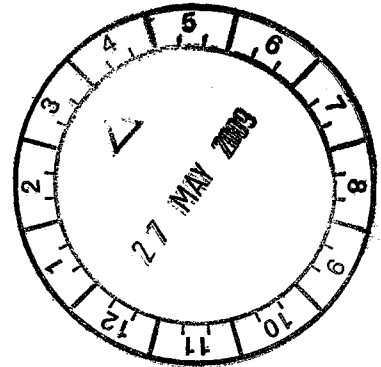




Enquiries: Bruce Gardner – (08) 9345 8747

**PUBLIC**



25 May, 2009

Legislative Council  
Standing Committee on Environment and Public Affairs  
Parliament House  
Perth WA 6000

Dear Sir/Madam

**RE: SHOWROOM / OFFICES & ASSOCIATED PARKING, LOTS 1,2,3,4,13,4,5 & 15 CNR EWEN STREET & SCARBOROUGH BEACH ROAD, INNALOO / WOODLANDS**

I refer to your letter dated 8 May 2009 regarding a one signature petition tabled by Hon George Cash MLC in the Legislative Council requesting a mixture of accommodation, restaurants / office be constructed on the above site.

The City approved a Showroom/Office Development on the above site on 28 September 2007 which is valid for two years (copy attached). The City approved the development because it was in accordance with the outline development plan for this area approved by Council on 18 July 2006. The site is within precinct 6 of Town Planning Scheme No 38 and it was a requirement inter alia, that before any development could proceed, concept plans for the precinct had to be prepared which Council subsequently required to be advertised.

The arguments and comments made by the current submission have all been previously addressed in a report to Council on 18 July 2006 (copy attached) and on which Council subsequently made their decision.

It is important to point out that the design will entail the relocation of Ewen Street which will address the traffic problems in the area. The developer of the site is Deltaview Pty Ltd of 1/567 Hay Street, Daglish, 6008 and the architects are OLDFIELD Knott Architects Pty Ltd, Po Box 849, Subiaco WA 6008.

I enclose a copy of the approved outline development plan for your information. This plan is almost identical to the plan approved in the Approval to Commence Development dated 28 December 2007. Please note that the WAPC have also approved the subdivision and realignment of Ewen Street.

Should you have any further enquiries on the above, please contact me on the above number.

Yours sincerely

**Bruce Gardner  
SENIOR STRATEGIC PLANNER  
CITY PLANNING**

Administration Centre

**11.1/PS1 AMENDED OUTLINE DEVELOPMENT PLAN - STIRLING CITY CENTRE SCHEME - PRECINCT 6 - AREA BOUNDED BY SCARBOROUGH BEACH ROAD, BOWRA AVENUE AND EWEN STREET, INNALOO**

**Report Information**

Location: Around Lot 13, HN 367 Scarborough Beach Road, Innaloo  
Applicant: Oldfield Knott Architects / Deltaview Holdings Pty Ltd  
Reporting Officer: Director Planning and Development  
Business Unit: Policy and Strategic Development  
Ward: Doubleview

Moved Councillor Clarey, seconded Councillor Daniel

1. That the amended Outline Development Plan for Precinct 6 (south) for the area bounded by Scarborough Beach Road, Bowra Avenue and Ewen Street, Innaloo be APPROVED.
2. That the Manager Policy and Strategic Development be DELEGATED AUTHORITY to approve or refuse minor modifications to the Outline Development Plan (as the need arises).
3. That those who made submissions on the Outline Development Plan be ADVISED of Council's decision.

The motion was put and declared LOST.

Moved Councillor Re, seconded Councillor Thomas

That the proposed Outline Development Plan for a showroom, consulting room and office development in Precinct 6 (southern portion) of Town Planning Scheme No.38 abutting Ewen Street and Scarborough Beach Road, as submitted be REFUSED as Council is not prepared exercise its discretion in respect of the proposed closure/realignment of Ewen Street because:

- a) No residential use has been proposed in the Outline Development Plan which is encouraged in accordance with the Objectives and Development Standards and Requirements of Town Planning Scheme No.38;
- b) The proposal does not provide a strong vertical emphasis, individuality or character that would enable integration with the precinct and its surrounds as required in the Stirling City Centre Design Guidelines; and
- c) The proposal does not provide for a suitable gateway entry statement into Precinct 6 contrary to the provisions of Stirling City Centre Landscape Guidelines;

The motion was put and declared LOST.

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**Council Resolution**

Moved Councillor Sebrechts, seconded Councillor Clarey

1. That the amended Outline Development Plan for Precinct 6 (south) for the area bounded by Scarborough Beach Road, Bowra Avenue and Ewen Street, Innaloo be APPROVED.
2. That those who made submissions on the Outline Development Plan be ADVISED of Council's decision.

The motion was put and declared CARRIED.

**Committee Recommendation**

1. That the amended Outline Development Plan for Precinct 6 (south) for the area bounded by Scarborough Beach Road, Bowra Avenue and Ewen Street, Innaloo be APPROVED.
2. That the Manager Policy and Strategic Development be DELEGATED AUTHORITY to approve or refuse minor modifications to the Outline Development Plan (as the need arises).
3. That those who made submissions on the Outline Development Plan be ADVISED of Council's decision.

N.B. ABSOLUTE MAJORITY VOTE REQUIRED

**Officer Recommendation**

1. That the amended Outline Development Plan for Precinct 6 (south) for the area bounded by Scarborough Beach Road, Bowra Avenue and Ewen Street, Innaloo be APPROVED.
2. That the Manager Policy and Strategic Development be DELEGATED AUTHORITY to approve or refuse minor modifications to the Outline Development Plan (as the need arises).
3. That those who made submissions on the Outline Development Plan be ADVISED of Council's decision.

N.B. ABSOLUTE MAJORITY VOTE REQUIRED

**Report Purpose**

To consider an amended Outline Development Plan (ODP) for Precinct 6 (south) of Town Planning Scheme No. 38 following comments received during the advertising period.

**Relevant Documents**

Attachments: Nil.

Available for viewing at the meeting: Outline Development Plan and Schedule of Submissions, including Summary (previously circulated to Councillors under separate cover).

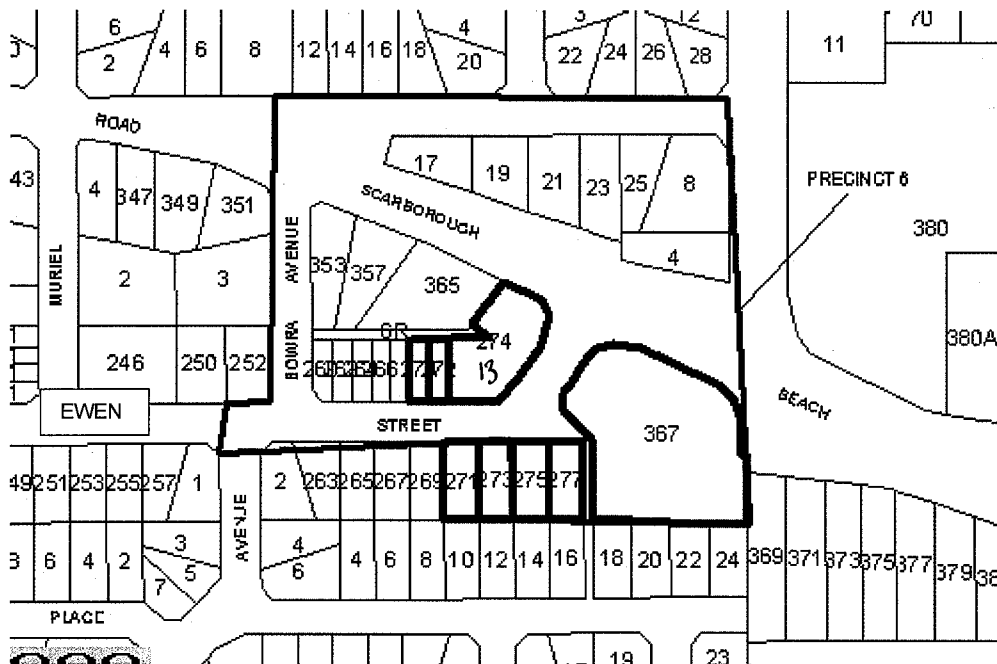
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## Principal Statutory Provisions

### Use Table

Zoning: MRS - Central City Area  
 TPS38 - Precinct 6 Mixed Use / Service Commercial  
 Use: Class - Showroom / Office / Consulting Rooms  
 Type - Preferred



## Background

Following a workshop, held on 27 March 2006 regarding the ODP for the southern portion of Precinct 6, Council on 18 April 2006 resolved, inter alia (11.1/PS11):

- "1. That the minutes of the Precinct 6 of TPS 38 workshop, held on 27 March 2005 be RECEIVED.
2. That the Outline Development Plan applicant for the southern portion of the precinct be ADVISED that Council:-
  - Is, the absence of a better alternative, prepared to support an ODP incorporating extension of Ewen Street along the rear (southern side) of the site, subject to satisfactory resolution of other Scheme requirements;
  - Requests incorporation in any revised ODP of a greater mix of land uses (potentially including residential, office and/or consulting rooms);
  - Requests a reduction in building bulk, particularly to the southern elevation and some increase in setback and landscaping on this façade to reduce impact on abutting residences;
  - Requests greater articulation of the building as a whole, potentially incorporating an a 'land mark' element at the Odin Road, Ewen Street, Scarborough Beach Road intersection.

3. *That upon submission of a revised proposal addressing the above issues, the proposal be ADVERTISED for public comment."*

Prior to the workshop, a similar proposal was also advertised in January 2006. The changes in the plan were the result of Council's resolution of 18 April 2006 following the workshop. The changes to the plans as advised by the architects are:

1. *The incorporation of the extension of Ewen Street along the rear (southern side) of the site.*
2. *The incorporation of greater mix of land uses, including office and/or consulting rooms.*
3. *The reduction in building bulk, to the southern elevation (ref Dwgs P.03 & P.04). The first floor of the previous ODP had building separation of 15m, the revised proposal has a building separation of 35m, and thus reads as two separate, less 'bulky' buildings from the south.*

*Furthermore, the setback along the south side has been increased from 1m to 3m, allowing for enhanced landscaping and the planting of more mature trees, this having positive consequences for the street scape vista along the Ewen Street extension. In turn this will significantly reduce the perceived impact of the building on adjoining residences.*

4. *The greater articulation of the building as a whole. In addition to the improvement in articulation gained as a result of '3' above, a 'landmark' element will be incorporated at the Odin Road, Ewen Street, Scarborough Beach Road intersection, creating increased legibility for the precinct."*

It was considered that the changes to the plans addressed Council's concerns and the proposal was advertised.

### **Scheme Requirements**

The specific objectives of the Scheme are, inter alia:

- *"To create an urban centre with readily identifiable character within the Scheme area;*
  - *To develop a functional centre which is open to the public seven days per week by encouraging a wide range of uses including theatres, cinemas, restaurants, markets, recreational and leisure uses;*
  - *To encourage innovations in land development and renewal;*
  - *To encourage the replacement of inappropriate uses and developments;*
  - *To create diversity of land use and development and to ensure a wide range of residential, working and leisure opportunities within the area as a whole;*
  - *To create a mixture of mutually beneficial uses and developments within individual precincts, and where appropriate, on individual sites;*
  - *To create a visually attractive locality in the Scheme Area with appropriately scaled streetscape and other elements, providing a diverse but unified urban townscape and landscape characterised by high quality urban design."*
-

The Scheme's 'Development Standards and Requirements' state, inter alia:

*"In order to promote the specific objectives of the Scheme and more particularly the creation of a diversity of land uses and developments in the Scheme Area and to create a mixture of mutually beneficial uses and developments within the Precincts in the Scheme, the Council shall take all reasonable steps to encourage the incorporation of a residential component in those Precincts...where a residential use is a preferred use within the Precinct."*

### **Preferred Uses**

These are the 'Preferred Uses'

- Office
- Car Park
- Medical Centre
- Betting Agency
- Consulting Rooms
- Office Professional
- Fast Food Outlet
- Restaurant
- Showroom
- Service Station
- Automatic Car Wash
- Laundromat
- Grouped Dwelling
- Hostel
- Serviced Apartments
- Boarding House
- Retirement Village
- Day Care Centre
- Civic Use
- Public Worship - Place of
- Veterinary Clinic

### **Contemplated Uses**

These are the 'Contemplated Uses'

- Public Utility
- Funeral Parlour
- Institutional Building

### **Stirling City Centre Design Guidelines**

Some submissions received during the advertising period have questioned whether the proposed development complies with the Design Guidelines for the area.

These guidelines were adopted by Council in May 2000 and are to be applied to developments in the Stirling City Centre Area. The guidelines provide clarification and guidance on design considerations and requirements in addition to those provided in TPS 38.

#### **a) Integration and Structure:**

The guidelines state that uses should overlook pedestrian spaces and links wherever possible, to provide a more vibrant atmosphere and passive surveillance. Buildings should relate to pedestrian routes, provide interest, passive surveillance and, where appropriate, shelter.

*Comment* - Introducing the office/consulting room uses provides windows at the upper and lower levels which provides for more passive surveillance of the pedestrian areas around the site, as the showrooms are oriented to Scarborough Beach Road and would have blank walls facing the Ewen Street extension.

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## b) Character:

The guidelines state that *"buildings should have a strong vertical emphasis and...while pursuing individuality and character, buildings must be considered in context and should integrate into their surroundings (or future proposed surroundings) and contribute to the creation of an attractive, coherent streetscape"*

*Comment* - The guidelines limit development to two storeys so it would be difficult to have a building with a strong vertical emphasis. The applicant will be providing a focal point / landmark element on the Odin Road, Ewen Street and Scarborough Beach Road intersection, which will provide this vertical element.

**Stirling City Centre Landscape Guidelines**

Submissions received have expressed concern regarding whether the landscape guidelines have been adequately adhered to.

These landscape guidelines were introduced in March 2003 and have been prepared in conjunction with TPS 38. The guiding principles of the guidelines are:

- To create an efficient, functional and attractive environment, focussed on the public domain;
- To identify a range of landscape devices which will create a unified and distinct landscape identity;
- To contribute to the urban context of integrated land use, movement and traffic, management and form of the built environment;
- To strengthen the urban character of the Scheme area, by developing strong links between individual precincts.

With regards to Precinct 6 the guidelines state:

*"This precinct will form an important gateway entry statement for the City Scheme, comprising of extensive redevelopment on newly zoned and existing plots across Scarborough Beach Road. Historically the area has contained residential plots, some of which remain and will form an important consideration to development in the scheme area."*

The guidelines suggest specific soft and hard landscape treatments for this precinct and it is appropriate therefore that any development within this area should have due regard to these guidelines.

Given the level of detail on the ODP for the proposed showroom it would be appropriate that, should Council consider supporting the proposal, the applicant should be required to discuss these landscaping requirements with the City's Officers prior to further modifying the ODP.

**Comment**

## 1. COMMUNITY CONSULTATION

1.1 Total Submissions Received:

The revised ODP was advertised for 21 days. The submissions received which are available for viewing at the meeting comprise the following:

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- a) Objections or Concerns - 45 submissions (including 10 proforma); and  
- 2 petitions (229 and 30 signatures).
- b) Support - 94 submissions (including 39 proforma); and  
- 2 petitions (11 and 30 signatures).

#### 1.2 Concerns Raised in Submissions:

The grounds of most submissions/objections were similar to those submitted on the previous ODP and include the following:

##### a) Process:

Some of the letters received were critical of the Council's handling of the proposal in the following respects:

- Why was the same plan readvertised when Council had refused it?
- Why was the proposal advertised without a residential component as required by Council?
- Why were affected people in the area not invited to participate in the workshop?

##### b) Road Traffic Issues:

- Increased traffic concerns/volumes will lead to more accidents. Concern over the location of the child care centre and difficulty reversing out of driveways.
- May result in increased use of Birchwood Avenue.
- Slow points in road will attract 'hoons'.
- New road should be located away from residential area.
- Roundabout at Ewen/Bowra will exacerbate traffic problems and create access problems to residential lot.
- New road layout will result in traffic congestion.
- Road option not the solution - refer to MRWA.

##### c) Amenity Issues - Appearance / Height / Scale:

- Increased noise pollution / delivery truck etc.
- Development over-height and will overlook backyard areas.
- Building out of scale with area, should be one storey.
- Signage will be a distraction to drivers.
- Visual pollution to residents in the area.
- Overshadowing.
- Loss of privacy.

##### d) Use Issues:

- Concerns regarding proposed use of site.
  - Lacks imagination and futuristic planning - Innaloo will become the showroom capital of Perth.
  - The site should be developed for residential and low commercial use.
  - City of Stirling land should not be rezoned for a road.
  - Lot 13 should be for residential use or for small commercial businesses.
  - Residential development is preferred with small eateries, cafes etc amongst them.
-