

TOWN OF COTTESLOE



DEVELOPMENT SERVICES COMMITTEE

MINUTES

**MAYOR'S PARLOUR, COTTESLOE CIVIC CENTRE
109 BROOME STREET, COTTESLOE
6.00 PM, MONDAY, 16 JUNE 2008**

DEVELOPMENT SERVICES COMMITTEE

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DECLARATION OF MEETING OPENING/ANNOUNCEMENT OF VISITORS

The Presiding Officer announced the meeting opened at 6.03pm.

RECORD OF ATTENDANCE/APOLOGIES/LEAVE OF ABSENCE (PREVIOUSLY APPROVED)

Present

Cr Jack Walsh
Cr Jay Birnbrauer
Cr Greg Boland
Cr Jo Dawkins

Mr Andrew Jackson Manager Planning & Development Services

Apologies

Mr Ed Drewett Senior Planning Officer
Ms Georgina Cooper Planning Services Secretary

Leave of Absence (previously approved)

Cr Victor Strzina
Cr Ian Woodhill

RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil.

PUBLIC QUESTION TIME

Nil.

APPLICATIONS FOR LEAVE OF ABSENCE

Nil.

CONFIRMATION OF MINUTES OF PREVIOUS MEETING

Moved Cr Jo Dawkins, seconded Cr Greg Boland

The Minutes of the Ordinary Meeting of the Development Services Committee held on Monday, 19 May 2008 be confirmed.

Carried 4/0

ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION

Nil.

PUBLIC STATEMENT TIME

Nil.

PETITIONS/DEPUTATIONS/PRESENTATIONS

Nil.

REPORTS OF COMMITTEES AND OFFICERS**1 PLANNING****1.1 AMENDMENT NO. 45 TO TOWN PLANNING SCHEME NO. 2 – NO. 1 (LOT 15) STATION STREET – PROPOSED THREE-STOREY MIXED-USE DEVELOPMENT WITH ON-SITE PARKING – FOR FINAL APPROVAL**

File No: Sub/714
Author: Ms Delia Neglie
Author Disclosure of Interest: Nil
Attachments: Amendment Document

Report Date: 12 June 2008
Senior Officer: Mr Andrew Jackson

SUMMARY

- It is intended to develop a mixed-use building with a small corner café, a lobby and car park at ground level, offices on the first floor and two apartments on the second floor. This necessitates amendment of certain development standards to match the design.
- Council in February 2008 resolved to amend Town Planning Scheme No. 2 (TPS2) to facilitate the development.
- The advertising period has now concluded and no submissions were received.
- It is recommended that Council adopts the amendment for final approval to enable the process to be completed and the development to be undertaken.

STATUTORY ENVIRONMENT

- The *Planning & Development Act 2005* empowers amendment of town planning schemes and the *Town Planning Regulations* govern the procedure for this.
- TPS2 is the current scheme by which land use and development in the district are controlled and which is able to be amended.
- As future Local Planning Scheme No. 3 (LPS3) is only at the point of advertising, amendments to TPS2 can still be made, as for other recent proposals (eg Eric Street shopping centre redevelopment).

POLICY IMPLICATIONS

Nil.

STRATEGIC IMPLICATIONS

- A vibrant town centre is one of Council's aims for the district and TPS2 seeks to foster this end, while draft LPS3 shares this outlook.
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- In relation to modern town planning, the objectives of mixed-use, housing diversity, activity centres, quality urban design and public domain amenity are all addressed by the proposed development that the amendment facilitates. It is also in keeping with regional planning strategies for sustainable urban development to which local governments are required to respond.

FINANCIAL IMPLICATIONS

- The amendment proposal does not represent a cost to Council.
- The future redevelopment may include improvements to the public domain such as footpaths, verge landscaping and minor road works / upgrades as a developer contribution.

BACKGROUND

- On 25 February 2008 Council made the following resolution:

That Council:

- (1) *In pursuance of Section 75 of the Planning and Development Act 2005, hereby resolves to amend the Town of Cottesloe Town Planning Scheme No. 2 text by:*

- (a) *In clause 3.4.2 (b), prescribing a plot ratio of up to 1.5:1 for No. 1 (Lot 15) Station Street, as follows:*

3.4.2 Town Centre Zone

- (a)

- (b) *The maximum plot ratio within the Town Centre Zone shall be 1.0; except for those lots contained within the street block bounded by Jarrad Street, Stirling Highway and Brixton Street, where the maximum plot ratio permitted shall be 1.15:1; and except for No. 1 (Lot 15) Station Street, where the maximum plot ratio permitted shall be 1.5:1.*

- (b) *In clause 5.3 (a), prescribing a boundary wall height of up to 6.5m for No. 1 (Lot 15) Station Street, as follows:*

5.3 MOTELS, SERVICED UNITS AND BUSINESS USES

For the purposes of these General Provisions, business and entertainment include uses of a commercial nature generally as well as motels and serviced units.

- (a) *Where the Development Guide Map indicates the minimum setback from a street boundary to be Nil, the Council may permit walls of up to 6 metres in height to be constructed up to site boundaries. In granting approval to the construction of walls to site boundaries, Council will have particular regard to*

the maintenance of privacy of occupants of the buildings on adjoining sites. Walls higher than 6 metres shall be setback from site boundaries a minimum of 2 metres for every 3 metres of height, such that a wall or portion of a wall which is 9 metres or higher shall have a minimum setback of 6 metres from any site boundary. For No. 1 (Lot 15) Station Street, Council may permit walls of up to 6.5 metres in height to be constructed up to site boundaries.

- (c) *Amending Schedule 5 – Special Provisions to read as follows:*

	<i>COLUMN 1</i>	<i>COLUMN 2</i>
	<i>PARTICULARS OF LAND</i>	<i>EXEMPTIONS/CONCESSIONS THAT MAY BE GRANTED BY THE COUNCIL</i>
<i>SP5 5</i>	<i>No. 1 (Lot 15) Station Street, Cottesloe</i>	<i>Council, when considering an application for development that is in accordance with the standards set out in clause 3.4.2 (b) and 5.3 (a) of the Scheme, will be guided by any Indicative Development Plan for the site that it has supported 'in-principle'.</i>

- (3) *Upon payment of the Scheme Amendment fee by the applicant and preparation of the Scheme Amendment documents to the satisfaction of the Manager Development Services, the Chief Executive Officer shall adopt and endorse the Scheme Amendment documents on behalf of the Council.*
- (4) *Refer the proposed amendment to the Department of Environment for clearance prior to advertising, pursuant to section 81 of the Planning and Development Act 2005.*
- (5) *Advertise the proposed Town Planning Scheme amendment for public comment for a period of not more than 42 days by:*
- (a) *Placing a copy of the notice:*
- (i) *in The Post newspaper;*
- (ii) *on the Council notice boards at the Council Offices and in the Town Centre; and*
- (iii) *in the Library.*
- (b) *Placing a copy of the proposed amendment on display at the:*
- (i) *Council Offices; and*

- (ii) *Library.*
- (c) *Notifying nearby landowners or interested parties by letter as determined by the Manager Development Services.*
- (6) *Provide the Western Australian Planning Commission with a copy of proposed Town Planning Scheme Amendment No. 45.*

STAFF COMMENT

Advertising of the amendment concluded in May 2008 and public submissions were received. Adjoining landowners have indicated no objection when viewing the development concept plans.

The Department of Environment has no concern regarding the proposal.

The amendment format is similar to that agreed to by Council for the Eric Street shopping centre and enables an enhanced development to be achieved. The applicants are committed to the development and have commenced forward works based on the preliminary approvals granted. The proposal will contribute to the Town Centre and Station Street and set a standard for quality buildings.

Following the advertising period, and if there are no submissions, the Regulations require Council to:

- resolve to adopt the amendment;
- execute the amendment documents by affixing Council's seal; and
- lodge the documents with the Western Australian Planning Commission (WAPC).

The WAPC then endorses a copy and submit it to the Minister for endorsement by her of final approval. After that the Town is notified accordingly and finalisation is published in the Government Gazette signifying conclusion of the amendment process.

The amendment is therefore in order for final approval and is recommended to be adopted by Council for final approval.

VOTING

Simple Majority

COMMITTEE COMMENT

Nil.

1.1 OFFICER & COMMITTEE RECOMMENDATION

Moved Cr Jo Dawkins, seconded Cr Greg Boland

That Council:

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- (a) In clause 3.4.2 (b), prescribing a plot ratio of up to 1.5:1 for No. 1 (Lot 15) Station Street, as follows:

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- (c) Amending Schedule 5 – Special Provisions to read as follows:

	COLUMN 1 PARTICULARS OF LAND	COLUMN 2 EXEMPTIONS/CONCESSIONS THAT MAY BE GRANTED BY THE COUNCIL
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- (2) Adopt the amendment for the purpose of seeking the final approval of the Minister for Planning and Infrastructure.
- (3) Authorise the Mayor and Chief Executive Officer to sign the amendment documents and affix the Town's seal thereto.
- (4) Forward the amendment documents, together with a copy of Council's resolution on final approval and particulars of the steps taken to advertise the Amendment, to the Western Australian Planning Commission for presentation to the Minister for Planning and Infrastructure for final approval of the Amendment.

Carried 4/0

ELECTED MEMBERS' MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil.

NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY ELECTED MEMBERS/OFFICERS BY DECISION OF MEETING

Nil.

MEETING CLOSURE

The Presiding Officer announced the closure of the meeting at 6.11pm.

CONFIRMED: PRESIDING OFFICER _____ *DATE: .../.../...*