

IMPROVEMENT PLAN NO. 36

STIRLING CITY CENTRE



WESTERN AUSTRALIAN PLANNING COMMISSION

**August 2011
(Amended 25 June 2013)**

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Introduction

1. Under section 119 of the *Planning and Development Act 2005*, the Western Australian Planning Commission (WAPC) is authorised to certify and recommend to the Minister for Planning that an Improvement Plan should be prepared for the purpose of advancing the planning, development and use of any land within the Perth metropolitan region.
2. The Improvement Plan provisions of the *Planning and Development Act 2005 (Act)*, provides for the WAPC, with the approval of the Governor, to:
 - Plan, replan, design, redesign, consolidate, re-subdivide, clear, develop, reconstruct or rehabilitate land held by it under the Act or enter into agreement with any owner of land not held by it within the Improvement Plan area;
 - Provide for the land to be used for such purposes as may be appropriate or necessary;
 - Make necessary changes to land acquired or held by it under the Act;
 - Manage the tenure or ownership of the land or any improvements to that land held by it under the Act or enter into agreement with other owners of land within the Improvement Plan area for the same purposes;
 - Enter into agreement for the purchase, surrender, exchange, vesting, allocation or other disposal of land, including the adjustment of boundaries;
 - Recover costs in implementing the agreement with any owner of land within the Improvement Plan area; and
 - Do any act, matter or thing for the purpose of carrying out any agreement entered into with other land owners.
 - Authorise the making of an Improvement Scheme that must set out the objectives of the improvement scheme.
3. Improvement Plan 36 is enacted under section 119 of the *Planning and Development Act 2005* to advance planning for the Stirling City Centre (SCC), conferring on the WAPC the authority to undertake the necessary tasks to plan for and progress the project on behalf of the Western Australian State Government.

Background

4. Development of the SCC has progressed on an ad hoc basis since the 1940s. At that time the SCC was dominated by market gardens with limited residential development. In the 1980s the Mitchell Freeway was extended through the area, severely limiting access between the north and south parts of Stirling and impacting on the flow of ground and surface water. The Innaloo shopping centre (opened in 1967) was one of the first suburban shopping centres in Perth. The centre has expanded considerably, and additional retail development has taken place around

this major shopping centre, including a significant amount of large-format retail and showroom development along Scarborough Beach Road, which has had a significant impact on traffic movement and congestion in the area.

5. The SCC has been the subject of ongoing development pressure over recent years. In addition there has been an ongoing expectation from the local community that some of the pressing local issues, in particular road congestion, will be resolved. However there are a number of key constraints that have limited the development potential of the area, including:

- Planning for the area has been sub-optimal, with ad hoc development and limited integration and coordination among services and stakeholders;
- The area suffers from regional traffic congestion that affects the local region;
- There are significant environmental contamination issues, including potential water contamination from the Hertha Road landfill site and the presence of Acid sulphate soils;
- A lack of essential infrastructure (including power, potable water supply and sewerage);
- Fragmented land ownership;
- Segregated land uses; and
- Poor visual and pedestrian amenity.

6. In 1994 the *Stirling Regional Centre Structure Plan* was prepared in an effort to resolve the constraints restricting development within the SCC and to identify:

Appropriate development incentives to guide the development of the Stirling Regional Centre into an integrated, attractive and accessible centre with a high development potential and a diversity of uses.

However, the structure plan failed to adequately address many of the constraints facing the SCC, and development continued to progress in an uncoordinated way. As a result the outcome on the ground leaves much to be desired and it is widely recognised that Stirling does not have a 'centre' or 'heart'. Rather, the SCC is an amalgam of uses developed incrementally over time with little regard to the public realm and the civic qualities.

7. In September 2008, the Stirling City Centre Alliance agreement was formally signed by the WAPC, the Department of Planning, Main Roads WA, the City of Stirling, Public Transport Authority, LandCorp, and representation from the sustainability, business and community sectors. The intent of the agreement was to establish an effective and innovative working arrangement for the purpose of achieving a comprehensive review of the Stirling City Centre Structure Plan and to explore implementation options.

8. In 2009 the Stirling Alliance finalised the *Stirling City Centre Structure Plan Framework* as a first step in achieving an agreed vision for the future of the SCC. In 2009 a Festival of Ideas was held to build on the framework and to promote collaboration between state and local government, the local community and the

private sector. The Festival of Ideas explored the community's broad aspirations for the SCC and led in part to the development of the Stirling City Centre vision:

The Stirling City Centre strives to become a sustainable 21st century city – a place for everyone. It will be a hub for a diverse and prosperous community, offering wellbeing for all.

9. Building on this work the Stirling Alliance has prepared the DRAFT *Stirling City Centre Structure Plan (July 2011)* which has been scheduled to be considered for adoption in early 2014. The structure plan will guide future planning and decision making for the SCC and aims to deliver the following outcomes:
 - A move away from traditional restriction based planning to opportunity/vision based planning;
 - Minimising the demand for private motorised travel for people who live, work and visit;
 - Delivery of an integrated transport and land use solution;
 - Designing for interdependence and provision of locally produced power, water, food, community gardens, etc.;
 - Seeking enhanced net social, environmental and economic outcomes;
 - Enhancing the natural environment, resource efficiency and adopting ecological restoration methods; and
 - Creation of an activity centre that is more than just a retail centre by planning for a diverse employment, residential, civic, social and cultural centre.
10. In order to progress planning of the SCC *Metropolitan Region Scheme (MRS) Amendment 1173/57* was gazetted in October 2011. The amendment sought to:
 - a. *replace the primary regional roads reservation within the Stirling city centre from just north of Jon Sanders Drive to the Mitchell Freeway with city centre zone;*
 - b. *replace the primary regional roads and other regional roads from Cedric Street to city centre zone in the north and to city centre zone in the south to Ellen Stirling Boulevard with the remainder as urban; and*
 - c. *rationalise the other regional roads reservation on Scarborough Beach Road to 42 metres from Odin Road to King Edward Road;*
11. In May 2010 Cabinet approved:

The transfer of all State lands within MRS Amendment 1173/57 to the Western Australian Planning Commission and the proceeds from the sale of land to be appropriated for the purposes of implementing infrastructure projects.

12. The WAPC intends to initiate this Improvement Plan with an amendment. The amended Improvement Plan will enable the making of an Improvement Scheme and detail the objectives of a proposed Improvement Scheme to progress further detailed planning, including facilitating the transfer and potential exchange of land.

Purpose

13. The purpose of Improvement Plan 36 is to:
 - i. Enable the WAPC to undertake all necessary steps to advance the planning development and use of land within the SCC, as provided for under Part 8 of the *Planning and Development Act 2005*; and
 - ii. Facilitate the transfer of State lands to the Western Australian Planning Commission.
 - iii. Facilitate land exchanges as required to achieve project objectives (e.g. realignment of Ellen Stirling Boulevard)
 - iv. Authorise the making of an Improvement Scheme.
14. The Stirling City Centre Project will be informed by the following objectives:
 - a) To facilitate the development of the SCC in a coordinated manner, recognising its significance as a Strategic Metropolitan Centre;
 - b) To provide a strategy for the integrated development of public and private land to facilitate the creation of a safe, vibrant mixed use centre based on 'main street' design principles;
 - c) To facilitate the provision of an effective, efficient, integrated and safe transport network which is accessible to pedestrians, cyclists and public transport users and motorists;
 - d) To facilitate transport infrastructure to ensure yields can be delivered;
 - e) To facilitate the development of a diverse range of housing types (including affordable housing) in unique precincts that have high levels of amenity;
 - f) To facilitate the development of a convenient network of public open space (including an urban stream) offering a wide range of high quality facilities tailored to the requirements of the local community;
 - g) To facilitate the development of a range of commercial uses that will contribute towards economic development, local employment and the viability of the area as a commercial centre servicing residents, visitors and the local workforce;

- h) To facilitate the development of a range of community facilities that will service residents, visitors and the local workforce and contribute towards community wellbeing; and
- i) To facilitate the conservation and appropriate use of natural resources including (but not limited to) energy, water and land to enhance the sustainable management of finite resources.

16. The purpose of Improvement Scheme is to:

- (a) *Facilitate urban regeneration of the Scheme area;*
- (b) *Establish powers and procedures that allow the Commission to advance the planning, development and use of the Scheme area;*
- (c) *Set aside land as reserves for public purposes;*
- (d) *Zone land within Scheme area for the purposes defined in the Scheme;*
- (e) *Define precincts and require a Structure Plan and Local Development Plans for land within the Scheme area as the basis for development, subdivision and amalgamation of land, survey strata subdivision and strata subdivision;*
- (f) *Control and guide the use and development of land within the Scheme area;*
- (g) *Set out procedures for the assessment and determination of planning applications including Structure Plans, Local Development Plans, planning policies, subdivision applications and development applications;*
- (h) *Enable the Commission to recover costs of providing infrastructure within the Scheme area;*
- (i) *Provide rights of appeal in respect of discretionary decisions of the Commission;*
- (j) *Provide sufficient certainty to enable location and investment decisions to be made with reasonable confidence;*
- (k) *Provide effective standing for planning policies;*
- (l) *Make provision for the administration and enforcement of the Scheme; and*
- (m) *Facilitate the achievement of the objectives of the Scheme and of the performance measures included within the Stirling City Centre Alliance Performance Framework.*

17. The Improvement Scheme will be guided by the following objectives:

Urban Form and Accessibility

(a) Built Form and Mixed Use Centre

- (i) To create a city centre that is safe, active and vibrant.*
- (ii) To create a city centre that supports mixed-use development and residential population growth.*
- (iii) To achieve high quality built form and public place design across the Scheme area.*
- (iv) To enable the creation of roads, public places, open spaces and public car parking areas.*
- (v) To achieve an urban environment that has its own unique sense of identity.*

(b) Integrated Transport

- (i) To promote walking, cycling and public transport as the dominant modes of travel within the Scheme area.*
- (ii) To prioritise public transport over private vehicular transport to, within and from the Scheme area.*
- (iii) To provide for cycle and pedestrian movement to, within and from the Scheme area to a standard whereby they are viable alternatives to private vehicle use.*

(c) Parking

- (i) To provide incentives to encourage provision of parking that is efficient and encourages the establishment of shared, reciprocal and common use facilities.*
- (ii) To encourage short term, public parking is a major form of non-residential parking within the Scheme area.*
- (iii) To facilitate the implementation of parking provisions that promote investment in alternative transport and public parking.*
- (iv) To make adequate provision of parking for people with disabilities and for other special needs and purposes.*

(d) Street Network

- (i) To facilitate the creation of clearly defined street networks that are designed to promote pedestrian activity.*
- (ii) To limit the size of road reservations to increase available land for other purposes.*
- (iii) To maximise road safety.*

Environmental Health

(a) Enabling Infrastructure

- (i) To maximise the re-use and/or recycling of water and waste.*
- (ii) To maximise renewable energy production.*

(b) Environmental Restoration

- (i) To restore and enhance the level of bio-diversity.*
- (ii) To undertake water and soil remediation.*
- (iii) To maximise air, noise and light quality.*

(c) Environmental Sustainability

- (i) To minimise energy and water consumption.*
- (ii) To maximise vegetation cover in parks, private property and road reserves.*

(iii) To coordinate and implement alternative sustainable infrastructure technologies.

Community Wellbeing

(a) Social Equity

(i) To maximise the provision of a variety of diverse and affordable housing and small business opportunities.

(ii) To promote appropriate provision of health and educational services and facilities.

(b) Sense of Place

(i) To provide a diverse range of public places and public open spaces to meet the needs of local residents, workers and visitors to the city centre.

(ii) To promote a high level of landscape design throughout the Scheme area.

(c) Community Health

(i) To implement the Scheme in a manner that facilitates a safe, healthy and sustainable community.

(ii) To provide infrastructure and spaces that create opportunities for community engagement, interaction and events.

Economic Health

(a) A Balanced and Diversified Economy

(i) To maximise the number and diversity of local jobs.

(b) Economic Investment and Development Feasibility

(i) To facilitate opportunities for investment and development.

(ii) To promote outcomes that recognise the need for business and development viability.

(iii) To implement an equitable infrastructure contribution scheme.

(iv) To ensure the appropriate planning controls and provisions are in place in a timely manner to enable implementation of the project in accordance with the city centre vision.

(v) To support the sale and development of government land to achieve high quality development outcomes in accordance with the city centre vision.

(vi) To facilitate private investment, which may include partnering with the State Government, to enable development in accordance with the city centre vision.

(c) Economic Identity

(i) To maximise development potential to create a strong, diverse and competitive local identity."

Improvement Plan Area

18. Improvement Plan No 36 incorporates the subject area depicted on the attached Department of Planning Plan No. 36

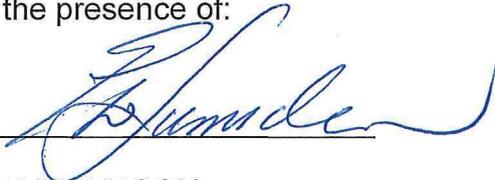
Affected Local Governments

19. The City of Stirling will be affected by Improvement Plan No. 36.

Certificate

This amendment to Improvement Plan is accompanied by a Certificate given in accordance with Part 8 of the *Planning and Development Act 2005*. It has been endorsed by the WAPC for submission to the Minister for Planning.

The Common Seal of the Western Australian Planning Commission was hereunto affixed
In the presence of:



CHAIRPERSON



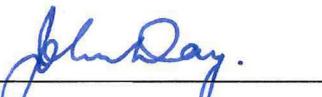
SECRETARY



23.7.2013

DATE

THIS RECOMMENDATION IS ACCEPTED:



MINISTER FOR PLANNING

8.8.2013

DATE

THIS RECOMMENDATION IS ACCEPTED:



GOVERNOR

20 AUG 2013

DATE

WESTERN AUSTRALIAN PLANNING COMMISSION
AMENDMENT TO IMPROVEMENT PLAN NO 36
CERTIFICATE AND RECOMMENDATION

Pursuant to part 8 of the Planning and Development Act 2005 it is hereby

1. Certified that for the purpose of advancing the planning, development and use of all that land within the Stirling city centre area ('the land') should be:

- replanned, redesigned, developed, re-subdivided, cleared, developed, reconstructed or rehabilitated; or
- provision should be made for the land to be used for such residential, commercial, industrial, public, recreational, institutional, religious, charitable or other uses, buildings, works, improvements or facilities, or spaces for those purposes, as may be appropriate or necessary;

and

2. Recommended to the Minister for Planning and his Excellency the Governor that the land should be so dealt with and used and made the subject of improvement plan no. 36 (enabling the making of an improvement scheme) as depicted on Department of Planning plan annexed hereto.

This certificate and recommendation is given in accordance with a resolution of the Western Australian Planning Commission passed on the 25 June 2013.

The common seal of the Western Australian Planning Commission was hereunto affixed in the presence of:



CHAIRPERSON

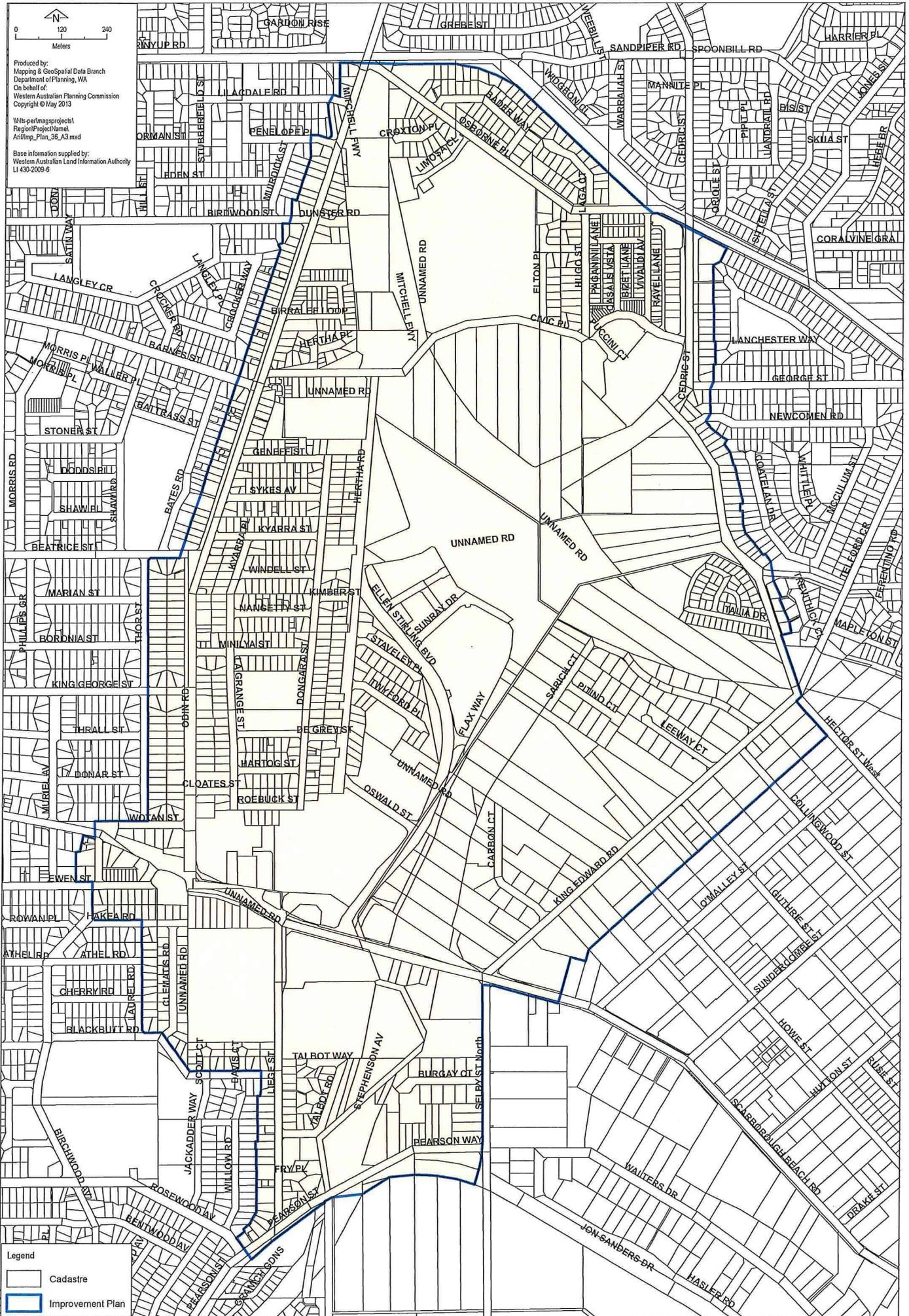


SECRETARY



DATE





Improvement Plan 36