

PSA Ref: 5588

25 March 2020

Town of Cottesloe
PO Box 606
COTTESLOE WA 6911

Attention: Ed Drewett, Coordinator Statutory Planning

Dear Sir,

**PROPOSED AMENDMENT TO LOCAL PLANNING SCHEME NO. 3
DELETION OF CLAUSE 6.4.3.1(D) – APARTMENT SIZES IN SPECIAL CONTROL AREA NO. 2**

Planning Solutions acts on behalf of Seapines Property Group Pty Ltd in preparing a scheme amendment which affects Special Control Area 2 (amendment area).

Further to various discussions and meetings between the proponent and Town of Cottesloe (**Town**) officers, please find enclosed a scheme amendment report for the Town's consideration.

This scheme amendment seeks to delete Clause 6.4.3.1 (d) of the Town of Cottesloe Local Planning Scheme No. 3 (**LPS3**):

"Of the total number of each Multiple Dwellings or Grouped Dwellings on a site overall, a minimum of:

- (i) 25% shall comprise a maximum plot ratio area of 70 square meters; and*
- (ii) 25% shall comprise a maximum plot ratio area of greater than 70 square metres but no greater than 90 square meters."*

This scheme amendment has been pursued for the following key reasons:

- The amendment is consistent with the strategic planning framework, including Directions 2031, Perth and Peel @ 3.5 million and the Towns Local Planning Strategy;
- The proposed amendment would allow for the provision of dwellings that are reflective of the current market trends; and
- The proposed amendment will remove an unnecessary and outdated restriction on apartment sizes, and allow the framework provided by the more recent *State Planning Policy 7.3 Residential Design Codes – Volume 2 Apartments* to regulate apartment size.

Planning Solutions acts as an agent for Seapines Property Group Pty Ltd, the owner of 17 strata lots at the Seapines complex (No. 92 Marine Parade, Cottesloe). In accordance with Section 75(b) of the *Planning and Development Act 2005*, a scheme amendment may be '*proposed by all or any of the owners of any land in the scheme area...*' Although the amendment affects properties beyond those owned by Seapines Property Group, it is clear the Act allows an amendment to be requested by 'any owner'.

Please find enclosed the following:

1. Two copies of the planning report to request initiation of the amendment to Local Planning Scheme No. 3.
2. One CD containing the scheme amendment document.
3. A partially complete Fees Schedule for Scheme Amendment (Schedule 3 of Planning and Development Regulations 2009).

It is understood the Town will review and confirm the application fee. Upon establishing the application fee, could you please advise of the fee in writing and contact Ms Debbie Whiting for payment on 9442 3777.

Should you have any queries or require further clarification in regard to the above matter please do not hesitate to contact the undersigned.

Yours faithfully,



**TRENT WILL
ASSOCIATE**

200325 5588 Scheme Amendment Cover Letter

PS Ref: 5588

Proposed Amendment to Local Planning Scheme No.3

Deletion of Clause 6.4.3.1(d)

Proposed by: Seapines Property Group Pty Ltd

FEES SCHEDULE FOR SCHEME AMENDMENT

PLANNING AND DEVELOPMENT REGULATIONS 2009

Schedule 3 – Form of estimate of fees for services for local planning scheme amendments [r. 48(3)]

Task	Estimated hours ¹				
	Head of planning	Senior Planner	Planning Officer	Other staff e.g. environmental health officer	Secretary/ administrative officer
1. Preliminaries:					
Preliminary discussions and registration of application	1				
2. Decision to initiate:					
(a) Information and site visit	1				
(b) Applicant discussion	1				
(c) Development Control Unit (DCU) meeting	0.5				
(d) Action DCU recommendation	0.5				
(e) Assessment report and agenda preparation MINOR MAJOR	4				
3. Approval to advertise:					
(a) Action local government recommendation	0.5				
(b) Refer to Commission for approval	1				
(c) Advertising notifications, referrals	1				
(d) Deal with enquiries	1.5				
(e) Assess submissions	2				
(f) Liaise with external agencies	1				
(g) Applicant discussion and liaison	1				
4. Decision to adopt:					
(a) Finalise amendment, plan, report and agenda preparation	2 ²				
(b) Applicant discussion	1				
(c) Action local	0.5				

government recommendation					
5. Amendment/plan approved:					
(a) Report on Minister's approval	1				
(b) Notify submissions	1				
(c) Update to text and maps	0.5 ²				
Total hours					
Hourly rate (r. 48(5))	\$	\$	\$	\$	\$
Total hours x rate = \$	\$	\$	\$	\$	\$
+ 33% (To recover operating overhead costs)	\$	\$	\$	\$	\$
= Total salary costs	\$	\$	\$	\$	\$
Total summary costs b/f (sum of amounts in previous row)			\$		
+ Direct costs			\$		
+ Special costs			\$		
+ Scheme map and text preparation costs			\$		
= Estimated total fee			\$		

Notes to Form —

1. If readvertising of substantial modifications is required, the hours needed to arrange the readvertising and review the submissions and the direct costs incurred in readvertising the amendment are to be included in items 3, 4 and 5.
2. Planning Solutions to prepare final Scheme Amendment Report.

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This report has been prepared with particular attention to our Client's instructions and the relevant features of the subject site. Planning Solutions (Aust) Pty Ltd accepts no liability whatsoever for:

1. a third party's use of, or reliance upon, this report;
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3. the Client's implementation, or application, of the strategies recommended in this report.

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Project details

Job number	5588	
Client	Seapines Property Group	
Prepared by	Planning Solutions	
Consultant Team	Town Planning	Planning Solutions

Document control

Revision number	File name	Document date
Rev 0	200323 5588 Scheme Amendment Report	24 March 2020

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1 Preliminary

1.1 Introduction

This Scheme Amendment Request has been prepared by Planning Solutions on behalf of Seapines Property Group Pty Ltd.

Seapines Property Group Pty Ltd is the registered proprietor of the following properties , which are situated within the area affected by this amendment:

- Strata Lot 1 (94) Marine Parade, Cottesloe.
- Strata Lot 3 (94) Marine Parade, Cottesloe.
- Strata Lot 8 (94) Marine Parade, Cottesloe.
- Strata Lots 10 – 17 (94) Marine Parade, Cottesloe.
- Strata Lots 21 – 23 (94) Marine Parade, Cottesloe.
- Strata Lots 25 – 27 (94) Marine Parade, Cottesloe.

The purpose of this report is to request an amendment to the Town of Cottesloe Local Planning Scheme No. 3 (**LPS3**) to delete Clause 6.4.3.1 (d) which requires:

*“Of the total number each of Multiple Dwellings or Grouped Dwellings on a site overall, a minimum of:
(i) 25% shall comprise a maximum plot ratio area of 70 square metres; and
(ii) 25% shall comprise a maximum plot ratio area of greater than 70 square metres but no greater than 90 square metres.”*

This requirement places an undue constraint on development by requiring apartment sizes which are not consistent with current market expectations. Furthermore, State Planning Policy 7.3 – Residential Design Codes Volume 2 (which came into effect in May 2019) adequately deals with dwelling size and diversity within apartment developments and there is no longer a need for this clause in LPS3.

This report will address various issues pertinent to the proposal, including:

- Site details.
- Proposed scheme amendment.
- Town planning considerations.
- Planning justification.
- Amendment classification.

2 Background

2.1 Seapines Site

Over the past three years, the proponent has prepared several different concept plans for the redevelopment of the subject site and has met with the Town of Cottesloe (**Town**) officers on various occasions to discuss these concepts.

Recent feasibility studies undertaken for the potential redevelopment have identified issues with LPS3 in regard to size requirements for apartments, specifically relating to Clause 6.4.3.1 (d). The Town has advised LPS3 does not allow for discretion to be sought to vary this clause. This amendment seeks to remove this clause, in turn allowing greater flexibility in the planning framework and making allowances for larger apartments.

2.2 Amendment No. 9 to Local Planning Scheme No. 3

Amendment No. 9 to Local Planning Scheme No. 3 was requested by Seapines Property Group in April 2018. It sought to modify the height allowances for the Seapines site (No. 94 Marine Parade, Cottesloe) by permitting six storeys in lieu of the previously permitted five storeys. Amendment No. 9 was gazetted on 10 December 2019 and inserted clause 3(b) of Schedule 15 of LPS3. The final version of the amendment requires the following criteria to be met to achieve six storeys:

- “i) The development achieves design excellence, as determined by the Town on the advice of the Town’s Design Advisory Panel, having due regard to the relevant State Planning Policy.*
- ii) The maximum building height shall not exceed 21 metres, and*
- iii) The development provides active uses including convenience store, restaurant, shop and/or small bar for a minimum of 50 percent of the gross floor area of the ground floor. This shall include both the primary and secondary street frontage to a minimum depth of 9 metres and a minimum finished floor-to-floor height of 4 metres; and”*

This amendment seeks to delete a provision which applies to the entire Special Control Area 2, whereas Amendment No. 9 was specific to the Seapines site. This amendment is separate to Amendment No. 9 and does not conflict with Amendment No. 9 in any way.

3 Site details and context

3.1 Land description

Clause 6.4.3.1 applies to land contained within Special Control Area 2 (**SCA2**). Therefore, the deletion of the clause will affect all sites within SCA2, which is depicted in **Figure 1** (hereinafter referred to as the amendment area).

3.2 Location and context

3.2.1 Regional context

The amendment area is located in the suburb of Cottesloe, within the Town of Cottesloe municipality. It is located approximately 11km south west of the Perth CBD, and approximately 1.5km west of the Cottesloe Town Centre.

The amendment area is bound by Marine Parade to the west, which provides a north-south connection to Curtin Avenue, Eric Street and North Street, which link the site to the broader Perth metropolitan region. The amendment area is well serviced by public transport, both bus and train, connecting the site to Perth CBD and Fremantle.

Cottesloe is an established suburb within Perth's inner metropolitan area and offers a premier beach environment, which serves as a major regional tourist attraction.

3.2.2 Local context

The amendment area is located adjacent to Cottesloe Beach with most sites having a frontage to Marine Parade. The immediate surrounds are generally characterised by a mixture of commercial and residential development. The amendment area contains a number of significant buildings and features, including the following:

- Ocean Beach Hotel (140-148 Marine Parade);
- Cottesloe General Store (118 Marine Parade);
- Cottesloe Beach Hotel (104 Marine Parade);
- Seapines short stay accommodation (94 Marine Parade);
- Il Lido café/restaurant (88 Marine Parade).

The area contains a number of cafes, restaurants, and low scale (2-3 storey) residential and short stay accommodation developments.

The amendment area enjoys high amenity with ocean frontage and coastal topography characterised by the existing Norfolk Island Pines, heritage buildings and open spaces. The amendment area has convenient access to the beach, public transport, open spaces and town centre, making it an attractive and sought-after area to live, work and play.


Refer **Figure 1** for an aerial photograph of the amendment area. Refer **Photographs 1 and 2** which show key landmarks within the amendment area.



Photograph 1: Marine Parade facing north showing the il Lido, Seapines and Cottesloe Hotel sites.



Photograph 2: View of Marine Parade from No. 122 Marine Parade, facing south

LEGEND
 Properties impacted by this scheme amendment



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4 Amendment proposal

The proposed amendment seeks to **delete Clause 6.4.3.1(d)** from LPS3 for the following reasons:

- The apartment size requirements under Clause 6.4.3.1(d) are inconsistent with current market expectations;
- *State Planning Policy 7.3 - Residential Design Codes Volume 2* adequately deals with dwelling size and diversity; and
- Deleting this clause is not considered to impact the broader Cottesloe community.

These points are discussed further in section 7 of this report.

The proposed amendment does not seek to modify any other requirements. The proposed amendment seeks to remove an unnecessary and outdated restriction on apartment sizes to allow greater flexibility in the planning framework. This will subsequently allow development to include dwellings that are more responsive to current market trends and expectations.

5 Strategic planning framework

5.1 Directions 2031

Directions 2031 and Beyond (Directions 2031) is the overarching spatial framework and strategic plan that establishes a vision for the future growth of the Perth and Peel region. It provides the framework to guide detailed planning and delivery of housing, infrastructure and services for a variety of growth scenarios. A medium density 'Connected City' model is put forward as the preferred means to achieve a liveable, prosperous, accessible, sustainable and responsible city.

Directions 2031 promotes a diversity of dwelling types and increases in choice for residential areas. Directions 2031 seeks to address population growth scenarios and land use patterns for the medium to long-term increase of more than half a million people in Perth and Peel by 2031, as well as being prepared to provide for a city of 3.5 million people after 2050.

This scheme amendment seeks to remove unnecessary and outdated restrictions on maximum apartment sizes. In this regard, the proposed scheme amendment will allow for the provision of apartments which reflect the needs and wants of apartment buyers at Cottesloe Foreshore. In turn, this will assist in encouraging infill development and achieving density targets of Directions 2031.

5.2 Central Metropolitan Perth Sub-Regional Strategy

The draft Central Metropolitan Perth Sub-Regional Strategy (**Sub-Regional Strategy**) provides more in-depth strategic planning for the growth of the Central Metropolitan Perth Region to deliver the outcomes sought by Directions 2031.

Under the Sub-Regional Strategy, the Town of Cottesloe (**Town**) is required to increase its existing housing stock to achieve a target of an additional 1,300 dwellings by 2031. Whilst it is acknowledged that careful planning is necessary to preserve streetscapes and neighbourhood character, new housing is required in a compact and sustainable urban form, which promotes housing choice and diversity in response to changing community needs. It is important to optimise the use of large, 'strategic' sites to achieve infill targets whilst maintaining traditional residential character.

The Sub-Regional Strategy identifies Cottesloe Beach as a 'Metropolitan attractor', being a place which is not identified as an activity centre, but creating 'significant transport and other planning needs'. The Sub-Regional Strategy goes on to note that they will typically generate large numbers of visitors leading to employment growth and economic activity and 'in certain locations also provide opportunities for higher density living'.

The Sub-Regional Strategy identifies a crucial role for private sector developers to invest in higher density mixed use projects and for Local Government to encourage innovative tourist development in appropriate areas. The proposed scheme amendment will allow for the provision of apartments which reflect the needs and wants of apartment buyers in the local area. It is considered the amendment is consistent with the strategic vision of the Sub-Regional Strategy.

5.3 Perth and Peel @ 3.5 Million

The Perth and Peel @ 3.5 million provides an overarching strategic framework for the Perth and Peel region for the next 35 years. The document provides guidance on where development should occur to ensure sustainable urban growth, protecting the environment and heritage and making the most effective use of existing infrastructure. The Perth and Peel @ 3.5 million sets the context for four sub-regional planning frameworks, including the Central Sub-Regional Planning Framework relevant to the amendment area (refer Section 4.4 below). The framework guides infill development, with the aim to deliver a compact and connected city.

The purpose of the scheme amendment is ultimately to facilitate contextually appropriate and viable infill development adjacent to Cottesloe Beach by removing outdated restrictions on apartment sizes. The scheme amendment seeks to offer more flexible development outcomes in a location close to public transport and other local services. As such, the scheme amendment is consistent with the intent of the Perth and Peel @ 3.5 million documents.

5.4 Central Sub-Regional Planning Framework

The Central Sub-Regional Planning Framework (**Sub-Regional Planning Framework**) builds upon the principles of *Perth and Peel @ 3.5 million* and is a key instrument for achieving a more consolidated urban form that will reduce dependence on new urban greenfield developments. The Sub-Regional Planning Framework provides the spatial framework which will guide local governments in achieving optimal urban consolidation over the long term.

The Sub-Regional Planning Framework supports the concept of directing increased development around existing centres to create more consolidated, connected and high-amenity urban environments that meet the needs of local communities and provide for a more sustainable future Perth.

The proposed scheme amendment and resulting development will result in more appropriate residential infill development, that is well connected to the broader Perth metropolitan region by good road and rail infrastructure. Therefore, the amendment accords with the principles and seeks to progress the implementation of the vision established in the Sub-Regional Planning Framework.

Appendix 3 of the Sub-Regional Planning Framework provides existing and projected dwellings and population for the local government areas within the Central Sub-Regional area. **Table 2** below summarises the projected dwelling and population statistics provided for the Town of Cottesloe.

Table 2 – Existing and projected dwellings and population 2011-2050 – Town of Cottesloe

Local government	Existing dwellings	Existing population	Additional dwellings	Additional population	Total dwellings	Total population
Cottesloe	3,520	8,240	970	2,140	4,490	10,380

As shown in Table 2 above, the Town of Cottesloe is required to provide an additional 970 dwellings to house and additional 2,140 persons by 2050. The proposed scheme amendment will offer improved flexibility and opportunities for residential development. Therefore, the scheme amendment is consistent with the intent of the Sub-Regional Planning Framework.

5.5 Local planning strategy

The Town of Cottesloe's Local Planning Strategy (**LP Strategy**) was endorsed by the Western Australian Planning Commission in January 2008. The LP Strategy sets out the long-term planning directions for Cottesloe, covering the main aspects and trends influencing future development of the district over the next 10 to 15 years.

The LP Strategy sets out the following strategic objective for the Foreshore Centre zone, which the subject site is situated within:

“this is the chief zoning for the beachfront activity precinct to enable multi-purpose uses and built up character to evolve (within clearly defined limits) while respecting the residential (including short stay accommodation) amenity and informal recreational nature of the locality serving both local and regional users. Typically, higher densities are allowed here subject to acceptable planning and development outcomes... LPS3 will restrict residential uses to upper levels to encourage commercial activity at ground level”.

The LP Strategy also identified the subject site as situated within the 'Beachfront Precinct'. The LP Strategy states that the *“public foreshore and adjoining beach-side development are the defining element of the district and its primary asset”* and attributes the success of the beachfront precincts to a range of factors, including:

- The beachfront is a destination for locals, the regional population and tourists.
- The landscape setting is special by virtue of the topography, Norfolk Island Pine trees, wide open spaces and essentially unobtrusive built form.

Furthermore, the LP Strategy states that there is a need to facilitate the provision of better tourist/visitor facilities within the area, with more short-term and permanent residential development, as appropriate.

The proposed scheme amendment will allow for the provision of apartments which reflect the needs and wants of apartment buyers at Cottesloe Foreshore. Given the proposed scheme amendment seeks to maintain the development requirements and proposes no other changes to the hotel or street frontage requirements, it is considered that the amendment will meet the Town's strategic objectives for the precinct and zone.

5.6 Cottesloe Enquiry by Design Report

The Cottesloe Enquiry by Design Report provides an overview of the enquiry-by-design (EBD) process held in Cottesloe in late 2008 and details the outcomes of the EBD process. The report was used to inform the Town's Local Planning Scheme No. 3, including the building design controls applicable to the subject site.

The report identifies Cottesloe Beach as "*a regional asset to be enjoyed by all*" and recognised the need for mixed use and tourist development within the Cottesloe Beach Precincts, development which respects the visual character and amenity of the beachfront. The issues of concern identified during the EBD process related to building height, bulk and scale, shadow impacts, loss of views and provision of public facilities and urban design.

It is understood that the outcomes of the EBD process and report subsequently informed the content of LPS3, particularly relating to Special Control Area No. 2 (refer to Section 5.5 below for further discussion).

The proposed amendment seeks to remove outdated and unnecessary restrictions on maximum apartment sizes to encourage contextually appropriate infill development. The scheme amendment is not considered to undermine the intent of the EBD process. It simply seeks to delete a clause which is no longer consistent with market trends and expectations.

6 Statutory planning framework

6.1 Planning and Development Act 2005

This Scheme Amendment Report has been prepared on behalf of a land owner within the municipality, in accordance with section 75(b) of the *Planning and Development Act 2005*.

6.2 Region Planning Scheme

The land the subject of this Scheme Amendment is zoned Urban under the provisions of the Metropolitan Region Scheme (**MRS**).

The Scheme Amendment affects only Urban zoned land and does not result in any inconsistencies with the intent and provisions of the MRS.

6.3 State planning policies

Pursuant to section 77(1)(a) of the *Planning and Development Act 2005*, every local government in amending a local planning scheme is to have due regard to any State planning policy which affects its district. The following State planning policies are relevant to this proposal and have been given due regard.

6.3.1 SPP 3.0 Urban Growth and Settlement

State Planning Policy 3 – Urban Growth and Settlement (SPP 3) applies to all urban development throughout Western Australia. SPP 3 promotes sustainable urban growth patterns of settlement, with suitable land to provide for a wide variety of housing employment and recreation opportunities. An objective of SPP 3 is “to build on existing communities with established local and regional economies, concentrate investment on the improvement of services and infrastructure and enhance the quality of life in those communities”.

The proposed scheme amendment is consistent with the intent of SPP 3 as it seeks to facilitate contextually appropriate infill development by removing unnecessary and outdated restrictions on apartment sizes.

6.3.2 SPP 7.0 Design of the Built Environment

State Planning Policy 7 – Design of the Built Environment (SPP 7) sets out the objectives, measures, principles and processes which apply to the design and assessment of built environment proposals through the planning system. SPP 7 applies to all levels of development, from large scale projects and public infrastructure proposals to development applications and subdivision considerations. Overall, the policy addresses design quality and built form outcomes in Western Australia, and seeks to deliver economic, environmental, social and cultural benefits that derive from good design outcomes.

The proposed scheme amendment will not affect the overall design of the built form and will ensure contextually appropriate apartment sizes are provided that reflect current market trends. Future proposals will still be required to address the objectives of SPP 7 to achieve high quality built form outcomes. As such, the proposed scheme amendment is consistent with the objectives of SPP 7.

6.3.3 SPP 7.3 R-Codes Volume 2 Apartments

State Planning Policy 7.3: R-Codes Volume 2 Apartments (R-Codes Volume 2) became operational on 24 May 2019. The policy places an increased focus on improving design outcomes for apartments, and applies to apartments in areas coded R40, and in mixed use developments and activity centres.

The proposed scheme amendment would delete Clause 6.4.3.1 (d) of LPS3 which currently restricts apartment sizes for 50% of dwellings within a development. The R-Codes Volume 2 include requirements relating to apartment size and dwelling diversity (sections 4.3 and 4.8 respectively). Therefore, the R-Codes Volume 2 provides an adequate framework for local governments to use to assess apartment size and diversity. This is discussed further in section 6 of this report.

6.4 Local planning scheme

The Town of Cottesloe's Local Planning Scheme No. 3 (LPS3) includes the following aims, as relevant to the proposed scheme amendment:

1.6 The aims of the Scheme are to –

(a) facilitate implementation of the State Planning Strategy and relevant regional plans and policies, including the Metropolitan Region Scheme, by coordinating the Scheme with such plans and policies;

(b) promote the Local Planning Strategy;

(e) provide opportunities for housing choice and variety in localities which have a strong sense of community identity and high levels of amenity;

(f) sustain the amenity, character and streetscape quality of the Scheme area;

(j) ensure that land uses and development adjacent to Marine Parade are compatible with the residential and recreational nature of their setting and the amenity of the locality;

(k) ensure that development adjacent to Marine Parade adds to the high aesthetic appeal, relaxed atmosphere and lifestyle quality of the beachfront environment;

(n) protect the integrity, amenity and scenic quality of the coastal landscape;

Under the provisions of the Town's LPS3, subject site is zoned 'Foreshore Centre' and is situated within Special Control Area 2 (**SCA2**). The objectives of the Foreshore Centre Zone are listed in Table 3, along with comments on how the proposed scheme amendment meets (or does not impact) each objective.

Table 3 – LPS3 Foreshore Centre Zone Objectives

4.2.3 Foreshore Centre Zone Objective	Response
<i>a) provide opportunity for a wide range of residential and community uses and a limited range of commercial, shopping, tourism, recreational and entertainment uses which are compatible with the character and amenity of the beachfront locality;</i>	The scheme amendment proposes to remove outdated and unnecessary restrictions on apartment sizes. The scheme amendment does not propose to alter the development requirements or the envisioned built form for the site.
<i>b) ensure that the predominantly residential and recreational nature of the locality is maintained;</i>	The scheme amendment proposes a change to apartment sizes only and would not inhibit the ability for the residential and recreational character to be maintained.
<i>c) ensure that the urban character, aesthetics and amenity of the locality are not compromised by inappropriate land use or development;</i>	The amendment does not result in any change to the urban character and aesthetics compared with the existing development requirements.
<i>d) 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.</i>	The amendment does not seek to modify development requirements. As such, the amendment will not result in any additional impact on important views to and from public places compared to what the development controls would allow for.

7 Justification

The proposed amendment seeks to delete a clause in LPS3 which is considered outdated and places an undue constraint on development in Special Control Area No. 2.

In understanding the justification for deletion of a scheme requirement, it is useful to consider the source or reasoning for the requirement in the first place. Extensive investigations by Planning Solutions and the Town of Cottesloe have found no definitive, documented reason for the intent behind the maximum apartment sizes. However, it could be assumed that the intent of Clause 6.4.3.1(d) was to require one and two bedroom apartments in new developments to ensure a mix of products are provided. However, the key issue now is that what may have been appropriately sized one and two bedroom apartments in the past are now small in the context of the current market. Furthermore, the implementation of the Residential Design Codes Volume 2 in 2019 effectively usurps this clause and it is no longer required to ensure a mix of apartments.

There are three key reasons this amendment is justified, as follows:

Reason 1 – The size required by Clause 6.4.3.1 (d) are too small and do not align with current market expectations

LPS3 was gazetted in 2014. The Enquiry by Design report which informed the content of LPS3 dates back to 2009. Since that time, the apartment market has changed significantly and the apartment sizes and dwelling mix deemed appropriate in 2009, or even 2014, are no longer consistent with the current trends and market expectations in 2020.

Since 2014, there has been a reduction in the proportion of apartments purchased for investment purposes and an increase in apartments purchased for owner-occupiers¹. Owner-occupiers tend to purchase larger, and more luxurious / high end apartments. In high amenity locations such as there, there has been an increased demand for downsizers and an increased demand for 3-bedroom apartments.

The key constraint in the context of the current apartment market is that Clause 6.4.3.1(d) requires half of apartments to be either one bedroom or what is now considered a small two bedroom apartment (less than 90m²).

To illustrate this further, Planning Solutions undertook research into recent approvals for apartment development in the western suburbs. Specifically, applications approved by the Metro West Joint Development Assessment Panel in the 2019 calendar year in the western suburbs have been reviewed and the apartment sizes documented. Specifically, the review incorporated four developments comprising a total of 427 apartments². This research demonstrates:

- Two bedroom apartments, sizes generally range between 80m² and 110m².
- The average size for two bedroom apartments across the four developments is 88m².

None of the 2019 examples are situated directly adjacent to the beach or the river. The subject site is in a prime location and demands even a higher quality and higher amenity apartment compared with town centre locations. Whilst it is certainly possible to develop a two bedroom apartment in a 70m² to 90m² footprint, such apartment sizes are not preferable for the Cottesloe foreshore.

¹ The West Australian, 30 May 2018 (<https://thewest.com.au/business/commercial-property/perth-apartments-lure-more-owner-occupiers-ng-b88846319z>)

² Developments examined:

- a) Subiaco One (former Subiaco Markets site) by Blackburne.
- b) Claremont on the Park by Iris Residential.
- c) Evans Street Apartments, Shenton Park.
- d) Glyde Street Apartments, Mosman Park.

Downsizers and aged persons' dwellings

Increased floor area is particularly valuable for downsizers and for the ageing population. Apartments catering for aged persons should contain wider hallways, doorways, bathrooms and living areas to aid in manoeuvrability and access. It is important to cater for the ageing population and maximise opportunities for people to downsize but remain in their existing suburb. 70m² - 90m² apartments do not achieve this and to require at least half the development is dedicated to these sized apartments is inconsistent with current planning objectives and market expectations.

Reason 2 – SPP7.3 adequately deals with apartment size and apartment mix

State Planning Policy 7.3 Volume 2 – Apartments (R-Codes Volume 2) was gazetted in May 2019 as a means of lifting the design quality of apartments, both internally and externally. The R-Codes Volume 2 has specific provisions requiring a diverse mix of apartment sizes and types. However, LPS3 prevails over R-Codes Volume 2 to the extent of any inconsistency.

There are two sections in the R-Codes Volume 2 which deal with the size and layout of dwellings, and the dwelling mix.

Size and Layout

Section 4.3 of the R-Codes Volume 2 requires apartments to reach a **minimum** size based on the number of bedrooms. LPS3 does not conflict with the R-Codes in this regard, but the question arises as to why LPS3 stipulates maximum apartment sizes whereas the R-Codes stipulate minimum apartment sizes. It is considered the planning framework should control minimum sizes only as a means to ensure dwellings are functional, adaptable and cater for aged persons where necessary.

Dwelling Mix

Section 4.8 of the R-Codes Volume 2 provides requirements for dwelling mix. The relevant objective in this section states:

“O 4.8.1 *A range of **dwelling** types, sizes and configurations is provided that caters for diverse household types and changing community demographics.”*

The objective is also accompanied by detailed design guidance, including the following statement:

“When considering the preferred dwelling mix appropriate to the development location, take into consideration:

- *objectives and demographic trends identified in a local housing strategy or other relevant local planning instrument current and*
- *projected community demographics, the profile of existing housing stock and market data...”*

The ability to meet the objective of section 4.8 is constrained by LPS3. It requires a set dwelling mix, but this is not reflective of demographic trends or market data as mentioned in reason 1 above.

Deleting clause 6.4.3.1(d) will not create a risk that the development produces monotonous four-bedroom apartments (for instance). The requirements of Section 4.8 of the R-Codes Volume 2 will take effect if Clause 6.4.3.1(d) is deleted. These require proponents to demonstrate ‘**a range of dwelling types**’. Therefore, the R-Codes provide a sufficient ‘backstop’ to deleting Clause 6.4.3.1(d).

In summary, it is considered the R-Codes adequately prescribe requirements for dwelling diversity. This is the same issue that Clause 6.4.3.1(d) seeks to address. Deleting the clause from LPS3 therefore does not inhibit the outcome of providing dwelling diversity within a development.

Reason 3 – This scheme amendment has no adverse impact on the community at large

Deleting Clause 6.4.3.1 (d) will not result in any physical manifestation in the built form as it relates to the size of the dwellings, which are not identifiable from the exterior of the building. It does not allow any different building height, setback, open space or car parking compared to what is currently permissible.

The result of the scheme amendment is that the development may have slightly less dwellings than what is currently permitted. It is not considered this would cause undue impacts on the local area.

8 Amendment Classification

This amendment is considered a 'standard amendment' in accordance with Part 5, Regulation 34 of the LPS Regulations. Specifically, the amendment is consistent with the following classifications under the standard amendment definition of Regulation 34 of the LPS Regulations:

- e) *An amendment that would have minimal impact on land in the scheme area that is not the subject of the scheme amendment;*
- f) *An amendment that does not result in any significant environmental, social, economic or governance impacts on land in the scheme area; and*
- g) *Any other amendment that is not a complex or basic amendment.*

9 Conclusion

The proposed amendment to Local Planning Scheme No.3 seeks to remove Clause 6.4.3.1 (d) in order to introduce flexibility into the planning framework in regard to the size requirements for apartments. This amendment warrants approval for the following key reasons:

1. The proposed amendment would allow for the provision of dwellings that are reflective of the current market trends and expectations;
2. *State Planning Policy 7.3 - Residential Design Codes Volume 2* adequately deals with dwelling size and diversity; and
3. Deleting this clause is not considered to impact the broader Cottesloe community.

The proposed amendment seeks to remove an unnecessary and outdated restriction on apartment sizes to allow greater flexibility in the planning framework. This will subsequently allow development to respond to the needs and desires of Cottesloe apartment buyers.

Appendix 1
Draft Adoption Page

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 __**

Resolved that the local government pursuant to section 72 of the *Planning and Development Act 2005*, amend the above Local Planning Scheme by:

1. Deleting Clause 6.4.3.1(d); and
2. Renumbering the remaining clauses accordingly.

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

- The amendment would not result in any significant impact on land in the scheme area that is not the subject of the amendment;
- The amendment would not result in any significant environmental, social, economic or governance impacts on land in the scheme area, and
- The amendment is not a basic or complex amendment.

Dated this day of 20__

.....
(Chief Executive Officer)

Form 2A

Planning and Development Act 2005 (as amended)

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- The amendment is not a basic or complex amendment.

Dated this day of 20__

.....
(Chief Executive Officer)

14 May 2020



Our Ref: COT SCA GE

Town Planners, Advocates and Subdivision Designers
ABN 24 044 036 646

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

ATTENTION: GAYLE O'LEARY

Dear Sir/Madam

RE: REVIEW OF DRAFT SCHEME AMENDMENT NO. 12 SEEKING TO DELETE CLAUSE 6.4.3.1 (d) OF LOCAL PLANNING SCHEME NO. 3

The Town of Cottesloe has requested a review of a draft Scheme Amendment No. 12 and comment as to whether approval of the scheme amendment would be consistent with the current planning framework.

The draft Scheme Amendment seeks to delete Clause 6.4.3.1 (d) of the Town of Cottesloe Local Planning Scheme No. 3. (LPS3). Clause 6.4.3 applies to Special Control Area 2 (SCA2) which includes the Cottesloe Beach Hotel site, the Ocean Beach Hotel site and the Foreshore Centre Zoned land generally fronting Marine Parade, between Forrest Street to the south and Eric Street to the north. The area subject of Special Control Area 2 is shown below.



Figure 1: Land subject of SCA1 on the eastern side of Marine Parade

Clause 6.4.3 of LPS3 details specific development standards applicable to SCA2. Clause 6.4.3.1 is titled “General Provisions Applicable to Special Control Area 2.” Such provisions relate to building height, parking, setbacks and specifically in relation to the draft scheme amendment, clause 6.4.3.1 (d) reads:

Of the total number each of Multiple Dwellings or Grouped Dwellings on a site overall, a minimum of:

- i. 25% shall comprise a maximum plot ratio area of 70 square metres; and*
- ii. 25% shall comprise a maximum plot ratio area of greater than 70 square metres but no greater than 90 square metres.*

The draft scheme amendment seeks to delete clause 6.4.3.1 (d) in its entirety. As outlined in the applicant’s scheme amendment request dated 25 March 2020, it is stated by the Applicant that there has been “*an increased demand for 3 bedroom apartments.*” It is further outlined in the applicant’s correspondence that “*The result of the scheme amendment is that the development may have slightly less dwellings than what is currently permitted.*”

A review of the draft scheme amendment and relevant planning framework is discussed below.

Town of Cottesloe Local Planning Strategy January 2008

The Town of Cottesloe Local Planning Strategy (2008 Strategy) is the basis for LPS3 and aims to provide the future direction over the next 10 to 15 years (from 2008). Under the heading “Zoning and Density Strategy” of the 2008 Strategy, the strategic approach to land and development for the future of the precinct is outlined. Specifically, for the Foreshore Centre Zone, it states:

Typically higher densities are allowed here subject to acceptable planning and development outcomes. Under LPS3 there is some minor rationalisation of this zoning and upgrading of density. In addition LPS3 would restrict residential use to upper levels to encourage commercial activity at ground level. Also, to prevent residential land use predominating in the area, the size of dwellings, including short-stay accommodation dwellings, is restricted. (emphasis added)

Under the heading Opportunities for Residential Development, it is identified that there has been only a slight increase in the number of dwellings since 1991 [to 2008].

The 2008 Strategy also states:

There are a number of potential redevelopment opportunities to accommodate this demand with a diversity of housing types. In particular there is opportunity for greater integration of a residential development in commercial areas. Particularly along Marine Parade beachfront and in the town centre. This has the potential of

not only adding to the available housing opportunities within Cottesloe within walkable catchments but also in providing for additional vibrancy within those localities. Densities of R100 are proposed for the Town Centre and R60 for much of the central beachfront area with R100 achievable under circumstances along Marine Parade.

...
 Short stay accommodation is proposed to be encouraged in beachfront locations and present opportunities for non-private dwelling opportunities. Dwelling size is to be limited in LPS3 to 125square metres to provide short-stay dwellings an advantage over permanent residential.

Below is Figure 2 of the 2008 Strategy, which identifies the land subject of SCA2 as the “Beachfront Precinct.”

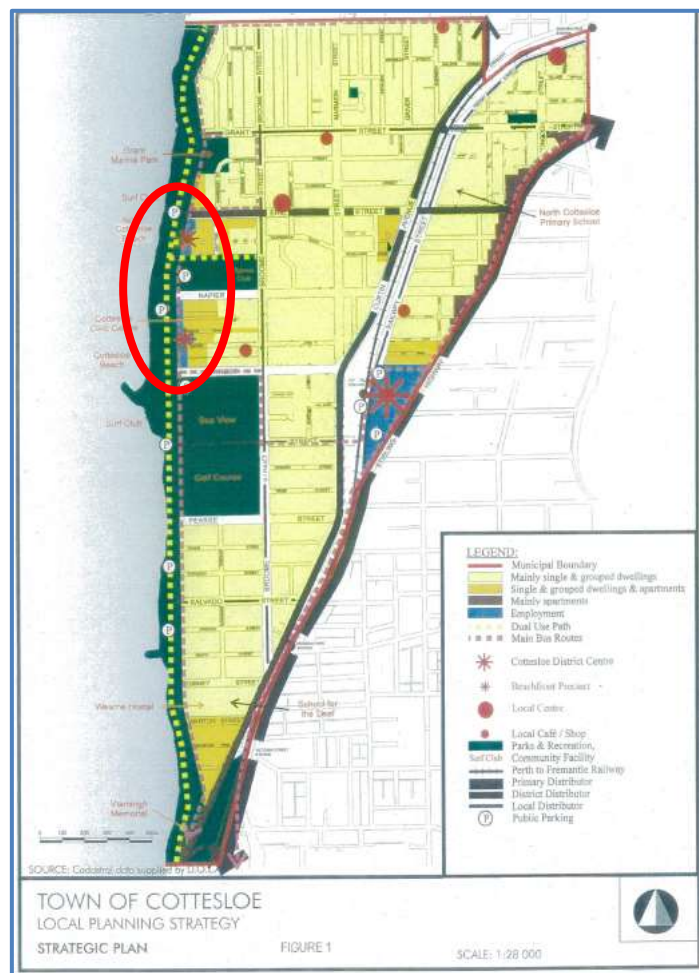


Figure 2: Identifying the Beachfront Precinct. Source: 2008 Town of Cottesloe Local Planning Strategy

Under the Recommended Strategic Approach and Actions for Population and Housing, it states:

- In the beachfront precinct provide higher residential densities to accommodate smaller households and also cater for short stay accommodation for visitors.
- Within the beachfront precinct, dwelling size will be limited to 125 square metres to encourage the development of short-stay.

Upon review of the Population and Housing Recommended Strategic Approach and Actions as contained in the 2008 Strategy, it would appear as though it was the Town's intention that the Foreshore Precinct would be developed to include short stay accommodation and/or development at a "higher residential density".

Notwithstanding that it was the stated strategic approach and action of the 2008 Strategy that the beachfront precinct provide higher residential densities, the land subject of Special Control Area No. 2 does not have an R-Code applicable under LPS3. One way of achieving that goal of achieving higher densities, was to introduce mechanisms within LPS3 to limit the plot ratio per dwelling for a substantial number of dwellings on each site. This is the methodology that the Town applied through its LPS3, most likely in order to meet that strategic approach. In addition, Clause 6.4.3.3 (d) and 6.4.3.4 (b) require minimum numbers of rooms/units for use as short stay accommodation. This too assists to achieve the goal to cater for short term visitors.

Approval of this scheme amendment would not preclude a landowner from seeking approval for a development with multiple dwellings of the size required under the current scheme provisions of Clause 6.4.3.1 (d), however the applicant has advised that it is likely, for the Seapines development site at least, that the development may have slightly less dwellings than that currently permitted.

Town of Cottesloe Discussion Paper Town of Cottesloe Local Planning Strategy Review

The Town of Cottesloe Discussion Paper Town of Cottesloe Local Planning Strategy Review November 2019 (Strategy Review) is a draft document that is currently open for public comment. As outlined in this document it states:

Cottesloe is required by the state government to accommodate an additional 570 dwellings by 2031 and another 400 dwellings by 2050 i.e. a total of 970 dwellings (an additional population of 2140 people).

This may result in significant changes in the built form within our Town and we therefore need to have a proactive approach to accommodating increased density in strategic locations whilst maintaining the amenity of our residential neighbourhoods.

As outlined in the Applicant's correspondence, if the scheme amendment is approved, a "development may have slightly less dwellings than what is currently permitted."

As we are not aware of the number of additional dwellings constructed within the Town since release of the Strategy Review nor aware of the intentions of the other landowners within SCA2, any predicting of impact of this scheme amendment on the future number of dwellings within this timeframe would not be accurate.

WAPC’s Central Sub-regional Planning Framework (March 2018)

The following table provides the existing and projected number of dwellings and population for the total Town of Cottesloe for 2011 and 2050 based on the framework scenario. The figures provided in the Draft Town of Cottesloe Strategy reflect the figures provided in this Framework.

Existing and projected dwellings and population 2011-2050	
Existing dwellings	3,520
Existing population	8,240
Additional dwellings	970
Additional population	2,140
Total dwellings	4,490
Total population	10,380

If the projected dwellings and population took into account the development of the subject sites restricting the maximum plot ratio for 50% of the number of dwellings on each site, then removal of this restriction could limit the ability for the Town of Cottesloe to meet its population and dwelling target as detailed in WAPC’s Central Sub-regional Planning Framework, especially if land elsewhere in the Town is not rezoned (to allow increased residential densities) and/or up-coded as part of the Scheme Review. .

It is noted that planning approval was recently granted approval by JDAP for 1 Gibney Street, Cottesloe for an aged care facility that included 77 independent living units and 129 residential aged care rooms (replacing the existing facility comprising 88 beds). In the case of the Gibney Street development, this resulted in an additional 41 aged care rooms and 77 independent living units. Whilst this would contribute to the number of dwellings, it may not contribute significantly to the total population given that the number of persons per dwelling is likely to average less than 2 persons.

In the absence of updated dwelling statistics, it is difficult to predict the likelihood of achieving the set targets within the timeframes stated in the framework.

Relevant Scheme Provisions

Clause 1.6 (j) and (k) of LPS3 include aims that are specific to Marine Parade. Approval of the amendment would not be inconsistent with the aims as protection of these aims is provided by Schedule 15 – Building Design and Controls applicable to SCA2 and via Table 1 – Zoning Table.

Clause 4.2.3 of LPS3 provides the objectives of the Foreshore Centre zone. Approval of the amendment would not be inconsistent with the objectives of this Zone. Protection of these objectives is still provided by Schedule 15 – Building Design and Controls applicable to SCA2 and via Table 1 – Zoning Table.

Clause 6.4.3.3 includes additional provisions applicable to Ocean Beach Hotel, Specifically, clause (d) requires that *“any redevelopment of this site shall incorporate a minimum total of 120 Hotel, Motel and/or Short-stay Accommodation rooms/units ...”*

Clause 6.4.3.4 (a) of LPS3 requires that any redevelopment of the Seapines site shall “incorporate a minimum of 30 Hotel, Motel and/or Short-stay Accommodation rooms/units ...”

Therefore, the current scheme provisions still impose a restriction in terms of a minimum number of short stay accommodation rooms/units but the size of dwellings for short and long term accommodation would not be restricted if the scheme amendment was approved.

Consideration under State Planning Policy 7.3: Volume 2

The following table lists the elements of the State Planning Policy 7.3 Residential Design Codes Volume 2 (R-Codes Volume 2) and whether approval of the amendment would have any impact or have any bearing/relationship on achieving the element objectives.

#	Element	Comment	Impact
2.1	Primary Controls Table	The primary controls for height/storeys and setbacks are contained in Schedule 15 of LPS3	N
2.2	Building Height	The primary controls for height/storeys are contained in Schedule 15 of LPS3	N
2.3	Street setbacks	Street setback standards are contained in Clause 6.4.3 of LPS3	N
2.4	Side and rear setbacks	Setbacks are detailed in LPS3	N
2.5	Plot ratio	Limited by building height and setback standards contained in the LPS3	N
2.6	Building Depth	The Scheme Amendment would have minimal or no impact on this element	N
2.7	Building Separation	The Scheme Amendment would not affect this element	N
2.8	Development Incentives for community benefit	The Scheme Amendment would not affect this element	N/A
3.1	Site Analysis and design response	The Scheme Amendment would have no impact on the requirements to satisfy this element (no impact)	N
3.2	Orientation	No impact	N
3.3	Tree canopy and deep soil areas	No impact	N
3.4	Communal open space	No impact	N
3.5	Visual Privacy	No impact	N
3.6	Public domain interface	No impact	N

#	Element	Comment	Impact
3.7	Pedestrian access and entries	No impact	N
3.8	Vehicle access	No impact	N
3.9	Car and bicycle parking	No impact	N
4.1	Solar and daylight access	No impact	N
4.2	Natural Ventilation	No impact	N
4.3	Size and layout of dwellings	The scheme amendment seeks to delete the provisions restricting dwelling size and not provide any replacement criteria within the scheme. Therefore, the provisions of Clause 4.3 of the R Codes Vol 2 would apply.	Y
4.4	Private open space and balconies	No impact	N
4.5	Circulation and common spaces	No impact	N
4.6	Storage	No impact	N
4.7	Managing the impact of noise	No impact	N
4.8	Dwelling mix	At present the dwelling mix is to some extent dictated by the dwelling size restrictions of Clause 6.4.3.1 (d). The acceptable outcomes of the R- Codes allow the dwelling mix to be detailed in a local housing strategy or local planning instrument. If the scheme amendment is approved, it is recommended that the targets for dwelling mix be detailed in a local planning policy and/or as part of the local housing strategy review. The local housing strategy discussion paper does not provide this level at detail	Y
4.9	Universal design	No impact	N
4.10	Façade design	No impact	N
4.11	Roof design	No impact	N
4.12	Landscape design	No impact	N
4.13	Adaptive reuse	No impact	N
4.14	Mixed use	No impact	N
4.15	Energy efficiency	No impact	N
4.16	Water management	No impact	N

#	Element	Comment	Impact
4.17	Waste management	No impact	N
4.18	Utilities	No impact	N

As can be seen from the table above, approval of the scheme amendment may have an impact or relationship on the following elements and detailed below:

- Element 4.3: Size and layout of dwellings

The provision of the LPS3 subject of this scheme amendment restricts the plot ratio area of dwellings. The R Codes Volume 2 acceptable outcomes for Element 4.3 identify a minimum internal floor area for dwellings with a certain number of bedrooms. Specifically, the acceptable outcome requires a minimum internal floor area as follows:

- a. Studios (minimum floor area of 37m²);
- b. 1 bedroom dwellings (minimum floor area of 47m²);
- c. 2 bedroom dwellings (minimum floor area of 67m²);
- d. 3 bedroom dwellings (minimum floor area of 90m²).

The current restriction, which is subject of this scheme amendment request, requires 25% of dwellings being a maximum of 70m² and 25% of dwellings being 70-90m², however, the current scheme provision does not equate the plot ratio area to the number of bedrooms the dwelling has.

Whilst there is a relationship between the provisions of Clause 6.4.3.1 (d) and Element 4.3: Size and layout of dwellings, Clause 6.4.3.1 does not specify a minimum size of the dwelling relative to the number of rooms. For this reason, it is considered that approval of the scheme amendment would not have a significant impact upon compliance with Element 4.3: Size and layout of dwellings.

- Element 4.8 Dwelling mix.

The provision of the LPS3 subject of this scheme amendment restricts plot ratio of up to 50% of dwellings. Because clause 6.4.3.1 (d) set a maximum plot ratio for up to 50% of dwellings, this does in turn effect the dwelling mix.

The acceptable outcome for element 4.8 dwelling mix refers to the dwelling mix being in accordance with targets specified in a local housing strategy or relevant local planning instrument. There is limited guidance within the 2008 Strategy (to limit dwelling size to 125m² to encourage short stay accommodation), however LPS3 contains controls (within clause 6.4.3.3 (d) and 6.4.3.4 (b)) to require certain numbers of bedrooms/units for short stay accommodate within SCA2, so that strategy and action of the 2008 Strategy may be already satisfied by the current LPS3 provisions.

The Strategy Review is not sufficiently progressed to provide any guidance in terms of dwelling mix. If Clause 6.4.3.1 (d) is deleted, the local statutory planning framework (Scheme and local planning policies) does not provide any development standards in relation to an appropriate dwelling mix.

If Council supported the amendment, it is recommended that the Council develop a local planning policy to outline an appropriate dwelling mix to guide assessment under this element objective. A local planning policy may assist in providing criteria to meet in order to comply with this element.

Options

Council has the following options available regarding consideration of this scheme amendment:

a. **To not initiate the Scheme Amendment.**

The applicant outlines in their submission, that the result of the scheme amendment is likely to be that the development may have slightly less dwellings.

Council's strategic approach and action from its 2008 Strategy included the following action "*In the beachfront precinct provide higher residential densities to accommodate smaller households and also cater for short-stay accommodation for visitors.*" If Council's vision remains unchanged for the Beachfront Precinct (which includes the land subject of SCA2) then approval of this scheme amendment may not achieve the goal of accommodating smaller households.

Furthermore, if approval of the scheme amendment does result in a reduced number of dwellings, this could impact upon the Town's ability to achieve the dwellings targets set in the WAPC's Central Sub-regional Planning Framework (March 2018) and Strategy Review. However, consideration of the likelihood of achieving dwelling targets would need to take into account any other rezonings and/or upcoding throughout the Town and not considered in isolation.

If Council decides to not initiate the scheme amendment at this point in time, it could further consider the scheme amendment proposal once the Strategy Review is further developed and once the Town has a clear direction for future development of this precinct and the likelihood of achieving dwelling and population targets based upon a draft scheme review.

b. **Initiate the Scheme Amendment**

If, as a result of the Strategy Review, Council's vision has changed from the goal of accommodating smaller households in the Beachfront Precinct, Council may decide to initiate the Scheme Amendment. If Council does decide to initiate the scheme amendment, it is recommended that prior to considering the scheme amendment for final adoption, the Council resolve to prepare and advertise a local planning policy outlining an appropriate dwelling mix for SCA2 and/or for all multiple dwelling developments within the Town of Cottesloe. Such a policy would be required to be prepared in accordance with the procedure detailed in Clause 4 of Schedule 2 of the *Planning and Development (Local Planning Scheme) Regulations 2015* (deemed provisions).

If Council initiates the Scheme amendment and prepares and adopts a local planning policy detailing dwelling mix, then pursuant to Clause 67 of the deemed

provisions, the Council (or decision maker), when determining a planning application, is to have due regard to such a policy in satisfying the element objective of 4.8 of the R Codes Volume 2, noting that the element objective reads as follows:

A range of dwelling types, sizes and configurations is provided that caters for diverse household types and changing community demographics.

At present, clause 6.4.3.1 requires compliance with the stated plot ratio areas of at least 50% of dwellings (which in turn has an impact on dwelling mix), whereas if the scheme amendment is approved and a local planning policy put in place, the local planning policy only has the weight of due regard.

If Council decides to initiate the scheme amendment, it is considered that the amendment could reasonably be described as a “complex amendment” on the basis of it not being consistent with a local planning strategy”.

Conclusion

In the absence of having detailed information in regard to the likelihood of achieving the Town’s targets for population and dwellings by 2031 and 2050, the amendment is not supported on the basis that approval may not be consistent with the 2008 Strategy and approval of the scheme amendment could result in development (within the Beachfront Precinct) with less dwellings and at a density less than that contemplated under the 2008 Strategy.

If the Town is confident of achieving its dwelling targets and population targets for 2031 and 2050, then the Town may wish to initiate the amendment and prepare a local planning policy as described in this correspondence, to guide a suitable dwelling mix. If the amendment is initiated, it is recommended that this be identified as a complex amendment on the basis that the amendment may not be consistent with the strategies and actions for the beachfront precinct.

Should you require any further information, please do not hesitate to contact our office.

Yours sincerely

ALLERDING AND ASSOCIATES

A handwritten signature in black ink, appearing to read "A Butterworth".

**AMANDA BUTTERWORTH
SENIOR ASSOCIATE**