



Town of Cottesloe



Scheme Amendment No. 8

Local Planning Scheme No. 3

Stirling Highway Rationalisation

Date February 2019

Production Details

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Advertising			
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Form 2A

Planning and Development Act 2005 (as amended)

RESOLUTION TO ADOPT AMENDMENT TO LOCAL PLANNING SCHEME

**Town of Cottesloe Local Planning Scheme No. 3
Scheme Amendment 8**

Resolved that the local government pursuant to section 75 of the *Planning and Development Act 2005*, amend the above Local Planning Scheme by:

- 1.1 Zoning a portion of Lot 14 Albion Street, Lot 18-20 Boreham Street, Lot 2 Burt Street, Lot 3 Congdon Street, Lots 52-55 and 61 Dalgety Street, Lot 63 Edward Street, Lots 10 and 26 Eric Street; and Lots 70 and 71 Napier Street, Cottesloe 'Residential Zone' with a density code of R20;
- 1.2 Zoning Lot 21 Gordon Street; Lots 3 (No. 2A) and 4 Dalgety Street; Lots 1, 2 and 4 Boreham Street; Lot 1 Burt Street; Lot 22 and 64 Edward Street; Lot 2 Foulkes Lane; Lot 69 Napier Street; Lots 1 (No. 471, 473 and 483), 2 (No. 475 and 483), 3-6, 51, 57, 59, 67, 68, 100, 101 and 800 Stirling Highway; and a portion of Lot 9 Eric Street, Cottesloe 'Residential Zone' with a density code of R20/60;
- 1.3 Zoning Lot 64 Burt Street, Lot 2 Napier Street, Lot 1 (No. 493) Stirling Highway, Cottesloe and a portion of Lot 4 Napier Street and Lot 12 Rockett Lane, Cottesloe 'Residential Zone' with a density code of R30/60;
- 1.4 Zoning Lot 91 and portions of Lots 1, 16 and 88 Albion Street, and Lots 89 and 90 Vera Street, Cottesloe 'Residential Zone' with a density coding of R35;
- 1.5 Zoning a portion of Lot 2 Forrest Street 'Residential Zone' with a density code of R40;
- 1.6 Zoning portions of Lots 1, 2 and 4 Napier Street and Lots 64 and 100 Rocket Lane, Cottesloe 'Residential Zone' with a density code of R30/60;
- 1.7 Zoning Lots 1, 2 and 20 Albion Street, Cottesloe 'Residential Zone' with a density code of R35/60;
- 1.8 Zoning Lot 3 Forrest Street and Lot 100 Stirling Highway, Cottesloe 'Residential Office Zone' with a density code of R40/60;

- 1.9 Zoning Lots 11, 12 and a portion of reserve 335 Grant Street, Claremont; Lot 1 and a portion of reserve 332 Stirling Highway, Claremont; Lot 1, 8 and portions of Lots 5 (#451 and #453) Stirling Highway; and Lots 4 and 9 McNamara Way, Cottesloe 'Residential Zone' with a density code of R60;
- 1.10 Zoning Lots 1 (No. 533), 12, 13, 50 (No. 541 and 543), 500 and portions of Lots 5 and 101 Stirling Highway; Reserve 10998 and portions of Lots 2 and 3 Station Street; Lot 49 and portions of Lots 5, 8, 17-19, 25 and 27 Napoleon Street; portions of Lots 5-7 Jarrad Street; and Lots 1 and 40 Forrest Street, Cottesloe 'Town Centre Zone' with a density code of R100;
- 1.11 Reserving the balance of Lot 2 Congdon St, Claremont for 'Public Purposes: Fire Station';
- 1.12 Reserving the balance of Lot 4 Congdon St, Cottesloe for 'Public Purposes: Telecommunication';
- 1.13 Reserving the balance of Lot 401 Vera Street, Lot 3 Forrest Street 'Local Road Reserve';
- 1.14 Reserving the balance of public access ways and/or local roads as 'Local Road Reserve'; and
- 1.15 Extending Additional Use No. 7 over the balance of Lot 1 (No. 441) Stirling Highway, Claremont;

in accordance with the scheme amendment map(s), and

- 1.16 Replacing Clause 5.3.4: Development in areas with a dual residential density code abutting Stirling Highway with the following:

'Despite anything contained in the Residential Design Codes to the contrary, residential development in areas with a dual density code on the scheme map abutting Stirling Highway shall be in accordance with the development standards of the lower R-Code unless the residential development—

- (a) has no direct vehicular access to and from Stirling Highway; and
- (b) is a comprehensive redevelopment of more than one lot abutting Stirling Highway,

in which case the local government may permit development in accordance with the development standards of the higher R-Code.'

The Amendment is 'Standard' under the provisions of the *Planning and Development (Local Planning Schemes) Regulations 2015* for the following reasons:

- (a) It relates to zones and reserves that are consistent with the objectives identified in the Scheme for those zones and reserves;
- (b) It is consistent with the Town of Cottesloe Local Planning Strategy;
- (c) It ensures consistency with the Metropolitan Region Scheme;
- (d) It has a minimal impact on land in the Scheme area that is not the subject of the amendment;
- (e) It does not result in any significant environmental, social, economic or governance impacts on land in the Scheme area; and
- (f) It is not a basic or complex amendment.

Dated this 10th day of May 2019



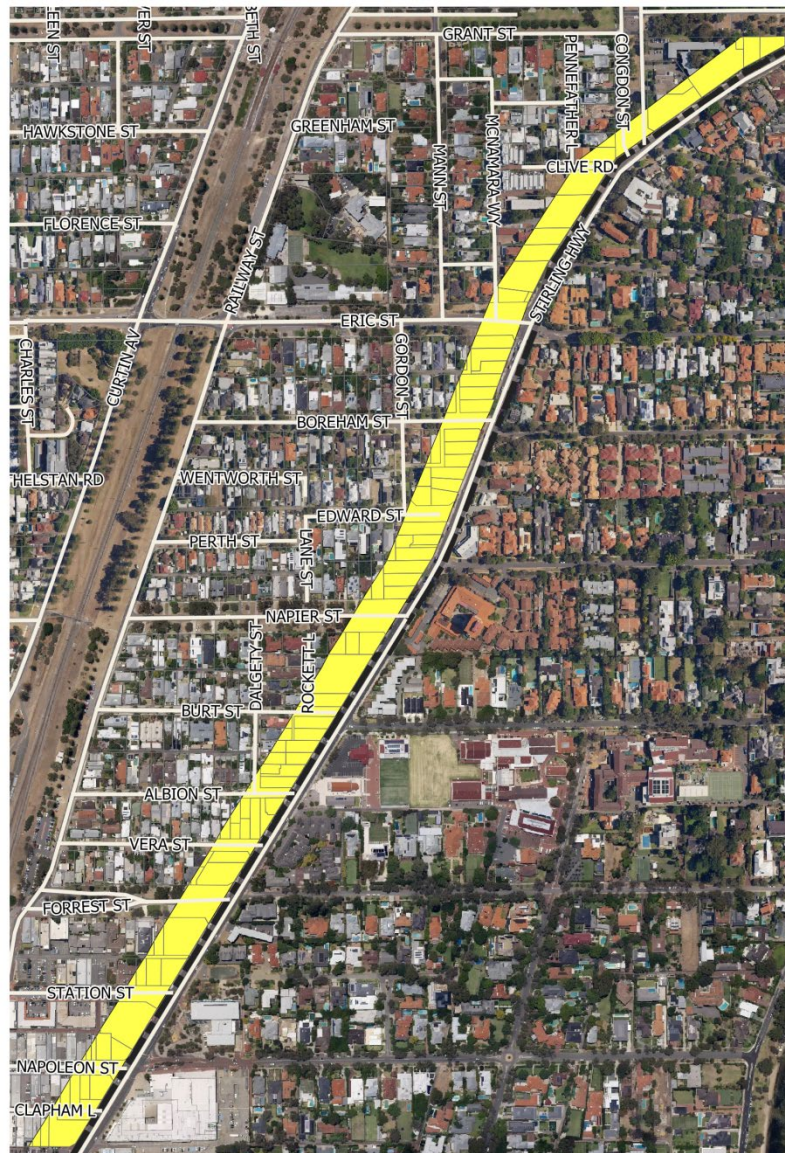
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(Chief Executive Officer)

1. Introduction

This amendment to the Town of Cottesloe Local Planning Scheme No. 3 (LPS 3) is necessitated by Amendment 1210/41 to the Metropolitan Region Scheme (MRS), which took effect in January 2017. The purpose of MRS Amendment 1210/41 was to rationalise the 'Primary Regional Roads' reserve over Stirling Highway between Nedlands and North Fremantle. The extent to which Cottesloe is affected by this amendment is indicated below in Figure 1.

Consequently the Town is required to initiate a local planning scheme amendment to reflect the new reservation over Stirling Highway from Grant Street to Jarrad Street by zoning these to 'Residential Zone' with densities that are consistent with adjoining properties.

Figure 1: Extent of the Primary Regional Roads increase within the Town of Cottesloe.



2. Background

A 2017 MRS amendment proposed to rationalise the extent of the existing Primary Regional Road reservation over Stirling Highway between Nedlands and North Fremantle. A regional reservation is put in place to protect identified land for a regional purpose - in this case a primary regional road. Its purpose is to secure the long term regional functionality of the highway.

The Stirling Highway Reservation Planning Review (SHRPR), commenced in 1999, proposed a decrease of the Stirling Highway reservation between Jarrad Street, Cottesloe and Winthrop Avenue, Subiaco. A subsequent decade long process has concluded with a more realistic long term road design for Stirling Highway. The design (which depicts decreased setbacks) provided the base justification for rationalising the existing reservation through the proposed MRS amendment, which sought to modify the Primary Regional Road Reservation to match the design.

The purpose of the MRS amendment was to remove the existing Primary Regional Road reservation and rezone it to Urban Zone, consistent with adjacent land (see Figures 2 and 3 below).

Figure 2: Extract of MRS Regional Road Reserve prior to the MRS Amendment



The MRS sets out broad land use zones and provides the legal basis for planning in a local government area. It requires local governments to provide detailed plans (in the form of local

zones, reserves and density codes) for their region, consistent with the underlying MRS zones. The Metropolitan Region Scheme defines the 'Urban Zone' as being

'...areas in which a range of activities are undertaken including residential, commercial, recreational and light industry.'

Figure 3: Extract of existing zoning post gazettal of the MRS amendment



2.1 New 'Primary Regional Roads' land

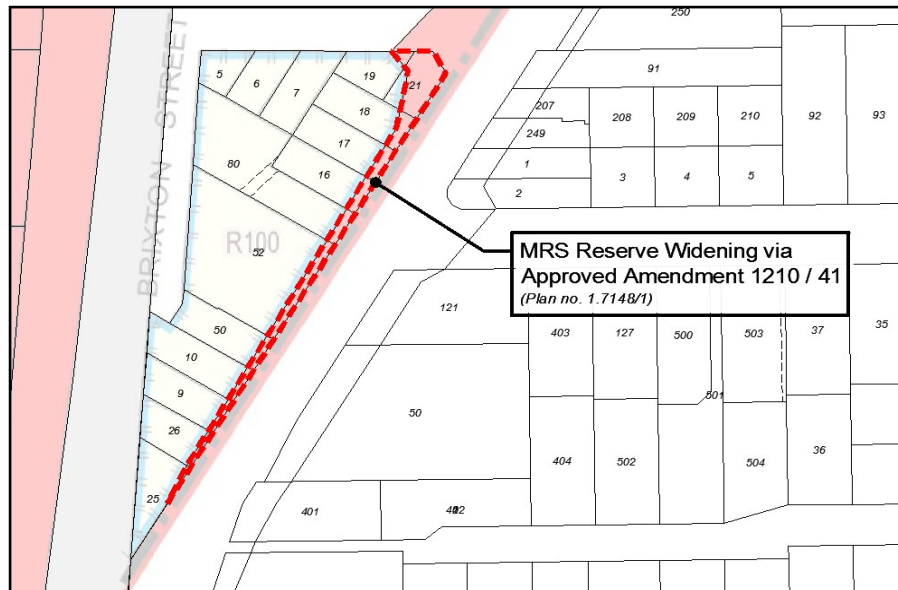
The amendment also proposed a slight increase to the Primary Regional Road reservation south of Jarrad Street in order to accommodate possible future physical improvements associated with pedestrian, cyclist and public transport infrastructure or safe turning lanes necessary for an effective and functional regional road network (in accordance with Figure 4 below).

The modifications to the following lots were therefore effective from the date of gazettal of the MRS Amendment 1210/41:

Table 2 – Lot details of properties south of Jarrad Street affected by a slight increase in Regional Road Reservation.

Lot No.	Street No.	Street	Suburb
19	37	Jarrad St	Cottesloe
21	571	Stirling Hwy	Cottesloe
18	573	Stirling Hwy	Cottesloe
17	573	Stirling Hwy	Cottesloe
16	573	Stirling Hwy	Cottesloe
18	1	Brixton St	Cottesloe
52	589	Stirling Hwy	Cottesloe
50	593	Stirling Hwy	Cottesloe
10	595	Stirling Hwy	Cottesloe
9	597	Stirling Hwy	Cottesloe
26	597	Stirling Hwy	Cottesloe
25	597	Stirling Hwy	Cottesloe

Figure 4: Extract of existing zoning post gazettal of the MRS amendment



2.1 Site area and ownership

The area affected by proposed Scheme Amendment No. 8 extends from Grant Street, Cottesloe in the north to North of Jarrad Street, Cottesloe in the south (see Figure 5 below). The proposed amendment involves the zoning of either portions of or entire properties totalling 99.

The majority of affected lots are residential in nature and/or may already be partly zoned 'Residential Zone'. The proposed amendment also includes two Public Purposes Reserves, including a fire station and telecommunications infrastructure. The details of each lot affected by proposed Scheme Amendment No. 8 is listed within Tables 2 – 8 below.

Figure 4: Lots affected by proposed Scheme Amendment No. 8

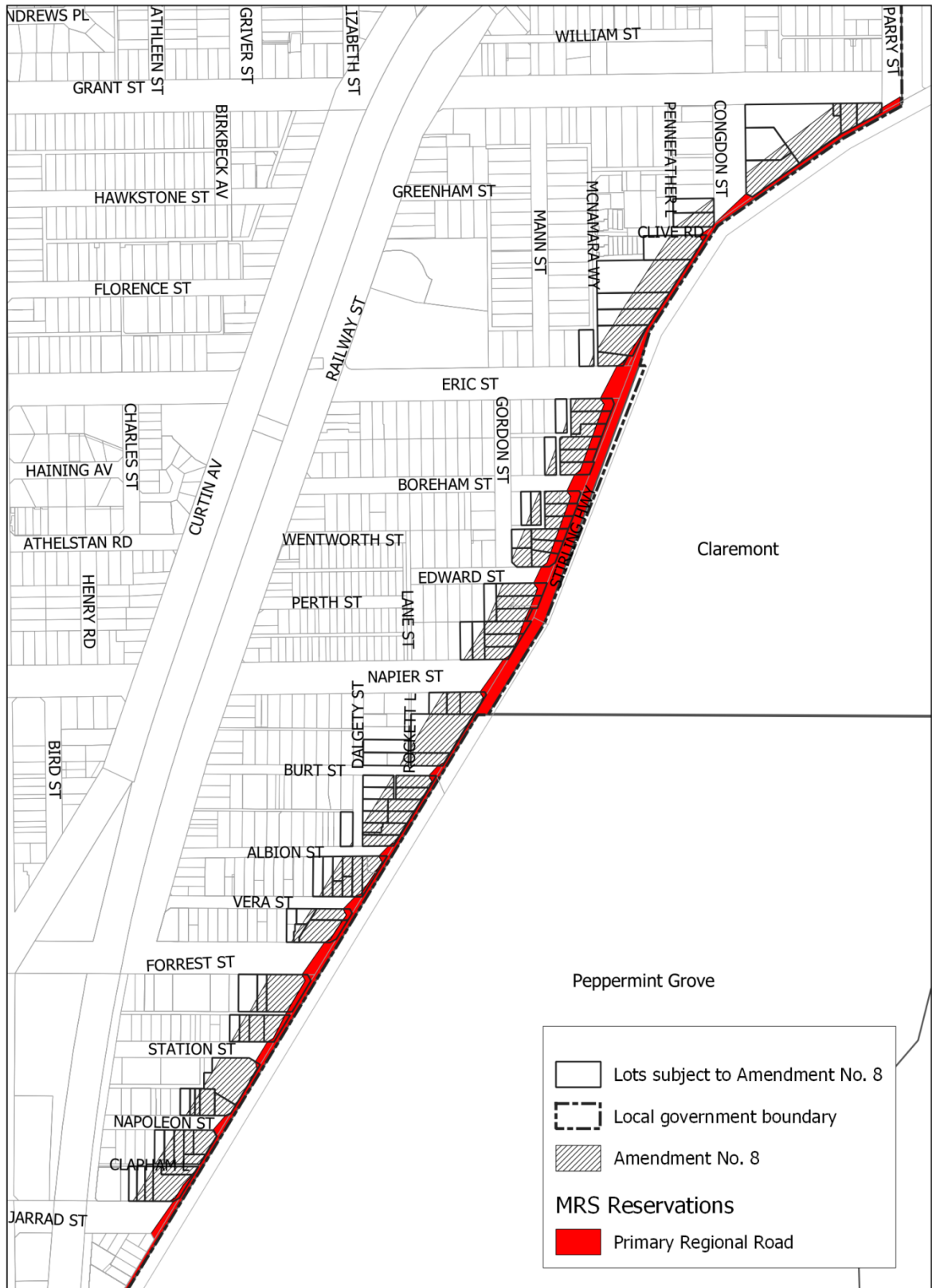


Table 3 – Lot details of properties with an existing density of R20

Lot No.	Street No.	Street	Suburb	Lot Area (m ²)	Ownership
3	3	Pennefather Lane	Cottesloe	888	Private
10	119	Eric St	Cottesloe	591	Private
18	38	Boreham St	Cottesloe	662	Private
19	37	Boreham St	Cottesloe	508	Private
20	35	Boreham St	Cottesloe	508	Private
26	120	Eric St	Cottesloe	819	Private
52	2	Dalgety St	Cottesloe	460	Private
53	4	Dalgety St	Cottesloe	460	Private
54	6	Dalgety St	Cottesloe	564	Private
55	8	Dalgety St	Cottesloe	564	Private
60	26	Burt St	Cottesloe	426	Private
61	12	Dalgety St	Cottesloe	902	Private
63	13	Edward St	Cottesloe	708	Private
70	108	Napier St	Cottesloe	708	Private
71	106	Napier St	Cottesloe	708	Private
1	473	Stirling Hwy	Cottesloe	503	Private
2	471A	Stirling Hwy	Cottesloe	596	Private
2	475	Stirling Hwy	Cottesloe	602	Private
3	477	Stirling Hwy	Cottesloe	536	Private
4	40	Boreham St	Cottesloe	619	Private
4	479	Stirling Hwy	Cottesloe	556	Private
5	465	Stirling Hwy	Cottesloe	677	Private
6	463	Stirling Hwy	Cottesloe	768	Private
9	121	Eric St	Cottesloe	819	Private
21	2	Gordon St	Cottesloe	569	Private
22	16	Edward St	Cottesloe	558	Private
46	485	Stirling Hwy	Cottesloe	643	Private
48	2A	Dalgety St	Cottesloe	285	Private
48	2B	Dalgety St	Cottesloe	474	Private
51	515	Stirling Hwy	Cottesloe	586	Private
56	25	Burt St	Cottesloe	677	Private
57	505	Stirling Hwy	Cottesloe	546	Private
59	511	Stirling Hwy	Cottesloe	424	Private
64	15	Edward St	Cottesloe	945	Private
65	483	Stirling Hwy	Cottesloe	415	Private
65	483A	Stirling Hwy	Cottesloe	321	Private
67	487	Stirling Hwy	Cottesloe	840	Private
68	489	Stirling Hwy	Cottesloe	682	Private
69	110	Napier St	Cottesloe	531	Private
83	507	Stirling Hwy	Cottesloe	558	Private
100	459	Stirling Hwy	Cottesloe	880	Private
100	1/39	Boreham St	Cottesloe	665	Private
100	2/39	Boreham St	Cottesloe	288	Private

101	461	Stirling Hwy	Cottesloe	502	Private
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Table 4 – Lot details of properties with an existing density of R30

Lot No.	Street No.	Street	Suburb	Lot Area (m ²)	Ownership
1	493	Napier St	Cottesloe	708	Private
2	105	Napier St	Cottesloe	445	Private
4	103	Napier St	Cottesloe	592	Private
64	28	Rocket Ln	Cottesloe	713	Private
100	3	Rocket Ln	Cottesloe	3075	Private

Table 5 – Lot details of properties with an existing density of R35

Lot No.	Street No.	Street	Suburb	Lot Area (m ²)	Ownership
16	27	Albion St	Cottesloe	602	Private
17	29	Albion St	Cottesloe	604	Private
59	6	Vera St	Cottesloe	235	Private
88	31	Albion St	Cottesloe	373	Private
20	35	Albion St	Cottesloe	620	Private
50	37	Albion St	Cottesloe	408	Private
50	39	Albion St	Cottesloe	371	Private
90	4	Vera St	Cottesloe	305	Private
91	33	Albion St	Cottesloe	305	Private

Table 6 – Lot details of properties with an existing density of R40

Lot No.	Street No.	Street	Suburb	Lot Area (m ²)	Ownership
51	120	Forrest St	Cottesloe	1285	Private
100	519	Stirling Hwy	Cottesloe	638	Private

Table 7 – Lot details of properties with an existing density of R60

Lot No.	Street No.	Street	Suburb	Lot Area (m ²)	Ownership
1	443	Clive Rd	Cottesloe	2067	Private
1	441	Stirling Hwy	Claremont	1874	Private
4	12	McNamara Way	Cottesloe	1669	Private
5	451	Stirling Hwy	Cottesloe	1409	Private
11	139	Grant St	Claremont	597	Private
12	137	Grant St	Claremont	658	Private
18	457	Stirling Hwy	Cottesloe	541	Private
25	6	McNamara Way	Cottesloe	1897	Private
73	14	McNamara Way	Cottesloe	4165	Private
332	437	Grant St	Claremont	5387	Private

Table 8 – Lot details of properties with an existing density of R100

Lot No.	Street No.	Street	Suburb	Lot Area (m ²)	Ownership
1	105	Forrest St	Cottesloe	1080	Private
1	533	Stirling Hwy	Cottesloe	743	Private
2	24	Station St	Cottesloe	404	Private
3	22	Station St	Cottesloe	404	Private
5	535	Stirling Hwy	Cottesloe	2610	Private
5	36	Napoleon St	Cottesloe	200	Private
5	40	Jarrad St	Cottesloe	435	Private
6	40A	Jarrad St	Cottesloe	435	Private
7	42	Jarrad St	Cottesloe	435	Private
8	38	Napoleon St	Cottesloe	200	Private
12	561	Stirling Hwy	Cottesloe	432	Private
13	557	Stirling Hwy	Cottesloe	285	Private
17	31	Napoleon St	Cottesloe	510	Private
18	29	Napoleon St	Cottesloe	510	Private
19	23	Napoleon St	Cottesloe	510	Private
25	40	Napoleon St	Cottesloe	610	Private
27	32	Napoleon St	Cottesloe	404	Private
40	109	Forrest St	Cottesloe	538	Private
49	33	Napoleon St	Cottesloe	364	Private
50	541	Stirling Hwy	Cottesloe	488	Private
50	543	Stirling Hwy	Cottesloe	700	Private
101	529	Stirling Hwy	Cottesloe	2074	Private
500	569	Stirling Hwy	Cottesloe	1422	Private

Table 9 – Lot details of properties reserved for Public Purposes.

Lot No.	Street No.	Street	Suburb	Lot Area (m ²)	Ownership
335	335	Grant St	Claremont	139	Public
10998	n/a	Station St	Cottesloe	609	Public

2.2 Previous Council consideration and public engagement

The need for this amendment has arisen from Amendment 1210/41 to the MRS, which was gazetted in June 2017 (and effective from January 2017) following progression as a 'Major' amendment by the WAPC. The 'Major' assessment process involves (relevantly) a 3-month long advertising period, subsequent public hearings and tabling in State Parliament for 12 sitting days, during which time the amendment may be disallowed.

The Town considered the implications of MRS Amendment 1210/41 at its July 2017 Council meeting, at which the following resolution was made (relevantly):

- ‘3. *Request that the Administration prepares a draft single amendment to Local Planning Scheme No.3, which:*
- a) *extends the adjoining local zones, reserves and residential density codings to cover land released from the Metropolitan Region Scheme Primary Regional Road reservation for Stirling Highway;*
 - b) *includes the Metropolitan Region Scheme Primary Regional Road reservation for Stirling Highway imposed on land south of Jarrad Street; and*
 - c) *makes minor changes for technical or practical reasons as may be identified by detailed analysis.*
 - d) *has due regard to the aims and objectives of LPS3, and in particular but not limited to clause 5.3.4 of LPS3*
 - e) *has due regard to the local planning framework of the Town of Cottesloe Local Planning Strategy and in particular at page 38 where in the LPS under “Opportunities for Residential Development at page 38, which provides “Opportunities for higher densities of R60 also exist along Stirling Highway, should access be arranged from side streets”.*

This amendment documentation responds to the Town’s 25 July 2017 meeting. The same resolution also included authorisation for advertisement of the Town’s intention to prepare the amendment, and for a community workshop to be held subsequent to that advertising period. These were duly undertaken in the latter part of 2017, with the workshop held in December of that year. A small number of submissions were received during the advertising period and 12 residents attended the workshop.

The outcomes of the workshop were reported to the Council meeting of 27 February 2018 as follows:

- Not all owners/residents are fully aware that the Metropolitan Region Scheme has been amended to rationalise the regional road land requirements for Stirling Highway.
- The attendees appreciated the opportunity to understand the detail and implications of the finalised road widening requirements, and to learn about the process of amending Local Planning Scheme No. 3 to address the related local zonings and residential densities.
- There were more queries than comments or suggestions at this stage; however, it is anticipated that advertising a formal proposal will stimulate greater interest and participation in determining the final content of the local scheme amendment.
- There was general support to consider zonings and increased residential densities compatible with the surrounds, recognising existing higher densities along the highway

and the potential for subdivision and redevelopment, subject to aspects such as traffic, parking, built form, design quality and amenity being taken into account.

Initiation of this amendment by the Town will enable the formal advertising process mentioned in point 3 above to be undertaken, which will provide interested residents with an opportunity to make submissions and engage further with their elected representatives.

The outcome of the 27 February 2018 Council meeting was the decision to proceed with preparation of this amendment, initiation of which is now proposed.

3. Proposal

This amendment proposes to designate zones or reserves over lots that were, prior to Amendment 1210/41, reserved under the MRS. Zones and reserves are proposed having regard to, where applicable:

- i. The zone or reserve applicable to the balance of the lot (the portion not affected by Amendment 1210/41);
- ii. The purpose for which the lot is approved for use;
- iii. The purpose for which the neighbouring land is approved for use, zoned or reserved; and
- iv. Opportunities for increased residential densities, with reference to Clause 5.3.4 of LPS 3 and the Town's Local Planning Strategy (January 2008) for land along Stirling Highway. In the context of these principles, this amendment proposes various dual codings (R20/60, R30/60, R35/60 and R40/60), single codings (R20, R35, R60 and R100) and an extension of two Public Purposes reserves.

3.1 Clause 5.3.4 of Local Planning Scheme No. 3

As was mentioned before, in respect of point (iv) above, the 'Opportunities for Residential Development' section of the Town's Local Planning Strategy states as follows:

'Opportunities for higher densities of R60 also exist along Stirling Highway, should access be arranged from side streets'.

This objective is reflected in LPS 3, which contains the following provision:

'5.3.4 Development in certain areas abutting Stirling Highway

Despite anything contained in the Residential Design Codes to the contrary, Residential Development in the areas coded R30/60 on the Scheme Map abutting Stirling Highway shall be in accordance with the R30 development standards unless the Residential Development—

(a) has no direct vehicular access to and from Stirling Highway; and

(b) is a comprehensive redevelopment of more than one lot abutting Stirling Highway, in which case the local government may permit development in accordance with the R60 development standards.'

This amendment proposes to extend the applicability of clause 5.3.4 in appropriate locations and modify the wording of the clause accordingly.

The potential for this to occur was discussed at the December 2017 workshop (refer Section 2.0 above). The subsequent report to the February 2018 Council meeting advised that at the workshop, 'there was general support to consider zonings and increased residential densities compatible with the surrounds, recognising existing higher densities along the highway and the potential for subdivision and redevelopment, subject to aspects such as traffic, parking, built form, design quality and amenity being taken into account.'

Initiation of this amendment will facilitate further public engagement through the formal advertising process.

3.2 New dual-coded areas

The only area abutting Stirling Highway that is currently coded R30/60 is a parcel of land south of Napier Street and east of Rockett Lane. Consistent with the aforementioned Local Planning Strategy provision and Clause 5.3.4 of the Scheme, this amendment proposes to introduce dual codings of R20/60, R30/60, R35/60 or R40/60 to lots abutting or in close proximity to Stirling Highway.

The proposed dual-coded areas are:

- Dual coding of R20/60: Land generally bound by Eric Street, Gordon Street, Edward Street, Lane Street and Napier Street. The R20 base coding reflects the coding applicable to the established residential area to the west.
- Dual codings of R20/60, R35/60 and R40/60: Land generally bound by Burt Street, Dalgety Street and Forrest Street. The base codings have been chosen based on the codings applicable to established residential areas to the west.

Designation of these dual codings necessitates the replacement of reference to 'R30/60' in clause 5.3.4 of LPS 3 with the following Scheme text:

'5.3.4 Development in areas with a dual residential density code abutting Stirling Highway

Despite anything contained in the Residential Design Codes to the contrary, residential development in areas with a dual density code on the scheme map abutting Stirling Highway shall be in accordance with the development standards of the lower R-Code unless the residential development –

(a) has no direct vehicular access to and from Stirling Highway; and

(b) is a comprehensive redevelopment of more than one lot abutting Stirling Highway, in which case the local government may permit development in accordance with the development standards of the higher R-Code.'

3.3 Single coded and reserved land

Other land abutting or in close proximity to Stirling Highway within the Town is already either classified for a non-residential purpose in LPS 3 or already has a density coding of or above R60. In those cases, the relevant zone or reserve is proposed to be extended over the land no longer reserved under the MRS.

Figure 5: Extract of proposed zoning



4. Strategic Justification

4.1 Strategic Planning Framework

4.1.1 Central Sub-regional Planning Framework

The option of simply extending the zone or reserve applicable to the abutting land to the unclassified land is available, and is being taken for the land coded R100 in the Cottesloe town centre. Elsewhere, where abutting densities are lower, doing so would neglect an opportunity to facilitate increased residential densities on an Urban Corridor identified in the State Government's Central Sub-regional Planning Framework ('Framework'). As such, this amendment proposes to introduce a provision for development at up to the R60 residential density for the affected lots.

In relation to Urban Corridors such as Stirling Highway, the Framework states as follows:

'Urban corridors....represent significant opportunities to accommodate increased medium-rise, higher-density residential development by good-quality, high-frequency public transport'.

The Framework specifies that infill should be focused on areas within Urban Corridors and other urban consolidation precincts (such as Activity Centres). This objective provides high-level strategic context for the proposed introduction of the R60 residential density, which is specifically mentioned in the Framework as an appropriate density in Urban Corridors.

4.1.2 Town of Cottesloe Local Planning Strategy

The Town of Cottesloe's Local Planning Strategy (LPS) recognises the need for investigating options for 'increased residential densities on land within close proximity to the train stations and main public transport routes'. The LPS further recognises 'opportunities for higher densities of R60 also exist along Stirling Highway, should access be arranged from side streets.

The scheme amendment proposal is therefore consistent with the findings and objectives of the LPS, in that it proposes dual densities of up to R60 along Stirling Highway and thereby allowing for infill development in appropriate locations. The proposal also modifies clause 5.3.4 of LPS3 to include these revised densities, thereby ensuring that any comprehensive redevelopment of the lots the subject of this amendment includes no direct access from Stirling Highway (see section 3.2.3 below).

4.2 Statutory Planning Framework

4.2.1 Metropolitan Region Planning Scheme

The area the subject of this local amendment has recently been rezoned to 'Urban Zone' under the MRS, which is defined as '...areas in which a range of activities are undertaken including residential, commercial, recreational and light industry.'

The scheme amendment proposal is therefore consistent with the underlying MRS Zone and its objectives.

4.2.3 Local Planning Scheme

As well as being advocated by the Framework and the Town's Local Planning Strategy (refer section 3.1.2 above), the principle of making provision for higher residential densities along Stirling Highway is already present in LPS3, in the form of clause 5.3.4 (mentioned above). This makes the R60 density code available to landowners where vehicular access is not taken from Stirling Highway and where the development site comprises more than one parent lot. This encourages a holistic, coordinated approach to design and rationalisation of access points on Stirling Highway.

5. Modifications

Following the statutory advertising period, a number of modifications are proposed to the amending text and map(s) in accordance with the attached Schedule of Submissions and Schedule of Modifications:

- 5.1 Rezoning Lots 4, 5 and 26 (Nos 116, 118 and 120) Eric Street to R20/60 as per Submissions 5, 6 and 7;
- 5.2 Rezoning Lots 52-55 (Nos 2, 4 6 and 8) Dalgety Street to R20/60 as per Submissions 8, 9 and 11; and
- 5.3 Amending a number of property addresses to correct minor administrative errors and to correspond with Landgate's property information on the PlanWA website for the sake of administrative correctness.

6. Conclusion

The purpose of this amendment to LPS 3 is to respond to the outcomes of MRS Amendment 1210/41, ensuring consistency between the two, and in so doing, extend an existing LPS3 provision enabling R60 development in defined circumstances.

It ensures that all lots from which the 'Primary Regional Roads' reserve was lifted will have an appropriate zone or reserve and facilitates modest increases in density along an Urban Corridor identified in the Framework.

Amending Page

Planning and Development Act 2005 (as amended)

Amendment No. 8 to Town of Cottesloe Local Planning Scheme No. 3

The town of Cottesloe under and by virtue of the powers conferred upon it by the *Planning and development Act 2005* hereby amends the above local planning scheme by:

Resolved that the local government pursuant to section 75 of the *Planning and Development Act 2005*, amend the above Local Planning Scheme by:

- 1.1 Zoning a portion of Lot 14 Albion Street, Lot 18-20 Boreham Street, Lot 2 Burt Street, Lot 3 Congdon Street, Lot 61 Dalgety Street, Lot 63 Edward Street, Lot 10 Eric Street; and Lots 70 and 71 Napier Street, Cottesloe 'Residential Zone' with a density code of R20;
- 1.2 Zoning Lot 21 Gordon Street; Lots 3 (No. 2A), 4 and 52-55 Dalgety Street; Lots 1, 2 and 4 Boreham Street; Lots 4, 5, 9 and 26 Eric Street, Lot 2 Burt Street; Lot 22 and 1 Edward Street; Lot 2 Foulkes Lane; Lot 69 Napier Street; Lots 1 (No. 471, 473), 2 (No. 475 and 483), 3-6, 51, 57, 59, 65, 67, 68, 100, 101 and 800 Stirling Highway; Cottesloe 'Residential Zone' with a density code of R20/60;
- 1.3 Zoning Strata Lot 1 Burt Street, Lot 2 Napier Street, Lot 1 (No. 493) Stirling Highway, Cottesloe and a portion of Lot 4 Napier Street and Lot 6 Rockett Lane, Cottesloe 'Residential Zone' with a density code of R30/60;
- 1.4 Zoning portions of Lots 1, 14 and 88 Albion Street, and Lots 2 and 89 Vera Street, Cottesloe 'Residential Zone' with a density coding of R35;
- 1.5 Zoning a portion of Lot 2 and 3 Forrest Street and Lot 401 Vera Street 'Residential Zone' with a density code of R40;
- 1.6 Zoning Lots 1, 2 and 20 and 91 Albion Street and 90 Vera Street, Cottesloe 'Residential Zone' with a density code of R35/60;
- 1.7 Zoning Lot 1 Forrest Street and Lot 1 (No. 519) Stirling Highway, Cottesloe 'Residential Office Zone' with a density code of R40/60;

- 1.8 Zoning Lots 11, 12 and a portion of reserve 335 Grant Street, Claremont; Lot 1 and a portion of reserve 332 Stirling Highway, Claremont; Lot 1, 8 and portions of Lots 3 (No.451 and No.453) Stirling Highway; and Lots 4 and 38 McNamara Way, Cottesloe 'Residential Zone' with a density code of R60;
- 1.9 Zoning Lots 1, 4 (No. 533), 12, 13, 50 (No. 541 and 543), and portions of Lots 5 and 101 Stirling Highway; Reserve 10998 and portions of Lots 2 and 3 Station Street; Lot 49 and portions of Lots 5, 8, 17-19, 25 and 27 Napoleon Street; portions of Lots 5-7 Jarrad Street; and Lots 1 and 40 Forrest Street, Cottesloe 'Town Centre Zone' with a density code of R100;
- 1.10 Reserving the balance of Lot 2 Congdon St, Claremont for 'Public Purposes: Fire Station';
- 1.11 Reserving the balance of Lot 4 Congdon St, Cottesloe for 'Public Purposes: Telecommunication';
- 1.12 Reserving the balance of Lot 401 Vera Street, Lot 3 Forrest Street 'Local Road Reserve';
- 1.13 Extending Additional Use No. 7 over the balance of Lot 1 (No. 441) Stirling Highway, Claremont;

in accordance with the scheme amendment map(s), and

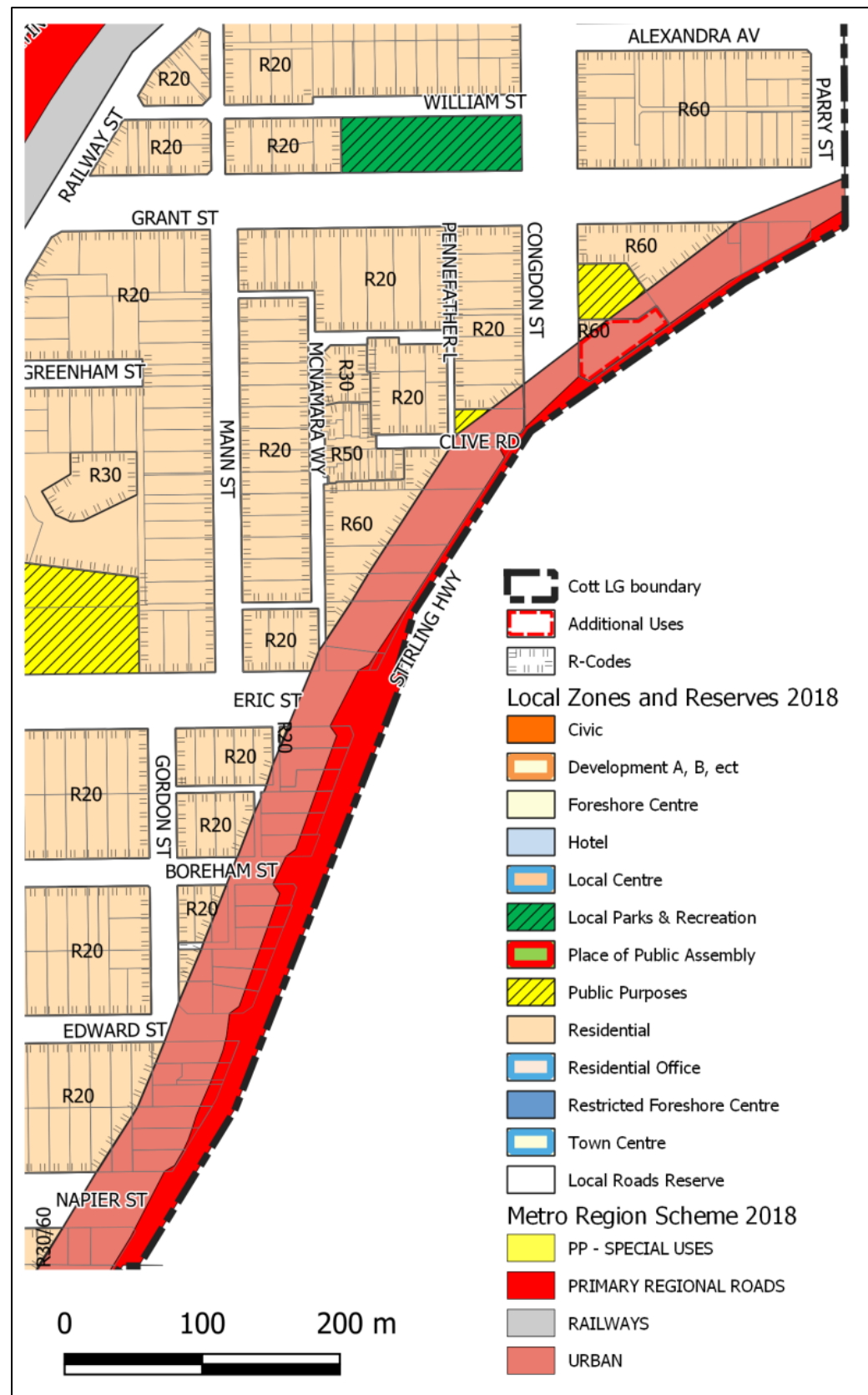
- 1.14 Replacing Clause 5.3.4: Development in areas with a dual residential density code abutting Stirling Highway with the following:

'Despite anything contained in the Residential Design Codes to the contrary, residential development in areas with a dual density code on the scheme map abutting Stirling Highway shall be in accordance with the development standards of the lower R-Code unless the residential development—

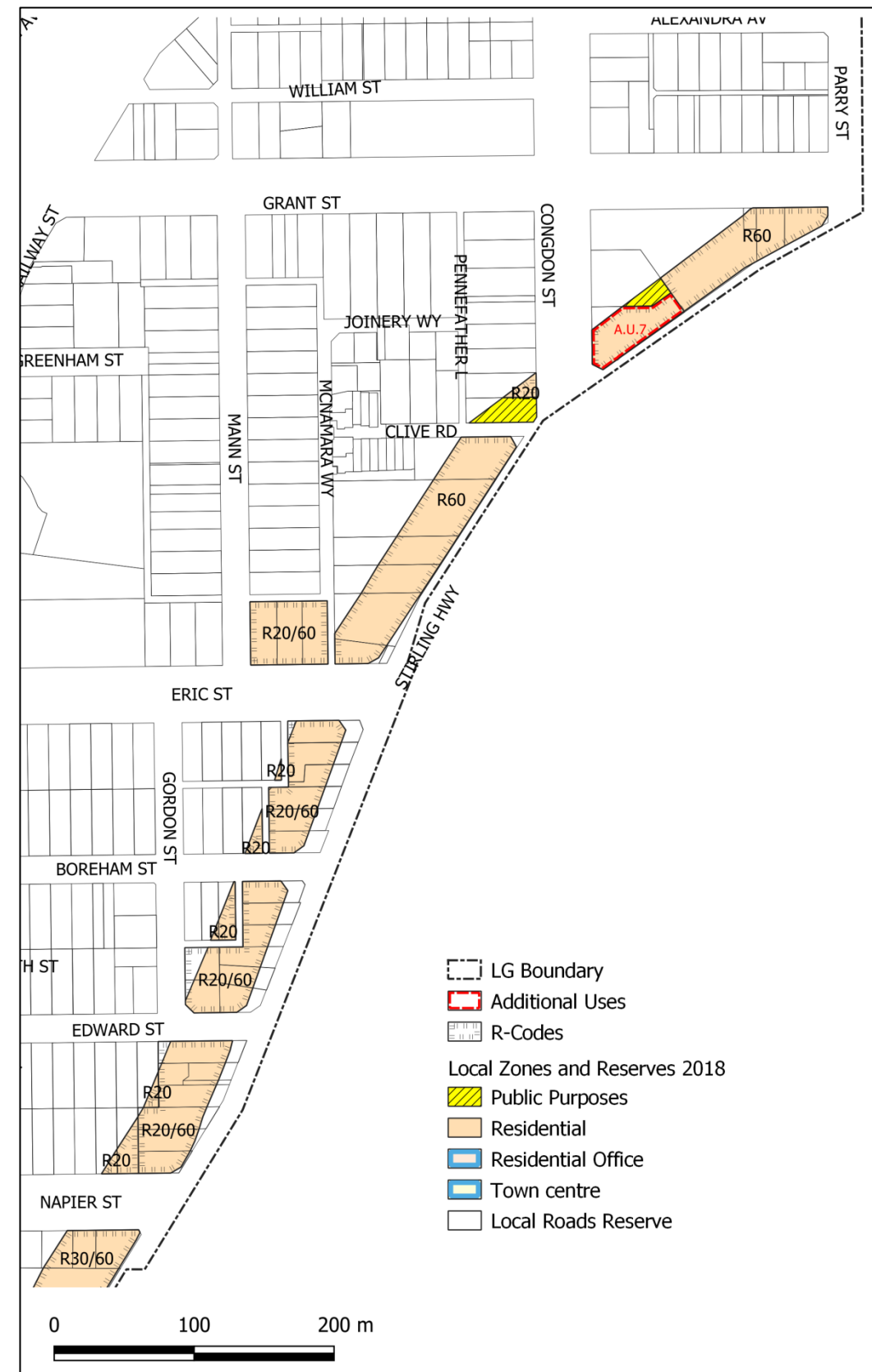
- (a) has no direct vehicular access to and from Stirling Highway; and
- (b) is a comprehensive redevelopment of more than one lot abutting Stirling Highway,

in which case the local government may permit development in accordance with the development standards of the higher R-Code.'

Scheme Amending Map 1 (Grant Street to Edward Street)

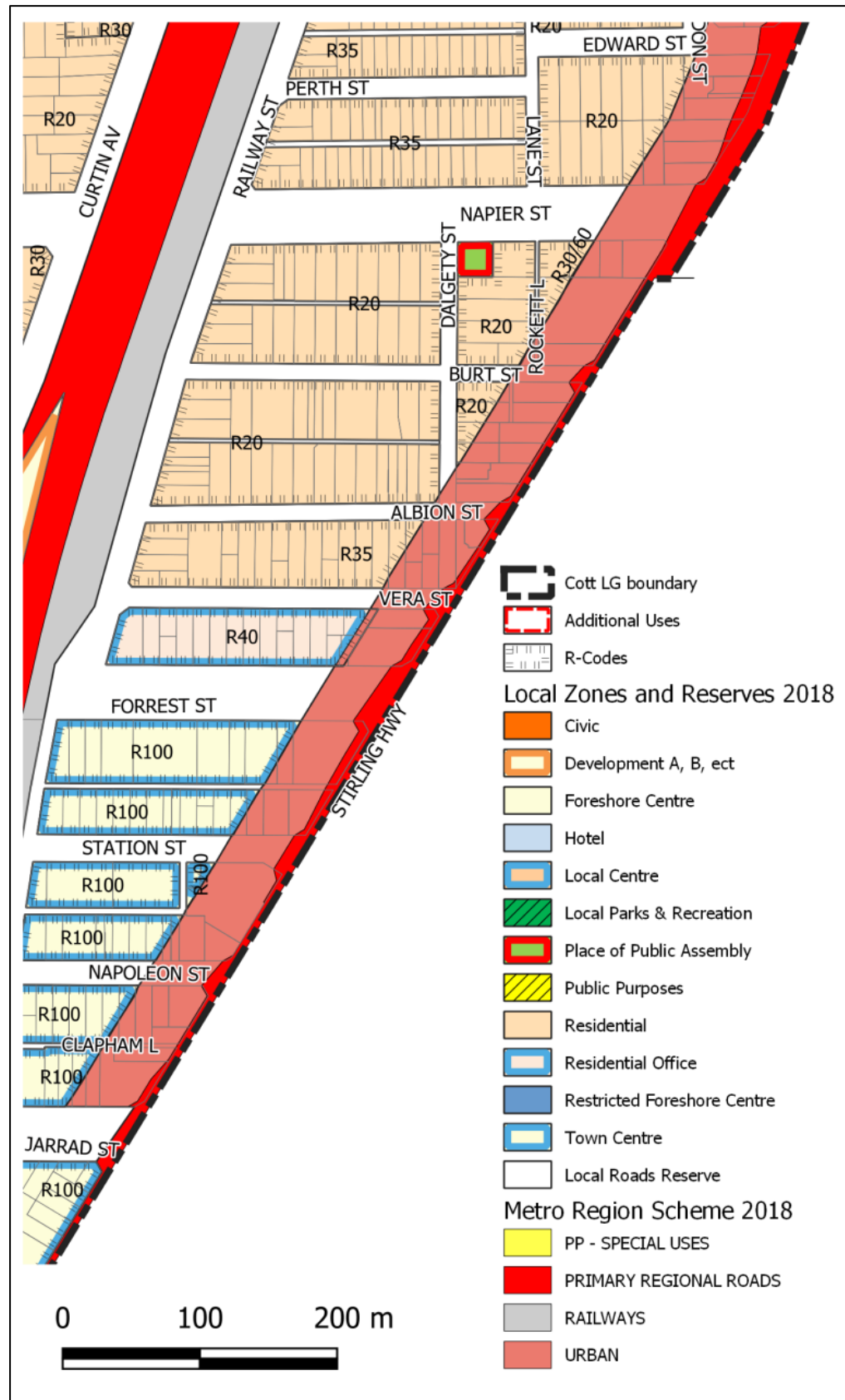


Existing

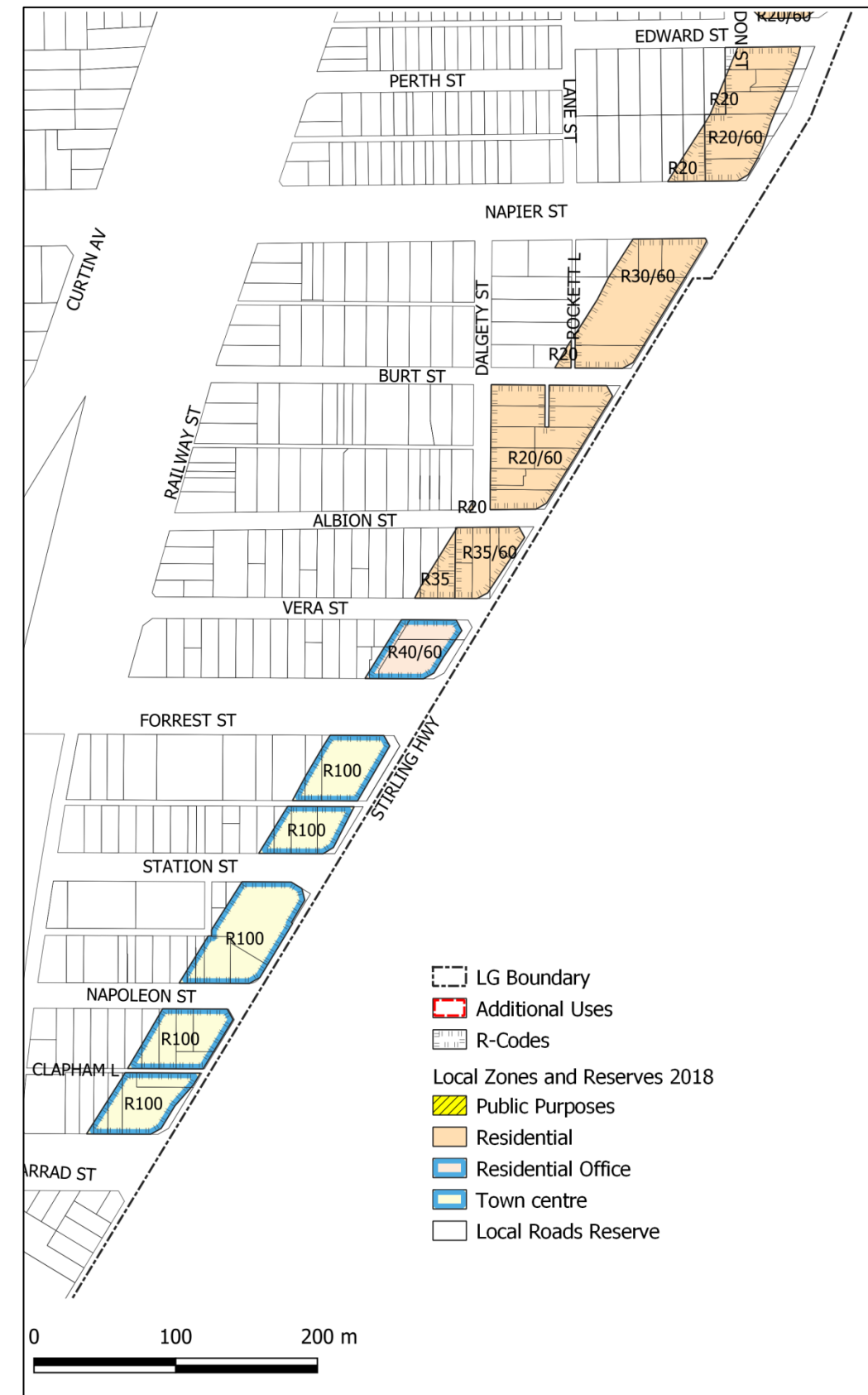


Proposed

Scheme Amending Map 2 (Edward Street to Jarrad Street)



Existing



Proposed

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Adoption Page

Adopted for Advertising

Adopted for advertising of Scheme Amendment 8 to the Town of Cottesloe Local Planning Scheme No.3, in accordance with the *Planning and Development Act 2005*, by resolution of the Council of the Town of Cottesloe at its Ordinary meeting of the Council held on the 26th day of February 2019.

Mayor

Phil Angers

Signed: 

Chief Executive Officer

Mat Humfrey

Signed: 

Final Approval

Adopted for final approval by resolution of the Town of Cottesloe at its Ordinary Meeting of the Council held on the _____ day of _____, 2019; and the Common Seal of the Town of Cottesloe was hereunto affixed by the authority of a resolution of the Council in the presence of:

Mayor

Phil Angers

Signed: _____

Chief Executive Officer

Mat Humfrey

Signed: _____



Recommended/Submitted for Final Approval

Delegated under Section 16 of the *Planning and Development Act 2005*

Signed: _____

Final Approval Granted

Minister for Planning

Schedule of Submissions

Scheme Amendment No. 8 to LPS3 (Stirling Highway)



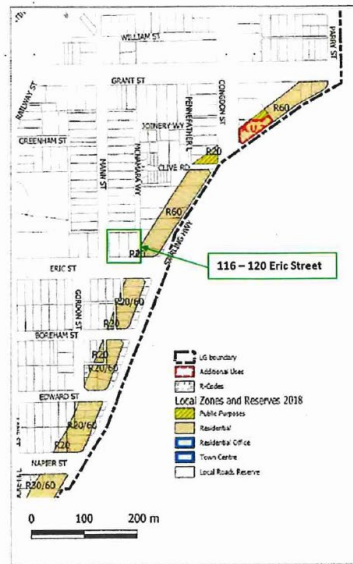
No.	Name and Address	Submission	Officer Response
Service Authorities			
1	Justin McKirdy Manager Statutory Road Planning Main Roads WA	<p>I refer to Council's letter to Main Roads dated 15 May 2019 requesting Main Roads comments on the above proposal.</p> <p>Main Roads does not object to the rezoning of the land previously reserved for Primary Regional Road in the Metropolitan Region Scheme (MRS) to the Urban Zone, consistent with adjacent land zoning under Town Planning Scheme No. 3.</p> <p>This amendment also proposes dual residential density codes to land abutting Stirling Highway by introducing the option for higher R-codes. Main Roads will only support the higher R-codes if clause 5.3.4 of the scheme text is amended as proposed in Section 3.2 of the amendment report. Then, the amended clause 5.3.4 will require residential development opting for the higher R-code to have no direct vehicular access to and from Stirling Highway and, is a comprehensive redevelopment of more than one lot abutting Stirling Highway.</p>	Noted – thank you.
2	Harry Norman Assistant Planner Department of Communities	The Department of Communities would like to affirm our support of the proposed amendment to designate zones or reserves over lots along the length of Stirling Highway that were, prior to regional Amendment 1210/41, reserved under the MRS. Specifically, Communities support the proposed R60 zoning of the southern portion of Lot 332 (437) Stirling Highway to ensure consistency with the surrounding land area along Stirling Highway.	Noted – thank you.
3	Fiona Snellin Land	ATCO appreciates being included in the consultation process with the Town of Cottesloe. ATCO does own gas infrastructure within area of the proposed	Noted – thank you.

	<p>Management Coordinator Atco Gas</p>	<p>Amendment however this infrastructure does not include High Pressure gas mains. There are however medium pressure gas mains within the area I have created an indicative polygon on the attached map to represent the Amendment No. 8 area. There are also decommissioned gas mains as well as domestic and commercial gas service lines connecting customers with gas. The formalisation of Amendment No. 8 will not directly impact the ATCO gas infrastructure.</p> <p>ATCO Gas Australia (ATCO) has no objection to the proposed Amendment No. 8 to the Town of Cottesloe's LPS No. 3 to facilitate the future development of the nominated properties, based on the information provided and deemed necessary for those properties with the rationalisation of the Primary Regional Road reserve (Stirling Highway), being within Amendment 121/41 to the MRS effective as at January 2017.</p>	
4	<p>Adelyn Siew Director Heritage Development Department of Planning, Lands and Heritage</p>	<p>The proposed Scheme amendment has been considered for its potential impact on heritage places within the Scheme amendment area.</p> <p>Findings</p> <ul style="list-style-type: none"> • The Albion Hotel, a two storey red brick and tiled roof Federation Free style building designed by Hobbs, Smith and Forbes, has cultural heritage significance as a local landmark on a regionally significant road, located in a prominent position on Stirling highway in Cottesloe. The Town of Cottesloe lists the Albion Hotel as a Category 2 place of high local significance. • The Claremont Police Station, Lock-up & Stables comprising the fmr Police Station & Residence, a two storey building constructed of limestone and timber shingles, and the fmr Lock-up and Stables a single storey limestone and iron roof building, both in the Federation Arts and Crafts style has cultural heritage significance as a fine example of the work of George Temple Poole, and as a rare intact metropolitan Police Station/Residence complex constructed during the 1890s. 	<p>Noted – thank you.</p>

		<ul style="list-style-type: none"> The Claremont Fire Station is a two storey red brick building which has cultural heritage significance for its landmark qualities on Stirling Highway; its aesthetic significance, its historic significance as a combined officer-in-charge residence, and firefighters station built in 1914. It has social significance to the community and was used as a place where the community could meet for dances. <p>Advice The proposal is assessed with respect to the cultural heritage significance of heritage places Albion Hotel, Claremont Police Station, Lock-up & Stables, Claremont Fire Station and the following advice is provided:</p> <ul style="list-style-type: none"> The Albion Hotel is a significant landmark in Cottesloe. The Primary Road Reservation has been substantially reduced to be clear of the building. The proposed Scheme Amendment no. 8 urban zoning R100 has no impact on the heritage values of the Albion Hotel. 437 Stirling Highway lies between Claremont Police Station, Lock-up & Stables and the Claremont Fire Station. The three floor walk up apartment block at this address is accessible from Grant Street and could be redeveloped at R60. The proposed Scheme Amendment no. 8 urban zoning R60 has no discernible impact on the heritage values of the Claremont Police Station, Lock-up & Stables and the Claremont Fire Station. <p>There is no objection to the proposed Scheme amendment.</p>	
Support with conditions			
5	Valerie Wild COTTESLOE	As per the attached jointly signed letter I support an amendment that the properties at 116 Eric Street, 118 Eric Street and 120 Eric Street should also be considered for rezoning to R60 for the very good reasons which are detailed herein.	Noted – comments below: This submission is supported at a density of <u>R20/60</u> for the following

		<p style="text-align: right;">we confirm receipt of a letter from the Town of Cottesloe (dated 7.05.2019) advising of the proposed Local Planning Scheme Amendment No. 8 to LPS3.</p> <p>Firstly, we would like to thank the Town for its ongoing work to rationalise the Stirling Highway reserve in a manner which benefits the whole community and will result in rejuvenation along Stirling Highway. We recognize the desire to increase residential infill across the broader metro area and understand that Town of Cottesloe has a part to play in the solution to this issue.</p> <p>We understand that the Town of Cottesloe's Local Planning Strategy recognizes the need for investigating options for increased residential densities where:</p> <ul style="list-style-type: none"> • The land is in close proximity to train stations and main public transport routes • Access is available from side streets • R60 density zoning may be available to landowners where vehicular access is not taken from Stirling highway and where the development site comprises more than one parent lot <p>Our properties are located adjacent to the area affected by the proposed Scheme Amendment No. 8 and fulfil the following attributes</p> <ol style="list-style-type: none"> 1. No existing or potential for direct vehicle access to Stirling Highway. 2. Four road frontages allowing for efficient and amenable built form outcome, and minimizing the impact of development on any one road (bounded by McNamara Way, Mann Street and Eric Street). 3. The properties have no heritage significance. 4. The site is within 400m walking distance to Grant Street train station, and 	<p>reasons:</p> <ul style="list-style-type: none"> • The subject site is located in close proximity to the intersection of Stirling Highway and Eric Street; thereby satisfying universal Transit Oriented Design criteria; • The subject site is separated from adjoining neighbours (not the subject of this amendment) by roads and laneways on all sides; and • The subject site has not only consulted with their directly adjoining neighbours; they have submitted a joint request for a rezoning as part of this amendment process. <p>A dual density of R20/60 is recommended as the proponents will be required to satisfy additional Scheme requirements to be able to redevelop at the higher R-Code standard.</p> <p>This submission has been captured as modification # 1 to Scheme Amendment No.8.</p>
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has direct access to high frequency bus services on Stirling Highway.



We seek an amendment to the proposed Scheme Amendment No. 8 to reflect a density zoning of R60 to 116,118 and 120 Eric Street, Cottesloe.

The site is ideal to assist the Town in achieving infill targets, without compromising the amenity of the local area. The above proposal also closely aligns with the strategic justification detailed in section 4 of the scheme amendment report and presents an optimal opportunity for increased residential density to align with the intent of the State Governments Central Sub-regional Planning Framework.

We trust that the Town of Cottesloe will consider our proposal.

6 Benjamin Webb
COTTESLOE

I confirm receipt of a letter from the Town of Cottesloe (dated 7.05.2019) advising of the proposed Local Planning Scheme Amendment No. 8 to LPS3.

Noted – comments below.
Refer to comments on Submission

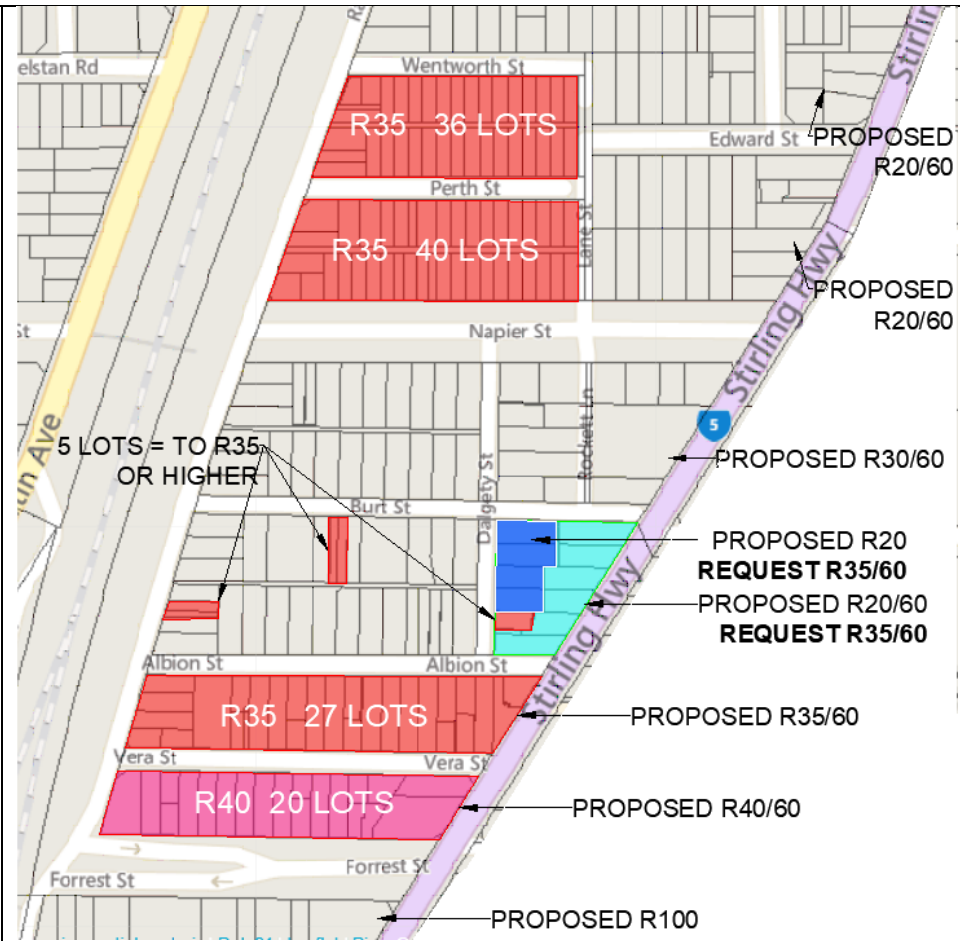
		<p>Firstly, I would like to thank the Town for its ongoing work to rationalise the Stirling Highway reserve in a manner which benefits the whole community and will result in rejuvenation along Stirling Highway. I recognize the desire to increase residential infill across the broader metro area and understand that the Town of Cottesloe has a part to play in the solution to this issue.</p> <p>I understand that the Town of Cottesloe's Local Planning Strategy recognizes the need for investigating options for increased residential densities where:</p> <ul style="list-style-type: none">• The land is in close proximity to train stations and main public transport routes• Access is available from side streets• R60 density zoning may be available to landowners where vehicular access is not taken from Stirling highway and where the development site comprises more than one parent lot <p>My property is located at the area affected by the proposed Scheme Amendment No. 8 having previously been slightly within the reserve. My property along with the two lots immediately to the West fulfil the following attributes;</p> <ol style="list-style-type: none">1. No existing or potential for direct vehicle access to Stirling Highway.2. Four road frontages allowing for efficient and amenable built form outcome, and minimizing the impact of development on any one road (bounded by McNamara Way, Mann Street and Eric Street).3. The properties have no heritage significance.4. The site is within 400m walking distance to Grant Street train station, and has direct access to high frequency bus services on Stirling Highway.	<p><u>No. 5 above.</u></p>
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		<p>I seek an amendment to the proposed Scheme Amendment No. 8 to reflect a density zoning of R60 to 116, 118 and 120 Eric Street, Cottesloe.</p> <p>The site is ideal to assist the Town in achieving infill targets, without compromising the amenity of the local area. The above proposal also closely aligns with the strategic justification detailed in section 4 of the scheme amendment report and presents an optimal opportunity for increased residential density to align with the intent of the State Governments Central Sub-regional Planning Framework.</p> <p>I trust that the Town of Cottesloe will consider this proposal. Please also see letter jointly signed by all 3 land owners supporting this proposal.</p>	
7	Lyle Banks COTTESLOE	<p>I confirm receipt of a letter from the Town of Cottesloe (dated 7.05.2019) advising of the proposed Local Planning Scheme Amendment No. 8 to LPS3 and request a further amendment to Zone Lot 4, Lot 5 and Lot 26 Eric Street, Cottesloe 'Residential Zone' with a density code of R60.</p> <p>These Lots are ideal to assist the Town in achieving infill targets without compromising the amenity of the local area. The above request also closely aligns with the strategic justification detailed in section 4 of the scheme amendment report and presents an optimal opportunity for increased residential density to align with the intent of the State Governments Central Sub-regional Planning Framework. The Lots are located adjacent to the area affected by the proposed Scheme Amendment No. 8 and fulfil the following attributes:</p> <ol style="list-style-type: none"> 1. No existing or potential for direct vehicle access to Stirling Highway. 2. Road frontage on all sides allowing for efficient and amenable built form 	<p>Noted – comments below.</p> <p><u>Refer to comments on Submission No. 5 above.</u></p>

		<p>outcome, and minimizing the impact of development on any one road (bounded by McNamara Way, Mann Street and Eric Street)</p> <ol style="list-style-type: none"> 3. The properties have no heritage significance. 4. The Lots are within 400m walking distance to Grant Street train station, and have direct access to high frequency bus services on Stirling Highway, with multiple bus stops within 100m walking distance. <p>These attributes align to the Town's Local Planning Strategy to investigate options for increased residential densities where:</p> <ul style="list-style-type: none"> • The land is in close proximity to the train stations and main public transport routes • Access is available from side streets • R60 density zoning may be available to landowners where vehicular access is not taken from Stirling highway and where the development site comprises more than one parent lot <p>Please find attached a letter of support _____ of Lot 4, Lot 5 and Lot 26 Eric Street supporting the Zoning of these properties with a density code of R60.</p> <p>I trust that the Town will favour consider this request.</p>	
8	Brooke and Mark Goodlet COTTESLOE	<p>We would like to thank the Council for moving forward with this Scheme Amendment as it will bring to an end the uncertainty surrounding the Stirling Highway reduced widening land issues.</p> <p>We have seen the proposal and request a change to the proposal which we believe aligns with the State Government's infill aims, and will benefit us as a small part of this area.</p>	<p>Noted – comments below.</p> <p>This submission is supported at a density of <u>R20/60</u> for the following reasons:</p> <ul style="list-style-type: none"> • The subject site is adjoining a number of lots abutting Stirling Highway identified for rezoning

		<p>The proposal currently leaves No.s 2 to 8 Dalgety Street, or lots 52 to 55, as R20 and the lots next to us on Stirling Highway as R20/60.</p> <p>Our request is that these lots and lots 52 to 55, all be zoned to R35/60 along with all of the properties on Stirling hwy between Burt St and Albion Street, as a minimum change. We also support any higher zoning if this was consistent for the whole block, bounded by Burt St, Stirling Hwy, Albion St and Dalgety St.</p> <p>We believe that this request is proportionate with the existing zonings in the area. We have highlighted in red on the attached map the existing 128 lots which are R35 or R40, or of a size that meets the R35 land size, within walking distance from our properties. 76 of these lots are further from the Cottesloe shopping area than we are.</p> <p>There is a natural taper of the dual code zonings away from the Cottesloe shopping area north along Stirling Highway. However, the current proposal starts at R100, then 40/60, 35/60, 20/60 and then goes back up to 30/60 before going down again to 20/60 from Napier onwards. What we propose forms one natural taper from 100 to 40 to 35 to 30 and then to 20 as the distance from the activity centre increases.</p> <p>Our block is separated on all sides by roads, meaning a change to the whole block will be in isolation to the neighbourhood and less impact. We believe the existing road network forms a natural partition area for the R35/60 block. However if our four houses remain at R20 we have the prospect of eventually having an R60 complex on our boundaries, effectively marooning us on this block. The R/60 zoning for all of the houses leaves open the prospect of combining more lots than the current proposal does.</p>	<p>to R20/60;</p> <ul style="list-style-type: none"> • The subject site is separated from adjoining neighbours (not the subject of this amendment) by roads and laneways on all sides; and • The subject site has not only consulted with their directly adjoining neighbours; they have submitted a joint request for a rezoning as part of this amendment process. <p>A dual density of R20/60 is recommended as this is in keeping with what is proposed for adjoining lots abutting Stirling Highway and because the proponents will be required to satisfy additional Scheme requirements to be able to redevelop at the higher R-Code standard.</p> <p>This submission has been captured as modification # 2 to Scheme Amendment No.8.</p>
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		<p>We are in close proximity to the Cottesloe shopping area, the railway station and the buses on Stirling Highway.</p> <p>Council has a rare opportunity to offer more housing in a location that genuinely has the potential to reduce reliance on cars. On this occasion there is good support from affected residents.</p> <p>We live in a street where we speak to each other and have had very good relations with our neighbours, and we love our street. The prospect of being able to downsize on our own properties is very appealing, giving us the option to stay here and age in place when the time comes.</p> <p>Thank you for your time and consideration of our request.</p>	
9	<p>Anthony Kain</p> <p>COTTESLOE</p>	<p>We are in support of the suggested change to R35/60 for our whole block, bounded by Burt St, Stirling Hwy, Albion St and Dalgety St.</p> <p>We also support higher zoning should this be put forward by others, as we understand this it is the direction that the State Government want to head in terms of their infill aims.</p> <p>Our request is that these lots and ours, lots 52 to 55, all be zoned to R35/60. The change affects the properties shown in light and dark blue on the map below. Our property is the second most dark blue colour lot to the south.</p>	<p>Noted – comments below.</p> <p><u>Refer to comments on Submission No. 8 above.</u></p>



1. This request is well in proportion with the existing zonings in the area.
2. It provides a natural taper of the dual code zonings away from the Cottesloe shopping area north along Stirling Highway.
3. Our block is separated on all sides by roads, meaning there is a natural partition area for the R35/60 block. However if our four houses remain at

		<p>R20 we have the prospect of eventually having an R60 complex on our boundaries, effectively marooning us on this block.</p> <ol style="list-style-type: none"> 4. We are in close proximity to the Cottesloe shopping area, the railway station and the buses on Stirling Highway, meaning we will be able to stay in a place that lets us walk to transport and shops. 5. The change also allows the combination with a Stirling Hwy Lot and one or more of Lots 52-55 Dalgety Street, but not the Lots 52-55 only without connection to Stirling Hwy. This is so that it protects the objectives of the Scheme Amendment to link R60 to Stirling Hwy. <p>Thank you for your time and consideration of our request.</p>	
10	<p>George Hajigabriel (Rowe Group) on behalf of</p> <p>COTTESLOE</p>	<p>We refer to the Town of Cottesloe Local Planning Scheme No.3 (LPS3) proposed Amendment Number 8 which is currently being advertised for public comment. Rowe Group acts on behalf of Oakstreet Project Management representing Our Client has been coordinating owners within the complex regarding the future redevelopment of the property as a whole.</p> <p>Our Client has requested that we provide the following submission in relation to the proposed amendment.</p> <p>Proposal</p> <p>The subject site is contained within the street block bounded by Forrest Street, Stirling Highway, Vera Street and Railway Street (the subject site’).</p> <p>Under the provisions of LPS3, our Client's site is currently unzoned whilst other properties to the west are zoned 'Residential Office - R40'. The existing development on the site comprises 5 Strata-titled units characterised from Stirling Highway by a solid concrete wall. The existing building is in need of</p>	<p>Noted – comments below.</p> <p>The site the subject of this submission, although situated on Stirling Highway, is located directly adjacent three residential lots with an existing maximum density of R40. The Cottesloe Town Centre Zone, which has an existing maximum density of R100, is also situated directly south of the subject site.</p> <p>This considerable increase in density from R40/60 to R160 is therefore not in keeping with the adjoining neighbourhood and would, at a minimum-</p> <ul style="list-style-type: none"> • result in a reclassification of

	<p>some repair and renovation however current owners are reluctant to commit funds to the existing building given its age.</p> <p>It is proposed that as part of the Amendment No.8 to LPS3, the subject site be zoned to a split density code being R40/60. The lower density code will apply unless future redevelopment has no direct vehicular access to and from Stirling Highway and unless redevelopment involves the amalgamation of lots fronting the Highway. Whilst the first criterion is considered reasonable, the second is not. The subject site covers an area of 1,108m² (excluding road widening land) which is more than sufficient to facilitate meaningful redevelopment of the site provided a suitable density coding is applied. A requirement for the site to be amalgamated with other land that is not within the current ownership structure and would have the effect of making the higher density coding meaningless given the difficulty involved in aligning different landowner aspirations.</p> <p>It is considered that a density of 'Residential Office – R160' will be required in order to achieve the financial model that will provide a suitable incentive for redevelopment to occur. Such a density code is also consistent with the broader planning objectives as is outlined below.</p> <p>Proposal</p> <p>State Planning Policy No. 3 Urban Growth and Settlement State Planning Policy No.3 (SPP3) sets out the principles and considerations which apply to planning for urban growth and settlement in Western Australia.</p> <p>One of the objectives of SPP3 is;</p> <p><i>'To promote the development of a sustainable and liveable neighbourhood form</i></p>	<p>the amendment from a standard amendment to a complex amendment as it is not consistent or addressed by the Town's Local Planning Strategy and can be considered to be development that is of a scale that is significant relative to the locality;</p> <ul style="list-style-type: none"> • would necessitate re-advertisement of the proposal to properly notify not only the adjoining neighbours but the remainder of the locality in accordance with the Regulations; and • would necessitate an assessment of the implications such a proposal would have on its surroundings. <p>The request as per the submission is therefore not supported at this stage.</p>
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which reduces energy, water and travel demand whilst ensuring safe and convenient access to employment and services by all modes, provides choice and affordability of housing and creates an identifiable sense of place for each community.'

The proposed increase in density to R160 supports this objective by providing the potential for dwellings and places of work to be co-located; allowing people to live in proximity to their work. Significantly, the proximity of the site to the public transport network will reduce the demand for travel by car to and from the employment nodes. The attached context plan demonstrates the proximity of the site to key nodes that are relevant when considering the location of higher density development. The context plan clearly shows that the site is appropriately located relative to these nodes.

SPP3 sets out a number of key requirements for sustainable communities. Those which are supported by the proposal are outlined in the table below.

Key Requirement	Proposal
A strong, diversified and sustainable economic base with assured access to jobs and employment.	The proposed higher density would allow for greater expansion of the types of employment that could be offered in the Cottesloe Town Centre. Given the subject site is zoned 'Residential Office' it would also provide an opportunity for more commercial based businesses, rather than retail only.

<p>Making the most efficient use of land in existing urban areas through the use of vacant and under-utilised land and buildings, and higher densities where these can be achieved without detriment to neighbourhood character and heritage values; the cost-effective use of urban land and buildings, schools and community services, infrastructure systems and established neighbourhoods; and promoting and encouraging urban development that is consistent with the efficient use of energy</p>	<p>Increasing the density of the subject site will enable the land to be used in a more efficient manner. Introducing a higher density will not be detrimental to the neighbourhood, given that the Town Centre has a similar density zoning. In addition, the subject site is located in an area with established infrastructure. It will promote energy efficiency through its proximity to the Town Centre and public transport routes, which will enable residents to reduce their car usage.</p>
<p>Supporting higher residential densities in the most accessible locations, such as, in and around town and neighbourhood centres, high frequency public transport nodes and interchanges, major tertiary institutions and hospitals, and adjacent to high amenity areas such as foreshores and parks</p>	<p>The subject site is highly accessible with high frequency train and bus routes, as well as the Cottesloe Town Centre, being within comfortable walking distance.</p> <p>The subject site is also within relative proximity to local schools and the University of Western Australia and Notre Dame University tertiary institutions.</p> <p>The subject site is within walking distance of Cottesloe beach and the Swan River Foreshore.</p>
<p>Clustering retail, employment, recreational and other activities which attract large numbers of people in existing and proposed activity centres at major public transport nodes so as to reduce the need to travel, encourage non-car modes and create attractive, high amenity mixed use urban centres</p>	<p>The proposed increase in density will also enable a greater clustering of retail, employment, residential and other uses within the Cottesloe Town Centre and Cottesloe Train Station area, both within 300 metres of the site.</p> <p>This will enable future residents to live, work and play in one location.</p>

State Planning Policy A.2 Activity Centres for Perth and Peel

State Planning Policy 4.2 (SPP4.2) sets out requirements for the planning and development of new and existing activity centres in the Perth and Peel Regions. The objectives of the policy include;

- Plan activity centres to support a wide range of retail and commercial premises and promote a competitive retail and commercial market;
- Increase the range of employment in activity centres and contribute to the achievement of subregional employment self-sufficiency targets;
- Increase the density and diversity of housing in and around activity centres to improve land efficiency, housing variety and support centre facilities;
- Ensure activity centres provide sufficient development intensity and land

		<p>use mix to support high- frequency public transport; and</p> <ul style="list-style-type: none">- Maximise access to activity centres by walking, cycling and public transport while reducing private car trips. <p>The Cottesloe Town Centre is identified as a 'District Centre' within SPP4.2. The proposed density of R160 complies with the objectives of SPP4.2 by;</p> <ul style="list-style-type: none">- Providing greater opportunity for retail and commercial premises within the Cottesloe Town Centre and thereby increasing the range of potential employment in the area;- Providing a higher density and diversity of housing in the Cottesloe area which is generally defined by large single dwellings;- Providing sufficient development intensity within the Town Centre to support high frequency public transport provision into the future; and- Maximising the opportunity for people to live, work and play in one location, thereby minimising their need to use private vehicles. <p>SPP4.2 also refers to 'Specialised Centres' which focus on significant economic or institutional activities that generate many work and visitor trips. The University of Western Australia (UWA) and Queen Elizabeth II Medical Centre (QEII) are recognised in conjunction as a Specialised Centre which has the primary function of Health, Education and Research.</p> <p>Given the relative proximity of the subject site to UWA and QEII and the direct transport route which links them, it is an ideal location for the provision of greater residential and commercial opportunities.</p> <p>Under SPP4.2 Fremantle is identified as a Strategic Metropolitan Centre. The subject site is also in relative proximity to Fremantle, being approximately 9km north of the Centre. Direct access to Fremantle is available from the subject</p>	
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site via the Fremantle Train Line and a number of bus routes. This further supports the proposal made in this submission.

Central Sub-Regional Planning Framework.

The Central Sub-Regional Planning Framework (CSRPF) builds upon the principles of 'Directions 2031 and Beyond' and aims to establish a long-term, integrated planning framework for land use and infrastructure, with a focus on guiding future infill growth in the region. The CSRPF is made up of five distinct elements of urban consolidation which include Activity Centres, Corridors, Station Precincts, Industrial Centres and the Green Network.

The Cottesloe Town Centre is identified as an Activity Centre which is defined as a 'hub that attracts people for a variety of activities, such as shopping, working, studying and living'. Activity Centres usually have a concentration of commercial uses with varying proportions of other land uses.

The CSRPF identifies that Activity Centres play an important role in the provision of employment and the creation of 'sense of place'. As such, it places a focus on the increase of residential development in and around activity centres linked by robust movement networks. The CSRPF specifically identifies that activity centres should be examined for opportunities to increase residential densities when reviewing the relevant Local Planning Scheme. A key objective of the CSRPF is to provide employment and living options which are attractive to a wide range of consumers by improving the relationship between where people live and work, and by reducing commuting impacts and associated costs.

The proposed increased density for the subject site is aligned with the above objectives of the CSRPF. It will provide increased opportunities for a range of residential and commercial uses in an existing activity centre which is

supported by a robust transport network.

Local Planning Scheme No.3

The rezoning of the subject site to 'Residential Office - R160' would allow for mixed-use development on the site which would represent a more efficient use of the land. In addition, it would provide an opportunity for development to front and provide an interface with Stirling Highway [but not vehicular access).

Under LPS3, the land immediately to the south of the subject site is currently zoned 'Town Centre - R100'. In addition, the land on the eastern side of Stirling Highway is zoned 'Residential - R80' under the Shire of Peppermint Grove's Local Planning Scheme No.4. As such, the proposed R160 zoning would be appropriate within the existing context and would not detrimentally impact the amenity of the area - acknowledging that these surrounding areas should also appropriately be increased in density to bring into alignment with the broader regional planning framework.

Local Planning Policy Design Guidelines

The proposed R160 density for the subject site is aligned with the vision for the Town Centre set out in the Local Planning Policy Design Guidelines (the 'Guidelines').

The Town's aims for the Cottesloe Town Centre include:

'[to] provide as many opportunities as feasible for residential development within the Town Centre; not at the expense of commercial or social activity but rather to enhance and capitalise on them'

The proposed R160 density will allow the full development potential of the site

to be achieved, providing residential opportunities in close proximity to the Town Centre, without detracting from its commercial activity.

City of Nedlands Local Planning Scheme Number 3

The City of Nedlands Local Planning Scheme Number 3 was Gazetted on the 16 of April 2019 and as such it reflects a current expectation in regard to planning guidance for the region. Of particular interest is the approach taken to density along Stirling Highway which is predominantly R-AC1 transitioning to R160. This approach is consistent with the Sub-regional Planning Framework for corridors and it signals an expectation for the continuation of a higher density solution along Stirling Highway.

The density currently proposed in Amendment No.8 at R40/60 is significantly lower than the pattern which has been established along Stirling Highway within the Nedlands municipality. A degree of consistency along the Stirling Highway corridor should be pursued. The current scheme amendment proposal provides an opportunity to achieve this consistency through the application of an R160 density code.

Summary

In summary, it is requested that the subject site be zoned 'Residential Office - R160'. This request is considered appropriate for the subject site for the following reasons:

- An R160 density will facilitate a level of development intensity that will provide an incentive for the site to be redeveloped;
- The proposal supports the Town's capacity to achieve Directions 2031 and Central Sub-Regional Planning Framework infill targets;
- The subject site is within the Cottesloe Town Centre which is identified as a District Centre under the Central Sub-Regional Planning Framework;

		<ul style="list-style-type: none">- The subject site is located on Stirling Highway with direct access to a high frequency bus route and is within walking distance to the Cottesloe Train Station in addition to several other key nodes as is demonstrated through the attached context plan;- The subject site is large enough to accommodate redevelopment without the need to amalgamate with an adjoining lot provided a suitable density coding is applied;- The topography of the subject site is such that a future multiple dwelling development at an R160 density could locate parking areas predominantly below ground and screened from view hence facilitating the opportunity for an active and attractive streetscape to be provided; and- The subject site is in close proximity to retail, commercial, educational, community and recreational facilities, as well as the tertiary institutions of the University of Western Australia and the Notre Dame University.- The R160 density code would be consistent with the zonings recently applied along Stirling Highway within the City of Nedlands.	
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11 Matt Anning and Narelle Grincerì

COTTESLOE

We are in support of a change to R35/60 for our whole block, bounded by Burt St, Stirling Hwy, Albion St and Dalgety St.

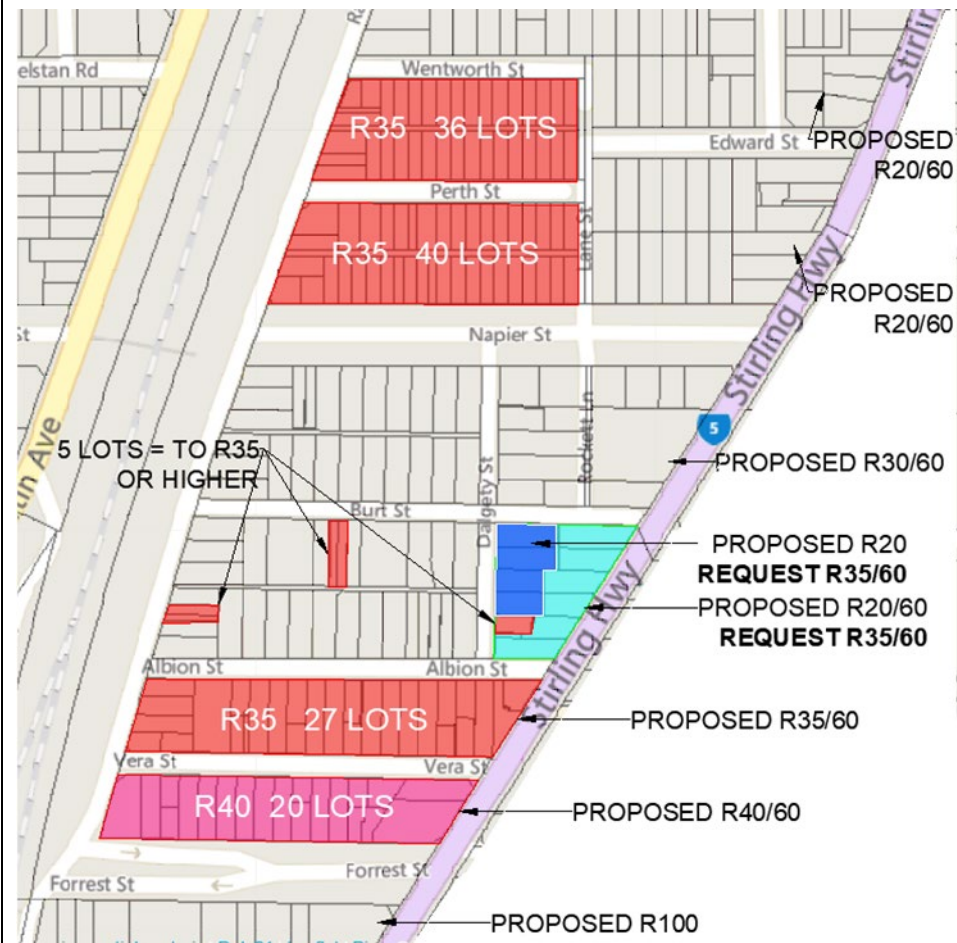
We also support higher zoning should this be put forward by others, as we understand this aligns with the State Government’s need for higher corridor density.

Our request is that the lots 52 to 55, be zoned to R35/60. The change affects

Noted – comments below.

Refer to comments on Submission No. 8 above.

the properties shown in light and dark blue on the map below.



1. This request is commensurate with existing zonings in the area.
2. It provides a natural taper of the dual code zonings away from the Cottesloe shopping area north along Stirling Highway.

		<p>3. Our block is separated on all sides by roads, meaning there is a natural partition area for the R35/60 block. However if four houses remain at R20 we have the prospect of eventually having an R60 complex on our boundaries, effectively marooning us on this block.</p> <p>4. The discussed block is in close proximity to the Cottesloe shopping precinct with common amenities including health care and is located close to city transport corridors including rail and bus routes.</p> <p>5. The change also allows the combination with a Stirling Hwy Lot and one or more of Lots 52-55 Dalgety Street, but not the Lots 52-55 only without connection to Stirling Hwy. This is so that it protects the objectives of the Scheme Amendment to link R60 to Stirling Hwy.</p> <p>Thank you for your time and consideration of our request.</p>	
Objections			
12	<p>Steve Artelaris Stirling</p> <p>COTTESLOE</p>	<p>Please find attached the relevant documents to our submission. We believe they are self explanatory.</p> <p><i>[Thanks for the your letter of 13 April 2012, related to the MRS Proposed Amendment 1210/41, Rationalisation of Stirling Highway Reservation and I appreciate the time and effort you have made to contact me personally. I am sorry for the delay to my own response/submission but I have been away for good period of the last 2 months.</i></p> <p><i>I do understand what the WAPC is attempting to undertake with this rationalisation of Stirling Highway Reservation and in general I believe the highway needs a long-term plan and targets set to complete the upgrade work to bring this important arterial road into the 21st century as soon as possible. The intended reduction of the road reserve affecting my property however does still have huge ramifications on its future viability. Whether you take 2 metres or 20 metres for the road reserve, with the heritage façade being built right on the Stirling Highway (see photo enclosed) any such work would not only destroy the visual integrity of this building, it would also destroy the structural integrity. The building is over hundred years old and the essence of this</i></p>	<p>Noted – comments below.</p> <p>The purpose of the proposed amendment is to designate zones or reserves over lots along the length of Stirling Highway that were, prior to regional Amendment 1210/41, reserved under the Metropolitan Region Scheme.</p> <p>Any future road widening along Stirling Highway (if any) will be undertaken and managed by Main Roads Western Australia.</p>

		<p><i>building is in the road-front façade.</i></p> <p><i>I understand that quite a number of properties will claim this similar heritage defence and it will be quite a task for your department to discern the merits of one from the other. For example – if the Albion Hotel with similar characteristics of heritage, no front setback and located on the same west side, is being preserved every effort should be made to preserve my building in its entirety. An additional 2 metres surely could be taken from the east side of Stirling Hwy – the Cottesloe Central Shopping Centre & Grove Library side where setbacks have been consider within these newer building designs. I therefore would like to register my objection to any future road reserve affecting</i></p> <p><i>Lot 12 (561) Stirling Highway Cottesloe].</i></p>	
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Schedule of Modifications

Scheme Amendment No. 8 to LPS3 (Stirling Highway)



No.	Description		Justification
1	<p>Modify clause 1.1 of amending text:</p> <p>1.1 Zoning a portion of Lot 14 Albion Street, Lot 18-20 Boreham Street, Lot 2 Burt Street, Lot 3 Congdon Street, Lots 52-55 and 61 Dalgety Street, Lot 63 Edward Street, Lots 10 and 16 Eric Street; and Lots 70 and 71 Napier Street, Cottesloe 'Residential Zone' with a density code of R20;</p>	<p>To read:</p> <p>1.1 Zoning a portion of Lot 14 Albion Street, Lot 18-20 Boreham Street, Lot 2 Burt Street, Lot 3 Congdon Street, Lot 61 Dalgety Street, Lot 63 Edward Street, Lot 10 Eric Street; and Lots 70 and 71 Napier Street, Cottesloe 'Residential Zone' with a density code of R20;</p>	Refer to Submissions 5, 6 and 7.
2	<p>Modify clause 1.2 of amending text:</p> <p>1.2 Zoning Lot 21 Gordon Street; Lots 3 (No. 2A) and 4 Dalgety Street; Lots 1, 2 and 4 Boreham Street; Lots 4, 5 and 16 Eric Street, Lot 1 Burt Street; Lot 22 and 1 Edward Street; Lot 2 Foulkes Lane; Lot 69 Napier Street; Lots 1 (No. 471, 473 and 483), 2 (No. 475 and 483), 3-6, 51, 57, 59, 67, 68, 100, 101 and 800 Stirling Highway; and a portion of Lot 9 Eric Street, Cottesloe 'Residential Zone' with a density code of R20/60;</p>	<p>To read:</p> <p>1.2 Zoning Lot 21 Gordon Street; Lots 3 (No. 2A), 4 and 52-55 Dalgety Street; Lots 1, 2 and 4 Boreham Street; Lots 4, 5, 9 and 26 Eric Street, Lot 2 Burt Street; Lot 22 and 1 Edward Street; Lot 2 Foulkes Lane; Lot 69 Napier Street; Lots 1 (No. 471, 473), 2 (No. 475 and 483), 3-6, 51, 57, 59, 65, 67, 68, 100, 101 and 800 Stirling Highway; Cottesloe 'Residential Zone' with a density code of R20/60;</p>	Refer to Submissions 8, 9 and 11.
3	<p>Modify clause 1.3 of amending text:</p>	<p>To read:</p>	For the sake of administrative correctness.

	1.3 Zoning Strata Lots 1 and 2 Burt Street, Lot 2 Napier Street, Lot 1 (No. 493) Stirling Highway, Cottesloe and a portion of Lot 4 Napier Street and Lot 1 Rockett Lane, Cottesloe 'Residential Zone' with a density code of R30/60;	1.3 Zoning Strata Lot 1 Burt Street, Lot 2 Napier Street, Lot 1 (No. 493) Stirling Highway, Cottesloe and a portion of Lot 4 Napier Street and Lot 6 Rockett Lane, Cottesloe 'Residential Zone' with a density code of R30/60;	
4	Modify clause 1.4 of amending text: 1.4 Zoning portions of Lots 1, 16 and 88 Albion Street, and Lots 2, 89 Vera Street, Cottesloe 'Residential Zone' with a density coding of R35;	To read: 1.4 Zoning portions of Lots 1, 14 and 88 Albion Street, and Lots 2 and 89 Vera Street, Cottesloe 'Residential Zone' with a density coding of R35;	For the sake of administrative correctness.
5	Modify clause 1.5 of amending text: 1.5 Zoning a portion of Lot 2 and 3 Forrest Street and Lot 401 Vera Street 'Residential Zone' with a density code of R40;	To read: 1.5 Zoning a portion of Lot 2 and 3 Forrest Street and Lot 401 Vera Street 'Residential Zone' with a density code of R40;	For the sake of administrative correctness.
6	Delete clause 1.6 of amending text and renumber subsequent clauses.		Repetition.
7	Modify previous clause 1.7 of amending text: 1.7 Zoning Lots 1, 2 and 20 and 91 Albion Street and 90 Vera Street, Cottesloe 'Residential Zone' with a density code of R35/60;	To read: 1.6 Zoning Lots 1, 2 and 20 and 91 Albion Street and 90 Vera Street, Cottesloe 'Residential Zone' with a density code of R35/60;	For the sake of administrative correctness.
8	Modify previous clause 1.8 of amending text: 1.8 Zoning Lot 120 Forrest Street and Lot 1 (No. 519) Stirling Highway, Cottesloe 'Residential Office Zone' with a density code of R40/60;	To read: 1.7 Zoning Lot 1 Forrest Street and Lot 1 (No. 519) Stirling Highway, Cottesloe 'Residential Office Zone' with a density code of R40/60;	For the sake of administrative correctness.
9	Modify previous clause 1.9 of amending text: 1.9 Zoning Lots 11, 12 and a portion of reserve 335 Grant Street, Claremont; Lot 1 and a	To read: 1.8 Zoning Lots 11, 12 and a portion of reserve 335 Grant Street, Claremont; Lot	For the sake of administrative correctness.

	portion of reserve 332 Stirling Highway, Claremont; Lot 1, 8 and portions of Lots 3 (No.451 andNo.453) Stirling Highway; and Lots 4 and 5 McNamara Way, Cottesloe 'Residential Zone' with a density code of R60;	1 and a portion of reserve 332 Stirling Highway, Claremont; Lot 1, 8 and portions of Lots 3 (No.451 andNo.453) Stirling Highway; and Lots 4 and 38 McNamara Way, Cottesloe 'Residential Zone' with a density code of R60;	
10	Modify previous clause 1.10 of amending text: 1.10 Zoning Lots 1, 4 (No. 533), 12, 13, 50 (No. 541 and 543), 500 and portions of Lots 5 and 101 Stirling Highway; Reserve 10998 and portions of Lots 2 and 3 Station Street; Lot 49 and portions of Lots 5, 8, 17-19, 25 and 27 Napoleon Street; portions of Lots 5-7 Jarrad Street; and Lots 1 and 40 Forrest Street, Cottesloe 'Town Centre Zone' with a density code of R100;	To read: 1.9 Zoning Lots 1, 4 (No. 533), 12, 13, 50 (No. 541 and 543), and portions of Lots 5 and 101 Stirling Highway; Reserve 10998 and portions of Lots 2 and 3 Station Street; Lot 49 and portions of Lots 5, 8, 17-19, 25 and 27 Napoleon Street; portions of Lots 5-7 Jarrad Street; and Lots 1 and 40 Forrest Street, Cottesloe 'Town Centre Zone' with a density code of R100;	For the sake of administrative correctness.
11	Delete clause 1.13 of amending text and renumber subsequent clauses.		For the sake of administrative correctness.