

1. Figure 11 Building Height Plan being amended as attached.
2. Clause 6.4.1.1 being modified with the height description of Marine Services building changed from three stories to 13.6m.
3. The following words being added to Clause 6.4.1.7:

Whilst Figure 11 designates a single maximum height within certain street blocks, it is generally envisaged that building height will vary within street blocks to produce variation in built form, provide visual interest and to punctuate certain street corners with higher buildings (not exceeding the maximum height allowed). Figure 11 is not to be interpreted as a scale drawing for defining the point at which a building height changes. The specific boundary delineating a building height change may need to be determined at the development application stage.

4. Clause 6.4.1.11 being modified by deleting 'three storey' in reference to the Marina Services Building and the reference to Clause 6.4.1.11 being replaced with 6.4.1.12.
5. Additional wording being added to Clause 6.4.2.4, as follows:

Development within the R25 coding will be a maximum of 10m in height. The R50, R60 and R80 areas will be a maximum of 13.6m in height, with the exception of the southernmost R80 site, which will have a mix of maximum building heights. The maximum building height is 9m metres from the southern tip of the lot northward for a distance of 90m, 10m in the northern portion of the site and 13.6m on the balance of the site (as shown on the Building Height Plan – Figure 11). Services such as lift overruns and balustrades and non habitable architectural elements are excluded from the height calculation.

6. Additional wording being added to Clause 6.4.3.4, as follows:

The majority of the Dry Land Residential lots will be a maximum height of 10m. The Building Heights Plan restricts heights to a maximum of 10m for all development coded R20, R25, R30, R35, R40 and R60 and 13.6m for R50 and R80 development, with the exception of the easternmost R80 site, which is intended to be a maximum height of 21m (indicatively, five stories) in accordance with the Building Height Plan (Figure 11). Services such as lift overruns and balustrades and non habitable architectural elements are excluded from the height calculation.

7. Clause 6.4.1 being amended to replace the wording 'The primary use will be residential with the majority of the mixed use activities to be focused on the Marina and associated significant waterfront public domain' with:

The primary use will be residential with the majority of the mixed use activities to be focused on the Marina and associated significant waterfront public domain and key retail / commercial streets.

8. The following wording being deleted from Clause 6.4.1:

Figure 11 provides an illustration of a development scenario for the Marina Village.

9. The additional wording being added to Clause 6.4.1.8, as follows:

The ultimate intent is to encourage as much active (non-residential) frontage as possible at ground floor level along the marina frontage. However, it is also acknowledged that beyond the portion of the waterfront that is subject to the mandatory requirement for non-residential landuses at ground floor, commercial/retail uses may not establish when the land is first developed.

As with any mixed use place, the Marina Village will develop and mature over time and commercial/retail use will establish as demand requires. In the interim, other uses including residential will be acceptable at ground floor on the waterfront in those areas outside the mandatory non residential landuse areas as designated on Figure 10, on the basis that the marina frontage of buildings is designed robustly at ground floor to accommodate change to commercial/retail use when demand requires.

Robust building design will be subject to further consideration via built form codes, however, it will be required that buildings are designed to avoid physical limitations that would prevent conversion for retail/commercial use and to incorporate features that facilitate conversion (eg, ceiling heights, allowance for services, preparation of strata management plans engineered to allow conversion as a right and informing purchasers of the nature of the development).

10. The following wording being deleted from Clause 6.4.1.8:

The mixed use land on the northern side of the peninsula west of Waterfront Park may attract some non-residential use at the ground floor to take advantage of the northern aspect, views over the marina and protection from the prevailing breezes.

Ground floors will be designed robustly to accommodate change over time to commercial uses, including home based businesses, where viable.

It is likely these businesses will be 'low impact businesses' that don't require 'back of house' separate servicing and other relevant development considerations, unless otherwise approved by Council. Development will be subject to further consideration via built form codes and/or design guidelines.'

11. The following wording being added to Clause 2.1.2:

For the purposes of DA 22 of TPS No.3, Built Form Codes constitute Design Guidelines.

12. In Clause 6.1:

- a) 'provide a' being added to dot point three after 'Waterfront Park which will';
- b) 'or guidelines' being deleted from dot point four;
- c) 'a minimum of 200m² and a maximum of 500m²' replacing '200m² minimum' in dot point seven.

13. In Clause 6.4.1.3:

- a) The words 'or guidelines' being deleted from the first paragraph.
- b) The words 'built form guidelines' being replaced with 'built form codes', and 'guidelines' with 'codes'.
- c) The words 'It is envisaged that the following elements may form part of the guidelines' being replaced with 'The following matters will be considered in the preparation of the built form codes:'
- d) The dot points 'Building Height and Scale' and 'Wind Amelioration' being deleted.
- e) The following dot points being added:
 - Crime Prevention Through Environmental Design (CPTED);
 - Servicing and waste management;
 - Setbacks from street boundaries and 'The Corsos' to upper levels of development;
 - Consideration of the objectives and requirements outlined in the Draft Multi Unit Housing Code;
 - Consideration of climate and wind;
 - Consideration of overshadowing, overlooking and privacy;
 - Accommodation of non residential uses at ground floor level, in accordance with Figure 10 of the LSP; and
 - Provision of housing diversity in accordance with 6.4.1.2 of the LSP.
- f) The following wording being added:

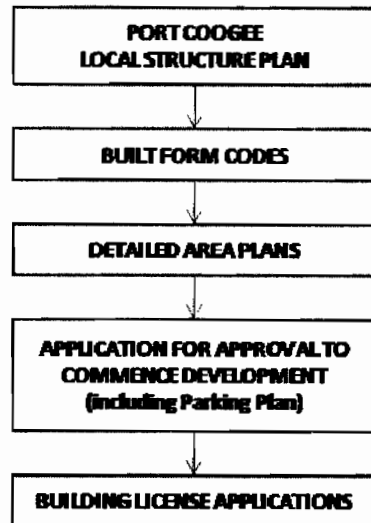
The Built Form Codes / Detailed Area Plans will be required to address the matter of solar access for development on the southern frontage of Othello Parade by inclusion of principles / criteria relating to the form of development on the northern frontage of Othello Parade.

14. The words 'built form guidelines' being replaced with 'built form codes' in Clauses 6.4.1.7 and 6.12.6.

15. Adding an additional Clause 9, as follows:

MARINA VILLAGE INDICATIVE IMPLEMENTATION SCHEDULE

The following flowchart provides an indicative schedule of the process required to implement the development of the Marina Village Precinct of the LSP.



Note:

Where a proposed development does not provide its entire parking requirement on site, the Application for Approval to Commence Development is to be accompanied by a Parking Plan based on the Port Coogee Transport Report showing the location of off-site parking for the development (either temporary or permanent).

16. Adding the following wording to Clause 6.4.1.9 following the words 'The form of these links will be subject to agreement between the City and the developer':

and will be required to be designed and developed with due regard to the following objectives:

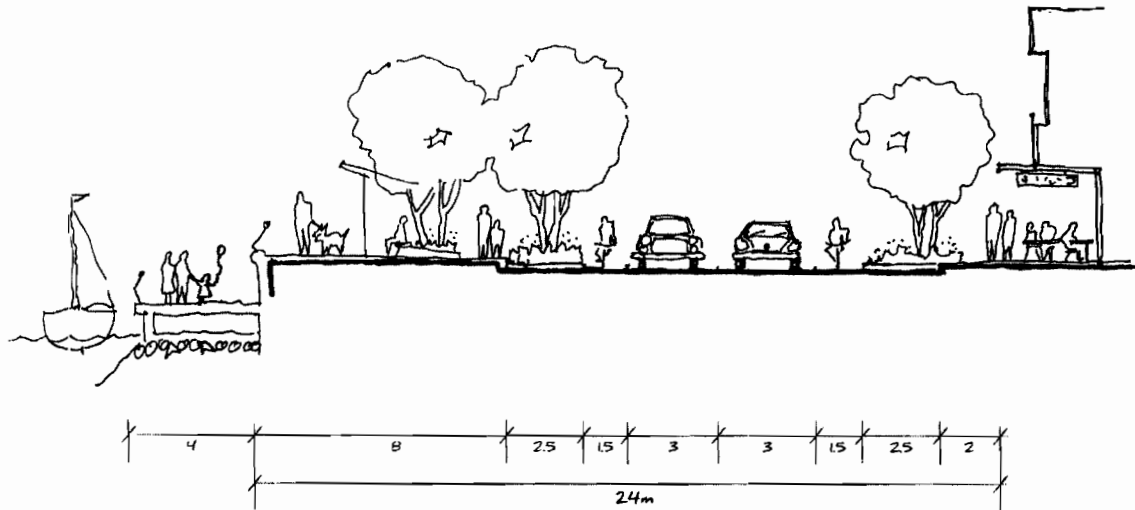
- a) To provide safe and attractive physical and visual links in accordance with CPTED principles across the peninsula.
- b) To 'break-up' the building bulk and frontage across the southern peninsula (where not otherwise provided via building design).
- c) To provide sufficient wind protection to the leeward side of the peninsula and general wind amelioration in the corsos.

17. Adding the following wording to Clause 6.4.1.1:

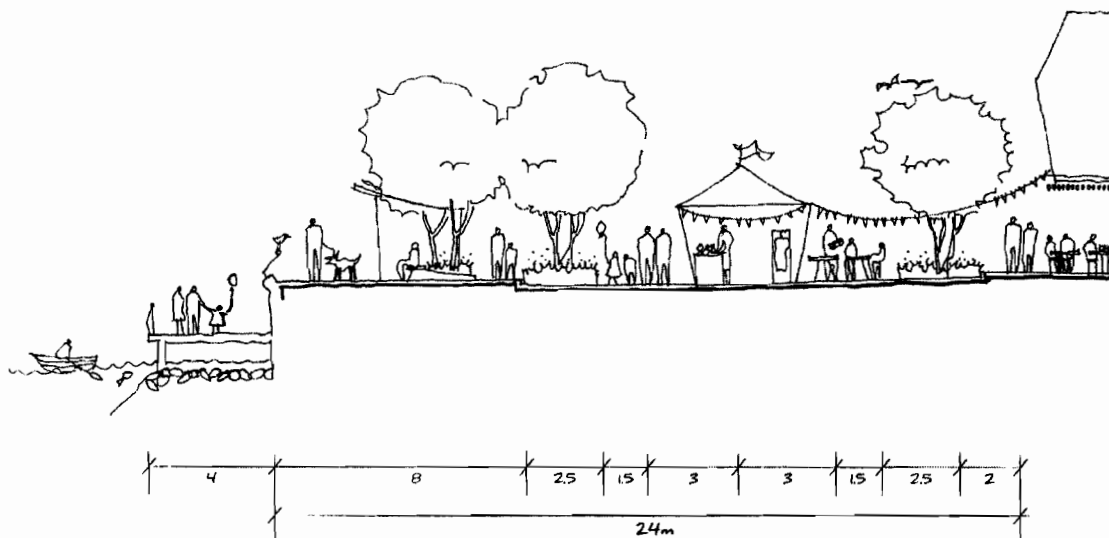
There will be a concentration of activity in the marina village centre and adjacent waterfront park area ranging from daily activities to special events which may include markets, street fairs and concerts. Temporary road closures in the marina village centre may facilitate the potential for street markets on the waterfront.

In particular, it is intended that Chieftain Esplanade between of the retail core and the marina waterfront will be designed to enable the transformation of the space from street to public open space, as indicatively illustrated below. (Access to the main underground car parks would be maintained and traffic management of the central village area will not be compromised).

18. Adding to Clause 6.4.1.1 cross sections of Chieftain Esplanade as a multi-use street open to vehicle traffic and as a market/events space closed to vehicle traffic, as shown below:



Chieftain Esplanade – as a multi-use street open to vehicle traffic



Chieftain Esplanade – as a market/events space closed to vehicle traffic

19. Including the following wording to Clause 8.2.1.1:

Main Roads WA has advised that installation of traffic signals at the northern access road, Pantheon Avenue / Cockburn Road intersection, is not required as part of the current Port Coogee development. Main Roads WA acknowledges that installation of traffic signals at this northern intersection may be required in the long term. As traffic modelling predicts this may be in excess of some 10 years time, Main Roads WA would treat the need at the time as business as usual, ie need based and funded on standard road safety grounds at the time.

20. A Clause 6.4.1.2 being added, as follows:

OBJECTIVE FOR HOUSING IN THE MARINA VILLAGE

The following overarching objective applies to residential development within the Marina Village to encourage diversity in dwelling size and design:

A densified and diverse residential population will help to bring vibrancy and activity to the Marina Village

To this end it is a key aim to encourage a diverse residential population in the Marina Village, in terms of household size, composition and age groups, through the provision of a range of living options.

Diversity of housing product will be provided. This may be achieved in a number of ways, for example, designation of a particular precinct area, development site or a building within a site for a particular residential typology, or mixing different products within buildings.

Built form control mechanism(s) will be formulated with due regard to the following objectives:

- Achieving diversity in dwelling size and design, to accommodate different household types.
- The juxtaposition of dwelling types throughout the Marina Village will be considered further through the Built Form Codes / DAPs and subsequent development applications.
- Regardless of dwelling types, residential design shall strive to create high quality developments, particularly on landmark sites, through high quality design and architecture.

21. Adding the following wording to Clause 8.2.3.3

A comprehensive Transport Report has been prepared separately for Port Coogee. The following parking requirements identified in the Port Coogee Transport Report apply to development within the Port Coogee Marina Village Precinct.

Residential Parking

In accordance with the RD Codes, unless otherwise specified below:

- **Up** to 50% of the visitor parking requirement shall be allowed to be provided off site (within public parking areas) subject to demonstrated availability.
- In the case of 1 brm dwellings the parking requirement is to be calculated at a ratio of: 1 bay per 1 brm dwelling plus visitor parking at 10% of number of dwellings.

Note: The parking requirements for residential development may be subject to further detailed investigation via the built form codes and/or detailed area plans.

Retail

- 1 bay per 18.75 m² NLA

Commercial

- 1 bay per 30 m² NLA

Food and Beverage

- 1 bay per 8.5 m² seating area

Hotel (Accommodation)

- 1 bay per room

Community

- 1 bay per 50 m²

Boat

- 1 bay per 4 pens

General Parking

- A total of 50 parking bays are required to be provided within the 'public parking areas' for general visitor use.

Notes:

1. Parking requirements to provide for specific development proposals will be calculated at each DA stage based on the ratios outlined above unless otherwise approved by Council following further detailed parking analysis.

2. Parking for non residential uses will be provided within 'public parking areas' on public and private land as shown on the indicative public parking supply plan (Figure 4.1) within the Port Coogee Transport Report. Parking requirements shall be allowed to be provided off site subject to demonstrated availability. In accordance with the Port Coogee Transport Report, public parking locations will be subject to more detailed planning under a future Parking Management Plan.

3. Where a proposed development does not provide its entire parking requirement on site, the Application for Approval to Commence Development is to be accompanied by a Parking Plan based on the Port Coogee Transport Report showing the location of off-site parking for the development (either temporary or permanent).

4. As noted in the Port Coogee Transport Report, the above parking ratios represent a conservative approach to the provision of parking. That is; in all probability, the parking proposed is more than is likely to be required in a centre of this type.

22. The word 'actually' being deleted from the second paragraph of Clause 6.4.1.6.
23. The addition of the words 'to 10,000m²' after '9,000m²' in the last paragraph of Clause 6.4.1.6 and in the second paragraph of Clause 6.8.
24. The word 'foreshore' being replaced with 'waterfront' in Clause 6.4.1.7.
25. The words 'good opportunity for' being added before, and the words 'future development' being added after, the words 'passive solar access to' in Clause 6.4.1.11.
26. Clause 6.4.1.12 being replaced with the following wording:

The LSP makes provision for a site of minimum 3500 m² to accommodate a hotel development as required by DA 22 of the Scheme. The LSP designates four alternative locations for the hotel (it is not intended that the hotel symbols shown on the LSP (Figure 9) 'pin point' the exact location, but designate the general location, with the specific location determined via detailed design). The ultimate location, design and scale of the hotel will be dependent on market response; however, it is envisaged that the site will accommodate a "landmark" multi-storey structure which will provide a strong visual focus to the project.

The final form of development of the hotel will be generally at the discretion of the Proponent, however, will be guided by the Marina Village Built Form Codes and/or a Detailed Area Plan.

27. The word 'designated' being added after the words 'The Other Water Based Precinct is' in the first paragraph of Clause 6.4.2; and the third sentence of paragraph four being replaced with the following words:

The Structure Plan shows residential land coded R50 and R80 separated from the shoreline by a local road and POS. Three sites subject to R80 coding are located within this southern portion of the precinct, which may be developed for multiple dwellings. It is envisaged that parking for multiple dwelling developments will include on site parking and some visitor parking on street.

28. The word 'designated' being added after the words 'The Dry Land Residential Precinct is' in the first paragraph of Clause 6.4.3.1.

29. The words 'and a maximum of 500m²' being added after the words 'minimum of 200m²' and the word 'retail' being replaced with the word 'non-residential' in the second paragraph of Clause 6.8.

30. The second paragraph of Clause 8.2.3.2 being replaced with:

Transperth has advised it is keen to progress the introduction of bus services into the Port Coogee development once the road network is suitable for frequent bus movements. Ultimately, Transperth intends to operate the 825 bus service which is a regional route connecting Rockingham and Fremantle Stations. Transperth has advised it prefers to minimise buses making right turns onto main roads without the assistance of traffic signals. Accordingly, it is understood that Transperth will reroute the 825 bus service once traffic signals are constructed and functional at Cockburn Rd / Orsino Boulevard (the southern entrance). It is understood that MRWA will install the lights only after Pantheon Avenue is constructed.

It is also understood that Transperth does not require signals at Cockburn Rd / Pantheon Avenue to reroute services into Port Coogee (with a longer term upgrade likely by others once delays reach a point that they impact bus service operation).

31. The following wording being added to Clause 6.4.1.8:

In order to ensure the desired activation of the community purpose facility at street level, the floorspace transfer to the City is to include a ground floor (of not less than 120m² and a frontage of not less than 8m and first floor level in accordance with Section 6.12.10.

32. The third paragraph of Clause 6.12.10 being replaced with the following:

It is likely that portion of the community purpose site will be primarily located on the first floor of a main retail/commercial building/s located in the southern portion of the Marina Village. Irrespective of the location, it will include a portion of the site at ground level of not less than 120m² and a street frontage not less than 8m, to facilitate direct street access. The ultimate location of the community purposes site is yet to be determined though potential alternative locations are depicted on the Local Structure Plan. It is not intended that the potential alternative community purpose sites shown on the LSP (Figure 9) 'pin point' the exact location, but designate the general location, with the specific location determined via detailed design in consultation with the City.

33. The wording '(location of site is yet to be determined)' in Clause 6.4.1 being deleted, and the following wording being added:

(Figure 9 designates four alternative locations for the community purposes site (it is not intended that the community purpose symbols shown on Figure 9 'pin point' the exact location, but designate the general location, with the specific location determined via detailed design in consultation with the City).

34. Figure 9 being modified (as attached) to delete the northernmost 'Additional Use' site from proposed Lot 749.
35. Figure 9 being modified to include three other potential sites for the required Community Purpose site, being: on Othello Parade, adjacent to its intersection with Chieftain Esplanade; on Chieftain Esplanade, midway between Pantheon Avenue and Othello Parade; and on Pantheon Avenue between Chieftain Esplanade and Orsino Boulevard.
36. Figure 10 being modified (as attached) to add a designation 'Residential landuses to ground floor permitted subject to robust building design and on the basis that the ultimate intention is to encourage as much non-residential frontage as possible at ground floor level along the marina frontage.' This designation is to extend along the marina frontage from Pantheon Avenue northward to the next road intersection near the southern boundary of the marina services building and from the waterfront park (from the boundary of the 'non-residential landuse to ground floor' designation) westward through to, and including, the landmark/icon building on the westernmost point of the southern peninsula.
37. Clause 6.4.2.1 being deleted and replaced with the following:

The Other Water Based Residential Precinct is variously designated Residential R25, R50, R60 and R80 in the LSP.

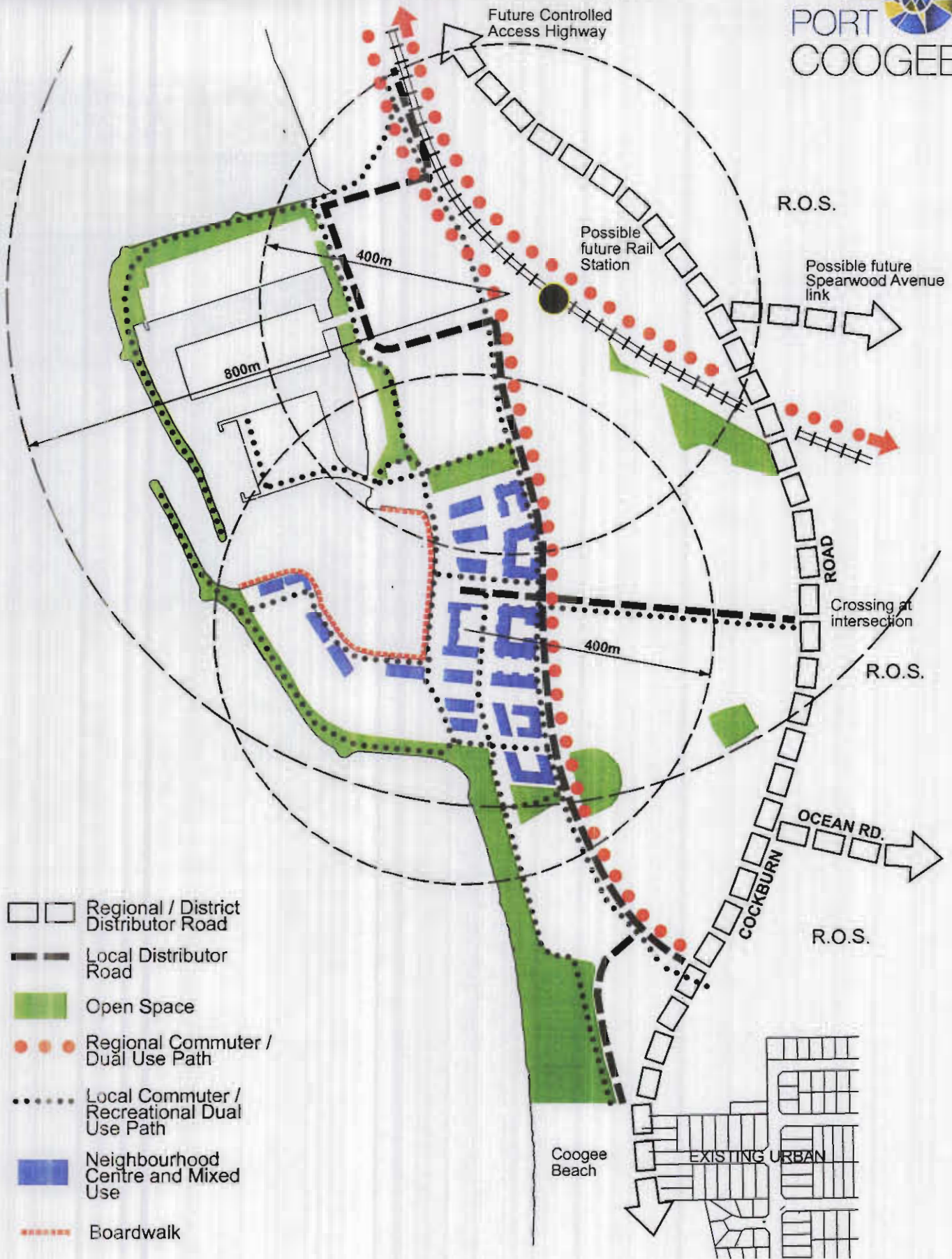
The southernmost land (proposed Lot 749) within this precinct is subject to an additional use to contain a minimum of 200 m² and a maximum of 500m² GLA non-residential floorspace. The permissibility of uses is as follows:

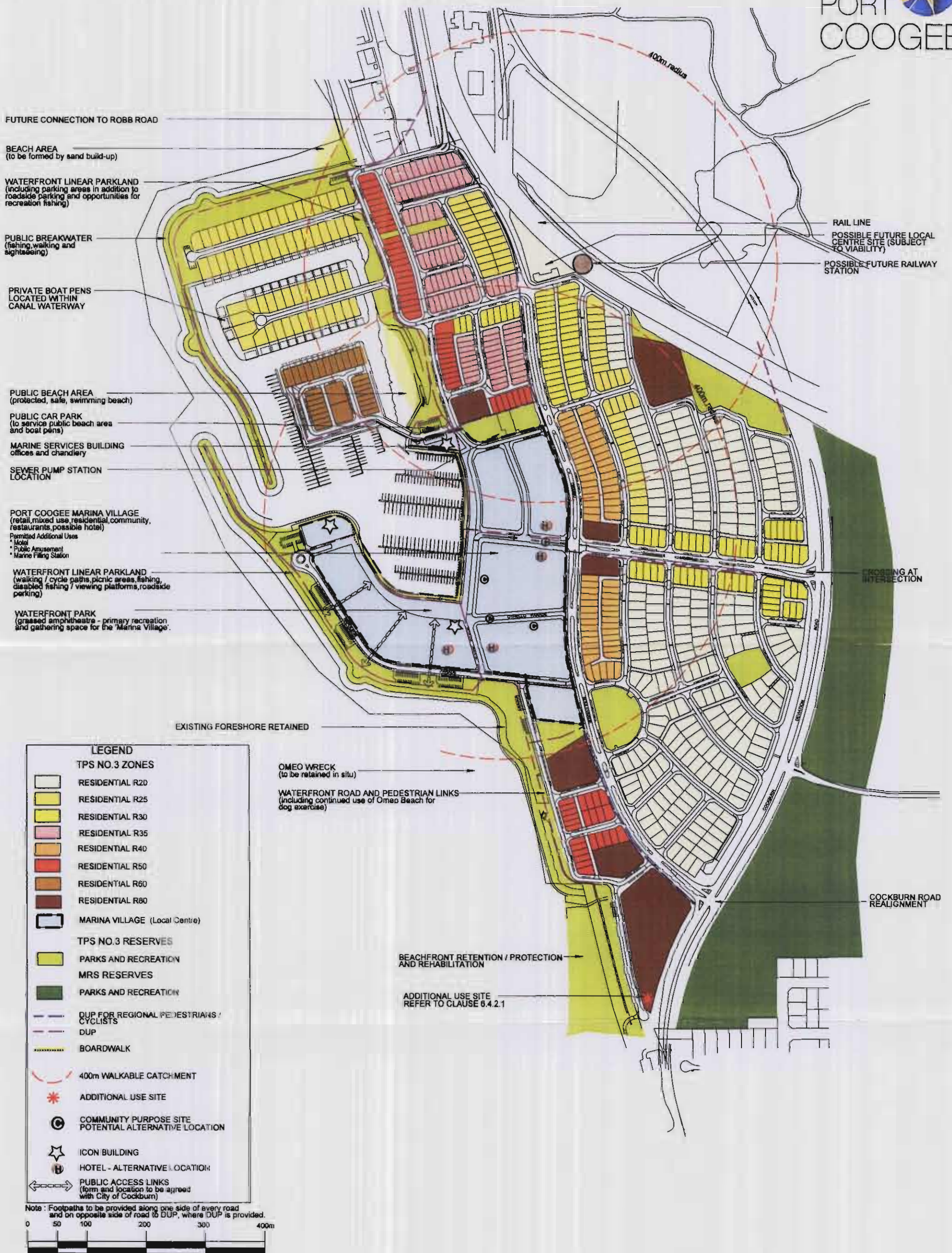
Fast Food (P) (subject to Part 11 of DA22)
Convenience Store (P)
Restaurant (P)
Exhibition Centre (AA)
Shop (AA) (subject to Note 1 below)
All other uses are 'X' (not permitted)

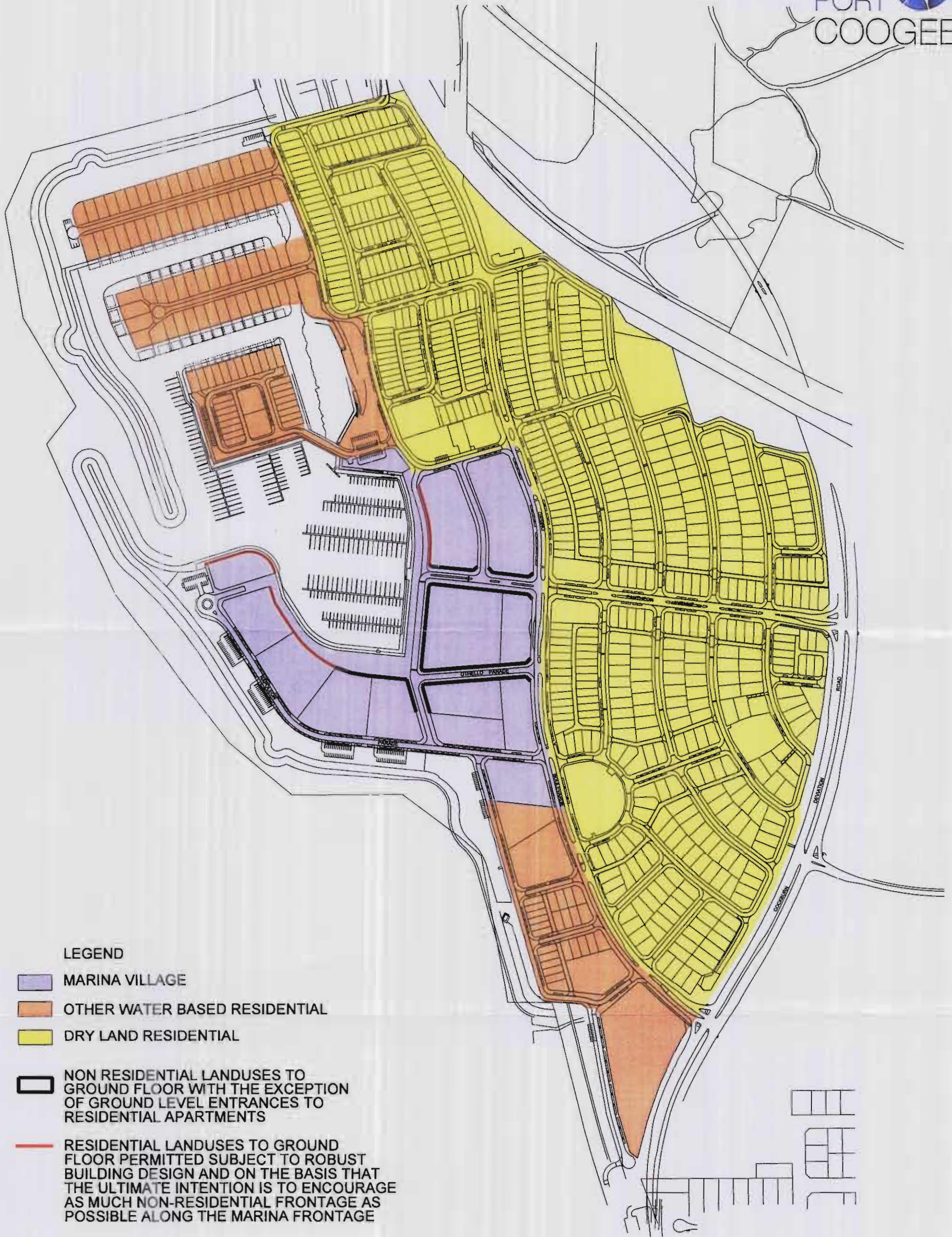
Note 1 The City will only permit a 'Shop' use if, in its opinion, the use is directly compatible with the site's location opposite Coogee Beach. In this regard, occupancy of any shop shall contribute to the amenity and convenience of persons visiting Coogee Beach. The City will consider appropriate retail outlets, including, but not limited to: sale of such items as beachwear, beach related goods, water sport items, and recreational goods such as surfboards, skateboards & kayaks, and other marine related items.

The location of the additional use shall be at the southern end of this site (it is not intended that the symbol shown on the LSP (Figure 9) 'pin point' the exact location, but designate the general location, with the specific location determined via detailed design). A DAP will be required at the detailed design stage to guide development of the additional use site.

38. The words 'In such cases, the building height must still comply with the relevant designated height maximum in 'metres'.' after the first sentence of the last paragraph of Clause 6.4.1.7.
39. The word 'provides' being replaced with the word 'marks' in the last paragraph of Clause 6.4.1.11.
40. The words '(proposed Lot 749)' being added after the words 'The previous neighbourhood centre site' and the word 'retail' being replaced with 'non-residential' in dot point seven of Clause 6.1.
41. Figure 5 being modified (as attached) to show the general location of the proposed boardwalk along the Marina frontage.
42. At 6.4.1.1, below Marina Village Centre (1st paragraph), replace 'is' with 'will be' and in the 2nd paragraph, remove 'the' from the first line.
43. Figure 11 being modified by replacing the words 'Clause 6.4.1' with 'Clause 6.4.1.7' in the legend.
44. The numbering of Clauses, and references to relevant Clauses throughout the LSP document, being updated to reflect modifications. The Minute of Consent Orders uses the updated numbering.





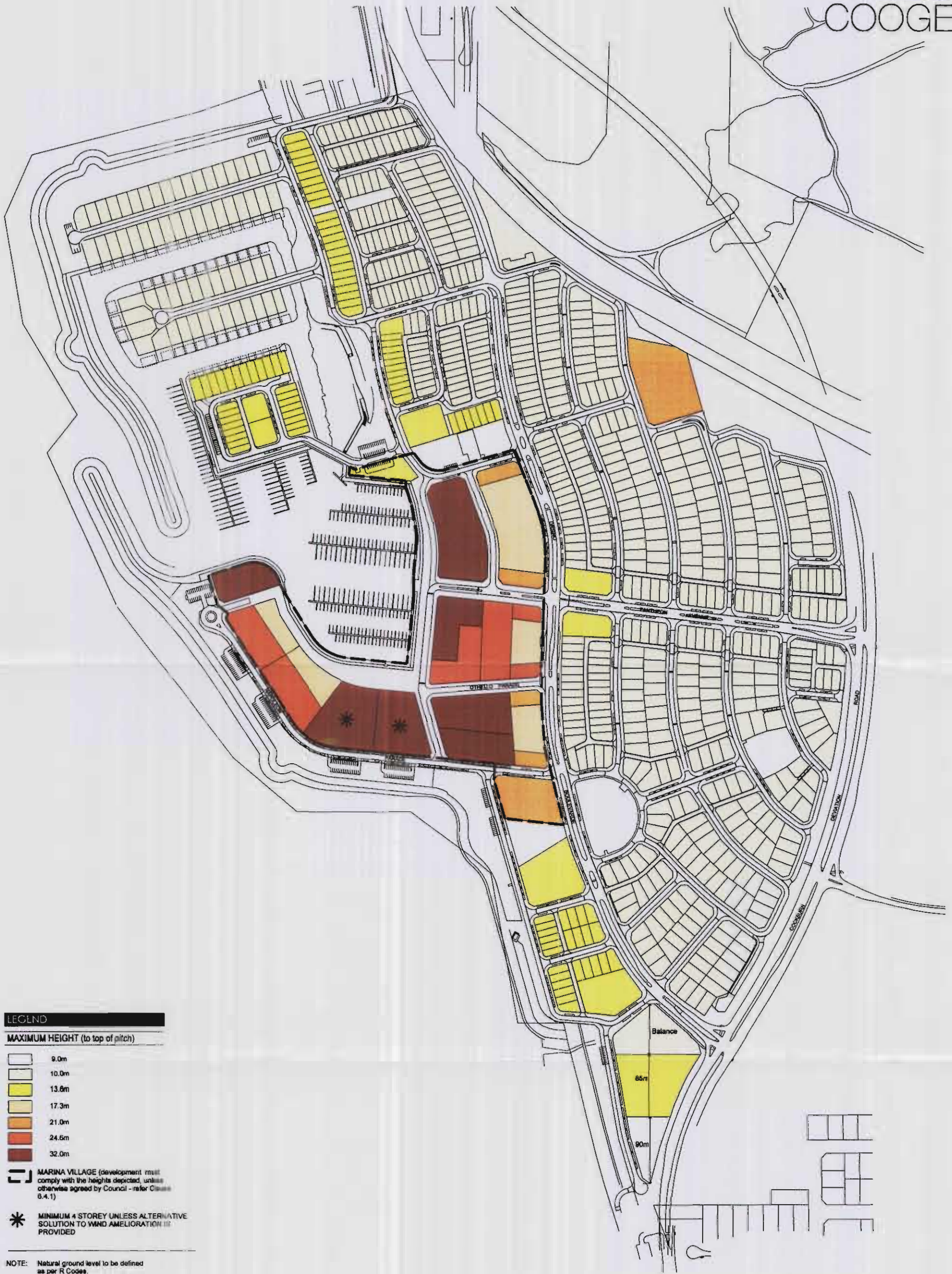


LEGEND

- MARINA VILLAGE
- OTHER WATER BASED RESIDENTIAL
- DRY LAND RESIDENTIAL
- NON RESIDENTIAL LANDUSES TO GROUND FLOOR WITH THE EXCEPTION OF GROUND LEVEL ENTRANCES TO RESIDENTIAL APARTMENTS
- RESIDENTIAL LANDUSES TO GROUND FLOOR PERMITTED SUBJECT TO ROBUST BUILDING DESIGN AND ON THE BASIS THAT THE ULTIMATE INTENTION IS TO ENCOURAGE AS MUCH NON-RESIDENTIAL FRONTAGE AS POSSIBLE ALONG THE MARINA FRONTAGE





Land Use Precincts


Figure No. 10




LEGEND

MAXIMUM HEIGHT (to top of pitch)

-  9.0m
-  10.0m
-  13.0m
-  17.3m
-  21.0m
-  24.6m
-  32.0m

 **MARINA VILLAGE** (development must comply with the heights depicted, unless otherwise agreed by Council - refer Clause 6.4.1)

 **MINIMUM 4 STOREY UNLESS ALTERNATIVE SOLUTION TO WIND AMELIORATION IS PROVIDED**

NOTE: Natural ground level to be defined as per R Codes.

