



Town of Cottesloe



Scheme Amendment No. 8

Local Planning Scheme No. 3

Stirling Highway Rationalisation

Date February 2019

Production Details

Edition Details

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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 (No. 28) Albion Street, Lots 18-20 (No. 35-38) Boreham Street, Lot 3 (No. 3) Congdon Street, Lot 60 (No. 10) and 61 (No. 12) Dalgety Street, Lot 63 (No. 13) Edward Street, Lot 10 (No. 119) Eric Street; and Lots 70 (No. 108) and 71 (No. 106) Napier Street, Cottesloe 'Residential Zone' with a density code of R20;
- 1.2. Zoning Lots 21 (No. 2) Gordon Street; Lots 3 (No. 2A), 4 (No. 2B) and 52-55 (No. 2-8) Dalgety Street; Lots 4 (No. 40) and 100 (No. 39) Boreham Street; Lot 9 (No. 121) Eric Street, Lot 2 (No. 26) and 56 (No. 25) Burt Street; Lot 22 (No. 16) and 64 (No. 15) Edward Street; Lot 69 (No. 110) Napier Street; Lots 1 (No. 471, 473), 2 (No. 475 and 483), 3 (No. 477), 4 (No. 479), 5 (No. 465), 6 (No. 463), 51 (No. 515), 57 (No. 505), 59 (No. 511), 65 (No. 483), 67 (No. 487), 68 (No. 489), 100 (No. 459), 101 (No. 461) and 800 (No. 485) Stirling Highway; Cottesloe 'Residential Zone' with a density code of R20/60;
- 1.3. Zoning Lot 64 (No. 28) Burt Street, Lot 2 (No. 105) Napier Street, Lot 1 (No. 493) Stirling Highway, Cottesloe and a portion of Lot 4 (No. 103) Napier Street and Lot 100 (No. 3) Rockett Lane, Cottesloe 'Residential Zone' with a density code of R30/60;
- 1.4. Zoning portions of Lots 14 (No. 28) and 88 (No. 31) Albion Street, and Lots 89 (No. 6) and 90 (No. 4) Vera Street, Cottesloe 'Residential Zone' with a density code of R35;
- 1.5. Zoning a portion of Lot 2 (No. 116) and 3 (No. 118) Forrest Street and Lot 401 (No. 1) Vera Street 'Residential Office Zone' with a density code of R40;
- 1.6. Zoning Lots 1 (No. 39), 2 (No. 37), 20 (No. 35) and 91 (No. 33) Albion Street and 90 (No. 4) Vera Street, Cottesloe 'Residential Zone' with a density code of R35/60;
- 1.7. Zoning Lot 51 (No. 120) Forrest Street and Lot 100 (No. 519) Stirling Highway, Cottesloe 'Residential Office Zone' with a density code of R40/60;

- 1.8. Zoning Lot 1 and a portion of reserve 332 Stirling Highway, Claremont; Lot 1 (No. 443) and 5 (No. 451) Stirling Highway, Lots 4 (No. 116), 5 (No.118) and 26 (No. 120) Eric Street; and Lots 4 (No. 12) and 11 (No. 14) McNarma Way, Cottesloe 'Residential Zone' with a density code of R60;
- 1.9. Zoning Lots 1 (No. 533), 12, 13 and 50 (No. 541 and 543), and portions of Lots 5 (No. 535) and 101 (No. 529) Stirling Highway; Reserve 10998 and portions of Lots 2 (No. 24) and 3 (No. 22) Station Street; portions of Lots 5, 6 and 7 (No. 40 and 42) Jarrad Street; and Lots 1 (No. 105) and 40 (No. 109) Forrest Street, Cottesloe 'Town Centre Zone' with a density code of R100;
- 1.10. Reserving the balance of Lot 2 (No. 8) Congdon Street, Claremont for 'Public Purposes: Fire Station';
- 1.11. Reserving the balance of Lot 4 (No. 1) Congdon Street, Cottesloe for 'Public Purposes: Telecommunication';
- 1.12. 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.'

Dated this10th..... day ofMay..... 2019



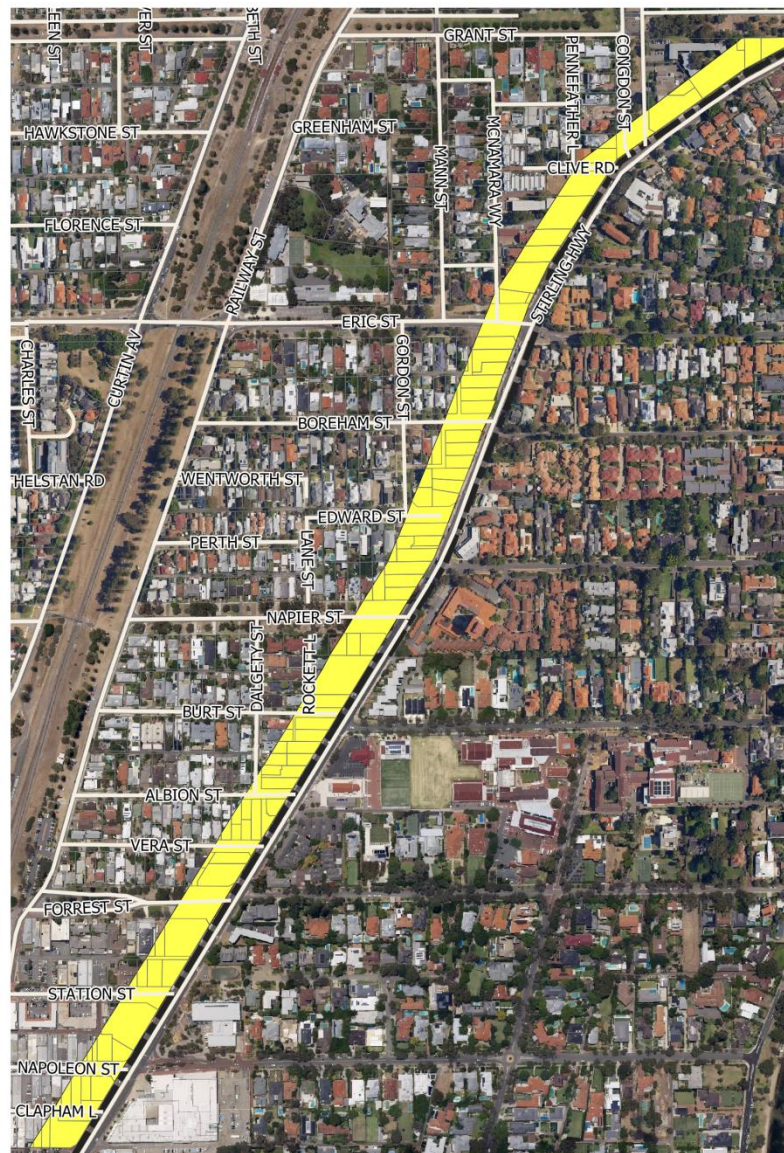
(Chief Executive Officer)

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

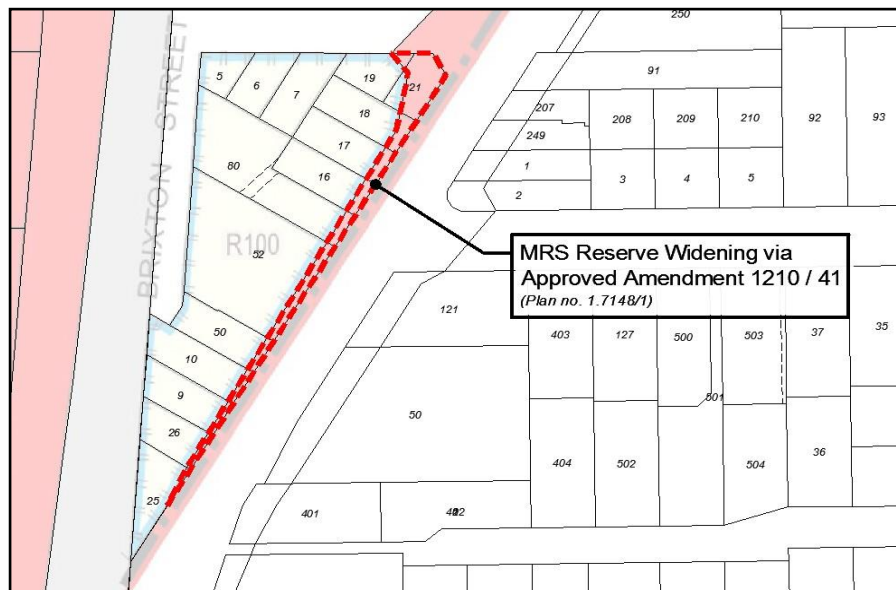
The amendment also proposed a slight increase to the Primary Regional Road reservation south of Jarrad Street in order to accommodate possible future physical improvements associated with pedestrian, cyclist and public transport infrastructure or safe turning lanes necessary for an effective and functional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

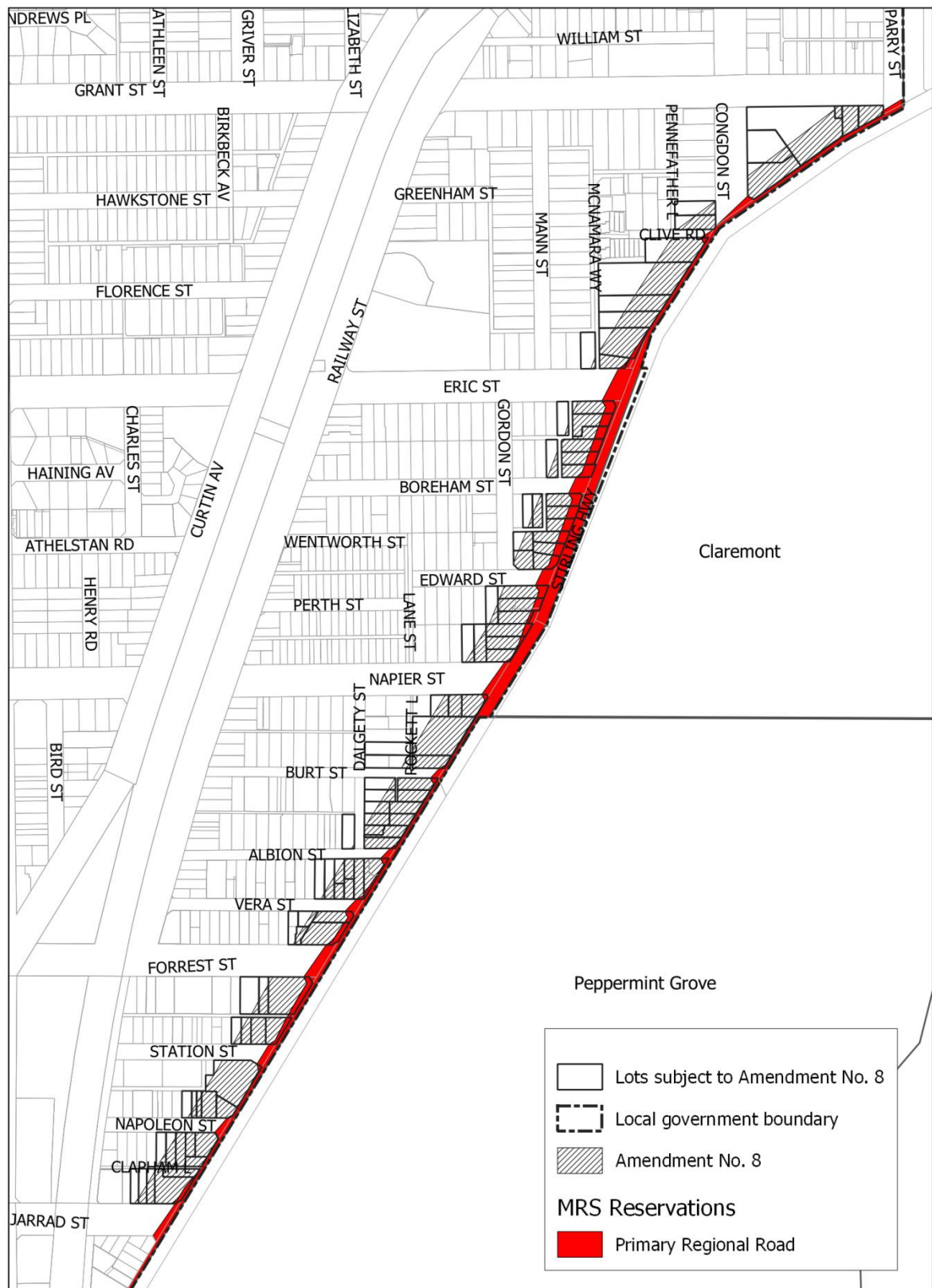


Table 3 – Lot details of properties with an existing density of R20

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. 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 (No. 28) Albion Street, Lots 18-20 (No. 35-38) Boreham Street, Lot 3 (No. 3) Congdon Street, Lot 60 (No. 10) and 61 (No. 12) Dalgety Street, Lot 63 (No. 13) Edward Street, Lot 10 (No. 119) Eric Street; and Lots 70 (No. 108) and 71 (No. 106) Napier Street, Cottesloe 'Residential Zone' with a density code of R20;
- 1.2. Zoning Lots 21 (No. 2) Gordon Street; Lots 3 (No. 2A), 4 (No. 2B) and 52-55 (No. 2-8) Dalgety Street; Lots 4 (No. 40) and 100 (No. 39) Boreham Street; Lot 9 (No. 121) Eric Street, Lot 2 (No. 26) and 56 (No. 25) Burt Street; Lot 22 (No. 16) and 64 (No. 15) Edward Street; Lot 69 (No. 110) Napier Street; Lots 1 (No. 471, 473), 2 (No. 475 and 483), 3 (No. 477), 4 (No. 479), 5 (No. 465), 6 (No. 463), 51 (No. 515), 57 (No. 505), 59 (No. 511), 65 (No. 483), 67 (No. 487), 68 (No. 489), 100 (No. 459), 101 (No. 461) and 800 (No. 485) Stirling Highway; Cottesloe 'Residential Zone' with a density code of R20/60;
- 1.3. Zoning Lot 64 (No. 28) Burt Street, Lot 2 (No. 105) Napier Street, Lot 1 (No. 493) Stirling Highway, Cottesloe and a portion of Lot 4 (No. 103) Napier Street and Lot 100 (No. 3) Rockett Lane, Cottesloe 'Residential Zone' with a density code of R30/60;
- 1.4. Zoning portions of Lots 14 (No. 28) and 88 (No. 31) Albion Street, and Lots 89 (No. 6) and 90 (No. 4) Vera Street, Cottesloe 'Residential Zone' with a density code of R35;
- 1.5. Zoning a portion of Lot 2 (No. 116) and 3 (No. 118) Forrest Street and Lot 401 (No. 1) Vera Street 'Residential Office Zone' with a density code of R40;
- 1.6. Zoning Lots 1 (No. 39), 2 (No.37), 20 (No. 35) and 91 (No. 33) Albion Street and 90 (No. 4) Vera Street, Cottesloe 'Residential Zone' with a density code of R35/60;

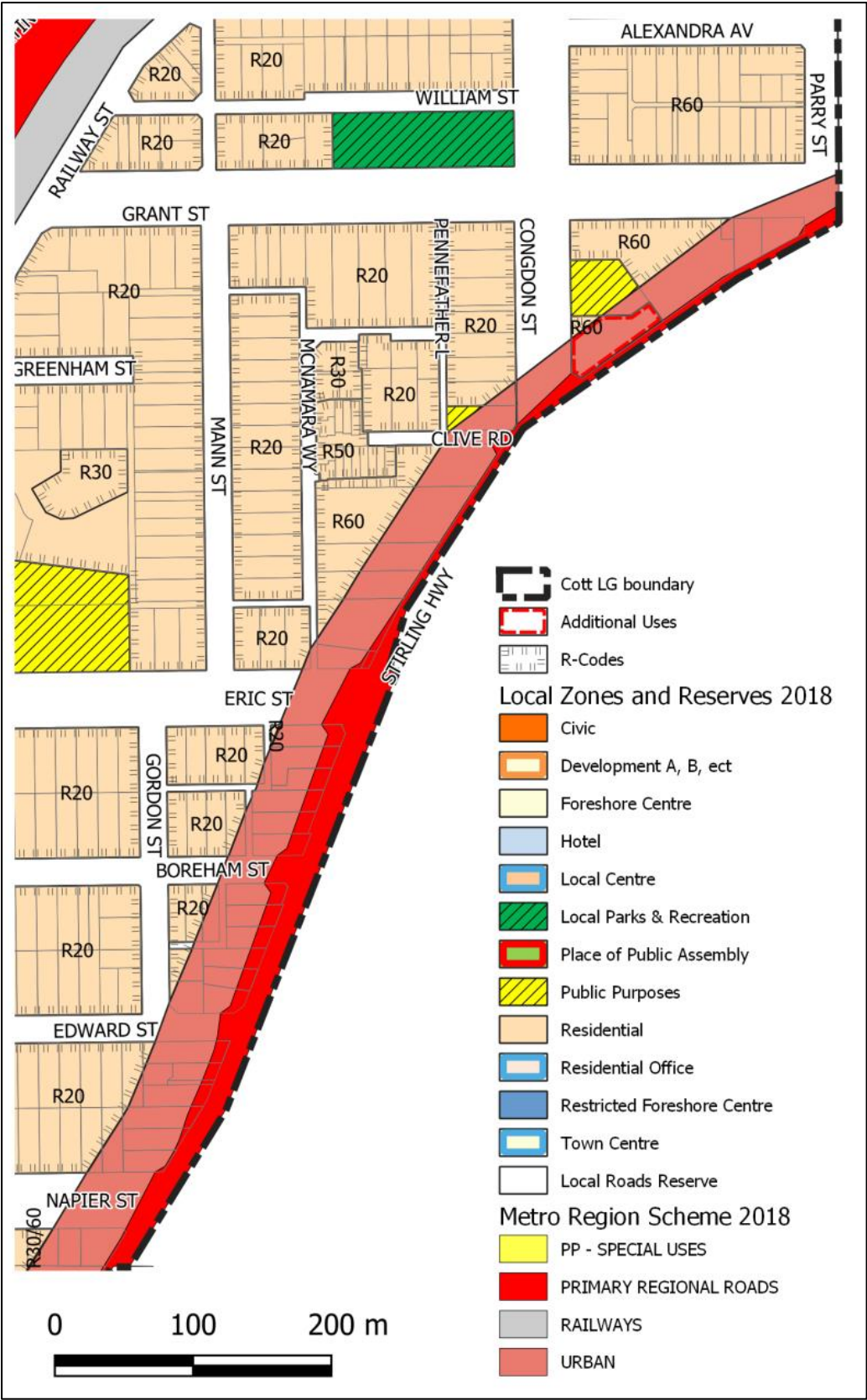
- 1.7. Zoning Lot 51 (No. 120) Forrest Street and Lot 100 (No. 519) Stirling Highway, Cottesloe 'Residential Office Zone' with a density code of R40/60;
 - 1.8. Zoning Lot 1 and a portion of reserve 332 Stirling Highway, Claremont; Lot 1 (No. 443) and 5 (No. 451) Stirling Highway, Lots 4 (No. 116), 5 (No.118) and 26 (No. 120) Eric Street; and Lots 4 (No. 12) and 11 (No. 14) McNarma Way, Cottesloe 'Residential Zone' with a density code of R60;
 - 1.9. Zoning Lots 1 (No. 533), 12, 13 and 50 (No. 541 and 543), and portions of Lots 5 (No. 535) and 101 (No. 529) Stirling Highway; Reserve 10998 and portions of Lots 2 (No. 24) and 3 (No. 22) Station Street; portions of Lots 5, 6 and 7 (No. 40 and 42) Jarrad Street; and Lots 1 (No. 105) and 40 (No. 109) Forrest Street, Cottesloe 'Town Centre Zone' with a density code of R100;
 - 1.10. Reserving the balance of Lot 2 (No. 8) Congdon Street, Claremont for 'Public Purposes: Fire Station';
 - 1.11. Reserving the balance of Lot 4 (No. 1) Congdon Street, Cottesloe for 'Public Purposes: Telecommunication';
 - 1.12. 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
 - 1.13. Replacing Clause 5.3.4: Development in areas with a dual residential density code abutting Stirling Highway with the following:

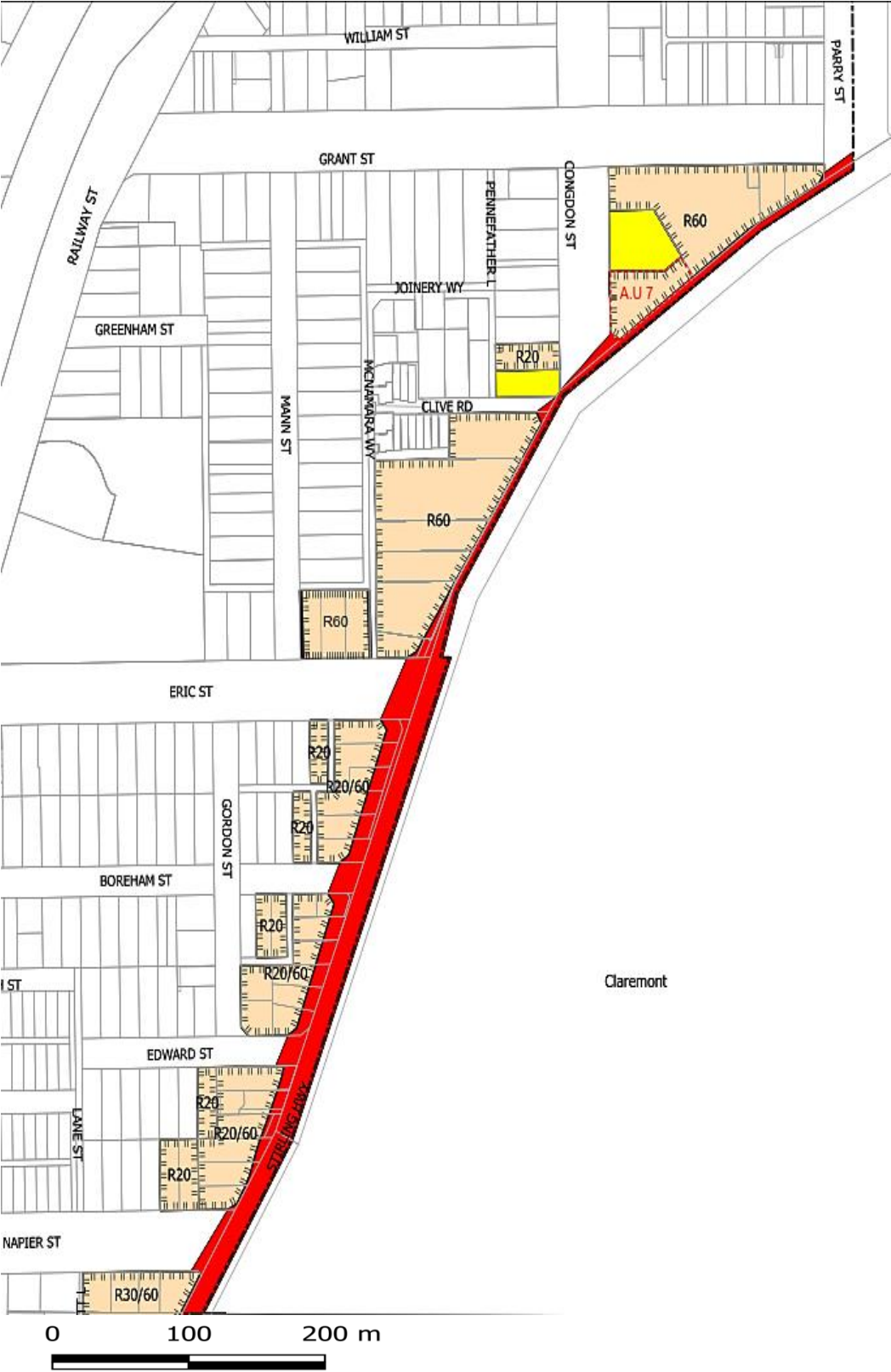
'Despite anything contained in the Residential Design Codes to the contrary, residential development in areas with a dual density code of R20/60, R30/60, R35/60 or R40/60 on the scheme map shall be in accordance with the development standards of the lower R-Code unless the residential development—

(a) has no direct vehicular access to and from Stirling Highway; and
(b) is a comprehensive redevelopment of more than one lot, in which case the local government may permit development in accordance with the development standards of the higher R-Code.'
- '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)

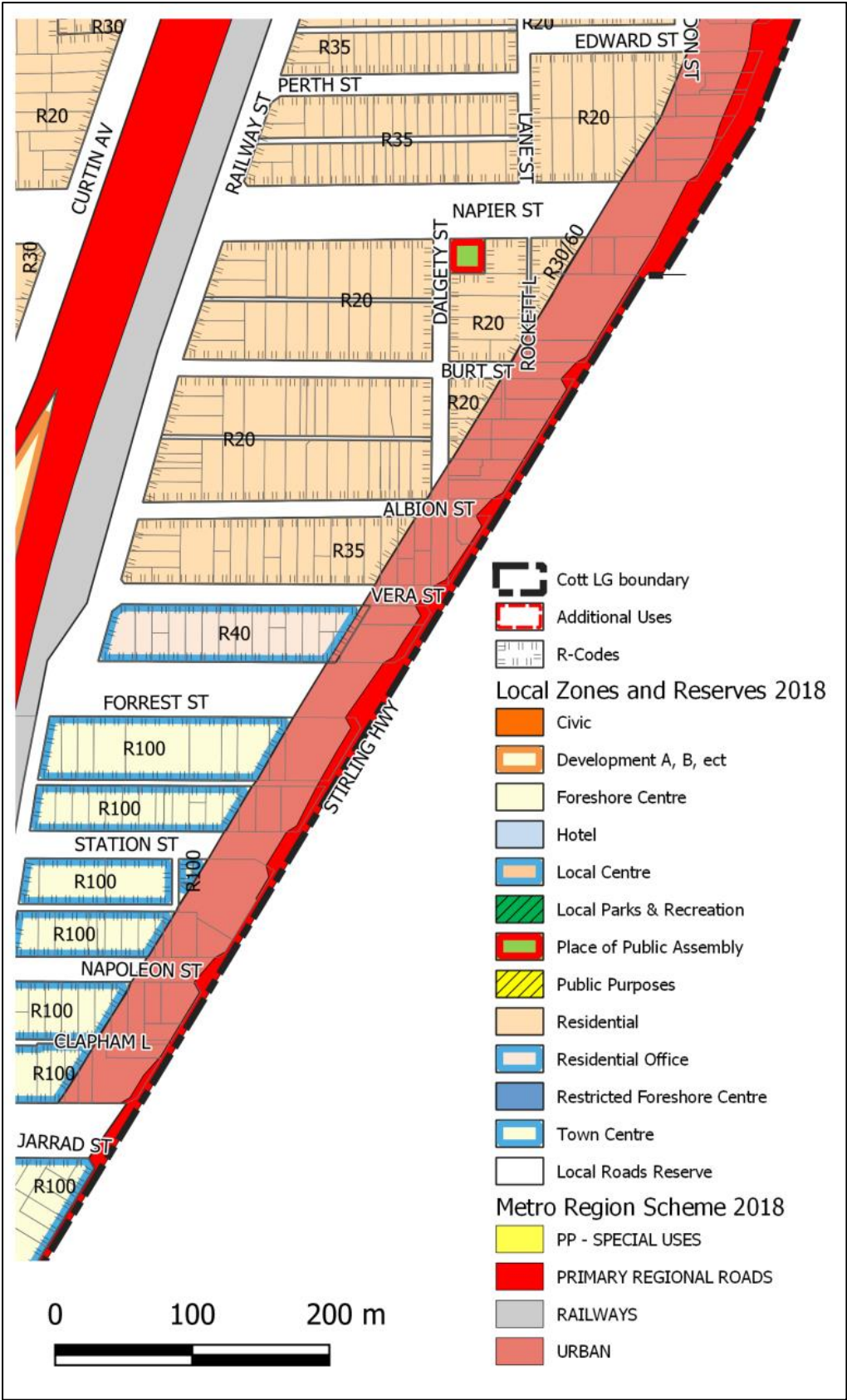


Existing



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

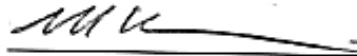
Signed: _____



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 27th day of AUGUST 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

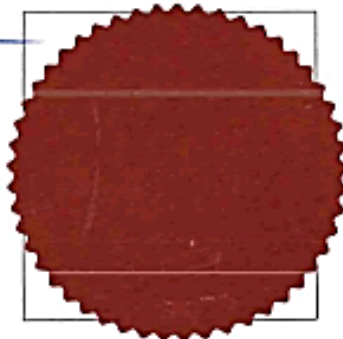
Signed: _____



Chief Executive Officer

Mat Humfrey

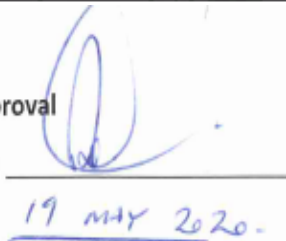
Signed: _____

Recommended/Submitted for Final Approval

Delegated under Section 16 of the
Planning and Development Act 2005

Signed: _____



19 MAY 2020

Final Approval Granted

Minister for Planning

It is hereby certified that this is a true copy of the
Scheme/Amendment, final approval to which was
endorsed by the Minister for Planning on 16/2020

Certified by _____



Officer of the Commission duly authorised pursuant
to Section 24 of the Planning and Development Act
2005 and Regulation 32(1) Scheme and Regulation
63(3) (Amendment) of the Planning and Development
(Local Planning Scheme) Regulations 2015.