

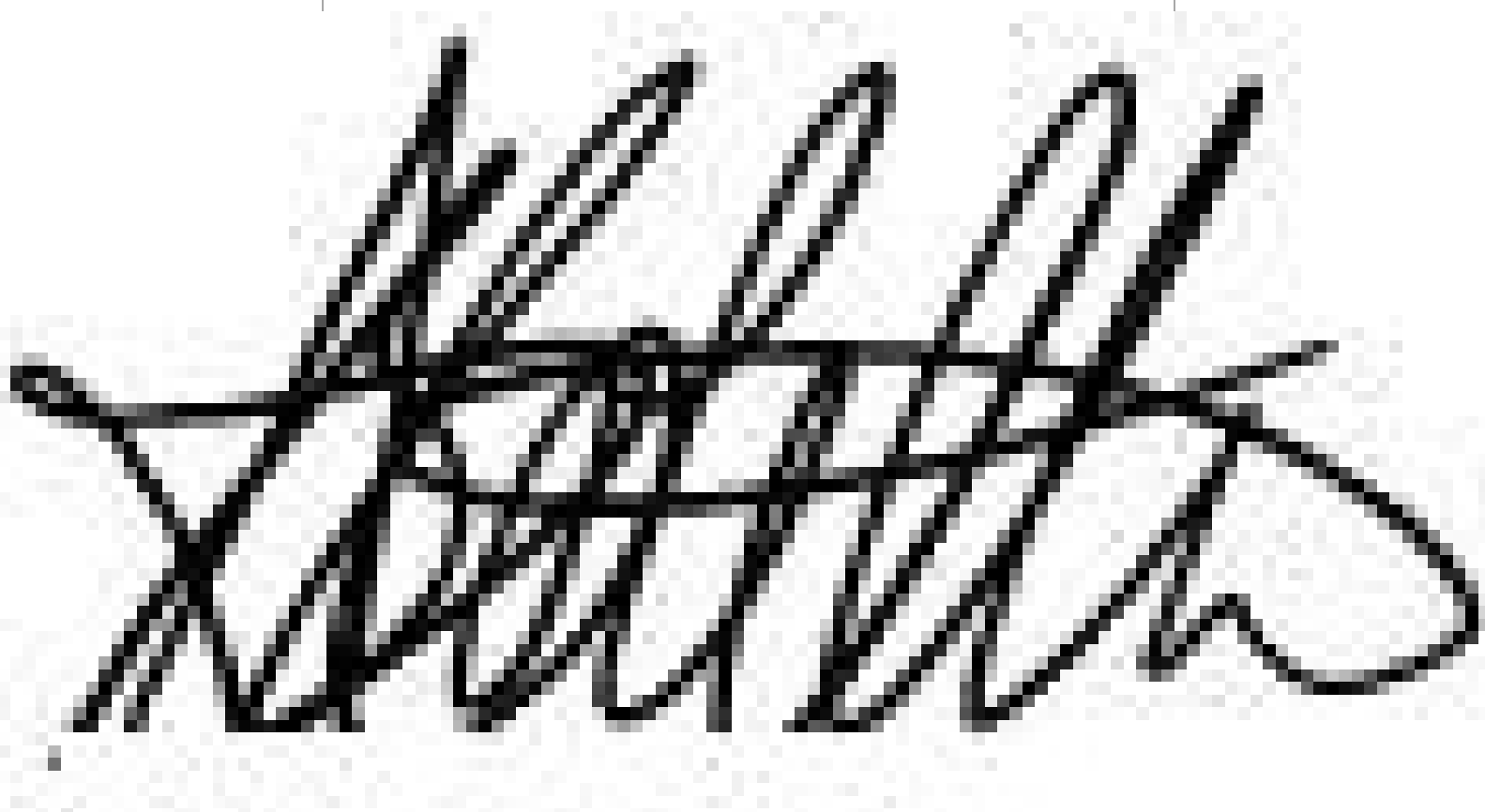


PROPOSED CAR STACKERS TO EXISTING COMMERCIAL USE 266 LORD STREET, PERTH

This report has been prepared by Urbanista Town Planning on behalf of the owners of 266 Lord Street, Perth.



Bianca Sandri | **Director**



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INTRODUCTION

This report relates to the proposed development at 266 Lord Street, Perth. This development includes the construction of two different style car stackers to an existing commercial use.

This report provides a detailed assessment of the proposal in accordance with the City of Vincent *Town Planning Scheme No. 2* and associated planning framework. Variations which are proposed have been considered against the respective objectives and design principles.

Urbanista Town Planning has met with the City's Director of Planning Services on a similar proposal. After this meeting, discussions have been had with the City's officers with respect to this proposal. It was advised that this proposal is not required to undergo the Design Advisory Committee process and can be considered by the City on its merits.

Fabcar which is the business that currently occupies the business sells performance, luxury, import and mobility vehicles. The proposal is a smart option to retain these types of uses within a commercial/residential area without impacting the streetscape with expansive 'car yards'.



FIGURE 1 - SITE LOCATION - ADAPTED: NEARMAPS

SITE CONTEXT

The subject site at 266 Lord Street, Perth is located on a 'blue road' being a other regional road route for metropolitan Perth. The existing building has been in existence for decades and subsequently approved by the City of Vincent (formally City of Perth). The proposed development does not alter the existing building rather utilises an unused area of land to the rear of the building (currently occupying car parking). A context map is provided in figure 2.



FIGURE 2 - CONTACT MAP - ADAPTED: NEARMAPS

SURROUNDING LAND USE AND SUBJECT SITE

Surrounding land uses have undergone recent change resulting from an increase in built form density, however the area largely will continue to be a mixture of commercial, light industrial and residential land uses in accordance with the City's Local Planning Scheme No. 2.

All properties with a frontage to Lord Street up to Summers Street have a zoning of 'commercial' with properties directly behind having a density code of Residential 'R60'.

The site is also subject to road widening along Lord Street, however this application does not propose to alter the current access arrangement. The site is currently occupied by an approved car sales premises. The current business known as Fabcar operates a high-end dealership, which offers a unique experience to its clients.

As identified in figures 2 and 3, Lord Street includes three main corner site redevelopments which include building heights of six and seven storeys. Adjoining the subject site is a commercial two storey office building (268 Lord Street, Perth) and 'Magic Car Wash'. The magic car wash currently exists on a property owned by the Western Australian Planning Commission and has recently commenced operating (264 Lord Street, Perth).



FIGURE 3 - STREET PERSPECTIVE SOUTH DOWN LORD STREET - ADAPTED: NEARMAPS

THE PROPOSAL

The proposed application is for two car stackers located at the rear of the subject site. The car stackers are known as a 'rotary' system and a 'DFS' system. Both systems are proposed to store vehicles for the existing use on the site and provide user parking. The operation of the car stackers will occur during business hours on an ad-hoc basis to allow stock to be stored within the systems.

The proposed rotary system has a height of 14.4m and the DFS system has a height of 21m. Both systems have a rear setback of 5.5m from the rear boundary, with the DFS system proposed to be on the boundary of No. 268 Lord Street, Perth and 3m to No. 142 Summers Street, Perth.

In addition to the above, an aluminium screen with a height of four metres is proposed along the rear boundary. The screen is proposed to be planted with a landscape creeper to sustain a level of amenity to the adjoining residential dwellings.



FIGURE 5 - CITY OF VINCENT LOCAL PLANNING SCHEME NO. 2 MAPS

City of Vincent Local Planning Strategy No. 2

The 2014 Local Planning Strategy No. 2 provides generalised guidance on development in the City of Vincent. There is a significant emphasis that Lord Street is an 'other regional road' and is a primary passage for passenger vehicles entering and exiting the Perth CBD.

The Strategy states that Lord Street has seven operating bus routes, which accounts to 130 trips per weekday, 76 trips on Saturday and 39 trips on Sundays and public holidays. Based on the high frequency public transport route the strategy identifies this location as an opportunity for greater density development. It also states that the area should retain a mixture of commercial and residential land uses and provide opportunity for innovation.

Draft Perth and Peel at 3.5 Million

Draft Perth and Peel @ 3.5 Million is the high-level strategic planning framework for the Perth and Peel region. The draft Perth and Peel @ 3.5 Million proposes five strategic themes for a liveable, prosperous, connected, sustainable and collaborative City. The framework states that for Perth we should have a connected City that provides “*a network of connected activity centres which deliver employment, entertainment and high-density lifestyle choices*”.

Planning and Development (Local Planning Schemes) Regulations 2015: Schedule 2: Deemed Provisions

Under section 257B(3) of the *Planning and Development Act 2005* if a deemed provision is inconsistent with TPS No. 2 (or the gazetted Local Planning Scheme), the deemed provision supersedes the TPS No. 2 provision.

City of Vincent Policy 7.1.1: Built Form Policy

The subject site falls within the ‘Transit Corridors’ of the City’s Local Planning Policy 7.1.1 – Built Form. Preliminary discussions with the City with respect to this application has clarified that the proposal cannot be considered against the deemed-to-comply requirements of the policy as the site is zoned ‘commercial’ and the existing and proposed development is commercial in nature. Notwithstanding, the development has been considered against a height of 19.5m and a rear setback of 6.5m.

LAND USE

The City has approved the proposed land use and building. In addition to this, a landscaping plan was approved on 22 May 1995 which we will consider reinstating upon approval of this application.

DEVELOPMENT ASSESSMENT

As detailed above, the subject site is zoned ‘commercial’ and proposes a 1.5m height variation to the 19.5 height requirement contained in LPP 7.1.1. In addition to a 1m, rear setback variation to the required 6.5m in accordance with LPP 7.1.1. As such, these variations have been considered against the Built Form policies design principles within the following table.

City of Vincent Local Planning Policy 7.1.1 – Built Form

Design Principle	Justification
Height	
P4.2.1 Height that is situated on a site to minimise amenity impacts to neighbouring properties and the streetscape	<p>The proposed car stackers are located to the rear of the site, approximately 58m from the front boundary. The car stackers will not be immediately visible from the primary street of Lord Street. The car stackers will be screened by the high rise development at No. 280 Lord Street, Perth for traffic travelling southbound on Lord Street. The stackers will also be concealed from view for northbound traffic due to the high rise development at No. 262 Lord Street.</p> <p>The adjoining properties to the north and south of the subject site have two and three storey boundary walls to the subject site. These two sites are also commercial in nature. As such, there is no amenity impact on these two sites as the development will not be visible.</p> <p>No. 138 Summers Street, Perth is occupied by multiple dwellings that appear to be in single ownership. The subject site abuts the pathway and non-habitable rooms to the multiple dwellings. The habitable areas of the multiple dwellings are along the eastern boundary and will not be affected by the proposal. The car stackers have a width of 3.4m and 5.2m respectively and are not overly bulky, the proposed rear setback and screen fence will assist in ameliorating any perceived bulk on the adjoining property. Given it adjoins the non-habitable portion of the residential development the proposal is considered not to unduly impact the adjoining property.</p>
P4.2.2 Development that incorporates design measures to reduce the impact of height, bulk and scale in neighbouring properties and the streetscape.	The car stackers are strategically located to provide a 5.5m setback to the rear boundary to offset any direct impact. The aluminium screen fence which is proposed to incorporate a landscaped creeper is also proposed to reduce the perceived impact of the development.
P4.2.3 Development that considers and responds to the natural features of the site and requires minimal excavation/fill.	No fill or excavation is required.
P4.2.4 Design which minimises overlooking and overshadowing where it impacts residential development.	There is no overlooking or overshadowing onto residential dwellings.

City of Vincent Local Planning Policy 7.1.1 – Built Form

P4.2.5 The City may approve development which exceeds the maximum height stated in table 4 where it is stipulated in an approved Local Development Plan, Activity Centre Plan or Structure Plan and addresses Design Principles P4.2.1 – P4.2.4	Not applicable.
Setbacks	
P4.3.1 Development which incorporates design elements that reduce the impact of building bulk.	As discussed above, a 4m high aluminium screen fence is proposed which will include a landscaped creeper to provide a higher level of amenity to the adjoining residential lot. This will provide a greater level of amenity than what is currently afforded to the site from the buildings at No. 146 Summers Street and No. 268 Lord Street.
P4.3.2 Development which maximises natural light access, natural ventilation, internal and external privacy.	The proposed stackers do not overshadow the residential multiple dwellings at No. 138 Summers Street, Perth.
P4.3.3 Setbacks that facilitate the provision of landscaping.	A setback of 5.5m is proposed to the rear. As part of this setback a creeper will be planted and will grow over and along the 4m high aluminium screen fence.
P4.3.4 Development which activates and addresses rights of way.	Not applicable.

SUMMARY OF SUBMISSIONS

The City advertised the proposal, whereby several submissions were made. The following table includes the summary of each objections and our associated comments.

Comments Received in Objection:	Applicant Comment:
<u>Height</u> <ul style="list-style-type: none"> The scale of the development is considered excessive and unacceptable for this location. The subject site's street frontage is too narrow to accommodate a 	<ul style="list-style-type: none"> The proposed DFS system proposes a variation of 1.5m in height. However, the DFS system only has a width of 5.2m which reduces the overall perceived bulk and scale of the proposal. Existing buildings along Lord Street are of similar heights which have a more significant bulk as these buildings have significant site cover and the height is pushed to all boundaries.

Comments Received in Objection:	Applicant Comment:
<p>structure at the proposed height.</p> <ul style="list-style-type: none"> • The development is significantly taller than the nearby residential and commercial properties. • The development does not meet the Local Housing Objectives for Building Height outlined in the City's Built Form Policy. 	<ul style="list-style-type: none"> • The lot width is not a consideration in relation to height. Notwithstanding, the proposed car stacker is only 5.2m wide. • The proposal does meet the housing objectives for Building Height contained in the City's policy as outlined within this report.
<p><u>Amenity</u></p> <ul style="list-style-type: none"> • The development is significantly higher than its immediate surrounds. The development would be clearly visible and pose an 'eye sore' that extends beyond its immediate neighbours. • The screen is considered insufficient to mitigate the visual impact on the nearby residential properties. • The development is visible from the nearby residential balconies and barbeque/pool area. The development will reduce the amenity of these areas and restrict the ability for residents to enjoy these spaces. • The development will impact on both nearby commercial properties and residential properties. • <i>'Car stackers are ugly pieces of equipment that do not belong near residential homes and in an area of future development.'</i> 	<ul style="list-style-type: none"> • The only potential property the proposal would impact is the rear dwellings. However, the elevations which face the subject site comprise of non-habitable rooms and service access as demonstrated in the below photographs. The proposal also proposes a 4m high steel framed structure which is intended to grow a suitable 'creeper' to facilitate a green wall which would elevate the amenity to the adjoining property which currently have views of dilapidated fencing and large boundary walls. • The rear residential properties do not have a pool or BBQ area. A pool is located at 280 Lord Street, however this is at ground level and is screened by a two storey parapet wall. The proposed car stacker will be setback in excess of 22m from the boundary of 280 Lord Street and will not be visible at ground level when interacting in the pool area. • The adjoining commercial properties have not raised objections to the proposed development as they too have two to three storey parapet walls abutting the subject site. Therefore, the proposal will not be visible nor impact their amenity. • The area is zoned 'commercial' the approved use is commercial in nature; the proposed structures are commercial in nature. The car stackers are an innovative way of providing car parking on a site and facilitating a modern way for car sales premises. This concept is not dissimilar to what is an established model within Victoria and Japan.

Comments Received in Objection:	Applicant Comment:
View to 138 Summer Street, Perth from the subject property:	
	
<p><u>Setbacks</u></p> <ul style="list-style-type: none"> The proposed setbacks are inadequate to address the ‘incongruity’ of the development and the development’s impact on the nearby residential properties. The development does not meet the Local Housing Objectives for lot boundary setbacks outlined in the City’s Built Form Policy. 	<ul style="list-style-type: none"> As demonstrated within this report the proposed rear setback is 5.5m in lieu of 6.5m which is considered minor given the width of the proposed car stackers are not considered dominate. The proposed car stackers can be screened to provide a higher level of amenity, and a condition on the planning approval can be applied to this effect. However, a 4m high screen with landscaping is proposed to facilitate a high degree of amenity to the rear residential properties.

Comments Received in Objection:	Applicant Comment:
<p><u>Overshadowing</u></p> <ul style="list-style-type: none"> • The development will block the nearby properties access to natural light from the balconies and within the dwellings. • The development will overshadow the nearby residential properties' common outdoor area and reduce the quality and useability of these spaces. 	<ul style="list-style-type: none"> • The proposal does not overshadow residential properties.
<p><u>Character</u></p> <ul style="list-style-type: none"> • The proposed car stackers are not consistent with the character of the area. The development will have a negative impact on the streetscape. • <i>'The subject site is surrounded by buildings that are, in contrast, of a residential or light commercial nature, the mechanical and industrial nature of the development is not congruent to the neighbourhood in terms of visual character.'</i> 	<ul style="list-style-type: none"> • This area has traditionally been made up of commercial and light industrial uses, which is an extension of Claisebrook North. The residential development emerging along Lord Street only form part of the current fabric. The City's Local Planning Strategy clearly states that a mixture of uses is preferred in this precinct, to retain its diversity and local economy/employment. Furthermore, the proposed use has been approved.
<p><u>Landscaping</u></p> <ul style="list-style-type: none"> • The proposed landscaping is inadequate to reduce the impact of the development on the nearby residential properties. • The proposal does not indicate any significant landscaping to reduce impact on nearby residential properties. 	<ul style="list-style-type: none"> • Should this application be approved the landscaping will be reinstated in accordance with the planning approval granted of 22 May 1995.

Comments Received in Objection:	Applicant Comment:
<ul style="list-style-type: none"> • The proposal does not increase or improve tree and vegetation coverage or provide a sense of open space between buildings. • The proposal does not provide for landscape design which increases the amenity for the nearby properties and street. 	
<p><u>Traffic</u></p> <ul style="list-style-type: none"> • The proposal will increase traffic on Lord Street and put more pressure on the Bulwer Street and Lord Street intersection, which is already busy at peak hour. • The subject site is not appropriate for a large car yard. The existing car yard has already created issues with parking within the surrounding streets. • The capacity of the subject site's car parking should have been considered by the landowner at the time of purchase. The development is not suited to the subject site. 	<ul style="list-style-type: none"> • The approved use is not proposing to be modified. Car parking is compliant in accordance with the original approval. The additional car bays available in the car stacker are attributed to storage of vehicles and enable a 'new way' of showcasing the high-end vehicles without the need to have large format show rooms.
<p><u>Noise</u></p> <ul style="list-style-type: none"> • The noise generated by the development and the impact on the nearby residential properties. • The impact of noise is unknown in a car stacker of this scale. • The cumulative impact of the noise by the car stackers and the car wash will significantly 	<ul style="list-style-type: none"> • The manufacturer has advised that the proposal is compliant with the Health Regulations. Notwithstanding, we are happy to accept a condition for an acoustic report.

Comments Received in Objection:	Applicant Comment:
impact the nearby residential properties.	
<u>Other</u> <ul style="list-style-type: none"> The development would block access to City views from the balconies of the nearby residential properties. The development will increase the number of cars and pollution, which may have health impacts this may have on the nearby residential properties. The development will impact on the property values of the nearby residential properties. The development should be moved back further into the mixed use zone, where there is minimum impact of residential properties. The development should be located around the industrial zone or near the Claisebrook train station. 	<ul style="list-style-type: none"> The City's Local Planning Policy 7.1.1 does not consider significant views or property values. Not considered relevant planning matter.

CLAUSE 67 OF THE DEEMED PROVISIONS

In addition to the above, the proposed use as whole has been considered in accordance with clause 67 of the *Planning and Development (Local Planning Schemes) Regulations 2015* as follows:

Clause 67	Response
(a) <i>the aims and provisions of this Scheme and any other local planning scheme operating within the Scheme area;</i>	The existing use has been approved by the City. The proposed car stackers are considered to comply with the provisions of the Scheme.
(b) <i>the requirements of orderly and proper planning including any proposed local planning scheme or amendment to this Scheme that has been advertised under the Planning and Development (Local Planning Schemes)</i>	Nil.

Clause 67	Response
<i>Regulations 2015 or any other proposed planning instrument that the local government is seriously considering adopting or approving;</i>	
<i>(c) any approved State planning policy;</i>	Nil.
<i>(d) any environmental protection policy approved under the Environmental Protection Act 1986 section 31(d);</i>	NA.
<i>(e) any policy of the Commission;</i>	NA.
<i>(f) any policy of the State;</i>	Perth and Peel @ 3.5 Million.
<i>(g) any local planning policy for the Scheme area;</i>	Local Planning Policy 7.1.1 – as discussed within this report.
<i>(h) any structure plan, activity centre plan or local development plan that relates to the development;</i>	NA.
<i>(i) any report of the review of the local planning scheme that has been published under the Planning and Development (Local Planning Schemes) Regulations 2015;</i>	N/A
<i>(j) in the case of land reserved under this Scheme, the objectives for the reserve and the additional and permitted uses identified in this Scheme for the reserve;</i>	N/A
<i>(k) the built heritage conservation of any place that is of cultural significance;</i>	N/A
<i>(l) the effect of the proposal on the cultural heritage significance of the area in which the development is located;</i>	N/A
<i>(m) the compatibility of the development with its setting including the relationship of the development to development on adjoining land or on other land in the locality including, but not limited to, the likely effect of the height, bulk, scale, orientation and appearance of the development;</i>	The proposal has been considered against the LH and objections of LPP 7.1.1 contained within this report.
<i>(n) the amenity of the locality including the following —</i> <i>(i) environmental impacts of the development;</i> <i>(ii) the character of the locality;</i> <i>(iii) social impacts of the development;</i>	The proposal has been considered against the LH and objectives of LPP 7.1.1 contained within this report. Overall the proposed minor variation of 1.5m to height and 1m to rear setbacks is not considered to cause undue environment, character or social impacts to the locality.
<i>(o) the likely effect of the development on the natural environment or water resources and any</i>	Nil.

Clause 67	Response
<i>means that are proposed to protect or to mitigate impacts on the natural environment or the water resource;</i>	
<i>(p) whether adequate provision has been made for the landscaping of the land to which the application relates and whether any trees or other vegetation on the land should be preserved;</i>	The landscaping as approval on 22 May 1995 will be reinstated upon approval of this application.
<i>(q) the suitability of the land for the development taking into account the possible risk of flooding, tidal inundation, subsidence, landslip, bush fire, soil erosion, land degradation or any other risk;</i>	NA.
<i>(r) the suitability of the land for the development taking into account the possible risk to human health or safety;</i>	The proposed development is unlikely to risk human health or safety.
<i>(s) the adequacy of — (i) the proposed means of access to and egress from the site; and (ii) arrangements for the loading, unloading, manoeuvring and parking of vehicles;</i>	Proposed access has already been approved and is not proposed to be altered as part of this application.
<i>(t) the amount of traffic likely to be generated by the development, particularly in relation to the capacity of the road system in the locality and the probable effect on traffic flow and safety;</i>	Status quo.
<i>(u) the availability and adequacy for the development of the following — (i) public transport services; (ii) public utility services; (iii) storage, management and collection of waste; (iv) access for pedestrians and cyclists (including end of trip storage, toilet and shower facilities); (v) access by older people and people with disability;</i>	The proposed development provides adequate facilities as stated within this report.
<i>(v) The potential loss of any community service or benefit resulting from the development other than potential loss that may result from economic competition between new and existing businesses;</i>	NA.
<i>(w) the history of the site where the development is to be located;</i>	NA.
<i>(x) the impact of the development on the community as a whole notwithstanding the</i>	The proposed development is an innovative way of taking a traditional

Clause 67	Response
<i>impact of the development on particular individuals</i>	open sales showroom to a modern car sales premises aligned with more progressive countries and places around the world. The proposed development will not impact the community as it is significantly setback from the streetscape and the width of the proposed stackers are slim.
<i>(y) any submissions received on the application;</i>	Responses have been provided as part of this report.
<i>(za) the comments or submissions received from any authority consulted under clause 66;</i>	Responses have been provided as part of this report.
<i>(zb) any other planning consideration the local government considers appropriate.</i>	N/A

CONCLUSION

In light of the above, the proposed development is considered not to unduly impact upon the primary street of Lord Street due to its significant setback of approximately 58m. Furthermore, the development has been thoughtfully considered and its location provides separation to the abutting multiple dwellings non-habitable areas. Therefore, it is requested that the City of Vincent consider the application on its merits and support the proposal.