into the calculation of open space. It is therefore our position that rooftops cannot be included for the purposes of open space calculations.

In this regard, and in reference to Requirement 5 stipulated under the LDP, specifically relating to the subject site, “*for the purposes of calculating the open space requirements for a residential development, roof decks are excluded*”. It is therefore clear that neither the scheme or LDP (adopted 3 months prior), permits the use of the roof decks for open space calculation purposes.

The removal of the roof decks from the open space calculations results in a total landscaped area for the site of 20.47%, rather than the 50.5% specified within the submitted plans. This is a significant shortfall from the 45% open space requirement of the R-Codes and the LDP.

This significant under provision only further contributes to the notion of an overdeveloped site, inconsistent with the low density and leafy setting of Cottesloe.

4. SETBACKS

Whilst the variation to the required boundary setbacks along both the western and southern boundaries is not supported, particular concern is raised in relation to the indicated outdoor shower and clothes line area proposed directly abutting the western property boundary (please see drawing CD02). This built form appears to be a patio with two solid walls and pergola structure over. As such it should be included in the requirements for plot ratio and more importantly be excluded from set back areas. In effect this development from creates a functional component of a dwelling on a nil setback to the boundary, whereas under the LDP Setbacks should apply. This seriously affects the amenity and quiet enjoyment of our property, given that the area would be located directly opposite two external windows.

It is proposed that an alternative location for these amenities be proposed, with landscaping provided along this portion of the western boundary in accordance with required setbacks.

5. LAND USE PERMISSIBILITY

The application specifies that it is applying for a mixed-use development. Upon consideration of LPS3, it is identified that ‘mixed-use’ is not a considered land use under Table 1 (Zoning Table). Accordingly, the land uses proposed at the site are considered to be ‘Multiple Dwelling’ and ‘Recreation – Private’, which are considered to be P and X uses respectively within the Residential (R35 to R100) zone.

Schedule 12 of LPS3 does consider that ‘communal recreation’ may be permissible however it is considered unlikely that the proposed Yoga and performance studio would be made available to the public free of charge to comply with a general definition of ‘communal recreation’.

The resulting development therefore incorporates a proposed use which is not permissible under LPS3 and cannot therefore not be supported.

6. PARKING:

The application has not given any consideration to the requirements for parking associated with the 'Yoga and performance studio', which would be applied at 1 space per every 25m² (4 bays required) as per LPS3.

Accordingly, an additional 4 bays would be required, resulting in a shortfall of 2 bays at the site. Simply allowing for these additional bays to be accommodated within the street is not supported given the current congestion already experienced associated with the train station and local shopping requirements.

7. POWER LINES:

Along the northern boundary of the site runs High Voltage power lines. The proposal makes no reference to these constraints, other than to reference their existing location, despite previously indicating that the applicant will be responsible for the undergrounding of these. Western Power requirements require a clearance of 6m from these lines, by either setbacks or easements. As per the Western Power requirements, it is identified that there are potential difficulties in providing a nil setback when adjacent to a powerline. With a 3-storey development, plus undercroft parking, and a nil setback to the commercial aspect of the development along Railway Street, this impact has not been accommodated in the plans or considered appropriately within the application.

As a neighbouring property owner, we hold serious concerns as to our safety should these lines be impacted by the development, and it is recommended that additional consideration and referral to Western Power to assess potential impacts is conducted prior to the application being processed for consideration.

CONCLUSION

In summary, the proposal is not supported as a result of its non-compliances in consideration of:

- Plot Ratio;
- Height;
- Open Space;
- Setbacks;
- Land Use Permissibility;
- Parking; and
- Power Lines.

Whilst the notion of multiple dwellings within close proximity to Swanbourne Station is generally supported from a planning perspective, the proposal is a clear overdevelopment of the site sought only for financial gain. The development seeks to vary too many fundamental design parameters of LPS3 and the only recently adopted LDP for the site.

In determining the application, the Council and JDAP are also required to give due consideration to Clause 67 of *Planning and Development Regulations (Local Planning Schemes) 2015*. Clause 67 identifies a range of items to be considered when determining a planning application. In this context, it is submitted that the application at Lot 26 Railway Street Cottesloe **has not** responded to the following sub clauses of Clause 67:

(a) the aims and provisions of this Scheme and any other local planning scheme operating within the Scheme area;

(b) the requirements of orderly and proper planning including any proposed local planning scheme or amendment to this Scheme that has been advertised under the Planning and Development (Local Planning Schemes) Regulations 2015 or any other proposed planning instrument that the local government is seriously considering adopting or approving;

(c) any approved State planning policy;

(g) any local planning policy for the Scheme area (Local Development Plan in this instance);

(m) the compatibility of the development with its setting including the relationship of the development to development on adjoining land or on other land in the locality including, but not limited to, the likely effect of the height, bulk, scale, orientation and appearance of the development;

(n) the amenity of the locality including the following — (i) environmental impacts of the development; (ii) the character of the locality; (iii) social impacts of the development;

(x) the impact of the development on the community as a whole notwithstanding the impact of the development on particular individuals;

Given the disregard for these fundamental items of consideration, together with the blatant non-compliance with LPS3 and the LDP, we would urge Council to recommend refusal and for the JDAP to refuse this application.

If you have any questions please don't hesitate to contact me at

Yours sincerely,

Resident - 124 Railway Street, Cottesloe

Ed Drewett

From:
Sent: Monday, 21 January 2019 10:05 AM
To: council
Subject: Re JDAP Development Application Lot 26 Railway Street, Cottesloe

Dear Sirs,

I am responding privately as a resident and rate payer as well as the architect for this project:

- Awarded and Order of Australia in 2007 (AM) for my services to the Environment, Architecture and Public Education
- Architect registered in WA since 1975, and Life Fellow of the AIA
- Adjunct Professor at Murdoch University School of Engineering
- Recipients of over 40 professional awards for architecture, environment, energy efficiency (national and state), industrial design, science, urban planning/ design, as well as building and project management (HIA /MBA)
- Author of a design manual and series of videos for ESD principles in housing.
- Co Founding Director of Innovate Australia
- Author of many academic papers, including peer reviewed papers and key address papers and presentation to numerous international conferences on built environment and renewable energy applications
- Former Chapter Council member of AIA, past Board member of Fairbridge, Past President of the WA branch of the Solar Energy Society, Patron of the CCWA, Co founder of Innovate Australia, and many past Government Advisory panels such as MERIWA, REC, Homes West Alternate Construction Committee, Low Energy Emissions Development (LEED)
- Inventor of 'SolaTank' (solar water heater), 'MassLinc' (solar air-conditioning system) and 'MassWall' new stressed skin residential construction system

In making this personal submission at this juncture I offer these credentials in backing the voracity of the design principles applied in our innovative and sensitive architectural design for the above site.

The architecture for the SVT project is about Ecologically Sustainable as one can make it. It will dramatically reduce emissions, water use and management costs for this small community. and be an exemplar of aging-in-place for a perfectly appropriate TOD location (as approved by the State). The building will be of higher quality than surrounding residents and will be of a human scale that adds value to the whole locality. It enables our close knit group of friends to live out the next one or two decades completely independent of the tax payer. But it cannot take much longer for the viability will be squashed.

The Swanbourne Village Trust will be providing all the facilities needed for living, work space and play space ensuring maximum vitality and privacy, but also much needed social interaction exercise and private entertainment.

The sustainability retires are covered in the Ecotect-Architects / Urbanplan submission. The LDP will need some design base criteria to adapt in order to make the project practical and economically viable and above all suitable for our needs and finally allow it to start.

The design for the DA is exactly the same as fully presented to the council comprehensively by Trust member Katherine Kalaaf over the last year. There should not be any doubts about our considerable efforts and time taken to moderate the original viable scheme to placate the concerns of local residents, (mainly being the western neighbour) as the Council is fully aware. The 121+submissions at the LDP stage clearly went beyond just supporting the LDP as a guideline document. Many were fully supported of the design submitted for scrutiny.

Ed Drewett

From:
Sent: Monday, 21 January 2019 11:20 AM
To: council
Subject: Re JDAP Development Application Lot 26 Railway Street, Cottesloe

Dear Sirs

As a ratepayer, Trust member developing the above proposal, and architect involved in the design of the above project, I offer my full support for what I believe will be a great alternative for those people who love living in the Western Suburbs, while wishing to downsize and still maintain a great quality of life. The urban nature of the design near to the Swanbourne train station, living in a small cluster of 9 units, captures the right balance of urban, fairly dense living, with the greenery of the roof terraces/central courtyard and low scale passive solar architecture. The different components of the project, communal performance space, workshop, commercial/work close by, communal laundry, communal rooftop terrace will create great community feel/support and it is our intention to show how a high quality living environment can be achieved while subtly increasing densities, sharing facilities and living with a smaller carbon footprint. The encouragement of these types of developments will make our city more sustainable while having a positive effect, preventing the extensive spread of Perth which we are currently experiencing. The current scale and bulk of the development is appropriate and the high quality aesthetics will make a positive contribution to the urban design of Swanbourne/Cottesloe area.

We request your support for what is a high quality project.

Yours faithfully


Ecotect Architects

Ecotect Architects
136 Railway Street Swanbourne WA 6010

Ed Drewett

From:
Sent: Tuesday, 29 January 2019 10:44 AM
To: council
Subject: Re : JDAP DEVELOPMENT APP LOT 26 RAILWAY RD , COTTESLOE

Dear Panel,

We are a resident of Cottesloe and having been aware of the application and elevated images , we wish to support the process to proceed through council .

We have supported the essence of the LDP and now support the project in detail as presented in the JDAP application. The architects have well considered the design in detail. Please proceed with furthering this project to its completion.

Our community needs good design such as this.

Residents living near this project at
35 CONGDON STREET , COTTESLOE for 20 years .

Ed Drewett

From:
Sent: Monday, 21 January 2019 12:40 PM
To: council
Subject: Re JDAPS Development Application Lot 26 Railway Parade
Importance: High

Dear Sirs,

I am a ratepayer and previously a resident of the Town of Claremont. (directly opposite the proposed site for JDAPS application)

I have viewed the details of the application and elevations and would like to submit my support for this application to proceed unchanged.

I was generally in support of the LDP previously and now support the project in the current form and detail as presented in the JDAPS application.

The LDP is considered to be a guide document only in which practical concessions can be made based on design criteria interpretation. Given the location on a train line station, proximity to shopping village and being between the 2 town centres of Claremont and Cottesloe, it is a planning necessity to address the needs of this community but within the greater picture of it's future growth.

The design follows the LDP in essence but significantly improves amenity, aesthetics and viability of the scheme and remains exactly as revised over the last 12 months.

In my opinion the Architects have developed a detailed, appropriate to form and function design (for this unique area) and it is vital this design is given full support by the professionals represented in the governing body.

90 Hubble Street, East Fremantle

Ed Drewett

From:
Sent: Monday, 21 January 2019 1:27 PM
To: council
Subject: JDAP Development Lot 26 Railway Street , Cottesloe

Hello Town of Cottesloe,

I wish to comment again on the above developments design.

We own Unit 4 within Cottesloe Chambers at 136 Railway Street, Cottesloe.
Our Unit is on the ground floor and on the corner of Congdon and Railway Street.
We directly face the proposed development.

WE HAVE NO OBJECTIONS TO THE PROPOSED DEVELOPMENT.

We think it will enhance the area and add some vitality !

Please let Mr Baverstock get on with it and stop wasting the ratepayers money.

The Town of Cottesloe has multiple more issues to worry about, than wasting money yet again on attempting to stymie Mr Baverstock's development.

How about controlling the proliferation of Air B n B throughout the town.
Or fix the ablutions at Indiana's.

Kind Regards

Ed Drewett

From:
Sent: Monday, 21 January 2019 1:36 PM
To: council
Subject: JDAP Development Application Lot 26 Railway Street, Cottesloe

Dear Sirs,

I am a previous long term resident of Swanbourne although currently residing in Mosman Park awaiting the completion of a new house. As a long term resident of Swanbourne I am very familiar with the above property in Railway St and its relationship to the Swanbourne retail shops, Swanbourne railway station, Stirling Highway etc

I have viewed the details of the application and elevation images and wish to submit my support for this application to proceed.

I have supported the essence of the LDP previously and now support the project in detail as presented in the IDAPS application.

The LDP is understood to be a guide document only where practical concessions can be made based on design criteria interpretation.

The design follows the LDP in essence but improves amenity, aesthetics and viability of the scheme and remains exactly as revised over the last 12 months.

meyer
shircore
a r c h i t e c t s

Ed Drewett

From:
Sent: Monday, 21 January 2019 3:30 PM
To: council
Subject: Re: JDAP Development Application Lot 26 Railway Street, Cottesloe

Dear Council

I am a resident and ratepayer in the Town of Cottesloe and support this design application. I wish to see it proceed.

I support this type of design and previously supported the concept of the LDP and now support the detailed plan. I like that it's human scale and that it is a low level development. I consider that it will complement the neighbourhood and is a very appropriate development for the corner site. From personal experience I have valued the benefits of grouped housing. Such a design has the benefit of scale in which people are more likely to interact, and is an exciting design rather than the large, sterile blocks of apartments which are often the norm for infill design. This will complement the neighbourhood, will not impinge on the streetscape and will also be close to retail development.

Yours sincerely

17B Chamberlain St
Cottesloe 6011

Ed Drewett

From:
Sent: Monday, 21 January 2019 4:09 PM
To: council
Subject: JDAP Development Application Lot 26 Railway St Cottesloe

Categories: Orange Category

Dear Sirs,

I am an interested party living close by the Town of Cottesloe.

I have viewed the details of the application and elevation images and wish to submit my support for this application to proceed.

I support the essence of the LDP previously and now support the project in detail as presented in the JDAPS application.

The LDP is understood to be a guide document only where practical concessions can be made based on design criteria interpretation.

The design follows the LDP in essence but improves amenity, aesthetics and viability of the scheme and remains exactly as revised over the last 12 months.

The Architects have a well considered design in detail.

3a Clement Street
Swanbourne 6010

RE: JDAP development application
Lot 26 Railway Street Cottesloe

Although I am not a ratepayer in Cottesloe I wish to put forward a few observations on the above scheme.

These observations are based on a long history of my involvement with the housing industry within Australia. Firstly as a director, in the 70's and 80's, of the Western Australian Housing Research Information Centre, a joint venture between UWA, Curtin University and the State Government, as a housing researcher for the Federal Government's Housing Research Council, as a visiting scholar MIT Boston USA studying the diffusion and adoption of innovation in social systems as they relate to housing and when following trends in the housing market as a frequent judge for the WA HIA.

As a witness to current solutions for housing complexes around transport nodes, (as proposed by State Governments), I can only add that in comparison to present attempts the above proposal for the Town of Cottesloe stands head and shoulders above all others I have seen and the Town of Cottesloe should be exceedingly proud to be able to, help set a standard for this kind of "middle housing" and act as an exemplar for other localities to follow. From my previous research it has always been apparent that Cottesloe has maintained its position as a respected opinion leader in housing trends and I hope that in the approval of this scheme the Town of Cottesloe will allow this trend to continue. I am well aware of factors governing the rate of adoption of innovations and resistance to change however, in a complex, changing, ambiguous world Local Authorities must find the path they can play to aid the change to a more sustainable, ecological and socially just new world.

The housing industry is in desperate need for guidance for "middle housing" projects and is crying out for good examples on how this can successfully be achieved. I hope Cottesloe does not pass up the opportunity.

Thank you,

Lot 1 no.6 Mann Street
Margaret River 6285

Ed Drewett

From:
Sent: Monday, 21 January 2019 5:56 PM
To: council
Subject: JDAP Development Application Lot 26 Railway Street, Cottesloe

Categories: Orange Category

Dear Sirs,

We are residents of the Town of Cottesloe and live directly opposite the development site at the corner of Congdon Street and Railway Street.

We have previously approved the LDP.

We now approve this design application as suitable for our area.

Address

40 Congdon Street, Cottesloe

Ed Drewett

From:
Sent: Monday, 21 January 2019 5:59 PM
To: council
Cc: Alexandre
Subject: Re JDAP Development Application Lot 26 Railway Street, Cottesloe

Categories: Orange Category

Dear Sirs,

We are residents of the Town of Cottesloe and live directly opposite the development site at the corner of Congdon Street and Railway Street.

We have previously approved the LDP.

We now approve this design application as suitable for our area.

Address

40 Congdon Street, Cottesloe

Contacts

Ed Drewett

From:
Sent: Tuesday, 22 January 2019 10:29 AM
To: council
Subject: JDAP Development Application Lot 26 Railway Street Cottesloe

Dear Council,

I am an interested party currently living close to the subject development site but wishing to live closer to my daughter and her family in Cottesloe in the near future.

I have followed this proposed project over the years and am familiar with the latest plans and elevations and consider it a project that provides pretty much everything that I would be considering to be closer to my daughter (I am retired)

I wholeheartedly support the proposal and really cannot understand why this has received the resistance that it has had from new residents and Council.

The proposal provides a form of accommodation, communal belonging, public transport access, access to shopping amenity and social interaction that makes it ideal for my wife and I and I am sure many others like us.

The proposal is consistent with what I believe the Government desires in it's emphatic push to urban consolidation and it's better living policies. It has all the ingredients to achieving these and contribute to a more vibrant and sustainable Swanbourne Village.

This , and other similar proposals that may follow in the future should be encouraged, promoted and realized for the benefit of Swanbourne Village and the Swanbourne community.

I urge Council to act boldly , with vision and support the development application for Lot 26, Railway Street, Swanbourne.

Kind regards,

22 Lupin Hill Grove, Nedlands.

Sent from [Mail](#) for Windows 10

Ed Drewett

From:
Sent: Tuesday, 22 January 2019 12:26 PM
To: council
Subject: JDAP DA Application Lot 26 Railway Street, Cottesloe
Categories: Orange Category

To the Council,

I understand that the DA Application for Lot 26 Railway Street, Cottesloe is to be again reviewed by the joint Development Assessment Panel. I wish to add my support for this development as a great start to the revitalisation of this outstanding beachside suburb.

I am a resident in the City of Nedlands, but have interest in the Swanbourne shops area as a user and, though retired, continue to maintain a professional interest in urban infrastructure and planning.

The suburban development of Perth over time has been driven by social needs and examples from overseas. The planners of their time did a great job, but they like everyone are not infallible. More importantly, times have changed: climate, wealth, social and community needs, transport and others. Substantial ones are the increasing isolation of community, the aging population and need to reduce the growing spread of Perth. In addition, the reconsideration of urban areas needs to duly prioritise the requirements of the younger, future portion of our population. The older people will not be highly affected by changes in planning, by the time they are take full effect. Each council needs to take responsibility for the needed guardianship of the required changes to ensure they will create an improved suburban environment.

To me the proposed development is an outstanding example to guide the future development in this area: visually attractive, higher density, environmentally sound, transport effective, with downsize options, among others. The opportunity exists to mould the Swanbourne shopping precinct into a wonderful inclusive and enjoyable community hub – based around the railway station. How many of your ratepayers have returned from holidays in Europe delighted with the cosiness of the village centres? These are likely include those against this project. If abandoned by the current developer, what would be constructed in its place – potentially a large unattractive house(s) with similar view blocking of neighbours.

I call for the council to take the lead and not allow the noisy few to determine the future of this area. More of what has been done previously is no longer ideal, due to passage of time.

There is a huge opportunity available to reward the local community with a wonderful enhancement of the area. This proposed development should ideally be viewed as part of the future of this (village) shopping precinct. The planners are specially trained and skilled in understanding, visualisation and design of the urban landscape. For this area, the councils on both sides of the station should work together to effectively plan a refreshed future. Working with State Planning and the PTA to integrate their abilities and financial support is bound to underpin an optimal outcome. Without embracing the spirit of this idea, the opportunities for an improved future become limited. The council needs to be an active guardian of this process and future legacy.

Please have the courage to support this development, without forced compromises, for the future of Swanbourne.

regards

19 Zamia Street, Mt Claremont, WA, 6010

139 Claremont Crescent
Swanbourne
WA 6010

22 January 2019

The Chief Executive
Town of Cottesloe
Broome Street
Cottesloe 6011

Dear Mr Humfrey

RE: JDAP Review of Lot 26 Railway Street, Cottesloe
Cnr. Congdon & Railway Streets, Cottesloe

As property owners in the Swanbourne Shopping Precinct, we are writing to say that we support the concepts embodied in this application.

Such developments make sense and are likely to enhance the vibrancy and amenity of hubs like the Swanbourne Shopping Precinct.

In particular we note:

- the mixed uses and variety of accommodation for different age groups (including common spaces in support of both internal community and outreach).
- the proximity to public transport (especially rail)

We personally would find this attractive for later life – its desirability is confirmed by current social research into multigenerational living. Given this research we believe there would be kudos for the Town in enabling progressive developments.

Overall we encourage the Town of Cottesloe and the Town of Claremont to join in the opportunity for precinct planning around the train station so there is a flow and social cohesion to both sides of the railway, particularly as Swanbourne Village is distinctive with shops and offices being on both sides of the line.

Yours sincerely

Ed Drewett

From:
Sent: Wednesday, 23 January 2019 12:30 PM
To: council
Subject: JDAP Development Application - Proposed Residential, Office and Private Recreation - Lot 26 Railway Street, Cottesloe Plans - Lot 26 Railway Street, Cottesloe

Dear Sir,
Re JDAP Development Application - Lot 26 Railway Street, Cottesloe

I am a ratepayer of the Town of Cottesloe. I am financially involved with this development.

I support this development completely. I note that after the publication of the revised LDP there were 19 objections to it and 122 submissions supportive of it. The officer comments at that time gave very satisfactory comments to all of the objections.

The development is very close to the Swanbourne railway station and meets the State Government's desire to concentrate development around transport hubs.

There is a variety of sizes of housing in the complex to allow a mix of people and families to enjoy a high standard of living. It will allow a small community atmosphere to develop.

The design has a very high standard for the building. Council design regulations do allow for a much more utilitarian building which would add nothing to the amenity of the area.

The design has superior sustainability features for light, power, water and temperature conservation.

The development has already been approved by the Council after an abnormally protracted assessment.

I ask that the Council support the design application that will be presented to the JDAP.

Yours sincerely,

36 Congdon St.,
Claremont

Ed Drewett

From:
Sent: Saturday, 19 January 2019 7:26 PM
To: council
Subject: JDAP Development Application Lot 26 Railway Street, Cottesloe

Categories: Green Category

I am a ratepayer of the Town of Cottesloe.

Re Lot 26 Railway Street, Cottesloe

I wish to submit my support for this application.

Ed Drewett

From:
Sent: Sunday, 20 January 2019 9:22 AM
To: council
Subject: Re JDAP Development Application Lot 26 Railway Street, Cottesloe
Categories: Green Category

Dear Councillors

I am a resident/ratepayer of the Town of Cottesloe.

I believe we should be supporting considered new density developments such as this proposal in our town.

Urban consolidation is imperative to our city and Cottesloe needs to be doing their part in helping the city achieve this

I have viewed the details of the application and elevation images and wish to submit my support for this application to proceed.

Previously I have supported the essence of the LDP and now support the project in detail as presented in the JDAP application.

The LDP is understood to be a guide document only where practical concessions can be made based on design criteria interpretation.

The design follows the LDP in essence but improves amenity, aesthetics and viability of the scheme and remains exactly as revised over the last 12 months.

The Architects have well considered the design in detail.

regards

217 Marmion St Cottesloe

Ed Drewett

From:
Sent: Sunday, 20 January 2019 4:46 PM
To: council
Subject: Re JDAP Development Application Lot 26 Railway Street, Cottesloe
Categories: Green Category

Dear Sirs,

I am a resident and ratepayer of the Town of Cottesloe.

I have viewed the details of the application and images and wish to submit my support for this application to proceed.

This Swanbourne Village Trust project has taken far too long in the execution and has been subjected to a great deal of Council intervention to date.

It is well located close to transport and shops and will bring opportunity for people to downsize in a community-styled environment, which I believe is needed in this area.

It is time to move ahead and bring diversity to Cottesloe's building stock and amenity.

Address 14 Lillian Street Cottesloe

Ed Drewett

From:
Sent: Sunday, 20 January 2019 4:56 PM
To: council
Subject: The Joint Development Assessment Panel for Lots 24 & 25 Railway Street, Cottesloe
Categories: Green Category

Dear Panel members

I am a resident at 15 Florence Street, Cottesloe and have followed the proposed innovative and environmentally sound redevelopment of previously dilapidated housing infrastructure at this site on the corner of Congdon St and Railway Street for several years.

In line with Perth's urban in-fill guidelines, and in response to ongoing and relentless population growth, the proposal involves an appropriate increase in urban density, that in my opinion will improve the quality of life for proposed new residents while also increasing the amenity of the region. As I have previously commented, the development offers diversity of accommodation, close to transport and other infrastructure and services that would be appropriate for people of all ages, but especially older residents, for which there is a lack of options currently offered.

Having studied details of the application, along with plans and 3D images of the proposed development, I would like to submit my support for this application to proceed.

Details of the ground layout plan for this development that has been approved by Council appear to present a much improved streetscape, compared with the previous dwellings and should act as a quality benchmark for future developments that enhance the area and complement surrounding dwellings and offer modern accommodation with low environmental impact and ongoing sustainable energy credentials.

Yours

15 Florence Street
Cottesloe

Ed Drewett

From:
Sent: Sunday, 20 January 2019 5:21 PM
To: council
Subject: JDAP Development Application Lot 26 Railway Street, Cottesloe
Categories: Green Category

Dear Sirs,

I am a resident and ratepayer in the Town of Cottesloe and live opposite the development site Lot 26 Railway Street, Cottesloe.

I have read the application report and viewed architectural drawings and wish to submit my APPROVAL for this application to proceed.

The drawings indicate a high quality development will be created - one which will be aesthetically pleasing for our area and our community.

This development will sit well at the corner of Congdon Street, close to transport and shopping. It will bring greater vibrancy to a dead corner.

38 Congdon Street

Cottesloe

Ed Drewett

From:
Sent: Sunday, 20 January 2019 5:58 PM
To: council
Subject: JDAP application for 26 Railway Rd

Categories: Green Category

please be advised that as a retired architect I have followed this project with great interest.

It is obvious to those familiar with the infill obligations required to control unsustainable suburban spread that this project ticks all the planners boxes.

If there were issues with the suitability of the zoning of the block I believe that only pointed to the inability of the town plan to deal with the future. That issue presumably now resolved we continue to nit pick over design planning details.

Lets let the Architect for this project do what he does best and design a sustainable community of dwelling units populated by people who appreciate what has been created.

Let us leave bruised egos behind and move on.

Ed Drewett

From:
Sent: Sunday, 20 January 2019 6:11 PM
To: council
Subject: Re support for JDAP Development Application Lot 26 Railway Street, Cottesloe

Re JDAP Development Application Lot 26 Railway Street, Cottesloe

Dear Sirs,

I am a ratepayer of the Town of Cottesloe.

The Cottesloe Council has gone through a very long, tedious and thorough investigation of this development. I have viewed the details of the application and elevation images and wish to again submit my **support** for this application to proceed.

Previously, I have supported the essence of the LDP and I now thoroughly support the project in detail as presented in the JDAP application. The development is the right one for this area incorporating sustainable and state-of-the-art architecture and design endorsed by numerous experts who have on several occasions, given their support to this design.

The LDP is understood to be a guide document only where practical concessions can be made based on design criteria interpretation. The Council have already approved the development LDP 8:1

The design follows the LDP in essence but improves amenity, aesthetics and viability of the scheme and remains exactly as revised over the last 12 months. This location is perfectly suited to the location and provides a mix of diverse housing very close to a train station. The design compliments the existing developments offers a small village feel in this area.

Address: 28b Lilly Street, South Fremantle, **COTTESLOE RATEPAYER**

Ed Drewett

From:
Sent: Monday, 21 January 2019 9:37 AM
To: council
Subject: Submission: 126 & 128 Railway Street, Cottesloe

Dear Town of Cottesloe Councillors and Administration,

Please ensure the JDAP receives the below submission.

126-128 Railway Street Cottesloe

As a former Cottesloe Councillor and Mayor, plus a resident of 35 years, I would like to lodge my absolute support for the Design Application for the above development.

As previously stated this Development is exactly what is needed in our western suburbs. It is a sustainable and environmentally responsible development, in the right location close to transport and services, which will cater to our increasingly socially aware population.

It has had lengthy consideration through out the community, is respectful of neighbouring properties and residents, is an excellent and has been approved by Council. The Design is well thought out architecturally respectful of its location, and to be encouraged.

Please approve.

Kind regards

Ed Drewett

From:
Sent: Monday, 21 January 2019 10:27 AM
To: council
Subject: FW: JDAP Development Application Lot 26 Railway Strret , Cottesloe. (Cnr Congdon and Railway St.)

Re JDAP Development Application Lot 26 Railway Street, Cottesloe

Dear Sirs,

I am a resident of the Town of Cottesloe or interested party living close by the Town of Cottesloe.

I have viewed the details of the application and elevation images and wish to submit my support for this application to proceed.

These sorts of innovative projects that have sustainable/community living are too rare and need to be supported rather than questioned at every step.

There are too many tiny units placed on land to maximise developer return with little interest in sustainable living.

This development showcases a way to live in the future for an aging population and should be encouraged.

I support the project in detail as presented in the JDAPS application.

The LDP is understood to be a guide document only where practical concessions can be made based on design criteria interpretation.

The design follows the LDP in essence but improves amenity, aesthetics and viability of the scheme and remains exactly as revised over the last 12 months.

The Architects have well considered design in detail.

Thanks & Regards,

Ed Drewett

From:
Sent: Saturday, 19 January 2019 5:41 PM
To: council
Subject: JDAP Development Application Lot 26 Railway Street, Cottesloe
Categories: Green Category

Dear Sir,

I am a Town of Cottesloe ratepayer and have previously sent my support for the ground layout plan for this project.

I understand the project is now entering the Design Application Stage and wish to submit my support for the project and its design in more detail.

The project design encapsulates the future need for transport oriented developments; and the mix of dwelling options combined with proximity to the train line makes absolute sense for the future of the Cottesloe community. The design is both aesthetically pleasing and environmentally sound, taking into account not only existing developments and amenities, but also sustainability factors.

I submit my full support for this application to proceed.

Thank you

Ed Drewett

From:
Sent: Saturday, 19 January 2019 5:21 PM
To: council
Subject: Re: JDAP Development Application Lot 26 Railway Street, Cottesloe
Categories: Green Category

Dear Sirs

I am a business owner in the Claremont Crescent shopping centre opposite Lot 26 Railway Street, Cottesloe.

I have viewed the details of the above application and elevation images and wish to submit my support for this application to proceed.

Previously I have supported the essence of the LDP and now support the project in detail as presented in the JDAP application.

The JDAP application has many advantages and features which support redevelopment of this nature, such as:

- suitable location close to train station
- diversity of housing
- suitability for the area
- mix of dwelling options
- small village development
- conservative solution for the site
- respects the existing developments
- already approved by Council and has undergone a long investigation
- complements amenity of the area

The LDP is understood to be a guide document only where practical concessions can be made based on design criteria interpretation.

The design follows the LDP in essence but improves amenity, aesthetics and viability of the scheme and remains exactly as revised over the last twelve months.

The Architects have well considered the design in detail.

For any feedback or contact, please note my details below:

This email (including all attachments) may contain personal information that is intended solely for the named addressee. It is confidential and may be subject to legal or other professional privilege. Any confidentiality or privilege is not waived or lost because this email has been sent to you by mistake. Any personal

From:

Sent: Saturday, 19 January 2019 5:21 PM

To: council

Subject: Lot 26 Railway Street, Cottesloe

council@cottesloe.wa.gov.au

Re JDAP Development Application Lot 26 Railway Street, Cottesloe

Dear Sirs,

I am a past resident of the Town of Cottesloe and have an ongoing interest in the planning issues of the town and the general area.

Previously I have supported the essence of the LDP and now support the project in detail as presented in the JDAP application.

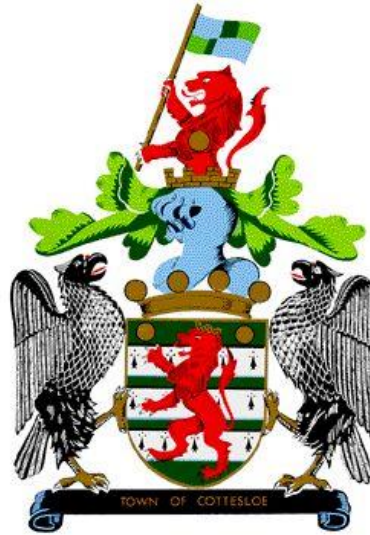
The design is in accordance with the LDP and progressive planning principles and would appear to tick all the boxes with reference to

- Amenity(TOD)
- In fill density (Perth Peel @3.5m)
- Sustainability(solar passive design, building efficiency)
- Aesthetics

The architects appear to have addressed all the issues with sensitivity and planning integrity.

Regards

TOWN OF COTTESLOE



DESIGN ADVISORY PANEL UNCONFIRMED MINUTES

MAYOR'S PARLOUR, COTTESLOE CIVIC CENTRE
109 BROOME STREET, COTTESLOE
5.00 PM, THURSDAY, 24 JANUARY 2019

MAT HUMFREY
Chief Executive Officer

31 January 2019

1. DECLARATION OF MEETING OPENING / ANNOUNCEMENT OF VISITORS 5.05PM

Cr TUCAK as Chair:

I would like to acknowledge that this meeting is being held on the traditional lands of the Noongar people, Whadjuk boodjar near Mudurup Rocks. I wish to acknowledge and respect their continuing culture and that this area has great significance for its Traditional Owners.

2. ATTENDANCE**Panel Members Present**

Cr Michael Tucak	Chair
Dick Donaldson	Panel Member
Simon Rodrigues	Panel Member
Deon White	Panel Member

Officers Present

Garry Bird	Acting Chief Executive Officer (left at 5.55pm).
Ed Drewett	Coordinator, Statutory Planning

Apologies

James Atkinson	Deputy Panel Member
Rhys Kelly	Deputy Panel Member
Trevor Saleeba	Panel Member
Craig Shepherd	Panel Member
Lawrence Scanlan	Panel Member

Observers

Mayor Philip Angers
Cr Rob Thomas
Cr Lorraine Young

3. DECLARATION OF INTERESTS

NIL

4. ITEM FOR DISCUSSION

4.1 126 Railway Street – Mixed use residential, office and yoga studio

5. CR TUCAK HANDED OVER TO ED DREWETT, COORDINATOR STATUTORY PLANNING

The Design Advisory Panel was asked to comment on specific issues that were considered subjective and where the decision-maker is being asked to exercise its discretion.

The Design Advisory Panel's comments are summarised as follows:

- Landmark architecture

The development includes landmark architecture elements which will identify the site's prominent corner location and provide visual interest. However, more significant differentiation between the residential and non-residential components would be appropriate, and streetscape interaction could be improved.

- Building height

The photo voltaic shade structures and stair wells on the roof decks could be treated as minor projections and be exempt from the Town's building height requirements.

- Plot ratio

The plot ratio variation may be supported as the development will not appear bulky and it will sit well in its location.

- Nil setback of basement parking structure along Railway Street

The proposed length of the undercroft parking structure adjoining Railway Street is supported as it would not have a detrimental impact on the streetscape. However, the portion of solid limestone wall to the courtyards above the undercroft parking structure should be visually permeable to address the streetscape and provide better street surveillance.

- Reduced setback to Congdon Street

The proposed eastern external stairs shown in the amended plans adjoining the double-storey Unit 2 appear too heavy and needs to be more light-weight in appearance and open-sided for it to be considered in the Congdon Street setback, and to satisfy the requirements of the Local Development Plan.

- Parking

The shortfall of parking for the non-residential uses could be supported if the uses were restricted to on-site owners/tenants only.

- Compatibility of the development with its setting, including height, bulk, scale, orientation and appearance.

The efforts of the architect are generally praised and the development, together with its use of communal areas and roof decks, is considered responsible, creative, and appropriate for its location. However, the comments outlined by the Panel should be addressed by the architect.

6. OTHER BUSINESS

NIL

7. GENERAL BUSINESS

NIL

8. NEXT MEETING

N/A

9. MEETING CLOSURE

7.06pm