

TOWN OF COTTESLOE



DEVELOPMENT SERVICES COMMITTEE

MINUTES

**MAYOR'S PARLOUR, COTTESLOE CIVIC CENTRE
109 BROOME STREET, COTTESLOE
6.00 PM, MONDAY, 24 OCTOBER 2011**

CARL ASKEW
Chief Executive Officer

27 October 2011

DEVELOPMENT SERVICES COMMITTEE

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1 DECLARATION OF MEETING OPENING/ANNOUNCEMENT OF VISITORS

Mr Jackson explained the need for an acting Presiding Member pending appointment of a new Presiding Member, to enable the meeting.

Cr Walsh moved that he be acting Presiding Member for that purpose, which was seconded by Cr Boland and supported unanimously by Elected Members.

Cr Walsh as acting Presiding Officer announced the meeting opened at 6.05pm.

2 APPOINTMENT OF PRESIDING MEMBER AND DEPUTY PRESIDING MEMBER

Mr Jackson, with the arrival of Cr Strzina, invited nominations for Presiding Member. Cr Hart nominated Cr Walsh and Cr Jeanes nominated himself. Mr Jackson then conducted a secret ballot and announced the voting in favour of Cr Walsh, 4/2.

Mr Jackson then called for nominations for Deputy Presiding Member. Cr Jeanes nominated himself and was the only nominee, hence he was elected unopposed.

3 RECORD OF ATTENDANCE/APOLOGIES/LEAVE OF ABSENCE (PREVIOUSLY APPROVED)**Present**

Cr Jack Walsh	Presiding Member
Cr Katrina Downes	
Cr Peter Jeanes	
Cr Greg Boland	
Cr Vic Strzina	Arrived 6.11 PM
Cr Yvonne Hart	

Officers Present

Mr Andrew Jackson	Manager Development Services
Mr Ed Drewett	Senior Planning Officer
Mr Will Schaefer	Planning Officer
Mrs Julie Ryan	Development Services Secretary

Apologies

Nil.

Officer Apologies

Mr Carl Askew	Chief Executive Officer
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Leave of Absence (previously approved)

Nil.

4 RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil.

5 PUBLIC QUESTION TIME

Nil.

6 PUBLIC STATEMENT TIME

Nil.

7 APPLICATIONS FOR LEAVE OF ABSENCE

Nil.

8 CONFIRMATION OF MINUTES OF PREVIOUS MEETING

Moved Cr Walsh, seconded Cr Boland

[Minutes September 19 2011 Development Services Committee.doc](#)

The Minutes of the Ordinary meeting of the Development Services Committee, held on 19 September 2011 be confirmed.

Carried 4/3

9 ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION

Nil.

10 PETITIONS/DEPUTATIONS/PRESENTATIONS

Nil.

11 REPORTS OF COMMITTEES AND OFFICERS

11.1 PLANNING

11.1.1 COTTESLOE FORESHORE REDEVELOPMENT PLAN - FOR COUNCIL ADOPTION & PROGRESSIVE IMPLEMENTATION

File No: SUB/932
Attachments: [Indicative Costings.pdf](#)
Responsible Officer: Carl Askew
Chief Executive Officer
Author: Andrew Jackson
Manager Development Services

Proposed Meeting Date: 24 October 2011

INTRODUCTION

This report presents the Cottesloe Foreshore Redevelopment Plan (CFRP) to Council for endorsement as a basis for ongoing actions towards improving the foreshore of the central beachfront precinct. A large copy of the plan is attached for Elected Members.

The CFRP has evolved from the original Foreshore Concept Plan produced as part of the Enquiry by Design (EbD) consultation study undertaken in relation to Local Planning Scheme No. 3 (LPS3). Council formed a Working Group to continue with the EbD lead-consultant, Dr Linley Lutton, to refine the Concept Plan as a framework for an implementation strategy and improvement projects/ programs. The CFRP has now reached a stage warranting adoption by Council in-principle, in order to seek wider support for its realisation, pursue detailed designs, formalise specific proposals and guide decision-making.

A recommendation is provided accordingly.

BACKGROUND

During 2006 in laying the foundations for LPS3 Council gave consideration to the Foreshore Vision conceived by interested citizens. This exploration of options and community feedback helped shape Council's outlook for the foreshore and beachfront having regard to the strategic, policy and statutory environment.

In turn, the EbD was stimulated by the expedited preparation of LPS3 and took a holistic approach to addressing the central beachfront and foreshore (ie from Cottesloe Beach to North Cottesloe Beach) as a method to better understand the interrelationship between the recreational resource and its interface with urban development. Council, as custodian of the foreshore/beach and having the key responsibility for planning and infrastructure in the precinct, recognised the need to define a vision for the locality and to manage the various pressures affecting it. The EbD was an ideal opportunity to engage with stakeholders to that end and resulted in the Concept Plan as an indicative statement of intent.

Council considered the Concept Plan in an EbD Outcomes Report at its 23 February 2009 meeting, as follows:

Background

- *The idea of a Foreshore Concept Plan originated from Council's consideration of the earlier Foreshore Vision Masterplan, which was a private initiative that Council supported in-principle to stimulate exploration of opportunities to improve the public domain foreshore, especially in the vicinity of the main Cottesloe beach.*
- *Community comment on the Vision plan was sought in association with previous consultation undertaken on draft LPS3. Council then looked at ways to approach the matter and a working group recommended an enquiry-by-design process. This became included in the overall EbD for LPS3, with a view to examining the foreshore area in relation to how the central beachfront containing the two hotel sites may develop.*
- *As Marine Parade and the public foreshore west of it are classified Parks & Recreation (P&R) Reserve under the Metropolitan Region Scheme (MRS), town planning control for this land is governed by that rather than the local planning scheme. Council is, however, the custodian of the foreshore regarding its day-to-day use and maintenance, as well as planning for the provision and management of infrastructure.*
- *Therefore, consideration of how the foreshore could be enhanced and how beachfront development may affect it was seen as a worthwhile component of the EbD, so as to gain a better appreciation of the interrelationship between the two areas.*

EbD Outcome for Foreshore Concept Plan

- *The EbD process has enabled a vision for the foreshore to be studied in greater depth, with the benefit of stakeholder participation and a focus on tangible outcomes.*
- *As set out in the Hames Sharley report, this has considered the historical context, issues and opportunities, desired future character, and key principles and elements for design and development.*

Next Steps

- *The Foreshore Concept Plan is a basis for Council to give further consideration to the preferred improvement of the area. As the Plan does not form part of LPS3 and is not required to finalise the Scheme, Council is free to decide how to progress the Plan.*
- *Once a preferred Concept Plan is adopted, implementation would occur over time, subject to detailed planning, funding and works programs, and following the various approvals involved (eg Council, WAPC, HCWA).*
- *Nonetheless, given the EbD exercise it is desirable to advertise the Plan as part of the findings at this point, in order to convey the concept to date, to provide the context of the beachfront precinct, and to obtain comments; all of which will assist Council on this matter and in finalising LPS3.*

At its subsequent Special Meeting on 9 March 2009 Council resolved amongst other things that it: *Agrees to pursue realisation of the Foreshore Concept Plan on an*

ongoing basis, through further examination of the indicative proposals for the preparation and approval of detailed plans and implementation programs.

On 26 October 2009 Council considered a follow-up report, Planning for Cottesloe Foreshore - the Next Phase: Implementing the Concept Improvement Plan, and resolved to:

- 1. Reconvene the Foreshore Vision Working Group as the Foreshore Concept Plan Implementation Working Group to oversee realisation of the Concept Plan.*
- 2. Engage the lead urban design consultant from the Enquiry by Design to assist in implementation of the Foreshore Concept Plan, including a manual of urban design guidance for the precinct.*
- 3. Focus on the coordinated redevelopment of Nos 1 & 2 Car Parks (including interim parking arrangements) and the provision of additional change-rooms/public toilets (in more than one location) as the immediate priorities for improvement of the foreshore precinct.*
- 4. Pursue point 3 and the balance of the Foreshore Concept Plan proposals by undertaking detailed planning, setting timelines, ascertaining costs and funding (including consideration of the Town's assets and resources), and programming works (subject to approvals and consultations as appropriate).*

WORKING GROUP

The Working Group comprises the consultant, several Elected Members, CEO, Manager Development Services, Manager Engineering Services and a Disability Services Advisory Committee (DSAC) community representative. The group met intensively throughout late 2009 and early in 2010, then later in 2010 and into 2011, to formulate and refine the CFRP. This has entailed:

- Consideration of the components and layout of the Plan, ie the features, facilities and infrastructure of the foreshore with a view to its character and urban design.
- In March 2010, presentation of the consolidated Plan to all Elected Members, together with DSAC, Coastcare and beach pool representatives, for information and feedback.
- Subsequent refinement of the Plan by the consultant and officers, with attention to content, detail, graphics and annotations.
- Discussion with the beach pool proponents for them to further examine feasibilities and devise a business plan; and in July 2011 presentation of their updated concept to the Working Group.
- Discussion with the new owners of the Cottesloe Beach Hotel (CBH) regarding their envisaged public domain improvements as the future setting for the planned complementary improvements to the hotel premises.
- Positive press coverage about the Plan and community interest expressed in the upgrading proposals.
- Preparation of broad cost estimates by quantity surveyors for the components of the Plan to gauge the nature and scale of costs involved.
- Preparation of an outline implementation strategy as a framework for devising more precise implementation measures and programs over time.

Advancing the CFRP has also been beneficial in other ways:

- General reference to the Plan by officers and Council in considering proposals or events in relation to the foreshore/beachfront precinct; including the Town's previous application for a Federal Government grant for a universal access ramp (which although unsuccessful served to achieve a design, cost and works package), extensions to the North Cottesloe Surf Life Saving Club, al fresco shelter to Il Lido restaurant and Sculpture by the Sea exhibition.
- Importantly, inclusion of the Plan in the material lodged with the State authorities supporting the finalisation of LPS3 as adopted by Council, and as a reference in considering the submissions since lodged in response to the Minister's proposed major modifications for the beachfront development parameters.

REDEVELOPMENT PLAN

The CFRP depicts an integrated whole, comprising the composition of its components, four identifiable sectors, particular proposed improvements and suggested urban design treatments. It encompasses the beach, foreshore proper, beachfront development area and east-west connector streets, as well as the Napier Street open space from Marine Parade to Broome Street, which consists of Car Park No. 2, John Black Dune Park and the Tennis Club. The Golf Course and Civic Centre are peripheral elements of the foreshore locality.

The explanatory text of the Plan contains an overarching objective focused on creating an enhanced public asset, defines the two key elements of the foreshore as Marine Parade and the beach-side upper promenade, elaborates on improving the public domain, lists and describes the 18 key projects, and graphically illustrates the projects by way of the two-dimensional plan, annotations and three-dimensional images.

The result demonstrates the desired form, ingredients and function of the foreshore in relation to the beachfront and suburban hinterland. It embodies the locality as one entity against which the role of each element and the implications of any development can be assessed – as mentioned, the refined Plan has already proven useful in the consideration and promotion of several proposals. Parking and traffic management is another chief aspect to be further examined and in relation to the Plan.

IMPLEMENTATION STRATEGY

Broad Next Steps

The broad pathway to bringing the foreshore improvements to fruition involves several steps as follows:

Council adoption of refined CFRP

- Council previously supported the Foreshore Concept Plan and resolved to prepare the CFRP for more tangible proposals and prospective projects.
- Adoption of the refined Plan at this juncture is appropriate in connection with an intended implementation strategy.

Implementation Strategy

- A preliminary implementation strategy below has been compiled via the Working Group.

Consultation

- Community and stakeholder dissemination and engagement as required.
- State Government liaison on projects, funding and approvals.

Improvement Projects and Programs

- Prepare and undertake improvement projects and programs for the Plan.

Preliminary Implementation Strategy

Continual implementation is required to be managed by a comprehensive strategy to ensure coordination and integration. This will be diverse and evolving. Some matters may become contentious or controversial. Particular projects or actions may occur independently or in parallel, while others may be necessarily sequential. The framework, practical methods and possible initial projects involved in an implementation strategy are outlined below:

Strategic aim

- Improvement of the foreshore is a key strategic aim of Council in meeting the needs of the district and enhancing the regional attraction of the Cottesloe Beach locality.
- The multi-faceted purpose of the foreshore has been examined in depth and the CFRP produced sets-out the improvements envisaged.
- Once the Plan is endorsed, implementation can occur progressively, subject to more detailed planning, funding, projects, works programs and following any consultations or approvals involved.
- Council is committed to having an implementation strategy to keep alive the vision and the considerable investment in and enthusiasm about it.

Statutory context

- Council is the custodian of the foreshore regarding its day-to-day use and maintenance, including the provision and management of infrastructure.
- The CFRP is a vehicle for Council to oversee the improvement of the locality in a structured and cohesive manner.
- Planning instruments involved include the Metropolitan Region Scheme (MRS) plus State-level coastal planning policy and strategy documents.
- Marine Parade and the public foreshore west of it are classified as Parks and Recreation (P&R) Reservation under the MRS, whereby town planning control for that land is governed by the MRS rather than the local planning scheme.
- This means that the Western Australian Planning Commission (WAPC) requires development applications to be referred to it by Council for planning approval.
- The Heritage Council of WA (HCWA) is also involved in assessing proposals for the area.
- Council is responsible for building licences on the reserved land.

- Current Town Planning Scheme No. 2 (TPS2) and proposed LPS3, as well as their associated policies or design guidelines, apply to the private beachfront land on the eastern side of Marine Parade.

Policy direction

- Detailed planning for the foreshore may lead to changes to Council's existing policy measures or to new policies to address the aspects involved.

Sustainability perspective

- Sensitive planning for and development of the foreshore embraces a range of sustainability aspects including environmental, social and economic, as well as a sense of place, which can become an important factor of improvement projects for the locality.

Financial outlook

- Detailed planning, consultations, approvals, works and administration for foreshore improvements represent substantial costs to Council beyond its present financial capacity and require additional funding sources.

Consultation

- Detailed planning and implementation of proposals for the foreshore will continue to be a consultative process involving the community, stakeholders and agencies.

Overall approach

- While the impetus for improving the foreshore is the CFRP as a statement of intent, pragmatically any vision is realised over an extended period in accordance with the chain of detailed planning, consultations, approvals, staging, funding and works programs.
- This incremental method is also practical because the foreshore is a constantly and seasonally used area, including events which cannot be unduly disrupted.
- Making a start would set the urban design scene and standard, respond to regional planning considerations and help to lift the amenity of the beachfront private properties.
- A continuous approach which entails short, medium and long-term improvements is advocated, commencing with enhancements that can be readily achieved while working towards significant changes that require formal approvals and project management.
- An advantage of making small improvements is that collectively they can enhance the amenity and attractiveness of the area at relatively low cost (ie often not much more than normal maintenance expenditure).
- The strategy approach would be to pursue several streams of action from small to large at the technical and consultative levels, along with governance arrangements to monitor the big picture and manage the decision-making and works activities.
- As Council carries everyday responsibility for the locality, with limited funding assistance, the incentive for improvement is unlikely to come from the State Government initially. Council in pursuing and promoting the CFRP, however, should seek to harness support and contributions from the State Government

and property owners/developers in addressing the public domain foreshore and beachfront development area.

- With the above in mind the following course of action is summarised as the way forward to stimulate foreshore improvements, start making real changes on the ground and gain momentum for the entire Plan to be achieved.

Table of Initial Implementation Measures:

<i>Action</i>	<i>Aspects</i>
Continue the Implementation Working Group .	As previously, comprising appropriate officers and Council members, with the ability to co-opt community or other representatives / participants.
Retain the urban design consultant to provide a directing, facilitating and problem-solving role for continuity in carrying-out the Plan.	This is vital to following-through with the vision, fostering relationships and integrating the foreshore improvements with the planning objectives and development parameters for the adjacent beachfront.
Commission a manual of urban design guidance for the precinct – to rejuvenate the urban design fabric comprising infrastructure, street furniture, signage, landscaping, art installations and so on in terms of style, materials and finishes (ie similar to the Town Centre Public Domain Infrastructure Improvement Plan endorsed by Council in September 2011).	This is to ensure that improvements to the precinct are cohesive and compatible while still allowing for creativity. It would not be too prescriptive and would focus on themes, styles, durability and sustainability. This task and cost should be timed when there is a definite need for it, rather than being premature to detailed planning and improvement projects.
Prioritise the sites and components to be addressed as short, medium and long-term improvements.	Setting-out the number, nature, scale and timeframe of improvement projects will enable them to be tackled and coordinated on several fronts in fulfilling the Plan.
Oversee detailed planning for the various sites and components, involving in-house resources and external consultants.	Performing more detailed planning and design to clarify proposals, costs and works.
Formulate detailed implementation programs for major proposals involving State Government approvals and substantial works / costs.	These entail the larger-scale, longer-term changes with approvals to land tenure, use, zoning and boundaries; the involvement of public agencies and private owners, developers or operators; formal consultations; special funding; and professionally-managed projects and works programs.
Ascertain consultation needs with the community, stakeholders and agencies as the various proposals	Applying appropriate consultation techniques to a range of matters with diverse implications will be important to

<i>Action</i>	<i>Aspects</i>
proceed.	gathering feedback and gaining support.
Report to Council as required for information and decisions.	Council will need to make numerous decisions ranging from minor approvals to strategic choices and resource / budget allocations.
Promote and celebrate the place-making improvements for good public relations.	Keeping the community and visitors informed and engendering support from stakeholders (including property owners and responsible authorities) to contribute to achieving improvements.

Practical Methods

A host of methods and actions can be employed in the implementation strategy to enable the CFRP, manage the process and undertake improvement projects, as set out below:

Governance

The governance parties and their responsibilities are as follows:

- Council – has the role to endorse an implementation strategy, strike agreements with partners, set budgets, determine or recommend upon applications and give voice to the Plan.
- Implementation Working Group – the Group's role is as the reference body on behalf of Council to oversee making the Plan happen, including co-opting participants as needed, with the focus on completing and carrying-out an implementation strategy.
- Lead consultant – the role of the lead urban design consultant is to continue to articulate the vision, innovate and problem-solve, as well as to facilitate consultations and foster support for the Plan and detailed proposals.
- Project management – will be necessary internally by officers and externally by partners, project consultants and contractors.
- Place-making – as the foreshore locality develops and matures the emphasis should shift away from macro-level planning towards the creation of place at a more micro level and stewardship of the environmental, recreational and social facets of how the locality is used and cared for, including events planning and management, tourism attraction, public and non-car personal transport, and community participation and wellbeing.

Engagement

Engagement of the community and stakeholders (eg property owners, local organisations) and liaison with Government agencies (eg WAPC, HCWA) will be an important part of the implementation process. This may entail several means:

- Consultation in accordance with Council Policy on more detailed planning and design of particular areas or elements, for information and feedback leading to finalised proposals.
- Formal advertising of development applications and other planning-related proposals, for submissions to be considered in determinations.

- Referrals to specific agencies or community groups for comments in assessing particular applications.
- Dissemination and promotion to the general public via the website, press and other avenues.

Partnerships

- The opportunity for partnerships will emerge for proposals such as the beach pool, improvements to leased commercial premises, short-stay accommodation on Crown land (under long-term lease), weekend markets and so on.
- Partnership dimensions include:
 - Infrastructure: funding, works, management and maintenance.
 - Operations: uses, activities, security, income-generation.
 - Public relations: consultation, liaison, promotion.

Funding

- There is no major funds stream for foreshore improvements or dedicated big budgets for key projects at this time – at present Council only funds ongoing maintenance programs.
- The implementation strategy itself is a cost item entailing consultancy fees, consumables, advertising charges, administration and so on.
- Hence funding sources must be explored and pursued, with possibilities being:
 - Capital expenditure – depot sale proceeds, rates revenue.
 - State Government assistance – direct funding, shared contributions.
 - Grants – State or Federal Government.
 - Partnerships – eg surf clubs, commercial tenants, events sponsors.
 - Developer contributions.
 - Loans – Treasury, banks, Lotterywest.
 - Community assistance – eg Coast Care, surf clubs – expertise and labour.

Programs

- Indicative programs for the range of projects can be devised in terms of the phases involved – detailed design, consultations, approvals, funding, works scheduling.
- This will consider staging, synergies, economies of scale and other interrelationships in the implementation activities.

Detailed designs and feasibilities

- Carrying-out each key project will entail detailed planning as well as feasibility analysis (ie environmental, engineering, cost estimates) or studies (ie Aboriginal sites, geotechnical).
- Utility services will also need to be examined for relocation or augmentation, which may represent significant costs.
- Specialists may be commissioned, such as to prepare landscaping plans or public art.
- Certain features of the Plan may be suitable for design competitions or engaging with schools / universities and community organisations.

- Three-dimensional scale-modeling and fly-through computer modeling may be appropriate in some instances (but can be expensive).

Approvals

- A diversity of approvals required will arise, covering land assembly and rationalisation (eg Crown reserves, roads, subdivision, lease areas), possible scheme amendments (ie rezonings, special provisions, development standards), development approval and building license applications.
- The WAPC is the main determining authority and the HCWA is a statutory consultee.
- There may be scope for the WAPC to approve of the CFRP or part thereof as a Management Plan for the foreshore regional open space, allowing subsequent approvals by Council under delegation.

Key Projects and Initial Priorities

Key Projects Matrix

- For the entire CFRP, a matrix of the Key Projects should be prepared as a guide to coordination of the proposals and the variables involved.
- This would consider priorities, magnitude, complexity, processes, timeframes, resources and so on in order to map-out and manage the progressive improvement of the foreshore.
- It would be a dynamic tool to help chart direction, respond to change and achieve integration.

Immediate Priorities

- Immediate priorities identified include the future of the two main car parks, additional change-rooms/toilets, disability access and rebuilding the ageing limestone retaining walls to the terraced lawns.
- Improvements to the main beach precinct (ie from the groyne to Indiana including the grassed terraces) merit priority attention, such as the universal access ramp, possible additional toilets/change-rooms.
- Changing Car Park No. 1 and the resultant interrelationship with the CBH and its proposed upgrade is a significant priority.
- The market square opposite Car Park No. 2 would be another, and a comparatively easy, innovation.
- The Boardwalk west of the northern dune would be a key new feature, including a spiral ramp or similar linking with the beach.
- Landscaping beautification at the northern end would benefit that area and not involve significant cost.

An indication of initial projects and the approach towards them is outlined below.

Table of Indicative Initial Projects:

<i>Project</i>	<i>Actions</i>
More detailed design concepts for access ramp and possible change-rooms / toilets on southern side of Indiana. These are required whether or not a future grant is obtained.	Work-up urban design and architectural detail in liaison on engineering aspects, land information and planning considerations.

<p>Limestone wall rehabilitation, disability access ramp construction, replacement of reticulation systems and grass surfacing, solar powered lighting, end-of-trip facilities for cyclists, additional drinking fountains, brick paving replacement and a possible new public toilet/change room facility.</p>	
<p>Preliminary concepts and cost estimates for car parking extensions along Forrest and Napier Streets – extent, number of bays, construction standard, landscaping, signage, timed- parking. This additional parking is desirable in itself and to compensate for changes to Nos 1 and 2 Car Parks. An overall rationalisation of parking is required, both physically and operationally.</p>	<p>Draw-up. Do cost estimates. Consider consultation and construction timing.</p>
<p>Preliminary concept, program and costs for decommissioning of No. 1 Car Park for interim use pending longer-term vision (realigned Marine Parade etc). This is so as to not spend unduly on maintenance, redirect those funds within the foreshore and make a significant change by removing the bitumen and landscaping the area.</p>	<p>Draw-up having regard to levels, limited parking, promenades, landscaping, facilities and longer-term vision. Consider timing, staging and costs of works. Consider land information, planning approvals and consultation.</p>
<p>Feasibility investigations, more detailed designs and draft implementation programs for No. 2 Car Park, including interim parking arrangements and additional change-rooms / toilets. This is the pivotal project enabling transformation of the foreshore, plus the most complex and costly. Development would need to be carefully staged Development elements here could include a café, toilets/change-rooms, tourist kiosk, bike lockers and bike hire.</p>	<p>Work-up urban design and architectural detail in liaison on engineering aspects, land information and planning considerations.</p>
<p>Gateway road roundabouts at Marine Parade intersections with Eric and Forrest Streets. These would be an economical way to help define the locality, calm traffic and beautify the area – towards interrelated functional and urban design / landscaping improvements.</p>	<p>Consider engineering design and costs.</p>
<p>Review and rationalisation of signage in order to reduce clutter, enhance aesthetics and improve information.</p>	<p>Survey, reduce and improve all signage.</p>
<p>The beach pool community initiative has gained momentum, with detailed concept</p>	<p>Maintain liaison with proponents and scope</p>

design, feasibility analysis and informal consultation underway. Council through the Working Group has been willing to entertain the proposition along with other ideas and include it notionally in the Plan, however, at this stage there is no official support for the beach pool and can be no guarantee of acceptance by the public or approval authorities. A formal proposal would be subject to the full range of indigenous, environmental, heritage, planning, urban design, engineering, public health/safety, financial and management considerations and approvals as applicable, including consultation and referrals.	considerations involved.
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CONCLUSION

The CFRP is a valuable tool for Council and all parties to use in guiding improvement of the foreshore and beachfront precinct. Council has been forward-thinking in producing the Plan to build on the earlier vision and concept plans in relation to LPS3 and in the interests of the public domain. The Plan provides a framework for a structured implementation strategy, detailed design and commitments to projects, including ascertaining funding arrangements. Adoption of the Plan by Council will give impetus to the various proposals to be achieved.

VOTING

Simple Majority

COMMITTEE COMMENT

Committee was generally supportive of the Plan as a Council initiative to improve the public domain. While appreciating that the proposals are indicative only, Committee discussed various aspects of the Plan including the beach pool, parking overall (involving the car parks and Forrest and Napier Streets in particular), and roundabouts for Marine Parade. It was suggested that the intended manual of urban design guidance could involve the Design Advisory Panel; that signage could be readily improved; and that landscaping at the northern end (ie vicinity of Barchetta) should still consider parking needs.

Committee also debated whether consideration of the Plan should be deferred to afford new Elected Members a briefing to better understand the proposals and engender support for the overall concept. In this regard Mr Jackson advised that the Plan grew out of the Enquiry by Design, whereby Council had adopted the previous version in-principle and resolved that the Working Group refine the plan as well as devise an implementation strategy, hence the report and recommendation to progress this.

OFFICER RECOMMENDATION

Moved Cr Walsh, seconded Cr Boland

That Council:

1. Adopt the Cottesloe Foreshore Redevelopment Plan as a framework for improvement of the beach and foreshore areas in relation to the beachfront urban development locality.
2. Note the preliminary implementation strategy and request that the Administration and Working Group devise a more detailed strategy for the overall Plan and report-back to Council on instigating priority improvement projects; including identification of prospective funding sources and consideration of budgetary arrangements.
3. Write to the Western Australian Planning Commission and Minister for Planning advising of Council's adoption of the Plan and the progress towards implementation, including its relationship to Local Planning Scheme No. 3 and a request for consideration of State Government collaboration and funding assistance over time to achieve the Plan.

AMENDMENT

Moved Cr Jeanes, seconded Cr Strzina

That the item be deferred for one month to allow for new Elected Members to be briefed prior to Committee and Council consideration.

Lost 3/4, with Cr Walsh using his casting vote against the amendment.

AMENDMENT

Moved Cr Boland, seconded Cr Strzina

That a new point 1. be added to the recommendation (to be worded by Mr Jackson) to the effect that the plan be titled as a draft and include a statement qualifying that the proposals are indicative only and subject to detailed planning and approvals; and that the remaining points be renumbered.

Carried 6/0

COMMITTEE RECOMMENDATION

That Council:

1. Request the Administration to rename the Plan with the precursor "Draft" and to add a qualifying statement to the Plan as follows:

The proposals included in this Plan are indicative concepts only at this stage, which while supported in-principle by Council for the purpose of devising the plan, are subject to detailed planning, feasibility studies, approval processes and funding arrangements in order to be confirmed and implemented.

2. **Adopt the Cottesloe Foreshore Redevelopment Plan as a framework for improvement of the beach and foreshore areas in relation to the beachfront urban development locality.**
3. **Note the preliminary implementation strategy and request that the Administration and Working Group devise a more detailed strategy for the overall Plan and report-back to Council on instigating priority improvement projects; including identification of prospective funding sources and consideration of budgetary arrangements.**
4. **Write to the Western Australian Planning Commission and Minister for Planning advising of Council's adoption of the Plan and the progress towards implementation, including its relationship to Local Planning Scheme No. 3 and a request for consideration of State Government collaboration and funding assistance over time to achieve the Plan.**

The substantive motion was put:

Carried 5/1

11.1.2 REVIEW OF STATE PLANNING POLICY 3.1 – RESIDENTIAL DESIGN CODES

File No: D09/12246
Responsible Officer: Carl Askew
Chief Executive Officer
Author: Ed Drewett
Senior Planning Officer
Proposed Meeting Date: 24 October 2011

PURPOSE

The purpose of this report is to provide Council with an overview of proposed changes to the Residential Design Codes (RDC) that have been initiated by the Western Australian Planning Commission (WAPC) and released for public consultation.

BACKGROUND

The RDC control all forms of residential development from single houses to multi-unit developments and are adopted, through reference, into local planning schemes across Western Australia.

The RDC have been periodically reviewed. The current proposed changes reflect issues raised and comments received through consultation with industry and local government since the previous review in 2008. Planning staff attended an RDC forum at the end of 2010 to provide initial technical input into the preparation of this review.

The Codes were last modified on 22 November 2010 to introduce the Multi-Unit Housing Codes for multiple dwellings in areas coded R30 or greater and for mixed use development, which was reported to Council at that time.

The revised Codes are divided into seven parts as discussed in this report.

SUMMARY OF PROPOSED CHANGES

Part 1 - General Objectives

The general objectives of the Codes have been modified in Part 1. The proposed objectives are as follows:

Objectives for residential development

- a) *Housing development of an appropriate design to the intended residential purpose, and density, context of place and objectives as outlined in the local planning scheme;*
 - b) *Design consideration of the social, environmental and economic opportunities possible from new housing and an appropriate response to local amenity and place; and*
-

- c) *Design which is sensitive to culture and respectful of heritage yet offers future residents the opportunities for better living choices and affordability in an intergenerational context.*

Objectives for the planning governance and development process

- a) *Encouragement towards design which is responsive to site, size and geometry of the development site;*
b) *Variety and diversity as appropriate where it can be demonstrated this better reflects context or local planning scheme objectives;*
c) *Clear scope for local planning objectives to influence the assessment of design solutions; and*
d) *Certainty in timely assessment and determination of proposals applied consistently across State and local government.*

Application of Objectives

This section of the Codes has been expanded to read as follows:

The objectives not only provide the reasoning behind the values and content of the Codes, but also guide the assessment of design solutions (ie: where a housing development offers improved site-specific and appropriate design which is an alternative to the deemed-to-comply provisions of the Codes).

In matters of determination of design the responsible authority shall have regard to the Objectives of the Codes and also consider any specific local housing development objectives identified in or through (eg via a local planning policy) the local planning scheme.

Terminology

A number of changes are proposed to the terminology in the Codes to improve and update their meaning and reflect recent changes to legislation.

The terms *acceptable development* and *performance criteria* in the existing Codes are proposed to be re-named *deemed-to-comply* and *design solutions* respectively, for a simpler understanding of how the various provisions of the Codes should be interpreted.

The term *Detailed Area Plan* (DAP) in the Codes is to be changed to *Area Specific Plan* (ASP), to avoid confusion with Development Assessment Panels which have the same abbreviation.

Local planning policies where adopted under a local planning scheme are proposed to be directly inserted into the Codes for easier reference.

Explanatory Guidelines – new format

The Explanatory Guidelines have been updated to reflect the proposed changes to the Codes. Also, provision is made for the Explanatory Guidelines (currently located separately in the Codes) to be inserted within the Codes for easier reference or still kept separate.

Part 2 – Codes Approval Process

This part of the Codes has been modified to exempt single houses on lots greater than 350m² that fully satisfy the deemed-to-comply provisions from requiring planning approval. However, where a local planning scheme specifically requires a planning application to be lodged for residential development, as applies in the Town of Cottesloe under current TPS2 and proposed LPS3, then this shall continue to be required.

Part 3 – Accompanying Information

This part has been reworded for greater clarity and to ensure that applications are adequately supported by extra technical information where necessary, which should assist the local governments in continuing to provide timely and accurate planning assessments.

Part 4 – Neighbour Consultation

This part proposes to limit neighbour notification to only situations where discretion under the Codes is sought and the assessing officer considers it appropriate to seek the comments of adjoining owners. However, where neighbour consultation is specifically addressed by a local planning scheme, as under TPS2 and LPS3, then those provisions will prevail over the Codes.

Parts 5 & 6 – Design Elements

Several of the Objectives in Parts 5 and 6 are proposed to be amended to expand on existing provisions and support the application of *design solutions*. The main changes are summarised below.

Removal of subdivision control

It is proposed that in the future, subdivision controls shall be removed from the Codes and instead be included in a separate WAPC subdivision policy, to avoid confusion between urban design issues associated with the subdivision of land, which are largely considered through operational policies such as Liveable Neighbourhoods and Development Control Policy - Residential Subdivision (DC Policy 2.2).

Subdivision controls shall remain in the Codes until such time as a separate policy has been developed by the WAPC.

Proposed minimum lot sizes

It is proposed to make the following changes to minimum lot sizes in Table 1 of the RDC:

	Existing minimum lot size	Proposed minimum lot size
R20	440sqm	350sqm
R25	320sqm	300sqm

R30	270sqm	260sqm
R35	235sqm	220sqm
R40	200sqm	180sqm

Average lot areas remain unchanged. These reductions in minimum lot areas will assist in increasing housing diversity but will not affect housing densities. As such, the changes are unlikely to have a significant impact on the Town as the majority of residential lots are zoned low to medium density for single houses or grouped dwellings with only limited capability for subdivision.

Streetscape

Various minor changes are proposed to better reflect the broader significance of the contribution that the design of residential development makes to the streetscape, how streetscape is used and appreciated by the community, and how it is the ensemble of dwellings which makes up the streetscape. Extra attention is given to crime prevention through improved design taking into account sightlines, safety and street presentation. While some of these changes may be applied where design solutions are sought, the setback and front fencing requirements of local government schemes and laws relevant to streetscape will still prevail.

Boundary setbacks

Some minor changes are proposed, which will have little effect on the Town's existing assessment process. However, it is proposed to change the permitted height and length of walls on boundaries in R20 and R25 areas from the average height of 2.7m to 3m, and maximum length of 9m to 12m. As the Town generally seeks the comments of adjoining owners prior to approving walls on boundaries, such variations can usually be approved by way of performance criteria (design solution) in any event.

Open space

Various minor changes are proposed to the landscaping requirements and clearer definitions are provided to determine open space on a lot.

Access and parking

Changes are proposed to deemed-to-comply provisions to reflect flexibility for on-site parking that relates to proximity to public transport. For example, a three-or-more bedroom dwelling proposed within 800m of a train station or within 250m of a high-frequency bus route will require only one car bay instead of two. This change is supported as it encourages better use of public transport, although in Cottesloe developers will most likely continue to exceed that minimum number given high car ownership and a trend for large undercroft garages.

Site works requirements

The objectives have been modified to reflect the interests of energy, habitat and conservation of the landform as part of the sense of space.

Building heights

Council's building height standards are controlled directly by TPS2 and proposed LPS 3 which have primacy over the RDC and therefore this section of the revised Codes will not affect the Town's residential building height controls.

Privacy

This element has been updated to reflect aspects of increased density. Areas coded R50 and below will retain existing standards, whereas areas coded R60 and above will have slightly reduced visual privacy controls. Design solutions also appear clearer than the existing performance criteria.

Design for climate

This has been updated and expanded to consider the amenity of affected adjoining properties under the deemed-to-comply requirements, with particular regard to overshadowing of outdoor living areas, habitable rooms, solar panels and balconies or verandahs. This could result in planning assessments being more complicated under the deemed-to-comply provisions, but should provide better protection for amenity of neighbours.

Incidental development (outbuildings, external fixtures)

This section expands on the existing wording in the Codes to provide further explanation of design solutions than that presently given under performance criteria.

Additional dwelling types

This section addresses Supplementary Accommodation (currently known as Ancillary Accommodation), Aged or Dependent Persons Dwellings and Single Bedroom Dwellings.

Supplementary Accommodation will allow people with *or without* a relationship with the residents of a primary dwelling to be accommodated on the same lot, thereby potentially supporting more affordable housing on larger lots and more flexibility for households (such as allowing non-related persons/carers to reside in independent granny-flat type accommodation on the same lot as a primary residence). The maximum permitted size of this type of accommodation is also proposed to be increased from 60m² to 70m² under the deemed-to-comply provisions.

Changes and updates have also been made in relation to Aged or Dependent Persons Accommodation, including removal of reference to maximum permitted plot ratios and the introduction of maximum floor areas under deemed-to-comply provisions. The criteria specific to Single Bedroom Dwelling has been expanded to provide additional guidance for this type of development.

Part 7 – Local Planning Policies

This part defines the primacy of the Codes and the extent to which they prevail over and are complemented by local planning policies. In relation to TPS2 and LPS3 the

Town's local planning policies are being reviewed and their ongoing relevance will be considered in light of the modified Codes.

CONCLUSION

The RDC are a technical instrument used in conjunction with local planning schemes and policies, Council policies and local laws for the assessment of residential planning applications on a daily basis. The Codes are a constantly evolving document that can be expected to be reviewed and updated from time-to-time.

This latest review is more comprehensive than previous enhancements and appears generally satisfactory. It should provide a clearer and more flexible basis for design by developers and assessment by officers. Local governments will retain the ability to formulate policies under planning schemes as permitted by the Codes. Officers will continue to report on the RDC controls and technicalities applicable to individual proposals as they are presented to Council.

VOTING

Simple Majority

COMMITTEE COMMENT

Committee raised some queries relating to the technicalities of minimum lot sizes, neighbour consultation and parking requirements, which officers responded to. Mr Jackson explained that the Codes were universal standards for all local governments and situations

OFFICER AND COMMITTEE RECOMMENDATION

Moved Cr Strzina, seconded Cr Walsh

That Council notes this update report regarding the review of State Planning Policy 3.1 – Residential Design Codes.

Carried 6/0

11.1.3 METROPOLITAN REDEVELOPMENT AUTHORITY BILL 2011

File No: Sub/61
Responsible Officer: Carl Askew
Chief Executive Officer
Author: Ed Drewett
Senior Planning Officer
Proposed Meeting Date: 24 October 2011

PURPOSE

The purpose of this report is to inform Councillors about a new Bill, known as the Metropolitan Redevelopment Authority Bill 2011, which was introduced to the State Government's Legislative Assembly on 22 June 2011 and given Royal Assent on 12 October 2011.

BACKGROUND

A media statement was released by the Minister for Planning on 23 June 2011 as follows:

A new Metropolitan Redevelopment Authority Bill introduced this week into State Parliament will have far-reaching benefits for Perth's future development.

Planning Minister John Day said the Bill would allow a new amalgamated metropolitan redevelopment authority to replace existing authorities in Armadale, East Perth, Midland and Subiaco, and also be responsible for the Perth Waterfront project.

"The new legislation is set to streamline existing systems and leverage long-term efficiencies while retaining the benefit to the State of the flexible redevelopment authority model," Mr Day said.

"The new authority will be governed by a seven-member board and simplify processes by centralising all administrative functions into one entity.

"This will ensure the locally-based five-member Land Redevelopment Committees can concentrate on fulfilling the new authority's planning and development functions in each area.

"These committees will be established as necessary and be delegated planning powers by the authority's board for their respective areas.

"This structure will better serve communities as it will enable resources to be deployed to projects as required."

The Minister said the Land Redevelopment Committees would ensure the existing redevelopment authorities' close ties were maintained in the areas in which they operate.

“The new redevelopment authority will work closely with the Land Redevelopment Committees to ensure we retain good working relationships with local governments and community groups to provide the best outcomes for residents,” Mr Day said.

The Metropolitan Redevelopment Authority is expected to commence on January 1, 2012.

COMMENT

A similar proposal was foreshadowed under the previous Government and Planning Minister. Broadly, the MRA would operate through Land Redevelopment Committees (ie one for each area) and involve Redevelopment Areas and Redevelopment Schemes, in connection with a range of planning, land assembly, development and development control powers and processes.

The proposed Metropolitan Redevelopment Authority (MRA) Act fundamentally replaces the four existing redevelopment authority Acts applicable to Armadale, East Perth, Midland and Subiaco, and incorporates them under the one new Act.

A summary of the main objectives of the new Act is to:

- Provide for the planning and redevelopment of, and the control of development in, certain land in the metropolitan region;
- Establish a State Agency with planning, development control, land acquisition and disposal and other functions in respect of that land; and
- Provide for related matters, including the repeal or amendment of certain Acts.

It is not anticipated that Cottesloe will be directly affected by the proposed MRA in the immediate future, as the district has not previously been considered as an area subject to redevelopment authority status. However, it is observed that as the powers and functions of the MRA are to apply to the Perth metropolitan region generally, additional redevelopment areas may be determined from time to time.

Effectively, the MRA would have a roving brief to undertake redevelopment in any part of the metropolitan region that the Governor on the recommendation of the Minister for Planning declares by regulation to be a Redevelopment Area (or to be added to a Redevelopment Area). Where that occurs, the MRA can take over the role and responsibilities of the local government in development and development control functions.

The Minister in recommending to the Governor the establishment of a Redevelopment Area is required to have regard to the following matters:

- a) Whether including the land in a Redevelopment Area will facilitate:
 - (i) The regeneration of the area; or
 - (ii) The provision of land suitable for commercial or residential purposes close to public transport; or
 - (iii) The establishment of new industries; and

- b) (i) The likely effect of including the land in a Redevelopment Area on the efficiency, effectiveness and integrity of the land use planning system provided for under the *Planning and Development Act 2005*; and
- (ii) Whether including the land in a Redevelopment Area is consistent with orderly and proper planning across the State.

Cottesloe is an established inner-metropolitan suburb and does not feature redundant or degraded areas ripe for redevelopment. The district does, however, contain a number of institutional sites and the vacant railway lands in the vicinity of the Town Centre which may become available for redevelopment projects. Proposed Local Planning Scheme No. 3 provides for such by way of Development Zones and the structure planning process, which has been accepted by the Minister to date.

Over time, however, strategic regional planning could evolve to identify such parts of Cottesloe as candidates for the MRA to consider, depending on the need for a particular type of development, amount of land involved, infrastructure requirements and so on. A transit-orientated development embracing the railway lands, Town Centre and regional road/rail network would be the most likely motivation to invoke the MRA.

In any case, it would be in Council's best interests to maintain a collaborative and cooperative relationship with the relevant State agencies regarding addressing metropolitan urban redevelopment imperatives as they affect the district.

CONCLUSION

The Bill introduced in June 2011 and Assented to in October 2011 has been passed by Parliament with very limited local government consultation. The focus of this report is therefore to inform Council of the content and status of the Bill.

VOTING

Simple Majority

COMMITTEE COMMENT

Committee briefly discussed the role and powers of redevelopment authorities and whether this approach would be applicable to Cottesloe at some point.

OFFICER & COMMITTEE RECOMMENDATION

Moved Cr Strzina, seconded Cr Walsh

That Council notes this report regarding the Metropolitan Redevelopment Authority Bill 2011.

Carried 6/0

12 ELECTED MEMBERS' MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

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

14 MEETING CLOSURE

The Presiding Member announced the closure of the meeting at 7:35 PM.

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