

Our Ref: 714-528

2 July 2014

The Chief Executive Officer
Town of Cottesloe
PO Box 606
Cottesloe WA 6911



Attention: Andrew Jackson

Dear Andrew,

TOWN PLANNING
URBAN DESIGN AND HERITAGE

REQUEST FOR ROAD CLOSURE – PORTION OF RIGHT OF WAY 32A, COTTESLOE

TPG Town Planning, Urban Design and Heritage (TPG) on behalf of the owners of Lots 700, 703 and 44 (Nos. 96, 98 and 100) Broome Street and Lot 41 (No.41) John Street has prepared the following request to Council to initiate a road closure process in accordance with the procedures set out within Section 58 of the *Land Administration Act 1997*. This request seeks to close a portion of the Right of Way that runs adjacent to the rear boundaries of Lots 700, 703 and 44 (Nos. 96, 98 and 100) Broome Street and Lot 41 (No.41) John Street (ROW 32A). It is proposed that a total of 108 square metres be closed as shown on the attached Proposed ROW Closure Plan.

Refer to Appendix A - Proposed ROW Closure Plan

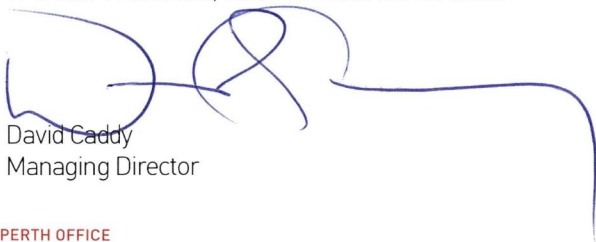
The ROW is currently un-kept and primarily used by pedestrians as a means to get to the Cottesloe foreshore from the Cottesloe train station. The increased foot traffic through the area has resulted in the owners of Lots 700, 703 and 44 (Nos. 96, 98 and 100) Broome Street and Lot 41 (No.41) John Street experiencing an increase in petty criminal activity. The proposed section to be closed only provides access to Lots 700, 703 and 44 (Nos. 96, 98 and 100) Broome Street and Lot 41 (No.41) John Street and its closure would not inconvenience any other land owners. As such, to increase the safety and therefore residential amenity to the residents, it is requested that the section of the ROW indicated in the proposed plan be closed.

Pursuant to Section 58 of the *Land Administration Act 1997*, the road closure request is to be publicly advertised for a period of 35 days by placing an advertisement within the local newspaper. Concurrently, the Town is to forward the application and accompanying letter to the Department of Planning, Department of Lands and servicing authorities for comment to enable an efficient feedback process to be achieved.

Upon completion of the Town's consideration of the comments received during the key stakeholder and community consultation process detailed above and Council's support of the application, formal actions by the Department of Lands are to commence in accordance with Sections 58 and 87 of the *Land Administration Act 1997*, including the sale of the land comprising the former road to the owners of Lots 700, 703 and 44 (Nos. 96, 98 and 100) Broome Street and Lot 41 (No.41) John Street.

We trust that this letter contains the information required for the Council to initiate the process to close the requested portion of the Right of Way.. Should you have any queries or require clarification on any matters please do not hesitate to contact the undersigned on 9289 8300.

Yours sincerely
TPG TOWN PLANNING, URBAN DESIGN AND HERITAGE



David Caddy
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The Planning Group WA Pty Ltd
ABN 36 097 273 222

Appendix A
Proposed ROW Closure Plan



BROOME STREET

JOHN STREET

DORCAS LANE

44

700

703

108m²

41

110


39



This concept has been prepared for the purpose of meeting client specifications. The drawing does not constitute an invitation, agreement or contract (or any part thereof) of any kind whatsoever.

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 Area of Road Closure



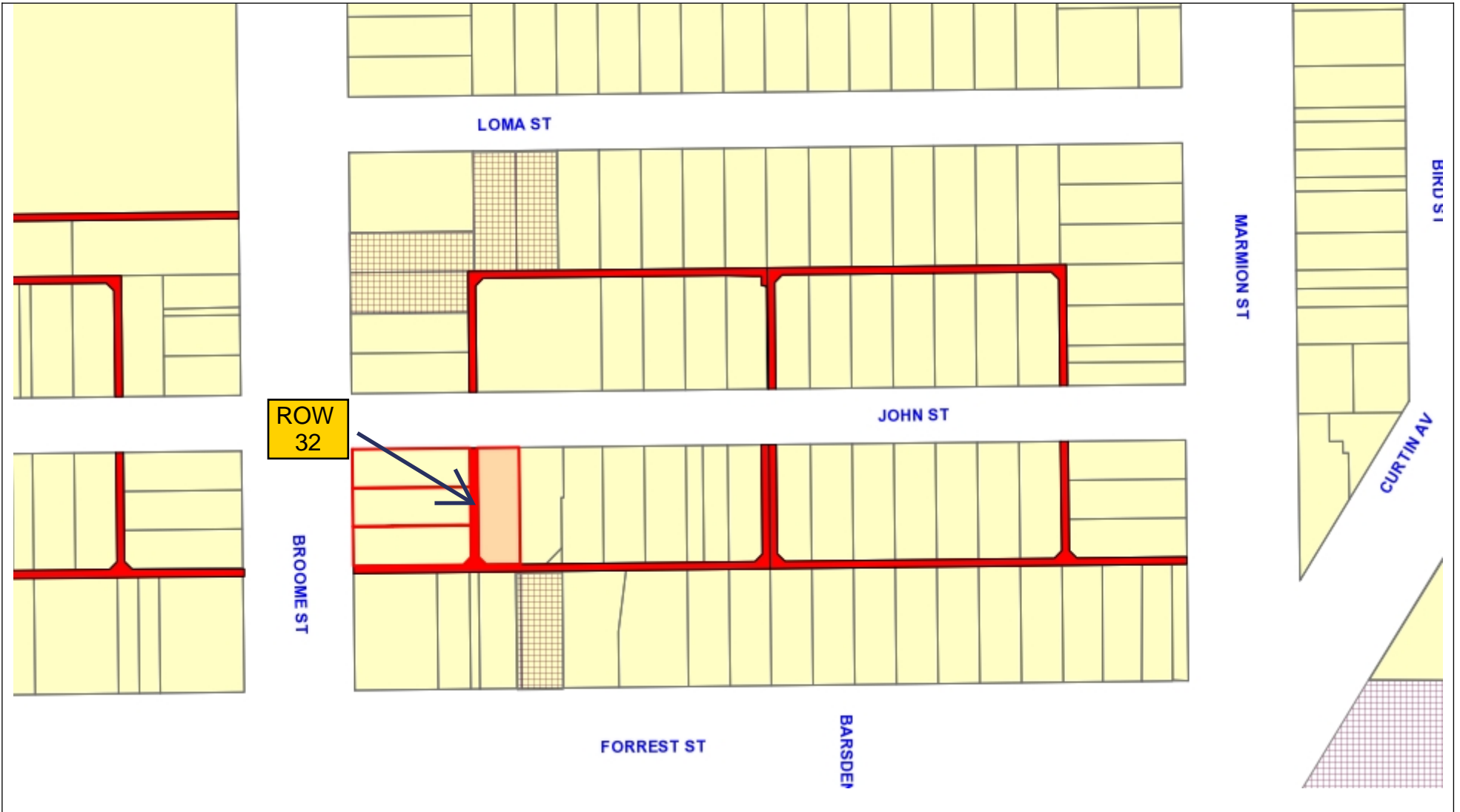
ROAD CLOSURE PLAN
Lot 703 (96) Broome Street, Cottesloe

Date: 2 July 2014
Scale: 1:400 @ A3
Drawing No. 714-528 PL road closure.dwg

Designer: MV
Drawn: GW

TOWN PLANNING
AND URBAN DESIGN





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Scale 1:2029

Wednesday, 13 August 2014



TABLE B

Local Government Checklist to Close a Crown PAW or ROW

ITEM	DOCUMENTS TO BE PROVIDED	ATTACHED
1	<p>Summary/Information Report prepared for public advertising containing information set out in DoL's Crown Land Administration and Registration Practice Manual at Paragraph 5.8.2:</p> <p style="padding-left: 40px;">Copy of Information Report prepared for public advertising that outlines the effect of the closure on walkability to facilities, alternative access paths, if the PAW does not or does form part of a necessary continuous access system;</p> <p>Consideration of alternatives to closure; Documentation of the anti-social behaviour and crime being experienced and Council's policy to combat it; Department of Planning other relevant Government agencies' comments; Details of consultation process together with the number of objections and support plus comments; Copies of correspondence to owners of adjoining land as well as with those adjoining owners interested in the land sharing arrangement</p>	
2	Signed copy of Council resolution to close Way	
3	Sketch plan showing proposed land allocation to adjoining owners or proposed use of land following closure (to identify easements under either section 167 of the Planning and Development Act 2005 for drainage works, water, electricity or gas, if required or, under section 144 of the LAA)	
4	<p>Copies of correspondence to public utility service providers and other agencies confirming their agreement to the proposed closure</p> <ul style="list-style-type: none"> • Water Corporation • Western Power • Alinta Gas • Telstra • Department of Industry and Resources • Dampier to Bunbury Natural Gas Pipeline (DPNGP) Land Access Minister • DoL (Statutory Planning) 	
5	Copies of correspondence from adjoining owners on the proposed allocation of land in proposed closed PAW or ROW	





