

# TOWN OF COTTESLOE



## DEVELOPMENT SERVICES COMMITTEE MINUTES

MAYOR'S PARLOUR, COTTESLOE CIVIC CENTRE  
109 BROOME STREET, COTTESLOE  
6.00 PM, MONDAY, 21 SEPTEMBER 2015

**MAT HUMFREY**  
Chief Executive Officer

21 September 2015

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# DEVELOPMENT SERVICES COMMITTEE

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**1 DECLARATION OF MEETING OPENING/ANNOUNCEMENT OF VISITORS**

The Presiding Member announced the meeting opened at 6:00 PM.

**2 DISCLAIMER**

The Presiding Member drew attention to the Town's disclaimer.

**3 ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION****4 PUBLIC QUESTION TIME****4.1 RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE**

Nil.

**4.2 PUBLIC QUESTIONS**

Nil.

**5 PUBLIC STATEMENT TIME**

Mr Barry Small, 9/25 Foss Street, Palmyra, for item 10.1.1, 9 Overton Gardens

Mr Small for the property owners outlined the positive effects of the proposed modifications to the existing 1940s purple-title, eight-unit building to be changed to strata title, which requires compliance with the Building Code. Replacement of the roof presents an opportunity to deliver additional accommodation to the upper-floor units in the new roof space. He explained the aim to enhance and modernise the building and deliver compliant dwellings. By using the existing building the current level of amenity of the surrounding area will be preserved and improved.

**6 ATTENDANCE****Present**

Cr Peter Jeanes	Presiding Member
Mayor Jo Dawkins	
Cr Philip Angers	
Cr Helen Burke	
Cr Jack Walsh	
Cr Katrina Downes	

**Officers Present**

Mr Mat Humfrey	Chief Executive Officer
Mr Andrew Jackson	Manager Development Services
Mr Ed Drewett	Senior Planning Officer
Mr Ronald Boswell	Planning Officer
Mrs Liz Yates	Development Services Administration Officer

**6.1 APOLOGIES**

Nil.

**Officer Apologies**

Nil.

**6.2 APPROVED LEAVE OF ABSENCE**

Nil.

**6.3 APPLICATIONS FOR LEAVE OF ABSENCE**

Nil.

**7 DECLARATION OF INTERESTS**

Nil.

**8 CONFIRMATION OF MINUTES**

**Moved Cr Angers, seconded Cr Burke**

[Minutes August 17 2015 Development Services Committee.docx](#)

**The Minutes of the Ordinary meeting of the Development Services Committee held on 17 August 2015 be confirmed.**

**Carried 6/0**

**9 PRESENTATIONS**

**9.1 PETITIONS**

Nil.

**9.2 PRESENTATIONS**

Nil.

**9.3 DEPUTATIONS**

Nil.

**10 REPORTS****10.1 PLANNING****10.1.1 NO. 9 (LOTS 25 & 26) OVERTON GARDENS - ADDITIONS TO MULTIPLE DWELLINGS**

<b>File Ref:</b>	<b>3205</b>
<b>Attachments:</b>	<a href="#">9 Overton Aerial</a> <a href="#">9 Overton Applicant Submission</a> <a href="#">Existing and Proposed Street View</a> <a href="#">9 Overton Plans</a> <a href="#">9 Overton Property Photos</a>
<b>Responsible Officer:</b>	<b>Andrew Jackson</b> <b>Manager Development Services</b>
<b>Author:</b>	<b>Ronald Boswell</b> <b>Planning Officer</b>
<b>Proposed Meeting Date:</b>	<b>21 September 2015</b>
<b>Author Disclosure of Interest:</b>	<b>Nil</b>
<b>Property Owner:</b>	<b>John R R Morrow &amp; Doreen J R Bunbury</b>
<b>Applicant:</b>	<b>Barry Small</b>
<b>Date of Application:</b>	<b>2 July 2015</b>
<b>Zoning:</b>	<b>Residential R60</b>
<b>Use:</b>	<b>P - A use that is permitted under this Scheme</b>
<b>Lot Area:</b>	<b>1120m<sup>2</sup></b>
<b>M.R.S. Reservation:</b>	<b>Not applicable.</b>

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**SUMMARY**

This application is seeking the following variations to Council's Local Planning Scheme No. 3 (LPS 3) and the Residential Design Codes (RDC):

- Lot boundary setback.
- Building height.

These aspects are discussed in this report and refer to plans received on 10 July 2015. While the proposal does not routinely comply with LPS 3 and the RDC, it does retain and enhance the existing multiple dwellings. The additions to the multiple dwellings will modernise the building and satisfy the current building codes to allow the owners to change the Purple Titles to Survey Strata Titles.

Given the assessment that has been undertaken the recommendation is to conditionally approve the application.

**PROPOSAL**

This application is for additions to an existing two-storey multiple dwellings building. The proposed development comprises the following additions:

- Four patios to units 1 to 4.

- Extension to units 5 to 8:
  - Balconies.
  - Extending the heads of the existing windows.
  - Bi-fold doors.
  
- Mezzanine level to units 5 to 8:
  - Loft bedroom to all first-floor units.
  - Loft retreat to units 6 and 7.
  - Ensuite to all first-floor units.
  
- Colorbond Trimdeck re-roofing and new roof structure to facilitate mezzanine construction:
  - Includes Velux windows to the first-floor units.

## BACKGROUND

Following discussions between the Town, the applicant and the owners, the architect has submitted revised plans which address the design and appearance of the multiple dwellings to present well to the streetscape and surrounding properties.

This application relies on LPS 3 Amendment No. 1 for additional building height, whereby clause 5.7.5 provides:

*In the case of proposed alterations, additions or extensions to existing dwellings in the Residential, Residential Office, Town Centre, Local Centre, Foreshore Centre and Restricted Foreshore Centre zones, the local government may vary the maximum heights specified in Table 2 and clause 5.7.2, where in its opinion warranted due the circumstances and merits of the proposal, having regard to:*

- (a) The existing heights of the dwelling;*
- (b) Any relevant Local Planning Policy or Design Guidelines;*
- (c) Any heritage considerations relating to the dwelling;*
- (d) Relevant planning considerations identified in clause 10.2;*
- (e) Adequate direct sun into buildings and appurtenant open spaces;*
- (f) Adequate daylight to major openings into habitable rooms;*
- (g) Access to views of significance;*
- (h) Building design to ameliorate the visual effects of height; and*
- (i) The amenity of adjoining properties, including road and public open space reserves, and the character of the streetscape;*

*and subject to the development:*

- (a) Not exceeding the existing number of storeys;*
- (b) Not exceeding the height of the existing dwelling, unless the Council is satisfied with the design and its implications having regard to the above criteria; and*
- (c) In the Foreshore Centre Zone, the development not exceeding the requirements of clause 6.4.3.1 (a) and (b).*



The existing older building is over-height by current Scheme standards and the design of the new roof maintains the same ridge height from NGL, but shifted towards the north-eastern side of the lot, as shown on the elevation plans. The roof is a hipped and skillion design to create a mezzanine level in the roof space for additional accommodation. No new storey is being proposed as the mezzanine is a supplementary level within a true storey.

### FINANCIAL IMPLICATIONS

Nil.

### STATUTORY ENVIRONMENT

Local Planning Scheme No. 3 and Residential Design Codes.

### HERITAGE LISTING

Nil.

### APPLICATION ASSESMENT

Areas of non-compliance:

#### LPS 3

<b><i>LPS 3 Building Height</i></b>	<b><i>Permitted</i></b>	<b><i>Proposed</i></b>
Wall	6m	7.5m
Roof	8.5m	9.3m

#### RDC

<b><i>Design Element</i></b>	<b><i>Deemed-to-comply</i></b>	<b><i>Proposed</i></b>	<b><i>Design Principles</i></b>
<b>5.1.3 Lot boundary setback</b>	2.5m	0.9m (at closest point)	Clause P3.1 – Buildings setback from lot boundaries.
	1.3m	0.9m (at closest point)	
	1.4m	0.9m (at closest point)	
	3.5m	2m	

### ADVERTISING OF PROPOSAL

This application was advertised by the Town to the six adjoining properties. One neighbour was sent a copy of the plans, with the permission of the subject owners. No submissions were received.

### STAFF COMMENT

The following technical assessment is made with respect to the proposal:

#### Building height

The calculation of building height stems from the natural ground levels (NGL) of the site. Clause 5.7.1 of LPS 3 defines NGL as: *The maximum vertical distance between any point of NGL and the uppermost part of the building directly above that point.*

Variations may be permitted in the case of extensions to existing buildings, recognising the need or desire to match existing levels, create desirable space and improve built form. The existing building sits on a lot that slopes in two directions, hence it has raised limestone footings as is common to older dwellings in Cottesloe, which causes the building to exceed today's LPS 3 height parameters. Due to the first floor level of the existing building being up to 1.5m above NGL, the wall height extends up to 1.5m above the LPS 3 standard of 6m and the roof height extends up to 0.8m above the LPS 3 standard of 8.5m (refer to table above). These maximum height increases occur to the north-western end of the building which is raised most above the NGL of the sloping lot, while the height of the building tapers down towards the street.

The height may be considered acceptable as the additions to the building are architectural features, preserve and improve the building and provide more living space in the first-floor units. Furthermore, under the design principles of the RDC additional height may be permitted on the basis of:

*Building height that creates no adverse impact on the amenity of adjoining properties or the streetscape, including road reserves and public open space reserves; and where appropriate maintains:*

- *Adequate access to direct sunlight into buildings and appurtenant open spaces;*
- *Adequate daylight to major openings into habitable rooms; and*
- *Access to views of significance.*

Overton Gardens has a mix of single and multiple dwellings. The subject building is situated on an angle across two lots, with a total area of 1120m<sup>2</sup>. The additional height will not be noticeable as it will be absorbed by the large lot. As explained, the proposal is to maintain the existing height, moving the ridge of the roof towards the north-eastern side of the lot. Also, the existing northern and southern wings of the building are to have the present pitched roof cut-back and replaced with a lower skillion to each portion, which alleviates the mass of the roof. This, together with the low angle of the west-facing new roof profile, will mean that the visual impact of the rebuilt roof is more streamlined, modern and less dominant.

The scale and extent of the proposed additions are relatively minor in comparison with the multiple dwellings development at the eastern end of Overton Gardens adjacent to the Civic Centre, recently approved by the Metro West Joint Development Assessment Panel.

In this setting, the view to the subject building from the west is partly obscured by buildings in front of it rising along Overton Gardens from Marine Parade, whilst the renovated building will have a backdrop of other buildings and the Civic Centre western wall. Hence the height of the building, which at its greatest is far back from the street and near the rear boundary, will not be so obvious.

The height variation results from an innovative roof design to create more living space in the first-floor units by the addition of a mezzanine, while still maintaining the appearance of a two-storey building. In summary, the heights of the proposal satisfy the LPS3 assessment criteria and the RDC design principles, and there will be no

loss of amenity to the adjoining properties or streetscape, hence Council can support the height variations.

#### Front setback

The existing front setback of 8.73m minimum, which gradually increases due to the angled building, is substantial. It maintains a uniform setback with other older buildings in the street and serves to ameliorate the bulk and scale of the building. In contrast, for redevelopment the density code of R60 permits a front setback of 2m as the deemed-to-comply standard of the RDC.

#### Side setbacks to north-west and south-west boundaries

The proposed setback from the western boundary is 0.9m at its closest point, in lieu of a setback range of 1.4m-2.5m. However, this setback gradually increases from the western boundary due to the angled building on the lot. The north-eastern setback of 2m is in lieu of 3.5m as required under the deemed-to-comply standards of the RDC. The applicant requested that these setback variations be considered under the design principles of the RDC, which state:

*Buildings set back from the lot boundaries so as to:*

- *Reduce impacts of building bulk on adjoining properties;*
- *Provide adequate direct sun and ventilation to the building and open spaces on the site and adjoining properties; and*
- *Minimise the extent of overlooking and resultant loss of privacy on adjoining properties.*

Following the initial assessment by the Town, the applicant was advised that the setbacks did not sufficiently satisfy the deemed-to-comply criteria of the RDC and was required to justify the design. Although a setback concession is being sought for the development, the existing wall at the north-western point of the building has a reduced setback at 0.9m from the western boundary. The proposed extension at the north-western side of the building merely aims to maintain the same setback to continue uniformity of the building.

The eave-line of the existing roof sits on the western boundary, which does not comply with today's building code requirements. The proposed new roof is setback from the western boundary in line with the wall setback, which makes the roof compliant with the building code.

#### Other development requirements

It is noted that the other relevant requirements of the RDC, including site cover, open space, shadowing and privacy are compliant and not of concern. Parking remains unaltered at one on-site bay per unit as originally provided.

### **CONCLUSION**

This development application is to upgrade the existing multiple dwellings and can be supported by Council. The massing of the additions reflects modern dwellings in the locality emerging through redevelopments.

Apart from the heights and setbacks as described, the proposal is otherwise compliant and the variations sought can be supported as they will not adversely affect of the surrounding properties streetscape.

The renovation to the multiple dwellings will rejuvenate the appearance and amenity of the building and bring it up to a high standard that will present well in the street, which is undergoing gradual redevelopment. The additional wall and roof height sought will be absorbed into the large lot and will not adversely affect the streetscape or surrounding properties. The multiple dwellings will still have the appearance of a two-storey building and the addition of the mezzanine in the roof space can be supported by Council.

### **COMMITTEE COMMENT**

Committee supported the proposal as a worthwhile improvement to the property and street, including the landscaping indicated. The Manager Development Services confirmed that the existing parking of one bay per unit would remain.

### **VOTING**

Simple Majority

### **OFFICER & COMMITTEE RECOMMENDATION**

**Moved Cr Downes, seconded: Mayor Dawkins**

**THAT Council GRANT approval to commence development for additions to existing multiple dwellings at Units 1-8 No. 9 (Lots 25 and 26) Overton Gardens, Cottesloe, in accordance with the revised plans received on 10 July 2015, subject to the following conditions:**

- 1. All construction work being carried out in accordance with the Environmental Protection (Noise) Regulations 1997, Regulation 13. – Construction sites.**
- 2. 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.**
- 3. 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.**
- 4. The roof surface being treated to reduce glare if the Town considers that the glare adversely affects the amenity of adjoining or nearby neighbours following completion of the development.**
- 5. Air-conditioning plant and equipment shall be located closer to the building than adjoining dwellings, and suitably housed or treated as may be necessary to ensure that sound levels do not exceed those specified in the Environment Protection (Noise) Regulations 1997.**

6. The detailed design of the privacy screens to the upper-floor units 7 and 8, as shown on the south-western elevation plan, shall meet the requirements of the Residential Design Codes, to be a minimum of 1.6m high from the finished floor levels, and to have maximum visual permeability of 25% (ie minimum 75% obscured), to the satisfaction of the Town; the details of which shall be shown on the plans submitted for a Building Permit.
7. This approval excludes any new fencing to the front setback area. Any future such fencing requires a further development application and must comply with the Town's Fencing Local Law in being open-aspect.
8. The materials, finishes and colours of the additions shall be to the satisfaction of the Town. The details are required to be provided to the Town as part of the application for a Building Permit. The applicant is requested to liaise with the Town for any necessary guidance in this respect.

**Advice Notes:**

1. The owners/applicants are responsible for ensuring that all lot boundaries shown on the approved plans are correct and that the proposed development is constructed entirely within the property.
2. The owners/applicants are responsible for applying to the Town for a Building Permit and to obtain approval prior to undertaking construction of the development.

Carried 6/0

**10.1.2 LOCAL PLANNING SCHEME NO. 3 – RESTRICTED FORESHORE  
CENTRE ZONE DESIGN GUIDELINES**

**File Ref:** SUB/335  
**Attachments:** [Scheme Map](#)  
[Subject Sites](#)  
[Proposed Design Guidelines Sept 2015](#)  
**Responsible Officer:** Mat Humfrey  
Chief Executive Officer  
**Author:** Andrew Jackson  
Manager Development Services  
**Proposed Meeting Date:** 21 September 2015  
**Author Disclosure of Interest:** Nil

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**SUMMARY**

This report presents proposed Design Guidelines under Local Planning Scheme No. 3 (LPS3) for the Restricted Foreshore Centre Zone, to supplement the Scheme provisions. The Design Guidelines relate to only nine sites in the vicinity of the Marine Parade beachfront precinct.

The proposed Design Guidelines are attached and the recommendation is to advertise them for public comment.

**BACKGROUND**

LPS3 in clause 5.9 provides for design guidelines to be created as policy as a vehicle for dealing with detail and discretion in the design aspects of development proposals:

*5.9. Development requirements – Local Planning Policy Design Guidelines*

*5.9.1. The local government may prepare and adopt Local Planning Policy Design Guidelines in accordance with the procedure outlined in clause 2.4, to augment the Scheme provisions with more detail to guide the planning and design of development proposals.*

*5.9.2. In considering an application for planning approval for land to which adopted Local Planning Policy Design Guidelines apply, the local government shall have regard to the Design Guidelines and shall use them as a basis on which to determine any variation allowed under the Scheme.*

The Scheme policy-making procedure needs to be followed to accord design guidelines status under the Scheme. Local Planning Policy Design Guidelines have greater force and effect than design guidelines that are simply adopted by resolution or used in practice but not made officially under the Scheme:

*2.2. Relationship of Local Planning Policies to Scheme*

*6 If a provision of a Local Planning Policy is inconsistent with the Scheme, the Scheme prevails.*

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- 2.3.2. *A Local Planning Policy is not part of the Scheme and does not bind the local government in respect of any application for planning approval but the local government is to have due regard to the provisions of the Policy and the objectives which the Policy is designed to achieve before making its determination.*

*Note: Local Planning Policies are guidelines used to assist the local government in making decisions under the Scheme. Although Local Planning Policies are not part of the Scheme they must be consistent with, and cannot vary, the intent of the Scheme provisions, including the Residential Design Codes. In considering an application for planning approval, the local government must have due regard to relevant Local Planning Policies as required under clause 10.2.*

Design guidelines address principles, standards or criteria for the design and assessment of proposed development, allowing for guided flexibility and discretionary decision-making. For the subject Zone design guidelines are necessary to enable development proposals to be formulated and determined.

### **RESTRICTED FORESHORE CENTRE ZONE**

The Restricted Foreshore Centre Zone covers a relatively small number of sites adjacent to the main beachfront precinct, as a transition between the Marine Parade activity and development area (comprising the Foreshore Centre Zone, Hotel Zone and Development Zone 'A', all within Special Control Area 2) and the adjoining Residential Zone – attached maps refer. The sites have a density coding of R60, in keeping with surrounding density coding.

The sites are concentrated at the western end of Warnham Road and John Street, with another node at the north-west corner of Eric Street and Marine Parade opposite the Ocean Beach Hotel site. They are all developed with grouped or multiple dwellings ranging from two to five storeys. These existing built forms, heights and architectural styles reflect differing development over the decades under the previous Schemes. The older buildings are in time likely to undergo redevelopment, while the younger buildings may undergo renovations.

Under LPS3 the objectives of the Restricted Foreshore Centre Zone are to:

- *provide the opportunity for a range of residential and a limited range of low-key non-residential uses which are compatible with the character and amenity of the beachfront locality and surrounding residential development;*
- *ensure that the predominantly residential and recreational nature of the locality is maintained;*
- *ensure that the urban character, aesthetics, amenity and residential streetscape quality of the locality are not compromised by inappropriate land use or development; and*
- *give consideration to the maintenance and enhancement of important views to and from public places as a contributor to the character and amenity of the locality and the district overall.*

The various provisions of LPS3 and the Residential Design Codes (RDC) apply to the Restricted Foreshore Centre Zone. Table 2: Development Requirements of LPS3 lists specific requirements for particular zones and refers to design guidelines in a number of instances. The controls for the Restricted Foreshore Centre Zone are shown below, in which minimum boundary setbacks is the only parameter in need of design guidelines.

Setbacks are interrelated with the scale of buildings and for this zone the maximum height of (new) development steps down from the Marine Parade sites with greater maximum heights to the residential areas with a two-storey height limit.

<b>ZONE</b>	<b>MAXIMUM PLOT RATIO</b>	<b>MAXIMUM SITE COVER</b>	<b>MINIMUM BOUNDARY SETBACKS</b>	<b>MAXIMUM HEIGHT (Refer clause 5.7.)</b>
<b>RESTRICTED FORESHORE CENTRE</b> All development	0.8:1	75%	In accordance with Design Guidelines	3 storey and: 9m to top of wall; 10m to top of parapet; and 11.5m to top of roof ridge

In terms of land use, at present most of the lots in the zone are developed for residential purposes as grouped or multiple dwellings, whilst the site behind the Cottesloe Beach Hotel is developed as holiday chalets and also contains a small local office. LPS3 allows a range of low-key non-residential uses to be considered in the zone at Council's discretion, and for redevelopment prescribes predominantly non-residential use to the ground floor street-front. Hence consideration of land use and its arrangement has an influence on suitable setbacks.

### **DESIGN GUIDELINES PROPOSAL**

The Design Guidelines are focussed on setbacks and respond to the relevant aspects of the Zone's objectives for appropriate development. In so doing they differentiate between the two nodes of sites in the Zone: Warnham Road / John Street and Eric Street / Marine Parade.

The draft Design Guidelines were prepared by staff in accordance with the framework of the Scheme aims, the Zone objectives and the clause 10.2 matters to be considered. Preparation involved site inspection, map information, consideration of other design guidance and the RDC, in order to appreciate the context and character of the existing and future development for each area.

The Design Guidelines document explains their role and purpose and prescribes the setback parameters for each area in relation to the Scheme provisions. This addresses: front setbacks and streetscape; side setbacks and boundary walls; interfaces with more intensive beachfront buildings and less intensive residential buildings; and building modulation; taking into account character, amenity (including privacy), aesthetics, quality development and views.

The tables below describe the setback patterns for the northern and southern nodes of the Restricted Foreshore Centre Zone; then the proposed setbacks, for which the basic principles are:



- Marine Parade and Eric Street frontages – permit building to street boundaries for corner site and on adjacent sites step setbacks to merge with adjoining residential sites.
- Residential street frontages – create harmonious or consistent setbacks.
- ROW boundaries – setbacks for vehicle accessibility as appropriate.
- Adjacent properties / side and rear boundaries – respect separation of buildings and recognise existing boundary walls.
- Solar access – setbacks to limit overshadowing.
- Privacy – setbacks for satisfactory privacy.
- Built form – modulated setbacks for building appearance and third storey setbacks to ameliorate bulk and scale.

#### NORTHERN NODE SETBACK INTERRELATIONSHIPS

Site	Existing	Adjacent
<b>150 Marine Pde cnr Eric St</b>	Multiple dwellings (apartments) built to both street frontages and western half of northern boundary.	152 Marine Pde to north and 6 Eric St to east – as described.
<b>152 Marine Pde</b>	Multiple dwellings built to Marine Pde frontage and portions of southern boundary; stepped away from adjacent properties to north and east.	150 Marine Pde to south and 6 Eric St to east – as described; three stepped grouped dwellings to north, setback from Marine Parade at front and ROW at rear, with narrow side setbacks.
<b>6 Eric St</b>	Multiple dwellings modulated along Eric St frontage; with rear garages to northern boundary (to adjacent vehicle access leg) and western boundary; also built to eastern boundary with ROW.	150 and 152 Marine Pde to west and vehicle access leg to north (No. 152) – as described; ROW to east with four dwellings opposite, two being close to ROW.

#### SOUTHERN NODE SETBACK INTERRELATIONSHIPS

Site	Existing	Adjacent
<b>4 Warnham Rd</b>	Multiple dwellings set back from street, rear and western side boundaries; and built to eastern boundary.	To west, Blue Waters beachfront site. 7 Warnham Rd to east – as described. To north, multiple dwellings and dwelling setback from that boundary.
<b>6 Warnham Rd</b>	Older multiple dwellings set back from street, rear and western boundaries; with eastern garages set back further from street and built to that boundary.	4 Warnham Rd to west – as described. To east, older multiple dwellings with mirror-image setbacks. To north, multiple dwellings setback from that boundary.
<b>6 John St</b>	Short-stay chalets built close to John St and Warnham Rd	Cottesloe Beach Hotel rear courtyard and buildings to west;

	frontages; and built to both side boundaries.	two dwellings to east, built to or near that boundary and setback from the two street frontages.
<b>1 John St</b>	7 Recent grouped dwellings, setback from street; built to western ROW and rear ROW boundaries; and close to eastern boundary.	To west, ROW and Seapines beachfront site. 5 John St to east – as described. To south, two dwellings across ROW, setback from rear.
<b>5 John St</b>	Multiple dwellings setback from street, rear ROW and side boundaries. (Catalina Villas – short-stay).	7 John St to east – as described. To south, grouped dwelling across ROW, with rear garages set back.
<b>7 John St</b>	Grouped dwellings setback from street, rear ROW and side boundaries.	5 John St to west – as described. To east, older multiple dwellings. To south, grouped dwelling across ROW, with rear garages set back.

On this basis generally the Design Guidelines prescribe more “urban” setbacks for significant street frontages with active ground floors and rely on the RDC setback standards for residential interfaces (ie typically side and rear boundaries).

### **STRATEGIC IMPLICATIONS**

Nil.

### **POLICY IMPLICATIONS**

Scheme Local Planning Policy Design Guidelines are to be had regard to.

### **STATUTORY ENVIRONMENT**

LPS3.

### **FINANCIAL IMPLICATIONS**

Nil.

### **SUSTAINABILITY IMPLICATIONS**

Nil.

### **CONSULTATION**

The scheme policy process for the creation of design guidelines includes public advertising and consideration of submissions, similar to for a scheme amendment.

### **PROCEDURE**

The Scheme procedure for creating policies/design guidelines is initiated by a Council resolution, followed by advertising of the proposal inviting submissions. Advertising entails public notices in a local newspaper and a minimum 21 day period; while dissemination via the Town’s website and other means may also occur. After considering any submissions, Council resolves whether to adopt the design

guidelines and any modifications. Policies/design guidelines may also be amended from time-to-time, replaced, or revoked as needs evolve.

### **CONCLUSION**

The subject Design Guidelines are required by the Scheme and will assist with development proposals in the Restricted Foreshore Centre Zone. Advertising of the draft Design Guidelines and consideration of any submissions will enable Council to refine and finalise them as a Local Planning Policy instrument under the Scheme.

### **COMMITTEE COMMENT**

The Manager Development Services confirmed that the draft design guidelines in the attachment would be advertised to the subject property owners as well as the wider community.

### **VOTING**

Simple Majority

### **OFFICER & COMMITTEE RECOMMENDATION**

**Moved Cr Downes, seconded Cr Walsh**

**THAT Council note the proposed Design Guidelines for the Restricted Foreshore Centre Zone and undertake public consultation in accordance with the Local Planning Policy provisions of the Scheme, for the consideration of any submissions and further reporting to Council.**

**Carried 6/0**

### 10.1.3 PLANNING FOR THE COTTESLOE TOWN CENTRE AND ADJACENT RAILWAY LAND

**File Ref:** SUB/935  
**Attachments:** [Preliminary Structure Plan](#)  
[Previous Reports](#)  
**Responsible Officer:** Mat Humfrey  
Chief Executive Officer  
**Author:** Andrew Jackson  
Manager Development Services  
**Proposed Meeting Date:** 21 September 2015  
**Author Disclosure of Interest:** Nil

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#### SUMMARY

At its meeting on 24 August 2015 Council considered a notice of motion to undertake structure planning for the railway lands in relation to the Town Centre locality, and resolved:

*That the Chief Executive Officer prepare a report for the September 2015 Development Services Committee meeting providing recommendations on the following:*

- 1. Extension of the Station Street concept plan project, to develop a Town Centre Activity Plan covering the whole of the Cottesloe Town Centre, including the adjacent railway land;*
- 2. The feasibility, resource implications and cost of developing a structure plan for the railway reserve within the Town of Cottesloe; and*
- 3. That the structure plan should consider the feasibility of sinking the railway through Cottesloe as a part of developing the railway reserve.*

This report addresses the matter, and in so doing it overviews:

- Council's strategic direction and progress in past years;
- the current planning framework within which to continue; and
- a renewed approach to achieve Council's objectives.

#### BACKGROUND

##### Strategic priorities

Planning for the Town Centre locality in relation to the railway line and station, Curtin Avenue, east-west connectivity and Government landholdings ("railway lands") along the railway is an ongoing strategic focus for Council. This is encapsulated in the Strategic Community Plan 2013-2023, which outlines the situation as Priority Area 2 - Achieving connectivity between east and west Cottesloe, including major strategies as follows:

- *Proactively pursue solutions for Curtin Avenue and the railway.*
-

- *Produce a draft Structure Plan for consultation purposes showing the sinking of the railway and realignment of Curtin Avenue together with ‘what’s possible’ in terms of sustainable redevelopment and pedestrian and traffic links and Town Centre integration.*
- *Promote an engineering and financial feasibility study within the preferred solution.*

Priority Area 4 - Managing development relates and includes a major strategy to: *Consider undeveloped Government-owned land for higher density development provided there is both public support and benefit for the Cottesloe community.*

Priority Area 5 - Providing sustainable infrastructure and community amenities, also relates and contains a major strategy to: *Implement the Town Centre Public Domain Infrastructure Improvement Plan (TCPDIIP).* The Corporate Business Plan lists four actions to achieve this strategy:

- *Revise and update the TCPDIIP, in consultation with stakeholders, such as ProCott.*
- *Complete the streetscape improvement works within Napoleon Street.*
- *Begin negotiations with the Public Transport Authority (PTA) to develop the train station interface with the Town Centre.*
- *Undertake amendments to LPS3, where necessary, to prompt development within the Town Centre Precinct.*

A number of Town Centre improvement projects have ensued and Council’s latest resolution responds to this strategic vision.

### **Local Planning Strategy**

The Local Planning Strategy is the precursor to the Local Planning Scheme, which when written identified actions to then and the view to planning for the subject area:

*... the Town Centre Study undertaken by the Council in 2005 as part of the scheme review process ... produced a concept plan to realign Curtin Avenue alongside the railway and between it and the Western Power substation at Jarrad Street. This is in order to resolve this decades-old planning issue and to achieve a superior urban development outcome in terms of land use and transport integration, opportunity for transit-oriented development and liveable neighbourhoods, and removing urban blight to enhance amenity and create certainty. Subsequently the Council has worked with the DPI and consultants to examine this proposal in more detail including engineering design plans, with a view to seeking Government agency support for the proposal to be implemented via an MRS Amendment and reflected in LPS3.*

*The Town Centre Study also looked at the prospect of transit-oriented development in the longer term once the Curtin Avenue is resolved, whereby the town centre could be revitalised capitalising on a redeveloped railway station with public land on the western side being utilised for housing development and local open space.*

*The future of Curtin Avenue has been explored in the Enquiry by Design process undertaken in association with LPS3 and is documented in the Cottesloe Enquiry by Design Report dated March 2009. As a result Council has resolved to pursue a preferred solution for Curtin Avenue in consultation with the relevant State Government agencies as part of structure planning for the locality.*

*The future of Stirling Highway is the subject of the Stirling Highway Activity Corridor Study (SHACS) being undertaken since 2008 by the Department of Planning in consultation with relevant State Government agencies and Local Governments. The SHACS is comprehensively considering the function and form of the highway in relation to land use integration, access control and urban design, for a final report and recommendations on implementation over time.*

### **Local Planning Scheme No. 3**

Over several years Local Planning Scheme No. 3 (LPS3) was the main vehicle to advance the objective of structure planning for the subject area. The scheme review entailed the Enquiry by Design (EbD) consultative exercise, which amongst other things produced a Preliminary Structure Plan for the Town Centre and adjacent railway lands area. LPS3 includes this central railway land as Development Zone 'E'.

The objectives of the generic Development zone are to:

- *provide for detailed planning to guide the use and development of land or buildings that are of a size, location, nature, character or significance warranting a comprehensive, coordinated and integrated approach to planning and design;*
- *ensure that land use and development within the zone is compatible with the amenity of the surrounding locality;*
- *ensure that any development does not unduly adversely affect the amenity of the adjoining and surrounding properties or locality, including by reason of height, built form, overshadowing, traffic, parking or other relevant aspects;*
- *allow for land use and development to contribute to the provision or enhancement of community facilities and services and to the public domain; and*
- *give consideration to the maintenance and enhancement of important views to and from public places as a contributor to the character and amenity of the locality and the district overall.*

More specifically, Schedule 14 - Development Zone Provisions, for area 'E' provides as follows:

<p>'E' - Crown Reserves 3399, 3438, 25367, 33606, 33607,</p>	<ul style="list-style-type: none"> <li>• Comprehensive planning for the area shall be undertaken through the preparation and approval of a Structure Plan, in accordance with Clause 6.2, to guide subdivision and development.</li> </ul>
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30397, bounded by Curtin Avenue and railway line.	<ul style="list-style-type: none"> <li>• Land uses shown on the Structure Plan shall apply in accordance with Clause 6.2.8.</li> <li>• The Structure Plan will apply to the entire site and will provide for additional residential development comprising a range of dwelling types, sizes and densities to take full advantage of the opportunity for more intense urban infill on this site, particularly with regard to its close proximity to regional public transport routes and the potential for integration with the nearby Town Centre zone on the eastern side of the railway line.</li> </ul>
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Under LPS3 a formal structure planning process is required in order to implement land development. Initially Council may choose to prepare an informal structure plan at a conceptual level, before moving to a more definitive structure plan for adoption as a basis for detailed planning and implementation.

The imminent *Planning and Development Regulations 2015* are to commence on 19 October and will alter the status and content of, and streamline the process for, structure plans in relation to local planning schemes.

### **Previous Council reports and resolutions**

In parallel with the scheme review and stimulated by the EbD, Council has further explored broad planning for the subject area in a series of reports and resolutions. These are listed and summarised below, and the most relevant are attached in full. They provide considerable information, track the evolving situation, including liaison with the State Government, and express Council's aspirations accordingly.

#### October 2006 – Curtin Avenue in Cottesloe – Council Resolution

This report recommended a Council Resolution to facilitate solving the alignment of Curtin Avenue through Cottesloe. Council's work on the scheme review, including the Town Centre Study, and the release of the draft Leighton Oceanside Landscape Masterplan, had focused attention on the need to settle the alignment and design for Curtin Avenue, so that a range of land use planning, regional and local transport and recreational opportunities can be pursued, rather than continue to be constrained by uncertainty about the road. It was resolved:

*That Council informs the WAPC Sustainable Transport Committee that it:*

*Supports resolution of the regional road reservation issue in order to assist with planning for the whole of Cottesloe, but in particular the Town Centre and surplus Government-agency lands;*

*Supports in-principle the establishment of a north-south regional road reservation through Cottesloe immediately west of the railway, provided that overall it is of no more than 23m in width and lowered;*

*Supports the concept of a regional road that has connections to the local road system at Eric Street and at Wellington Street, but not at Jarrad Street or at Salvado Street, which shall remain connected over the lower regional road in order to manage traffic and improve east-west links;*

*Accepts that it is the current policy of Main Roads WA that the new regional road should be capable of accommodating over-dimensional vehicles and that this will necessarily influence the road design to achieve the above outcomes. Unless this is agreed, over-dimensional loads should use other routes; and*

*Seeks a comprehensive solution that will successfully integrate land use and transport (for all modes), including the opportunity in time for transit-oriented development around the Cottesloe Town Centre, consistent with ensuring the orderly and proper planning and the amenity of the area.*

#### June 2007 – Draft Town Planning Scheme No. 3 – Indicative Development Potential of Railway Lands and Comparative Density Increases

This report provided estimated dwelling and population yields in the district, including the potential of the railway lands. In requesting the report Council also resolved to advise the Western Australian Planning Commission (WAPC) that:

*Council's Town Centre Study undertaken as part of the scheme review explored the potential of this area to be redeveloped in connection with the town centre, railway station and integration with the residential area to the west.*

*To that end Council has actively pursued a planning and design solution for Curtin Avenue with the DPI and Main Roads WA.*

*Furthermore, this background has led to a prospective Enquiry by Design exercise between Council and the DPI for more detailed planning of a Transit-Oriented Development (TOD) as the next step towards realising the vision through the statutory processes, structure planning and urban design.*

The gist of Council's resolution on the report information was to:

*Note the primary opportunity for the railway lands to provide substantially for new residential development in the district and in support of a number of important local and regional planning aims.*

*Consider how it may wish to apply this information and ongoing related endeavours in:*

- o pursuance of Draft TPS3;*
- o planning for the Town Centre and railway lands;*
- o addressing a solution for Curtin Avenue; and*
- o managing residential development in the district generally.*



### September 2007 – Curtin Avenue – MRWA Road Design Options – Status Report

This report updated Council on the liaison towards a solution for Curtin Avenue. Council had considered the overall situation and potential alignments for Curtin Avenue in October 2006, when it resolved to make recommendations on the matter to the Sustainable Transport Committee (STC) of the WAPC. In forming its views in this regard Council resolved that:

*Notes the resolution of the Sustainable Transport Committee of the WAPC and seeks an explanation of the rationale for excluding Option 1 and including Option 2 together with a copy of any reports to the STC on both options.*

*Advises the Government agencies that a one-way-pair as per Options 3 and 4 are not acceptable to Council.*

*Requests consideration of a new Option 5 with Curtin Avenue and the railway line both being lowered to go under Jarrad Street.*

*Seeks three-dimensional illustrations from MRWA for Options 1 and 2 only, upon which it will give further consideration to the following in order to provide feedback to the Government agencies towards a solution for Curtin Avenue:*

- *The pros and cons of the options for the alignment and design of Curtin Avenue through Cottesloe;*
- *The implications for land use, urban development and transport connectivity affecting the district;*
- *The particular implications for the Town Centre and railway land areas in light of Council's planning for these areas; and*
- *A course of action, including community consultation and ongoing liaison, to reach agreement on the matter.*

A subsequent agenda report considered draft LPS3 for advertising with modifications, and instigated Council liaising with the WAPC and the Minister to discuss an enquiry by design, the beachfront, foreshore plans and re-alignment of Curtin Avenue.

### March 2008 – Planning for Future Curtin Avenue – Update Report and Next Steps

This report updated Council regarding progress towards a solution for future Curtin Avenue. It overviewed the recent consideration of design options for parts of the route and outlined a suggested approach for Council to pursue a preferred outcome. Council resolved to note the report pending a detailed report to the April meeting.

### April 2008 – Curtin Avenue – Report on Detailed Considerations of Options

This was a key report consolidating Council's position in relation to Curtin Avenue. It overviewed the planning perspective for urban regeneration, analysed three technical studies prepared on engineering feasibility, noise assessment and road network options, and outlined the role of the EbD in this regard. It was resolved that Council:

*Confirms its support in-principle for the alignment of future Curtin Avenue immediately west of the Town Centre as a two-lane road located between the railway line and the Western Power substation.*

*To achieve the primary objective of improving local connectivity, support the complete grade-separation of Jarrad Street from the railway and Curtin Avenue, and assert that neither the trench option nor the subway option deals satisfactorily with local connectivity.*

*Promote that an option of both sinking the railway and the realigned Curtin Avenue, in order to enable full integration of land use and transport, to facilitate transit-orientated development of the Town Centre, and to optimise the development potential of the western land, be further explored with the State Government agencies to ensure the best long term planning outcomes for the area having regard to Network City objectives and principles for activity centres and corridors.*

*Acknowledge the subway option as preferable to the trench option in terms of achieving local connectivity, but note that the subway option would have its own physical and visual impacts.*

*Pursue the Enquiry-by-Design process with the DPI as guided by Local Planning Scheme No. 3 to deliver a far-sighted and sustainable structure plan for the area.*

*Approach relevant consultants (ie town planning, urban design, engineering, community engagement, place-making, and so on) to assist Council and the State agencies in the matter.*

*Subject to reaching agreement with the State Government agencies regarding a detailed design solution for Curtin Avenue in relation to the railway, Jarrad Street and the Town Centre, seek amendment of the Metropolitan Region Scheme to define the road and rail alignments and land requirements for this section of the route.*

*Advise the Department for Planning and Infrastructure, Main Roads Western Australia, the Western Australian Planning Commission and Minister for Planning and Infrastructure accordingly.*

#### March 2009 – Cottesloe Enquiry by Design Report

This is the published study report of the EbD. As part of the scheme review the EbD produced an indicative foreshore plan, draft beachfront development controls and a preliminary structure plan for the railway lands (attached).

The intensive examination of the railway lands, Curtin Avenue and the Town Centre was a watershed in conceiving solutions to the transport, connectivity, land use, development and amenity aspects involved. It interrogated four options for the railway and regional road:

- A - sinking and realigning the rail, while retaining the Curtin Avenue alignment.

- B - creating a combined road/rail corridor east of the substation and over-passing Jarrad Street.
- C - Realigning Curtin Avenue west of the substation, with the rail over-passing Jarrad Street.
- D – Combining and lowering the road and rail east of the substation.

The study report records the comprehensive investigation of transport and land use planning factors influencing the future of the area. It demonstrates how these elements could be restructured to be more functional, efficient, safe, sustainable, productive and attractive.

#### 9 March 2009 – Proposed Local Planning Scheme No. 3 – Enquiry by Design – Outcomes Reports and Scheme Proposals – Follow-up Report to Council

This report dealt with the formulation of LPS3, and in relation to the EbD findings for the railway lands Council resolved:

*Agrees to pursue the Preliminary Structure Plan for Development Zone 'E' of proposed Local Planning Scheme No. 3, including a preferred solution for future Curtin Avenue, overall improved connectivity and indicative future development of the railway lands, through further liaison with relevant agencies towards an agreed structure plan to be formalised under the Scheme after it becomes operative. That a supplementary report be sought from Rawlinsons that reconsiders costings for option 2, within the Town Centre Transport Options section of the report, on the basis that the rail line cover does not need to extend from Jarrad Street to Forrest Street, but is confined to a traffic bridge over Jarrad Street and a pedestrian bridge between Napoleon Street and Station Street above the new railway station, and addresses Cr Cunningham's other concerns related to traffic management.*

#### October 2009 – Planning for Cottesloe Town Centre and Environs – Status Report

This report updated Council on the status of planning initiatives for the Town Centre and environs for information and direction. Council's resolution included to:

*Receive as soon as possible the supplementary report from Rawlinsons to address all of Cr Cunningham's concerns, as per Council's resolution of 9 March 2009, with a view to finalising the EbD Report and putting it out for community consultation.*

#### December 2009 – Development Zone 'E' – Curtin Avenue and Railway Planning Update

This report further updated Council about the approach to planning and consultation for the railway lands, including Curtin Avenue and the railway line/station. It overviewed liaison with Main Roads WA and the Town's cost consultants, commencement of the Town Centre Public Domain Infrastructure Improvement Plan study and an ongoing course of action. Council resolved to:

*... note the update advice contained in this report and resolves to pursue preliminary structure planning for Development Zone E in accordance with the first part of its 9 March 2009 resolution, without the need for any additional costings at this juncture.*

#### July 2010 – Government Request for Surplus Land Information

This report addressed the State Government's request of all Local Governments to identify surplus public land availability to facilitate housing land supply. The report overviewed the situation in Cottesloe in relation to metropolitan population growth, housing targets and denser urban infill. The crux of Council's resolution in reply read:

...

*Council is, however, through proposed Local Planning Scheme No. 3 (LPS3) and associated actions planning for a number of future residential redevelopment prospects, including several Government landholdings, to provide additional and more diverse housing in the district.*

*The railway lands locality including the accommodation of Curtin Avenue west of the Town Centre is the primary opportunity which in recent years Council has been examining in conjunction with Government agencies and is keen to progress. Under LPS3 this is provided for as a Development Zone and a preliminary structure plan has been prepared as part of the related Enquiry by Design consultative exercise.*

#### November 2010 – Briefing on Directions 2031 Regional Planning Strategies

This report briefed Council on the State Government's metropolitan planning strategy and associated measures, in general plus with particular reference to Cottesloe, which had been prepared by the WAPC; including *Directions 2031 and Beyond: metropolitan planning beyond the horizon*, the draft *Central Metropolitan Sub-regional Strategy* and *State Planning Policy 4.2: Activity Centres for Perth and Peel*. Council's resolution expressed at length its intentions for balancing regional and local planning requirements, the main points being:

*The findings of these initiatives, which involved Council, the community, landowners, consultants and state government agencies, has provided a solid framework for Council and the community to continue to engage with state government agencies and other stakeholders towards realising the opportunities for addressing the proposed regional transport routes, east-west connectivity, town centre enhancement, new urban precincts, infill residential development, the supply and diversity of housing, the beachfront/foreshore recreational destination and additional matters which may arise.*

*Council will be seeking to pursue these initiatives through finalisation of Local Planning Scheme No. 3 (LPS3), further studies, structure planning, other local planning tools, and detailed planning, design and development control, in collaboration with relevant parties and subject to stakeholder and community participation.*

*In particular, the railway lands area west of the Town Centre, which includes the railway line/station and Curtin Avenue in their current alignments and is classified as a Development Zone in LPS3, exhibits strong potential for detailed structure planning (based on the Preliminary Structure Plan and related studies already undertaken) for a demonstration transit-oriented development that solves the alignment and impact of these routes, improves east-west connectivity, delivers new and diverse housing towards achieving the desired target and fosters the town activity centre. In this regard the option examined in depth which is strongly preferred by Council involves sinking Curtin Avenue and the railway line in a common trench between the Western Power sub-station and Railway Street, including possible partial covering of the trench to gain useable land and optimise returns, together with a grade-separated road crossing for Jarrad Street (thereby overcoming the existing inefficient and hazardous level-crossing), similarly improved pedestrian and cyclist connections, integration of the train station with the Town Centre, and freeing-up as well as maximising the unused railway lands for urbanisation with a focus on a consolidated transit-oriented development, multiple activities, housing supply and choice, quality public domain spaces and sustainability.*

*In terms of implementation, a cooperative approach with local governments is advocated rather than the imposition of unpalatable measures or unrealistic demands, and one which respects the individual character, heritage value and amenity of each district or locality, whereby the social composition, local planning approach and community aspirations are considered before any changes are made. In this regard it will be important to take into account the extensive previous community consultations undertaken in relation to the planning and development of Cottesloe, as well as the established planning mechanisms which have achieved the qualities of the built environment and public domain, in order to avoid adverse impacts and to ensure the most appropriate improvements within the district.*

*Special funding arrangements, including assistance to local government, appears essential to enable planning actions and facilitate infrastructure and development projects in order to realise the strategies, policies and targets envisaged.*

*In designing and developing new housing or activity centre areas the provision of at least 10% public open space as accessible local parks and arrangements for traffic management and parking supply will be important considerations to be taken into account through structure planning and detailed proposals.*

#### September 2011 – Town Centre Public Domain Infrastructure Improvement Plan

This report submitted the completed *Town Centre Public Domain Infrastructure Improvement Plan* for ratification as a reference in considering planning, development and works proposals affecting the Town Centre and environs, and was supported by Council for this purpose.

#### August 2012 – Planning for Town Centre – Update report

This report updated Council on planning for the Town Centre and environs in looking to the next phase of actions. It overviewed studies and plans produced, the railway

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line/lands and Curtin Avenue, Stirling Highway, parking, and Town Centre improvement proposals and projects. Council's resolution included:

*Review the planning undertaken by the Town over recent years regarding Curtin Avenue, the railway line, railway lands and east-west connectivity, including in relation to planning for the Town Centre, and report to Council on a way forward working with the State Government to prepare an agreed detailed structure plan for the locality as a basis for a redevelopment project to achieve an integrated transport infrastructure, land use, built form and urban design solution.*

*Approach Department of Transport and Public Transport Authority regarding the prompt installation of the Principal Shared Path through Cottesloe.*

### **Council studies and improvement projects**

Against this background of sub-regional planning and the scheme review Council has also been involved in or undertaken various studies relating to transport routes and infrastructure and Town Centre development and enhancement:

- WESROC Railway Stations Study Report (2004)
- WESROC Stirling Highway Revitalisation (2005)
- Town Centre Study and Concept Plan (2005), with Department of Planning and Infrastructure.
- Station Street Design Study (2008).
- Lots 2-8 & 18-24 Station Street: Design Guidelines (2009/10) – Council car park corner of Railway Street and Council sump site at highway end.
- Lots 2-8 Station Street Detailed Concept Design (2013) – Council car park corner of Railway Street.
- Town Centre Public Domain Infrastructure Improvement Plan (2010).
- Town Centre car parking strategy review (2012).

Arising from this Council has carried-out Town Centre improvement projects as follows:

- Conversion of the former sump site at the eastern end of Station Street to a Council car park with underground drainage.
- A Business Plan for the future of Council's car park site on the corner of Station and Railway Streets.
- Streetscape rejuvenation of Napoleon Street.

In this regard, on 27 July 2015 Council, in deciding to not dispose of the corner car park site at present, resolved (paraphrased) to:

*Engage a town planning consultancy to:*

- Assess the redevelopment options for Station Street;

- Prepare a concept plan that shows how parking, the interface with the train station and the overall functionality of Station Street can be improved;
- Engage with property owners to assess the overall appetite for redevelopment *in Station Street; and*
- *Consider and where appropriate recommend changes to the Local Planning Scheme to allow for appropriate redevelopment within Station Street;*

*and that staff report back on the above to Council for its consideration.*

*Also, that the Town begin discussions with the Public Transport Authority on improvements to the interaction between Cottesloe Train Station and the Town Centre.*

### **Current regional planning**

The State Government is not especially focussed on planning for the railway and Curtin Avenue through Cottesloe at present, as the locality is not a high priority for restructuring and development, albeit identified as having longer term potential for urban intensification and transport integration. This reflects competing demands for transport infrastructure and redevelopment precincts, requiring extensive planning, detailed engineering and urban design, budgeting, tendering and works-programming.

Nonetheless, the overarching regional planning framework for metropolitan growth, including activity centres, transit-oriented development and infill housing, promotes pathways to achieve such goals.

With this in mind, in December 2014 the Town's representatives met with the Department of Planning to discuss a collaborative planning approach for the Town Centre and environs. The Department was receptive to this and the in-principle agreement was that:

- The Town commence by preparing its preferred concept structure plan based on the background material and current considerations.
- The Town then liaise with the Department, transport agencies and adjoining councils towards producing a formal activity centre structure plan for the locality.
- The activity centre structure plan would embrace regional and local planning requirements and recommend ideal solutions for the transport routes, east-west connectivity (including between the Town Centre and beachfront), and land use and urban development in the centre (including the railway lands).
- The Department would assist with implementation of the activity centre structure plan, involving coordination of Government agencies, statutory amendments to the Metropolitan Region Scheme and LPS3, and ultimately infrastructure and development projects.

The WAPC's State Planning Policy 4.2 (SPP4.2) – Activity Centres for Perth and Peel is the regional planning mechanism governing and guiding the planning and

development of activity centres, and is applicable to Cottesloe, which is classified as a District centre.

The Policy prescribes how Council may prepare an activity centre structure plan in accordance with the Policy provisions and guidelines. Such a plan for a district centre under 20,000sqm shop/retail floor-space may be adopted by Council without WAPC approval.

Activity centre structure plans form the basis of zoning, development and subdivision controls and the coordination of infrastructure and redevelopment projects to strengthen, enhance and manage centres as integrated nodes of land use and transport activity.

### **STRATEGIC IMPLICATIONS**

- Key strategic initiative shaping the Town Centre, transport corridors and environs.

### **POLICY IMPLICATIONS**

- Relates to policies governing Town's operations.
- New local planning policies may be required for detailed planning and implementation.

### **STATUTORY ENVIRONMENT**

- Metropolitan Region Scheme
- Regional planning and policies
- Local Planning Scheme No. 3
- Planning and Development (Local Planning Schemes) Regulations 2015

### **FINANCIAL IMPLICATIONS**

- Costs of structure planning phase.
- Costs of subsequent detailed planning and implementation phases.

### **STAFFING IMPLICATIONS**

- Key project involving senior staff working with consultants, community and stakeholders.
- Possible project management staff for future implementation.

### **SUSTAINABILITY IMPLICATIONS**

- Major opportunity for sustainability gains in terms of transport (various modes), greening and environmental design, and urban development innovation.



## CONSULTATION

- Structure planning is a consultative process.
- Statutory implementation also entails consultative procedures.

## STAFF COMMENT

### Summation of previous deliberations

During the course of the scheme review Council gave substantial consideration to planning for the subject area, working with the community, consultants and State Government agencies. The issues and options were thoroughly explored to the level of preliminary structure planning and feasibilities. All of this provides a wealth of information as a foundation for a renewed effort to define preferred solutions and confirm ways forward.

This matter is a top priority for Council following the finalisation of LPS3, the progress of improvement plans and projects for the Town Centre and the opportunity to fulfil regional planning requirements as the development of metropolitan Perth becomes more sophisticated and innovative.

Council's aim is to achieve a more tangible structure plan for the Town Centre in relation to the railway lands and to overcome the serious deficiencies of the railway and Curtin Avenue in Cottesloe, for long term benefits to east-west connectivity, Town Centre development, infill housing, sustainability and amenity.

### Components of Council's current resolution

#### A Town Centre Activity Plan

*Extension of the Station Street concept plan project, to develop a Town Centre Activity Plan covering the whole of the Cottesloe Town Centre, including the adjacent railway land.*

The Station Street concept plan project just underway is a discrete task for a concept plan to guide urban domain improvements (in keeping with Napoleon Street) and to foster adjacent development, having regard to the Town Centre as a whole and the interrelationship with the present railway station.

The project is relatively confined and differs from a wider activity centre plan for the Town Centre and adjacent railway land, but has a bearing on and will need to be mindful of the latter. The Station Street concept plan is a shorter-term project leading to urban design improvement works, so should proceed as-is. It will be completed within a few months, after which Council can consider upgrading the public domain, which in turn will provide impetus to development proposals for Council or private properties.

A more major Town Centre Activity Plan would encompass this Station Street concept plan and previous studies/plans for the area, as well as the surrounding regional transport routes and the railway lands. The plan would demonstrate the functional integration of the Town Centre, adjacent railway land and transport routes

and the form of urban development envisaged, including movement networks, land use, density, scale, streetscapes, open space, etc.

An activity plan would be complex and detailed, including intended implementation measures and programmes. It would be coordinated by the Town using primarily planning, transport and engineering consultants, together with specialist input such as economic development, architecture and place-making. Liaison with State Government agencies and consultation with property owners, businesses and the community would occur.

This plan would build on the Napoleon Street and Station Street improvements and proposals to preserve the character and amenity of the Town Centre precinct whilst strengthening its function, guiding its development and addressing the overall precinct including the railway land. Therefore, it should be commenced following completion of the present Station Street plan.

#### A structure plan for the railway reserve

*The feasibility, resource implications and cost of developing a structure plan for the railway reserve within the Town of Cottesloe.*

Whilst the railway land adjacent to the Town Centre is of immediate interest, restructuring the railway and Curtin Avenue through this core area relates to the railway reserve land extending north and south. A holistic structure plan would consider the effect on the railway leading into and out of the Town Centre, connectivity and crossings along its route, the other stations and their precincts, additional urban development and urban landscaping.

Such a structure plan would have an emphasis on transport infrastructure engineering, traffic planning, land usage, the pattern of development and indicative cost estimates. Outside the Town Centre core area there would be less certainty and a variety of considerations, involving the residential areas, local stations, Curtin Avenue and neighbouring local governments. The structure plan would logically have two levels of detail: firstly a fairly firm conceptual plan narrowing-down on the main aspects and options; and secondly a series of more detailed plans for sub-areas and elements. Other components would be feasibility assessments and an implementation strategy.

The exercise could become consuming, prolonged, unwieldy and expensive, due to the many dimensions at play – regional and local planning, State Government agencies, community consultation, the mass of background material and current information needs, the range of consultants and studies required, project management, implementation unknowns, and so on. From inception to completion a structure plan project of this magnitude would be spread over at least 9-12 months and would be likely to cost in excess of \$200,000. It would require a large amount of staff and elected member time and resources, as well as governance arrangements to administer the project.

In 1991 the State Government through the then Asset Management Taskforce in conjunction with the Town undertook the Cottesloe Railway Lands Study, which sought to identify potentially surplus railway and regional road land for long term land

use and development strategies in relation to the transport corridor, and how that could be realised. The study was essentially a hypothetical status report on what may be possible as envisioned. It has not been pursued for the purposes of detailed planning and implementation.

#### Sinking the railway through Cottesloe

*That the structure plan should consider the feasibility of sinking the railway through Cottesloe as a part of developing the railway reserve.*

Sinking of the railway (whether trenched and/or tunnelled) is the solution offering the greatest gains to a restructured area, providing grade-separated connectivity, land availability, flexibility for development and superior urban amenity. It would be a catalyst for building-up the Town Centre, supplying housing that is transit-oriented in proximity to an activity centre, facilitating pedestrian and cycle networks and open space, and boosting the economic and social wellbeing of the locality as a mixed-use precinct for employment, retail and business, leisure and residing.

However, other options should still be reviewed in order to understand the dynamics of what may or may not be achieved depending on the circumstances and over what prospective timeframes.

#### **Recommended action**

It would be timely that Council prepare a Town Centre activity plan in order to guide the next phase of Town Centre development and to be proactive about the fundamental structural issues needing to be resolved so that the Town Centre precinct and adjacent railway lands can meet local and regional planning objectives. The Town Centre activity plan would become the basis for preparing a formalised activity centre plan for the Cottesloe district centre.

Council would then be in a better position to entertain structure planning for the railway and Curtin Avenue extending north and south of the Town Centre, which would be undertaken in relation to the completed Town Centre plans, rather than to embark on extensive structure planning for the entire railway and Curtin Avenue reserves at present.

At whatever stage, that structure planning exercise would by nature be somewhat speculative and contentious, as well as resources-demanding and expensive. Also, there is no guarantee that the structure plan would lead to agreement with the State Government agencies or gain community support, which would be necessary for it to proceed to statutory planning implementation, civil works and land development.

Therefore, it is concluded that the best approach would be to concentrate on a Town Centre activity plan to begin with, which would evolve from previous and current plans and projects and would inform both more detailed planning for the Town Centre and ongoing structure planning for the greater railway and road reserve area.

If Council concurs with the above analysis, staff would formulate a project proposal and brief for consultants for a Town Centre Activity Plan, outlining the purpose, methodology, resources, timeframe and anticipated cost, for Council endorsement.

**COMMITTEE COMMENT**

Committee expressed a preference for a staged approach to planning for the area starting with the Town Centre then expanding to a wider structure plan for the railway land. The Manager Development Services provided an elaborated suggested recommendation accordingly.

**VOTING**

Simple Majority

**OFFICER RECOMMENDATION**

THAT Council:

1. Notes this report on the background to planning for the Town Centre, railway lands and Curtin Avenue, and the advice herein regarding a continued planning approach.
2. Requests staff to formulate a project proposal and brief for consultants to prepare a Town Centre Activity Plan, outlining the purpose and scope, methodology, resources, timeframe, anticipated cost and administration, for Council endorsement. The Plan is to be premised on the improvement projects for Napoleon Street and Station Street in order to preserve the character and amenity of the Town Centre precinct whilst strengthening its function, guiding its development and addressing the overall precinct including the railway land. The Plan is to be commenced following completion and adoption of the Station Street concept plan project.

**ALTERNATE MOTION & COMMITTEE RECOMMENDATION****Moved Mayor Dawkins, seconded Cr Jeanes**

THAT Council:

1. Notes this report on the background to planning for the Town Centre, railway lands and Curtin Avenue, and the advice herein regarding a continued planning approach.
  2. Requests staff to formulate a project proposal, for Council consideration, for consultants to prepare a detailed Town Centre Activity Plan, as follows:
    - a) The Plan is to take into account the improvement projects for Napoleon Street and Station Street, in order to preserve the character and amenity of the Town Centre whilst strengthening its function, guiding its development and addressing the overall precinct including the adjacent railway land.
    - b) The Plan is to be coordinated with the Station Street concept plan project currently underway (anticipated to be completed around the end of March 2016) and should aim to be completed around mid-2016.
  3. Requests staff to formulate a project proposal, for Council consideration, for consultants to prepare, following completion of the Town Centre Activity Plan, a
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broad Structure Plan for the main extent of the Cottesloe railway lands and Curtin Avenue, as follows:

- a) The Structure Plan is to encompass the area from the Eric Street to the Salvado Street railway crossings.
- b) The Structure Plan is to be undertaken in consultation with relevant State Government agencies (including potential funding and resources assistance) and the community.
- c) The Structure Plan is to take into account the Town Centre Activity Plan and other Council studies, plans and projects for the area.
- d) The Structure Plan should be substantially completed by the end of 2016.

## **AMENDMENT**

**Moved Cr Walsh, seconded Mayor Dawkins**

**That the following be added to the end of 3 b): "This is appropriate given the degree of State Government involvement required and the financial gain to the State Government on the development of the Railway Land."**

**Carried 6/0**

## **COMMITTEE RECOMMENDATION**

**THAT Council:**

- 1. Notes this report on the background to planning for the Town Centre, railway lands and Curtin Avenue, and the advice herein regarding a continued planning approach.**
- 2. Requests staff to formulate a project proposal, for Council consideration, for consultants to prepare a detailed Town Centre Activity Plan, as follows:**
  - a) The Plan is to take into account the improvement projects for Napoleon Street and Station Street, in order to preserve the character and amenity of the Town Centre whilst strengthening its function, guiding its development and addressing the overall precinct including the adjacent railway land.**
  - b) The Plan is to be coordinated with the Station Street concept plan project currently underway (anticipated to be completed around the end of March 2016) and should aim to be completed around mid-2016.**
- 3. Requests staff to formulate a project proposal, for Council consideration, for consultants to prepare, following completion of the Town Centre**

**Activity Plan, a broad Structure Plan for the main extent of the Cottesloe railway lands and Curtin Avenue, as follows:**

- a) The Structure Plan is to encompass the area from the Eric Street to the Salvado Street railway crossings.**
- b) The Structure Plan is to be undertaken in consultation with relevant State Government agencies (including potential funding and resources assistance) and the community. This is appropriate given the degree of State Government involvement required and the financial gain to the State Government on the development of the Railway Land.**
- c) The Structure Plan is to take into account the Town Centre Activity Plan and other Council studies, plans and projects for the area.**
- d) The Structure Plan should be substantially completed by the end of 2016.**

**THE AMENDED MOTION WAS PUT**

**Carried 6/0**

*The Committee recommendation varied from the officer recommendation as Committee considered there is a need for a railway lands structure to address the wider area in addition to the Town Centre.*

**11 ELECTED MEMBERS' MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN**

Nil.

**12 NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF MEETING BY:**

**12.1 ELECTED MEMBERS**

Nil.

**12.2 OFFICERS**

Nil.

**STATEMENT BY PRESIDING MEMBER**

*On behalf of everyone here tonight I'd like to thank Cr Walsh who has spent 16 years on this Committee. A considerable amount of that time was spent as Chairman and he's always been a very active contributor to the Committee.*

*Additionally, I would like to thank everyone for their help and support over the last two years since I've held the position of Presiding Member. We have been a very productive group owing to the participation of everyone around this table. Thank you again.*

**13 MEETING CLOSED TO PUBLIC**

**13.1 MATTERS FOR WHICH THE MEETING MAY BE CLOSED**

Nil.

**13.2 PUBLIC READING OF RECOMMENDATIONS THAT MAY BE MADE PUBLIC**

Nil.

**14 MEETING CLOSURE**

The Presiding Member announced the closure of the meeting at 6:41 PM.

CONFIRMED MINUTES OF 21 September 2015 PAGES 1 – 37 INCLUSIVE.

PRESIDING MEMBER:

POSITION:

.....

DATE: ..... / ..... / .....