



ATTACHMENTS

Planning and Development Committee Meeting

03 February 2016

6.00pm

City of Albany Council Chambers

TABLE OF CONTENTS

Attachment	Report No.	Description	Page No.
A		Planning & Development Committee	
A	PD112	CONSIDERATION OF SCHEME AMENDMENT AND ACTIVITY CENTRE STRUCTURE PLAN – LOT 8888 FLINDERS PARADE AND LOTS 660 AND 661 MARINE TERRACE, MIDDLETON BEACH	1
A	PD113	CONSIDERATION OF SCHEME AMENDMENT – PORTIONS OF LOT 3000 EMU POINT DRIVE, COLLINGWOOD PARK, LOT 3001 ON DEPOSITED PLAN 51548 & PORTION OF LOT 1523 EMU POINT DRIVE, EMU POINT	142
A	PD114	PREPARATION OF <i>DEVELOPMENT APPROVAL EXEMPTION</i> LOCAL PLANNING POLICY	296
A	PD115	RE-NAMING OF CULL ROAD / MUELLER STREET, LOCKYER	304



REPORT ITEM PD112 REFERS

City of Albany

Local Planning Scheme No. 1

Amendment No. xx

Middleton Beach Activity Centre

Scheme Amendment Report

December 2015

PLANNING AND DEVELOPMENT ACT 2005
RESOLUTION DECIDING TO AMEND A LOCAL PLANNING SCHEME

CITY OF ALBANY
LOCAL PLANNING SCHEME NO. 1
AMENDMENT NO. xx

RESOLVED that the Council, in pursuance of Section 75 of the *Planning and Development Act 2005*, initiate an amendment to the City of Albany Local Planning Scheme No. 1 to:

1. Rezone Lot 8888 Flinders Parade, Middleton Beach from the 'Hotel/Motel' and 'Tourist Residential' zones, Lots 660 and 661 Marine Terrace, Middleton Beach from the 'Tourist Residential' zone and portions of Adelaide Crescent, Marine Terrace, Barnett Street, Flinders Parade and Marine Drive from 'Priority Road' and Local Road Reserves to 'Special Use Zone SU_';
2. Amend 'Schedule 4 – Special Use Zones' to incorporate provisions relating to Middleton Beach Activity Centre;
3. Introduce the following land use definition to the City of Albany Local Planning Scheme No. 1:

single attached dwelling means one of a group of two or more attached dwellings, each being separated by a common wall and may include a row house, terrace house or town house, not located above or below another dwelling;
4. Amend the Scheme Maps accordingly.

Dated this day of 20.....

.....

CHIEF EXECUTIVE OFFICER

Minister for Planning

Proposal to amend a Local Planning Scheme

Local Authority: City of Albany

Description of Local

Planning Scheme: Local Planning Scheme No. 1

Type of Scheme: Local Planning Scheme

Serial No. of Amendment: Amendment No. xx

Proposal: To:

1. Rezone Lot 8888 Flinders Parade, Middleton Beach from the 'Hotel/Motel' and 'Tourist Residential' zones, Lots 660 and 661 Marine Terrace, Middleton Beach from the 'Tourist Residential' zone and portions of Adelaide Crescent, Marine Terrace, Barnett Street, Flinders Parade and Marine Drive from 'Priority Road' and Local Road Reserves to 'Special Use Zone SU_';
2. Amend 'Schedule 4 – Special Use Zones' to incorporate provisions relating to Middleton Beach Activity Centre;
3. Introduce the following land use definition to the City of Albany Local Planning Scheme No. 1:

single attached dwelling means one of a group of two or more attached dwellings, each being separated by a common wall and may include a row house, terrace house or town house, not located above or below another dwelling;

4. Amend the Scheme Maps accordingly.



Scheme Amendment Report

Middleton Beach Activity Centre

for LandCorp

Prepared by:

Hames Sharley (WA) Pty Ltd

ABN 42 009 073 563

PN 43460

December 2015

REVISION SCHEDULE

No.	Date	Details	CM
1	13/10/15	Draft v.1	MS
2	12/11/15	Draft v.2	MS
3	01/12/15	Draft v.3	MS
4	09/12/15	Draft v.4	MS
5	18/12/15	Final	MS

DISCLAIMERS

The information contained in this report has been prepared with care by our company, or it has been supplied to us by apparently reliable sources. In either case, we have no reason to doubt its completeness or accuracy. However, neither this company nor its employees guarantee the information, nor does it or is it intended to form part of any contract. Accordingly, all interested parties should make their own inquiries to verify the information, as well as any additional or supporting information supplied, and it is the responsibility of interested parties to satisfy themselves in all respects.

This report is for the use only of the party to whom it is addressed and Hames Sharley disclaims responsibility to any third party acting upon or using the whole or part of its contents.

This document has been prepared for the use of LandCorp only. Copyright © 2015 by Hames Sharley (WA) Pty Ltd. No part of this document shall be reproduced in any form without written permission of Hames Sharley.

Contents

1.	Introduction	3
2.	Site Description.....	4
3.	Planning Context.....	6
4.	Overview of Proposal	12
5.	Conclusion	15

Scheme Amendment Report – Middleton Beach Activity Centre

1. INTRODUCTION

This scheme amendment report has been prepared in support of a proposed amendment to the City of Albany Local Planning Scheme No. 1. The purpose of this amendment to Local Planning Scheme No. 1 is to:

1. Rezone Lot 8888 Flinders Parade, Middleton Beach from the 'Hotel/Motel' and 'Tourist Residential' zones, Lots 660 and 661 Marine Terrace, Middleton Beach from the 'Tourist Residential' zone and portions of Adelaide Crescent, Marine Terrace, Barnett Street, Flinders Parade and Marine Drive from 'Priority Road' and Local Road Reserves to 'Special Use Zone **SU__**';
2. Amend 'Schedule 4 – Special Use Zones' to incorporate provisions relating to Middleton Beach Activity Centre;
3. Introduce the following land use definition to the City of Albany Local Planning Scheme No. 1:

single attached dwelling means one of a group of two or more attached dwellings, each being separated by a common wall and may include a row house, terrace house or town house, not located above or below another dwelling;
4. Amend the Scheme Maps accordingly.

The State Government has recognised redevelopment of the site as important to the future growth of Albany and is committed to the delivery of a redeveloped Middleton Beach Activity Centre. As such, LandCorp wish to facilitate the appropriate redevelopment of the Middleton Beach Activity Centre site ('the site'). As a result, the purpose of this proposed amendment is to establish the framework to guide the future development of the site.

This will be achieved by rezoning the site to the 'Special Use' zone under the Local Scheme, with associated conditions and specific provisions for the planning and development of the land. It will also acknowledge the significance of the site by providing for the preparation of an Activity Centre Structure Plan. This will allow for the flexibility to achieve a high quality built form and public place design and facilitate the development of a safe, vibrant mixed use local centre adjacent to the attractive beach front.

2. SITE DESCRIPTION

2.1. LOCATION

The Middleton Beach Activity Centre is located on the foreshore of King George Sound within an area predominantly developed for residential and tourism purposes. Middleton Beach is accessed from the town centre via Middleton Road or via the scenic route, Marine Drive. It is located approximately 3 km from Albany City Centre.



Figure 1 – Site Plan

The site consists of two residential properties (Lot 660 and Lot 661), the large lot once occupied by the former Esplanade Hotel (Lot 8888) and the adjoining road reserves and foreshore area. The total land area is approximately 3.29 ha.

2.2. DETAILS OF LAND

The relevant details of the land are as follows (excluding road reserve areas):

Details of Land	Plan Survey No.	Title Number	Ownership
Lot 8888 Flinders Parade, Middleton	052882	Vol 2736 Folio 785	Western Australian Land Authority (LandCorp)
Lot 660 Marine Terrace, Middleton	120097	Vol 1305 Folio 32	Private
Lot 661 Marine Terrace, Middleton	120097	Vol 1722 Folio 880	Private

2.3. LAND USES

Middleton Beach provides a hub of recreational activities for both residents and tourists alike. Restaurants, shops and a wine bar are located in close vicinity of Middleton Beach with a developed recreational area of the foreshore. Tourist accommodation ranging from a caravan park to self contained units and bed and breakfast are located on the foreshore and in the immediate neighbourhood.

In particular, Lot 8888 is located on the corner of Flinders Parade and Adelaide Crescent, Middleton Beach and is known as the former Esplanade Hotel site, which has been an iconic seaside location for Albany residents and holiday makers since the construction of the first Esplanade Hotel in the 1890s. The hotel was rebuilt a number of times over the 20th century, most recently in 1991 as a five star boutique hotel with extensive public facilities.

Lot 8888 has been vacant since demolition of the hotel and associated accommodation units in January 2007. All previous development approvals granted by the City have lapsed. LandCorp became the owner of the site in December 2014.

Lots 660 and 661 currently accommodate residential dwellings which are in private ownership. Demolition of these dwellings to facilitate redevelopment of this portion of the site will be at the discretion of the owners(s). Including these private residential lots within the Improvement Plan No. 40 area has allowed for an improved opportunity for a consolidated development of the site.

3. PLANNING CONTEXT

3.1. STATE PLANNING CONTEXT

3.1.1. WAPC IMPROVEMENT PLAN NO. 40 – MIDDLETON BEACH ACTIVITY CENTRE

In 2014, under section 119 of the *Planning and Development Act 2005*, the WAPC enacted Improvement Plan No. 40 - Middleton Beach Activity Centre over Lot 8888 Flinders Parade, Lots 660 and 661 Marine Terrace and the surrounding road reserves to help optimise the opportunity for successful development and to provide the WAPC with the authority to undertake the necessary tasks to plan for and progress the redevelopment of the site. Improvement Plan No. 40 became operational on 31 October 2014.

The aim of the Improvement Plan is to guide the planning, development and use of the land by establishing the strategic intent for the redevelopment, through the preparation of statutory plans and policy instruments as required and sets out the redevelopment objectives.

Improvement Plan No. 40 applies to the same area as shown in Figure 1 of this report, bound by Adelaide Crescent, Marine Terrace, Barnett Street, Flinders Parade and Marine Drive, Middleton Beach.

Improvement Plan No. 40 provides for the making of an Improvement Scheme. However, in February 2015, the Middleton Beach Activity Centre Working Group comprising representatives from LandCorp, Department of Planning, City of Albany, Great Southern Development Commission and Department of Lands agreed that a Local Scheme Amendment and Structure Plan was the preferred mechanism for the statutory planning of the Middleton Beach Activity Centre.

The following objectives of the Improvement Plan No. 40 have been taken into account during the preparation of the scheme amendment and Activity Centre Structure Plan for the site and are included within the proposed special use provisions of the Scheme:

- *To develop the Middleton Beach Activity Centre in a co-ordinated manner, recognising its significance for local recreation, organised sporting and cultural events and as a tourist destination;*
- *To achieve a high quality built form and public place design across the scheme area and public foreshore reserve interfaces that recognise the iconic location and significance of the site to the community;*
- *To integrate development of public and private land to establish a safe, vibrant mixed use centre with an active beach front and urban edge that includes but is not limited to: local and tourist facilities; restaurants, cafes and shops; holiday and short stay accommodation; together with a range of permanent residential uses but excludes detached houses;*
- *To facilitate the provision of an effective, efficient, integrated and safe transport network that prioritises pedestrians, cyclists and public transport users;*
- *To encourage provision of parking that is efficient and promotes the establishment of shared, reciprocal and common use facilities;*
- *To encourage development to incorporate sustainable technologies and design including best practice with regard to energy efficiency, water sensitive urban design and fire safety requirements; and*
- *To facilitate opportunities for investment and development.*

3.1.2. WAPC STATE PLANNING POLICIES

WAPC State Planning Policies are prepared and adopted by the WAPC under the *Planning and Development Act 2005*. Local Government must have due regard to the provisions of State Planning Policies when preparing or amending local planning schemes. Relevant to this amendment are SPP 2.6 - State Coastal Planning, SPP3 – Urban Growth and Settlement and SPP 3.1 – Residential Design Codes, which are outlined below.

State Planning Policy 2.6 – State Coastal Planning

State Planning Policy (SPP) 2.6 sets out measures to help contribute to the long term sustainability of WA's coast. The Policy provides guidance in terms of managing development and land use change; establishment of coastal foreshore reserves; and measures to protect, conserve and enhance coastal values.

Importantly the Policy requires that coastal hazard risk management and adaptation is appropriately planned for as well as encouraging innovative approaches to managing coastal hazard risk. In that regard, specialist consultants have been engaged to complete a Coastal Hazard Risk Management and Adaptation Plan (CHRMAP) for the Middleton Beach Activity Centre site. The CHRMAP is in accordance with the requirements of SPP 2.6. Review of the potential coastal hazards and associated risks for existing and proposed assets within and around the proposed MBAC indicates there are coastal risks that require management in the future.

State Planning Policy 3 – Urban Growth and Settlement

SPP 3 sets out the principles and considerations which apply to planning for urban growth and settlement in WA. The objectives of SPP 3 relevant to this amendment are:

- *To build on existing communities with established local and regional economies, concentrate investment in the improvement of services and infrastructure and enhance the quality of life in those communities.*
- *To manage the growth and development of urban areas in response to the social and economic needs of the community and in recognition or relevant climatic, environmental, heritage and community values and constraints.*
- *To promote the development of a sustainable and liveable neighbourhood form which reduces energy, water and travel demand whilst ensuring safe and convenient access to employment and services by all modes, provides choice and affordability of housing and creates an identifiable sense of place for each community.*

SPP3 identifies 7 key policy measures. The following outlines those policy measures relevant to this amendment:

- *Creating sustainable communities:* The key requirements for a sustainable community are:
 - A strong, diversified and sustainable economic base with assured access to jobs and employment;
 - Clustering retail, employment, recreational and other activities which attract large numbers of people in existing and proposed activity centres; and
 - Good urban design which creates and enhances community identity, sense of place, liveability and social interaction in new and existing neighbourhoods.

- *Planning for liveable neighbourhoods:* The Liveable Neighbourhoods principles apply to the revitalisation or redevelopment of existing areas. Relevant principles are:
 - a sense of community and strong local identity;
 - safe and convenient access to services and facilities designed for all users, including users with disabilities;
 - active street frontages with buildings facing streets to improve personal safety through increased surveillance and activity; and
 - mixed use urban development which provides for a wide range of living, employment and leisure opportunities.

State Planning Policy 3.1 : Residential Design Codes

The Residential Design Codes provides a comprehensive basis for the control of residential development throughout WA. Part 6 of the Codes provides design elements for multiple dwellings in areas coded R30 or greater, within mixed use development and activity centres. These design elements (i.e car parking, height and setbacks) will be considered in the preparation of the Middleton Beach Activity Centre Structure Plan and assessment of development.

WAPC Planning Bulletin No. 83 – Planning for Tourism

Consistent with WAPC Planning Bulletin 83 – Planning for Tourism, a strategic and flexible approach is proposed through the Middleton Beach Activity Centre Structure Plan and scheme amendment. The site has been determined as being suitable for mixed use and residential development against the guiding principles outlined within Planning Bulletin 83.

As the site is located within an existing tourism precinct, this proposed amendment has been prepared taking into account the issues and objectives for the precinct as outlined within Improvement Plan No. 40.

Importantly, as the City's relevant Local Planning Policies are not consistent with the WAPC's approach to tourism planning, Planning Bulletin 83 allows for this amendment and associated Activity Centre Structure Plan to override the current Policy provisions.

3.2. LOCAL PLANNING CONTEXT

3.2.1. CITY OF ALBANY LOCAL PLANNING SCHEME NO. 1

The City of Albany Local Planning Scheme No. 1 was gazetted on 28 April 2014. It currently zones the land within the Middleton Beach Activity Centre area a combination of 'Hotel/Motel' and 'Tourist Residential' zone, as well as 'Priority road' reserve and applicable road reserves.

The current zoning of the site under the Local Planning Scheme is not conducive to facilitating development in the manner envisaged for, or befitting this iconic location. Rezoning of the site to 'Special Use' will allow for:

- The introduction of an Activity Centre Structure Plan over the site, to guide future development;
- Provide for a range of suitable land uses and remove land use incompatibilities that may exist under the current local planning scheme; and
- Allow for site specific provisions and conditions to allow for future development to occur that may not otherwise have been permitted under the current planning framework.

3.2.2. CITY OF ALBANY LOCAL PLANNING STRATEGY

The Albany Local Planning Strategy (ALPS) was endorsed by the WAPC on 26 August 2010 and establishes the following planning principle for tourism.

"Albany remains the premier tourism destination on the South Coast and will provide a complete tourism experience".

This overarching principle is supported by the following four planning objectives:

- To retain existing and facilitate new tourism developments which are sympathetic to community and environmental considerations.
- Promote the development of sustainable tourist accommodation.
- To encourage ecotourism development that is sustainable and compatible with the environment and culture of the locality.
- To protect and enhance Albany's iconic sites.

3.2.3. CITY OF ALBANY ACTIVITY CENTRE PLANNING STRATEGY (2012)

The objectives of the City of Albany Activity Centre Planning Strategy are as follows:

- Promote and facilitate the provision and responsive evolution of a viable, convenient, and attractive network of activity centres to serve the retail, other commercial and socio/ cultural needs of the regional and local population;
- Encourage and facilitate the provision of more localised business and employment opportunities; and
- Preserve and where possible enhance the local character and amenity of residential neighbourhoods.

The City of Albany Activity Centre Planning Strategy identifies Middleton Beach as an Activity Centre (Local Centre). Accordingly an Activity Centre Structure Plan has been prepared to guide the future development of the site.

3.2.4. CITY OF ALBANY TOURISM ACCOMMODATION PLANNING STRATEGY (2010)

The City of Albany prepared the Tourism Accommodation Planning Strategy (2010) to provide the community with a degree of confidence on planning decisions relating to the preservation and planning of tourism sites. The strategy undertakes a supply and demand analysis of tourism accommodation and defines at a local level, those sites that the City of Albany wishes to identify as “strategic tourism sites” into the future.

The Strategy identifies five ‘strategic’ sites in the City of Albany of which the former Esplanade Hotel is one such a site. Strategic Tourism Sites are defined as *“those of State significance, which display characteristics that set them apart from other tourism sites in terms of potential for tourism development and benefit to the tourism industry”*. Local strategic sites are defined as *“sites of high value, accessible, unique sites that are primary contributors to the tourism market positioning of Albany”*.

Based upon the demand analysis, Albany currently has a good mix of tourist accommodation from caravan parks to resorts. There does not appear to be a demand for higher return motels, hotels and/or additional resorts. Based upon the findings of this report, the following Local Planning Policy was prepared.

3.2.5. CITY OF ALBANY LOCAL PLANNING POLICY – SIGNIFICANT TOURIST ACCOMMODATION SITES

In accordance with the recommendation of the above Tourist Accommodation Planning Strategy, the “Local Planning Policy – Significant Tourist Accommodation Sites” classifies the former Esplanade Hotel site as a “Local Strategic” site.

The Policy limits the percentage of permanent residential accommodation that may be provided. The Policy recommended that:

- The site be zoned with a dual zoning of ‘Hotel/Motel’ and ‘Tourist Residential’;
- A hotel be constructed on site for tourist accommodation; and
- 65% of the site be utilised for tourist accommodation and 35% for permanent residential.

It should be noted that the proposed scheme amendment and associated Activity Centre Structure Plan does not include measures to enforce the above percentage caps. Instead, consistent with WAPC Planning Bulletin 83 – *Planning for Tourism* a more strategic and flexible approach is proposed through the Activity Centre Structure Plan. Consistent with the policy position of the WAPC, the strategic planning currently underway seeks to encourage a range of compatible uses (including a mixture of residential and non-residential uses) to help provide for a diverse tourism industry. Importantly, as the existing Local Planning Policy is not consistent with the WAPC’s approach to tourism planning, Planning Bulletin 83 allows for this amendment and associated Activity Centre Structure Plan to override the current Policy provisions.

3.2.6. CITY OF ALBANY LOCAL PLANNING POLICY – MIDDLETON BEACH TOURIST PRECINCT

The objectives of the Middleton Beach Tourist Precinct are to:

- Create a high quality and vibrant beachside tourist precinct;
- Encourage the provision of a wide range of facilities and services to serve both visitors and the local community;
- Encourage a more diverse range of housing and tourist accommodation; and
- Establish appropriate height limits for development within the Precinct.

The Policy assigns the following land use aspirations for each of the roads as follows:

- Flinders Parade 'The Beach Strip' – an active beach front urban edge comprising restaurants, cafes, tourist accommodation and residential apartments.
- Adelaide Crescent 'Local Mixed Use Street' - an informal street incorporating occasional small cafes and other local facilities uses.

The policy provides for a height limit of five storeys (15m to top of external wall with roof above) for the area (with three storeys facing Marine Terrace) and furthermore, outlines requirements for other development standards such as setbacks, bulk and scale and car parking.

All development standards applicable to the site have been reviewed and considered as part of the concept planning for the Middleton Beach Activity Centre and provision for their variation provided for within the special use provisions and/or Activity Centre Structure Plan, where applicable.

4. OVERVIEW OF PROPOSAL

4.1. BACKGROUND

Concept Planning over the site has been underway for over 12 months and has been informed by a detailed site and context analysis, analysis of key strategic drivers and demographics as well as extensive consultation with the local community and key stakeholders.

This has set the framework for the preparation of an Activity Centre Structure Plan, informed by site responsive urban design and planning analysis as well as the findings of various technical studies including coastal management, engineering, bushfire management, traffic and transport.

The Activity Centre Structure Plan is supported by the provisions set out within the proposed 'Special Use' zone and will provide the guiding framework for the future development of the site including land uses and built form.

This serves the dual role of providing flexibility for developers of the site but also providing the ability for determining authorities (the City of Albany and Development Assessment Panels) to approve future development applications with a high degree of certainty.

4.2. POSSIBLE LAND USES

Planning undertaken to date has determined that the site may be developed for a mix of uses including tourist facilities, restaurants, cafés, shops, holiday and short stay accommodation and permanent residential apartments. The Activity Centre Structure Plan area has been categorised by a range of identifiable Precincts each with different development and land use requirements.

The development of the site will also be facilitated by the realignment of Flinders Parade to the west of its current alignment.

The intentions for the development of the area are detailed within the Activity Centre Structure Plan, and this Scheme Amendment supports this by setting out the specific built form requirements as well as any variations to the R-Codes and Local Scheme requirements that are required in order to allow the vision of the Activity Centre Structure Plan to be realised.

4.3. PROPOSED SCHEME PROVISIONS

With the introduction of Local Planning Scheme Regulations (2015) in October 2015, it has become imperative that enabling provisions be introduced into the Local Scheme by way of a scheme amendment. Rezoning the site to 'Special Use' will allow for the introduction of an Activity Centre Structure Plan to guide future development, and importantly it will allow for the introduction of context specific conditions and provisions applicable to the site.

The provisions and conditions of the 'Special Use' zone (as set out in the proposed table at the rear of this document) will allow for variations to the requirements of the Residential Design Codes and Local Planning Policy as they will be enshrined within the Local Planning Scheme. They will also set out specific requirements in terms of built form.

Variations

The following table sets out relevant planning requirements applicable to the site and proposed variations that are required to be accommodated via this scheme amendment.

Requirement	Variation Proposed
City of Albany Local Planning Scheme No. 1	
<i>Refer to Residential Design Codes and adopted structure plans and Local Planning Policies.</i>	Not applicable.
Car Parking <ul style="list-style-type: none"> Hotel – 1 bay per employee + 1 per 3 sqm bar area + 1 per 4 seats in dining area + 1 per bedroom + 1 per 4 sqm in other public areas. Multiple Dwellings- As per R-Codes. Retail – 1 per 20 sqm NLA (Shop) 	<p>As expanded upon in the Middleton Beach Activity Centre Transport Assessment (Cardno, 24 November 2015) a reduction in parking is requested through the Activity Centre Structure Plan. This is achieved through a requirement that:</p> <ul style="list-style-type: none"> parking for retail be provided at 50% of the Local Scheme requirement; and for the 'Hotel' use, employee parking be reduced by 50% and no dedicated parking spaces be provided for the bar and dining areas associated with the hotel.
Bicycle Parking <ul style="list-style-type: none"> Hotel – 1 per 10 car bays. Multiple Dwellings – As per R-Codes. Retail – 1 per 20 car bays. 	As expanded upon in Cardno's traffic report in order to encourage the use of active transport modes, additional bicycle parking facilities are proposed.
Residential Design Codes	
Height <ul style="list-style-type: none"> As per Table 4 of the R-Codes 	Generally 2 – 5 storeys, with the proposed Hotel / Mixed Use site to be up to 12 storeys in the vicinity of Mt Adelaide.
Setbacks <ul style="list-style-type: none"> As per Table 4 of the R-Codes 	Generally nil street and side setbacks.
Car Parking <ul style="list-style-type: none"> Less than 110 sqm / 1 or 2 bedrooms = 1.25 bays p/dwelling. 110 sqm or greater / 3 or more bedrooms = 1.5 bays p/dwelling Visitor Parking = 0.25 bays p/dwelling 	As expanded upon in Cardno's traffic report a reduction in parking is requested through the Activity Centre Structure Plan. This is achieved through a requirement that no dedicated residential visitor parking spaces be provided for the residential component.
Bicycle Parking <ul style="list-style-type: none"> 1 bicycle parking space for residents for each 3 dwellings. 1 bicycle parking space for visitors for each 10 dwellings. 	<p>As expanded upon in Cardno's traffic report in order to encourage the use of active transport modes, additional bicycle parking facilities are proposed.</p> <p>This will be achieved via a requirement for 1 bicycle parking space per residential dwelling and 1 bicycle parking space per 10 dwellings for visitors.</p>

City of Albany Local Planning Policy – Significant Tourist Accommodation Sites	
65% of the site to be utilised for tourist accommodation and 35% for permanent residential.	<p>No set percentage required.</p> <p>As the City's relevant Local Planning Policies are not consistent with the WAPC's approach to tourism planning, Planning Bulletin 83 allows for this amendment and associated Activity Centre Structure Plan to override the current Policy provisions.</p>
City of Albany Local Planning Policy – Middleton Beach Tourist Precinct	
Height limit of five storeys (15m to top of external wall with roof above) for the area (with three storeys facing Marine Terrace).	Generally 2 – 5 storeys, with the proposed Hotel / Mixed Use site to be up to 12 storeys in the vicinity of Mt Adelaide.
Except for residential development, where the development generates its peak parking demand outside of 8am to 5pm and is within 200 metres of the foreshore car park a 50% reduction in the parking requirement will be considered by Council.	As expanded upon in Cardno's traffic report a reduction in parking is requested through the Activity Centre Structure Plan.

5. CONCLUSION

The proposed scheme amendment seeks to introduce a zoning of 'Special Use' over Lot 8888 Flinders Parade, Lots 660 and 661 Marine Terrace and portions of Adelaide Crescent, Marine Terrace, Barnett Street, Flinders Parade and Marine Drive, Middleton Beach.

This will assist in facilitating the future development of a vibrant mixed use activity centre next to the active beach front that provides for high quality built form and public place design. The rezoning of the Middleton Beach Activity Centre to 'Special Use', with associated provisions, under the City of Albany Local Planning Scheme No. 1 will set the basis for the appropriate redevelopment of the site and allow for community input through the Activity Centre Structure Plan preparation process.

PLANNING AND DEVELOPMENT ACT 2005

CITY OF ALBANY

LOCAL PLANNING SCHEME NO. 1

AMENDMENT NO. xx

The City of Albany under and by virtue of the powers conferred upon it in that behalf by the *Planning and Development Act 2005*, hereby amends the above Local Planning Scheme 1 to:

1. Rezone:
 - a. Lot 8888 Flinders Parade, Middleton Beach from the 'Hotel/Motel' and 'Tourist Residential' zones to 'Special Use Zone SU_';
 - b. Lots 660 and 661 Marine Terrace, Middleton Beach from the 'Tourist Residential' zone to 'Special Use Zone SU_';
 - c. Portions of Adelaide Crescent, Marine Terrace, Barnett Street, Flinders Parade and Marine Drive from 'Priority Road' and Local Road Reserves to 'Special Use Zone SU_';
2. Amend Schedule 4 – Special Use Zones by inserting 'Special Use SU_' in the schedule and incorporate provisions relating to Middleton Beach Activity Centre as follows;

No.	Description of Land	Special Use	Conditions
SU_	Middleton Beach Activity Centre	Land use permissibilities within the precincts shown on the Middleton Beach Activity Centre Precinct Plan are as follows:	1. All development within the Middleton Beach Activity Centre Special Use zone shall comply with the following performance criteria:
	Lot 8888 Flinders Parade	Hotel / Mixed Use Precinct	(a) The Middleton Beach Activity Centre is developed in a co-ordinated manner, recognising its significance for local recreation, organised sporting and cultural events and as a tourist destination;
	Lots 660 and 661, Marine Terrace	Car Park 'D'	(b) High quality built form and public place design is provided across the Special Use zone and public foreshore reserve interfaces recognise the iconic location and significance of the site to the community;
	Adjacent road reserves being portions of Adelaide Crescent,	Exhibition Centre 'A'	
	Marine Terrace, Barnett Street,	Holiday Accommodation 'D'	
	Flinders Parade and Marine Drive,	Hotel (up to 5 storeys (21.5 metres) 'P'	
		Hotel (above 5 storeys (21.5 metres) 'A'	
		Market 'D'	(c) The development of public and private land is integrated to establish a safe, vibrant mixed use centre with an active beach front and urban edge that includes
		Multiple Dwelling	

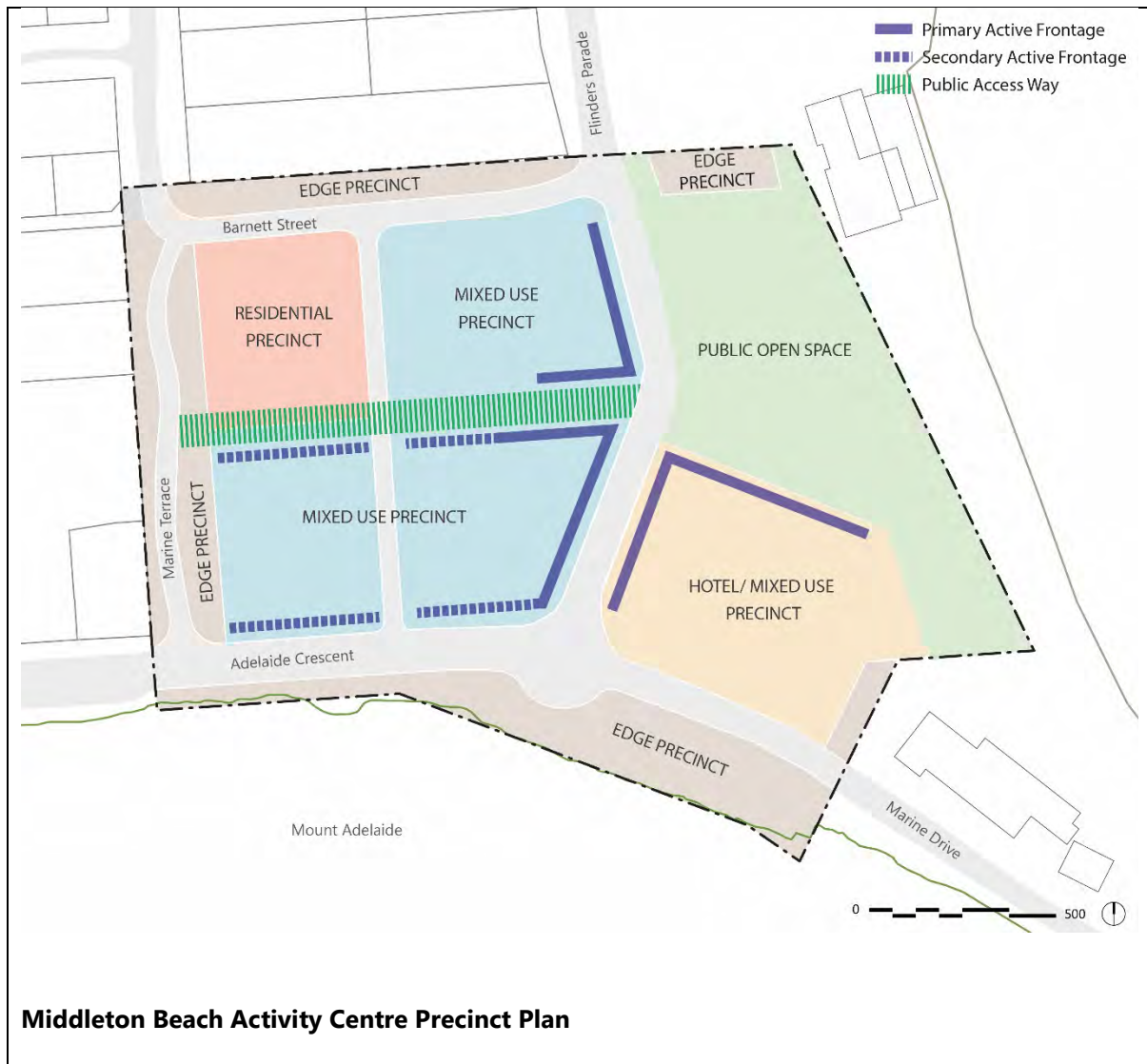
Middleton Beach	<p>(up to 5 storeys (21.5 metres) 'P'(1)</p> <p>Multiple Dwelling (above 5 storeys (21.5 metres) 'A'(1)</p> <p>Nightclub 'D'</p> <p>Public Utility 'D'</p> <p>Recreation-Private 'A'</p> <p>Restaurant 'D'</p> <p>Shop 'A'</p> <p>Small Bar 'A'</p> <p>Tavern 'A'</p> <p>Mixed Use Precinct</p> <p>Car Park 'D'</p> <p>Consulting Rooms 'D'</p> <p>Convenience Store 'D'</p> <p>Exhibition Centre 'A'</p> <p>Holiday Accommodation 'P'</p> <p>Hotel 'D'</p> <p>Market 'D'</p> <p>Multiple Dwelling 'P'(2)</p> <p>Office 'D'</p> <p>Public Utility 'D'</p> <p>Recreation-Private 'A'</p> <p>Restaurant 'D'</p> <p>Shop 'D'</p> <p>Single Attached Dwelling 'D'(2)</p> <p>Small Bar 'A'</p> <p>Tavern 'A'</p> <p>Residential Precinct</p> <p>Home Office 'D'</p> <p>Multiple Dwelling 'P'</p> <p>Public Utility 'D'</p> <p>Single Attached Dwelling 'P'</p> <p>Edge Precinct</p> <p>Car Park 'D'</p> <p>(1) Means the use is prohibited where it fronts the street at pedestrian level.</p>	<p>but is not limited to: local and tourist facilities; restaurants, cafes and shops; holiday and short stay accommodation; together with a range of permanent residential uses but excludes detached houses;</p> <p>(d) An effective, efficient, integrated and safe transport network that prioritises pedestrians, cyclists and public transport users is provided;</p> <p>(e) Vehicle parking is efficient and promotes the establishment of shared, reciprocal and common use facilities;</p> <p>(f) Developments incorporate sustainable technologies and design including best practice with regard to energy efficiency, water sensitive urban design and fire safety requirements; and</p> <p>(g) Opportunities for investment and development are facilitated.</p> <p>2. Due regard shall be given to the Activity Centre Structure Plan prepared prior to the development of the land in accordance with the relevant clauses within the deemed provisions for Local Planning Schemes.</p> <p>3. Notwithstanding that a use is not specifically listed in this schedule, the Local Government may consider the proposed use on its merits where that use and development complies with the performance criteria set out in Condition 1 and other relevant conditions in this schedule and is compatible with the listed uses in the designated precinct.</p> <p><u>Bushfire Management</u></p> <p>4. The Middleton Beach Activity Centre has been identified as a bushfire prone area and development and use of the site shall comply with the provisions of the approved Bushfire Management Plan and the Scheme.</p>
-----------------	---	--

		<p>(2) <i>Means that the use is prohibited where it fronts the street at pedestrian level within the 'Primary Active Frontage' area as depicted on the Precinct Plan.</i></p>	<p>5. All residential buildings and, as far as is practicable, non-residential developments, are to incorporate the bushfire resistant construction requirements of the Building Code, including as appropriate the provisions of AS3959 <i>Construction of Buildings in Bushfire Prone Areas</i> (as amended), commensurate with the bushfire attack level (BAL) established for the relevant portion of the site.</p> <p><u>Development Requirements</u></p> <p>6. Before commencing or carrying out any development on land within the Special Use zone, the developer must comply with the requirements of any relevant design guidelines administered by the City of Albany.</p> <p>7. Notwithstanding the permissibility of the proposed use, any works proposed to be undertaken within the Special Use zone shall require the planning approval of Council following advertising of the proposal in accordance with clause 64(3) of the Deemed Provisions unless exempted by the provisions of Schedule 2, Cl 61 (1) of the Deemed Provisions to the Planning and Development Regulations 2015.</p> <p>8. Any approved development is to be constructed to plate height prior to the submission of any diagram or plan of survey (deposited plan) for subdivision of the parent lot to create individual lot(s) for the development(s).</p> <p>9. Basement car parking shall be integrated into the built form and screened from view, such that the car parking area is not directly visible from the street or other public spaces. Car parking areas shall be accessed from a laneway or secondary street where available.</p> <p>10. Car parking shall be provided in accordance with the provisions of the Scheme unless otherwise stated in Condition 11 below.</p>
--	--	---	---

			<p>11. The following development requirements specifically apply to the precincts as identified on the Middleton Beach Activity Centre Precinct Plan below:</p> <p><u>Hotel / Mixed Use Precinct</u></p> <p>Building Height:</p> <ul style="list-style-type: none"> • 5 storey (21.5 metres) height limit; • Development of a hotel use and/or holiday accommodation and/or multiple dwellings above 5 storeys (21.5 metres) may be considered to a maximum of 12 storeys (46 metres) if the following can be demonstrated: <ul style="list-style-type: none"> ○ The proposed development accords with the key principles as outlined in condition 13 below; and ○ The proposed development accords with any relevant design guidelines administered by the City of Albany. <p>Setbacks:</p> <ul style="list-style-type: none"> • Generally nil street and side setbacks. <p>Car Parking:</p> <ul style="list-style-type: none"> • Hotel 1 bay per 2 employees + 1 per bedroom + 1 per 4 sqm in other public areas. • Retail – 1 bay per 40 sqm NLA. • No visitor car parking requirement for permanent residential developments. <p>Bicycle Parking:</p> <ul style="list-style-type: none"> • 1 bicycle parking space per residential dwelling and 1 bicycle parking space per 10 dwellings for residential visitors. <p>Access:</p> <p>Delivery services are prohibited from occurring on the Flinders Parade frontage of the Hotel / Mixed Use site.</p>
--	--	--	---

			<p><u>Mixed Use Precinct</u></p> <p>Building Height:</p> <ul style="list-style-type: none"> • 2 storey (11 metres) minimum / 3 storey (14.5 metres) maximum between Barnett Street and the Public Access Way. • 2 storey (11 metres) minimum / 4 storey (18 metres) maximum for development fronting the southern extent of the Public Access Way; • 2 storey (11 metres) minimum / 5 storey (21.5 metres) maximum for development south of the Public Access Way, fronting Adelaide Crescent or Flinders Parade. <p>Setbacks:</p> <p>Generally nil street and side setbacks.</p> <p>Car Parking:</p> <ul style="list-style-type: none"> • No visitor car parking requirement for permanent residential developments. • Retail – 1 bay per 40 sqm NLA. <p>Bicycle Parking:</p> <ul style="list-style-type: none"> • 1 bicycle parking space per residential dwelling and 1 bicycle parking space per 10 dwellings for residential visitors. <p><u>Residential Precinct</u></p> <p>Building Height:</p> <ul style="list-style-type: none"> • 2 storey (10 metres) minimum / 3 storey (13.5 metres) maximum between Barnett Street and the Public Access Way. <p>Setbacks:</p> <ul style="list-style-type: none"> • Generally nil street and side setbacks. <p>Car Parking:</p> <ul style="list-style-type: none"> • No visitor car parking requirement for permanent residential developments. <p>Bicycle Parking:</p> <ul style="list-style-type: none"> • 1 bicycle parking space per residential dwelling and 1 bicycle parking space per 10 dwellings for residential visitors.
--	--	--	--

			<p><u>Active Frontages</u></p> <p>12. Areas marked as 'Active Frontage' on the Precinct Plan encourage a range of active uses at the pedestrian level. Specifically this shall be achieved by:</p> <ul style="list-style-type: none"> • Residential uses at the pedestrian level in areas delineated as 'Primary Active Frontage' are prohibited. • Areas delineated as either 'Primary Active Frontage' or 'Secondary Active Frontage' shall demonstrate measures have been undertaken to build adaptability into the development at ground floor level. <p><u>Key Principles for Hotel / Mixed Use Precinct</u></p> <p>13. Any application within the Hotel / Mixed Use Precinct in excess of 5 storeys (21.5 metres) in height is to be supported by a report clearly demonstrating how the following key principles will be achieved and enhanced via the proposed development:</p> <ul style="list-style-type: none"> • Contributes positively to the public realm; • Provides a landmark element on the axis of Adelaide Crescent and Flinders Parade; • No adverse impacts on the locality are presented by overshadowing; • The height of the proposed development responds to the site and its context and steps built form away from the beach with additional height located towards Mt Adelaide; • Bulk and scale of the proposed development are effectively mitigated; and • The criteria in Condition (1) above have been achieved, in particular: <ul style="list-style-type: none"> ○ Provides high quality built form; ○ Effectively integrates the public realm and private land use; ○ Encourages alternative modes of transport; and ○ Incorporates sustainable technologies and design.
--	--	--	--



3. Introduce the following land use definition to the City of Albany Local Planning Scheme No. 1:

single attached dwelling means one of a group of two or more attached dwellings, each being separated by a common wall and may include a row house, terrace house or town house, not located above or below another dwelling;

4. Amend the Scheme Maps accordingly.

CITY OF ALBANY

Local Planning Scheme No. 1

Amendment No. X

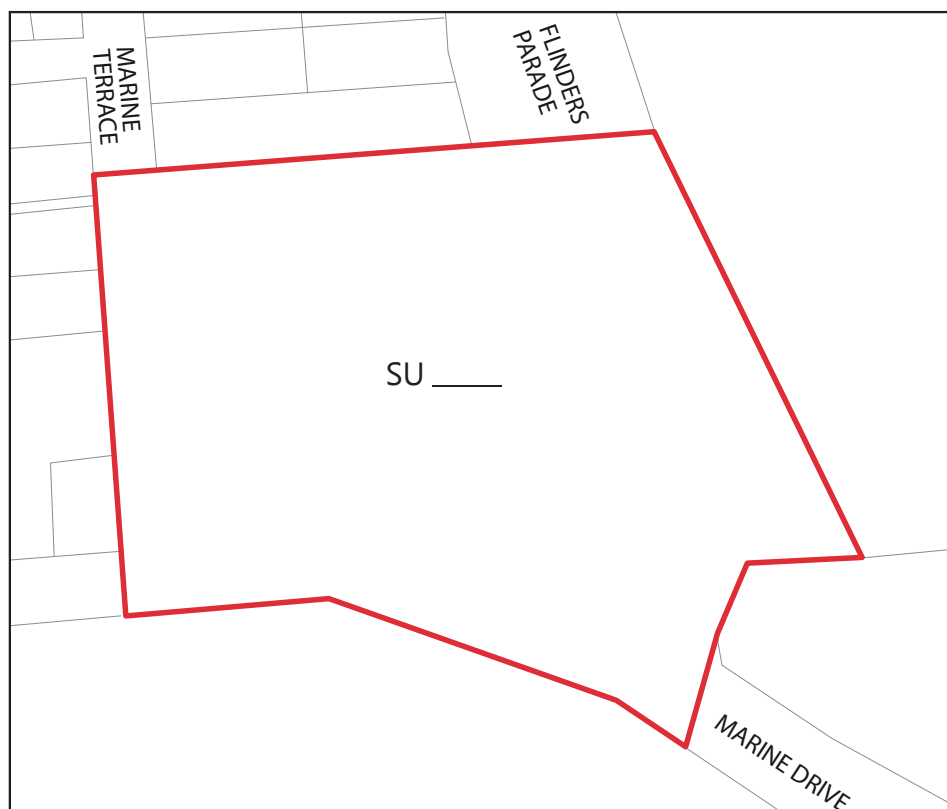


Lot 8888 Flinders Parade, Lots 660 & 661 Marine Terrace, and adjacent road reserves being portions of Adelaide Crescent, Marine Terrace, Barnett Street, Flinders Parade and Marine Drive, Middleton Beach.

LPS

- Hotel/ Motel
- Tourist Residential
- Local Centre
- Local Road
- Priority Road
- Parks and Recreation
- Special Use Area

Existing Zoning



Proposed Zoning

ADOPTION

Adopted by resolution of the Council of the City of Albany at the meeting of the
Council held on the day of the 20.....

.....

MAYOR

.....

CHIEF EXECUTIVE OFFICER

FINAL APPROVAL

Adopted for final approval by resolution of the City of Albany at the meeting of the Council held on the day of of 20..... and the seal of the Municipality was pursuant to that resolution hereunto affixed in the presence of:

.....

MAYOR

.....

CHIEF EXECUTIVE OFFICER

Recommended/Submitted for Final Approval

.....

Delegated under S.16 of PD Act 2005

Date:

Final Approval Granted

.....

MINISTER FOR PLANNING

Date:

MIDDLETON BEACH

ACTIVITY CENTRE STRUCTURE PLAN



LandCorp

Middleton Beach
Activity Centre Structure Plan
 December 2015

CONTACT

HAMES SHARLEY

Clare Roszak

Urban Planner

E c.roszak@hamessharley.com.au

Level 2, 50 Subiaco Square
 Subiaco, 6008, Western Australia

T +61 8 9381 0200

F +61 8 9382 4224

Ref: 43460

www.hamessharley.com.au

DISCLAIMER

The information contained in this report has been prepared with care by our company, or it has been supplied to us by apparently reliable sources. In either case, we have no reason to doubt its completeness or accuracy. However, neither this company nor its employees guarantee the information, nor does it or is it intended to form part of any contract. Accordingly, all interested parties should make their own inquiries to verify the information, as well as any additional or supporting information supplied, and it is the responsibility of interested parties to satisfy themselves in all respects.

This report is for the use only of the party to whom it is addressed and Hames Sharley disclaims responsibility to any third party acting upon or using the whole or part of its contents.

This document has been prepared for the use of LandCorp only. Copyright © 2015 by Hames Sharley WA Pty Ltd. No part of this document shall be reproduced in any form without written permission of Hames Sharley.

Revision Letter	Date	Reason for Issue	CM
1	14/10/2015	Draft ACSP Framework (Reviewed by Work Group)	CR
2	16/11/2015	Preliminary Draft Middleton Beach ACSP	CR
3	20/11/2015	Draft Middleton Beach ACSP	CR
4	16/12/2015	Final Draft Middleton Beach ACSP	CR

P:\43460\MiddletonBeach\BanyStatutoryPlanningServices\03Production\06Reports\ActivityCentreStructurePlan\MiddletonACSP\43460\MiddletonBeachActivityCentreStructurePlan14122015.indd

CONTENTS



EXECUTIVE SUMMARY	1
EXECUTIVE SUMMARY	2
01. PART ONE - IMPLEMENTATION	5
1. STRUCTURE PLAN AREA	6
2. OPERATION	6
3. STAGING	6
4. SUBDIVISION AND DEVELOPMENT REQUIREMENTS	7
5. OTHER REQUIREMENTS	7
6. ADDITIONAL INFORMATION	7
02. PART TWO - EXPLANATORY SECTION	9
1 PLANNING BACKGROUND	10
2 SITE CONDITIONS & CONSTRAINTS	19
3 POPULATION AND DWELLINGS	30
4 LAND USE AND SUBDIVISION REQUIREMENTS	38
5 URBAN FORM	46
6 OPEN SPACE / LANDSCAPE	62
7 TRAFFIC	66
8 WATER MANAGEMENT	67
9 INFRASTRUCTURE COORDINATION, SERVICING AND STAGING	68
10 DEVELOPER CONTRIBUTIONS	70
03. TECHNICAL APPENDICES	55
A MIDDLETON BEACH ACTIVITY CENTRE STRUCTURE PLAN MAP	74
B CERTIFICATES OF TITLE	75
C FLORA AND VEGETATION AND FAUNA REVIEW - RPS ENVIRONMENT AND PLANNING PTY LTD 2015	76
D PRELIMINARY SERVICING REPORT - WOOD & GRIEVE ENGINEERS 2015	77
E GEOTECHNICAL INVESTIGATION, PRELIMINARY ACID SULFATE SOILS INVESTIGATION AND DEWATERING INVESTIGATION - GOLDR ASSOCIATES PTY LTD 2015	78
F BUSHFIRE MANAGEMENT PLAN - CALIBRE CONSULTING 2015	79
G COASTAL HAZARD RISK MANAGEMENT AND ADAPTATION PLAN BY M P ROGERS & ASSOCIATES PTY LTD 2015	80
H TRANSPORT ASSESSMENT - CARDNO 2015	81
I LANDSCAPE MASTER PLAN - AECOM	82
J STORMWATER MANAGEMENT PLAN - WOOD AND GRIEVE ENGINEERS 2015	83
K LOCAL WATER MANAGEMENT PLAN - RPS ENVIRONMENT AND PLANNING PTY LTD 2015	90

LIST OF FIGURES

FIGURE 1: MIDDLETON BEACH ACTIVITY CENTRE STRUCTURE PLAN MAP	6
FIGURE 2: CONTEXT LOCATION PLAN	11
FIGURE 3: LOT DETAILS	12
FIGURE 4: LPS1 ZONING (EXTRACT)	13
FIGURE 5: CONTOUR MAPPING	20
FIGURE 6: BUSHFIRE PRONE AREA BUFFER	23
FIGURE 7: MOVEMENT NETWORKS	25
FIGURE 8: DAILY TRAFFIC VOLUMES ON FLINDERS PARADE (SOURCE: CARDNO, APRIL 2007)	26
FIGURE 9: EXISTING FOOTPATH ALONG ADELAIDE CRESCENT (SOURCE: CARDNO, 2015)	27
FIGURE 10: POOR CONDITION OF PEDESTRIAN INFRASTRUCTURE ALONG ADELAIDE CRESCENT	27
FIGURE 11: POOR CONDITION OF PEDESTRIAN INFRASTRUCTURE ALONG BARNETT STREET	27
FIGURE 12: SERVICING AND EASEMENTS	29
FIGURE 13: SUBJECT AREA, SOURCE: ABS 2012	30
FIGURE 14: AGE AND FAMILY COMPOSITION	32
FIGURE 15: DWELLING CHARACTERISTICS, SOURCE: ABS 2012	34
FIGURE 16: TOURISM DEMAND SUMMARY	37
FIGURE 17: STRUCTURE PLAN	41
FIGURE 18: INDICATIVE BUILDING HEIGHT INTEGRATION	43
FIGURE 19: INDICATIVE FORESHORE INTERFACE SETBACK	44
FIGURE 20: ACTIVATION FOCUS WITH FORESHORE AND EXISTING DEVELOPMENT	45
FIGURE 21: ACTIVATION FOCUS WITH ADELAIDE CRESCENT AND EXISTING DEVELOPMENT	45
FIGURE 22: EXISTING CAR PARKING PROVISION	47
FIGURE 23: MBAC CAR PARKING PROVISION	47
FIGURE 24: MIDDLETON BEACH FORESHORE LOOKING TOWARDS THE BEACH	50
FIGURE 25: THREE ANCHORS AND PLAYGROUND SOUTH-EAST OF SITE	50
FIGURE 26 MIDDLETON BEACH FACING NORTH	50
FIGURE 27: MIDDLETON BEACH SURF LIFE SAVING CLUB	50
FIGURE 28: MBAC FACING WEST TOWARDS SITE	51
FIGURE 29: NORTHERN SIDE OF SITE	51
FIGURE 30: MIDDLETON BEACH EXISTING HOUSING ADJACENT TO BARNETT STREET	51
FIGURE 31: WALKING AND CYCLING TRAIL ALONG FORESHORE	51
FIGURE 32: INDICATIVE CONCEPT PLAN	55
FIGURE 33: INDICATIVE BUILT FORM (5 STOREYS) – SOUTH-EAST PERSPECTIVE	56
FIGURE 34: INDICATIVE BUILT FORM (5 STOREYS) – SOUTH-WEST PERSPECTIVE	56
FIGURE 35: INDICATIVE BUILT FORM (12 STOREYS) – SOUTH-EAST PERSPECTIVE	57
FIGURE 36: INDICATIVE BUILT FORM (12 STOREYS) – SOUTH-WEST PERSPECTIVE	57
FIGURE 37: INDICATIVE BUILT FORM (5 STOREYS) – SOUTH-WEST PERSPECTIVE	58
FIGURE 38: INDICATIVE BUILT FORM (5 STOREYS) – NORTH-EAST PERSPECTIVE	58
FIGURE 39: INDICATIVE BUILT FORM (12 STOREYS) – SOUTH-WEST PERSPECTIVE	59
FIGURE 40: INDICATIVE BUILT FORM (12 STOREYS) – NORTH-EAST PERSPECTIVE	59
FIGURE 41: INDICATIVE BUILT FORM (5 STOREYS) – ADELAIDE CRESCENT LOOKING EAST	60
FIGURE 42: INDICATIVE BUILT FORM (5 STOREYS) – VIEW FROM BEACH FORESHORE TO HOTEL/ MIXED USE PRECINCT	60
FIGURE 43: INDICATIVE BUILT FORM (12 STOREYS) – ADELAIDE CRESCENT LOOKING EAST	61
FIGURE 44: INDICATIVE BUILT FORM (12 STOREYS) – VIEW FROM BEACH FORESHORE TO HOTEL/ MIXED USE PRECINCT	61
FIGURE 45: INDICATIVE BUILT FORM (5 STOREYS) – FLINDERS PARADE LOOKING SOUTH	62
FIGURE 46: INDICATIVE BUILT FORM (5 STOREYS) – VIEW FROM BEACH FORESHORE TO HOTE/ MIXED USE PRECINCT	62
FIGURE 47: INDICATIVE BUILT FORM (12 STOREYS) – FLINDERS PARADE LOOKING SOUTH	63
FIGURE 48: INDICATIVE BUILT FORM (12 STOREYS) – VIEW FROM BOARDWALK	63
FIGURE 49: SHADOW CAST AT 12:00PM 21 JUNE	64
FIGURE 50: SHADOW CAST 3:00PM 21 JUNE	64
FIGURE 51: SHADOW CAST AT 12:00PM 21 JUNE	65
FIGURE 52: SHADOW CAST AT 3:00PM 21 JUNE	65
FIGURE 53: LANDSCAPE MASTER PLAN (SOURCE: AECOM)	69
FIGURE 54: STAGING PLAN	73
FIGURE 55: INDICATIVE SUBDIVISION PLAN	75

LIST OF TABLES



TABLE 1: SUMMARY TABLE	3
TABLE 2: LOT DETAILS	12
TABLE 3: PRE LODGEMENT CONSULTATION SUMMARY (TBC)	18
TABLE 4: LAND USE TABLE	39
TABLE 5: BUILDING HEIGHTS	43
TABLE 6: SETBACKS	44
TABLE 7: INDICATIVE DWELLING YIELD	51

ENDORSEMENT PAGE

This Activity Centre Structure Plan is prepared under the provisions of the City of Albany Local Planning Scheme No. 1.

IT IS CERTIFIED THAT THIS ACTIVITY CENTRE STRUCTURE PLAN WAS APPROVED BY RESOLUTION OF THE WESTERN AUSTRALIAN PLANNING COMMISSION ON:

DATE

Signed for and on behalf of the Western Australian Planning Commission:

An officer of the Commission duly authorised by the Commission pursuant to section 16 of the Planning and Development Act 2005 for that purpose, in the presence of:

Witness

Date

Date of Expiry



TABLE OF AMENDMENTS

AMENDMENT NO.	SUMMARY OF THE AMENDMENT	AMENDMENT TYPE	DATE APPROVED BY WAPC

TABLE OF DENSITY PLANS

DENSITY PLAN NO.	AREA OF DENSITY PLAN APPLICATION	DATE ENDORSED BY WAPC

Executive Summary

The Middleton Beach Activity Centre Structure Plan has been prepared for the proposed redevelopment of the Middleton Beach Activity Centre (MBAC), as depicted in **Appendix A**.

The MBAC area is defined by the Middleton Beach Activity Centre Improvement Plan boundary and consists of two residential properties (Lot 660 and Lot 661), a large lot once occupied by the former Esplanade Hotel (Lot 8888) and the adjoining road reserves and foreshore area.

The subject land is situated between Flinders Parade, Adelaide Crescent, Marine Terrace and Barnett Street and includes the site of the former Esplanade Hotel.

The proposed development will create a mixed use centre with tourist facilities, restaurants, cafés, shops, holiday and short stay accommodation and permanent residential apartments. The site will include a general height limit of 3-5 storeys and potential for development up to 12 storeys for the Hotel/Mixed Use Precinct adjacent to Mt Adelaide.

Key design components of the MBAC include:

- + A high street with activated edges;
- + Realignment of Flinders Parade to improve foreshore activation;
- + Improved connectivity to existing retail offerings (Hybla Bar, Bay Merchants, 3 Anchors, Rats);
- + Retain Flinders Parade's visual connection to the foreshore;
- + Slow speed environment on Flinders Parade through on street parking and landscaping treatment; and
- + Pedestrian Access Way (PAW) through the site, providing improved pedestrian access to the foreshore.

In 2014, under section 119 of the Planning and Development Act 2005, the Western Australian Planning Commission (WAPC) enacted Improvement Plan (IP) No. 40 over Lot 8888 Flinders Parade, Lots 660 and 661 Marine Terrace and the surrounding reserves to help optimise the opportunity for successful development.

IP No. 40 sets out future planning, development and land uses by establishing the strategic intent for the site's redevelopment. IP No. 40 was gazetted and came into operation in October 2014. Subsequently, a Local Planning Scheme Amendment and Activity Centre Structure Plan were developed to guide the statutory planning of the site. Accordingly, the MBAC Structure Plan has been developed to assist the detailed planning and design of the site.



Summary Table

Table 1: Summary Table

ITEM	DATA		STRUCTURE PLAN REF (SECTION NO.)
Total area covered by the structure plan	3.29 hectares		1.2.2 Area and Land Use
Area of each land use proposed:	m²	Lot yield	4.0 Land Use and Subdivision Requirements
Residential	1683	1	
Mixed Use	5647	3	
Hotel	3880	1	
POS	5119	1	
Total estimated lot yield	6		4.0 Land Use and Subdivision Requirements
Estimated number of dwellings	295*		5.4 Yield Analysis
Estimated residential site density	257 dwellings per site / hectare		5.4 Yield Analysis
Estimated population	687		Section 3.0 Population and Dwellings
Number of high schools	n/a		n/a
Number of primary schools	n/a		n/a
Estimated commercial floor space	786m ²		Appendix H
Estimated area and percentage of public open space	0.5119 hectares 15.56%		4.0 Land Use and Subdivision Requirements

*Note the yield contained within the Indicative Concept Plan (Figure 32) is based on development achieving the maximum permitted development controls (Height up to 12 storeys) and an assumed dwelling typology and mix. Dwelling yields are indicative, and are likely to vary and be notably less should a reduction in height occur.

PART ONE IMPLEMENTATION 01

PART ONE - IMPLEMENTATION

1. STRUCTURE PLAN AREA

This Structure Plan shall apply to the Middleton Beach Activity Centre, being the land contained within the inner edge of the line denoting the structure plan boundary as shown on the Middleton Beach Activity Centre Structure Plan Map (Figure 1).

2. OPERATION

The Activity Centre Structure Plan shall come into operation on the day it is endorsed by the Western Australian Planning Commission.

3. STAGING

Development of the MBAC is proposed to occur in the following stages:

STAGE 1

Changes to the road network – realignment of Flinders Parade and reconstruction of Adelaide Crescent; bulk earthworks and civil works including the Hotel site.

STAGE 2

Landscaping of the public realm on Flinders Parade, Adelaide Crescent and foreshore areas.

STAGE 3

Bulk earthworks and civil works for the development areas (residential and mixed use sites) as well as Public Access Way and Internal Road; landscaping of Public Access Way and other public realm.

Staging is further discussed and graphically depicted in section 9.2 of this report.

4. SUBDIVISION AND DEVELOPMENT REQUIREMENTS

Specific development requirements for the MBAC are as set out in the 'Special Use' zone scheme provisions.

5. OTHER REQUIREMENTS

The following measures are identified in order to assist with implementation of the MBAC Structure Plan:

- + Amalgamation of existing titles to facilitate development of the five superlots in accordance with the Activity Centre Structure Plan.
- + Although beyond the structure plan boundary, the Coastal Hazard Risk Management and Adaptation Plan sets out steps to be taken by others in order to help protect the site and surrounds from the risks posed by coastal hazards, including increasing the level of the beach in front of the development area to be more consistent with the natural levels of the beach.
- + City of Albany to take over the management and maintenance of the public realm upon completion of development.
- + Traffic management plans will be required to be prepared and submitted to the City of Albany for events/markets within Flinders Parade.



6. ADDITIONAL INFORMATION

ADDITIONAL INFORMATION	APPROVAL STAGE	CONSULTATION REQUIRED

INTENTIONALLY LEFT BLANK



Middleton Beach Activity Centre
STRUCTURE PLAN



0 500
© Hames Sharley
Scale: 1:1000 @ A3



Project Number: 43460
Drawing Number: SP001
Revision: 8
Date: 10.12.2015

Hames Sharley

Figure 1: Middleton Beach Activity Centre Structure Plan Map

PART TWO EXPLANATORY SECTION

02

PART TWO - EXPLANATORY SECTION

1 Planning Background

1.1. INTRODUCTION AND PURPOSE

The Middleton Beach Activity Centre Structure Plan (MBAC Structure Plan) has been prepared to provide a guiding framework for the development of MBAC, in alignment with local and state policy.

The MBAC Structure Plan provides the planning rationale and mechanisms to inform the detailed planning and design of MBAC, including implementation and staging of development.

MBAC Structure Plan provides the framework to deliver the objectives identified within Improvement Plan No. 40 including:

- + To develop the Middleton Beach Activity Centre in a co-ordinated manner, recognising its significance for local recreation, organised sporting and cultural events and as a tourist destination;
- + To achieve a high quality built form and public place design across the scheme area and public foreshore reserve interfaces that recognise the iconic location and significance of the site to the community;
- + To integrate development of public and private land to establish a safe, vibrant mixed use centre with an active beach front and urban edge that includes but is not limited to: local and tourist facilities; restaurants, cafés and shops; holiday and short stay accommodation; together with a range of permanent residential uses but excludes detached houses;
- + To facilitate the provision of an effective, efficient, integrated and safe transport network that prioritises pedestrians, cyclists and public transport users;
- + To encourage provision of parking that is efficient and promotes the establishment of shared, reciprocal and common use facilities;
- + To encourage development to incorporate sustainable technologies and design including best practice with regard to energy efficiency, water sensitive urban design and fire safety requirements; and
- + To facilitate opportunities for investment and development.

MBAC Structure Plan provides the framework to deliver the objectives established by preceding reports and by key stakeholders, these objectives are as follows:

GENERAL OBJECTIVES

- + Produce an optimal outcome that is commercially attractive to stimulate developer interest, considering MBAC in a holistic and integrated way.
- + Facilitate the development of a coastal node and landmark for Middleton Beach that integrates into the surrounding community and adjoining beach front and bushland areas; and reinforces Middleton Beach as a destination for residents, visitors and tourists; and
- + Demonstrates high quality design and sustainability initiatives to promote resource efficiency and encourage lifestyle opportunities, underpinned by the Elements of Sustainable Development (LandCorp Sustainability Elements, Sustainability Report 2013-14).

OBJECTIVES FOR THE COMMUNITY

- + Reinstate the site as a social hub that offers a family-friendly place for the local community;
- + Provide a portion of the site as community use;
- + Create a place that offers high quality landscape and public realm environments;
- + Enhance the identity of Middleton Beach and provide a strong sense of place;
- + Achieve activation and amenity; and
- + Provide a place for social interaction, including families.

OBJECTIVES FOR THE MBAC

- + A landmark site that is reflective of the coastal character and scale of Middleton Beach;
- + An outcome for the broader locality, not just the MBAC; including public realm, traffic circulation and parking;
- + A mix of uses that includes commercial, short stay, tavern and some permanent residential;
- + Focuses on the front of the site for community activity and use;
- + Explores opportunities for function and/or conference facilities as part of a hotel offering; and
- + Establishes a plan to initiate the Scheme Amendment Process.



1.2. LAND DESCRIPTION

1.2.1. LOCATION

Albany is a port city and the regional centre within the Great Southern region of Western Australia. The MBAC is located within Middleton Beach, a coastal suburb considered one of the premier coastal destinations in Albany, approximately 3km east from Albany city centre, as shown on Figure 2.

MBAC is defined by the Middleton Beach Activity Centre Improvement Plan boundary and consists of two residential properties (Lot 660 and Lot 661), a large lot once occupied by the former Esplanade Hotel (Lot 8888) and the adjoining road reserves and foreshore area.

The MBAC is located on the foreshore bound by Barnett Street to the north, Flinders Parade to the east, Adelaide Crescent to the south and Marine Terrace to the west. Middleton Beach is accessed from the town centre via Middleton Road or via the scenic route, Marine Drive.

1.2.2. AREA AND LAND USE

Middleton Beach provides a hub of recreational activities for both residents and tourists. Restaurants, shops and a wine bar are all located in close vicinity of the MBAC area, situated within a developed recreational area of the foreshore.

Lot 8888 is commonly known as the former Esplanade Hotel site, which has been an iconic seaside location for Albany residents and holiday makers. Lot 8888 has been vacant since demolition of the hotel and associated accommodation units in January 2007. All previous development approvals for the lot have lapsed.

Lots 660 and 661 currently accommodate residential dwellings which would be required to be demolished ahead of any redevelopment of the site.

The total land area of the MBAC is 3.29ha.



Figure 2: Context Location Plan

1.2.3. LEGAL DESCRIPTION AND OWNERSHIP

The relevant details of the land are as follows and shown on Figure 3 (excluding road reserve areas), certificate of titles are included as **Appendix B**.

Table 2: Lot Details

DETAILS OF LAND	PLAN SURVEY NO.	TITLE NUMBER	OWNERSHIP
Lot 888 Flinders Parade, Middleton	052882	Vol 2736 Folio 785	West Australian Land Authority (LandCorp)
Lot 600 Marine Terrace, Middleton	120097	Vol 1305 Folio 32	Private
Lot 661 Marine Terrace, Middleton	120097	Vol 1722 Folio 880	Private



Figure 3: Lot Details



1.3. PLANNING FRAMEWORK

1.3.1. ZONING AND RESERVATIONS

CITY OF ALBANY LOCAL PLANNING SCHEME NO. 1

The City of Albany Local Planning Scheme No. 1 (LPS1) was gazetted on 28 April 2014 and provides the statutory basis for town planning in the City of Albany.

Under LPS1 the MBAC Structure Plan area is zoned in part 'Hotel/Motel' and the remainder 'Tourist Residential'. The site also accommodates a 'Priority Road' reserve as well as Local Road reserves. Surrounding the subject site, Middleton Beach is predominately zoned 'Tourist Residential' and reserved for 'Parks and Recreation', as shown on Figure 4.

1.3.2. IMPROVEMENT PLAN NO. 40

In 2014, under section 119 of the Planning and Development Act 2005, the WAPC enacted Improvement Plan (IP) No. 40 over Lot 8888 Flinders Parade, Lots 660 and 661 Marine Terrace and the surrounding reserves to help optimise the opportunity for successful development.

IP No. 40 sets out future planning, development and land uses by establishing the strategic intent for the site's redevelopment. IP No. 40 was gazetted and came into operation in October 2014. Subsequently, a Local Planning Scheme Amendment and Activity Centre Structure Plan were developed to assist the detailed planning and design of the subject site. IP No. 40 is explained in more detail in section 1.3.4. of this document.



Figure 4: LPS1 Zoning (Extract)

1.4. PLANNING STRATEGIES

1.4.1. CITY OF ALBANY LOCAL PLANNING STRATEGY

The City of Albany Local Planning Strategy (ALPS) sets out the intention for future land use and development within the City.

MBAC Structure Plan accords with the key objectives as set out in the ALPS:

- + Coastal Development – “Promote land usage and development proposals compatible with protecting the environmental, social and economic values of the coast and harbours”

MBAC Structure Plan fulfils this objective by providing improved visual and pedestrian connections through and from the site to the foreshore; and providing for appropriate development setbacks and controls through the structure plan and associated scheme amendment.

- + Tourism – “Albany remains the premier tourism destination on the South Coast and will provide a complete tourism experience”.

MBAC Structure Plan complies with, and will help support, the realisation of this principle as well as the following planning objectives of the ALPS:

- + To retain existing and facilitate new tourism developments which are sympathetic to community and environmental considerations;
- + Promote the development of sustainable tourist accommodation;
- + To encourage eco tourism development that is sustainable and compatible with the environment and culture of the locality; and
- + To protect and enhance Albany’s iconic sites.

This will be achieved through improving connections to other attractors in the locality and building upon the current ‘Tourist Residential’ zoning over most of Middleton Beach.

By setting specific controls through the scheme amendment, potential conflicts between tourist and residential uses will be mitigated. This will help to preserve an acceptable balance between tourist accommodation venues and residential encroachment.

1.4.2. CITY OF ALBANY TOURISM ACCOMMODATION PLANNING STRATEGY

The City of Albany Tourism Accommodation Strategy identifies five ‘strategic’ sites in the City of Albany of which the former Esplanade Hotel is one such a site. Strategic Tourism Sites are defined as:

Those of State significance, which display characteristics that set them apart from other tourism sites in terms of potential for tourism development and benefit to the tourism industry.

Local strategic sites are defined as:

Sites of high value, accessible, unique sites that are primary contributors to the tourism market positioning of Albany.

MBAC Structure Plan will help achieve this Strategy as well as its associated Local Planning Policies by setting the framework for the redevelopment of this iconic tourist location and allowing for the potential of the site to be realised. This will be achieved by:

- + Providing for hotel / tourist accommodation on site;
- + Improving connections to the foreshore as well as to retail offerings in Middleton Beach;
- + Providing for activation of Adelaide Crescent as well as the pedestrian link; and
- + Realignment of Flinders Parade to improve foreshore activation.



1.5 PLANNING POLICIES

1.5.1. WAPC STATE PLANNING POLICY 2.6 STATE COASTAL PLANNING

As part of the planning process, there is a requirement to understand the potential risks posed to development by coastal hazards. Specialist coastal and port engineers M P Rogers & Associates Pty Ltd (MRA) were engaged to complete a Coastal Hazard Risk Management and Adaptation Plan (CHRMAP) for MBAC. The requirements and framework for a CHRMAP are established within SPP2.6, and outlined more specifically in the CHRMAP Guidelines (WAPC, 2014).

The CHRMAP is in accordance with the requirements of these documents and covers the following key items:

- + Establishment of the context;
- + Coastal hazard assessment;
- + Risk analysis and evaluation;
- + Risk management and adaptation planning; and
- + Monitoring and review.

Review of the potential coastal hazards and associated risks for existing and proposed assets within and around the proposed MBAC indicates there are coastal risks that require management in the future. Details regarding each of these items is provided in **Appendix D**, and summarised in Section 2.5.

1.5.2. WAPC STATE PLANNING POLICY 3 URBAN GROWTH AND SETTLEMENT

The inclusion of the Hotel/Mixed Use Precinct, and provision of hotel and tourist accommodation and improved connections and activation of MBAC, the proposed MBAC Structure Plan complies with objectives of SPP3, specifically:

- + To build on existing communities with established local and regional economies, concentrate investment in the improvement of services and infrastructure and enhance the quality of life in those communities.
- + To manage the growth and development of urban areas in response to the social and economic needs of the community and in recognition of relevant climatic, environmental, heritage and community values and constraints.
- + To promote the development of a sustainable and liveable neighbourhood form which reduces energy, water and travel demand whilst ensuring safe and convenient access to employment and services by all modes, provides choice and affordability of housing

and creates an identifiable sense of place for each community.

The proposed MBAC Structure Plan further complies with the following policy provisions of SPP3:

Creating sustainable communities: The key requirements for a sustainable community are:

- + A strong, diversified and sustainable economic base with assured access to jobs and employment;
- + Clustering retail, employment, recreational and other activities which attract large numbers of people in existing and proposed activity centres; and
- + Good urban design which creates and enhances community identity, sense of place, liveability and social interaction in new and existing neighbourhoods.

Planning for liveable neighbourhoods: The Liveable Neighbourhoods principles apply to the revitalisation or redevelopment of existing areas. Relevant principles are:

- + a sense of community and strong local identity;
- + safe and convenient access to services and facilities designed for all users, including users with disabilities;
- + active street frontages with buildings facing streets to improve personal safety through increased surveillance and activity; and
- + mixed use urban development which provides for a wide range of living, employment and leisure opportunities.

1.5.3. WAPC STATE PLANNING POLICY 3.1 RESIDENTIAL DESIGN CODES

Part 6 of the Residential Design Codes provides design elements for multiple dwellings in areas coded R30 or greater, within mixed use development and activity centres. As such, the following design elements have been considered in the preparation of the MBAC Structure Plan:

- + Building Height;
- + Setbacks; and
- + Car Parking.

Any variations to these design elements are provided for through the proposed scheme amendment.

1.5.4. CITY OF ALBANY LOCAL PLANNING POLICY - SIGNIFICANT TOURIST ACCOMMODATION SITES

In accordance with the recommendation of the Tourist Accommodation Planning Strategy, the “Local Planning Policy – Significant Tourist Accommodation Sites” classifies the former Esplanade Hotel site as a “Local Strategic” site.

The Policy helps to maintain the site’s role as a key tourist accommodation site by encouraging tourist and non-residential uses. The Policy recommends:

- + The site be zoned with a dual zoning of ‘Hotel/Motel’ and ‘Tourist Residential’;
- + A hotel be constructed on site for tourist accommodation; and
- + 65% of the site be utilised for tourist accommodation and 35% for permanent residential.

The proposed scheme amendment and MBAC Structure Plan do not include measures to enforce the above percentage caps. Instead, consistent with WAPC Planning Bulletin 83 – Planning for Tourism, a more strategic and flexible approach is proposed through the MBAC Structure Plan. The strategic planning currently underway encourages a range of compatible uses (including a mixture of residential and non-residential uses) to help provide for a diverse tourism industry. Importantly, as the existing Local Planning Policy is not consistent with the WAPC’s approach to tourism planning, Planning Bulletin 83 allows for this amendment and associated Activity Centre Structure Plan to override the current Policy provisions.

1.5.5. CITY OF ALBANY LOCAL PLANNING POLICY - MIDDLETON BEACH TOURIST PRECINCT

Given the inclusion and emphasis of tourism amenities within the detailed planning and design of MBAC, the MBAC Structure Plan accords with the following objectives of this Local Planning Policy, which are to:

- + Create a high quality and vibrant beachside tourist precinct;
- + Encourage the provision of a wide range of facilities and services to serve both visitors and the local community;
- + Encourage a more diverse range of housing and tourist accommodation; and
- + Establish appropriate height limits for development within the Precinct.

As well as supporting the following land use aspirations for each of the roads:

- + Flinders Parade ‘The Beach Strip’ – an active beach front urban edge comprising restaurants, cafés, tourist accommodation and residential apartments.
- + Adelaide Crescent ‘Local Mixed Use Street’ – an informal street incorporating occasional small cafés and other local facilities uses.

The policy provides for a height limit of five storeys (15m to top of external wall with roof above) for the area; and outlines requirements for other development standards such as front setbacks, side setbacks, active streetscapes, front fences, retaining walls, balconies, bulk and scale and car parking.

All development standards applicable to the site have been reviewed and considered as part of the concept planning for the MBAC and provision for their variation provided for within the scheme amendment special use provisions and/or MBAC Structure Plan, where applicable.



1.6. OTHER APPROVALS AND DECISIONS

1.6.1. WAPC IMPROVEMENT PLAN NO. 40 MIDDLETON BEACH ACTIVITY CENTRE

In 2014, under section 119 of the *Planning and Development Act 2005*, the WAPC enacted Improvement Plan No. 40 - Middleton Beach Activity Centre over Lot 8888 Flinders Parade, Lots 660 and 661 Marine Terrace and the surrounding road reserves to help optimise the opportunity for successful development and to provide the WAPC with the authority to undertake the necessary tasks to plan for and progress the redevelopment of the site. Improvement Plan No. 40 became operational on 31 October 2014.

The aim of the Improvement Plan is to guide the planning, development and use of the land by establishing the strategic intent for redevelopment. Improvement Plan No. 40 applies to the same area as shown in Figure 1, bound by Adelaide Crescent, Marine Terrace, Barnett Street, Flinders Parade and Marine Drive, Middleton Beach.

In February 2015, the Department of Planning recommended that a Local Scheme Amendment and Activity Centre Structure Plan be followed for the statutory planning of the MBAC.

The following objectives of the Improvement Plan No. 40 have been taken into account during the preparation of the scheme amendment and activity centre structure plan and are included within the proposed special use provisions of the Scheme:

- + To develop the Middleton Beach Activity Centre in a co-ordinated manner, recognising its significance for local recreation, organised sporting and cultural events and as a tourist destination;
- + To achieve a high quality built form and public place design across the scheme area and public foreshore reserve interfaces that recognise the iconic location and significance of the site to the community;
- + To integrate development of public and private land to establish a safe, vibrant mixed use centre with an active beach front and urban edge that includes but is not limited to: local and tourist facilities; restaurants, cafés and shops; holiday and short stay accommodation; together with a range of permanent residential uses but excludes detached houses;
- + To facilitate the provision of an effective, efficient, integrated and safe transport network that prioritises pedestrians, cyclists and public transport users;

- + To encourage provision of parking that is efficient and promotes the establishment of shared, reciprocal and common use facilities;
- + To encourage development to incorporate sustainable technologies and design including best practice with regard to energy efficiency, water sensitive urban design and fire safety requirements; and
- + To facilitate opportunities for investment and development.

1.7. PRE LODGEMENT CONSULTATION

A number of key stakeholders were involved in the reports and studies informing the development of options for MBAC, and subsequently the development of the MBAC Structure Plan.

Key stakeholders are defined as those with significant holdings or influence in the way that Middleton Beach will develop. A summary of stakeholder involvement is provided in Table 3.

Table 3: Pre Lodgement Consultation Summary

AGENCY	DATE OF CONSULTATION	CONSULTED BY:	METHOD OF CONSULTATION	SUMMARY OF OUTCOME
City of Albany	2014 - Ongoing	LandCorp	+ Meetings	Input into Scheme Amendment and Activity Centre Structure Plan
Department of Planning	2014 - Ongoing	LandCorp	+ Meetings	Input into Scheme Amendment and Activity Centre Structure Plan
Landowners within and adjacent to the structure plan area	Feb 2015	LandCorp	+ Survey + Workshops + Meetings	Input into concept plan
Community Groups	Feb 2015	LandCorp	+ Survey + Workshops + Meetings	Input into concept plan
Public Transport Authority	Nov 2015	Cardno	+ Verbal	Input into Transport Assessment
Western Power	May 2015	Wood and Grieve Engineers	+ Meetings + Phone / Email	Input into technical studies
Alinta Gas	May 2015	Wood and Grieve Engineers	+ Meetings + Phone / Email	Input into technical studies
Water Corporation	May 2015	Wood and Grieve Engineers	+ Meetings + Phone / Email	Input into technical studies
Telstra	May 2015	Wood and Grieve Engineers	+ Meetings + Phone / Email	Input into technical studies
Fire and Emergency Services Authority	May 2015	Calibre Consulting	+ Meetings + Phone / Email	Input into technical studies



2 SITE CONDITIONS & CONSTRAINTS

2.1. BIODIVERSITY AND NATURAL AREA ASSETS

RPS Environment and Planning Pty Ltd (RPS) completed a Flora and Vegetation and Fauna Review (inclusive of an assessment of Matters of National Environmental Significance (MNWS) for the MBAC Structure Plan.

The Flora and Vegetation and Fauna Review was prepared to:

- i. Provide an understanding of the flora and vegetation and fauna values of the MBAC Structure Plan area; and
- ii. Identify any potential constraints which may limit the development of MBAC.

The report finds that environmental factors are unlikely to present constraints to future development of the site for residential and commercial purposes.

The Flora and Vegetation and Fauna Review (inclusive of an assessment of Matters of National Environmental Significance (MNWS) for MBAC Structure Plan is included in its entirety as **Appendix C**. Key findings are summarised in section 2.1.1.

2.1.1. FLORA AND VEGETATION

The flora and vegetation desktop assessment and field investigation found:

- + No Threatened species, as listed under subsection (2) of Section 23F of the WC Act or Priority Flora species as listed by DPaw were located within the MBAC.
- + No species governed by the EPBC Act were recorded within the MBAC.
- + The vegetation units recorded are not representative of a TEC or Priority Ecological Community.

2.1.2. FAUNA

Informed by the findings of the terrestrial fauna desktop assessment and field investigation, the following conservation significant species may be infrequently observed overflying the MBAC, resting or opportunistically foraging within the MBAC whilst traversing Albany and surrounding regional environments:

- + Forest Red-tailed Black Cockatoo;
- + Baudin's Black Cockatoo;
- + Carnaby's Black-Cockatoo;
- + Peregrine falcon; and
- + White-bellied sea eagle.

Given the lack of detection of these species within the site by the field investigation, it is concluded neither the Peppermint and Marri Closed Forest along Creek line vegetation within the Adelaide Crescent road reserve (nor the Norfolk Island pines in the existing foreshore reserve) are likely to be directly impacted or significantly diminished by development of Lot 8888.

Given the substantial extents of habitat for these species in similar or better condition in the local and surrounding environments, it is considered that the potential impacts to these species (if any) will be low.

2.1.3. MATTERS OF NATIONAL ENVIRONMENTAL SIGNIFICANCE

The desktop assessments and field investigations conclude no conservation significant flora, vegetation or fauna species are located within the MBAC and there is not considered to be any locally or regionally important habitat for conservation significance fauna species within either the MBAC or adjacent coastal environments.

Informed by these findings, it is not considered that the proposed development of the subject site will result in a significant impact, as defined in the Matters of National Environmental Significance: Significant Impact Guidelines 1.1 (Commonwealth of Australia 2013), occurring to any MNES.

2.2. LANDFORM AND SOILS

2.2.1. TOPOGRAPHY

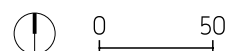
Wood & Grieve Engineers carried out investigations into MBAC to establish topographical constraints (**Appendix D**). Findings relating to geophysical characteristics from their investigations revealed MBAC is mostly cleared and relatively flat with reduced levels of between 2.4m and 2.8m Australian Height Datum (AHD). Some embankments exist where MBAC abuts Barnett Street, lots 660 and 661, and Flinders Parade. Mount Adelaide is located to the south of the MBAC, which rises steeply as shown on Figure 5.

2.2.2. EARTHWORKS

MBAC is currently level at approximately RL 2.60, stepping down from the surrounding roads and lots on the north, west and south of the property. Any road works to be built internally will need to be flood routed to either Adelaide Terrace or Flinders Parade. In order to do this, approximately 1.5m of fill is needed to be placed for the road. Whilst this would be needed for the road reserves, the future development of lots may benefit from leaving them lower in order to accommodate any basement parking that developers may choose to provide. This would need to clear any ground water levels; otherwise costly taking and pump systems would be required.



Figure 5: Contour Mapping





2.2.3. SOILS

Geotechnical Investigations, Preliminary Acid Sulfate Soils Investigation and Dewatering Investigation report presents results of site investigation performed by Golder Associates Pty Ltd (Golder) (**Appendix E**).

The report concludes geotechnical conditions are suitable for development and comprise medium dense to dense sands overlying weathered granite depth. A thin clay is presented at about a depth of 7 metres.

Shallow footings are likely to be the most suitable foundation option to support the proposed structure (up to about five storeys). Raft foundations or piles are likely to also be suitable and could also be considered.

2.2.4. ACID SULFATE SOILS

Acid Sulfate Soils (ASS) were identified to be present across the site from about 1.5m below the current ground water surface. Where disturbance of ASS cannot be avoided, further sampling may be required and an ASS Management Plan developed (Golder, 2015).

2.3. GROUNDWATER AND SURFACE WATER

Groundwater is present at around RL 1m AHD, and was not observed to be significantly influenced by the tide. Further groundwater monitoring is recommended to assess potential seasonal variations in the groundwater level. Where basements, undercroft or deep lift pits are proposed, dewatering is likely to be required to allow excavation and compaction. Dewatering is also likely to be required for installation of deep services such as sewer trenches (Golder, 2015).

Where dewatering is required, preparation of a Dewatering Management Plan (DMP) will be required. The DMP will outline the management and monitoring requirements for dewatering activities, in accordance with regulatory guidelines (Golder, 2015).

2.4. BUSHFIRE HAZARD

A Bushfire Management Plan (**Appendix F**) has been prepared by Calibre Consulting (Calibre). The report has been prepared to demonstrate that appropriate regard has been given to the Planning for Bush Fire Protection Guidelines (2010) in the design and development of the Activity Centre Structure Plan.

The aim of this report is to reduce the threat to the residents and visitors in the proposed development in the event of a fire within or adjacent to the site. It demonstrates that the proposed concept plan and structure plan complies Planning for Bush Fire Protection Guidelines.

Planning for Bush Fire Protection (DFES & WAPC - 2010) is the principal reference document in Western Australia for fire management in subdivisions and related development in rural and in urban/rural communities. It contains a number of design measures which are to be incorporated into subdivisions located on bushfire prone land.

AS3959 (2009) Construction of Buildings in Bush Fire Prone Areas provides measures for improving the ability of buildings to withstand burning debris, radiant heat and flame contact during a bush fire. The lower the separation distance from bushfire prone vegetation, the higher the standard of construction that is required for buildings. The Building Code of Australia only applies the AS3959 construction standards to Class 1, 2 or 3 buildings or associated Class 10a buildings.

While MBAC does not contain any bushfire prone vegetation it is located within the 100m bushfire prone buffer to the Mount Adelaide reserve as shown On Figure 6. This reserve contains significant areas of remnant vegetation with high fuel loads and steep slopes, which make fire mitigation very difficult. To manage this threat at an acceptable level it will require specific measures to be implemented and maintained within MBAC.

To ensure that the following recommendations can be implemented, enabling provisions as supported by the MBAC Structure Plan are proposed to be introduced to the Local Planning Scheme via a scheme amendment and/or reflected in the current provisions of the Local Planning Scheme:

1. That the Scheme Amendment contain provisions to:
 - a. Require the structure plan to define bushfire prone areas;
 - b. Require that a planning approval is required to develop land in a bushfire prone area.;

- c. Require that before commencing or carrying out any development on a development site in a bushfire prone area a person (the developer) must prepare, or cause to be prepared, a bushfire attack level assessment for the development site;
- d. Stipulate that new buildings on bushfire prone land shall be designed and constructed with appropriate bushfire management measures including those contained in AS3959. While Class 1, 2 and 3 buildings can apply the AS3959 construction standards as part of a building application, any other building class must provide Working Drawings (certified by a Fire Consultant) as part of any planning application; and
- e. Require that a bushfire management plan shall be approved for the site and development and use of the site shall comply with the recommendations of that Plan.

With the enabling provisions established via the scheme amendment, the following recommendations will be applied through this structure plan:

1. That a maximum BAL 29 rating can be applied to any building.
2. That the vegetation within the BAL setback is to be maintained as low threat vegetation/low fuel zone.
3. That as a condition of subdivision the location and capacity of existing and proposed hydrants for the development be confirmed.
4. That the 20m Building Protection Zone be provided between the development and the hazard vegetation. Where this extends over the road reserve any verge plantings/landscaping shall be designed and maintained as low threat vegetation.
5. A notification shall be placed upon the Certificate of Title of all lots pursuant to Section 70A of the Transfer of Land Act advising landowners of this Bushfire Management Plan.
6. That prospective purchasers be provided with a copy or summary of this Bushfire Management Plan.

To manage the threat at an acceptable level it will require specific measures to be implemented and maintained within the subject land.

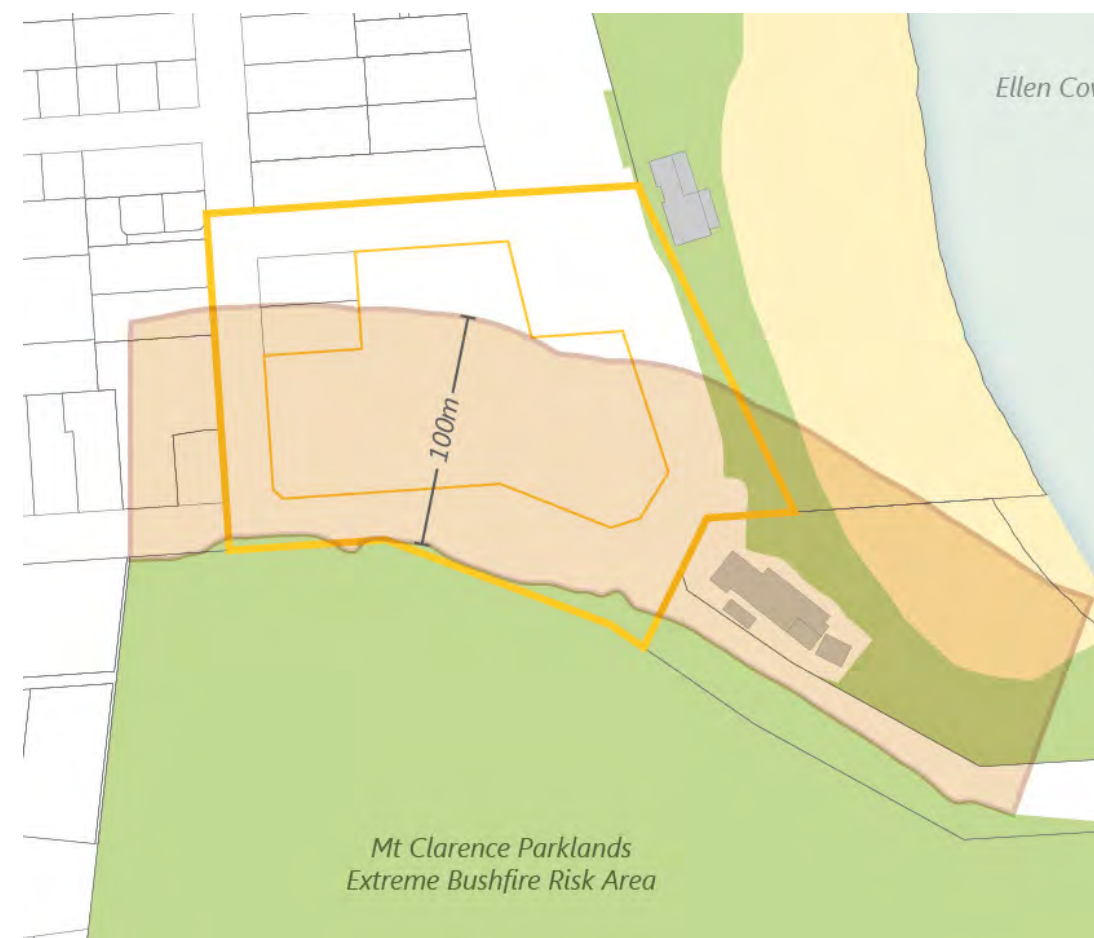


Figure 6: Bushfire Prone Area Buffer

2.5.COAST AND FORESHORES

As part of the planning process, there is a requirement to understand the potential risks posed to development by coastal hazards. Specialist coastal and port engineers M P Rogers & Associates Pty Ltd (MRA) completed a Coastal Hazard Risk Management and Adaptation Plan (CHRMAP) for the Middleton Beach Activity Centre (Appendix G). The requirements and framework for a CHRMAP are established within SPP2.6, but are outlined more specifically in the CHRMAP Guidelines (WAPC, 2014).

This CHRMAP has been completed in accordance with the requirements of these documents and covers the following items:

- + Establishment of the context.
- + Coastal hazard assessment.
- + Risk analysis and evaluation.
- + Risk management and adaptation planning.
- + Monitoring and review.

Review of potential coastal hazards and associated risks for existing and proposed assets within and around MBAC management of coastal risks will be required in the future. The most pressing of these risks relate to existing infrastructure, including the Albany Surf Life Saving Club and the Three Anchors Restaurant. These assets are managed by the City of Albany. No information is available regarding the potential management strategies that the City would complete to ameliorate any coastal hazard risks associated with these assets. Should the City choose to defend these assets from coastal hazards in the future, this protection would also be likely to provide protection to the proposed development that forms part of the MBAC.

In the absence of any protection of the City's existing assets, the proposed hotel site would be the only part of the proposed development that would be vulnerable to coastal hazards within a 100 year planning horizon. The proposed hotel site may be vulnerable to erosion at some stage before 2090 if the assessed coastal hazards (in accordance with the requirements of SPP2.6) are realised. This would mean that management options would be required for the hotel site to reduce the potential risk.

Two options exist to manage the potential coastal hazard risk to the hotel site. The first option would be to increase the level of the beach in front of the development area to be more consistent with the natural levels of the beach. This recommendation arises due to the artificially low beach

levels fronting the proposed MBAC that result from beach management practices and the removal of sediment from the area (that is subsequently used to nourish the beach at Emu Point).

Increasing the elevation of the rear portion of the beach, above the beach berm, from its current level to a level of around 1.9m AHD would reduce the potential impact of coastal processes; and reduce the risk to all assets, including the proposed hotel site. As a result, it is recommended that this be completed as a matter of course. The total capital cost of this option is expected to be between \$150,000 and \$250,000, but may also require expenditure of up to \$50,000 after very severe storms. Implementation of this option would reduce the risk to the proposed hotel site to acceptable levels for the 100 year planning horizon.

The second option to manage the coastal hazard risk at the hotel site would be to construct a seawall. The seawall could be constructed along the entire foreshore (along the alignment of the existing retaining wall) or could be constructed only around the proposed hotel site. Costs associated with these options would be between \$1.7 to \$2.7 million and \$1 - \$1.5 million respectively depending on the type of wall that is chosen, with maintenance costs in the order of around 5% of the capital cost per decade. For either option, the intention is that the wall would be buried, so that it is less obtrusive. Construction of a seawall would reduce the coastal hazard risk to acceptable levels throughout the 100 year planning horizon.

Whilst the assessment of the risk outlined above has been based on the required methodology outlined in SPP2.6, these vulnerability allowances are justifiably conservative. As a result, the outcomes of this study should be used to guide future management actions, but ultimately the implementation of these actions, particularly the construction of the seawall, should be triggered by the monitoring regime outlined within this document.



2.6. CONTEXT AND OTHER LAND USE OPPORTUNITIES AND CONSTRAINTS

2.6.1. EXISTING ROAD NETWORK

MBAC is bounded by Adelaide Crescent to the south, Flinders Parade to the east, Barnett Street to the north and Marine Terrace to the west, as shown on Figure 7.



Figure 7: Movement Networks

ADELAIDE CRESCENT

Adelaide Crescent, located to the south of the MBAC, consists of a two-lane undivided carriageway with marked lanes approximately 3.5m wide and provides on-street parking facilities on both sides of the road.

This road is classified as a "Local Distributor" under the Main Roads Functional Hierarchy (MRFH) with a posted speed limit of 40 km/h. Adelaide Crescent provides the local road link from the MBAC to the surrounding housing.

FLINDERS PARADE

Flinders Parade, located to the east of the MBAC, consists of a two-lane divided carriageway with lanes approximately 3.5m wide separated by a 1.5m median. This road is classified as an "Access Road" under the MRFH with a posted speed limit of 40 km/h. Flinders Parade provides beach access.

BARNETT STREET

Barnett Street, located to the north of MBAC, consists of a two-lane undivided carriageway, with unmarked lanes approximately 3.5m wide. This road is classified as an "Access Road" under the MRFH with a posted speed limit of 40 km/h. Barnett Street provides beach access.

MARINE TERRACE

Marine Terrace, located to the west of the site, consists of a two-lane undivided carriageway with unmarked lanes approximately each 2.5m wide. This road is classified as an "Access Road" under the MRFH with a posted speed limit of 40 km/h. Marine Terrace provides parking for the restaurants that are located on the corner of Marine Terrace and Adelaide Crescent.

Due to the popularity of Middleton Beach as a recreational destination, the traffic volumes on the roads within the study area increase during public holiday and school holiday periods. Figure 8 shows the monthly profile of daily traffic volumes on Flinders Parade during April 2007. Note: this is after the demolition of the Esplanade Hotel which occurred in February 2007. During this period, the Easter long weekend occurred between April 6 – April 9, ANZAC Day occurred on April 25, while the period April 5 – April 22 was a school holiday period (Cardno, 2015).

It is noted that the 2007 average weekday traffic volumes on Flinders Parade (north of Middleton Road) are almost identical to the 2015 traffic volumes summarised in 2007, this demonstrates that there has been little traffic growth over the last 7-8 years.

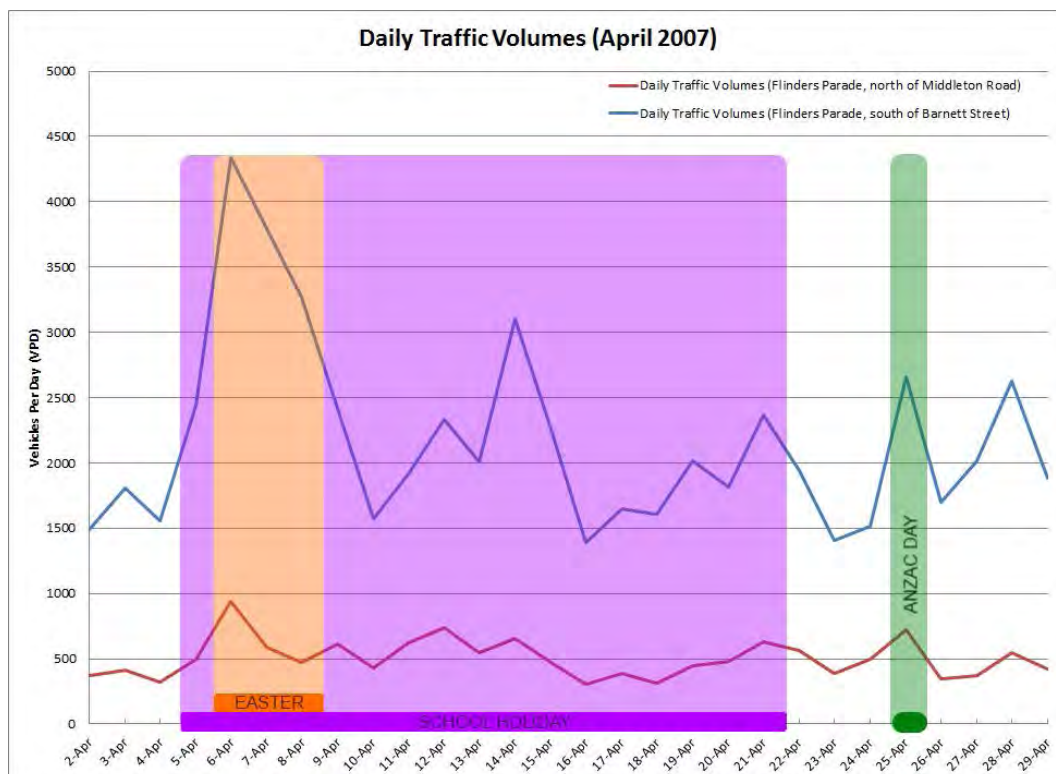


Figure 8: Daily Traffic Volumes on Flinders Parade (April 2007) source: Cardno



2.6.2. EXISTING BUS NETWORK

Currently the public transport provision to the Middleton Beach area is only serviced by Route 803 which runs six times a day and travels between the Albany CBD and Emu Point, via Middleton Beach. Due to the limited provision of public transport services to the study area, it is anticipated that the majority of trips to/from the study area will be comprised of private vehicles.

2.6.3. WALKING AND CYCLING

Walking and cycling are significant transport modes within Albany. The small size of the urban area results in shorter trip lengths which are ideally suited to walking and cycling. There is already a strong culture of recreational cycling in Albany as evidenced by the huge community interest in the Cycle City Albany Strategy (Cardno & City of Albany, 2014). The MBAC is located adjacent to the popular recreational walking and cycling route from Emu Point to Albany CBD and Little Grove and it is anticipated that many of the trips generated by the MBAC would be pedestrians and cyclists already using this route.

TravelSmart surveys undertaken in the past for the Department for Planning and Infrastructure (DPI) (now called the Department of Transport) have identified that walking and cycling has considerable potential to replace many short length utility (e.g. shopping) and commuter trips. Approximately half of all car trips are less than 5km and many of these are potentially replaceable by non-motorised trips such as walking or cycling.

2.6.4. EXISTING PEDESTRIAN NETWORK

Pedestrian paths are provided along the majority of roads adjacent to the study area, although it is noted that the condition of the existing footpaths directly adjacent to the development site are very poor and interrupted by on-street parking areas (As shown on Figure 8 to Figure 10).



Figure 9: Existing Footpath Adjacent to MBAC along Adelaide Crescent



Figure 10: Poor Condition of Pedestrian Infrastructure Adjacent to MBAC

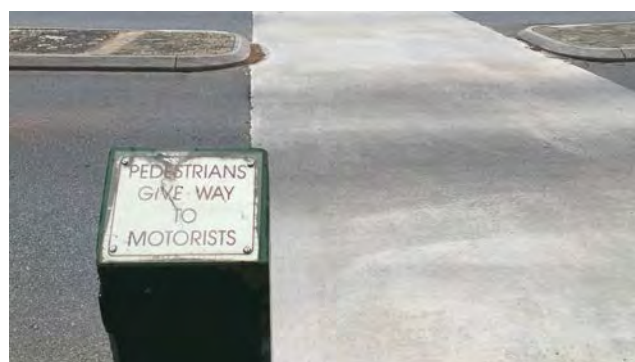


Figure 11: Pedestrian crossing within MBAC locality

2.6.5. PROPOSED CHANGES TO EXTERNAL ROAD NETWORK

Advice from the City of Albany suggests that there are no major changes proposed to the surrounding external road network. Under the MBAC Structure Plan it is proposed to realign Flinders Parade and the intersection with Marine Drive / Adelaide Crescent. The realigned route will provide the same degree of connectivity and intersection form (roundabout) with Marine Drive / Adelaide Crescent. This is considered to have a negligible impact on the network and intersection performance and routes will remain unchanged.

2.6.6. PROPOSED CHANGES TO PUBLIC TRANSPORT NETWORK

Advice from the City of Albany suggests that there are no major changes proposed to the surrounding public transport network. It is noted that the City of Albany has recently employed a TravelSmart Officer who may propose improvements to the existing public transport network to improve the provision of public transport within the City of Albany.

2.6.7. PROPOSED CHANGES TO EXTERNAL PEDESTRIAN AND CYCLE NETWORKS

The City of Albany have adopted a 10 year Forward Capital Works Programme which will see path improvement work in the next few years close to the MBACa. The expected path improvements are:

- + Realign the path connection along Flinders Parade through the Surfer's Beach car park (2016-17);
- + Renew existing asphalt path along Adelaide Crescent, between Marine Terrace and Golf Links Road (2016-17); and
- + Construct 1.5m wide concrete path connection along Marine Terrace, from existing path to Wollaston Road (2024-25)

Future local connectivity between Spencer Park and Middleton Beach will also be improved by the provision of a shared path along Lake Seppings Drive when it is extended to Collingwood Road. It is noted that the MBAC transport network has considered the needs of different user types (e.g. aged persons, children, tourists) (Cardno, 2015).

2.6.8. SERVICING AND EASEMENTS

MBAC is serviced by all critical infrastructure, as shown on Figure 12. The location of the sewer and water pipe pose a constraint on development if retained in the current location. This infrastructure is protected by an easement on the title and cannot be built over.

UNDERGROUND POWER

Based on the proposed concept plan, this development should be deemed to be residential rather than commercial, as the majority of the land is to be used for residential purposes. The power demand of the proposed development will be in the vicinity of 450Kva, and it is our understanding that the current power supply allocated to the site is 240Kva. The difference in demand (future less current) will attract a WP systems charge of approximately \$70,000.

The site is currently serviced by means of a district transformer, located within an easement on the western end of the site. It is possible to relocate this transformer if required.

The created lots will be serviced via new LV cabling and uni pillars, supplied from the existing (or relocated) transformer. LV cabling would likely be installed in Marine Terrace, Adelaide Crescent and Flinders Parade, with only street lighting cabling being installed in the new road. It is likely that one or both of the Northern lots (Corner of Flinders parade and Barnett Street) will be serviced from existing infrastructure on Barnett Street.

COMMUNICATIONS / NATIONAL BROADBAND NETWORK CO.

Confirmation will be required as to whether this qualifies for the NBN program. In accordance with the recently legislated National Broadband Network (NBN), Developers are required to fund the design and installation of "pit and pipe" infrastructure suitable for handover to NBN Co. for their installation of an optic fibre network. This will be carried out with the underground power design and installation.

GAS

Existing gas mains surround the site on all roads. An existing gas main traverses the site in the very south-east corner. This, along with any road realignment, will require relocation.

Atco gas has confirmed that the existing gas network adjacent to MBAC has the capacity to service the development.



Figure 12: Servicing and Easements

Water Corporation		Western Power	
	Water Pipe		Pillar
	Sewer Pipe		Metal Pole
ATCO Gas			Transformer Site
	Medium Pressure		Low Voltage Cable (<1kV)
	Service Line		High Voltage Cable (1kV-3kV)
	Abandoned Pipes		Low Voltage Underground Cable

3 POPULATION AND DWELLINGS

In order to understand the context of MBAC in relation to the Greater Albany area as well as the performance of the local economy, Australian Bureau of Statistics (ABS) 2012 Census data, Tourism WA data and reports commissioned by LandCorp have been analysed.

For the purposes of this study, the Middleton Beach State Suburb (ABS Code SSC50495) has been used to create a demographic snapshot of MBAC with the urban area of Albany as a benchmark (ABS Code UCL512001), as shown on Figure 13 and summarised in the below snapshots.

3.1. DEMOGRAPHIC SUMMARY

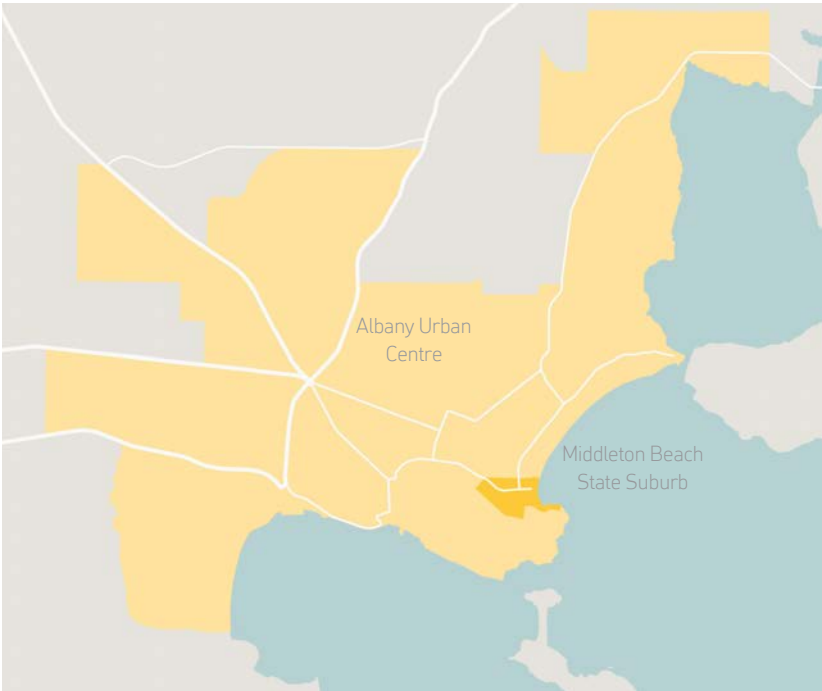


Figure 13: Subject Area. Source: ABS 2012

Middleton Beach		Albany		WA Tomorrow Data for Albany	
People	652	People	26,643	Growth Rate	1.5%
Male	48.3%	Male	48.2%	Forecast 2026 Pop ⁿ	45,100
Female	51.7%	Female	51.8%		
Median age	51	Median age	40		

	Middleton Beach	Albany
Median total personal income (\$/weekly)	\$695	\$515
Median total family income (\$/weekly)	\$1,620	\$1,241
Median total household income (\$/weekly)	\$1,135	\$974
Median rent (\$/weekly)	\$260	\$240
Average household size	2.1	2.4
Average number of persons per bedroom	1	1.1

source: ABS ,2012



3.1.1. KEY FINDINGS:

Small area, large population

Middleton Beach makes up only 0.9% of the total land area of Greater Albany, and a much larger proportion of the population (2.4%).

Older population

Middleton Beach has a significantly older median age than the surrounding Albany area.

Wealthier population

Middleton Beach has a higher weekly household, family and personal income. This is also reflected in the median rent.

Smaller household size

Middleton Beach has a lower average household size. Combined with the median age, this indicates that there are a high proportion of empty nesters.

3.1.2. AGE CHARACTERISTICS | FAMILY COMPOSITION | LABOUR FORCE STATUS

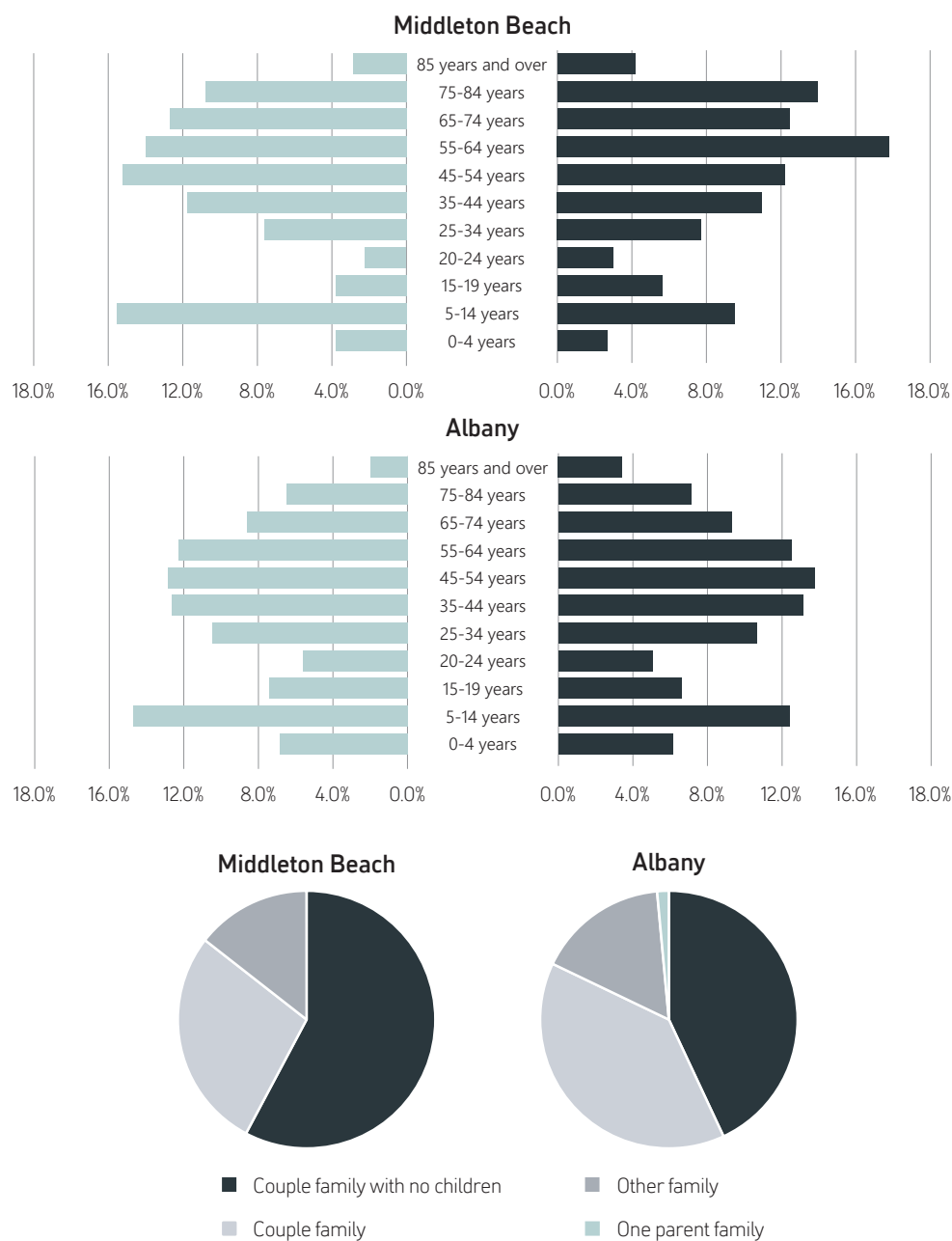


Figure 14: Age and family composition Source: ABS 2012



3.1.3. KEY FINDINGS

Older population

A high concentration of the Middleton Beach population is in the 45-84 age group statistic and there are proportionately less people in the 15-34 age bracket.

Lots of couples and not many children

Middleton Beach has a higher proportion of couple families without children and a corresponding lower portion of couples with children. This corresponds with the data in the population pyramid and pie graphs (Figure 14).

High proportion of retirees

Considering that Middleton Beach has an older population, yet a similar labour force participation rate compared to Albany (56% compared to 58%) there are a high portion of retirees in both Middleton Beach and Albany. In Middleton Beach 86.4% of those not in the labour force are 45 years and older, 66% are aged 65 years and over.

3.1.4. DWELLING CHARACTERISTICS

	Middleton Beach	Albany
Separate house*	80.4% (225)	87.5%
Semi-detached, row or terrace house, townhouse etc*	12.9% (36)	7.2%
Flat, unit or apartment*	4.6% (13)	4.8%
Other dwelling*	2.1% (6)	0.6%
Total occupied private dwellings	59.3% (280)	83.6%
Unoccupied private dwellings	40.7% (192)	16.4%

*Figures are for occupied private dwellings only. ABS does not provide details on unoccupied private dwellings

source: ABS, 2012

3.1.6 AMOUNT OF ROOMS

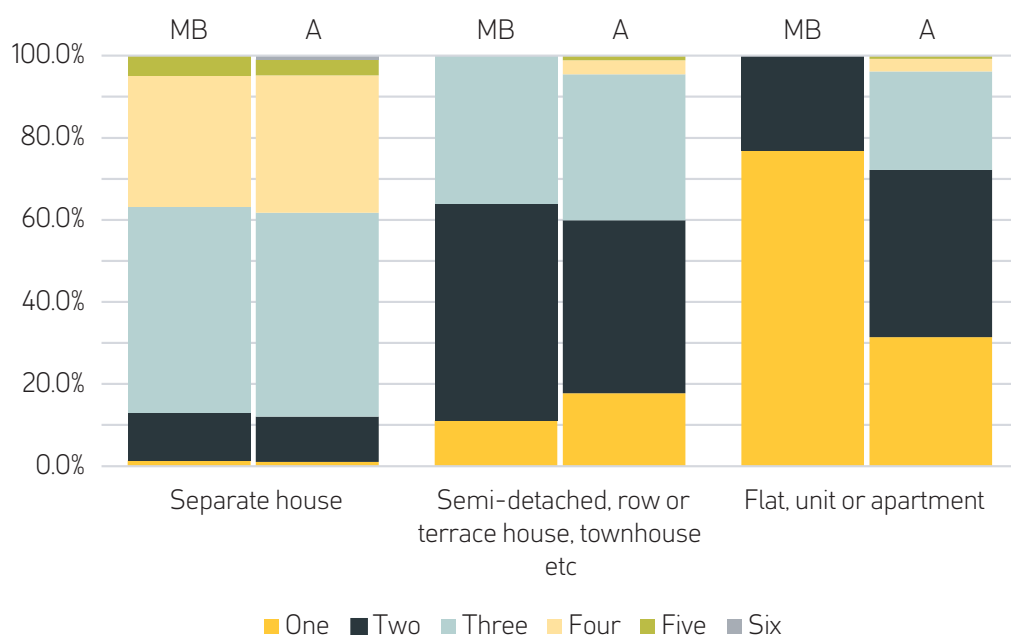


Figure 15: Dwelling Characteristics (Source: ABS 2012)



3.1.5. KEY FINDINGS

High proportion of holiday homes

Middleton Beach has a significantly higher proportion of unoccupied private dwellings suggesting there are a number of holiday homes in the area.

Predominantly detached housing stock

Middleton Beach and Albany contain predominantly single residential housing. This was confirmed in the site visit and site photos included in Section 5 of this report. There is also a higher portion of semi-detached housing stock, this is indicative of the retiree beach lifestyle and higher rent yields, as shown on Figure 15.

Oversupply of bedrooms

Middleton Beach has an average household size of 2.1, yet 70% of the detached housing stock has three or more bedrooms. This form of house is also reflective of the Albany area.

3.2. ECONOMIC CONTEXT

3.2.1. CURRENT ECONOMIC OVERVIEW

The Gross Regional Product for Albany has been steadily increasing since 2002. However, the rate of increase has dropped since 2011/12 (8.6% to 0.2%) (economy.id, 2014). The Albany economy is dominated by the Agriculture, Forestry and Fishing industry sector, which declined by 17% between 2007/08 and 2012/13 (economy.id, 2014). In comparison, the Accommodation and Food Services sector only makes up 2.5% of the economy (2012/13) and between 2007/08 and 2012/13, total exports for Accommodation and Food Services decreased 20% or a reduction of \$880,000 per year (economy.id, 2014).

To allow for continued steady economic growth, diversification of the economic base is proposed and tourism is identified as a mechanism for achieving greater diversification (RDA, 2014). In order to capture the value and contribution of tourism in the national economy, the ABS publish the Tourism Satellite Account (2014). Based on this data the value of tourism and hospitality in Albany has declined since a peak in 2007/08 and the total direct and indirect employment has almost halved in the same period. However, some indication of recovery is noted with a 17% increase in tourism and hospitality sales since 2011 (ABS, 2012).

3.2.2. KEY FINDINGS

Diversification of the economy

There is a need to diversify from traditional agricultural industries to other industries.

Strategic motivator

A number of official information sources such as the Great Southern Development Commission (GSDC website, 2014), the City of Albany's Economic Development Strategy (2013) and the WAPC's Great Southern Draft Regional Planning and Infrastructure Framework (2014) make reference to the importance of and the potential for tourism as a contributor to the economy.

Realising the opportunity

The tourism sector in Albany has traditionally been seen as a key contributor to the economy. However, available data does not capture the amount tourist expenditure (only accommodation and food and beverage services). By comparison, the value of tourism in the Great Southern Region is significantly more than the value of tourism in Albany. This is due to the sustained investment into tourism as a key economic driver (economy.id, 2014).

Cumulative opportunity

Tourism has the potential to boost income and employment across the region in a wide range of businesses. A contribution of this nature can have a significant multiplier effect and thus stimulate the local economy as well as its social wellbeing (economy.id, 2014).



3.3. TOURISM DEMAND

Albany has immense tourism potential, possessing a range of natural attractions comprising geological formations, forests, beaches, biodiversity and opportunities for adventure activity. As the first European settlement in Western Australia and Albany's role in facilitating the establishment of a unifying national identity for Australians through association with the ANZAC legend 100 years ago, this positions Albany as a key tourist destination (particularly heritage tourism). This is reflected on Figure 16.

The following data is sourced from Tourism Western Australia's visitor fact sheets (2014) based on data from Tourism Research Australia's National and International Visitor Surveys and the CBRE Hotel Demand Analysis Report (2014), unless otherwise stated.

3.3.1. TOURISM INDUSTRY DEMAND SUMMARY

- + Albany is a popular tourist destination featuring many natural, cultural and historic attractions; and
- + Within the Great Southern Region, Albany makes up 58% of the domestic average annual visitors and 77% of the international average annual visitors.

242,700 (2011-2013)
Domestic Average Annual Visitors

32,900 (2011-2013)
International Average Annual Visitors

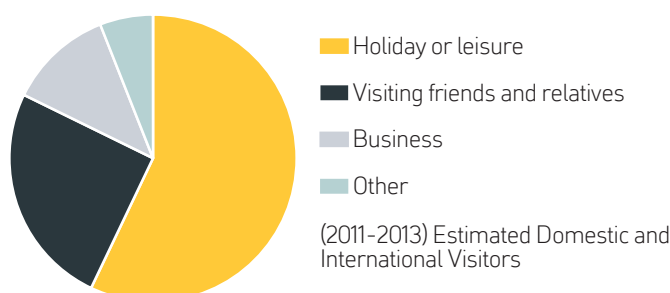


Figure 16: Tourism demand summary

3.3.2. TOURISM ISSUES AND OPPORTUNITIES

ISSUES

- + There is minimal higher rated accommodation which limits the market for general visitors and corporate travellers to the area (CBRE, 2014);
- + The performance of Albany's accommodation within the Great Southern region is rated as "Medium" (Tourism WA, 2014);
- + Albany's accommodation market mainly consists of dated motel stock predominantly located along Albany Highway (outside of the CBD) (CBRE, 2014);
- + Tourism and hospitality sales in City of Albany have dropped (an annual average of 0.72% and 0.36% respectively from 07/08) (economy.id, 2014); and
- + Access to the Great Southern region from Perth is considered a disadvantage to tourism according to Tourism WA's Australia's South West Tourism Development Priorities 2010-2015.

OPPORTUNITIES

- + There is a demand for mainly for short-stay accommodation (CBRE, 2014);
- + There is scope for a new establishment targeting the upper end of the market that can cater to groups and families as well as corporate guests (CBRE 2014);
- + A priority identified in Tourism WA's Australia's South West Tourism Development Priorities 2010-2015 is to identify land to "facilitate future development of additional four to five star accommodation in the region";
- + Strengthen the corporate travel market; and
- + Capitalise on the naturally beautiful beachfront location; and implement accommodation that provides direct beachfront access.

4 LAND USE AND SUBDIVISION REQUIREMENTS

4.1. LAND USE

The MBAC Structure Plan (Figure 17) is established on a precinct-based approach to development. Four precincts have been determined based on grouping areas with similar character; activity and land use; role and function, and future potential.

The four precincts act together to enhance Middleton Beach, with an emphasis on delivering quality built form which compliments the public realm, sensitively interfaces with the surrounding residential context and natural environment.

The MBAC Structure Plan provides place-based and specific development requirements on matters such as: building height, setbacks and other development standards. The four precincts comprise:

- + Hotel/Mixed Use
- + Mixed Use,
- + Residential; and
- + Edge

The precincts are summarised in the following chapter and shown on Figure 17.

4.1.1. HOTEL/MIXED USE PRECINCT

The Hotel/Mixed Use Precinct includes the beach front site and will form the primary attractor to the area. The Hotel/Mixed Use Precinct will provide a node of activity incorporating high quality short stay accommodation and mixed use and residential development.

MBAC will encompass a landmark building with ground floor activated uses adjacent to Flinders Parade. This positioning assists in the development of a high street, as well as further activating the foreshore and drawing on current activities to enhance Middleton Beach.

The Hotel/Mixed Use Precinct will incorporate high value and high quality short stay accommodation, with potential for residential development at upper levels. Day and night time uses are encouraged to create activity. It will be the focal point at the end of the pedestrian boulevard, interfacing the public open space and foreshore.

Careful consideration shall be given to the interface between the hotel precinct and the public realm.

Whilst a height of approximately 5 storeys is envisaged for the site, subject to satisfying additional criteria as outlined in the scheme provisions, additional height up to a maximum of 12 storeys may be considered on site.

4.1.2. MIXED USE PRECINCT

The Mixed Use Precinct will accommodate development containing commercial and other non-residential uses in conjunction with residential dwellings, in a multiple dwelling configuration. The Mixed Use Precinct provides small, low scale retail uses, whilst incorporating increased residential densities, in contrast to the surrounding residential zoning as well as short stay accommodation.

The Mixed Use Precinct has capacity to accommodate approximately 786sqm of retail/commercial space base on the economic analysis outlined in Section 4.4. Outside of these floor space recommendations, the remainder of the precinct will comprise residential multiple dwellings with heights ranging from 2 – 5 storeys, with 2-4 storeys along the southern frontage of the (non-vehicular) Public Access Way (PAW).

Medium density development has been identified as appropriate factoring in the forecast population changes of the locality, particularly noting the aging population and shrinking family size, outlined in more detail in Section 3.0.

Short or long stay accommodation has been identified as a suitable use within the Mixed Use Precinct, due to the high accessibility to the beach and exposure to amenities and services provided by the Hotel Precinct. Active uses are encouraged adjacent to Flinders Parade to assist development of a high street.

4.1.3. RESIDENTIAL PRECINCT

Medium density residential development is considered suitable for MBAC given the sites proximity and ability to leverage off surrounding amenities. Additionally, forecast change in demographics for the locality highlights a need for smaller housing typologies. The rationale behind the dwelling typologies that underpin the concept, are outlined in more detail in Section 3.0.

4.1.4. EDGE PRECINCT

The Edge Precinct comprises small portions of land located on the northern, eastern and southern boundary of the site.

This precinct remains as it is currently on the north and east. To the south of Adelaide Crescent public parking will be provided along the eastern edge of MBAC as well as an entry point to a walking trail up Mount Adelaide for views across Middleton Beach and out to the Indian Ocean.



4.1.5. ACTIVE FRONTAGES

Areas identified as 'Active Frontages' on the Structure Plan map encourage a range of non-residential land uses at ground level.

Areas delineated as either 'Primary Active Frontage' or 'Secondary Active Frontages' are requested to demonstrate measures have been undertaken to incorporate adaptability into the development at ground level.

4.1.6. PRIMARY ACTIVE FRONTAGES

Primary Activity Nodes are located at key points along the active frontages and identify areas of prime importance for retail and active uses within the MBAC Structure Plan area.

'Special use' zone scheme provisions will prohibit residential uses at ground level within Primary Active Frontage areas.

4.1.7. LAND USES

Permissible land uses recommended for each precinct are contained in Table 4.

- (1) Means the use is prohibited where it fronts the street at pedestrian level.
- (2) Means that the use is prohibited where it fronts the street at pedestrian level within the Primary Active Frontage area as depicted on the Precinct Plan.

Table 4: Land Use Table

PRECINCT LAND USE	HOTEL/ MIXED USE	MIXED USE	RESIDENTIAL	EDGE
Car Park	D	D	-	D
Consulting Rooms	-	D	-	-
Convenience Store	-	D	-	-
Exhibition Centre	A	A	-	-
Holiday Accommodation	D	P	-	-
Home Office	-	-	D	-
Hotel (up to 5 storeys 21.5m)	P	D	-	-
Hotel (Above 5 storeys +21.5m)	A	-	-	-
Market	D	D	-	-
Multiple Dwelling	P	P(2)	P	-
Multiple Dwelling (Up to 5 storeys 21.5m)	P(1)	P(2)	-	-
Multiple Dwellings (Above 5 storeys +21.5m)	A(1)	-	-	-
Nightclub	D	-	-	-
Office	-	D	-	-
Public Utility	D	D	D	-
Recreation - Private	A	A	-	-
Restaurant	D	D	-	-
Shop	A	D	-	-
Single Attached Dwelling	-	D(2)	P	-
Small Bar	A	A	-	-
Tavern	A	A	-	-

INTENTIONALLY LEFT BLANK



Middleton Beach Activity Centre
STRUCTURE PLAN



0 500
© Hames Sharley
Scale: 1:1000 @ A3



Project Number: 43460
Drawing Number: SP001
Revision: 8
Date: 10.12.2015

Hames Sharley

Figure 17: Indicative Concept Plan

4.2. DEVELOPMENT CONTROLS

Design guidelines guide the detailed design of proposed development.

Controls have been formulated to guide the scale and siting of future development. These base controls underpin the indicative concept plan as shown in Section 5.3 and indicative built form as shown in Section 5.4 of this report.

Development controls outlined in this Structure Plan will provide the foundation for detailed design guidelines for MBAC.

4.2.1. HEIGHT

A key principle guiding building height within MBAC is the intent to step back building height from the beach and adjacent residential development located to the north and west of MBAC. Additional height is to be provided near Mt Adelaide, as shown on Figure 18.

This serves the dual purpose of preserving key views and vistas and mitigating any potential overshadowing impacts. Acceptable building heights are outlined in Table 5.

The following considerations have been accounted for in determining appropriate building height for MBAC:

- + Building height is to be calculated as the vertical distance between the Natural Ground Level (NGL) of the site to top of roof (including any projections);
- + The Mixed Use and Hotel/Mixed Use Precinct account for an internal floor to floor measurement of 4.5m for ground floor tenancies (to accommodate adaptable building design);
- + Subterranean car parking structures to protrude a maximum 1.5m above NGL;
- + Internal floor to floor measurements of 3.5m for levels above ground for the Mixed Use and Hotel/Mixed Use Precinct and for all development within the Residential Precinct; and
- + An additional 1.5m to overall height for all buildings to accommodate any roof projection projection and screening of plant and equipment.

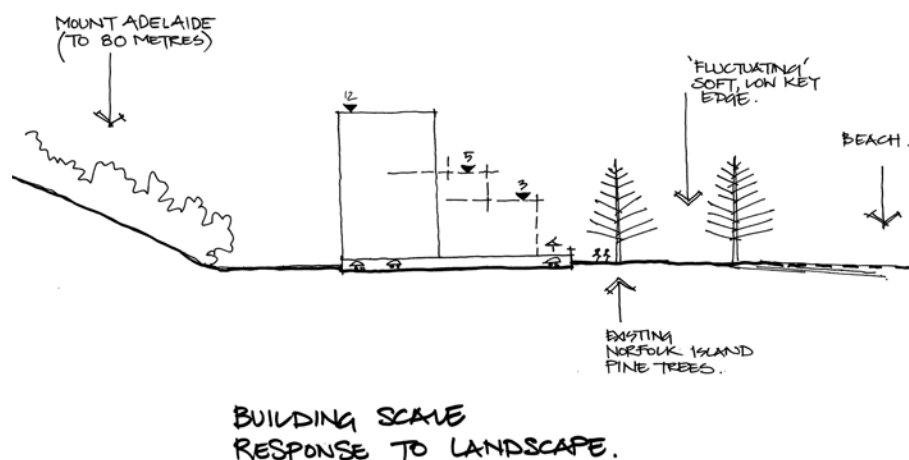


Figure 18: Indicative building height integration

Table 5: Building Heights

PRECINCT	MAX HEIGHT (M)	STOREYS	DESIGN GUIDANCE
HOTEL / MIXED USE	11m – 21.5m	2 – 5	<ul style="list-style-type: none"> + Building heights should respond to the adjacent public realm, Mount Adelaide and integrate with future development within the Hotel/Mixed Use precinct. + Development adjacent to the beach should step back above 3 storeys to limit overshadowing of the public realm while optimising access to sun, breeze, views and privacy. + Development should limit obstruction of views for surrounding residential, and height concentrated towards the south of the hotel precinct. + A minimum floor to floor of 4.5m should be required at ground level to allow for adaptable building design and flexibility of use. + Accommodation of 1.5m for any roof projections within maximum permitted height. + Subterranean car parking structures not to exceed 1.5m above NGL.
	11m – 46m	2 – 12	<ul style="list-style-type: none"> + As above.
MIXED USE	11m – 21.5m	2 – 5	<ul style="list-style-type: none"> + A minimum floor to floor of 4.5m should be required at ground level to allow for adaptable building design and flexibility of use. + Development should step back above 3 storeys to limit overshadowing of the public realm, while optimising access to sun, views and privacy, as shown in Figure 18. + Increased heights are encouraged towards the southern boundary of MBAC, adjacent to Mt Adelaide to limit impact on the public realm and surrounding development. + Accommodation of 1.5m for any roof projections within maximum permitted height. + Subterranean car parking structures not to exceed 1.5m above NGL;
RESIDENTIAL	10 – 13.5m	2 – 3	<ul style="list-style-type: none"> + Building height should respond to surrounding residential context. + Accommodation of 1.5m for any roof projections within maximum permitted height. + Subterranean car parking structures not to exceed 1.5m above NGL.

4.2.2. STREET SETBACKS

A nil street setback applies within MBAC. Table 6 outlines key setback requirements and the underlying design intent. Street setback requirements work in conjunction with activation and should be read simultaneously with Section 4.2.2.

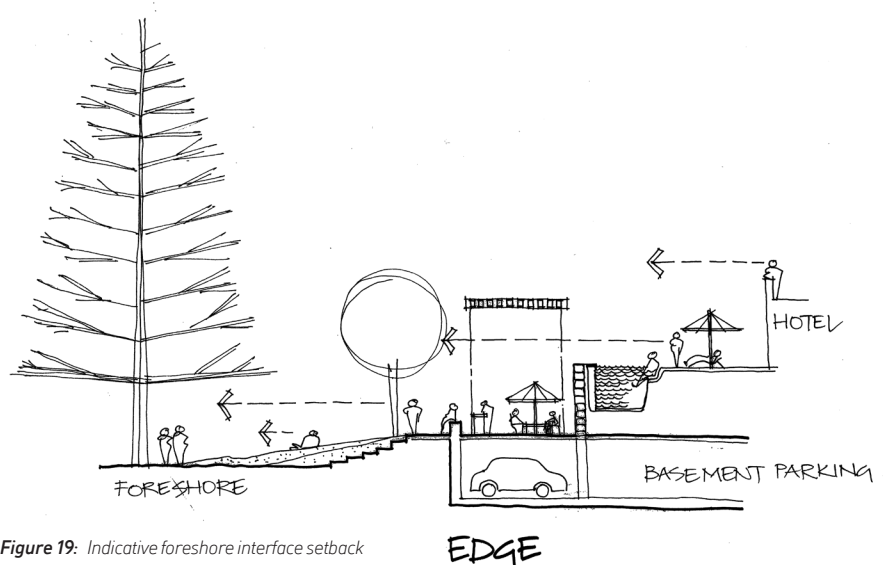


Figure 19: Indicative foreshore interface setback

Table 6: Setbacks

STREET	REQU.	DESIGN INTENT
Foreshore	Nil	<ul style="list-style-type: none"> + A nil setback to the foreshore is required to promote connectivity and views to the adjacent public realm. + Buildings should accommodate active frontages with views to the foreshore (alfresco dining) and allow for building articulation, as shown in Figure 19. + Setbacks above 3 storeys should limit overshadowing, whilst optimising access to sun, breezes and views.
Flinders Parade	Nil	<ul style="list-style-type: none"> + A nil setback adjacent to Flinders Parade is required to promote an active frontage and facilitate the development of a high street environment, increasing vibrancy along Flinders Parade and connectivity with the public open space and foreshore. + Ground floor setback should allow for minor variations to allow for building articulation, alfresco dining and other features that add amenity and interest to the area.
Barnett Street	Nil	<ul style="list-style-type: none"> + A nil setback is encouraged to promote connection to adjacent residential area and promote passive surveillance.
Marine Terrace	Nil	<ul style="list-style-type: none"> + A nil setback is encouraged to promote connection to adjacent residential areas and promote passive surveillance.
Adelaide Crescent	Nil	<ul style="list-style-type: none"> + Articulated nil setbacks add to the pedestrian environment along Adelaide Crescent, accounting for high fire risk hazards.



4.2.3. ACTIVATION

The general layout of activation is shown on Figure 20 and Figure 21. It is envisaged active frontages be consolidated to:

- + Flinders Parade to promote the development and activation of a high street;
- + Eastern interface of the Hotel/Mixed Use Precinct to integrate and activate the existing foreshore area; and
- + Portions of Adelaide Crescent to provide a connection to existing commercial uses located to the west of the site.

As a priority the consolidation of active uses, are to be located along Flinders Parade, as denoted as 'Primary Active Frontage' on MBAC Structure Plan Map (Figure 7). Secondary to this Adelaide Crescent shall also accommodate active uses as denoted as "Secondary Active Frontages". However, should not dilute or detract from the development of Flinders Parade as the priority zone of activation.

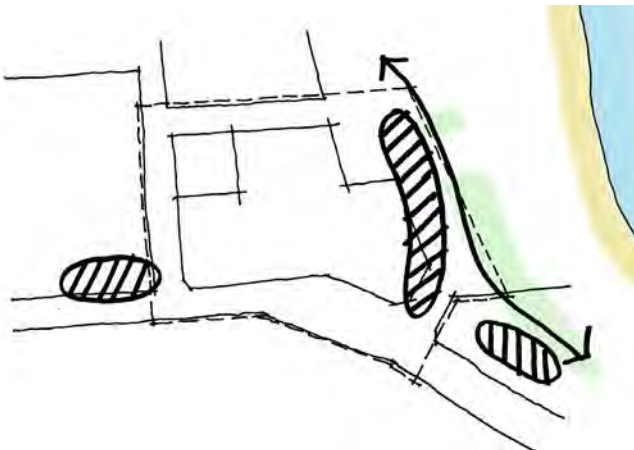


Figure 20: Activation focus with foreshore and existing development

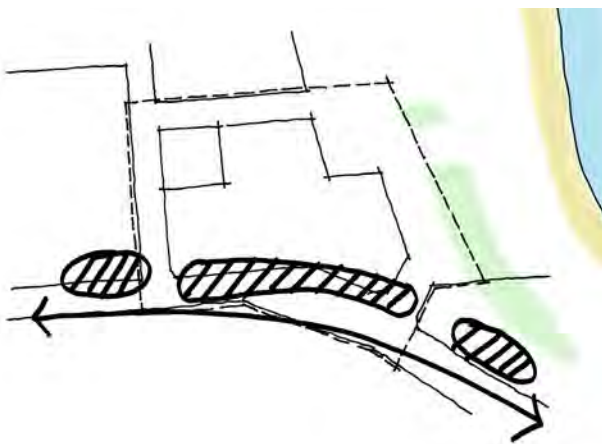


Figure 21: Activation focus with Adelaide Crescent and existing development

4.2.4. PARKING AND ACCESS

PUBLIC PARKING

The indicative Concept Plan (Figure 32) shows on-street parking along all existing roads surrounding MBAC, including Flinders Parade, Barnett Street, Marine Terrace, Adelaide Crescent. As well as along the new internal street running north-south of MBAC.

On-street parking provides a traffic calming measure, slowing traffic and allowing for a pedestrian prioritised environment. Flinders Parade is the primary focus for activation as the MBAC Structure Plan seeks to develop this area into a high street environment. This is followed by the activation of Adelaide Crescent.

Based on the above parking provisions, public car parking bays within MBAC have increased from 130 to 159, as shown in Figure 22 and Figure 23.

RESIDENTIAL CAR PARKING

- + Residential car parking is to be provided in a subterranean configuration.
- + No visitor parking is required for residential development due to the close proximity of public car parking facilities.

COMMERCIAL CAR PARKING

Reduction in commercial car parking is requested through the MBAC Structure Plan. This is achieved through a requirement that:

- + Parking for retail be provided at 50% of the City of Albany Local Planning Scheme requirement; and
- + For the 'Hotel' use, employee parking be reduced by 50% and no dedicated parking spaces be provided for the bar and dining areas associated with the hotel.

A reduction in parking rates for commercial uses are supported due to the close proximity of public parking provisions.

BICYCLE PARKING

In order to encourage the use of active transport modes, additional bicycle parking facilities are proposed. This will be achieved through a requirement of:

- + 1 bicycle parking space per residential dwelling; and
- + 1 bicycle parking space per 10 dwellings for visitors.

These parking ratios were used to guide the indicative built form depicted in the Concept Plan, which accommodates up to 225 of bicycle bays.

VEHICLE PARKING AND ACCESS

The following requirements will apply when considering parking and access provisions for future development:

- + Crossovers are to be minimised where possible.
- + Single entry car parking to be provided, with no private garages.
- + Parking to be concealed from view from the street.
- + On-street parking to be utilised for traffic calming purposes where possible, and as indicated within Indicative Concept Plan (Figure 32).



Figure 22: Existing Car Parking Provision



Figure 23: MBAC Car Parking Provision

5 URBAN FORM

5.1. EXISTING FORM

The existing urban structure in Middleton Beach is a reflection of the subdivision pattern prior to the 1950s. While many of the large lots still remain, some have recently been subdivided. The average density in the surrounding area is 22 dwellings per hectare. However, many of the dwellings are used as short stay accommodation deeming this figure conservative. The existing urban form throughout Middleton Beach is dominated by 1-2 storey detached residential housing, with the exception of Barnett Street where development reaches 3 storeys.

MBAC is dominated by vacant land, extensive parking, a grassed foreshore characterised by Norfolk Island Pine trees and an informal beach edge. MBAC is void of any built form. The Norfolk Island Pine Trees which line the grassed foreshore are the prominent character element, images of the surrounding context as shown on Figure 24 - Figure 31.



Figure 24: Middleton Beach foreshore looking towards the beach



Figure 26: Middleton Beach facing north



Figure 25: Three Anchors and Playground south-east of site



Figure 27: Middleton Beach Surf Life Saving Club



Figure 28: MBAC facing west towards site



Figure 30: Middleton Beach existing housing adjacent to Barnett Street.



Figure 29: Northern side of site



Figure 31: Walking and cycling trail along foreshore

5.2. DEVELOPMENT PRINCIPLES

MBAC Structure Plan area been analysed from both a built form and subdivision perspective. This analysis considered activity, movement and character from a 'place creation' perspective and informs the principles for the development of each precinct.

Development principles derived from the preceding site and context analysis and community consultation outcomes, provide the foundation elements which are to be maintained through the development of MBAC. These principles include:

CONTEXT AND LOCAL CHARACTER

- + Design is place-based and integrates with the foreshore, pines and Mount Adelaide.

BUILT FORM AND SCALE

- + Provides housing diversity and establishes a range of housing opportunities.
- + Responds to the surrounding scale through stepped development.

ENVIRONMENTAL SUSTAINABILITY

- + Protects and manages natural systems, habitat and biodiversity.
- + Efficiently and innovatively manages energy, water, resources and materials.

LANDSCAPE AND OPEN SPACE

- + Responds to place character including, landscape/ context and future place.
- + Provides attractive open space, aiding community to develop a sense of place.
- + Provides careful consideration of the interface between public and the private realm.
- + High quality landscape design which enhances the surrounding environment and heritage while promoting recreation and social inclusion.

LEGIBILITY

- + Clear street/space network with safe, active pedestrian routes.

CONNECTIVITY

- + Pedestrian prioritised movement network.
- + Small block structure to increase permeability

AMENITY

- + Place identity: community desire for a meeting place, low key, 'fluctuating' foreshore edge.

- + Appropriate, well designed and maintained infrastructure that supports active living – supports recreation, social interaction and active transport options

BUILD QUALITY

- + Enhance the sense of place with architecturally considered buildings, landscape design and landmark development sites.
- + High quality, attractive built form which aids community in developing a sense of place.
- + Built form to frame public places – pleasing pedestrian edge/ human scale.

SAFETY

- + Safe and healthy: family recreational environment, parking, disabled access.
- + Passive surveillance to enhance physical, mental and social well-being – ensure clear sightlines, sufficient lighting, active frontages and adequate street crossings to promote family environment

SOCIAL RESPONSIBILITY / SOCIAL INCLUSION

- + Affordable: flexibility to offer innovative dwelling types for aged and less able.
- + Encourage adaptable buildings to accommodate change of use over time.
- + People and communities have opportunity to participate in cultural, civic and economic life.
- + A precinct which will encourage meeting and stimulate social interaction.

The development principles underpin the indicative concept plan (Figure 30) developed to illustrate potential and contextually appropriate development within MBAC.



5.3. INDICATIVE CONCEPT PLAN

The proposed urban form introduces a new urban structure into Middleton Beach and Albany. In particular, it seeks to provide diversification of housing typologies to better meet changing demographics and subsequent housing demands. MBAC Structure Plan seeks to provide local amenities and tourist facilities to enhance Middleton Beach and recreational activities undertaken in the area.

MBAC shows a connection between buildings and public space; and an integration between buildings and the street. Identifiable features of MBAC include elements of high street, landmark hotel and pedestrian boulevard.

The development aims to strengthen public connections to the beach via the Public Access Way, also enabling views to the beach. The opportunity of a strong vista is also created towards Mount Adelaide from the realigned Flinders Parade enabling the public realm to flow north to south.

The landmark building in the Hotel Precinct will act as the arrival node to the activity centre.

Key design components of the Concept Plan are summarised below and shown in the indicative Concept Plan (Figure 32).

- + A high street with activated edges;
- + Assist in greater connectivity of existing retail offerings (Hybla Bar, Bay Merchants, Three Anchors, Rats);
- + Stepped development heights throughout the centre;
- + Locate hotel on landmark corner;
- + Optimise development site area and connect with foreshore;
- + Landmark building to respond to Mount Adelaide;
- + Maintain a key vista along Adelaide Crescent to corner hotel;
- + Optimise development with direct foreshore access;
- + Retain Flinders Parade visual connection to the foreshore;
- + Realign Flinders Parade to improve foreshore activation;
- + Flinders Parade to be a slow speed environment; and
- + Pedestrian access through the site to the foreshore.

5.4. YIELD ANALYSIS

Yields contained within the Indicative Concept Plan (Figure 32) are based on an assumed dwelling typology and mix and summarised in Table 7.

Table 7: Indicative dwelling yield

LOT NO.	GROSS FLOOR AREA (M ²)	UNIT YIELD & TYPOLOGY (1X1 / 2X2)
LOT 1	3636.63	36 (36)
LOT 2	3708.09	42 (24/18)
LOT 3	6171.25	71 (16/55)
LOT 4	7578.15	76 (15/61)
LOT 5 (12 Storeys)	20,705.85	70
TOTAL		295

The above yields are based on the following dwelling sizes:

- + 1 Bed x 1 Bath: 60m²
- + 2 Bed x 2 Bath: 80m²

The proposed dwelling typologies are underpinned by market and demographic analysis undertaken in Section 3.0, which identified an evident demand for a smaller housing product.

The yield generated by the Indicative Concept Plan was further based on development achieving maximum permitted development controls, notably a height of 12 storeys. It is anticipated dwelling yields will be notably less should a reduction in height occur, or larger dwelling configurations be proposed.

INTENTIONALLY LEFT BLANK



Concept Plan - Indicative Built Form
MIDDLETON BEACH ACTIVITY CENTRE

Scale: 1:1000 @ A3
0 250
© Hames Sharley



Project Number: 43294
Drawing Number: A001
Revision: F
Date: 10.12.2015

Hames Sharley

Figure 32: Indicative Concept Plan

5.4. INDICATIVE BUILT FORM: CONTEXTUAL

Figures 33 - 48 depict the indicative built form intended for MBAC, showing indicative built form within the surrounding context. The imagery provides a comparison between a 5 storey and 12 storey landmark development located within the Hotel/Mixed Use Precinct.



Figure 33: Indicative Built Form (5 Storeys) - South-East Perspective



Figure 34: Indicative Built Form (5 Storeys) - South-West Perspective



Figure 35: Indicative Built Form (12 Storeys) - South-East Perspective



Figure 36: Indicative Built Form (12 Storeys) - South-West Perspective



Figure 37: Indicative Built Form (5 Storeys) - South-West Perspective



Figure 38: Indicative Built Form (5 Storeys) - North-East Perspective



Figure 39: Indicative Built Form (12 Storeys) - South-West Perspective



Figure 40: Indicative Built Form (12 Storeys) - North-East Perspective

5.5. INDICATIVE BUILT FORM: HUMAN SCALE

Figures 41 - 48 depict the indicative built form intended for MBAC from the human scale perspective. The imagery provides a comparison between a 5 storey and 12 storey landmark development.

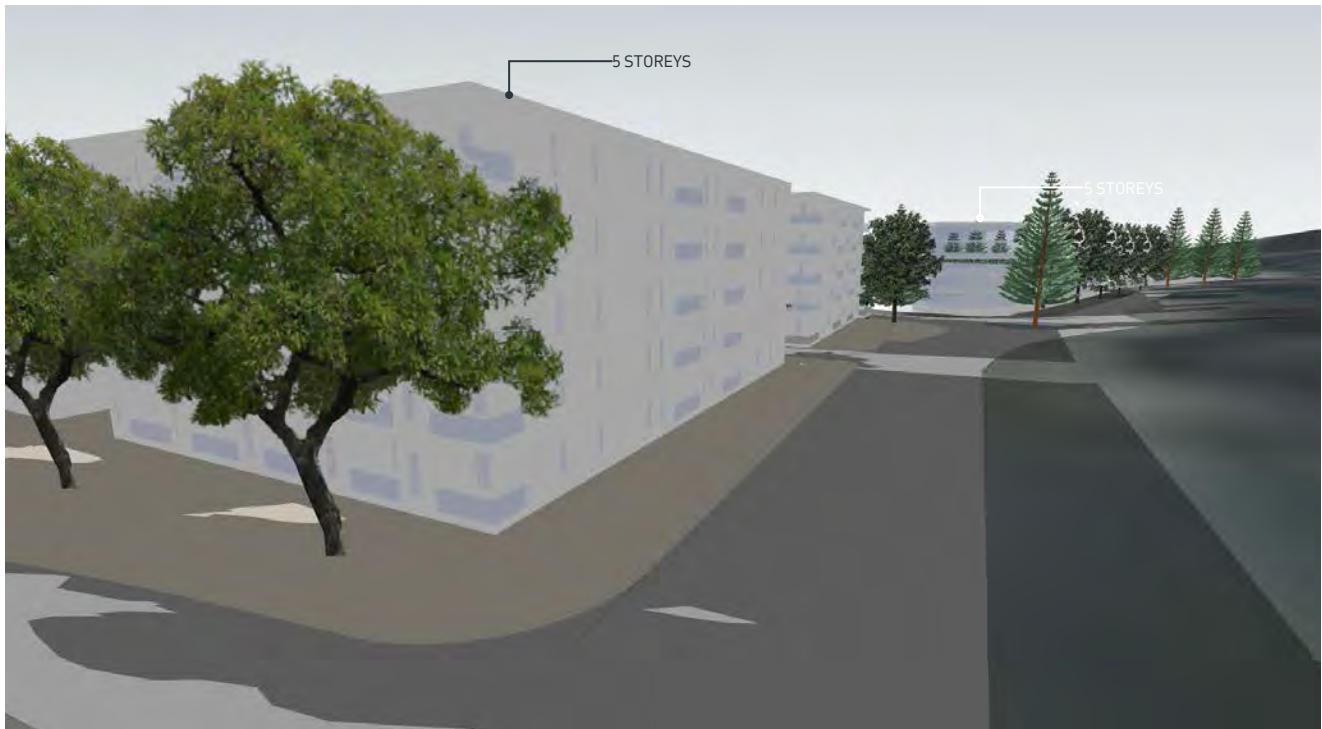


Figure 41: Indicative Built Form (5 Storeys) - Adelaide Crescent looking East



Figure 42: Indicative Built Form (5 Storeys) - View from beach foreshore to Hotel/Mixed Use Precinct

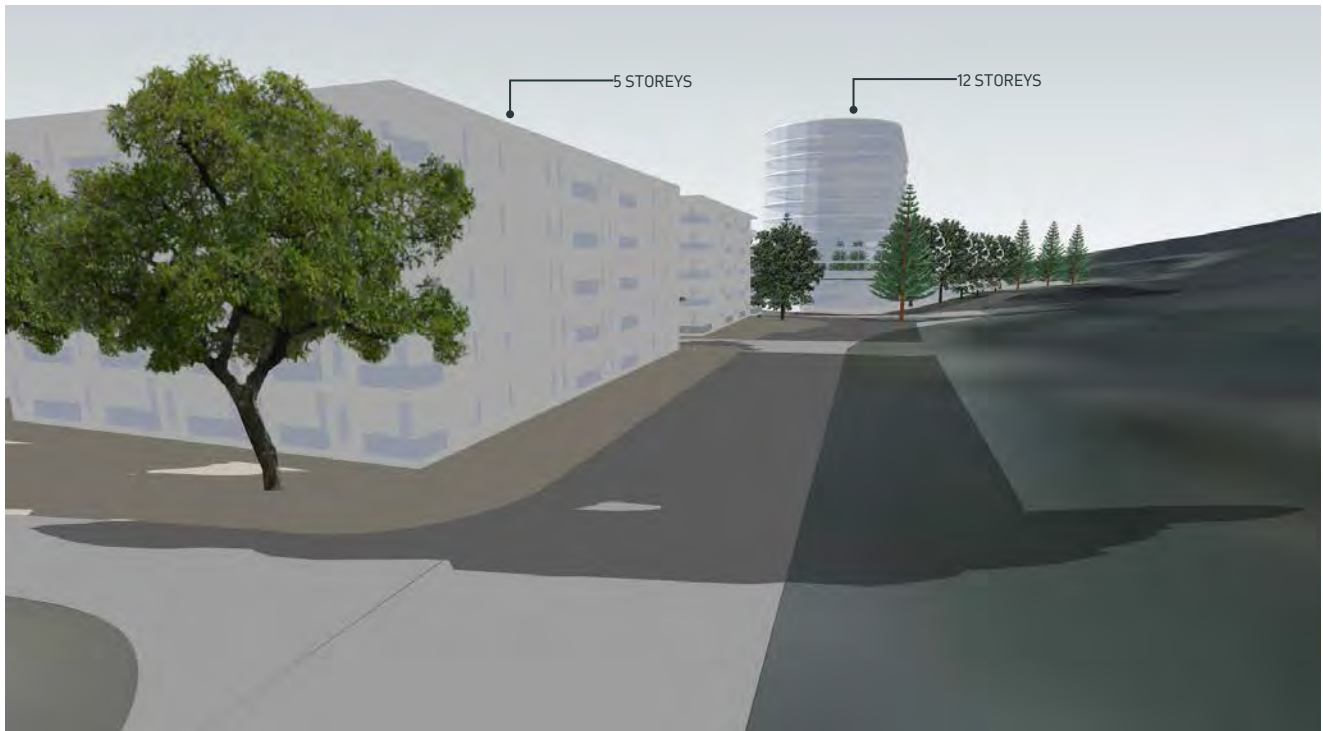


Figure 43: Indicative Built Form (12 Storeys) - Adelaide Crescent looking East



Figure 44: Indicative Built Form (12 Storeys) - View from beach foreshore to Hotel/Mixed Use Precinct



Figure 45: Indicative Built Form (5 Storeys) – Flinders Parade looking south



Figure 46: Indicative Built Form (5 Storeys) – View from beach foreshore to Hotel/Mixed Use Precinct



Figure 47: Indicative Built Form (12 Storeys) - Flinders Parade looking south



Figure 48: Indicative Built Form (12 Storeys) - View from boardwalk

5.6. OVERSHADOWING

Based on the indicative built form illustrated in Figures 33 – 48, overshadowing diagrams have been prepared to show the level of overshadowing resulting from development.

These are based on maximum permitted heights and show the majority of shadow falling toward Mt Adelaide posing no undue impact on the surrounding area.



Figure 49: Shadow cast at 12:00pm 21 June



Figure 50: Shadow cast at 3:00pm 21 June



Figure 51: Shadow cast at 12:00pm 21 June - 12 storey option



Figure 52: Shadow cast at 3:00pm 21 June - 12 storey option

6 OPEN SPACE / LANDSCAPE

6.1. LANDSCAPING

AECOM developed a Landscape Master Plan (**Appendix J**) for MBAC, based on a number of integrated principles for creation of an attractive, distinctive and inclusive place which celebrates the unique character of Middleton Beach. These principles are:

PRINCIPLES

- + Landscape theming for the site draws its inspiration from the unique Great Southern natural landscape.
 - + Develop and strengthen pedestrian and cycle links between Middleton Beach, the City Centre and residential areas nearby.
 - + Be respectful and aware of the broader context of the site with regard to Ellen Cove, Mt Adelaide and Mt Clarence and King George Sound.
 - + Work with and integrate materials and design approach established elsewhere in the locality to provide a level of consistency to the public domain.
 - + Materials palette, design details and vegetation are consistent with the City of Albany maintenance guidelines and the City's urban design initiatives for the future.
- view lines and the selection of details, materials and vegetation.
- + Integrate art work consistent with landscape themes.
 - + Provide flush pedestrian orientated surfaces.
- The full range of plans and recommended planting, furniture and hardscape themes are outlined in Appendix J.

The full range of plans and recommended planting, furniture and hardscape themes are outlined in Appendix J, based on the following design objectives:

OBJECTIVES

- + Establish a strong connection to the previous geomorphological and ecological histories of the site and its context; and in this way establish an 'urban ecology' to the precinct.
- + Where appropriate, create a uniform 'shared public domain' where the distinction between trafficable and pedestrian spaces is only subtly defined where appropriate (i.e. Flinders Parade).
- + Provide a public domain that responds to the climate conditions of Albany through the provision of shaded and comfortable areas and use of deciduous/evergreen trees where solar access is desirable.
- + Ensure that there is a seamless integration between interior and exterior spaces, expressed primarily through ground plane materiality, texture, colour and pattern.
- + Ensure that there is a strong connection to the broader Middleton public domain through the connection of



INTENTIONALLY LEFT BLANK

INTENTIONALLY LEFT BLANK



AECOM
Figure 53: Landscape Master Plan (Source: AECOM)

MIDDLETON BEACH SK02-D LANDSCAPE MASTER PLAN



7 TRAFFIC

A Transport Assessment (**Appendix H**) has been prepared in accordance with the Western Australian Planning Commission (WAPC) Transport Assessment Guidelines for Developments: Volume 2 – Structure Plan (2006) and outlines the transport aspects of the proposed Middleton Beach Activity Centre and focuses on the traffic operations, access arrangements and parking provision within the area.

The following conclusions have been made in regard to the proposed MBAC:

- + The proposed development to be located at Middleton Beach comprises of residential, retail and hotel land uses and will further enhance the amenity of Middleton Beach, as well as reintroduce a high standard of tourist accommodation.
- + The land uses within the proposed MBAC will generate an estimated 288 two-way trips during the AM peak hour period and 324 trips during the PM peak hour period.
- + The proposed internal cycling and pedestrian network will provide good connectivity to the surrounding external pedestrian and cycling infrastructure, to ensure that active transport is promoted as viable transport modes to/from the MBAC.
- + Due to the quantum of existing off-street parking facilities surrounding the study area, it is recommended that a total of 582 parking bays be provided as part of the Middleton Beach Activity Centre.
 - It is not recommended that parking be provided to cater for demands during special events as this will not be utilised for the majority of days during the year and would reduce both the amenity of the area and act as a barrier for pedestrians.
 - It is recommended that 1 bicycle parking space be provided to each of the residential dwellings within the MBAC to promote the use of cycling to/from the MBAC, as well as 1 bicycle parking space per 10 dwellings to be provided for the residential visitors.
- + SIDRA analysis of the intersections within the study area showed that the existing intersections within the study area have sufficient capacity to operate satisfactorily for all scenarios considered as part of this assessment, including a peak season 'sensitivity' test scenario.
- + Vehicular access to be provided along Marine Terrace, Barnett Street and via internal laneways.



8 WATER MANAGEMENT

Water management and drainage has been examined by Wood and Grieve Engineers to provide guidance in terms of stormwater drainage within and around the site. The key findings are illustrated on the attached concept and catchment plans (Appendix I). In particular, options for the removal or relocation of the existing stormwater outlets onto the beach have been investigated. Currently, these pipe outlets and associated drainage channels detract from the amenity of the area and as a result, their removal is considered desirable.

8.1. DRAINAGE NETWORK SUMMARY

The site is currently connected to by an existing 225 diameter pipe adjacent to Flinders Parade. This system then collects water from the road reserve and pavements, as well as runoff from Marine Drive and Mt Adelaide. Discharge is onto the beach via an existing outlet in the retaining wall. A second system picks up the more northern part of Flinders Parade and does the same, via another beach outlet.

Both these systems will need to be reconfigured with the realignment of Flinders Parade. There is no upstream catchment needing conveyance through the site.

8.2. MANAGEMENT OBJECTIVES

The following general stormwater management objectives for the site and surrounds apply:

8.2.1. FLOOD CONTROL AND PROTECTION OF PROPERTY:

- + Adequate free board for FFL to 1:100 flood level.
- + Impact of sea level rise if any.
- + Flood routing around proposed dwellings.
- + Appropriate design flow depth and flow rate for overland flood paths.
- + Consideration or removal of existing trapped lows in road network.

8.2.2. EXISTING NETWORK

- + Retrofit infiltration infrastructure to existing drainage system where suitable.
- + Infiltrate runoff for proposed development for 1:5 ARI.

8.2.3. WATER QUALITY

- + Retrofit infiltration/bio-infiltration infrastructure to existing drainage system where suitable.
- + Ensure treatment of runoff from new development in line with current best management practice.

8.2.4. IMPROVED AMENITY

- + Reduce quantity and frequency of discharge by increased infiltration upstream from outlet.
- + Improve quality of discharge water by retrofitting stormwater treatment to upstream catchment.

8.2.5. EXISTING PIPED OUTLETS

There are five existing stormwater outfalls onto Middleton Beach (Ellen Cove). These vary in diameter, level, and impact on the beach amenity. Generally, the larger the pipe diameter and contributing catchment and lower the discharge pipe invert level the greater the impact on amenity. A large pipe and contributing catchment generates a higher volume and frequency of discharge, where a lower discharge pipe invert results in a deeper drainage channel with greater depth of standing/flowing water.

Changes to these existing outlets may include:

- + Reduction in discharge flow frequency and volume by increased infiltration upstream; and/or
- + Relocation of piped outlets to locations that minimise impact on beach amenity, to be further discussed with the City of Albany.

8.3. LOCAL WATER MANAGEMENT STRATEGY

RPS have prepared a Local Water Management Strategy (LWMS) **Appendix K** in support of the MBAC structure plan.

The report provides scope for how water sensitive urban design and total water cycle management principles may be implemented over the site. The key findings of the LWMP are detailed in Table 1 of the RPS report.

9 INFRASTRUCTURE COORDINATION, SERVICING AND STAGING

9.1. SERVICING

Wood and Grieve Engineers prepared an overview of the servicing and infrastructure requirements necessary for the implementation of the MBAC Structure Plan, which are summarised in the following section:

9.2. SEWER RETICULATION

MBAC is currently served by an existing 150 diameter gravity sewer system, grading back to a waste water pumping station on Garden Street. An existing sewer runs internal to the lot in an easement. This sewer could be relocated if required to accommodate future development.

To fully service the site some filling will be required in the eastern part of the site, along the interface with Flinders Parade, which is at the far end of the sewer catchment. For any development within the existing Flinders Parade reserve as part of any realignment, the levels in the existing road reserve will require lifting by around 1.5 to 1.8m.

The Water Corporation have advised that the system downstream should have capacity for development of this site up to an equivalent density of R80. It is likely that development beyond R80 may require some offsite infrastructure upgrades.

The current Three Anchors Development is served via a private pumping station adjacent to it. This pumps via a small pressure main and discharges at the corner of Marine Terrace and Adelaide Crescent. This pressure main traverses the site alongside the gas main in the very south east corner of the site and this will require relocation.

9.3. WATER RETICULATION

The existing water supply system surrounding the site is old and small in diameter. It is anticipated that any development would require the upgrading of the old mains to 100 dia UPVC as a minimum. In the south east corner of the site the existing water main traverses the site (in an easement) on its way to service the Three Anchors site on the beach front. This water main will need to be relocated into a road reserve as part of development.

The Water Corporation have advised that:

- + Additional demands from development of this site will have no significant impact on water distribution mains supplying this area.
- + There will be an impact on the local reticulation network surrounding the development, particularly the 80CI

in Adelaide Crescent, between Golf Links Road and Marine Terrace.

+ Any development of this site will require:

- Upgrade of existing 80CI main in Adelaide Crescent, from existing 100AC in Golf Links Drive.
- 100 P-12 extension in Flinders Parade and Adelaide Crescent.

9.4. UNDERGROUND POWER SUPPLY

To provide underground power to the site assumes that supply to the development would come from the adjoining infrastructure. The power demand of the proposed development is likely to be in the vicinity of 450Kva, and it is our understanding that the current power supply allocated to the site is 240Kva. The difference in demand (future less current) would attract Western Power systems charges.

The site is currently serviced by means of a district transformer, located within an easement on the western end of the site. It is possible to relocate this transformer if required (at cost).

The created lots will be serviced via new LV cabling and uni pillars, supplied from the existing (or relocated) transformer. LV cabling will in all likelihood be installed in Marine Terrace, Adelaide Crescent and Flinders Parade, with only street lighting cabling being installed in the new road. It is likely that one or both of the Northern lots (cnr Flinders/Barnett) would be serviced from existing infrastructure on Barnett Street.

9.5. COMMUNICATIONS / NBN

In accordance with the recently legislated National Broadband Network (NBN), developers are required to fund the design and installation of "pit and pipe" infrastructure suitable for handover to NBN Co, for their installation of an optic fibre network. This would be carried out with the underground power design and installation. Confirmation is required as to whether this development qualifies for the NBN program.

9.6. GAS SUPPLY

Existing gas mains surround the site on all roads. Similar to the water supply, an existing gas main traverses the site in the south east corner. This along with any road realignment, gas supply would require relocation. Atco gas has confirmed that the existing gas network adjacent to the site has the capacity to service the development of the site.



9.7. STAGING

Development of the MBAC is proposed to occur in the following stages (Figure 52):

STAGE 1

Changes to the road network – realignment of Flinders Parade and reconstruction of Adelaide Crescent; bulk earthworks and civil works including the Hotel site.

STAGE 2

Landscaping of the public realm on Flinders Parade, Adelaide Crescent and foreshore areas.

STAGE 3

Bulk earthworks and civil works for the development areas (residential and mixed use sites) as well as Public Access Way and Internal Road; landscaping of Public Access Way and other public realm.

Figure 53 provides an indication of a suitable subdivision configuration.

No additional subdivision beyond the 'super lot' layout will be considered until after any approved development is constructed to plate height.



Figure 54: Staging Plan

INTENTIONALLY LEFT BLANK

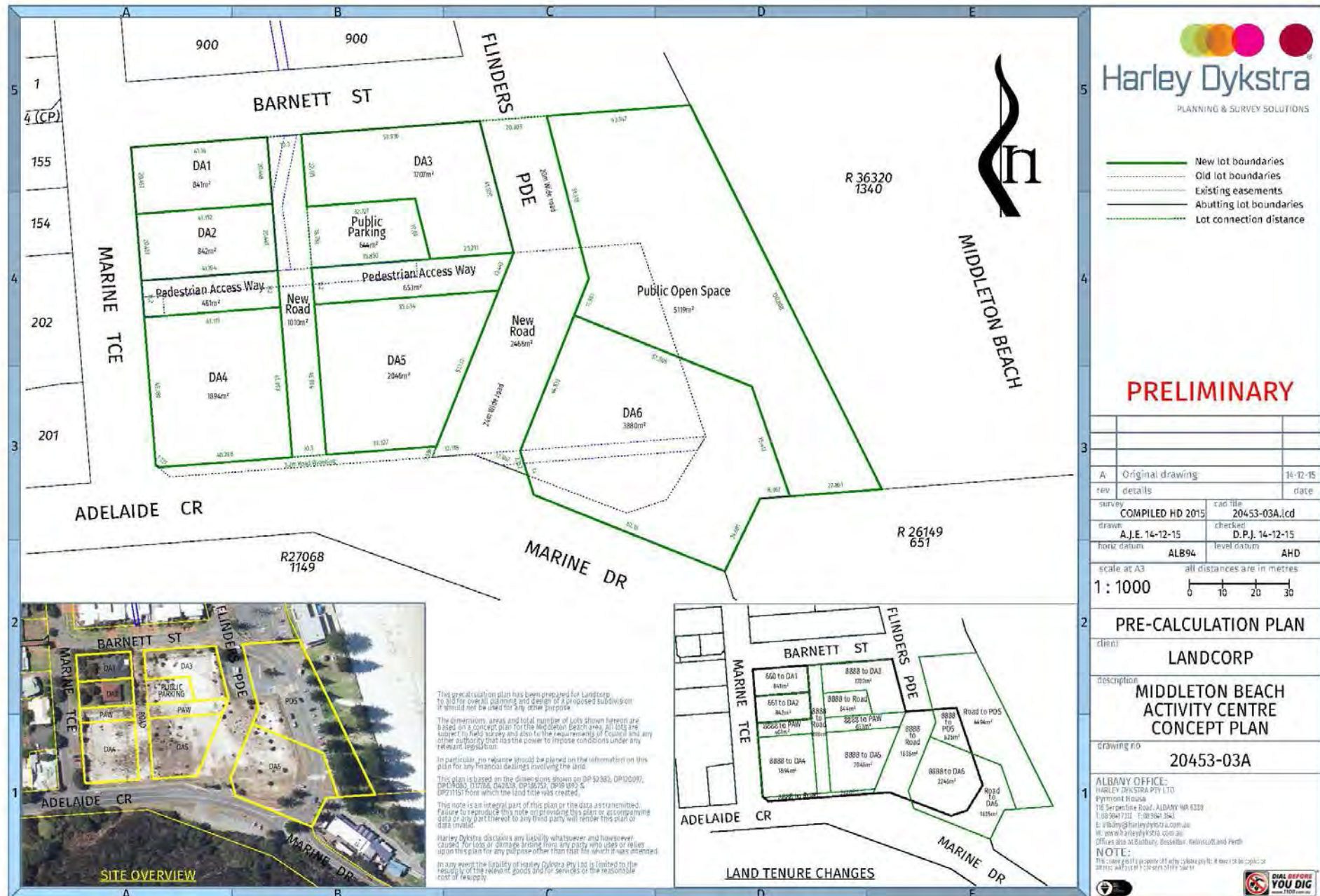


Figure 55: Indicative subdivision plan

10 DEVELOPER CONTRIBUTIONS

10.1 DEVELOPER CONTRIBUTION ARRANGEMENTS

Given the scale, ownership and extent of the MBAC, arrangements for developer contributions are not considered applicable in this instance. If it is determined that development contributions are necessary, then these shall be made in accordance with a development contribution plan adopted by the local government.



INTENTIONALLY LEFT BLANK

TECHNICAL APPENDICES

03

TECHNICAL APPENDICES

A Middleton Beach Activity Centre Structure Plan Map



INTENTIONALLY LEFT BLANK

B Certificates of Title



INTENTIONALLY LEFT BLANK

- C Flora, Vegetation and Fauna Review (Inclusive of an assessment of matters of national environmental significance) - RPS Environment and Planning Pty Ltd



INTENTIONALLY LEFT BLANK

D Middleton Beach Activity Centre updated Preliminary Servicing Report - Wood and Grieve Engineers



INTENTIONALLY LEFT BLANK

- E Middleton Beach Activity Centre Geotechnical Investigation, Preliminary Acid Sulfate Soils Investigation and Dewatering Investigation - Golder Associate Pty Ltd



INTENTIONALLY LEFT BLANK

F Bushfire Management Plan - Calibre Consulting



INTENTIONALLY LEFT BLANK

G Coastal Hazard Risk Management and Adaptation
Plan - M P Rogers & Associates Pty Ltd



INTENTIONALLY LEFT BLANK

H Transport Assessment - Cardno



INTENTIONALLY LEFT BLANK

| Landscape Master Plan Report - AECOM



INTENTIONALLY LEFT BLANK

J Storm Water Management Strategy - Wood and Grieve Engineers




INTENTIONALLY LEFT BLANK

K Local Water Management Strategy - RPS
Environment and Planning Pty Ltd



INTENTIONALLY LEFT BLANK

Hames
SHARLEY

 ARCHITECTURE
INTERIORS
URBAN DESIGN
PLANNING
LANDSCAPE

www.hamessharley.com.au

CITY OF ALBANY LOCAL PLANNING SCHEME No. 1

AMENDMENT No. 2

SCHEDULE OF SUBMISSIONS AND MODIFICATIONS

No.	Name/Address of Submitter	Summary of Submission	Officer Comment	Staff Recommendation
1	Environmental Protection Authority Locked Bag 33 Cloisters Square PERTH WA 6850	<p>The Environmental Protection Authority (EPA) considers that the proposed scheme amendment should not be assessed under Part IV Division 3 of the <i>Environmental Protection Act 1986</i> (EP Act).</p> <p>The modifications to Amendment No. 2 do not raise any additional environmental issues to those previously considered by the Environmental Protection Authority and its assessment of the amendment. On this basis it is not necessary for the EPA to set a different level of assessment and the EPA's advice dated 15 December 2014 is still valid.</p> <p>This advice does not preclude a decision by the Environmental Protection Authority to assess any subsequent development in accordance with the EP Act if any future proposals are likely, if implemented, to have a significant effect on the environment.</p>	Nil.	The submission is noted.
2	ATCO Gas 81 Prinsep Road JANDAKOT WA 6164	ATCO Gas has no objection.	Nil.	The submission is noted.
3	Telstra Locked Bag 2525 PERTH WA 6001	<p>Telstra has no objection.</p> <p>A network extension may be required for any development within the area concerned. The owner/developer will have to submit an</p>	Nil.	The submission is noted.

CITY OF ALBANY LOCAL PLANNING SCHEME No. 1 REPORT ITEM PD113 REFERS

AMENDMENT No. 2

SCHEDULE OF SUBMISSIONS AND MODIFICATIONS

No.	Name/Address of Submitter	Summary of Submission	Officer Comment	Staff Recommendation
		application before construction is due to start to NBN Co. (for greater than 100 lots or living units in a 3 year period) or Telstra (less than 100 lots or living units). Developers are now responsible for telecommunications infrastructure, i.e. conduits and pits. At present NBN or Telstra will provide the cable.		
4	Water Corporation PO Box 100 LEEDERVILLE WA 6902	<p>The Corporation has no objection to the amendment, subject to the following advice.</p> <p>A 150mm water main exists in Emu Point Drive, with a 58mm in Griffiths Street. The latter may need upgrading in size.</p> <p>Wastewater mains (150mm in size) exist in Medcalf Parade and Barry Court. The former main being at a lower invert level, with the potential to grade to this point without pumping. A detailed investigation would be required as to how the proposed development could be served.</p> <p>The provision or upgrading in size of reticulation mains are to be funded by the developer.</p>	The information provided by the Water Corporation will be relevant at the subsequent subdivision stage, should the proposed Local Planning Scheme amendment and draft <i>Emu Point Outline Development Plan</i> be supported by Council and approved by the Minister for Planning.	The submission is noted.
5	Western Power Locked Bag 2520 PERTH WA 6001	Western Power has no issue with the proposal. However, Western Power would draw the City's attention to the Local Planning Strategy Western Power Preliminary Input document previously provided to the City. This document	Western Power's strategic advice will be considered prior to the finalisation of the draft <i>Emu Point Outline Development Plan</i> .	The submission is noted.

CITY OF ALBANY LOCAL PLANNING SCHEME No. 1 REPORT ITEM PD113 REFERS

AMENDMENT No. 2

SCHEDULE OF SUBMISSIONS AND MODIFICATIONS

No.	Name/Address of Submitter	Summary of Submission	Officer Comment	Staff Recommendation
		provides some key requirements of Western Power that will need to be considered when analysing servicing requirements at the structure plan stage.		
6	Department of Fire and Emergency Services 5 Hercules Crescent CENTENNIAL PARK WA 6330	<p><i>WESTPLAN – BUSHFIRE</i> (December 2010) assigns the Hazard Management Authority responsibilities for Prevention to Department of Fire and Emergency Services, Department of Parks and Wildlife and local government for their respective areas. Moreover, it is acknowledged that "<i>Local Government planning and development processes also play a role in bushfire risk management by adopting specific standards</i>", as outlined in the joint Department of Fire and Emergency Services/Western Australian Planning Commission document <i>Planning for Bush Fire Protection (edition 2)</i>, May 2010.</p> <p>In view of the above, DFES expects that the methodology included in the "Planning for Bush Fire Protection" document is applied to any development within the proposed planning scheme.</p>	The draft <i>Emu Point Outline Development Plan</i> contains a comprehensive Fire Management Plan, which assigns a Bushfire Attack Level to the subject land and identifies the requirement for new buildings to be constructed in accordance with <i>Australian Standard 3959 – Construction of Buildings in Bushfire Prone Areas</i> .	The submission is noted.
7	Department of Parks and Wildlife South Coast Region 120 Albany Highway ALBANY WA 6330	<p>The Department of Parks and Wildlife has no objection.</p> <p>Parks and Wildlife note that the amendment will be in the balance of the vegetation and</p>	Nil.	The submission is noted.

CITY OF ALBANY LOCAL PLANNING SCHEME No. 1 REPORT ITEM PD113 REFERS
AMENDMENT No. 2
SCHEDULE OF SUBMISSIONS AND MODIFICATIONS

No.	Name/Address of Submitter	Summary of Submission	Officer Comment	Staff Recommendation
		associated conservation values, including habitat for threatened flora and fauna species, and will come under the management of the City of Albany. Departmental staff in the Albany office are available to provide advice, particularly in the area of threatened fauna monitoring and management, such as is currently occurring with the City of Albany fauna monitoring program on Mount Melville and other areas of the City's reserve management program.		
8	Department of Lands Level 2, 140 William Street PERTH WA 6000	The Department of Lands has no comments or objections.	Nil.	The submission is noted.
9		<p>My mother was notified, as an adjoining landowner, of the proposed development of Lot 3000 Emu Drive. We would both like to register our very strong objection to this proposal.</p> <p>Having examined the plans, I am completely shocked that such a large proposed urban zone would even be considered on such a unique and currently pristine location, given its proximity the beach.</p> <p>Clearly there must be some significant financial motivation behind wanting to</p>	While the objection is acknowledged, the majority of the subject land is already zoned for development and the draft <i>Emu Point Outline Development Plan</i> has been given support by Council and conditional approval by the Environmental Protection Authority.	The submission is noted.

CITY OF ALBANY LOCAL PLANNING SCHEME No. 1 REPORT ITEM PD113 REFERS

AMENDMENT No. 2

SCHEDULE OF SUBMISSIONS AND MODIFICATIONS

No.	Name/Address of Submitter	Summary of Submission	Officer Comment	Staff Recommendation
		<p>rezone such an area, otherwise building such a sprawling mass of residential homes and other commercial buildings in such an untouched area would never be considered, given ample other locations this could be built on.</p> <p>Considering that other advanced and developed countries (Europe: particularly Spain and Portugal) are re-zoning beach front development to actively discourage – and even remove – existing coastal urbanisation, I find it completely unbelievable that the Albany council would be even considering such a development.</p> <p>The fauna migration channel is laughably small, and given that this is an area currently inhabited ringtail possums and black cockatoos, among other native species, the environmental impact will be undeniably significant. Once this unique natural bush landscape is removed, it cannot be replaced.</p> <p>There should be robust opposition to any kind of development this close to the beach front, given the effect it has on delicate coastal eco-systems.</p> <p>The sheer volume of new people to the area will also significantly impact on the immediate environment, with greatly</p>		

CITY OF ALBANY LOCAL PLANNING SCHEME No. 1 REPORT ITEM PD113 REFERS

AMENDMENT No. 2

SCHEDULE OF SUBMISSIONS AND MODIFICATIONS

No.	Name/Address of Submitter	Summary of Submission	Officer Comment	Staff Recommendation
		<p>increased noise, light and general pollution. This land should be protected and preserved as it is, for our children, and our children's children and not sacrificed for the sake of some expensive luxury holiday homes or retirement villas.</p> <p>I have contacted the Albany Community Environmental Centre and Greenpeace Australia who are in agreement with me that this development will have a significant impact on the area. They have also said since the Environmental Protection Authority's report on the area, that there are new State policies regarding sea rise level and required setbacks. Have these been taken into consideration and the proposed development plans adjusted accordingly?</p> <p>In short, I hope I have made it most expressly clear that I feel that this proposed development would be a significant stain on this landscape, and hope that good sense and ecological long-term welfare is placed ahead of greed and financial benefit, from the few who would benefit from it.</p> <p>I therefore most categorically oppose any and all proposed development of this area.</p>		

REPORT ITEM PD113 REFERS



EMU POINT

OUTLINE DEVELOPMENT PLAN



LANDCORP



Lawrence Culbert
& associates

PROJECT MANAGEMENT SUSTAINABLE SYSTEMS DESIGN



CLIENTS | PEOPLE | PERFORMANCE

Sally Malone
DESIGN





Revision Information

REV	DATE	AUTHOR	Issued to:
A	09.04.2010	HG	
B			
C			
D			
E			
F			
G			
H			
I			

Harley Global (HG), City of Albany (CoA), OPUS (O), GHD (GHD),
H+H Architects (HH), Wood & Grieve (WG), Lawrence Cuthbert (LC)
Sally Malone Design (SMD)

Acknowledgements

CONTENT



EMU POINT OUTLINE DEVELOPMENT PLAN

1.0	INTRODUCTION.....	6
1.1	Outline Development Plan Area	7
1.2	Outline Development Plan Context	7
1.3	Interpretation.....	7
1.4	Operation Date	7
1.5	Relationship with the Scheme.....	7
1.6	Objectives	7
2.0	BACKGROUND	8
2.1	Background to Development of the Site.....	8
2.1.1	Early Plans	8
2.1.2	Previous Clearing of the Site	8
2.1.3	Evolution of Zoning	9
2.1.4	Evolution of current development concept	10
2.2	Environmental Assessment.....	13
2.3	Community Consultation	13
3.0	CONTEXTUAL ANALYSIS	17
3.1	Site Description	17
3.1.1	Location and Description.....	17
3.1.2	Land Ownership	17
3.2	Land Use.....	17
3.2.1	Existing Land Use	17
3.2.2	Surrounding Land Use	17
3.3	Planning Context	20
3.3.1	State and Regional Planning.....	20
3.3.1.1	State Planning Strategy and State Planning Framework.....	20
3.3.1.2	State Sustainability Strategy	20
3.3.1.3	State Planning Policy No. 3 – Urban Growth and Settlement	21
3.3.1.4	Lower Great Southern Strategy (2007)	21
3.3.1.5	Liveable Neighbourhoods (2007)	21
3.3.1.6	Guidelines for the Preparation of Local Structure Plans for Urban Release Areas (1992).....	22
3.3.1.7	Residential Design Codes (April 2008).....	22
3.3.2	Local Planning.....	23
3.3.2.1	City of Albany Draft Local Planning Strategy	23
3.3.2.2	City of Albany Town Planning Scheme No. 1A.....	24



3.3.2.3	Surrounding Zoning.....	25
3.3.2.4	City of Albany Local Planning Scheme No.1.....	26
3.3.2.5	City of Albany Residential Design Code Policy (2007).....	26
3.3.2.6	City of Albany Detailed Area Plans Policy (2006).....	26
3.3.2.7	City of Albany Sloping Land Policy (2007)	27
3.3.3	Documentation of Relevance	27
3.3.3.1	Draft Foreshore Management Plan – Ellen Cove to Emu Point (2009)	27
3.3.3.2	Draft Lake Seppings Flood Prone Area Policy (2003).....	27
3.4	Environmental	28
3.4.1	Climate.....	28
3.4.2	Topography	28
3.4.3	Geology, Soils and Hydrogeology	28
3.4.4	Groundwater.....	29
3.4.5	Surface Water and Drainage	30
3.4.6	Acid Sulphate Soils (ASS) and Contamination	30
3.4.7	Flora and Vegetation.....	31
3.4.8	Plant Pathogens	32
3.4.9	Fauna	32
3.4.10	Environmental Sensitive Areas	33
3.4.11	Reserves and Conservation Areas	34
3.4.12	Weeds	35
3.4.13	Landscape Character.....	36
3.4.14	Coastal Setback	37
3.4.15	Aboriginal Heritage.....	38
3.4.16	European Heritage	39
3.5	Native Title.....	39
3.6	Existing Services	39
3.6.1	Reticulated Water	39
3.6.2	Reticulated Sewerage.....	39
3.6.3	Power	40
3.6.4	Telecommunications.....	40
3.6.5	Gas	40
3.6.6	Roads.....	40
3.6.7	Public Transport	43
3.6.8	Pedestrian/Cycling/Horse Riding Facilities.....	45



4.0	OUTLINE DEVELOPMENT PLAN.....	47
4.1	Design Philosophy	47
4.1.1	Development Objectives	48
4.1.2	Community Consultation Response.....	48
4.1.3	Local Residents	50
4.1.4	Opportunities	51
4.1.5	Constraints	52
4.1.6	Sustainable Principles for Development	54
4.1.7	Sustainability Framework	55
4.1.8	Landscape Master Plan	56
4.1.9	Urban Design (Streetscape) Principles	56
4.1.10	Specified Area Rate.....	57
4.2	Subdivision and Development Control	58
4.2.1	Overview	58
4.2.1.1	Overview - Land Use	59
4.2.1.2	Overview - Built Form	60
4.2.1.3	Overview - Public Space/Landscaping	61
4.2.2	Village Centre Precinct.....	62
4.2.2.1	Village Centre - Land Use.....	62
4.2.2.2	Village Centre - Built Form	65
4.2.2.3	Village Centre - Public Space/Landscaping.....	65
4.2.3	Beach-side Precinct	67
4.2.3.1	Beach-side - Land Use	67
4.2.3.2	Beach-side - Built Form.....	68
4.2.3.3	Beach-side - Public Space/Landscaping	69
4.2.4	Single House Precinct.....	70
4.2.4.1	Single House - Land Use	70
4.2.4.2	Single House - Built Form	71
4.2.4.3	Single House - Public Space/Landscaping	71
4.2.5	Cluster Housing Precinct	72
4.2.5.1	Cluster Housing - Land Use	72
4.2.5.2	Cluster Housing - Built Form.....	73
4.2.5.3	Cluster Housing - Public Space/Landscaping	74
4.2.6	Griffiths Street Beachfront	75



4.3	Public Open Space (POS).....	77
4.3.1	Public Open Space Allocation.....	77
4.3.2	Internal POS Network.....	79
4.3.2.1	Village Centre Park.....	79
4.3.2.2	Bushland Nodes.....	79
4.3.2.3	Bushland Corridors	80
4.3.2.4	Hazard Separation Zone (HSZ).....	81
4.3.3	External POS Network.....	82
4.3.3.1	Retained Bushland and Reserves.....	82
4.3.3.2	Middleton Beach	82
4.4	Road Layout.....	83
4.4.1	Internal Road Network.....	83
4.4.2	External Road Network	86
4.5	Pedestrian and Cycling Network	86
4.5.1	Internal Pedestrian Network.....	86
4.5.2	Shared Path System	87
4.5.3	Shared Path & Trail Entry Points and Road Crossing Points.....	88
4.6	Environmental Considerations	89
4.6.1	Flora Management.....	89
4.6.2	Fauna Management.....	91
4.6.3	Coastal Protection.....	92
4.6.4	Indigenous Heritage.....	92
4.6.5	Weed Management.....	92
4.6.6	Fire Management.....	92
4.6.7	Visual Management	94
4.6.8	Dieback Management.....	95
4.7	Services and Infrastructure	96
4.7.1	Earthworks and Dust Control	96
4.7.1.1	Earthworks.....	96
4.7.1.2	Dust Control.....	97
4.7.1.3	Acid Sulphate Soil (ASS)	97
4.7.2	Roadworks and Traffic	98
4.7.3	Water.....	99
4.7.4	Reticulated Sewerage	99
4.7.5	Stormwater Drainage.....	100
4.7.5.1	Local Water Management Strategy.....	101
4.7.6	Public Utilities.....	102
4.7.7	Fencing	102



4.8	Community Infrastructure and Facilities	103
4.9	Employment Considerations	103
4.10	Education Considerations.....	103
5.0	IMPLEMENTATION	104
5.1	Subdivision and Development	104
5.2	Developer Contributions	105
6.0	CONCLUSION	106

TABLE INDEX

Table 1	Land Ownership Details	17
Table 2	Emu Point Residential Development Objectives	48
Table 3	Public Open Space Schedule	77

APPENDICES

1. Emu Point Outline Development Plan 007
2. Location Plan
3. Site Plan
4. Existing Land Use
5. Existing Services
6. Opportunities and Constraints
7. Historical Photos
8. Certificates of Title
9. Liveable Neighbourhoods Checklist
10. Design Guidelines and Detailed Area Plans (H+H Architects)
11. Visual Impact Assessment (GHD)
12. Sustainability Checklist (Lawrence Cuthbert and Associates)
13. Landscape Master Plan (Sally Malone Design)
14. Fire Management Plan (OPUS International)
15. Traffic Study (Wood & Grieve)
16. Summary of Environmental Factors and Management (PER extract) (GHD)
17. Phytophthora cinnamomi Mapping (GHD, Ficifolia Consulting and Bio Diverse Solutions)
18. Local Water Management Strategy (GHD & Wood & Grieve)





1.0 INTRODUCTION

This Outline Development Plan (ODP) has been prepared by Harley Global Pty Ltd (Harley Global) on behalf of LandCorp, the owner of Lots 3000 and 1523 Emu Point Drive, Collingwood Park (referred herein as the subject site).

This ODP has been prepared consultatively and in cooperation with the following project team consultants:

- H+H Architects (Design Guidelines and built form);
- Malone Designs (Urban Design and Landscape Master Plan);
- Lawrence Cuthbert and Associates (Sustainability);
- Wood & Grieve Engineers (Civil Engineering, Stormwater Management and Traffic)
- GHD (Environmental, Landscape and Visual Impact Assessment)
- OPUS International (Fire Management); and
- Ficifolia Consulting (Dieback consultant).

The ODP builds on work undertaken on behalf of LandCorp including environmental studies and design of a Concept Plan for the subject site.

The ODP has been prepared with the intention of supporting the sustainable urban development of a portion of the subject site. The subject site is zoned 'Future Urban' and 'Residential' within the City of Albany District Town Planning Scheme No. 1A (TPS1A) and identified in the applicable State and local planning strategies for urban development. It is intended to develop approximately 133 residential lots, released in stages providing for a variety of housing products. The benefits of the development include:

- Additional high quality residential land for sale within the City of Albany;
- Demonstration of sustainable development concepts in the Great Southern Region;
- Demonstration of a 'best practice' and show case sustainable residential development within the City of Albany; and
- Generation of revenue that will assist funding of the Albany Waterfront Project.

The ODP includes and is supported by the provision of Design Guidelines, a Landscape Master Plan, Fire Management Plan, Visual Impact Assessment, Traffic Study, Local Water Management Strategy and a variety of environmental assessments including flora, fauna, Dieback and coastal processes assessments. Features of the ODP include:

- A Village Centre to provide a focus and meeting place for the surrounding residential area and passing traffic;
- A range of residential lot types to accommodate apartment, townhouses, strata cluster dwellings and detached housing;
- Retention, enhancement and protection of approximately 60% of the site's vegetation;
- A focus on sustainable development and a reduction in the usual ecological footprint of the development;
- Vegetated corridors connecting the site to habitat areas to the north, south, east and west of the site; and
- Respect for the natural topography of the site.

The ODP is guided by a project-specific sustainability framework, with a view to achieving a sustainable development for the Albany community. Within the context of this framework, the ODP has been developed with input from public consultation and numerous technical investigations.



1.1 Outline Development Plan Area

The Emu Point Outline Development Plan No. 007 (ODP 007) is proposed to provide for the sustainable development of the land bounded by Emu Point Drive to the north, Middleton Beach and coastal reserve (Reserve No. 14789) to the south, Griffiths Street to the south west and 'Parks and Recreation' Reserve to the south and north east. A **Location Plan** is at **Appendix 2** and a **Site Plan** describes the subject site at **Appendix 3**.

1.2 Outline Development Plan Context

ODP 007 comprises a Map (**Plan 1**) to illustrate the planned development of the area and Text, setting out the statutory requirements for subdivision and development of the subject site. All subdivision and development shall be generally carried out in accordance with the ODP 007 Map and Text, which is further detailed in **Section 4.0** of the ODP and depicted in **Plan 1** (refer to **Appendix 1**).

1.3 Interpretation

The words and expressions used in ODP 007 shall have the respective meanings given to them in the City of Albany Town Planning Scheme No. 1A (TPS 1A), with respect to '*Future Urban*' provisions.

1.4 Operation Date

ODP 007 shall come into operation as an Agreed Outline Development Plan on the latter of the dates specified in Clause 4.36 of TPS 1A.

1.5 Relationship with the Scheme

In accordance with Clause 4.36 of TPS 1A:

- (a) The provisions, standards and requirements specified in ODP 007 shall have the same force and effect as if they were a provision, standard or requirement of TPS 1A; and
- (b) In the event of there being any inconsistencies or conflict between the provisions, standards or requirements of TPS 1A and the provisions of ODP 007, the provisions, standards or requirements of TPS 1A shall prevail.

1.6 Objectives

The objectives of ODP 007 are to:

- Guide future subdivision and development of the subject site;
- Provide for a range of residential densities and dwelling types;
- Encourage environmentally sustainable development that protects the adjacent coastal environs; and
- Provide a design that is socially acceptable to the Albany community.

2.0 BACKGROUND

2.1 Background to Development of the Site

2.1.1 Early Plans

The existing Griffiths / Hope Street lots were created in circa 1962 and allowed for extension into the subject site. Planning for development of the subject site appears to have originated in the late 1960s, indicative road layouts are shown on plans dating from the 1970s.

The current isolated development on Griffiths and Hope Streets appears to have been part of an overall plan for residential subdivision of the locality. Draft Scheme Maps prepared in 1977 as part of the preparation of Town of Albany Town Planning Scheme No. 1A show an indicative road layout for the subject site as depicted in **Figure 2.1**.



Figure 2.1: Extract of draft TPS 1A Scheme Map 1977 showing an indicative residential road design over the subject site.

The layout was based on contemporary residential designs of the time and adopted curvilinear design principles and cul-de-sacs. Access to the subject site was from Emu Point Drive and Griffiths Street. There would have been no linkage into Lot 1523, which would have been served by a single long cul-de-sac directly linked to Emu Point Drive.

Importantly, the layout shows development would have encompassed the entire subject site with Public Open Space (POS) being located along the Emu Point Drive frontage. This layout was replicated in the Scheme Maps adopted by the Town of Albany in 1979. It is understood that the indicative design was not shown on the Scheme Maps gazetted in 1983 although this has not been confirmed as the gazetted plans have not been located. The intention to develop the site for residential purposes was subsequently confirmed in the various residential strategies for Albany including the *State Planning Commission's Residential Expansion Strategy* (1994) and *City of Albany Housing Position Paper* (2005).

2.1.2 Previous Clearing of the Site

Aerial photography of the subject site from 1954, 1961, 1973, 1977, 1981 and 1987, 2001, 2004, 2006 & 2007 have been collected and is provided in **Appendix 7**. This imagery shows that Lot 3000, part of Lot 1523 and the reserve area along Emu Point Drive was completely cleared or the subject of a bush fire some time before 1973 as depicted in **Figure 2.2**.



Figure 2.2: 1973 Aerial Photography of the site showing extent of vegetation clearing.

It is important to note, that following the clearing or burning that occurred in the early 1970's, that whilst large areas of the subject site has been revegetated to produce the standard of vegetation we find today, the north western corner of the subject site has regenerated more slowly and with less coverage, as depicted in **Figure 2.3**. The development footprint has been focussed on this area.



Figure 2.3: 1987 Aerial Photography of the site showing extent of vegetation regeneration

2.1.3 Evolution of Zoning

TPS1A was gazetted in 1983. At this time, Lot 3000 was zoned *Future Urban* and Lot 1523 zoned *Residential*. The strip along Emu Point Drive was reserved for *Parks and Recreation*.

Since the gazettal of TPS1A, there has been no change to the zonings and reservations over the subject site. However, residential density coding was applied to Lot 1523 upon adoption of the Residential Planning Codes in 1985.

Prior to gazettal of TPS1A, the subject site was proposed for a number of zonings in the draft Scheme Maps as follows:

- 1977 – Lot 3000 to be *Future Urban* and Lot 1523 to be *Residential*; and
- 1979 – Lot 3000 to be *Residential* and Lot 1523 to be *Tourist Residential*.

It appears that at some point between 1979 and 1983, the 1977 proposed zonings were re-adopted and are reflected in the zoning of the subject site to this day.

2.1.4 Evolution of current development concept

Until 2005, the 1970s proposal to develop the entire subject site was not followed through and the site was allowed to grow back to a vegetated state.

Planning for the site by LandCorp commenced in 2005 and this involved a considerable amount of planning and consideration of a large number of development options in order to reach the point where this ODP can be prepared to guide the subdivision and development of the subject site.

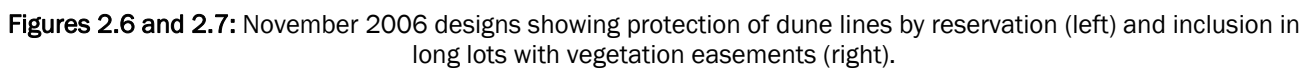
Prior to community consultation in late 2006, two concepts were developed, with both concepts providing approximately 60% of the site to be developed and bushland areas being provided along the Emu Point Drive frontage and along the eastern boundary (refer to **Figures 2.4 and 2.5**).



Figures 2.4 and 2.5: October 2006 Concept plans for community discussion.

The resultant community input identified that there was considerable demand for a greater proportion of the subject site to be retained as bushland and for the development to be more sustainable. The community views also reflected LandCorp's sustainability objective of ensuring future development achieves 'triple bottom line' principles. Therefore, there was a move away from a conventional one house per lot approach to provide alternative tenure and dwelling mixes.

The initial concepts maintained the eastern wildlife corridor, include dune lines in open space areas and provisions of vegetation easements throughout the development area (refer to **Figures 2.6 and 2.7**).



After completion of the initial community consultation in late 2006, it became clear that community expectations for more of the site to be retained as bushland. The concept planning was refined to reflect these views. A number of alternative designs were considered by the project team during January and February 2007. These incorporated greater open space and clustering of the development into two nodes with a wildlife corridor between the two parts (refer to **Figure 2.8**). This design also provided for strata 'eco-lots' that would allow for dwelling units to be located within the natural topography and vegetation.



Page | 11



Figures 2.9 and 2.10: 2007 Site constraints assessment (left) and identification of primary development area (right).

At this point, it was determined that development should be limited to an area of approximately 40% of the site or 13.2 ha. This led to a revisit of the overall concept design during 2008 (refer to **Figure 2.11**).



Figure 2.11: 2008 Concept that was presented for community input in May 2009.

The 2008 concept and the results of the May 2009 community consultation form the basis for the ODP. Over the course of the period 2005-2009, the proposed development has:

- Reduced in area to enable a proportion of the site to be retained as open space to increase from approximately 40% to 60%;
- Become less reliant on single dwelling lots by promoting alternatives such as townhouses, apartments and cluster homes;
- Provided for lots that use the existing topography to reduce the need for major earthworks;
- Provided for higher density on the western end of the site where the vegetation is less dense and of relatively poorer quality; and
- Included vegetated links throughout the site.



2.2 Environmental Assessment

In May 2007, the development proposal for Emu Point was referred to the Environmental Protection Authority (EPA) for assessment under Section 38 of the *Environmental Protection Act 1986* (EP Act). The EPA set the level of assessment as a Public Environmental Review (PER), with an eight week public review period. There were no appeals to this level of assessment set for the development proposal.

An Environmental Scoping Document for the development proposal was prepared by environmental consultants, Strategen, and submitted by LandCorp in November 2007, which was subsequently approved by the EPA as an acceptable basis for the preparation of the PER document.

A PER has subsequently been prepared by GHD and lodged with the EPA for formal assessment on the 20 April 2010. The PER is a public document, subject to an four week review period, during which time the public will have the opportunity to prepare submissions to the EPA. Submissions and specialist advice from agencies will be considered by the EPA in their assessment of this development proposal. In addition to these technical and public submissions, the EPA will also consider their investigations and associated advice or specifically commissioned research.

The EPA's advice and recommendations determined as a result of the abovementioned considerations will then be presented to the Minister for Environment for a determination of the environmental acceptability as well as the environmental conditions that should apply to the development proposal.

The key recommendations and actions from the PER are incorporated and detailed throughout this document.

2.3 Community Consultation

In 2005, State Cabinet announced that LandCorp have the task of working with the local community to progress subdivision and development of the subject site.

Before any work commenced on the development proposal, community input into a vision for the development proposal was gathered through stakeholder information sessions, market research and public open day, held in September and October 2006. Forty stakeholders attended the information session and more than 100 people visited the public open day. Key recommendations raised by respondents for the development proposal included the following:

- *Careful management of the development to minimise the impact on the existing natural environment;*
- *Protecting the existing flora and fauna of the area;*
- *Working with the natural topography and landform of the site;*
- *Reducing the potential danger of household pets to the native wildlife;*
- *Retaining bush on both sides of the dual use path and providing carefully controlled pedestrian access to the beach;*
- *Limiting vehicular connections between the site and adjoining residential areas but including paths for pedestrians and cyclists;*
- *Streets which are designed to minimise through traffic;*
- *Providing a range of lot sizes to cater for the different needs of people;*
- *Lifting the bar on environmentally sensitive design;*
- *Developing strong guidelines to ensure good design outcomes;*
- *Incentives incorporated to encourage residents to adopt environmental initiatives; and*
- *Blending the development with the natural environment and using non-reflective roofing.*

This input assisted in defining the project vision and objectives for the development proposal and formulation of the draft Concept Plan.

As a result of the abovementioned consultation sessions, LandCorp engaged suitably qualified consultants to undertake flora, vegetation and fauna surveys, geotechnical, groundwater and coastal setback studies to address those issues raised during consultation sessions.



In October 2007, stakeholder sessions and Community Information Sessions were held with Albany residents and regulatory authorities to present the outcomes from the detailed studies and investigations, and gather feedback on the proposed development area and the type of development to occur with this area. Feedback forms were made available to assist in the formulation of the draft Concept Plan.

In January 2008, LandCorp distributed a summary document of the key responses to the abovementioned consultation session, the responses included the following:

- *77% of respondents agreed that rainwater tanks on individual dwellings should be mandatory;*
- *Strong support for grey water recycling for individual dwellings, with 62% support if mandatory and 68% support if option or by incentive;*
- *Majority of respondents (80%) agreed that swales should be incorporated into the road reserves;*
- *67% of respondents agreed that the exclusion of cats from the development would be acceptable, however this response halved when both dogs and cats were excluded; and*
- *42% of respondents identified that no dividing fences between properties would be acceptable, however, 74% would support low dividing fences.*

Other concerns and issues raised by respondents included the following:

- Privacy issues associated with the development proposal to existing Hope Street residents;
- Safety and impact of the development proposal on the possums in the area;
- Strong opposition to the development proposal, identifying the subject site should remain untouched for future generations to appreciate, but would support walking trails and barbecue area; and
- Entrance off Griffiths Street only to minimise traffic through the already developed residential area on Hope Street, with a possible buffer being retained between the development proposal and the dwellings on the adjoining properties on Hope Street.

Resulting from the abovementioned consultation sessions, a draft Concept Plan was formulated for the development proposal that reflects sound planning principles and sought to address the outcomes from these consultation sessions, including the community aspirations and regulatory authority processes and feedback (wherever possible).

On the 23rd May 2009, LandCorp conducted stakeholder sessions and a Community Information Session with Albany residents and regulatory authorities to present the draft Concept Plan. As a result of the consultation sessions, 34 submissions were received in relation to the draft Concept Plan.

Some of the underlying concerns raised by the respondents (particularly the local residents) have been summarised into subsets below:

Issues around Hope Street residential area:

- Potential increase in traffic numbers, parking, noise and anti-social behaviour;
- Potential impact on safety and access for residents e.g. children, horse riders etc;
- Opposition to residential lots to the east adjacent to Hope Street residents;
- Opposition to laneways, dual use pathway and housing near Hope Street residents;
- Lack of consideration of Hope Street and adjoining landowners throughout process;
- Potential for increased crime and noise resultant from laneway proposal;
- No through roads supported for the proposal;
- 50m bush buffer to all existing and any new residential blocks;
- Potential investigation into the safety of Griffiths Street;
- Retain existing parking on Griffiths Street;
- Relocate 17 townhouses to Emu Point end of the development or close to Emu Point Drive;
- Opposition to on-street parking and additional parking in this area;
- Management of dog and horse waste required; and
- Meetings to be held with residents on the weekends e.g. Saturday.



General Comment about design:

- Increased housing density is not appropriate in this environment, the density should be reduced;
- Limit building heights to four storeys and two storeys in red precinct;
- Limit Homeswest housing within this development area;
- Re-consider the location of the commercial area, given the current economic climate and viability for a deli/cafe in this area;
- Consider large bush blocks;
- Appropriate fire management measures considered as part of the proposal;
- Provision of one walking trail for dual use; and
- Investigation of closure of the beach for dog and horse users.

Comment regarding development of the subject site:

- Preference for the area to remain as is, with no development;
- Potential impact of loss of beach resulting from erosion;
- Rehabilitation of vegetation will not make up for the total loss and destruction of flora and vegetation within the site;
- Lack of EPA documentation for public review; and
- Opposition to the development due to tourism potential of the site for bush values.

In July 2009, a local consulting team was appointed by LandCorp to prepare this ODP and supporting documentation. The first task of this team was to review the draft Concept Plan prepared in May 2009 in light of their local experience, professional recommendations and the submissions received.

The draft Concept Plan was subsequently reviewed and a series of changes made to produce the forerunner to the current ODP at **Appendix 1**. The changes are detailed in **Section 4.1.2** of this document.

In December 2009 the draft ODP was presented to the City of Albany Planning Committee and staff for information purposes only.

In January and February 2010 local residents of Hope and Griffiths Street were given the opportunity to have a one on one interview with the project's town planner as a final, informal consultation step. Twelve of the twenty landowners took advantage of this opportunity.

The revised Concept Plan was presented to the landowners and further comment sought. There were commonly held views about the development. Of those interviewed all would prefer that no development take place, mostly on privacy and environmental grounds. However, if development was to occur then the following issues were raised (as summarised below):

- A green belt, similar to the green spines proposed throughout the rest of the design, should be retained around the existing residential area;
- Griffiths Street should be retained as a cul-de-sac to prevent the creation of a "hoon lap";
- Horse access to the beach has increased substantially over the last year, particularly the use of floats and trucks. Horses using Griffiths Street early in the morning raises issues of noise, manure and safety for horse riders, local residents, beach users and cyclists.
- A green buffer is suggested along Griffiths Street to the future development;
- Powerlines should be placed underground and Hope Street resealed to bring existing development into line with proposed development;
- No Homes West development should be included;
- Beach access should be improved to prevent sand blowing into nearby houses; and
- Medium density housing was questioned in light of the existing residential area being low density in character and the additional impact of probable two-storey development on privacy and sense of space.



This is a summary of the major issues raised by the majority of the local residents interviewed; it is not a comprehensive list. Changes have been made to the version of the ODP presented to the local residents at this meeting. **Section 4.1.2** of the ODP describes the response to the above issues in detail.

This considerable consultation process lead to the refinement of the principles and intent of the ODP.



3.0 CONTEXTUAL ANALYSIS

3.1 Site Description

3.1.1 Location and Description

The subject site comprises Lots 3000 and 1523 Emu Point Drive, Collingwood Park, which is situated approximately 5 km north east of the Albany townsite (refer to **Appendix 2**). The subject site is 33.1 ha with Lots 3000 and 1523, being 25.9 ha and 7.2 ha in area, respectively (refer to **Appendix 3**).

The subject site is 1 km from Emu Point. Emu Point is located at the northern end of Middleton Bay at the entrance to Oyster Harbour. Emu Point has a range of amenities including cafes, restaurants, a marina, tennis courts, lawn bowls and a protected swimming beach.

3.1.2 Land Ownership

Lots 3000 and 1523 Emu Point Drive, Emu Point is owned by the Western Australian Land Authority (trading as “LandCorp”). The legal description of the subject site is detailed in *Table 1* below. **Appendix 8** provides the Certificate of Titles.

Table 1 – Land Ownership Details

Lot Description	Lot Area	Certificate of Title	Landowner Details
Lot 3000 Emu Point Drive	25.9367ha	Volume: 2652 Folio: 911 in DP51548	Western Australian Land Authority
Lot 1523 Emu Point Drive	7.2429ha	Volume: 2652 Folio: 910 in DP28399	Western Australian Land Authority

3.2 Land Use

3.2.1 Existing Land Use

The subject site is undeveloped and predominantly covered in remnant coastal vegetation, with the topography comprising relict foredunes. There is some clearing associated with numerous paths and firebreaks traversing the subject site. Predominant land use for the subject site has been for informal recreational purposes only. The **Site Plan** at **Appendix 3** provides an aerial photograph of the subject site and surrounding locality.

3.2.2 Surrounding Land Use

The subject site is surrounded by Griffiths Street and the ‘Hope Street’ residential development to the south west, Middleton Beach and coastal reserve (Reserve No. 14789) to the south, tourist development including Emu Point Motel and residential development to the north east and Emu Point Drive to the north. These land uses are depicted in **Appendix 4**.

Importantly, there is an existing residential area immediately adjacent to the subject site. The Hope Street residential area was developed in the 1960s and consists of single houses on generally 600-750 m² lots. This area is serviced by scheme water, overhead power and on-site effluent disposal systems. There are two Bed and Breakfast establishments located on Griffiths Street where it faces Middleton Beach.



Plate 1 Emu Point, 1 km from the subject site



Plate 2 – A number of informal paths intersect the subject site.



Plate 3 – Griffiths Street has a number of Bed and Breakfast establishments

A variety of fence types separate the 'Hope Street' residential area and the subject site and there is evidence of some weed invasion in bushland surrounding existing homes. There is little provision for fire management given it is an existing residential area with vegetation close to the common boundary line.



Plate 4 – Some evidence of weed invasion at the development interface.



Plate 5 – Garden refuse within the subject site



3.3 Planning Context

3.3.1 State and Regional Planning

3.3.1.1 State Planning Strategy and State Planning Framework

The State Planning Strategy (SPS) was released by the Western Australian Planning Commission (WAPC) in 1996 and provides an overall strategic planning framework for the State. The SPS is supported by the State Planning Framework (State Planning Policy No.1) which ensures all State and regional planning documents meet SPS principles.

There are five key principles that are advocated by the SPS:

Environment:

To protect and enhance the key natural and cultural assets of the State and deliver to all West Australians a high quality of life which is based on environmentally sustainable principles.

Community:

To respond to social changes and facilitate the creation of vibrant, safe and self reliant communities.

Economy:

To actively assist in the creation of regional wealth, support the development of new industries and encourage economic activity in accordance with sustainable development principles.

Infrastructure:

To facilitate strategic development by making provision for efficient and equitable transport and public utilities.

Regional Development:

To assist the development of regional Western Australia by taking account of the special assets and accommodating the individual requirements of each region.

The planning and envisaged development of the subject site is based upon these principles. In particular, the development seeks to respond to its environment, provide a vibrant and attractive community, provide adequate infrastructure and services to the area, generates employment and economic prosperity for the Great Southern Region and the State of Western Australia.

3.3.1.2 State Sustainability Strategy

The State Sustainability Strategy (SSS) was adopted by the State Government in 2003. LandCorp has embraced the principles of the SSS and strives to ensure each development meets sustainability principles.

At the SSS's core is a sustainability framework, comprising eleven sustainability principles. The principles that this development is affected by and addresses are:

- *Biodiversity and ecological integrity* – the site contains extensive natural habitat for a number of indigenous species, in particular Western Ringtail Possum habitat. A total of 60% of the site will be protected with the design providing vital wildlife linkages through and around the development in order to address this principle.
- *Settlement efficiency and quality of life* – the development seeks to reduce its ecological footprint by sustainable urban design supported by design guidelines to ensure housing similarly reflects this principle. It will interact with its environment in a way that allows the environment to be enjoyed without detrimental impacts.
- *Community, regions, 'sense of place' and heritage* – the development seeks to reflect its coastal setting rather than attempt to redesign it on contemporary suburban principles. It seeks to respond to its environment rather than modify it.
- *Integration of the triple bottom line* – the development has been developed to reflect LandCorp's commitment to sustainability principles. The development has been assessed against the sustainability checklist further described in this document.



3.3.1.3 State Planning Policy No. 3 – Urban Growth and Settlement

State Planning Policy No. 3 (SPP3) is designed to facilitate the sustainable growth and development of urban and settlement areas throughout WA. The objectives of SPP3 are:

- *To promote a sustainable and well planned pattern of settlement across the State, with sufficient and suitable land to provide for a wide variety of housing, employment, recreation facilities and open space.*
- *To build on existing communities with established local and regional economies, concentrate investment in the improvement of services and infrastructure and enhance the quality of life in those communities.*
- *To manage the growth and development of urban areas in response to the social and economic needs of the community and in recognition of relevant climatic, environmental, heritage and community values and constraints.*
- *To promote the development of a sustainable and liveable neighbourhood form which reduces energy, water and travel demand whilst ensuring safe and convenient access to employment and services by all modes, provides choice and affordability of housing and creates an identifiable sense of place for each community.*
- *To coordinate new development with the efficient, economic and timely provision of infrastructure and services.*

The Lower Great Southern and Albany Local Planning Strategies discussed elsewhere in this report are designed to meet these objectives. The Emu Point development strives to create a sustainable development that responds to its environment, build on existing communities and infrastructure and provide a living environment that seeks to create an identifiable sense of place.

3.3.1.4 Lower Great Southern Strategy (2007)

This Strategy aims to set the broad strategic direction for planning in the Lower Great Southern Region for the next 20 to 30 years. Its purpose is to guide regional land use and infrastructure planning and development, especially on matters of regional significance. The Strategy is designed to provide the region - wide context and ensure consistency when local governments are setting priorities for their respective areas through local planning strategies and schemes.

Of particular relevance to the subject site is that it makes general recommendations regarding sustainable settlements and community development and makes reference to consolidating settlements and using infrastructure in a sustainable manner.

The Regional Land Use Plan incorporated into the Strategy shows the subject site as part of the Albany Regional Centre and Emu Point Drive as a Secondary Regional Road.

3.3.1.5 Liveable Neighbourhoods (2007)

Liveable Neighbourhoods (LN) is an operational policy of the WAPC that implements the objectives of the State Planning Strategy and to guide the sustainable development of urban areas. LN provides guidance on a number of elements including the movement network, lot layout, public parkland, urban water management and utility planning.

This development has been designed in accordance with the various elements of LN and is compliant with all relevant requirements. Of particular relevance to this ODP document is the requirement for a Local Structure Plan (i.e. development area of less than 300ha). It is noted that the ODP required by the Town Planning Scheme is defined as a Local Structure Plan by LN.

Table 1 of LN provides a checklist for the information and detail to be provided in Local Structure Plans. A completed checklist for this development proposal is included in **Appendix 9**.



3.3.1.6 Guidelines for the Preparation of Local Structure Plans for Urban Release Areas (1992)

These guidelines form part of the Development Control policy suite of the WAPC and seek to provide guidance on the content of the various levels of structure planning. However, this document is recognised as dated and the WAPC have flagged that it will be replaced in Section 2.10 of the “Planning Makes it Happen – a Blue Print for Planning Reform” - *Structure Plan Preparation Guidelines*. These new guidelines are unavailable at the time of the drafting of this document.

LN have been used as the most current guiding document for Structure Plans.

3.3.1.7 Residential Design Codes (April 2008)

The *Residential Design Codes* (referred within a ‘R-Codes’) were prepared and subsequently modified by the WAPC in April 2008, and these codes guide future subdivision and density of development within the State of Western Australia. The R-Codes relate predominantly to the development of housing on the resultant lots. This will occur in conjunction with the Design Guidelines prepared as part of this ODP. However, the residential density provisions of the codes have been applied to guide the future subdivision and ensure appropriate density of development.

The residential densities applied to the site are as follows:

- Single House and Cluster Lots – R20 (500m² average, 440m² minimum);
- Medium Density Solar Lots - R30 (300m² average, 270m² minimum);
- Village Centre – R40 (Grouped Dwellings - 180m² average, 160m² minimum); and (Multiple Dwellings – 166m² average).
- Apartments (within the Village Centre) – Density to be determined by a vertical building envelope established by the Design Guidelines.

In order to achieve these densities, development will need to appropriately address all relevant requirements of the R-Codes relating to:

- Streetscape
- Boundary Setbacks
- Open Space
- Access and parking
- Site works
- Building height
- Privacy
- Climate
- Incidental development.

In relation to the Village Centre, any mixed use development will be guided by the mixed use development requirements of the R-Codes.

It is noted that the Development Guidelines for the site and the City of Albany Residential Design Codes Policy may replace or elaborate on specific provisions of the R-Codes.

3.3.2 Local Planning

3.3.2.1 City of Albany Draft Local Planning Strategy

The Albany Local Planning Strategy (ALPS) sets out the long term planning direction for the City of Albany and has regard to all relevant State and regional planning policies.

ALPS was adopted by the City of Albany for final approval on the 21 August 2007. The draft was considered by the WAPC in mid 2008, after which the Commission requested certain changes to the document prior to finalisation.

ALPS identifies the strategic planning direction for the City of Albany over the next 20 years. It draws on the key elements from the City of Albany's strategic planning document, 3D Vision, and notes that the City of Albany should become a Learning, Healthy and Thriving City.

The subject land is currently classified by ALPS as 'Future Urban – Priority 2' and 'Existing Urban' as depicted in **Figure 3.2**.

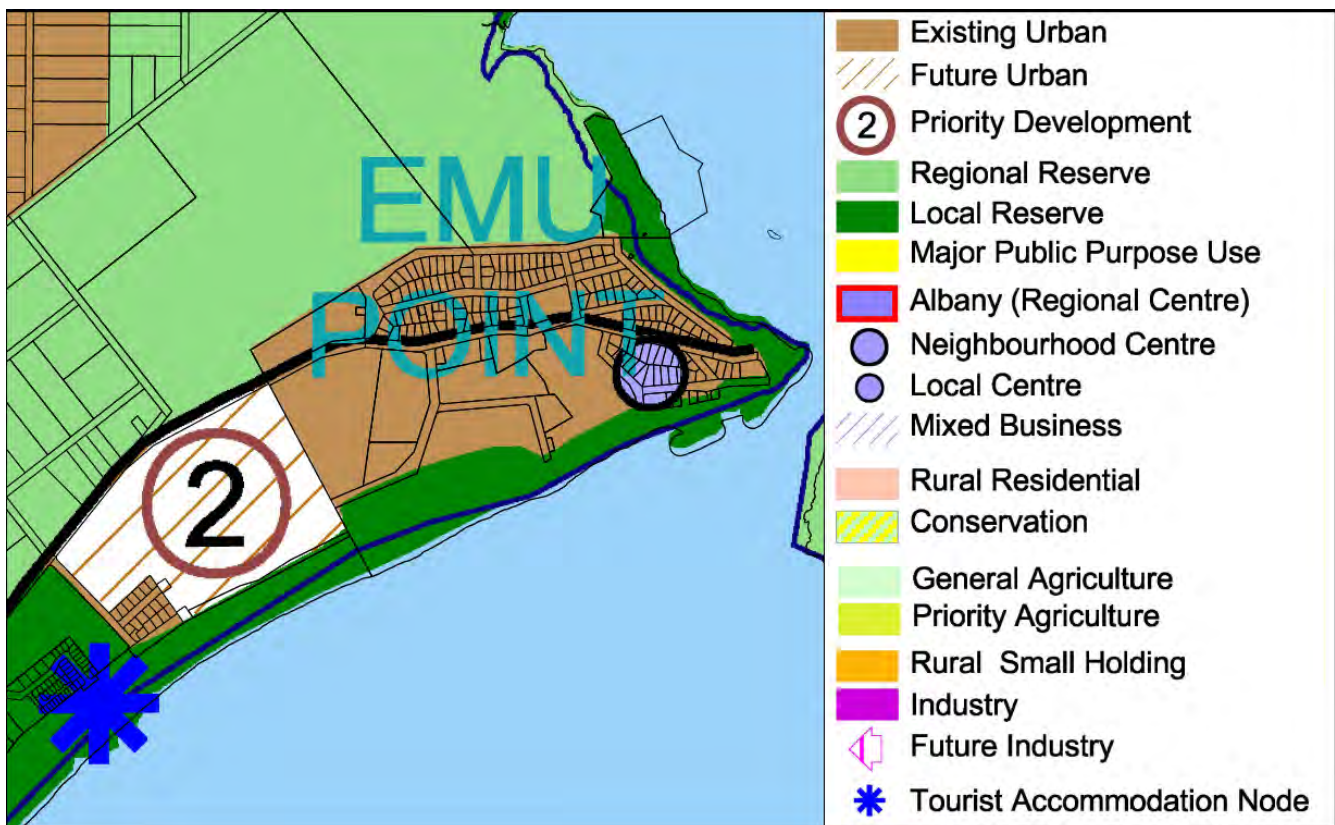


Figure 3.2: Extract of draft Albany Local Planning Strategy (May 2009 version).

The development proposal is consistent with the ALPS classifications.

The 'Existing Urban' classification indicates that the site is suitable for further residential development.

The 'Future Urban' classification with a 'Priority 2' ranking identifies the site for urban purposes and encourages the preparation of a Local Structure Plan as a priority action.

ALPS is divided into four strategies, settlement, environmental, economic and social, each with its own objectives and actions. The ODP is compatible with the listed objectives and actions of the four strategies.



The following objectives relate to Strategic Settlement Direction for the City of Albany:

- Minimise the development footprint on the landscape to assist in the protection of biodiversity and the environment;
- Promote energy conservation;
- Provide greater housing choice;
- Minimise journey length from home to work/school/services and encourage the use of public transport, cycling and walking; and
- Reduce government expenditure on servicing current and future populations.

The proposed ODP meets these objectives in the following manner:

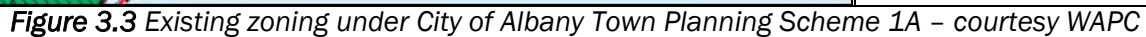
- The development proposal concentrates the urban development within 40% of the site, retaining 60% in its natural state;
- The ODP is focussed on promoting sustainable outcomes, in particular the orientation of lots allows for solar orientation of dwellings in an equitable arrangement and the Design Guidelines require highly rated, solar passive dwellings;
- The development proposal creates a wide variety of housing options at a range of densities;
- The subject site and development proposal have ready access to the comprehensive dual use path network;
- The subject site is not well serviced by public transport however the development footprint will be concentrated with higher densities closest to the existing bus stop. This is discussed elsewhere in this document; and
- The subject site is easily serviced with water, sewer and power and brings the benefit of providing deep sewerage to the existing residential enclave that currently uses septic tanks in close proximity to the coast.

3.3.2.2 City of Albany Town Planning Scheme No. 1A

TPS1A was gazetted on 30 December 1983 and is the primary statutory planning document used to control development and guide land use within the former Town of Albany area. The Town and Shire were amalgamated in 1998 to form the City of Albany.

The subject site has a number of zonings; these are shown in **Figure 3.3** below and are described as follows:

- Lot 1523 Emu Point Drive is zoned 'Residential' by City of Albany Town Planning Scheme No.1A with a density coding of R12.5 and R20. However clause 4.20 allows for the development of grouped dwellings up to the R20 density coding where reticulated sewerage is available over the whole site.
- Lot 3000 Emu Point Drive has two zonings. The majority of the lot is zoned 'Future Urban' with a strip being retained along Emu Point Drive reserved for 'Parks and Recreation' under the Scheme.



Clause 4.36 of TPS 1A states:

Therefore, before further development or subdivision of Lot 3000 is permitted, a Structure Plan must first be adopted by Council and endorsed by the WAPC. The form of the Local Structure Plan is in this case an ODP and has been provided in accordance with the LN requirements.

3.3.2.3 Surrounding Zoning

The Middleton Beach foreshore reserve is reserved for '*Parks and Recreation*' under the Scheme and has retained existing native vegetation.



To the east is land zoned ‘*Tourist Residential*’ that is developed with the Emu Point Motel and the Emu Beach Chalets.

To the north is a mix of reserved land and ‘*Rural*’ zoned land. There are a number of small lifestyle lots and a large reservation area protecting the Lake Seppings flood plain.

3.3.2.4 City of Albany Local Planning Scheme No.1

The City of Albany initiated a new Local Planning Scheme in February 2009 that is intended to provide statutory planning controls to implement the findings of the Local Planning Strategy. Under this, the entire subject site is zoned ‘*Future Urban*’ and development is to be guided by an adopted Structure Plan.

3.3.2.5 City of Albany Residential Design Code Policy (2007)

Clause 6.1 of the City of Albany Residential Design Code Policy recognises the Emu Point development as a location to allow for some additional building height and as a place for a Mixed Use Village Centre. The objectives of the policy are as follows:

- *“To provide the opportunity for a mixed use village centre within comprehensively planned coastal developments.*
- *To ensure that such centres provide a focus not only for local residents but visitors accessing the beach.*
- *To ensure that the development of such nodes do not adversely impact on the coastal reserve or adjoining properties.”*

This ODP includes a ‘Village Centre’ that complies with the terms of this Policy. More detail is provided in **Section 4.2.2** of this ODP.

3.3.2.6 City of Albany Detailed Area Plans Policy (2006)

The City of Albany adopted its Detailed Area Plans policy in February 2006 with the following aims:

- *“To avoid the need for separate Local Planning Policies to be prepared for individual sites where Detailed Area Plans have been required as a condition of subdivision by the Western Australian Planning Commission or otherwise required by Council;*
- *To ensure a consistent approach to the treatment of lots with access via a rear laneway, those adjoining areas of Public Open Space, corner lots, local centres and all other lots subject to a Detailed Area Plan;*
- *To provide a detailed set of provisions to guide developers in the treatment and design of dwellings with regard to setbacks, site coverage, privacy and surveillance;*
- *To ensure that dwellings on lots adjoining Public Open Space are designed to provide passive surveillance;*
- *To ensure that corner lots are designed to address both the primary and secondary streets, whilst providing a high level of privacy to future occupants; and*
- *To allow for variation of development standards where considered necessary to address site-specific criteria such as existing built form or sloping land.*

This ODP proposes a number of lots that face onto POS are accessed by laneways and are medium density. Design Guidelines and Detailed Area Plans (refer to **Appendix 10**) have been prepared that acknowledge the requirements of this policy and go further to include sustainability, building on sloping land and landscaping principles. The detail regarding built form and Design Guidelines are addressed later in this document.



3.3.2.7 *City of Albany Sloping Land Policy (2007)*

The City of Albany adopted the Sloping Land Policy in December 2007 to encourage development that is sympathetic to the natural topography of a site. The Design Guidelines and discussion of built form later in this ODP encourage building with the natural topography and reducing the amount of cut and fill within the subject site in line with the objectives of this Policy.

3.3.3 *Documentation of Relevance*

3.3.3.1 *Draft Foreshore Management Plan – Ellen Cove to Emu Point (2009)*

The City of Albany has prepared a Draft Foreshore Management Plan for the length of Middleton Bay that “...identifies the issues relevant to Middleton Beach and Emu Point reserves and provides a framework for the future management, in particular, the sustainability and environmental protection of the area.”

The particular actions within the Draft Management Plan pertinent to the subject site include:

- No further access points to the beach from the dual use pathway will be supported by the City;
- City of Albany database to be updated to ensure all management and development activities avoid disturbance or intrusion to Declared Rare or Priority flora;
- Ensuring any new foreshore developments maximise recommended setbacks from the shoreline; and
- Developing a fire management plan for the Middleton Beach area in conjunction with FESA.

The ODP is in accordance with these proposed actions and will introduce a Fire Management Plan to the subject site.

LandCorp made a submission on the draft Foreshore Management Plan when it was released for public comment that discussed the fact that the ODP will formalise the protection of the designated conservation, foreshore and recreation areas in appropriate reserves. It also requested that the draft Foreshore Management Plan recognise the Griffiths Street beach access as an access point that may need to be further addressed in terms of improvements to the public facilities and parking areas.

3.3.3.2 *Draft Lake Seppings Flood Prone Area Policy (2003)*

This Draft Policy was initiated by Council in October 2003 but it is unclear whether it was ever finally adopted. The Draft Policy seeks to apply planning controls over land identified in a previous report by Wood & Grieve Engineers, which identified the Lake Seppings flood plain and the area subject to a 1 in 100 year flood event.

Both the Wood & Grieve study and the Draft Planning Policy acknowledge that the subject site is outside of the area affected by the Lake Seppings flood plain.

3.4 Environmental

3.4.1 Climate

The climate in the Albany area is characterised by cool, wet winters and warm, dry summers. The hottest month is January, with mean temperatures ranging from 18°C to 25°C with a maximum temperature of 25.8°C, whilst in winter the minimum and maximum temperatures range between 7°C and 17°C. The coolest month is August with a maximum mean temperature of 15.5°C.

The mean annual rainfall for Albany is 936 mm, with the majority of falls occurring within the wettest period occurring from May to October.

3.4.2 Topography

The subject site consists of low undulating relict fore-dune topography running immediately parallel with the coast, with dunal heights ranging between 2 m and 9 m Australian Height Datum (AHD). The gently sloping beach to the south of the subject site is approximately 30m wide, backed by a low incipient dune and a steep fore-dune, rising to between 5 m and 9 m. These features are depicted in **Figure 3.4**.

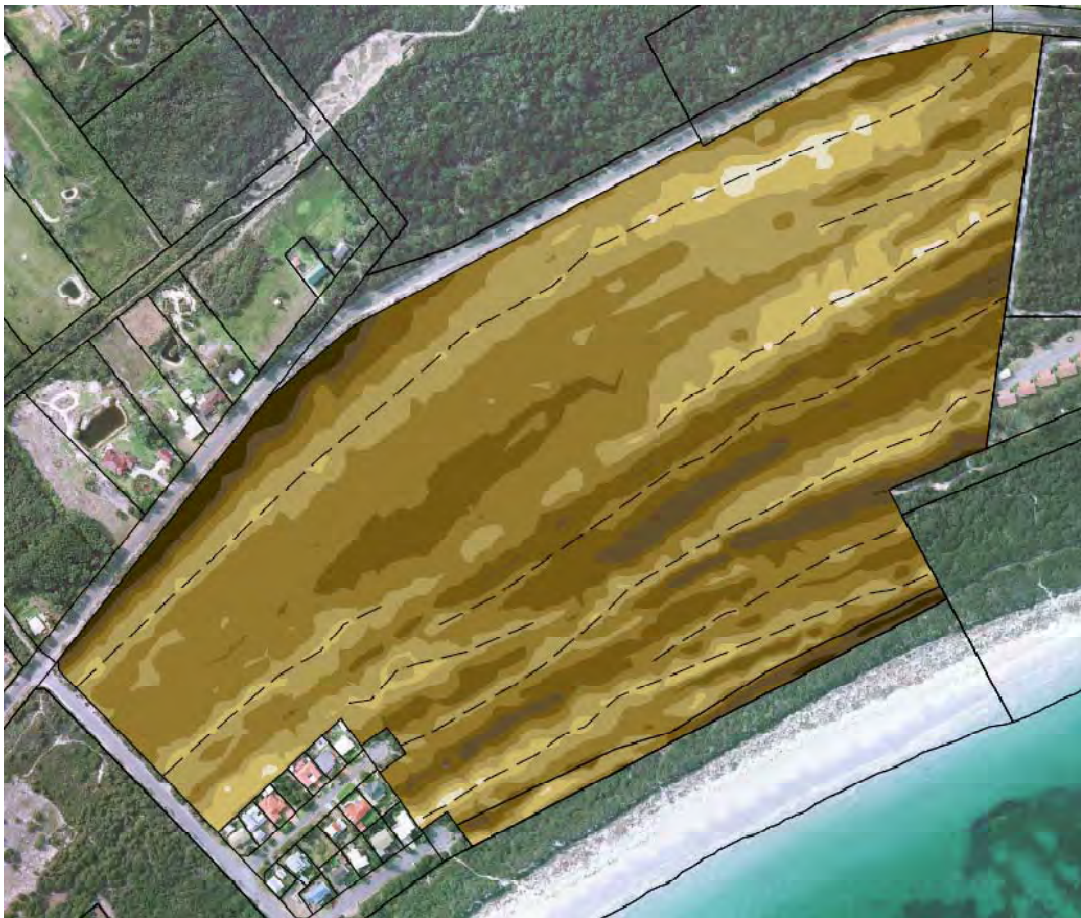


Figure 3.4 – Topography and major ridgelines through the subject site (LandCorp)

3.4.3 Geology, Soils and Hydrogeology

The subject site comprises predominantly relict foredunes, which are composed of white medium-grained sand, with rounded quartz and shell debris. The coastal dunes of the subject site are typical of local quaternary hydrogeology, which is typically characterised by coastal alluvial, estuarine, lagoonal and Aeolian (sand, clay and limestone), and minor local aquifers, which are fresh to saline.

The subject site is underlain by bedrock, comprising gneiss, metamorphic rock and granatoid in the Nornalup Complex of the Albany-Fraser Orogen. The Albany-Fraser Orogen is covered with a discontinuous veneer of the sediments of the Bremer Basin.

3.4.4 Groundwater

According to the Geotechnical and Preliminary Acid Sulphate Soil (ASS) Investigation prepared by Douglas Partners (2007) for the subject site, the groundwater survey recorded groundwater levels, quality and flow direction. The survey findings included the following:

- Groundwater depth ranged between 2.19m to 5.80m below ground level;
- Hydraulic gradient for the site is relatively flat;
- Groundwater mound probably located in the south western corner of the site; and
- A shallow aquifer exists, with the possibly of being underlain by salt water edge.

These features are depicted in **Figure 3.5**.

There are also no known domestic or Council water supply bores in the Emu Point area.

Under the provisions of the *Metropolitan Water Supply, Sewage and Drainage Act 1909*, or the *Country Area Water Supply Act 1947*, the subject site has not been identified within a Public Drinking Water Source Area (PDWSA).

More detailed information on the hydrological components will be obtained through the Local Water Management Strategy (LWMS) monitoring program which will be required prior to the subdivision and development of the subject site, which is further described in **Section 4.7.5**.

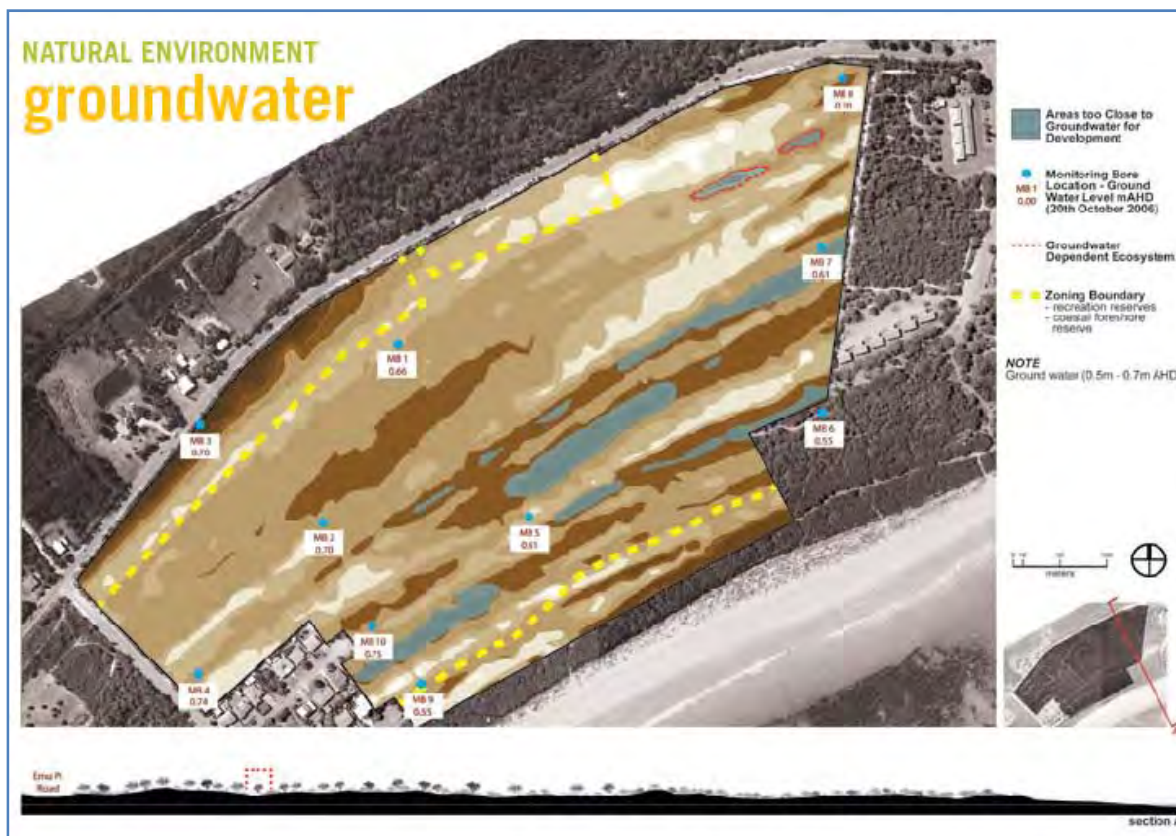


Figure 3.5 – Geotechnical Survey showing depth of ground water (LandCorp)

3.4.5 Surface Water and Drainage

The geology of the subject site comprises permeable, medium grained sand which facilitates the infiltration of water through the shallow aquifer into the ocean. There are no surface water bodies including wetlands, such as sump lands or damp lands within the subject site.

There are no distinct surface drainage lines onsite and water tends to accumulate in swales prior to infiltrating. Along the northern boundary, the subject site drains into the swales along Emu Point Drive. Stormwater disposal is expected to be facilitated through the aquifer, with no direct discharge into the Foreshore Reserve or Oyster Harbour.

3.4.6 Acid Sulphate Soils (ASS) and Contamination

Acid Sulphate Soils (ASS) are naturally occurring soils containing iron sulphides. These soils are typically benign with an anaerobic environment, however, when they become oxidised through disturbance, acidification of soil and groundwater can occur. This results in sulphuric acid which can break heavy metal bonds, releasing metals such as aluminium, iron and arsenic into the groundwater.

According to the ASS risk mapping for Albany-Torbay, the subject site has no known risk of ASS. The Geotechnical and Preliminary ASS Investigation confirmed that ASS Management is not required for excavations less than 3m below the existing ground level at the subject site. There is the potential for ASS to occur off-site near Troode Street and Emu Point Drive, as the ASS risk mapping is classified as high risk, which would require an ASS investigation and management prior to future excavation and associated works for the installation of sewer and water mains at the site. The ASS risk mapping for the immediate area is depicted in **Figure 3.6**.

There are no registered contaminated sites within or adjacent to the site and no evidence of soil contamination within the subject site. Groundwater sampling was collected and analysed for heavy metals, including arsenic, cadmium, chromium, copper, lead, mercury, nickel and zinc. The concentrations of heavy metals were below the drinking water guidelines.

Arsenic levels were recorded which exceeded the drinking water guideline value of 7µg/L by a maximum of 2 µg/L, however arsenic levels are thought to be naturally high, but there is no evidence of contamination of the subject site. There are no known historic land uses which may have resulted in contamination.

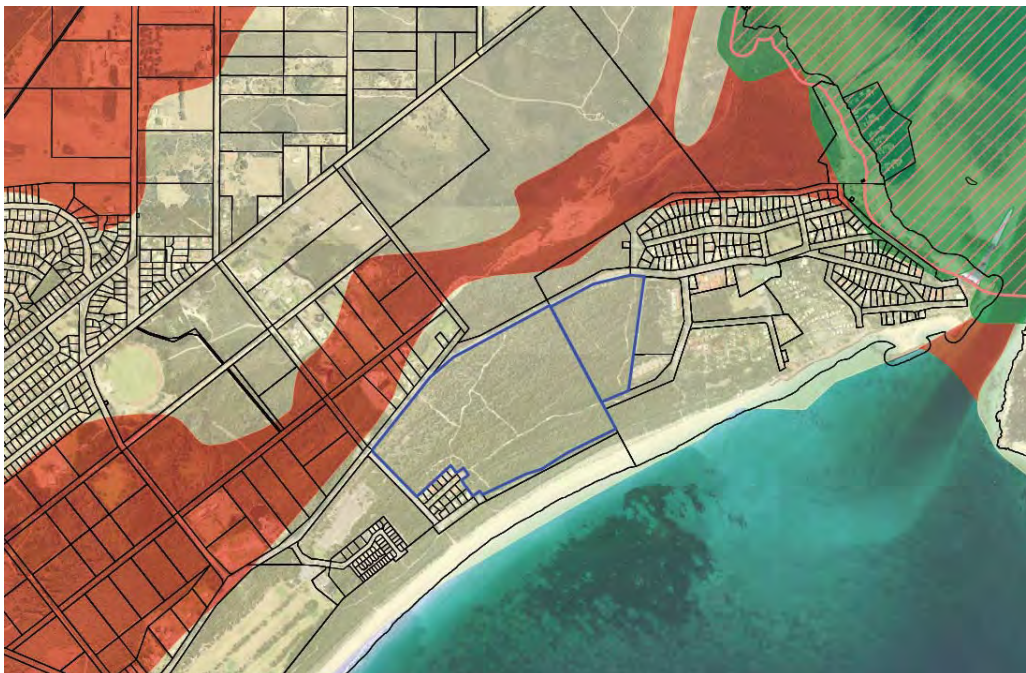


Figure 3.6 – Acid Sulphate Soils Risk Mapping - Medium to High risk shown in red (Landgate)

3.4.7 Flora and Vegetation

There are three vegetation types situated within the subject site, including Sheoak woodland, open Peppermint heath and Peppermint thicket. The majority of the vegetation across the site is in 'excellent' condition, with areas of Very Good to Degraded vegetation along the site boundaries.



Plate 6 – A number of good quality stands of Banksia are present through the site



Plate 7 – Albany Woolly bush is found throughout the subject site. (photos courtesy Jill Gaynor – LandCorp)

There are no Declared Rare Flora recorded on the site. Two Priority flora species are known to occur on the site, including *Andersonia depressa* (Priority 3) and *Adenanthos x cunninghamii* (Priority 4).

There are no known Threatened Ecological Communities (TEC) or Priority Ecological Community (PEC) within, or adjacent to the subject site.

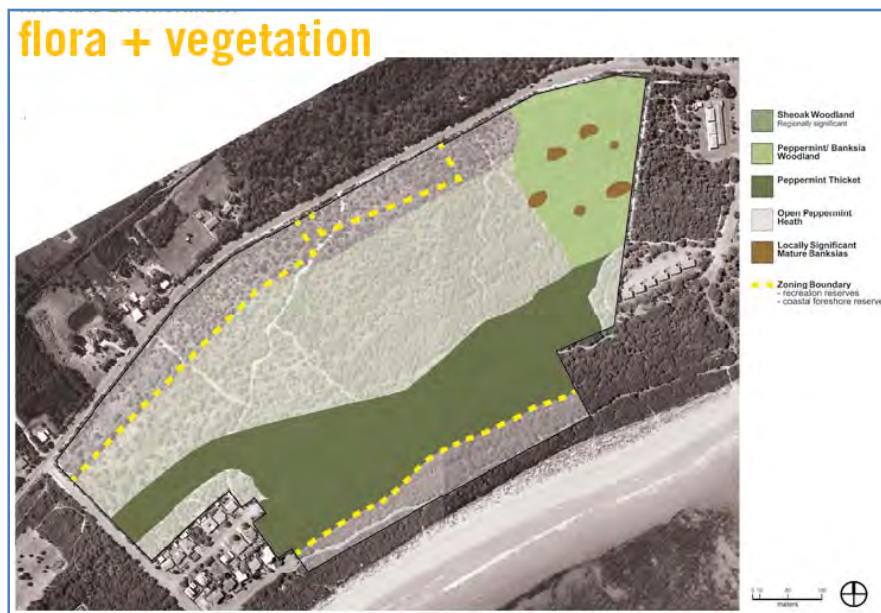


Figure 3.7– Broad description of the vegetation types within the subject site (LandCorp)

3.4.8 Plant Pathogens

Phytophthora cinnamoni is a plant pathogen which threatens different plant species in Western Australia. Once the pathogen infects the roots, the plant may begin to show symptoms of ‘dying back’, hence the common name use for the pathogen, Dieback. Dieback affects indigenous species including the four families of Proteaceae, Epacridaceae, Papilionaceae and Myrtaceae. Not all genera within a family or all species within a genus are necessarily susceptible.

There is evidence of Dieback occurring within the subject site. Further investigations to determine the extent of Dieback have been undertaken by GHD and Ficifolia Consulting. The assessment identified that:

- ~33% of the site is infested;
- ~24% of the site is ‘uninfested’, with approximately 13% of the site being ‘unprotectable’; and
- ~42% of the site is ‘uninterpretable’ due the absence of susceptible species.

Discussion on the management of Dieback during the construction phases of the development is presented in **Section 4.6.8**. The extent of the Dieback within the site is shown at **Figure 3.8**. A full assessment of the Dieback within the site is found at **Appendix 17** “Phytophthora cinnamomi Mapping” by GHD in conjunction with Ficifolia Consulting and Bio Diverse Solutions.

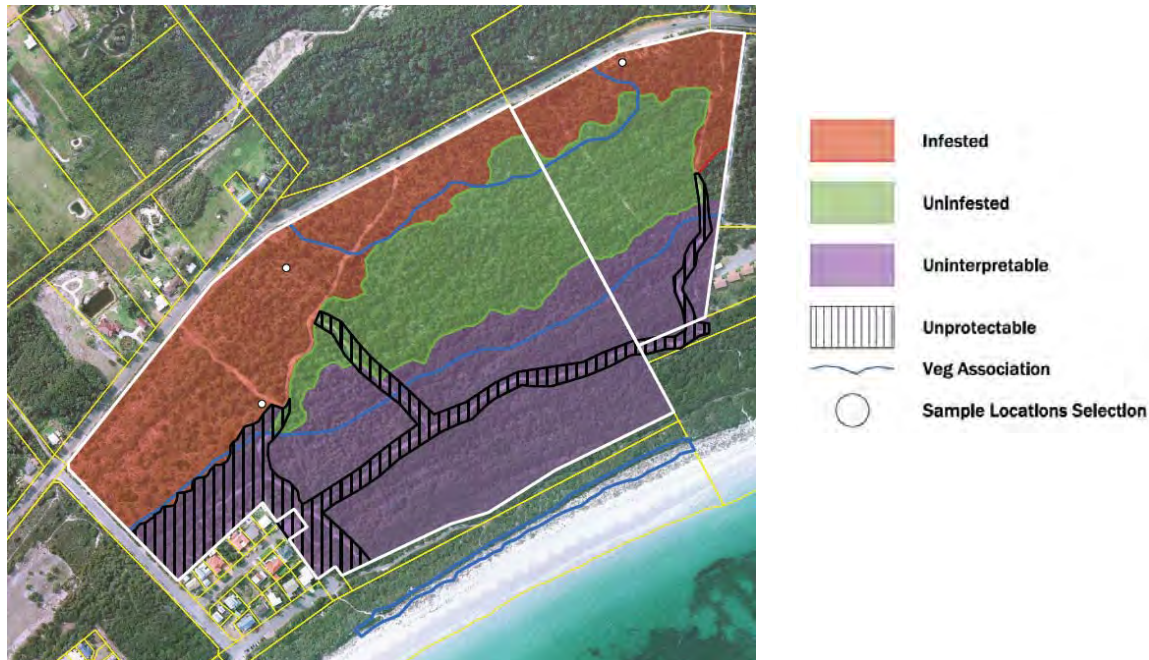


Figure 3.8: Extent of Dieback identified within the subject site

3.4.9 Fauna

Majority of the vertebrate fauna habitat on the subject site is considered to be in a very good condition based on the vegetation structure, extent of vegetation cover and refugia available to fauna. The habitat within the verge of Emu Point Drive and at the south eastern corner of the site is considered to be in good condition.

The subject site, from a regional context, is significant as a habitat area as it forms part of an almost unbroken coastal corridor of uncleared vegetation from Walpole east across the region to the South Australian border. This area is recognised in a (DEC initiative called the ‘Southern Coast Macro Corridor Project’.

Five species of significant fauna have been recorded on the subject site, including Carnaby’s Black Cockatoo, Baudin’s Black Cockatoo, Western Ringtail Possum, Quenda and Osprey. The Osprey is not a

‘Priority Listed’ or ‘Scheduled’ species in Western Australia, however, is listed as a migratory species under the *Environmental Protection and Biodiversity Conservation Act 1999*.

A number of studies have investigated the extent of the presence of the Western Ringtail Possum (WRP) within the site. WRP and their dreys have been recorded at several locations on the site, mainly in the southern portion of the site.

A Short Range Endemic (SRE) invertebrate survey did not identify any SRE species.

The PER documentation addresses the management of fauna species as a result of the development.

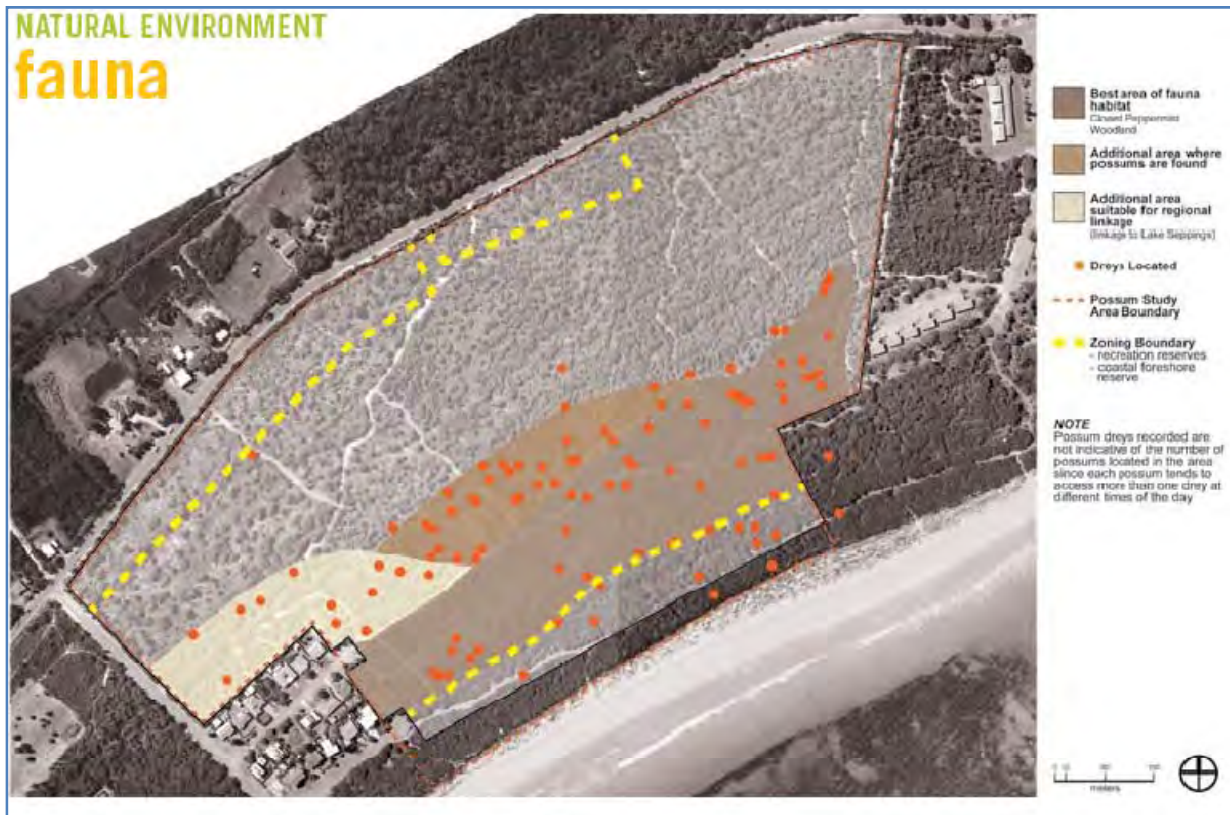


Figure 3.9 – Possum habitat and Dreys (LandCorp)

3.4.10 Environmental Sensitive Areas

Under the provisions of Section 51B of the Environmental Protection Act 1986, there are no Environmental Sensitive Areas (ESAs) within the subject site. The nearest ESA is associated with the Oyster Harbour foreshore, which is situated approximately 850m east from the subject site.

3.4.11 Reserves and Conservation Areas

The subject site immediately adjoins land zoned ‘Parks and Recreation’ Reserve within the TPS1A. A ‘Conservation’ Reserve vested in the City of Albany is situated immediately north of the subject site adjacent to Emu Point Drive.

Oyster Harbour, which is situated 850m east from the subject site, is listed as a Nationally Important Wetland.

Gull Rock National Park is situated approximately 2.6km east from the subject site, with an area of 2,000ha including several series of threatened native flora and significant stands of Scarlet Banksia. A further 400ha in the Mt Martin Nature Reserve is situated north of the Gull Rock National Park.

There are no Commonwealth or State reserves within or adjacent to the subject site.

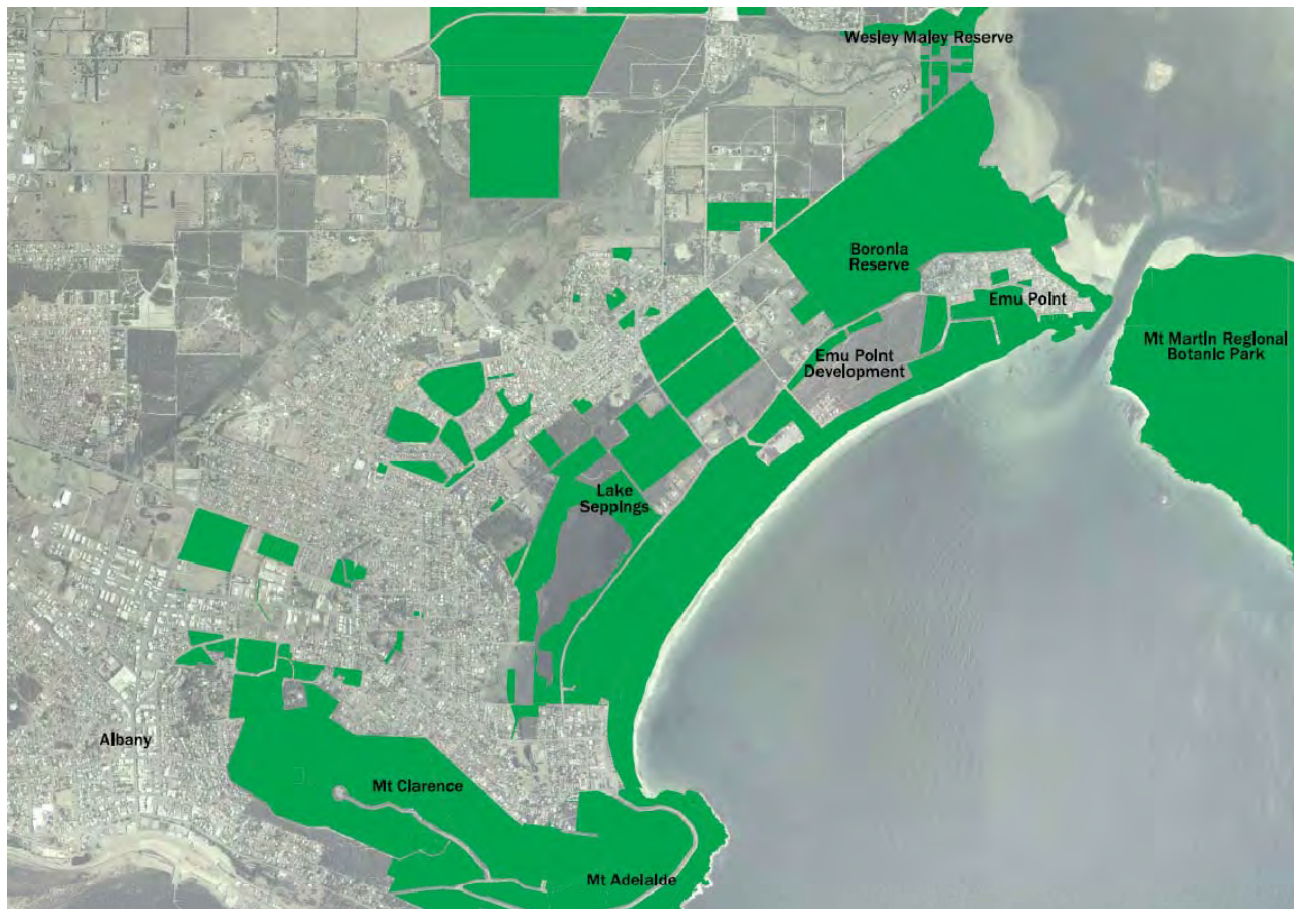


Figure 3.10 – Wider Reserve and Conservation Areas (LandCorp)

3.4.12 Weeds

Dominant weed species recorded on the subject site include the common non-aggressive weed species Ursinia (Ursinia anthemoides) and Flatweed (Hypochaeris glabra) and the more aggressive species Victorian Tee-tree (Leptospermum laevigatum), Watsonia (Watsonia bulbilifera), Sydney Wattle (Acacia longifolia) and Kikuyu (Pennisetum clandestinum).

Weed species are primarily concentrated along the verge of Emu Point Drive, along the boundary of Griffiths and Hope Street residential development and the north western corner of the subject site.

There are no Declared Plants identified on the subject site, which are those Weeds classified under the *Agriculture and Related Resources Protection Act 1976* that require specific category of control.



Plate 8 & 9 - Sydney Wattle & Arum Lily's, located throughout the subject site in varying degrees (photo courtesy Jill Gaynor, LandCorp)

Areas particularly infested with weeds are identified in the PER documentation and are shown in **Figure 3.11**.



Figure 3.11: Areas of particular weed infestation highlighted in orange (Strategen)



3.4.13 Landscape Character

As detailed above, the subject site can be described as prominent coastal dunal ridge landscaping with dense native vegetation cover. It usually forms a visually pronounced vegetated landform of gently undulating terrain formed by the low linear dunal ridges.

The subject site is only visible from a distance (middle distance and long distance views) on surrounding higher elevation terrain. Close to the site (foreground views from Emu Point Drive, Griffiths Street and along the beach front) the vegetated edges greatly limit visual access into the site. The internal portions of the site are largely unseen from close quarters.

The wider setting provides prominent higher elevation terrain, from 1km to 3km distance, in a semi circular ring from the south west around to Mt Martin and Bald Rock National Park to the south east. These prominent landscape elements allow views over the Middleton Beach dunal foreshore landscape, to King George Sound and the ocean beyond.

All views from these dominant landscape elements additionally include view lines over the low lying wetland area immediately beyond the dunal system.

The overall landscape is comprised of a mix of built residential urban development, large areas of natural vegetation, freshwater wetland bodies and dramatic coastal and ocean seascape. For the purpose of the Visual Management Plan, the overall 'viewshed' (landscape unit) is termed the 'East Albany King George Sound' landscape unit.

The sub-units to the 'East Albany King George Sound' landscape unit include the following:

- Middleton beach and foreshore;
- Middleton beach to Emu Point dunes;
- Lake Seppings and Collingwood flats;
- Oyster Harbour foreshore and open waters;
- Mt Adelaide and Mt Clarence heights;
- Mt Clarence, Seppings Collingwood residential heights;
- Bayonet Heads residential ridge and Oyster Harbour foreshore;
- Emu Point tourism precinct; and
- Gull Rock National Park.

Figure 3.12 identifies these landscape units in more detail.

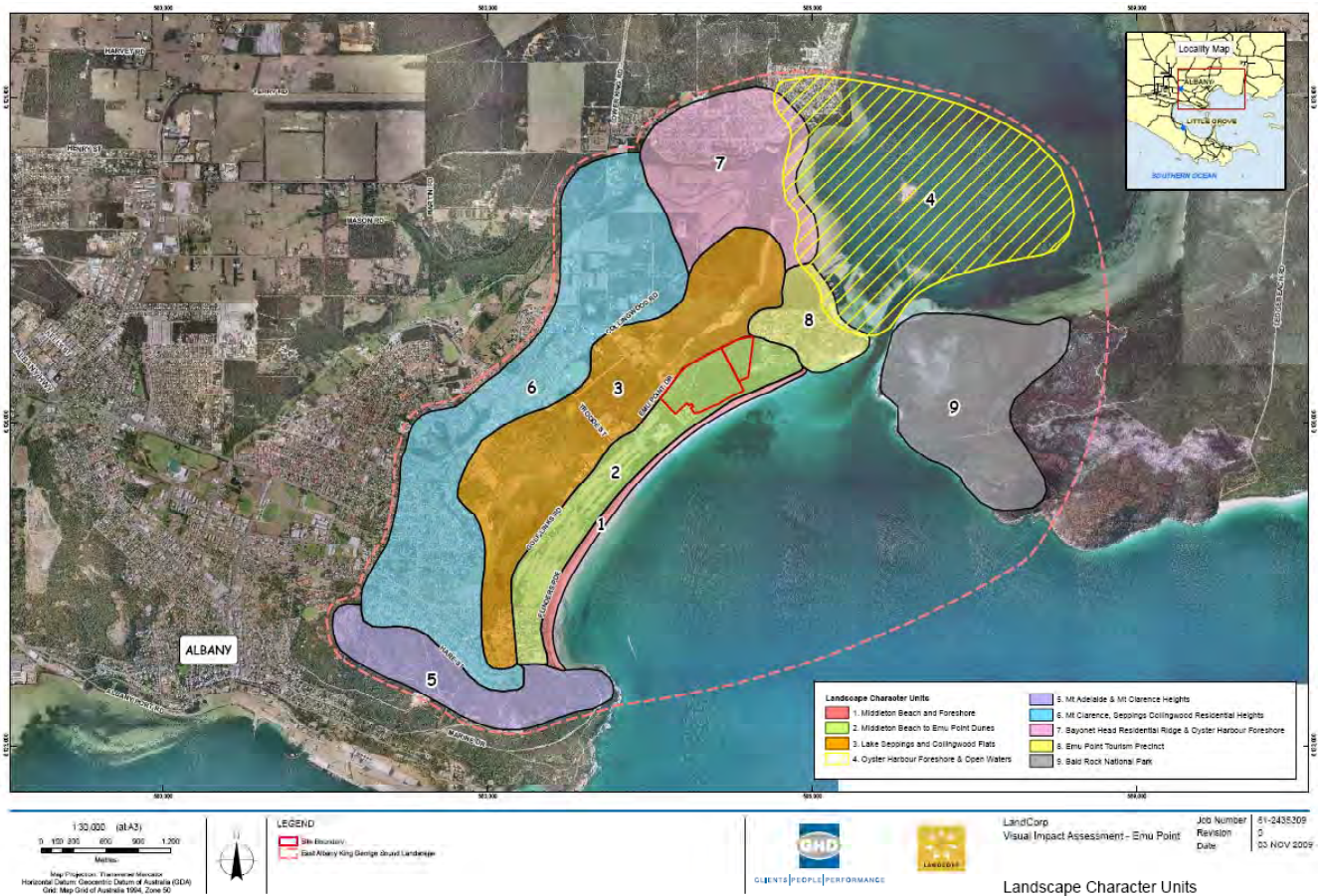


Figure 3.12 Visual Landscape Units (GHD)

It is important to acknowledge that the overall landscape is one of significant complexity, not just very diverse visual elements (urban to pristine natural), but with exceptionally powerful and dramatic landscape elements – in terms of scale, prominence and ‘visual drama’. It is in fact a surprisingly resilient landscape to change in small spatial elements within this larger complexity of a major landscape.

Visual impact for the site is further explored at **Section 4.6.7** and a Visual Impact Assessment (VIA) conducted by GHD is found at **Appendix 11**.

3.4.14 Coastal Setback

The coastline adjacent to the subject site is characterised by reflective, low tide terrace beaches, which generally receive lower energy, refracted waves. An important consideration for development of the subject site is the coastal setback required to maintain physical coastal processes and minimise risks associated with coastal erosion.

During 2007, LandCorp engaged specialist coastal engineers, MP Rogers and Associates, to complete a coastal setback assessment for the site, in accordance with the guidelines and recommendations established in the State Coastal Planning Policy (SPP 2.6). The purpose of the assessment was to ensure that development of the site adequately allowed for physical coastal processes over a 100 year period.

The resultant recommended setback for the development was 95m from the western boundary to a point 250m east and then 105m to the eastern boundary of the site.

In addition to the consultant’s recommended setback, the Department of Transport has identified the setback in the eastern part of the site should be greater. Both setbacks are shown in **Figure 3.13**.

The proposed development area is located outside of the coastal setback areas identified by the Department of Transport (DoT) and MP Rogers and Associates. The closest point of the development will be 115m from the agreed coastal setback. This effectively doubles the area of the coastal setback over and above the DoT requirement. The coastal setback will be within POS and retained as bushland. Consequently, the residential area will not impact on the coastal setback requirements.



Figure 3.13: Recommended Coastal Setback (MP Rogers and Associates).

3.4.15 Aboriginal Heritage

According to an ethnographic and archaeological survey undertaken in 2007, the survey results did not identify any new Aboriginal ethnographic or archaeological sites within the subject site. The site is however, situated on the Dreaming Track of the Palyark Ancestral Being, which is ethnographically significant given its association with Palyark and being camping/resource procurement sites of significance for Nyungar people.

The survey results identified that the subject site would have been extensively used in the past by Aboriginal people travelling along the coast between Mt Clarence and Emu Point, following Palyark's track, to congregate on the coast and estuaries down to King River during summer and autumn, when fish and other aquatic resources were abundant.



There are no known or listed Aboriginal Heritage sites within the subject site, however there are a number of sites identified in the general vicinity, including the following:

- Oyster Harbour (mythological significance);
- Green Island (mythological/historical significance);
- Kylie Site (Kylie Boomerang);
- King Point, Albany (traditional food source);
- Alfred Knapp's Seasonal Camp (historical significance);
- Barnup (Strawberry Hill Farm) (historical significance);
- Middleton Point Camp (historical significance);
- Mt Clarence Salmon Camp (historical significance);
- Oyster Harbour Caravan Park Lake (mythological significance); and
- Yakamia Creek (mythological/historical significance).

3.4.16 European Heritage

There are four single storey cottages listed on Places Database (Heritage Council of Western Australia), which are situated on the southern side of Cunningham Street, adjacent to the beach at Emu Point, which were constructed c1920, c1903, c1948 and c1955.

The Places Database also identifies the St Martin Camp Site at Emu Point, which is listed on the City of Albany's Municipal Inventory.

There are no known or listed State Register of Heritage Places within or adjacent to the subject site.

No heritage places listed on the Register of the National Estate are located within or adjacent to the subject site.

3.5 Native Title

The National Native Title Tribunal states, "*Native Title is extinguished on privately owned land (including family homes or freehold farms), on residential, commercial and certain other exclusive possession leases and in areas where government has built roads or other public works*" (National Native Title Tribunal. 2000, p4).

The site is wholly owned by LandCorp as freehold estate, therefore Native Title is extinguished on the site.

3.6 Existing Services

The subject site and surrounding area is currently well situated for connection to all services. The subject site has access to reticulated water, power and telecommunications and is in close proximity to reticulated sewer networks. It is anticipated that upgrades and extensions to services will be required to service the subject site and surrounding area as described in **Section 4.7**. The existing services are depicted on **Plan 2** (refer to **Appendix 5**).

3.6.1 Reticulated Water

There is an existing reticulated water service available to the subject site. At present there is an existing 150 mm PVC main along Emu Point Drive, a 58 mm AC main along Griffiths Street, and a 58 mm AC main along Medcalf Parade.

3.6.2 Reticulated Sewerage

The subject site is not currently serviced with a reticulated sewer service. The existing dwellings in Hope and Griffiths Street utilise on-site effluent disposal systems.

The closest sewer line to the subject site is the 150 mm reticulated sewerage within Medcalf Parade and Birss Street which feeds down to the Firth Street pumping station. There is a 150 mm PVC sewerage rising main running from this pump station back along Emu Point Drive on the southern side of the road. There is also a secondary pump station within the Barry Court development to the south west of the site.

3.6.3 Power

An existing overhead low voltage power line runs along the length of the subject site on the southern side of Emu Point Drive and along Griffiths Street. The existing residential area is serviced by a 50kVA pole top transformer.



Plate 10 – Aerial power lines in Emu Point Drive

3.6.4 Telecommunications

There are optic fibre cables that currently exist along the southern side of Emu Point Drive to service the Emu Point area. As well as this, there are reticulation cables along part of the site's frontage, within Griffiths and Hope Streets and to the existing end of Medcalf Parade.

3.6.5 Gas

A reticulated gas service is not available in the general area. The closest reticulation gas main is in Collingwood Road, approximately 3km away to the north west.

3.6.6 Roads

The subject site is fronted by Emu Point Drive along its northern boundary and Griffiths Street along its western boundary. Hope Street terminates in a cul-de-sac at the subject site boundary.

Approximately 2,777 vehicles travel daily along Emu Point Drive between Griffiths Street and Troode Street. This section of road is sealed to a width of 7.4 m to 7.6 m wide. Shoulders of approximately 0.6 m wide are marked by white lines, giving an effective width for motorists of some 6.2 m to 6.4 m wide.



Plate 11 – Emu Point Drive near the Griffiths Street intersection

Griffiths Street has been built to a width of 7.4 m. It is kerbed on both sides. No traffic counts are available for this road at the time of writing.



Plate 12 – Griffiths Street road pavement - looking south



Hope Street has been built to a width of 5.6 m and is kerbed on both sides of the road.



Plate 13 – Hope Street cul-de-sac - looking east toward the subject site



Plate 14 – Beach access and coastal dual use path intersect at Griffiths Street



Plate 15 – Griffiths Street is an informal parking area created by localised widening of the road pavement.

Griffiths Street turns parallel to the beach at the eastern end where it provides an informal car parking area for beach goers. Access points onto the beach are located at either end of this portion of Griffiths Street. No other public facilities are located within close proximity to the subject site.

Currently the speed limit on Emu Point Drive is 80 km per hour, between Griffiths Street and some 300 m west of Clark Street. It then drops to 60 km per hour and then 40 km per hour at the Clark Street intersection in Emu Point.

3.6.7 Public Transport

There is currently one public transport service serving the subject site and surrounding area which is the 301 bus route. This is operated by Loves Bus Service, on behalf of Public Transport Authority (PTA). The following stops are provided within the vicinity of the subject site:

- Emu Point Drive, 30 m to the east of Griffiths Street;
- Emu Point Drive opposite the Rose Gardens Caravan Park;
- Burgess Street, in Emu Point; and
- Mermaid Avenue, opposite No. 64.



Plate 16 – Bus stop 30 m east of Griffiths Street along Emu Point Drive, (photo taken looking south toward the Griffith Street intersection).

Bus route 301 currently services the subject site three time daily; 9:00 am, 10:35 am and 3:00 pm. This bus route is depicted in **Figure 3.14**.



Figure 3.14 Public Transport Routes (Public Transport Authority)

3.6.8 Pedestrian/Cycling/Horse Riding Facilities

A 2.5 m wide dual use path (DUP), which extends to Ellen Cove in the west and Emu Point in the east, is located along the southern boundary of the subject site in the former Flinders Parade road reserve. Griffiths Street effectively acts as a portion of this dual use path network.



Plate 17 – Part of the dual use path between Ellen Cove and Emu Point

At the western end of the subject site, a 2.5 m wide dual use path is located on the western side of Griffiths Street and connects the subject site to the north toward Collingwood Road.



Plate 18 – The subject site is well connected to the City of Albany dual use path network – DUP running north away from the Griffiths Street toward Collingwood Road.

Separate horse access is identified in Griffiths Street to service the local horse trainers who use Middleton Beach to train horses early in the morning. Feedback from local residents indicates that the horse trail is not used and that horses tend to use Griffiths Street for access to the beach.

Signage at Middleton Beach further controls and separates horse and dog activity in this area.



Plates 19 and 20 – Horse access and use of the beach is regulated by the City of Albany



4.0 OUTLINE DEVELOPMENT PLAN

4.1 Design Philosophy

The Emu Point Outline Development Plan (ODP 007) has sought to apply the principles of sustainable development from the conception phase through to construction. The proposal is consistent with WAPC Liveable Neighbourhoods policy document.

The ODP creates a residential development comprised of 133 lots which will accommodate approximately 260 housing units and 650 people (assuming 2.5 people per household). The ODP recognises the environmentally sensitive nature of much of the site, concentrating development within the more capable land and securing approximately 60% of the site as open space. **Appendix 1** provides the ODP.

The vision for the Emu Point development is for a development showcasing sustainable development for the Great Southern Region from the initial concept, to subdivision design through to the landscaping of individual lots.

The development will be a high quality, walkable community that responds in a sustainable fashion to the site's opportunities and constraints with a focus on its relationship with the surrounding bushland and coastal environment. Houses will be designed sympathetic to the natural surroundings with a series of measures established to encourage sustainable development throughout the site.

The plan brings together many competing interests and issues and finds a balance through providing a coherent, coordinated design response. Key elements of the ODP include:

- Retention of 60% of the site as POS with generous areas of bushland being retained to provide a system of linked nature reserves both within and external to the site.
- Retention of native vegetation throughout the development footprint within road reserves and residential lots and enhancement of the existing bushland areas through re-planting and weed management.
- Ecological corridors provided along the edge and throughout the development to link the proposed POS and foreshore reserves with surrounding reserve networks.
- The provision of 'green spines' or 'bushland corridors' throughout the development; retaining vegetation, providing a suitable setting for future housing, breaking up the urban form when viewed from a distance and encouraging walking within the development.
- The provision of a Village Centre to provide a focal point for the community, providing potential for a deli/cafe and other mixed use land uses.
- Providing a range of residential densities and housing types to cater for a wider cross section of the community.
- Higher residential densities concentrated around the Village Centre to encourage walking within the development and reduction in vehicle use.
- The integration of the existing Hope Street community into the new development by bringing deep sewerage and improving public infrastructure and facilities to a standard commiserate with the proposed development.
- Achieving a balance between fire management and retention of native vegetation.
- An increased foreshore reserve that secures the high quality vegetation and possum habitat as part of the wider reserve system.
- Providing additional community benefits to the local and wider Albany community by upgrading the access to the beach and improving parking in Griffiths Street.
- Minimising major earthworks and working with the topography wherever possible.
- A standard of public infrastructure that minimises ongoing maintenance issues for the City of Albany. However due the large areas of public open space a 'Specified area Rate' is proposed for the new development to provide the local government with additional capacity to address the ongoing maintenance requirements such as weed management and public landscaping.



Given the large areas of proposed POS, the extensive use of high quality landscaping and public infrastructure and the ongoing need for weed management, the City of Albany may wish to consider applying a 'Specified Area Rate' to the Emu Point residential development to raise additional funds to cover the ongoing maintenance of the subdivision.

4.1.1 Development Objectives

The objectives for the Emu Point development have been based on the 'Triple Bottom Line' approach to ensure social, environmental and economic sustainability.

The objectives in **Table 2** have been identified and refined throughout the various consultation and concept planning phases and have been integrated into the ODP.

Sustainable Principles	Objectives
Social	<ul style="list-style-type: none"> • Creating a place that integrates well with the existing surrounding areas • Creating a place that feels welcoming and accessible, not only to residents, but to the broader Albany community and visitors • Creating a community, not simply a housing estate • Creating a place with a great "feel" about it • Creating a community comprising a diverse range of people
Environmental	<ul style="list-style-type: none"> • Respecting topographical and landform features of the existing surrounding area • Protecting significant vegetation • Protecting significant fauna habitat, including wildlife corridor • Environmentally sensitive design associated with individual dwellings and beyond the lot boundaries
Economic	<ul style="list-style-type: none"> • To support and not detract from the existing facilities at Emu Point • To assist with the funding of the Waterfront at Albany project • Relative affordability through a range of housing sizes and options • Environmentally sensitive housing design initiatives to reduce building life cycle costs for landowners

Table 2: Emu Point Residential Development Objectives

4.1.2 Community Consultation Response

The original Concept Plan was presented to the community and other stakeholders in May 2009. An updated plan was presented to the individual landowners in Hope and Griffiths Street in February 2010. Numerous changes to this plan have occurred that respond to community and local consultant feedback. These are summarised as follows:

- The development footprint remains the same, the composition of the different precincts has varied;
- The placement of the clustered lots at the eastern end of the development provides for a more flexible style of development that responds more sensitively to the topography and quality of vegetation;
- Additional medium density housing has been included closer to the Village Centre to support the centre and provide more housing for people within close walking distance to the centre;
- The laneway on the northern boundary of the Hope Street lots has been widened, the number of dwellings along this boundary reduced and a landscaping strip included;
- Medium density housing has been provided along the side fences of the end properties in Griffiths and Hope Streets to increase the number of lots backing onto these properties from 5 to 7. A wide landscaping strip/development exclusion area has been introduced along the rear boundaries of



these lots in order to retain some existing vegetation and keep housing well away from existing residents;

- Access trails to the beach and towards Emu Point have been rationalised resulting in retention of more bushland by utilising existing trails wherever practical;
- Some lookouts have been removed, pending a more detailed assessment of their location as part of the Landscaping Master Plan;
- A proposed shared path system has been introduced around the edge of the development;
- Sensitively placed active open space areas have been included in a bushland setting;
- A more direct trail to the existing bus stop has been provided;
- Griffiths Street beach access area is proposed to be upgraded with parking formalised, road width reduced, shared path separated from the roadway and additional 'friction' created to slow traffic;
- A potential lease area, reserved in a separate manner to the rest of the bushland, has been provided as an option at the end of Griffith Street to allow for the development of a cafe, food stand, public toilets, barbeque area, and/or beach showers and the like; and
- A series of substantial median islands have been introduced to slow traffic and provide a safer crossing point for people and fauna.

The changes are a response to public submissions and a review by the local consultants appointed by LandCorp to prepare the ODP.

The main reasons for the changes are to bring the development in line with the vision and objectives for the Emu Point development including the retention of natural topography and good quality bushland, a pedestrian friendly, walkable community with less reliance on the motor car, a sustainable development in a bushland and coastal setting and to enhance opportunities for neighbourhood interaction.

These changes increase the sustainability of the development by:

- Increasing the amount of quality vegetation retained within the development footprint by placing the cluster lots at the eastern edge where there is higher quality vegetation and placing the single house lots on the flat land where the vegetation is of a lesser quality;
- Increasing the amount of overall bushland that may be retained or regenerated by using existing trails wherever possible for beach access and revegetating the trails that are not required;
- Reducing the need for changes to the natural topography by placing the cluster lots at the eastern end so grouped dwelling development can respond to the natural lie of the land. The access points to these clusters are situated in the low point of the landscape to assist with drainage;
- Creating more 'bumping places' for the community to meet by creating a number of active recreation areas set in bushland;
- Creating more pedestrian friendly environment by slowing traffic, providing safe refuges and more footpaths and shared paths within and through the development; and
- Creating another meeting place, improving public facilities and providing a quality destination for tourists and locals, allowing for a place for future cafe/food stand/bbq area/public facilities at the end of Griffiths Street. This will provide a node and a beach-side focus for the new and existing residential areas.



4.1.3 Local Residents

Further to **Section 2.3** of the ODP, the ODP has been amended to respond to the concerns of local residents in the following manner:

- Widening of the laneway and introduction of a landscaped strip along the rear of Hope Street residential properties;
- The introduction of a substantial landscaped, rear setback to dwellings backing onto the end of Hope and Griffiths Street residences;
- The reduction in the total number of lots backing onto the existing residential area from approximately 23 to 20. In particular, the previous 17 townhouse lots have been removed and replaced with 13 wider, medium density lots;
- Landscaping packages have been offered to upgrade the existing road reserves to a standard more in keeping with the proposed development area;
- Confirmation that no vehicular link would be provided from Hope Street into the remainder of the development;
- Upgrading of beach access points to reduce sand blowing into residential areas;
- Introducing traffic calming measures to the Griffiths Street extension; and
- Additional fire protection measures around the perimeter of the development footprint to balance between vegetation protection and fire management.

Importantly, most residents raised concerns with a substantial increased use of the beach, Griffiths Street and the parking area by horses and their trainers early in the morning. Whilst this issue is not development issue for the ODP, it is a local government issue, and feedback from local residents has been forwarded to the City of Albany for action.

The local residents raised issues such as requesting a green space buffer around the existing community, moving the development well away from the Hope Street residents and retaining Griffiths Street as a cul-de-sac. These requests have not been accommodated for the following reasons:

- The existing fire protection measures are inconsistent with the Planning for Bushfire standards. Edging the development with new housing, road and path network will help address this issue;
- Existing side and rear fences adjacent to the bushland present an inactive edge resulting in weed infestation, dumping of garden refuse and lack of passive surveillance;
- Good planning should dictate that any new development integrates with existing development to avoid any division between the future communities and enable existing residents to access new facilities;
- The Village Centre needs to be located adjacent to Griffiths Street to provide access to passing traffic, to increase the financial viability of the Village Centre and to be close to the existing bus stop for public transport access; and
- Griffiths Street is retained as a through road for permeability of design, emergency vehicle use (particularly fire response), reducing the number of vehicles using Griffiths Street (by stopping the vehicle that turns around at the end and returns via the same route) and to increase the integration of the new development with the existing residential area.

The ODP attempts to provide an 'intermediary' green space around the existing residential area through a landscaping strip along the widened laneway and a landscaped development exclusion area along the rear of lots. The existing residential area has effectively been enlarged, by ringing it with medium density development, and then provided with a green space around the new edge. This allows people to live close



to the Village Centre and beach, whilst addressing the fire issues and providing development that addresses the surrounding reserves.

The benefits to the wider Albany community of providing this new show case sustainable development must be weighed against the natural resistance of the existing community to change.

It should be borne in mind that there are benefits to the existing residents through becoming part of a wider development including the following:

- Access to the Village Centre and the potential future cafe/deli facility;
- Access to parks and modern facilities within walking distance;
- New street trees on the road verges will be offered to those landowners who wish to participate;
- Improved beach access with reduced sand impacts on adjacent residents;
- Slowing traffic and providing a turning pocket or roundabout near the Emu Point/Griffith Street intersection will improve road safety;
- A reticulated sewerage service will be provided;
- Improved bushfire management of the adjacent bushland; and
- A redesigned and redeveloped parking and shared path in Griffiths Street to work through any parking and access issues.

4.1.4 Opportunities

As part of the design and detailed planning, an Opportunities and Constraints Plan has been developed (refer to **Appendix 6**). Firstly, this identifies the areas of the site suitable for development. Subsequently, the opportunities and constraints have guided how the development should be designed to properly integrate with the site and meet the agreed development objectives.

The development site has a number of opportunities given its size and location. The opportunities identified are:

- The site is located in a coastal setting, providing future residents with direct access to the beach, which promotes a higher quality of life.
- Core services are available in the area, such as power, water, sewer and telecommunications.
- The site is essentially an infill development linking existing developments to the west and east, which does not promote urban sprawl.
- Vegetation on parts of the site has failed to regenerate to the same standard as other areas following a substantial bushfire and there is evidence of weed and dieback infestation. Development can occur without requiring pristine bush to be removed.
- The site of the development allows for the inclusion of a Village Centre to act as a focal point. This will promote a small cafe/deli to service new and existing residents as well as allow for medium density housing.
- The size of the site allows for a range of housing choices and lot sizes to be provided, which will attract a wide range of resident types from young families to aged persons.
- The site is located close to existing recreational areas, including the Albany Golf Club and Emu Point.
- A public bus service is available to reduce car reliance in this locality.
- The presence of east-west running dunes allows for the development to follow the contours and provide for excellent northern sun access to promote energy efficiency.
- The slope of the site can be used to its advantage rather than requiring large scale clearing and re-contouring of the development area.



- The soils on the site are conducive to development being free draining with groundwater sufficiently low for the majority of the site.
- The development will be large enough to consider sustainability in a meaningful way, such as water and energy efficiency and provision of high quality POS.
- Sufficient land is available to ensure a cost effective development can occur without the need to reduce the environmental qualities of the site and to ensure the viability of the project.
- Development in this location will increase the viability of existing services and facilities in the locality.
- Development will require reticulated sewer to be extended to the site. This will allow existing residences in Griffiths and Hope Street to connect in the future, which will have positive environmental benefits on nutrient levels entering the groundwater system.

4.1.5 Constraints

As with the site opportunities identified above, a similar exercise was undertaken to identify the constraints to development. The constraints were further refined by the various additional studies undertaken to support the ODP and Public Environmental Review (PER).

All site constraints have been taken into account in the ODP. Due to the location of the site in a vegetated coastal environment, most of the constraints relate to environment factors. However, other constraints, such as infrastructure have also been taken into consideration.

The constraints identified are outlined below:

Environmental Constraints:

- Coastal setback requirements of the Department of Transport and the need to cater for the possibility of sea level rise in the future.
- The site includes areas of Western Ringtail Possum (WRP) habitat and other declared and endangered fauna and flora species, including Albany Woollybush and Carnaby's Black Cockatoo.
- Large areas of the site contain high quality native vegetation, including peppermint thicket, peppermint/banksia woodland and sheoak woodland areas. These areas are to be maintained due to their importance in providing a wildlife corridor between Emu Point and Middleton Beach, as well as to protect the habitat of declared rare species.
- It is necessary to retain viable vegetation corridors around and within the site to link to the bushland to the west, east and north.
- There are areas of the site that are infested with declared environmental and pest weeds. These areas need to be managed accordingly. Further, weed management once the development is completed will need to be considered to protect the quality of the remaining bushland areas.
- There is an identified area of dieback on the site. This will need to be managed to reduce spread through a number of management techniques during and after construction. Dieback will be a major threat to the health of the remaining vegetation into the future.
- Areas of the site have groundwater levels that are too close to the surface to allow for development without fill. As major earthworks are to be avoided, these areas are to be avoided wherever practical by the development footprint. Due to the presence of groundwater, drainage and landscaping will need to be designed to avoid nutrient infiltration into the aquifer.
- The sand dune ridgelines will need to be protected to minimise wind erosion occurring by retaining vegetation cover.
- Surface drainage is affected by the ridgelines through the site and the catchment divide that parallels Emu Point Drive. Drainage flows will need to be taken into account to ensure that run off remains as pre-development flows in accordance with WAPC and DoW guidelines.



Tenure Constraints:

- The site is surrounded by Crown reserves to its west, south and north. Access directly to Emu Point Drive from the site is limited as a consequence.
- The Hope Street residential precinct is currently developed for single residential purposes. Interaction with this existing lot density and layout will need to be considered.

Infrastructure / Economic Constraints:

- Reticulated sewer is not currently available to the site and will need to be extended to allow development to occur.
- Road access directly onto Emu Point Drive is limited to a single point. In order to provide greater sight distances to improve safety of the intersection, the intersection is to be constructed further east than originally planned in the 1970's.
- Extension of Hope and Griffiths Streets into the site is not supported by the existing residents.
- The undulating nature of the site and the proximity to groundwater and the wetlands must be taken into account when considering stormwater disposal from roads and other hard surfaces.
- All urban services (roads, water, power, telecommunications, etc) will need to be brought in to the development.
- The limited area of the site available for development and the need to obtain a suitable lot yield will require innovative solutions to allow for the costs associated with construction and servicing to be renumerated.

Social / Community Constraints:

- The existing residents located in Griffiths and Hope Streets have indicated they do not wish to be integrated into the development, nor have significant development adjacent.
- Access between the development and the beach will need to be managed to ensure that the retained bushland areas remain viable and habitat of rare species is protected.
- Access to the shared path along the southern side of the site will need to be retained and remain open at all times during construction.
- Dust, noise and vibration impacts on surrounding residents during construction will need to be considered and appropriate measures implemented to reduce impacts and/or respond to property damage.
- Griffiths Street acts as a bridle trail connection between the beach and horse properties. The development will need to consider the importance of this route to local horse owners and riders.
- The development will need to take into account the high quality visual amenity of the coastal location and the major recreational use of King George Sound and the coastal reserve. New development will need to complement the coastal and bushland attributes of the site and ensure it has as little visual impact as possible.
- The cost of providing a local deli/cafe and other recreational facilities will need to be supported by a large enough residential population to ensure the viability of these facilities.
- The site is currently separated from educational, shopping and medical facilities. Although these are easily accessible by car, the development will need to consider alternatives to car travel to access these facilities, particularly cycle paths and bus frequency.

The above constraints have been incorporated into the ODP to provide the resultant development concept that seeks to address each of the constraints in a manner acceptable to the community and regulatory authorities.



4.1.6 Sustainable Principles for Development

The State Sustainability Strategy of Western Australia defines sustainability as “meeting the needs of current and future generations through an integration of environmental protection, social advancement, and economic prosperity”, and increasingly there is growing community expectation that best practice will be applied in accordance with these principles. This ODP reflects current thought in applying the sustainability philosophy to all aspects of the planning and development process for this project.

This project has been characterised by a strong commitment, since inception, to meaningful engagement with the community and regulatory authorities. This dialogue has been highly beneficial, resulting in significant adaptation of the early concepts and is reflected in the final ODP design, Landscape Master Plan and Design Guidelines for the development.

The ODP is a reflection of the design team’s response to local knowledge, research and community and regulatory authority expectations, measured against the following sustainability principles.

Social

The State Sustainability Strategy states that (social sustainability).... “seems frequently to fall off the sustainability agenda or to take second place to environmental and economic concerns, despite the fact that it is so critical to the lives of individuals and communities and to the overall health of our society”. Through the provision of an extensive range of interactive spaces, including the provision of a community hub and recreational zones, increased opportunities are created for social interaction. This is critical for the development of social capital and a strong sense of place. The diverse range of lot sizes and development opportunities will further enhance the vibrancy of the development. The proposed development has been sensitively designed to incorporate the existing residential community on the site by respecting space and privacy and providing increased social opportunities.

Environmental

Community focus workshops and submissions have continually highlighted the high value that respondents place on the existing conservation values of the site. Subsequent environmental monitoring has provided the proponent with the baseline data required to formulate an appropriate response to these issues. These responses have included a reduction in the developable footprint to approximately 40% of the total lot area, increased coastal setbacks, revegetation of degraded areas and the creation of significant conservation reserves and corridors for the preservation of species diversity.

In addition, the Landscape Master Plan includes recommendations that will incorporate habitat for existing plant species on the site, within street plantings, verges and private lots all of which will adhere to Water Wise principles.

Creative engineering solutions including road design, lot layout and orientation, on-site stormwater management and minimal disturbance of the existing topography will further reduce the environmental impact of the proposal. These components will lead to a reduction of imported fill and the energy associated with their transport.

Integration with the existing shared paths network provides further opportunity to reduce auto dependence.

Economic

The development is driven by a need to be economically viable and provide a financial return to government as part of its commitment to the Albany Waterfront development. The development will also provide economic opportunities for local business during the construction and build out stages of the project and provide for a range of employment opportunities for the local community.

The ODP recognises that there exists disproportionately high unemployment levels within the local Menang community. As a means of providing employment opportunities consideration will be given by the proponent, via an MOU, to enter into agreement with a local service provider to ensure significant employment and training opportunities flow through to this community during the landscaping, monitoring



and revegetation programs. Further long-term employment opportunities may also exist through the developments integration with the Kinjarling Walk Trail Project.

4.1.7 Sustainability Framework

A key requirement in the preparation of this document is that the ODP provides a clear framework to guide and measure the sustainability of the development against a predetermined set of objectives.

The Sustainability Checklist is in full at **Appendix 12**.

In order to meet this requirement the design team has identified the key social, environmental and economic criteria for the Emu Point Development as follows:

- Water inputs, discharge and quality;
- Energy consumption (development and post construction stages);
- Greenhouse emissions;
- Preservation of Biodiversity;
- Visual amenity;
- Topography;
- Identity, character and cultural heritage;
- Transport and auto dependence;
- Housing design;
- Demographic diversity;
- Security;
- Waste;
- Community development and wellbeing;
- Local and indigenous employment; and
- Tourism development.

For each factor the KPI/matrix identifies the following:

- Objectives - The desired outcome;
- Indicator - The measure to determine compliance;
- Target - The desired minimum measure;
- Implementation Strategy - The mechanisms and design rules; and
- Agency/organisation or individuals responsibility

Note: not all sustainability goals can be mandated; some will rely on individual commitments from landholders.

The Key Performance Indicators (KPI's) best reflect current sustainable thinking and whole of community aspirations.

The Design Guidelines introduce an innovative point system that dictates minimum required goals whilst providing a flexible approach to permit alignment of personal preference against the KPI's. The Design Guidelines will encourage residents to push the boundaries of current sustainable thought through the provision of creative solutions that best reflect advancement in technologies.

An audit will ensure compliance through an extensive checklist of measurables during the subdivision and development stage, whilst relying on the Design Guidelines during the build out stage.



4.1.8 Landscape Master Plan

The Emu Point development site is set in an area of outstanding beauty. The Landscape Master Plan aims to make the most of this asset and establish new landscapes in such a way as to ensure the natural beauty of the setting remains an asset for the community into the future.

Recommendations for landscape treatments complement the existing landscape character, whilst at the same time recognize the need for practical considerations such as:

- The ongoing maintenance of the subdivision;
- Fire prevention considerations;
- New home owners' personalization of their gardens; and
- Provision of areas that will accommodate higher recreation intensity levels.

Detailed landscape design aims to:

- Strengthen site legibility (i.e. through entry point highlights);
- Support fauna safety and community use (i.e. ensuring accessibility and the creation of 'bumping' places to build interaction);
- Incorporate CPTED (Crime Prevention Through Environmental Design) principles (i.e. allowing for passive surveillance etc.);
- Support sustainability principles (i.e. by designing for walkability etc); and
- Respect the topography and character of the site (i.e. through sensitive material and finish selection).

Plant species selection will focus on:

- Protection of the existing bushland quality (i.e. avoiding weed species);
- ESD principles (i.e. using 'water-wise' plants); and
- The development of a palette of plants to build a landscape character that will reflect the quality of environment and setting envisaged for the development.

The Landscape Master Plan will include typical sections, concept sketches for key areas and planting recommendations for elements such as fire resistance, weed control and dieback resistance.

The Landscape Master Plan is in full at **Appendix 13**.

4.1.9 Urban Design (Streetscape) Principles

Urban design is focused on the built form of a development, which includes not only homes but also the streetscape. The character of new buildings will need to work in harmony with elements such as paving, street furniture, signage, colour and material palettes and landscaping.

Urban design also relates to the function of a place, including the design of pedestrian movement, activity nodes, key views and vistas and the interface between private and public places. Urban design considerations have been incorporated into the ODP and are further developed in the Landscape Master Plan and Design Guidelines.



4.1.10 Specified Area Rate

Local governments have the power, under Section 6.37 of the Local Government Act 1995, to impose specified area rates for the purpose of meeting the cost of a specific work, service or facility on a specific area of its district.

A local government may impose a specified area rate if it considers that ratepayers:

- Have or will benefit from;
- Have access or will have access to; and
- Have contributed or will contribute to the need for a work, service or facility

Local governments are required to use the money from a specified area rate for the purpose for which the rate is imposed in the financial year it was introduced, or place it in a reserve account. A local government may only use money raised to meet the cost of providing that service or to repay money borrowed to meet the cost of the service.

The ODP proposes large areas of public open space and high standard of infrastructure. Whilst every endeavour will be made through the Landscape Master Plan and Design Guidelines to reduce the maintenance burden on the City of Albany, matters such as ongoing weed management and maintenance of path networks may require additional resources in the long term.

Therefore it is proposed that the City of Albany apply a Specified Area Rate to the Emu Point Residential Development. Prospective purchasers will be informed of the rate to prevent any objection by the landowners into the future.

4.2 Subdivision and Development Control

4.2.1 Overview

The development footprint has been broken into various precincts to assist in describing the finer details associated with the development proposal and its direct relationship to achieve the ODP aims and objectives.

These precincts are subsequently broken down further into land use, built form and public space. Each sub-heading is intended to clarify the controls necessary to make the Emu Point development a successful and sustainable development. **Figure 4.1** provides the Precinct Plan.

Specific land use controls are described in each precinct section below and are depicted on the ODP (refer to **Appendix 1**).

Built form controls are also described in the sections below but detailed and enforced through Design Guidelines and Detailed Area Plans as depicted in **Appendix 10**.

The use of public space throughout the development is described in the remainder of these sections and broadly in **Section 4.3**. Details are also provided in the Landscape Master Plan as depicted in **Appendix 13**.

The opportunities and constraints described in **Section 4.1.3** and **4.1.4** are responded to using sustainability and *New Urbanist* principles which shape the ODP. The various elements of the ODP are described in more detail in the remaining sections of this document.



Figure 4.1 – Precinct Plan



4.2.1.1 Overview - Land Use

The focus for the development is on a Village Centre developed with a combination of higher density residential development and potential spaces for ground floor commercial activities. This will provide adaptive space for the provision of a potential future deli/cafe as a meeting point for the whole development. Supporting the Village Centre is medium density housing, bringing people together within close walking distance of the Village Centre and creating a lively and active meeting place. The density of development graduates out to low density 'cluster lots' at the eastern edge that are well linked with a strong pedestrian network back to the Village Centre.

A pedestrian friendly, slow speed environment is provided linking residential areas with the Village Centre and the beach. Over 60% of the site is provided as POS.

Town Planning Scheme 1A (TPS1A) requirements for the 'Residential' zone apply unless varied by the details in the individual precincts below or by the Design Guidelines and Detailed Area Plans adopted as a planning policy under TPS1A.

The residential densities applied to the site are as follows:

- Single House and Cluster Lots – R20 (500m² average, 440m² minimum);
- Medium Density Solar Lots - R30 (300m² average, 270m² minimum);
- Village Centre & Terraces– R40 (Grouped Dwellings - 180m² average, 160m² minimum); and (Multiple Dwellings – 166m² average).
- Apartments (within the Village Centre) – Density to be determined by a vertical building envelope established by the Design Guidelines.

In order to achieve these densities, development will need to appropriately address all relevant requirements of the R-Codes relating to:

- Streetscape
- Boundary Setbacks
- Open Space
- Access and parking
- Site works
- Building height
- Privacy
- Climate
- Incidental development.

In relation to the Village Centre, any mixed use development will be guided by the mixed use development requirements of the R-Codes. It is noted that the Development Guidelines for the site and the City of Albany Residential Design Codes Policy may replace or elaborate on specific provisions of the R-Codes.



4.2.1.2 Overview - Built Form

The built form of the Emu Point development will contribute greatly to the measurable success of the development as a sustainable development.

The architecture of the development will reflect the qualities of the coastal environment and natural attributes of the site, taking into consideration the placement of the buildings, materials and design aesthetics of the Emu Point locality and wider Albany region.

It is envisaged the built form of the development will be site specific to each precinct, but the principles outlined below will be incorporated into the built form across the whole site.

1. *Passive Solar Design*

- All new buildings on the site will be designed to maximise the opportunities for passive solar heating, natural lighting, cooling and ventilation within the houses.
- Dwellings should be designed with living areas on the north side to maximise solar gain during the winter months into all indoor and outdoor living areas and bedrooms.
- Shading should be provided to all openings to restrict solar access during the summer months.
- Natural lighting should be maximised throughout the dwellings.
- Natural ventilation should be maximised throughout the dwellings, utilising the prevailing south easterly sea breezes.

2. *Roof Forms*

- The roof forms will reflect the coastal environment of the development's setting.
- Contemporary roof forms will be encouraged that maximise solar access during the winter months and provide shading and weather protection to indoor and outdoor living spaces.
- Roof forms and rainwater products will be designed and selected to reflect the need to maximise the potential to harvest rainwater on site.
- Roof slopes and orientation will need to provide space for the installation of photovoltaic cells and solar water heating units.
- Roof reflectivity will be managed by restricting the use of colours through their solar reflectance index rating.

3. *Rainwater Harvesting*

Rainwater harvesting will be required for all dwellings. Rainwater tanks must be provided to store rainwater and these tanks can be used as part of the design aesthetics of the development.

4. *Indoor – Outdoor Living Areas*

Dwellings will need to take advantage of the climate of Albany and provide flexible indoor and outdoor living spaces that are sheltered from the prevailing south easterly winds.

5. *Passive Surveillance*

- To assist with the development of community relationships through the subdivision, all new dwellings will have a direct visual connection with the street.
- All dwellings will have a front door that faces the street or access way.
- Windows must be provided from living areas overlooking the street to increase the opportunities for passive surveillance.



6. *Materials*

- Materials throughout the development will be selected to complement the existing materials palette of the region and the sustainable aspirations of the project.
- Materials will be selected to reflect the Albany vernacular. This will be developed further in the Design Guidelines.
- The materials used throughout the development will need to be selected to be appropriate for the harsh coastal environment of Emu Point and sustainability requirements.
- Materials will be used to reduce the visual impact of the development and to reduce the perceived bulk of the buildings.

7. *‘Green Points’*

Sustainable features of dwelling design and the appropriate landscaping of gardens will be required and encouraged through an innovative green points system introduced through the design guidelines. A series of mandatory and recommended design requirements are introduced through Design Guidelines at **Appendix 10**. These are allocated a rating and each development is assessed and accorded a score. A minimum score is required of each individual development although mechanisms will be explored to encourage maximum point scores throughout the ODP area.

This tool has the benefit of requiring a minimum standard of sustainable design but allowing the individual landowner some flexibility in which they achieve this. It is anticipated that it will also encourage each landowner to outdo their neighbour to create a positive atmosphere of competition within the ODP area.

The Design Guidelines and Detailed Area Plans (refer to **Appendix 10**) will be adopted as a policy of Council to augment existing controls established through the R-Codes and Council’s Residential Design Code Policy.

A two-step approval process will be required, being:

- a. Sign off by a LandCorp approved architect against certain criteria established in the Building Design Guidelines; then
- b. Submission for approval by the City of Albany for assessment against the town planning scheme, planning policies, R-Codes and the adopted Building Design Guidelines.

4.2.1.3 Overview – Public Space/Landscaping

In broad terms, the approach to landscaping POS and road reserves aims to ‘grade’ development treatments from more urban to more ‘bushland’ across the site. That is; the proportion of hardscapes & formal planting to naturalistic treatments & softscapes reduces as the residential density of the development decreases. Thus the treatment of the setting for the Village Zone is much more ‘urban’ than that of the Cluster Homes Zone, which are envisaged to nestle into the bushland as much as possible.

In terms of plant species choice, there will be a preference for indigenous and native species to complement the site’s setting, but selected Australian and exotic species will also be used to manage fire risk and allow for solar passive housing design.

Lines for the private gardens will reflect the public landscape character established in the development and will encourage the use of native and indigenous plants, water-wise and fire prevention principles, and solar passive design. While guidelines will acknowledge that not all home-owners will want bush gardens, they will be encouraged to plant gardens that reflect the character of their new home’s setting, as private landscapes will be highly visible and will impact on the POS character of the whole site.

The Landscaping Master Plan (refer to **Appendix 13**) comprehensively outlines the manner in which the public spaces throughout the development will be dealt with.

4.2.2 Village Centre Precinct

The Village Centre (located on the main entry to the development and the main access to Middleton Beach) provides an integrated public access point, a focal point for the development, active meeting places and may in the future provide employment opportunities for residents.

A series of three and four storey apartment buildings will front the main entry road into the development and there is potential for commercial land uses on the ground floor with residential units above.

The eastern end of the Village Centre includes a cell of medium density dwellings with a high level of solar access and access to green spaces.

The amount of land available for commercial land uses is limited, so as to not compete directly with Emu Point where there is an existing activity node including restaurant, cafe, fast food and recreation areas.



4.2.2.1 Village Centre - Land Use

Apartment Buildings

A mixture of apartments (multiple dwellings), grouped dwellings and ground floor commercial tenancies is situated within the Village Centre.

Shop, deli, cafe, consulting rooms, day care centres, newsagency and office uses are discretionary land uses on the ground floor facing the main entry road.

The ground floor of the apartment buildings facing the main entry are to be built in an adaptable fashion to enable short term use as residential but easy conversion to commercial premises should demand arise over time. A minimum ceiling height of 3m, disabled access, appropriate window treatments at the front of the building and separation of potential office/residential areas shall allow for the use of the building to change over time.

The permitted density of development within the apartment buildings shall be controlled through a 'vertical building envelope' placed on the site within which the number of units provided is at the developer's discretion subject to meeting the requirements of the Design Guidelines and the R-Codes.

Building to plate height is required prior to further subdivision of the apartment sites.

Terraces

The terraced housing on the same sites as the apartment buildings shall be medium density housing at a R40 density.

Building to plate height is required prior to further subdivision of the terraces to ensure a coordinated product. Some staging of this requirement may be permitted provided the applicant can show how a coordinated result that fully complies with the requirements of the ODP, Residential Design Codes and Design Guidelines can be achieved.

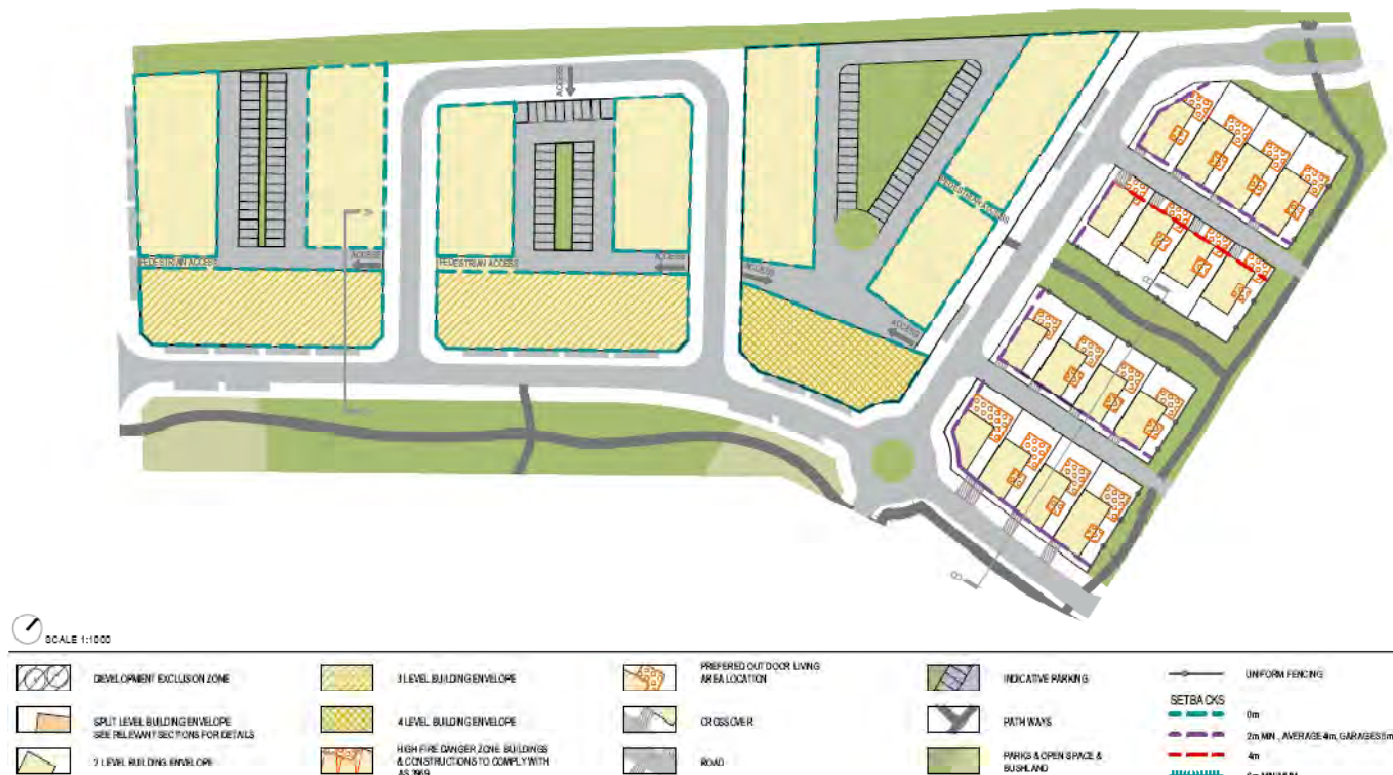
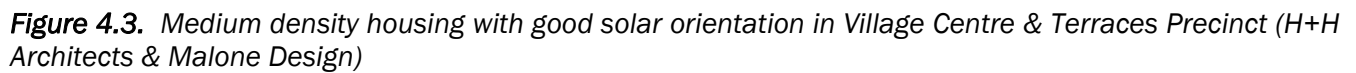


Figure 4.2. Excerpt from Detailed Area Plans for Village Centre Precinct (H+H Architects)

The predominant land use for the housing at the eastern end of the Village Centre will be medium density housing at R30 density. These lots are to be 'rear loaded' from a centrally located shared laneway.



4.2.2.2 Village Centre - Built Form

The Village Centre character will be determined by the apartment buildings' form. These will be three to four storeys, with a maximum wall height of 13m and 15m for the roof, with high density residential units situated along the southern side of the precinct.

Along the northern side of the precinct will be two storey terraced housing.

The multi storey apartment buildings will be the iconic buildings for the whole development and as such will need to be extremely high quality designs. The buildings will be mixed use with commercial on the ground floor and residential above. The ground floor commercial spaces will need to incorporate alfresco areas that take advantage of the Albany climate.

The materials used in the Village Centre precinct will reflect the prominent nature of the lot, and will need to be selected to reduce the visual bulk of the buildings. It is envisaged that due to the commercial nature of the precinct and the potential views from the upper levels that glass will be a prominent material in this precinct.

The roof forms of the multi storey buildings and precincts will be designed to break up the bulk of the buildings and minimise the visual impact.



Figure 4.4 Cross sections of the Apartment and terrace buildings showing the vertical building envelopes (H+H Architects)

4.2.2.3 Village Centre - Public Space/Landscaping

The landscape in this precinct will be more 'urban' in character, comprising more formal boulevards, hard paved areas, furniture and built forms (such as low sitting walls) than in other precincts within the development. This reflects higher pedestrian intensity and use levels, and will complement the denser built form character of the precinct.

Landscaping and urban design will also be used to provide pedestrian amenity (shade, detail, comfort), give cues to motorists to moderate speeds, support community interaction and encourage walking/cycling. Car parking areas will also be softened with landscaping to provide shade, reduce reflective heat, assist with stormwater management and visually soften large paved areas.

As this precinct is also at a major gateway to the development, the landscape facing Griffiths Street will be of a high quality.

On-street parking will be provided to support future commercial tenancies on the ground floor of the apartment buildings as depicted on the ODP (refer to **Appendix 1**).

A community garden is proposed in a centrally located position within the terraces to act as a meeting place and a place for local residents to grow their own food. This is provided to balance the lesser private open space available at the higher densities in this precinct. The Village Centre is also adjacent to a large reserve, further discussed in section **4.4.2.1**.



The easternmost medium density units are serviced by a shared laneway designed as a slow speed environment, making through traffic impractical. Narrow, low speed lanes are provided to facilitate rubbish truck egress and fire emergency vehicle access only.



Plate 21 – Public space will be more ‘urban’ in character in the Village Centre

4.2.3 Beach-side Precinct

Medium density housing in this location allows for local residents to be within walking distance of the Village Centre and the beach and to take advantage of the amenity provided by the surrounding POS. The R30 density in this location will support the potential commercial uses within the Village Centre assisting its long term viability.

Providing opportunities for medium density in the Emu Point development helps maintain a reasonable population whilst minimising the development footprint.

Development has been backed onto the existing residential area in order to remove the currently poorly maintained interface with the surrounding bushland, improve fire management and integrate the existing development into the new development.

Landscaped buffers to the existing residential areas have been included within the widened laneways and in development exclusion areas. These buffers will include retention of existing vegetation wherever possible.



4.2.3.1 Beach-side - Land Use

The predominant land use in this precinct will be R30 density residential development, guided by the R-Codes and Building Design Guidelines, which will be formally adopted as a Local Planning Policy under the TPS 1A.

An 8m landscaped rear setback from the rear boundary of dwellings facing north east will be required as shown on the ODP at **Appendix 1**. Retention of existing good quality vegetation and additional planting with trees that will grow higher than 3m within this landscaping strip will be promoted in this precinct.

Uniform fencing at the time of subdivision along the common boundary with the existing residents will be required.

Uniform, permeable fencing and potentially a low retaining wall should be installed where the medium density housing abuts the POS corridor at the time of subdivision to ensure adequate separation of public and private spaces.

No vehicular access is permitted from the existing residential lots to the laneway to retain the landscape strip.

No buildings are permitted within the identified landscaping strip at the rear of the lots facing north east.



Figure 4.5. Medium density housing separated from existing residential area with good solar access, passive surveillance of both the adjacent POS & rear street. (H+H Architects & Malone Design)

4.2.3.2 Beach-side - Built Form

The built form of the beachside precinct will reflect medium density residential development.

The dwellings will generally be two storeys high and situated at the front edge of the lots to maximise surveillance of surrounding public space and reduce building bulk on the existing residential area.

The 'laneway' lots will have garaging facing onto the laneway and a requirement for habitable space within the building envelope to provide surveillance of the laneway.

Living rooms and private open space will be orientated to the north to maximise access to northern light, passive surveillance of the POS corridor and further limit the potential for privacy conflicts with the existing residential area.

Buildings backing onto Hope Street will have their private indoor and outdoor living areas oriented to the public open space to provide surveillance of this public space.

The roof forms of the dwellings will be predominantly orientated north south to provide a consistent design aesthetic to the streetscape and will be designed to allow the installation of photovoltaic cells and solar hot water units.

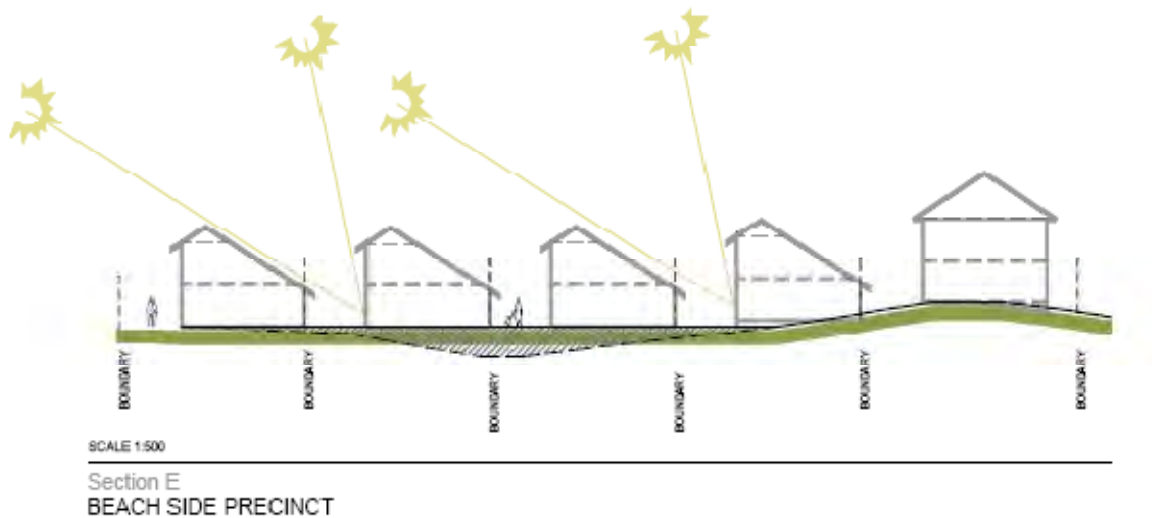


Figure 4.6 - Cross sections of dwellings showing vertical building envelopes ensuring access to northern light. (H+H Architects)

4.2.3.3 Beach-side - Public Space/Landscaping

This precinct is adjacent to an older residential development but also fronts onto bushland and POS so it will need to provide a transition between the new and old communities. The landscape will include formal elements such as street tree avenues as is consistent with residential streetscapes and will utilize species that complement the adjacent bushland so as to soften the edge between housing and POS / reserves.

Landscaping and urban design will encourage slower vehicle speeds and support walkability.

Griffiths Street is extended and connected back into the remainder of the development.

Hope Street is only connected via a trail to retain the privacy and some exclusivity for the existing residents within Hope Street.

A narrow width road reserve separates medium density dwellings facing north toward the Village Centre from the existing residential area. This area is to be landscaped along the rear boundaries of the existing residents using local endemic species. A slow speed environment with on-street parking and limited through traffic is proposed.

A site has been identified as a future lease area for a cafe on the shared path should demand arise. This area is already in a slightly degraded state.

4.2.4 Single House Precinct

Single houses at R20 density are located on the flatter, less densely vegetated portions of the site. This precinct has aspect onto the surrounding reserves and is well linked through a network of walking trails with the surrounding reserves and the Village Centre.

The Albany market is currently dominated by lots between 500m² and 600m². These lots are intended to provide lots to satisfy this market and contribute to the variety in lot sizes throughout the development.

4.2.4.1 Single House - Land Use

The predominant land use will be R20 density residential development, guided by the R-Codes and Design Guidelines, to be formally adopted as a Local Planning Policy under the TPS 1A.

Existing vegetation will be retained wherever possible. A Construction Management Plan (CMP) will be provided with all applications that stipulates what vegetation will be retained as part of the development.

Uniform permeable fencing is required at the time of subdivision where lots face directly onto POS.

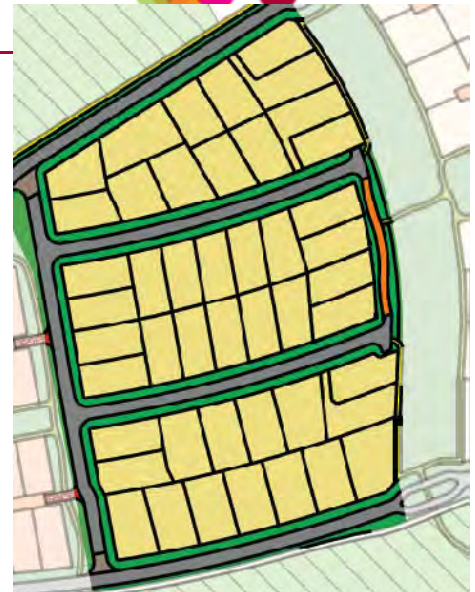


Figure 4.7. Single Houses featuring native, water-wise gardens and good solar orientation at the R20 density in the Single House Precinct (H+H Architects & Malone Design)

4.2.4.2 Single House - Built Form

The R20 density portion of the development should be designed to be a contemporary response to the existing site and coastal nature of the development.

The dwellings will provide a mixture of single and two storey houses. The building envelopes on the lots will be restricted to ensure that sufficient vegetation can be retained.

The dwellings will be designed with the natural fall on the site to minimise the cut and fill requirements. This may require split level designs or framed construction.

The dwellings will have contemporary roof forms, designed to accommodate maximum natural light and ventilation in the buildings, along with controlled solar access to provide passive solar heating when required. The roof forms will require an area of north facing roof to allow the installation of photovoltaic cells and solar water heating units.



Figure 4.8 Cross sections in the Single House precinct showing the space and access to natural light (H+H Architects)

4.2.4.3 Single House – Public Space/Landscaping

The development is set in a wonderful bushland environment and community feedback has indicated that there is a call for a residential character quite different from the usual suburban subdivision which often sells as a bare block dominated by retaining walls and turfed verge. There is an opportunity in this precinct to respond to the site's topography, and move away from lawn verges to verges planted with low growing native species and street tree avenues that in time will create leafy home addresses with a distinctly Albany coastal character.

In addition, where possible, existing mature trees will be retained and protected during construction so as to build a character of an established residential street and create landscape connections back to the existing bushland. Details such as shared driveways, local colour and material palettes and suggestions for managing weedy species will aim to result in a residential character that respects the surrounding environment and creates a housing choice not available elsewhere in Albany.

Within this precinct, low speed roads are linked by a winding paved laneway to provide increased permeability and rubbish truck servicing. Roads have been aligned with the low points in the landscape to reduce earthworks and assist drainage.

4.2.5 Cluster Housing Precinct

This precinct is characterised by the steeper sloping land, areas of higher quality vegetation and higher fire risk.

The residential lots have been clustered, allowing access ways to be shared, minimising the need for clearing vegetation and reducing the length of road to be constructed.

The clustered lots may be developed as grouped dwelling sites or single houses but in a manner that responds to the topography and retains vegetation.

Access ways have been aligned with the low points in the landscape to minimise earthworks and accommodate drainage requirements.



4.2.5.1 Cluster Housing - Land Use

Single houses and grouped dwellings at the R20 density guided by the R-Codes and Design Guidelines to be formally adopted as a Local Planning Policy under the TPS 1A.

Subdivision or grouped dwelling applications are required to demonstrate how the proposal retains quality natural vegetation and the natural topography of the site.

Existing vegetation is to be retained wherever possible. A Construction Management Plan is to be provided with all applications that stipulates what vegetation is to be retained as part of the development.

A minimum 6.0m front setback (no averaging) to the external road around the eastern edge of the development will be required for fire management purposes in the areas shown on the ODP.

Construction in accordance with the requirement of Australian Standard 3959 will be required on those lots identified on the ODP for fire management purposes.

Uniform permeable fencing is to be provided at the time of subdivision where lots face directly onto POS.



Figure 4.9. Single Houses or grouped dwellings developed to respond to the natural topography with high levels of passive surveillance and water-wise, native gardens in the Cluster Precinct (H+H Architects & Malone Design)

4.2.5.2 Cluster Housing - Built Form

This precinct will consist of one and two storey houses constructed to accommodate the natural falls across the site. Retaining on the sites will be limited to the level permitted by the City's 'Sloping Land' policy and houses will need to be designed as framed construction or split level.

As these houses are surrounded by the natural bush corridors at the eastern end of the site they will need to be designed to be viewed in the round with indoor and outdoor living spaces that take advantage of the adjacent natural bush.

Materials will need to be consistent across each cluster and should reflect the unique position of these houses.

Fencing in the cluster housing precinct will be minimal and should be designed to contribute to the open nature of this section of the development.

The cluster units and the freehold dwellings in this precinct will be designed to be viewed in the round due to the public spaces between and around these dwellings.

Where single lots are developed as part of the subdivision process the specific requirements of a Detailed Area Plans will control development. However, the cluster precinct may be subdivided in such a manner as to create a series of development sites with development potential for 4-6 grouped dwellings. In this case, any grouped dwelling application should clearly describe how the principles espoused in the Design Guidelines have been met rather than prescriptively applying a Detailed Area Plan. This is to allow grouped dwellings to flexibly develop in a manner the responds to the natural topography and retains vegetation.



Plate 22 – Cluster Housing in a natural setting

4.2.5.3 Cluster Housing - Public Space/Landscaping

This precinct has been located in an area of high landscape value and positioned so as to ‘nestle’ into the topography as much as possible. ‘Green spines’ of existing vegetation frame the clusters and will provide habitat, movement corridors and bushland linkages with the surrounding reserves.

The opportunity with the development of these homes in sets of 7 to 9 is to create an almost seamless interface between the private and public landscape, reflecting the importance placed on bushland and habitat in the public spaces of this precinct.

Details such as typical garden set-outs, fencing options and weed management will illustrate the potential for these lots to become ‘eco-clusters’, providing home buyers with a unique opportunity to live in a manageable naturalistic setting within minutes of a regional city. A landscaped activity node set within this precinct will create a destination point along link trails, helping to provide passive surveillance and a meeting place for the new community.

Trails have been provided in the habitat corridors to allow people to move through the development whilst minimising the number of road crossings required.

Existing vegetation will be retained in the ‘bushland corridors’ and supplemented with additional planting at the time of subdivision. Low maintenance design will be promoted in all public spaces as illustrated in the Landscape Master Plan (refer to **Appendix 13**). Alternative mechanisms may need to be established to reduce the long term maintenance costs to the City such as a specified area rate for the ODP area.

4.2.6 Griffiths Street Beachfront

The Griffiths Street beachfront is situated between Ellen Cove and Emu Point and is a natural destination for those either walking the local path network or along the beach.

This area is identified as the area that may be considered for future infrastructure, in consultation with the local community and the City of Albany. The Griffiths Street beach access point is acknowledged in the draft Ellen Cove to Emu Point Foreshore Management Plan as an existing path to the beach.

Griffiths Street has been steadily increasing in popularity as a beach access point for the last decade. It has reached a point now where the parking availability during hot summer weekends is congested. The Emu Point development will bring additional pressures to this parking node and this area may need additional infrastructure in the future.

Additionally, horse use of this access point has been increasing, especially in the last year following the closure of the Albany foreshore area to horses. Trucks and horse floats have started to use the area and horses exercising on the beach has continued. The City of Albany recently created a horse track down the southern edge of Griffiths Street, but local residents have stated that this is not being used.

Proposed Improvements

LandCorp have provided for the redevelopment of the Griffiths Street road reserve as part of the development works associated with the ODP. The following actions are proposed:

- Reducing the Griffiths Street road pavement width to 6.0m;
- Formalising parking bays;
- Modifying materials at the ends of the road to add 'visual friction' to slow traffic;
- Separating the shared path from the road and parking bays;
- Improving the existing beach access points to prevent sand blowing back into residential areas during summer easterlies;
- Protecting and retaining the existing native vegetation and dunes; and
- Not intruding any further towards the existing dwellings whilst planting new street trees and bollarding (if desired).

The list above has been provided as the actions required to improve the existing situation in Griffiths Street. These may be implemented in a number of ways, therefore any design and improvements planned for Griffiths Street should be prepared in consultation with the local residents and beach users. An indicative plan is provided below to show one way in which the area could be upgraded (refer to **Figure XX**).

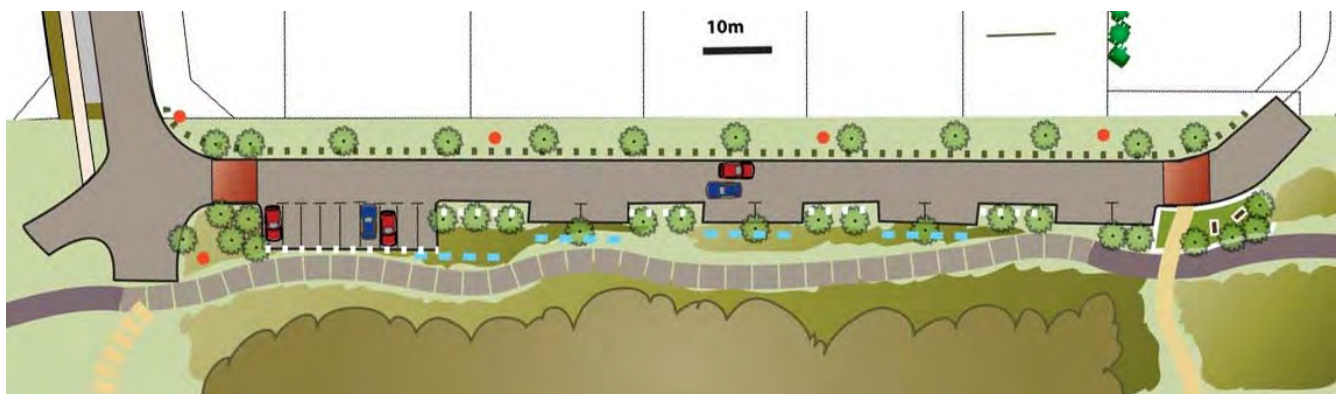


Figure 4.10: Indicative design for the Griffith Street redevelopment.



The area at the eastern end of Griffiths Street has been identified as a potential place for a cafe should demand in this locality be generated at some time in the future. A nominal lease area has been shown to establish this site for alternative uses when the management order is drafted for the reserve in the location.

There are a number of issues that have been identified during the development of the ODP that would remain the City of Albany's responsibility. The City of Albany may need to consider the provision of the following public amenities (consistent with their draft Ellen Cove to Emu Point Foreshore Management Plan) sometime in the future:

- Provision of public toilets, a beach shower, barbeques, picnic tables and even swing sets. Additional, separate horse parking facilities, if horses are to continue to use Griffiths Street beach access; and
- Consider changes to the horse access track located beside Griffiths Street as it is currently not being used.

4.3 Public Open Space (POS)

This ODP proposes to retain approximately 60% of the site as POS. The focus of this development is to reduce the development footprint on the site and this has been achieved by securing large areas of the site for POS. The ODP seeks to achieve a type of development that relates to and is inspired by the surrounding existing bushland setting and natural coastal environment.

4.3.1 Public Open Space Allocation

As identified above, the ODP proposes to retain approximately 60% of the site as POS. This POS will perform different functions as part of the greater development. The greater part of the site will be retained as natural bushland. Several small portions of the POS will provide some active open space opportunities for residents and visitors whilst the ‘bushland corridors’ will retain bushland and serve to provide the setting for sustainable housing and serve a role as a pedestrian access way.

The amount and nature of the POS on the site reinforces the objectives of the development to provide a sustainable development in a bushland and coastal setting. **Table 2** provides a breakdown of the various POS requirements for the whole development.

POS Requirements for the Development	Area	Percentage of Development
Site Area	33.1796ha	100%
‘External’ POS		
Retained Bushland and Reserves	16.7836ha	50.58%
‘Internal’ POS		
Bushland Corridors	2.1336ha	6.43%
Bushland Nodes	0.1019ha	0.31%
Village Centre Park	0.6733ha	2.03%
Hazard Separation Zone	0.6090ha	1.83%
Total ‘Internal’ POS	3.5178ha	10.6%
TOTAL PUBLIC OPEN SPACE	20.3014ha	61.18%
Development footprint 133 residential lots plus roads	12.88ha	38.82%
POS Breakdown		Percentage of POS
Active Open Space	0.7752ha	4%
Hazard Separation Zone (modified landscape)	0.6090ha	3%
Passive Open Space	18.9172ha	93%

Table 3 – POS Schedule

Large areas of retained bushland will be improved through selective revegetation and weed removal to secure a large proportion of the site in its natural state. This retains a large percentage of the quality bushland and habitat on the site. It also sets the tone of the nature of the future development of the site encouraging a residential development in a bushland setting.

Smaller, selected areas of Active Open Space are provided at either end of the development to provide places within acceptable walking distances for the local residents. These spaces are not intended as ovals but could have swing sets, picnic tables and will act as places where the local community can meet.

This balance of Active versus Passive Open Space provides opportunities for the retention of quality bushland whilst enabling future residents to recreate in close proximity of their residence. Large areas of Active Open Space have not been provided as Middleton Beach serves this role.



Figure 4.11: Open Space within and around the ODP

More detailed explanation of each of the individual POS areas are explored in the remainder of this section.

4.3.2 Internal POS Network

4.3.2.1 Village Centre Park.

The Village Centre Park will be bound by the highest density area of the development and will act as a breakout area for residents and their visitors. It will also serve as a potential picnic area, should a café/deli open adjacent. As such it will have a fairly active use level, and be characterised by a mixture of turfed areas under retained trees and managed bushland. The end of the park fronting Griffiths Street will act as a gateway to the community and will need to be of a high visual quality. The Village Centre Park has a low ridge running through its centre and this will be used as a feature and an asset. Park furniture and special elements, such as a look-out tower and play equipment, will also be considered.



The potential for space within this park to be used for environmental and sustainable development education is explored in the Landscape Master Plan.

4.3.2.2 Bushland Nodes

With nearly 60% of the site being retained for open space and most of that as bushland, there is ample Passive Open Space provision within the whole development. However a balance of Active Open Space areas will need to be provided for community interaction and places to recreate.

Two nodes are proposed to support community interaction and provide more formal landscapes at key points in bushland areas.

The first node is central to four Cluster groups at the junction of access trails. This POS is intended as a mini 'Eco-Park' with elements such as bush tucker gardens, possum and bird nest boxes, a lookout on the high point (8.5m), resting benches for walkers and community artwork opportunities.



A Node such as this plays an important role in supporting neighbourly interaction, passive surveillance and education on bush care. Additionally, in this section of the development residents are at the limit of a typical 'ped-shed' of 400m from the main active POS at Griffiths St, hence a second local POS is recommended.

A second node is provided between the trailheads to the beach. This will accommodate a small turfed area with facilities such as play equipment, park furniture, a tap for washing sandy feet and perhaps community artwork. This node will also act as a 'bumping zone' where residents can meet and interact.

4.3.2.3 Bushland Corridors

'Bushland corridors' have been created within the development for a variety of purposes including:

- Habitat provision;
- Safe pedestrian links;
- Landscaped buffers;
- Service provision;
- Drainage infrastructure (where required); and
- Providing a bushland setting for residential development adjacent.

Retained 'bushland corridors' draw the character of the surrounding reserves into the Cluster Home Precinct area and play a role in habitat protection. These corridors will need to be managed for fire, weed invasion and degradation from informal tracks so as to conserve their value as much as possible. Existing vegetation will be protected during house and road construction. The ideal situation will be one where adjacent residents and community take ownership of the management and protection of these areas as key assets for their enjoyment and land values.

The landscaped strip at the rear of the Hope Street residential area will need to be rehabilitated and is provided as a nature corridor and a visual screen.

As they are public spaces, alternative mechanisms may need to be established to reduce the long term costs to the City and ensure adequate maintenance, a 'Specified Area Rate' for the ODP area is one mechanism.



Plate 23 – Bushland Corridors provide a safe pedestrian environment and serve an ecological corridors.

4.3.2.4 Hazard Separation Zone (HSZ)

The Hazard Separation Zone (HSZ) is a modified landscape provided to manage the fire hazard presented by the adjacent bushland. The HSZ includes the following components:

- Retention of existing larger trees;
- Introducing fire retardant native plants;
- Road-side drainage swales;
- Rock mulching (where necessary); and
- Edging this area with the shared path wherever practical.



The HSZ has been included in a 26m wide road reserve and will be managed into the future as part of this reserve network. Low maintenance species and treatments will be utilised in this area to ensure that the fire management regime required as part of the Fire Management Plan is simple and cost effective to maintain. The Landscaping Master Plan and Fire Management Plan (refer to **Appendix 13** and **Appendix 14** respectively) deal in more detail with the development of the HSZ.

4.3.3 External POS Network

4.3.3.1 Retained Bushland and Reserves

The large area of bushland between the development footprint and the existing foreshore reserve and an area reserved as an ecological corridor along the eastern side of the site are to be retained (as far as practical) in their natural state and reserved for conservation purposes.

A Weed Management Strategy will be devised and implemented as a condition of subdivision that will further improve the quality of vegetation in these reserves.

These areas will be protected during the construction phase and managed as undeveloped bushland (refer to **Section 4.6**). A key element in their protection will be the construction of formal pedestrian access routes to the beachfront to discourage informal trails being pushed through the bush and over fragile foredunes. Look-out towers may be provided at high points near trails if these can be shown to provide ocean views and are of benefit to the community.

Wherever practical, footpaths for beach access will utilise existing cleared trails. Where these trails are not used they are to be revegetated.

An ecological corridor or greenway is proposed along the eastern edge of the site linking the Middleton Beach foreshore reserve with the Boronia Reserve to the north of Emu Point Drive. These ecological corridors are supported by the City of Albany Greenways Plan.

This ecological corridor represents both Peppermint thicket and Sheoak/Banksia woodland vegetation types.

There are two east-west ecological corridors linking the 'retained bushland' within the site to the golf driving range:

- In front of the Village Centre that runs along an existing vegetated ridgeline; and
- The existing "Parks and Recreation" area adjacent to Emu Point Drive.

Vegetation will be retained within these ecological corridors wherever possible. The ecological corridor adjacent to Emu Point Drive will be revegetated as part of the Visual Impact Assessment and Landscaping Master Plans (refer to **Appendix 11** and **13** respectively).



4.3.3.2 Middleton Beach

The beach essentially functions as a large active recreation POS and will be a key destination for the majority of residents. As noted in **Section 4.5.1**, provision of carefully located formal pedestrian paths to the beach will be essential for easy access and dunal protection. Structures such as steps and boardwalks at the fore dune may be considered where these will help prevent dunal erosion and provide amenity for beach users (i.e. benches).

Any existing beach access points will be utilised in accordance with the requirements of the draft Ellen Cove to Emu Point Foreshore Management Plan.

4.4 Road Layout

4.4.1 Internal Road Network

The internal road network for the development has been designed to align with topographical features of the site and minimize any potential environmental and landscaping impacts on the site and surrounding area.

All lots within the development will be serviced by sealed roads, with road widths varying from 6 metres wide for the main routes, 5.5m wide for lesser roads, 4.5m wide for cul-de-sac links and 4 m for battleaxe driveways to the cluster lots. Parking bays will be provided at selected locations throughout the development, with particular attention to the higher density areas and public access points.

Due to the relatively low traffic numbers the road hierarchy is restricted to local access ways. The traffic environment created within the development will be generally lower than 40km/hr.

Although all roads are identified as ‘Access Streets’, the development has one main access street running through the middle of the development, connecting Emu Point Drive and Griffiths Street. A number of traffic calming measures are proposed to ensure a slow speed environment throughout the development including on-street parking, round-a-bouts and large median islands.

Another access street runs around the eastern end of the development. The road reserve is 26m wide in this area in order to accommodate the requirements of Planning for Bushfire’s legislation, road-side drainage swales, large median islands and a shared path. A typical cross section for a portion of this road is shown below:

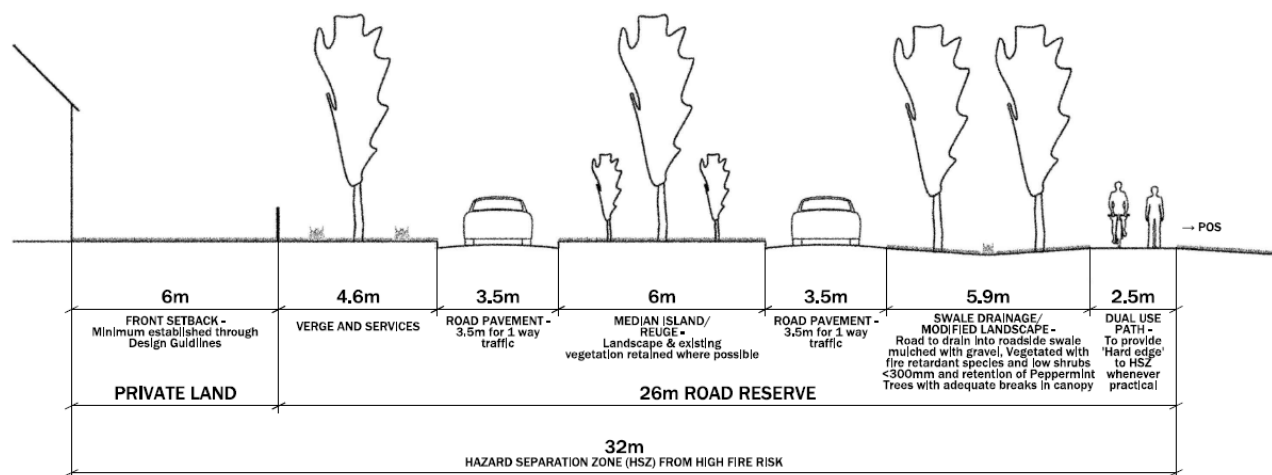


Figure 4.12: Indicative cross section of the access street at the eastern edge of the development footprint.

A narrow 4.5m wide road with flush kerbing adjacent to the existing residential area is proposed. This is considered to be a “Special Purpose Street” by Liveable Neighbourhoods and will be designed to suit its purpose.

This road has been kept narrow to ensure slow traffic speeds, providing just enough space for two cars to pass. The overriding intent is to ensure a wide landscaping strip is established adjacent to the existing residential area. This road has limited on street parking, providing for visitor bays only. The design of this road is to compliment the Design Guidelines and Detailed Area Plan for the adjacent new ‘beach-side’ residential precinct.

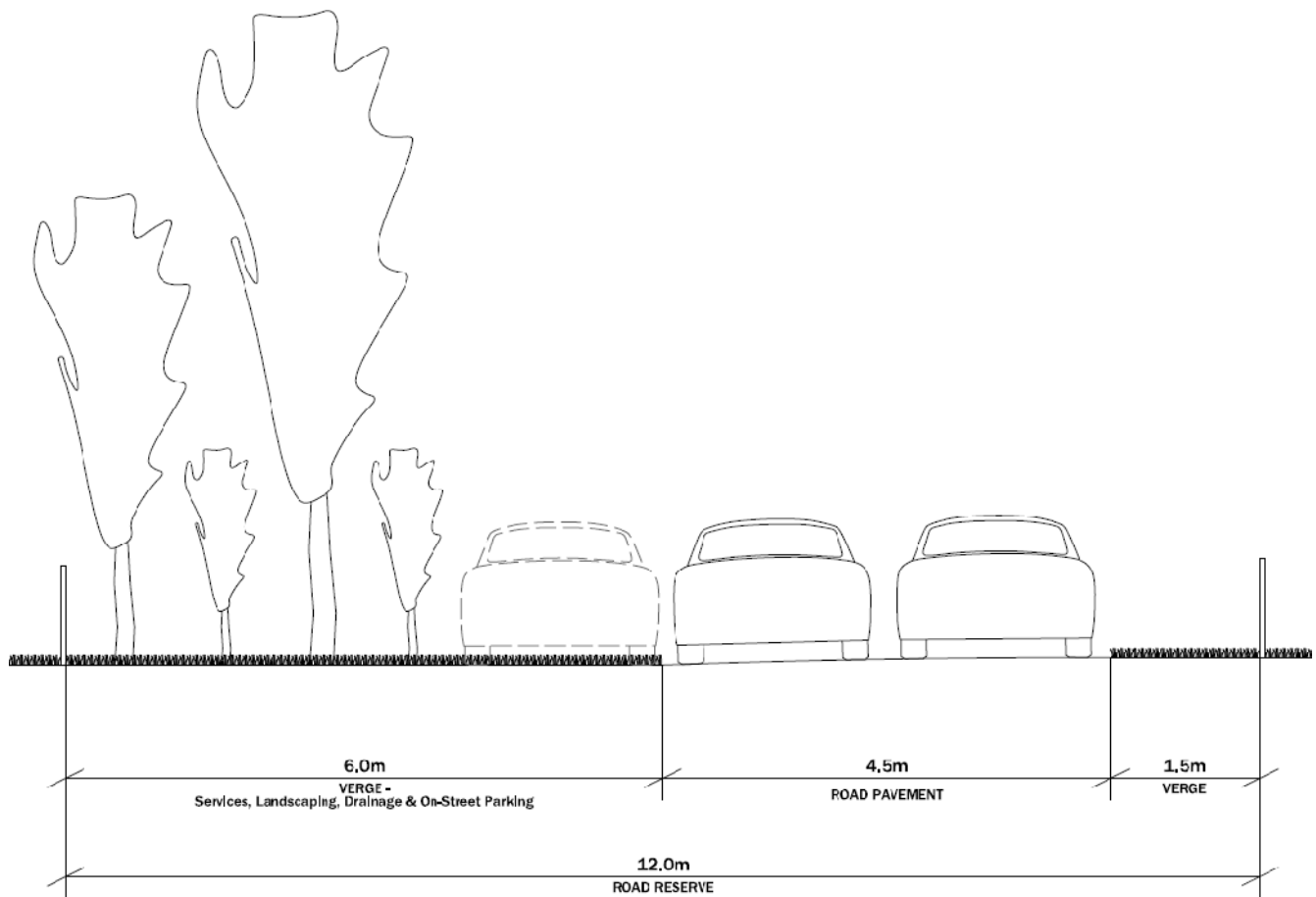


Figure 4.13: Indicative cross section of the one way road backing onto the existing residential area.

All other roads within the development are access streets. Typically there are two types of road reserves. These road are standard 15m wide road reserves for internal streets and road reserves that are located adjacent to POS. These are of a lesser width to encourage slow speeds and reduce the separation between dwellings and POS for greater passive surveillance opportunities.

Typical road reserve cross sections for these two access streets are shown below:

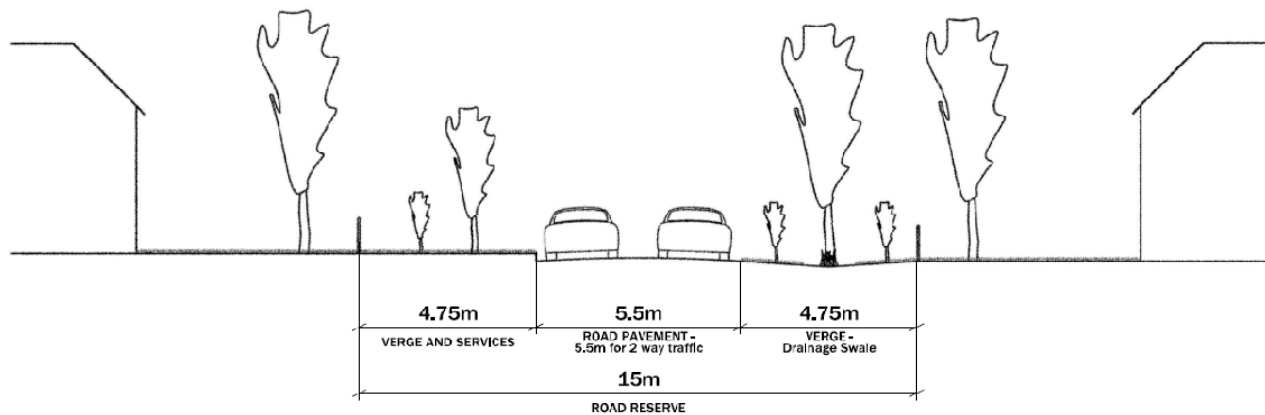


Figure 4.14: Cross section for typical internal 15m road reserve for access streets.

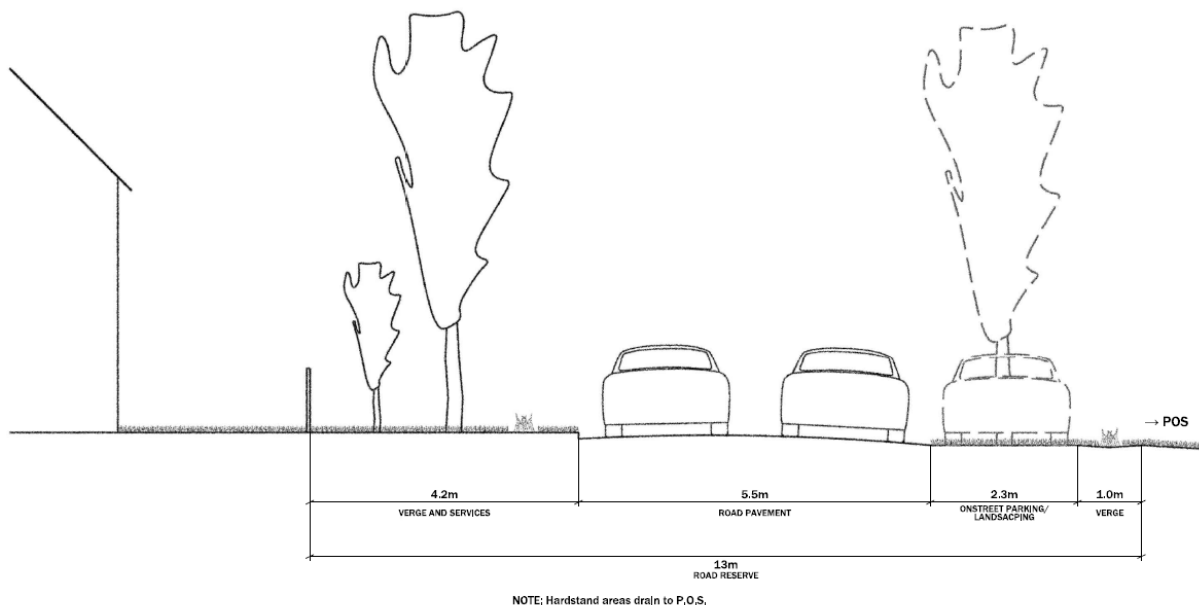


Figure 4.15: Cross section for typical road reserve for access streets facing POS

According to the traffic assessment report (Wood & Grieve 2009), the development itself will not generate any significant internal traffic movements. This is due to the lack of destinations (e.g. shopping areas, recreational area). The close proximity of the beach will also minimise car movements to Griffiths Street and promote walkability within the development area. As such it is expected that there will be little or no change to the traffic volumes in the existing residential area around Hope Street, due to this development.

The speed limit for the internal road network will be designed for a maximum of 50kph, with likely speeds below 40kph.

A detailed traffic assessment has been completed to address all aspect of the traffic generated by the development and a copy of this report is provided in **Appendix 15**.



4.4.2 External Road Network

Traffic counts undertaken along Emu Point Drive (between Griffiths and Troode Streets) in late 2009, indicate that there has been a 3% per annum growth in traffic volume since 2002, with the current vehicle per day (vpd) equating to 2,777 vpd. It is estimated that by 2022 that 3,960 vpd are predicted traffic volumes for Emu Point without the development, as opposed to 5,420 vpd with the development.

The initial traffic assessment acknowledges that the additional traffic volumes generated from the development on Emu Point Drive and surrounding road networks will not necessitate any future upgrading beyond what is already required within the existing Emu Point area.

Future traffic management measures for right turn movements from Emu Point Drive into Griffiths Street and the new development entry will require the accommodation of the following:

- Griffiths Street - Passing bulge with right turn pocket (line marked); and
- New Entry - Passing bulge with no turning pockets.

Although vehicular speed along Emu Point Drive is unlikely to impact on the development itself, the current 80km/hr speed limit should be reviewed with the proposed increase in traffic numbers. There should also be consideration given for the provision of round-a-bouts at the intersections in lieu of the abovementioned traffic management measures.

The first 100m of Griffiths Street may be narrowed or have a median strip introduced to control parking and traffic movements within this area.

4.5 Pedestrian and Cycling Network

The pedestrian and cycle network fits within a larger picture guided by the City of Albany Trails Master Plan. Additionally, the Kinjarling Trail Project is being developed and will incorporate indigenous aspects into trails extending from Upper Kalgan to Goode Beach. The site has potential to be incorporated into this Trail and provide an interactive destination.

The pedestrian and cycling networks double as a landscape tool for buffering the development for fire management purposes and also buffers the bushland from residential gardens for weed control.

4.5.1 Internal Pedestrian Network

The footpath network encourages convenient and safe pedestrian movement with a high degree of separation between vehicles and pedestrians.

The development footprint concentrates residential densities around the Village Centre. 80% of lots within the development area are within the recommended 400m of the Village Centre, far in excess of the Liveable Neighbourhoods recommendation of 60%.

Within the nominal 400m “ped-shed circle” the actual percentage of dwellings with a 400m walkable catchment is 94% (refer to **Figure 4.16**). This percentage is considered a very high level of permeability indicating a high standard of walkability within the overall design.

The cluster lots at the eastern end of the development are outside of the 400m “ped-shed” but are well connected to the Village Centre through a safe and separated network of paths.

The walking trails and footpaths indicated on the ODP are proposed to be a mix of paved footpaths and informal, limestone reinforced trails (as appropriate). The strategic firebreak path heading east of the development is required to be stabilised and accessible via 2 wheel drive vehicles.



Figure 4.16: "Ped-Shed" to Village Centre

4.5.2 Shared Path System

The site is well serviced by the existing shared path system along Middleton Beach linking Ellen Cove and Emu Point and several shared paths linking the site to the north.

The proposed shared paths complete the existing shared path network in this locality providing links for residents to the existing network and providing links through the site for external users.

The proposed shared paths also serve to define the edge of the road reserve system and HSZ required for fire management and conservation purposes.

These paths will be provided at 2.5m wide and will be separated from the road pavement in every instance for safety.



4.5.3 Shared Path & Trail Entry Points and Road Crossing Points

Landsaped median islands have been recommended at junction points to assist pedestrians and cyclists to cross roads and create ‘friction’ on straight road alignments to help moderate vehicle speeds. Planting will be designed to ensure visibility.

The island is to be a minimum of 6m in width in order to contain enough vegetation effectively function as a wildlife refuge.



Figure 4.17: An example of a landscaped median island and road crossing



4.6 Environmental Considerations

As detailed in section 2.2 of this document a Public Environmental Review (PER) document has been prepared and lodged with the Environmental Protection Authority (EPA).

A number of the recommendations and actions within the PER will be enforced through the environmental legislation in processes separate to this ODP. However, the major actions and recommendations of the PER are detailed in the following sections where they can be enforced through the ODP or at the subdivision stage of the development.

A summary of the environmental factors and their proposed management is provided in section 10 of the PER documentation “Summary of Environmental Factors and Management”; this is provided at **Appendix 16**.

Note: Many parts of section 4.6 below freely quote the PER documentation in order to maintain consistency between the documents.

4.6.1 Flora Management

The ODP design has incorporated a number of features to retain, enhance and conserve the flora and vegetation on site. The design features include:

- Preservation of fauna corridors that to link the site to surrounding areas of native vegetation;
- The landowner plans to submit a re-zoning application under the TPS 1A to re-zone areas outside of the development footprint on site as ‘Parks and Recreation’. The ownership of this land will be transferred to the local government authority, with a management plan for its long term care. Additionally, it is recommended that once rezoned, the process to identify the land as a “Class A” reservation is commenced. The total area to be reserved for conservation purposes is approximately 25.1 ha. The rezoning, transfer of ownership and the identification of these areas as a ‘Class A’ reserve will facilitate the maintenance of these areas in perpetuity;
- Approximately, 0.48 ha of existing walking path is proposed for rehabilitation with local native species. In addition, approximately, 2.29 ha of native vegetation will be planted and maintained in road verges and islands; and
- Approximately, 0.31 ha of degraded vegetation at the north of the site will be rehabilitated with local native species.

Management and protection of flora and vegetation for the subdivision phase of the development will be addressed through the implementation of a Construction Environmental Management Plan (CEMP). The ongoing management of the site shall be controlled through the implementation of an Environmental Management Plan (EMP). Both the CEMP and the EMP will be required as a condition of subdivision and are provided as part of the proponent's environmental commitments to demonstrate their duty of care to the environment under the Environmental Protection Act.



The following management controls will be incorporated into the CEMP & EMP and implemented to minimise impacts on flora and vegetation:

- Vegetation clearing controls will be developed;
- Clearing will be minimised as far as practicable;
- Conservation significant flora will be avoided where possible. If impact is unavoidable, these plants will be re-established, within revegetation areas of the site;
- Topsoil will be stockpiled and used for rehabilitation (taking into account Dieback hygiene measures);
- Seed collection from the site will be undertaken early in the development process to allow propagation of local plants for use throughout the development area;
- Areas identified for rehabilitation will be revegetated using locally occurring species and will be managed to prevent the spread of weeds and Dieback (refer to **Sections 4.6.5** and **4.6.8**);
- Beach access tracks will be fenced to prevent uncontrolled access to dune areas; and
- The development will be subject to an adequate coastal setback to minimise erosion and disturbance to foreshore and dune vegetation.



4.6.2 Fauna Management

The ODP design has incorporated a number of features to reduce the impact of development on the native fauna. The design features include:

- Fauna corridors will be retained to link the site to surrounding areas of native vegetation. These corridors will provide habitat linkage on a local and regional scale. The site will maintain existing connections to surrounding habitat, facilitate genetic transfer for fauna on site (in particular Western Ringtail Possums (WRPs)) and in general allows for the movement of fauna regionally;
- Approximately 79% of Peppermint Closed Thicket habitat on the site will be retained. This means the majority of habitat that is preferred by Quendas and WRPs is retained;
- Within the development footprint, approximately 3.1 ha will be rehabilitated or landscaped with plant species native to the site. This will include *Banksia* sp. (*Banksia ilicifolia* and *Banksia attenuata*) and *Hakea* sp, the seeds of which are a preferred food for White-tailed Black Cockatoos and Peppermint trees which are preferred by WRPs for dreys and as a food source; and
- The landowner plans to submit a re-zoning application under the TPS 1A to re-zone areas outside of the development footprint on site as 'Parks and Recreation'. The ownership of this land will be transferred to the local government authority, with a management plan for its long term care. Additionally, it is recommended that once rezoned, the process to identify the land as a "Class A" reservation is commenced. The total area to be reserved for conservation purposes is approximately 25.1 ha. The rezoning, transfer of ownership and the identification of these areas as a 'Class A' reserve will facilitate the maintenance of these areas in perpetuity; and

Management and protection of fauna and their habitats for the development proposal will be addressed through the implementation of the CEMP & EMP.

The CEMP & EMP are to provide the following protection and management measures:

- Clearing will be undertaken progressively away from already cleared areas to allow fauna to move away from the area of disturbance;
- A CEMP will be implemented to address potential impacts to habitat including vegetation trampling and weed and Dieback spread;
- A fauna translocation plan will be prepared and implemented as a part of the CEMP;
- Translocations of conservation significant fauna will be monitored to determine the success of the translocations;
- A Western Ringtail Possum Management Plan be prepared and implemented as a part of the CEMP;
- Quenda will be trapped and translocated in the two weeks immediately prior to commencement of clearing;
- Native fauna encountered during clearing will be allowed to make their own way from the site. If this is not possible a zoologist will be used to translocate individuals; and
- Injured fauna encountered by the Contractor will be sent to local animal carers or a local vet.



4.6.3 Coastal Protection

The ODP has been designed to comply with the coastal setback distances recommended by Department of Planning ('DoP'). The development foot print (except beach access tracks) will generally be more than 200m from the 'horizontal setback datum' located on Middleton Beach. The proposed development footprint is 115 m from the development setback calculated by MP Rogers (2007).

Existing beach access tracks will be utilised for the development. Some existing beach access tracks will be made redundant and will be revegetated with local native species. The retained beach access tracks will be:

- Hardened to reduce the potential for erosion; and
- Fenced to encourage the public to use formalised access tracks.

The City of Albany has recently produced a draft Foreshore Management Plan for Middleton Beach and this covers the Foreshore area adjacent to the site. LandCorp have provided input to this plan through the public comment process.

4.6.4 Indigenous Heritage

Subdivision and development will need to ensure that appropriate measures are enforced and undertaken during all phases of the development to minimise any disturbance or impact on the Aboriginal Heritage significance of the site.

4.6.5 Weed Management

Management of weed infestation for the development proposal will be addressed through the implementation of a Weed Management Strategy. Whilst this issue will be addressed by the subdivider for the first three years of each stage of the future subdivision as part of the usual maintenance period, there will be ongoing cost implications for the local government. In recognition of this it is strongly recommended that a Specified Area Rate be applied to the development to assist in facilitating the ongoing weed management of the proposed reserve system.

Subdivision and development shall generally be in accordance with an endorsed Weed Management Strategy by the City of Albany. The key management measures include the following:

- Limiting initial disturbance areas,
- Restricting vehicles to established trafficable areas;
- Undertaking appropriate control spraying using non-residual herbicides; and
- Aggressive weed species, such as Victorian tee-tree, Watsonia, Sydney wattle and kikuyu, will be removed from areas of vegetation to be retained.

4.6.6 Fire Management

A Fire Management Plan (FMP) for the site has been prepared by Opus International Consultants and is included in **Appendix 14**.

The FMP has identified the majority of the site constitutes a low fire risk area. The north eastern portion of the site is identified as a high fire risk area. The low fire risk area includes the coastal fringe area where the topography and proximity of the ocean reduces the fire risk. The high fire risk area is the more densely vegetated area where there is a risk of fire crossing Emu Point Drive from the north.

The proposed ODP has been assessed in the FMP and a number of recommendations are provided in relation to strategic fire access and protection measures as follows:

- Provision of fire hydrants to FESA requirements;
- Strategic fire access to be a minimum of 4m wide with low fuel areas of 10m wide;
- Nominated future houses within close proximity of the high fire risk area to be constructed in accordance with AS 3959-2009; and
- HSZ to be established around the southern and eastern perimeters of the development area. The HSZ will be secured by the following measures:
 - Securing the entire HSZ within private property and road reserve;
 - Design guidelines and ODP provisions requiring a minimum 6m front setback;
 - Design Guidelines and public information controlling the type of planting in the front setback area to suitable spacing and fire retardant species; and
 - Modifying the HSZ road reserve by retaining larger trees, introducing fire retardant native plants, rock mulching where necessary and edging this area with the shared path.

The ODP incorporates the necessary fire management elements to ensure the development meets FESA and City of Albany requirements as shown in **Figure 4.18**.

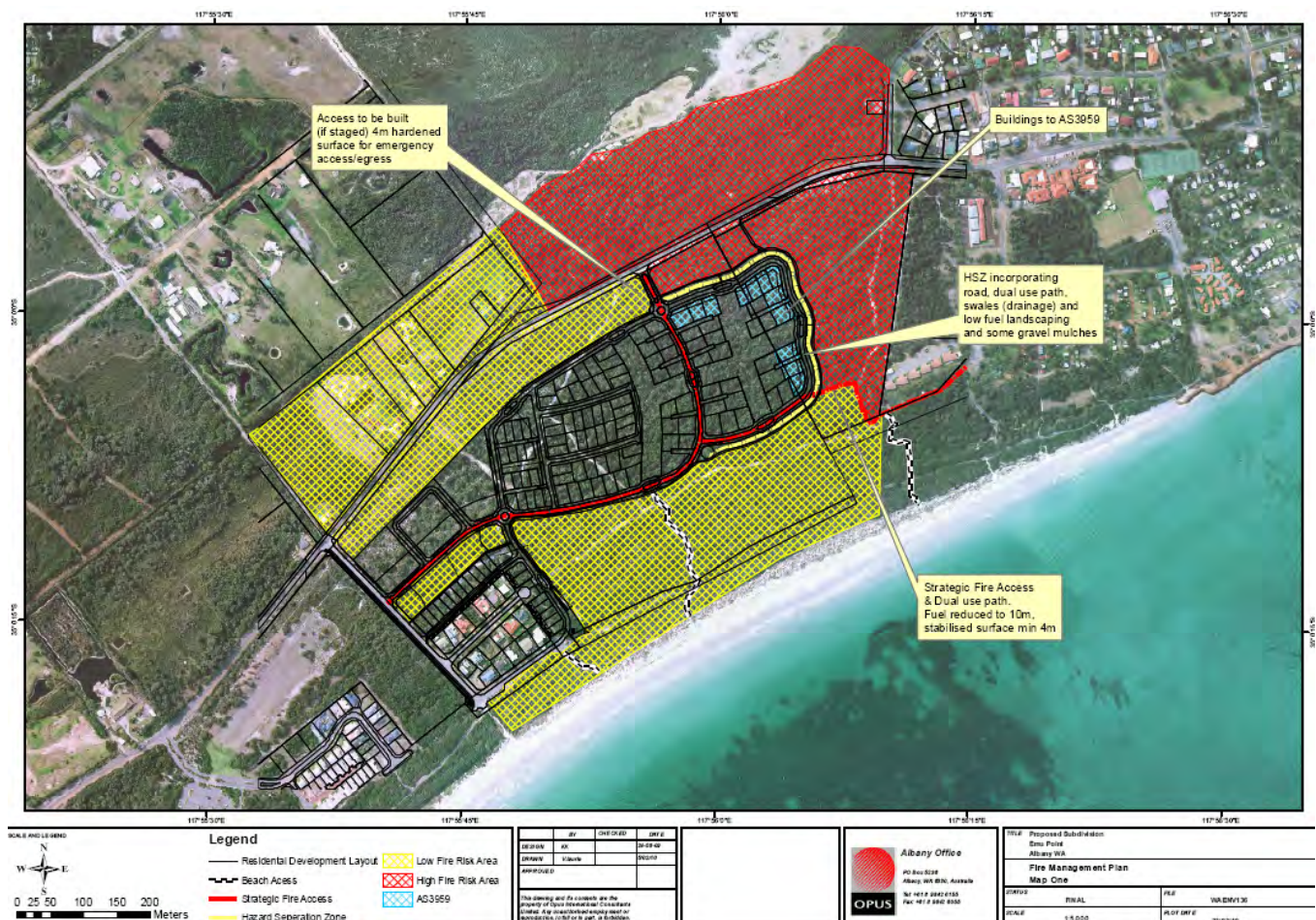


Figure 4.18: Fire Management Plan (OPUS)



4.6.7 Visual Management

Management of visual amenity for the development proposal will be addressed through the implementation of the recommendations from the Visual Impact Assessment (VIA) prepared by GHD and is included in **Appendix 11**.

The VIA identified that the visual quality of existing urban development and built form reveals a landscape cluttered and unremarkable urban form and residential character. This relatively low visual quality urban environment is heavily dependent on the magnificent natural setting for much of its quality, character and amenity.

The quality of the individual developments or structures will not significantly or noticeably impact (positively or negatively) on this wider landscape character, unless exceptionally out of scale, prominent, or by virtue of significant encroachment into the key natural elements that underpins the overall landscape quality.

The aim in developing the new landscape for this site is to ‘nestle’ new buildings and infrastructure into the topography and existing vegetation as much as possible to reduce the visual impact from the beachfront and from within the site.

The appearance of development as seen from a distant or elevated site will be managed through selection of materials and plant species and the retention of vegetation. While tree species that are indigenous to the site (Peppermints, Banksias and Sheoaks) will be used, other non indigenous species may be needed to provide height for visual softening of new buildings.

In addition, solar passive design (with its obvious environmental advantages) may require the judicious use of deciduous species. Given that the development area of the site will be a changed landscape, managed numbers of exotic (non-weedy) species will not greatly alter the visual quality of the residential areas.

The ODP has been assessed in the VIA and the following specific recommendations are provided in regard to managing the visual impact of the development:

- Retention and enhancement of the vegetation cover adjacent to Emu Point Drive should be significantly enriched;
- Landscape treatment around the building envelopes (i.e. immediately adjacent to buildings, within the landscape portion of the development) should focus on high canopy plantings/species as much as possible to screen buildings and walls (of the taller structures) from westerly and northerly vantage points;
- Upper/tall canopy tree species should be selected for use in constructed landscape zones;
- Architectural design of the building structures should seek to soften roof lines, extend roof line eaves as low as possible, using soft textured and coloured walls, create textured building envelopes (e.g. balconies, raised planting beds, etc) and minimize large uniform and brightly coloured surface areas of vertical wall; and
- The development should take maximum advantage of the site topography, positioning buildings in the micro-valley swales as far as possible.



4.6.8 Dieback Management

Management of dieback for the development proposal will be addressed through the implementation of a Dieback Management Plan.

Subdivision and development shall in accordance with an endorsed Dieback Management Plan by the City of Albany and the DEC. The Dieback Management Plan is to address the following management measures:

- Clearing to be undertaken with no interaction between hygiene categories and in dry soil conditions;
- Topsoil from areas free of Dieback will be removed prior to those areas determined to contain the Dieback pathogen (where possible);
- Material removed will be segregated and all Dieback infected material quarantined in a designated location. Stockpiles will be appropriately signed, contained and bunded;
- Raw materials used for roads adjacent to retained protectable areas is to be certified as Dieback free and road drainage is not allowed to be directed to these areas from areas of Dieback infection;
- Raw materials for construction of walkways which traverse protectable areas are to certified Dieback free and of limestone base;
- Dieback hygiene measures will be implemented to ensure all vehicles and equipment are cleaned/washed down prior to mobilising to site and when moving from Dieback infected to Dieback free areas within the site; and
- Any fill material brought to site for the development will be certified Dieback free.

4.7 Services and Infrastructure

4.7.1 Earthworks and Dust Control

4.7.1.1 Earthworks

One of the key objectives of the development is to minimise alterations to the natural landform. However, some earthworks, in the form of cut and fill, will be required for the establishment of roads, some residential lots and services. Specifically, earthworks are likely to include:

- road construction;
- installation of services such as sewer and mains water to minimise excessive trench depths and eliminate low areas along service routes to enable full gravitational servicing;
- development of facilities within POS;
- removal of excessive grades to allow access to and within some lots.

Excavation below the water table is highly unlikely on site for the purposes of landform levelling. Excavation below the water table may be required for the gravity sewer installation along Emu Point Drive, water main installation along Troode Street and sewer connection at the Griffiths Street development.

A plan of the areas that may require alterations to the natural topography are depicted at **Figure 4.19** below.



Figure 4.19: Indicative areas of likely earthworks



4.7.1.2 Dust Control

Construction activities with respect to dust will be carried out in accordance with DEC's guideline on *Land Development Sites and Impacts on Air Quality*. Dust management and mitigation measures will be outlined in the CEMP, which include the following:

- Clearing vegetation in a staged manner to reduce open and exposed areas;
- Water for dust suppression shall be sourced in accordance with licences obtained from the Department of Water (if required);
- Dust generating activities shall not be undertaken during unfavourable weather conditions e.g. high wind speeds, unfavourable wind directions relative to sensitive premises and environments;
- Progressive rehabilitation of areas will be undertaken to reduce the total exposed area;
- Hydro mulch will be provided to exposed areas to stabilise and protect soil (where appropriate);
- Daily inspections will be undertaken during dust prone conditions to visually assess dust generation;
- Residents shall be consulted regarding nuisance dust associated with construction and a complaints register shall be maintained; and
- Appropriate wind fencing will be stored on site or will be available as soon as practicable of being required in the case of nuisance dust event occurring.

4.7.1.3 Acid Sulphate Soil (ASS)

The subject site is not in the area identified in DEC and WAPC mapping as being likely to contain acid sulphate soils (ASS). Preliminary geotechnical studies by Douglas and Partners confirm the lack of ASS. However, excavations in Troode Street required in order to extend services may impact upon areas highly likely to contain ASS.

An ASS investigation will be undertaken along the proposed excavation area along Troode Street to confirm the ASS risk in this area. An ASS and Dewatering Management Plan may be required and once developed it will involve implementation of the following:

- all dewatering proposed in association with the development; and
- any excavation in actual or potential ASS areas.

The ASS Management and Dewatering Plan will prescribe appropriate treatment/and or disposal of ASS materials and abstracted groundwater.

If dewatering is required, LandCorp will make an application to the Department of Water for an abstraction licence in accordance with the *Rights in Water and Irrigation Act 1914*. Any licence conditions set by the Department of Water will be incorporated into a CEMP for the project.

4.7.2 Roadworks and Traffic

Intersections, road and the entrance to the development, will be designed to acceptable standards and will, under normal circumstances, ensure the safety of all road and pedestrian users. Internal and external roads and their associated treatments will be designed in accordance with Local Government standards, or with Australian Standards.

During the construction phases of the development, a construction Traffic Management Plan will be prepared and subsequently implemented to address the following issues:

- Increased airborne dust generation;
- Increased noise generation; and
- Dieback and weed spread.

Management of airborne dust, noise and Dieback and weed spread will need to be monitored carefully to minimise any potential impacts on the environmental quality and the community.

A range of traffic management treatments would be required to minimise any potential impacts on the Emu Point area and the development during the construction and operational phases associated with the development. An indicative plan of these traffic management treatments is provided below at **Figure 4.20**.

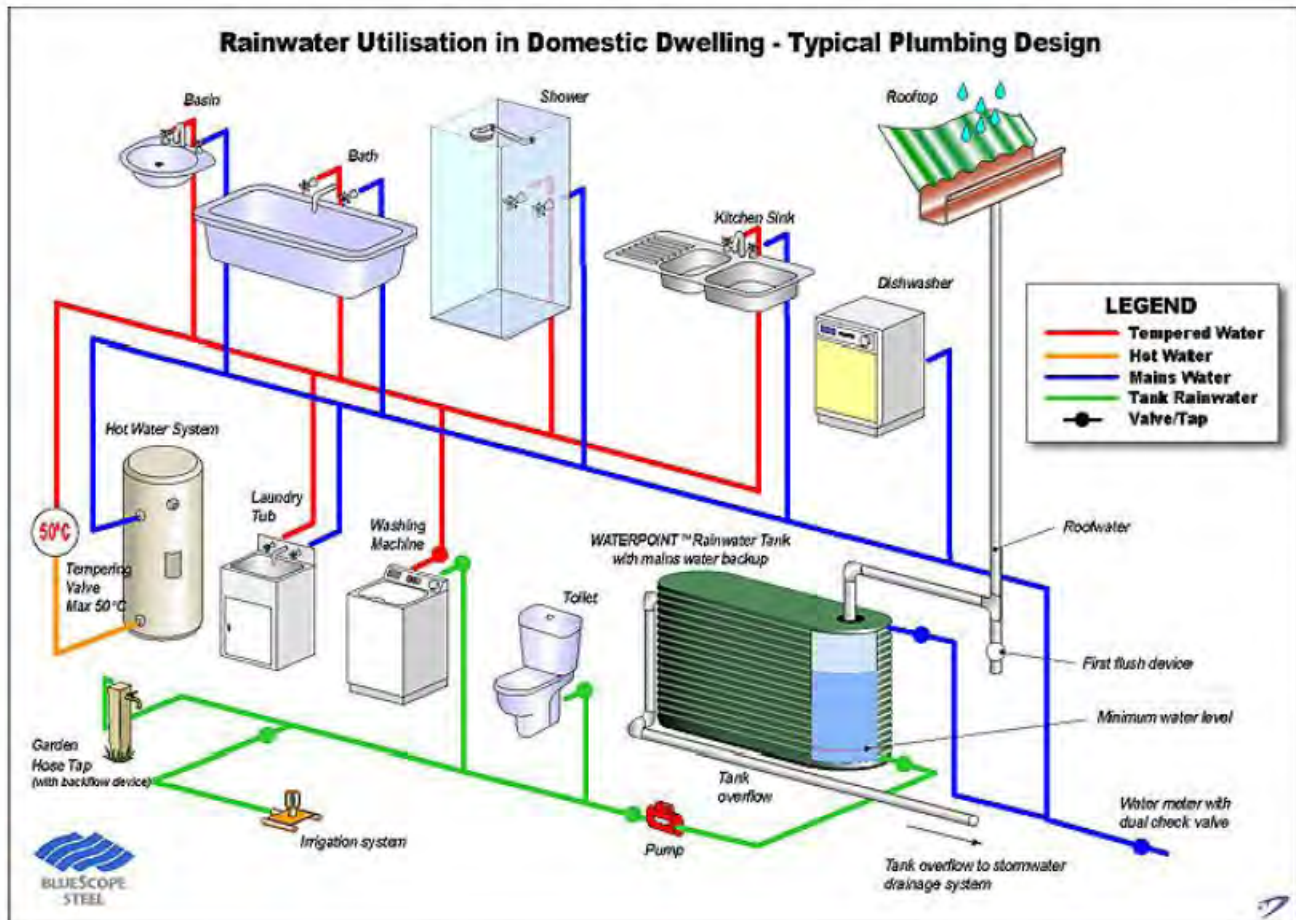


Figure 4.20 – Indicative Plan of traffic management measures to encourage a slow speed environment

4.7.3 Water

The development requires reticulated water infrastructure which will be serviced by a large diameter extension from Collingwood Road, via Troode Street and Emu Point Drive.

According to the Stormwater Management Strategy prepared by Wood & Grieve Engineers (October 2009) (refer to **Appendix 18**), individual households will be required to install and plumb a rainwater tank into the laundry and bathroom. This is supported by the Design Guidelines at **Appendix 10**. This will reduce water consumption and assist with on-site drainage issues.



Example Rainwater Tank System

Figure 4.21 Rain water tanks are to be plumbed into the house

Grey water recycling systems will be encouraged where appropriate and are detailed in the Design Guidelines for the development.

4.7.4 Reticulated Sewerage

The site will be serviced by a reticulated sewer service. This will require the construction of a new gravity sewer line from the Barry Court pump station along Emu Point Drive.

The existing residential properties in Hope and Griffiths Street will also be offered the ability to connect to this service.

4.7.5 Stormwater Drainage

The Stormwater Management Strategy (that forms part of the Local Water Management Strategy at **Appendix 18**) describes the strategy to be implemented to manage stormwater generated at the site, in accordance with best management practice. The Strategy concluded that:

- There are no external catchments which require consideration as the onsite catchments are very small, local and self contained due to the dunal form of the landscape;
- All stormwater will be contained on site and disposed of by 'at source infiltration';
- The surface hydrology of the site is likely to remain effectively unchanged post development and unlikely that stormwater modelling would be required; and
- Detailed modelling of rainwater tanks, soakwells and swales will be undertaken during detailed design.

Features of the stormwater drainage design will include:

- A network of shallow verge swales that run the full length of most roads;
- Flood breakout areas and storage areas available in major storm events (if necessary); and
- Rainwater tanks will be used to re-use roof runoff.

A plan of the likely stormwater drainage system and required infrastructure is shown at **Figure 4.22**.

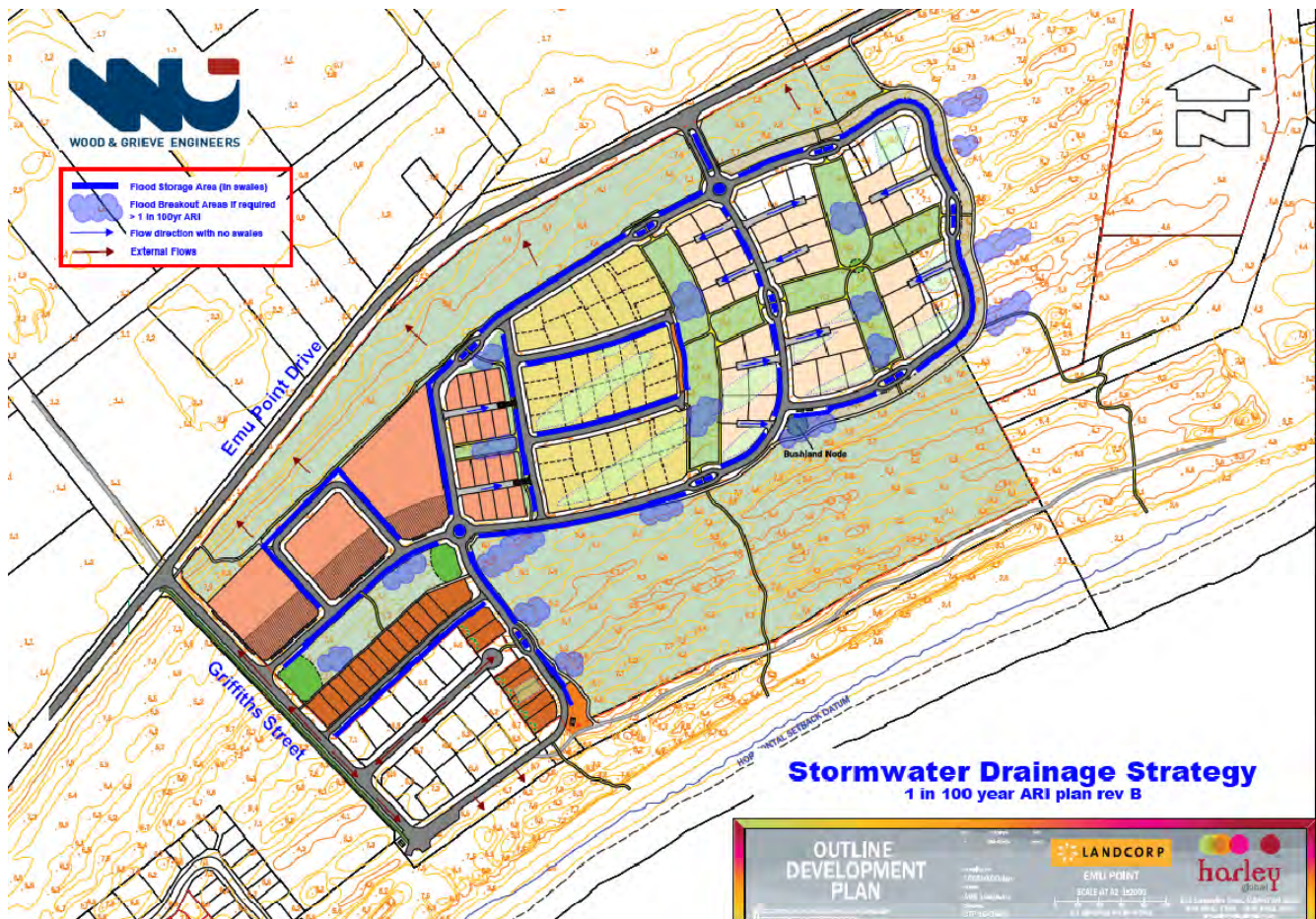


Figure 4.22: Indicative Stormwater Infrastructure Plan

Water Sensitive Urban Design (WSUD) principles and guidelines, consistent with State and local water planning policies have been applied to the development. Residents will be informed how rainwater re-use can be utilised for landscaping purposes.



4.7.5.1 Local Water Management Strategy

The Local Water Management Strategy (LWMS) prepared by GHD, considers on a regional scale, ecologically sustainable approaches to water resources. The development is considered a local scale scheme under the State Government Planning. The LWMS will inform the City of Albany of the proposed resource implications of the development, such that they are able to fulfil their responsibilities under Section 6 of the *State Planning Policy No. 2.9 – Water Resources*. **Appendix 18** provides the LWMS.

It is understood that the Department of Water (DoW) are preparing a Regional Water Plan and it is expected to be completed within six to twelve months (Pers. Comm. DoW, 2009). The Strategy concluded that:

- Water quality results indicate that there is a very low variability in the physical groundwater quality across the site;
- Chemical water quality results may be considered typical or slightly elevated relative to the slightly moderately disturbed ecosystem;
- There are no surface water bodies on the site due to the sandy soil composition and ability to drain well;
- The development proposed will be waterwise, complying with the 5 Star Plus Energy and Water Efficiency Provisions under the Building Code of Australia and the use of 20% less water than reported in the Water Corporation (2003) Domestic Water Use Study;
- The developer is committed to providing landowners with information packs about waterwise behaviour and water efficient technology;
- Estimated annual water demand of the development is 60ML/year;
- Modelling was undertaken for three water supply options including; scheme supply only, rainwater tanks and wastewater treatment facility for water re-use and the most effective method for reducing the demand on scheme water supply than wastewater treatment facility was the use of rainwater tanks; and
- The developer is committed to ensure rainwater tanks are installed on individual properties, but this will be at the expense of the landowner, not the developer.

As identified above, the Stormwater Management Strategy (which is included within the LWMS) acknowledges that detailed modelling of rainwater tanks, soakwells and swales will need to be undertaken at the detailed design stage, without the need for stormwater modelling.

The Groundwater Management Strategy has been instigated as part of the LWMS, to assist with the preparation of the Urban Water Management Plan (UWMP), which has been based on the preliminary groundwater monitoring undertaken by Douglas Partners in October 2006.

This Strategy's main focal point is that no groundwater extraction shall occur at the site to prevent salt water intrusion into the aquifer and to ensure that the CEMP and water monitoring program for construction and post development be developed as additional groundwater management tools is implemented. The UWMP will be informed by monthly groundwater level and quarterly groundwater quality monitoring data collected over the next 12 – 18 months.

The UWMP is part of the detailed design phase of the project and it will be prepared to be consistent with the designs and strategies proposed in the LWMS (concept stage), including but not necessarily limited to the following:

- Details the design proposed in the LWMS and compliance with the objectives;
- Documents the results from annual groundwater monitoring program;
- Details the stormwater management design; and
- Details the specific structural and non-structural methods to be implemented.

It is envisaged that the UWMP will be completed in late 2010.

4.7.6 Public Utilities

The development will be serviced from the existing high voltage aerial cables in Emu Point Drive. New transformers and switch gear will be required throughout the whole development.

Alinta Gas has advised that no capacity exists in the town gas system for additional load of the size of the Emu Point development. To supply gas to the development a standalone system would be required.

4.7.7 Fencing

In comparison to standard residential development pattern, the ODP has a high number of residential lots that back directly onto POS. Dwellings on these lots will be required to provide visual surveillance of these areas and uniform, low, permeable fencing will be provided at the time of subdivision to ensure passive surveillance of these spaces. This will enable the delineation of private and public space and allow natural bushland gardens to move freely through the fence. Gates to adjacent bush corridors will be provided to allow access to the spaces and manage desire lines.

Shared paths and trails that move through the surrounding bushland reserves will be contained by a rural style permeable fencing that allows the free movement of fauna but also controls and limits access by people. More details on fencing are provided in the Landscape Master Plan.

Boundaries between residential lots may be fenced to the standard 1.8m high with materials to be provided in accordance with the Design Guidelines.

Shared Paths and beach access trails will be fenced to prevent shortcuts through the protected bushland.



Plates 24 & 25 – Open style rural fencing will be utilised throughout the development.



4.8 Community Infrastructure and Facilities

The Emu Point residential development and the resultant additional population that it will bring to this area will bring additional pressures to bear on the existing public infrastructure. In recognition of this, the following improvements to the existing community infrastructure are proposed as part of the ODP:

- A new deli/cafe, parks and modern facilities within walking distance of the existing residential area;
- Introduction of a community notice board to encourage the sharing of resources and provide another form of communication for existing and future residents. Management and maintenance of this facility will be arranged at the subdivision stage of development;
- New street trees within the road verges will be offered to those landowners who wish to participate;
- Slowing traffic and providing a turning pocket near the Emu Point Drive/Griffith Street intersection will improve road safety;
- A reticulated sewerage service will be provided;
- Improvements to the interconnectivity of the regional shared path system;
- Improved bushfire management of the adjacent bushland; and
- A redesigned and redeveloped parking and shared path in Griffiths Street to work through any parking and access issues.

The area at the eastern end of Griffiths Street has been identified as a potential place for a cafe should demand for this use in this locality be generated in the near future. A nominal lease area has been shown to establish this site for alternative uses when the management order is drafted for the reserve in the location.

LandCorp have provided for the redevelopment of the Griffiths Street road reserve as part of the development works associated with the development.

4.9 Employment Considerations

In keeping with sustainability principles of creating a walkable residential area and reduction of car use it is important to encourage local sources of employment wherever possible.

Given the small population envisioned and the desire to not compete directly with the Emu Point activity centre, the range of commercial land uses developed in the Emu Point ODP area are likely to be limited to a deli, cafe, newsagent, consulting rooms, day care centre or small specialty shops that should be located in the Village Centre as part of the mixed use development to support the local residents.

Home business or home occupations encourage local employment with little effect on residential amenity. These are discretionary land uses in the *Residential* zone and remain so for this ODP.

4.10 Education Considerations

When fully developed the Emu Point development is likely to generate approximately 650 additional residents. This will not generate sufficient demand for an additional school in this area, particularly given the existing demographic in the Emu Point locality.

The site falls within the Spencer Park school zone for Primary School and the Albany Senior High School zone for high school. There is currently a school bus that services Emu Point that will service the site.



5.0 IMPLEMENTATION

5.1 Subdivision and Development

Prior to subdivision it may be necessary to provide further details to accurately assess the impact of the development on the bushland and coastal environment, these may include:

- Hydrological Survey to determine estimated maximum and existing groundwater levels and areas subject to inundation to be included within the UWMP;
- Urban Water Management Plan (UWMP);
- Weed Management Strategy;
- Acid Sulphate Soil Investigation and Management Plan;
- Dieback Management Strategy;
- Construction Traffic Management Plan
- Construction Environmental Management Plan (CEMP) and Environmental Management Plan – detailed in the PER and throughout the ODP. As stated in the PER:

“The CEMP and EMP (Environmental Management Plan) will contain environmental management objectives and targets that are achievable, measurable and auditable and will have a focus on continual improvement. The proposed CEMP and EMP will document the following key information required for the environmental management of the project:

- » *statutory and legislative requirements;*
- » *environmental objective and targets;*
- » *roles and responsibilities;*
- » *training and awareness program;*
- » *documentation requirements and document control procedures;*
- » *emergency preparedness and response procedures for certain situations covered by the CEMP;*
- » *non-conformity, corrective action and preventative action procedures*
- » *internal and external audit requirements;*
- » *communication plans; and*
- » *environmental management review requirements.”*
- Construction Management Plan provided by the builder with the building licence prior to development of individual sites as it may be necessary to provide more detail as to how the site will be controlled during the construction phase of buildings.

The statutory provisions included in the ODP will ensure the preparation of the above occurs prior to an application for subdivision or development being lodged with the City of Albany and Western Australian Planning Commission.

It should be recognised that the majority of these tasks have been completed or are currently being addressed as part of this ODP.

It is envisaged that staging of subdivision and development will commence as follows:

- Village Centre and associated open space;
- Single House Precinct and associated open space;
- Medium density residential precincts and associated open space;
- Public Open Space areas including ecological corridors and bushland reserves; and
- Clustered Housing Precinct and associated open space.



5.2 Developer Contributions

In accordance with State *Planning Policy No. 3.6 – Development Contributions for Infrastructure* and *Planning Bulletin No. 18 – Developer Contributions for Infrastructure*, subject to the City of Albany preparing a Local Planning Policy, or providing guidance to the developer on the actual infrastructure commitments both community and public infrastructure, the developer shall contribute the standard infrastructure associated with this development (refer to in **Section 4.0**).



6.0 CONCLUSION

Outline Development Plan 007 has been prepared to guide the sustainable development of Lots 3000 & 1523 Emu Point Drive, Collingwood Park.

The ODP has been prepared in accordance with the requirements of the TPS1A and Liveable Neighbourhoods; drawing on *New Urbanist* and sustainability principles to provide the framework to guide and control the future subdivision and development of the site.

The ODP has incorporated many of the principles and objectives of Liveable Neighbourhoods and the R-Codes. Key design elements of the ODP include the provision of a range of lot sizes, a permeable street pattern, a highly interconnected pedestrian and cycle network, accessible areas of passive and active open space and the ceding of large areas dedicated to the preservation and conservation of flora and fauna.

The overall design responds to the site's opportunities and constraints including a subdivision pattern that is sympathetic to the natural topography, respects the coastal setbacks and achieves a balance between fire management and the retention of large areas of high quality bushland.

The ODP includes and is supported by the provision of Design Guidelines, Landscape Master Plan, Fire Management Plan, Visual Impact Assessment, Local Water Management Strategy and a variety of environmental assessments including flora, fauna, dieback and coastal processes assessments. Features of the ODP include:

- A Village Centre to provide a focus and meeting place for the surrounding residential area and passing traffic;
- A range of residential lot types to accommodate apartment, townhouses, strata cluster dwellings and detached housing;
- Retention, enhancement and protection of approximately 60% of the site's vegetation;
- A focus on sustainable development and a reduction in the usual ecological footprint of the development;
- Vegetated corridors connecting the site to habitat areas to the north, south, east and west of the site; and
- Respect for the natural topography of the site.

The ODP is guided by a project-specific sustainability framework, with a view to achieving a sustainable development for the Albany community. Within the context of this framework, the ODP has been developed with input from public consultation and numerous technical investigations.

Approval of this ODP is respectfully requested from the City of Albany and the WAPC.



Harley Dykstra

PLANNING & SURVEY SOLUTIONS

Amendment No.2

City of Albany Local Planning Scheme No.1

Prepared by Harley Dykstra Pty Ltd for Landcorp

ALBANY

116 Serpentine Road, Albany WA 6332
PO Box 5207, Albany WA 6332

T: 08 9841 7333
F: 08 9841 3643

E: albany@harleydykstra.com.au
www.harleydykstra.com.au

Albany Bunbury Busselton Kelmscott Perth

259

MEN 009 101 786 ABN 77 503 764 248



FS 536019

PLANNING AND DEVELOPMENT ACT 2005

RESOLUTION DECIDING TO AMEND A LOCAL PLANNING SCHEME

CITY OF ALBANY

LOCAL PLANNING SCHEME NO.1

AMENDMENT NO.2

RESOLVED that the Council, in pursuance of Section 75 of the Planning and Development Act 2005, amend the above local planning scheme by:

1. Reserving a portion of Lot 3000 Emu Point Drive, Collingwood Park and Lot 3001 on Deposited Plan 51548 (currently zoned 'Future Urban') as well as a portion of Lot 1523 Emu Point Drive, Emu Point (currently zoned 'Future Urban') for 'Parks and Recreation', and amending the Scheme Maps accordingly.

Dated this _____ day of _____ 20____ .

CHIEF EXECUTIVE OFFICER

DOCUMENT CONTROL

Control Version	DATE	Status	Distribution	Comment
A	05.03.14	Draft	Client	Draft for Comment and Approval
B	08.04.14	Draft	City of Albany	Draft for Comment
C	06.05.14	Draft	City of Albany	Draft for Comment
D	27.05.14	Final	City of Albany	Final for Lodgement
E				

Prepared for: Landcorp

Prepared by: SDP

Reviewed by: LB & SD

Date: 27.05.14

Job No & Name: 14581 Landcorp

Version: D

DISCLAIMER

This document has been prepared by HARLEY DYKSTRA PTY LTD (the Consultant) on behalf of Landcorp (the Client). All contents of the document remain the property of the Consultant and the Client except where otherwise noted and is subject to Copyright. The document may only be used for the purpose for which it was commissioned and in accordance with the terms of engagement for the commission.

This document has been exclusively drafted. No express or implied warranties are made by the Consultant regarding the research findings and data contained in this report. All of the information details included in this report are based upon the existent land area conditions and research provided and obtained at the time the Consultant conducted its analysis.

Please note that the information in this report may not be directly applicable towards another client. The Consultant warns against adapting this report's strategies/contents to another land area which has not been researched and analysed by the Consultant. Otherwise, the Consultant accepts no liability whatsoever for a third party's use of, or reliance upon, this specific document.

CONTENTS

DOCUMENT CONTROL.....	i
DISCLAIMER.....	i
CONTENTS	ii
1 INTRODUCTION & PROPOSAL	1
1.1 Amendment No.177 to City of Albany Town Planning Scheme No.1A	1
2 RESERVE MANAGEMENT.....	3
3 CONTEXT ANALYSIS.....	4
3.1 Site Description	4
3.1.1 Location and Description	4
3.1.2 Land Ownership	4
3.2 Land Use.....	5
3.2.1 Existing Land Use	5
3.2.2 Surrounding Land Use and Zonings	5
3.3 Community Consultation	6
3.4 Environmental.....	6
3.4.1 Topography.....	6
3.4.2 Geology, Soils and Hydrogeology.....	6
3.4.3 Water and Drainage	7
3.4.4 Remnant Vegetation	7
3.4.5 Visual Landscape.....	7
3.5 Bush Fire Hazard Management	7
3.6 Infrastructure.....	8
3.6.1 Access.....	8
3.6.2 Services	8
4 PLANNING CONTEXT	10
4.1 State and Regional Planning.....	10
4.1.1 State Planning Strategy and State Planning Framework	10
4.1.2 State Sustainability Strategy.....	10
4.1.3 State Planning Policy No.1 – State Planning Framework Policy	11
4.2 Local Planning.....	11
4.2.1 Albany Local Planning Strategy	11
4.2.2 City of Albany Local Planning Scheme No.1.....	13

4.2.3	Local Structure Plan.....	13
5	ISSUES.....	14
5.1	Ceding of Land	14
5.2	Fire	14
5.3	Commonwealth Approvals.....	16
5.3.1	Commonwealth Approvals Status and History	16
5.4	EPA Approvals	15
5.4.1	State Approvals Status and History	15
5.4.2	Amendments to EPA's Conditions	16
6	JUSTIFICATION AND CONCLUSION	18
	APPENDIX A – CERTIFICATES OF TITLE	1
	APPENDIX B – SITE PLAN	1
	APPENDIX C – LOCAL STRUCTURE PLAN	2
	APPENDIX D – EPA SCHEME AMENDMENT CHECKLIST	3

MINISTER FOR PLANNING

PROPOSAL TO AMEND A LOCAL PLANNING SCHEME

LOCAL AUTHORITY:	CITY OF ALBANY
DESCRIPTION OF TOWN	
PLANNING SCHEME:	LOCAL PLANNING SCHEME NO.1
TYPE OF SCHEME:	DISTRICT PLANNING SCHEME
NO. OF AMENDMENT:	AMENDMENT NO.2

RESERVE A PORTION OF LOT 3000 EMU POINT DRIVE, COLLINGWOOD PARK AND LOT 3001 ON DEPOSITED PLAN 51548 (CURRENTLY ZONED 'FUTURE URBAN') AND A PORTION OF LOT 1523 EMU POINT DRIVE, EMU POINT (CURRENTLY ZONED 'FUTURE URBAN') FOR 'PARKS AND RECREATION'.

1 INTRODUCTION & PROPOSAL

The purpose of this amendment to the City of Albany Local Planning Scheme No.1 (LPS 1) is to reserve a portion of Lot 3000 Emu Point Drive, Collingwood Park, Lot 3001 on Deposited Plan 51548 (Reserve 14789) and Lot 1523 Emu Point Drive, Emu Point (the 'subject site') for 'Parks and Recreation', which are currently zoned 'Future Urban'.

The intention of this proposal is to allow for the reservation of land in accordance with the Local Structure Plan for the subject site.

The proposal will allow for the following:

- The retention of remnant vegetation;
- Reservation of the subject site for 'Parks and Recreation'; and
- The ceding of the subject site to the Crown and vesting in the City of Albany for management in perpetuity.

1.1 Amendment No.177 to City of Albany Town Planning Scheme No.1A

The subject site was the subject of a previous Scheme Amendment to the City of Albany Town Planning Scheme No.1A. The purpose of the Amendment was to reserve the land for 'Parks and Recreation'. This Amendment was initiated by the City of Albany at its Ordinary Council Meeting dated 21st February 2012 with the following resolution:

ITEM 2.9: RESOLUTION**VOTING REQUIREMENT:SIMPLE MAJORITY****MOVED: COUNCILLOR ATTWELL****SECONDED: COUNCILLOR SUTTON****THAT Council:**

1. In pursuance of section 75 of the Planning and Development Act 2005 **RESOLVES** to initiate Amendment No. 177 to Town Planning Scheme No. 1A with modification for the purposes of
 - a) Reserving a portion of Lot 3000 Emu Point Drive, Collingwood Park and Lot 3001 on Deposited Plan 51548 (currently zoned 'Future Urban') and a portion of Lot 1523 Emu Point Drive, Emu Point (currently zoned 'Residential') for 'Parks and Recreation'; and
 - b) Amending the Scheme Maps accordingly.
2. When referring the scheme amendment to adjoining owners, community members and government agencies for comment and when placing advertisements in local newspapers, in accordance with the Planning and Development Act 2005, include a notation that the 16.3 ha of the site subjected to the amendment is to be transferred to the Department of Environment and Conservation in perpetuity for conservation purposes.

CARRIED9-2

Figure 1: Resolution initiating Amendment No.177 to the City of Albany Town Planning Scheme No.1A.

Amendment No.177 was unable to progress based on the resolution of Council, as it required the land to be vested in and managed by the Department of Environment and Conservation in perpetuity for conservation purposes. This department did not agree to the future reserve being in its management. As such, the Amendment was stalled, subject to the management and vesting of the future reserve being resolved.

In addition to the above, Amendment No.177 was being undertaken to the City of Albany Town Planning Scheme No.1A, which has now been superseded by the gazettal of the City of Albany Local Planning Scheme No.1. This has now made Amendment No.177 void.

Following the resolution of Council to initiate Amendment No.177 extensive negotiations have now occurred between Landcorp and the City of Albany regarding the management of the future reserve such that an Amendment creating the reserve can now progress. This will be subject to the support of the City of Albany and the Minister for Planning. This agreement is outlined in Section 2 of this report.

2 RESERVE MANAGEMENT

As mentioned in Section 1 of this report, the previous Scheme Amendment to the City of Albany Town Planning Scheme No.1A was not able to progress due to the resolution of Council requiring the land to be ceded to the Crown and vested with the Department of Environment and Conservation.

Upon this resolution being reached, Landcorp has been negotiating with Senior Staff at the City of Albany to find a solution to this issue. This has resulted in the following outcomes:

- A high level scope of work and financial compensation has been agreed to between Senior Staff at the City of Albany and Landcorp, if the reserve were to be vested in the City of Albany for management in perpetuity, in accordance with the requirements of the Reserve Management Plan;
- The City of Albany would secure a payment of \$240,000 which is based on estimated cost escalated by Consumer Price Index (CPI);
- The reserve is to be protected in perpetuity by a conservation covenant established under the Soil and Land Conservation Act 2005, which is a requirement of the Federal Department of Sustainability, Environment, Water, Population and Communities (SEWPAC);
- To SEWPACs satisfaction LandCorp and the City of Albany will create a Reserve Management Plan which the City of Albany will utilise

It is expected the preparation of the Reserve Management Plan will occur once the subdivision conditions are issued for Emu Point. Stage 1 construction will create the reserve lot which at Practical Completion of Stage 1 will be handed over to the City of Albany with payment for management in perpetuity. The conservation covenant will be registered when application for the reserve lot title is made which typically occurs shortly after Practical Completion is achieved.

It is respectfully requested that the City of Albany initiate the Amendment with a view to the reserve being ceded to the Crown and vested in the City of Albany for management in perpetuity, in accordance with the parameters of the agreements reached to date.

3 CONTEXT ANALYSIS

3.1 Site Description

3.1.1 Location and Description

The subject site comprises a portion of Lot 3000 Emu Point Drive, Collingwood Park, Lot 3001 on Deposited Plan 51548 (Reserve 14789) and a portion of Lot 1523 Emu Point Drive, Emu Point which are situated approximately 5 km north east of the Albany town site. The lots are 33.8 ha in total area with Lot 3000 being 25.9ha, Lot 1523 being 7.2ha and Lot 3001 being 7,566m² in area.

The subject site is 1 km from Emu Point. Emu Point is located at the northern end of Middleton Bay at the entrance to Oyster Harbour. Emu Point has a range of amenities including cafes, restaurants, a marina, tennis courts, lawn bowls and a protected swimming beach.

For a location plan, refer to **Figure 2**.

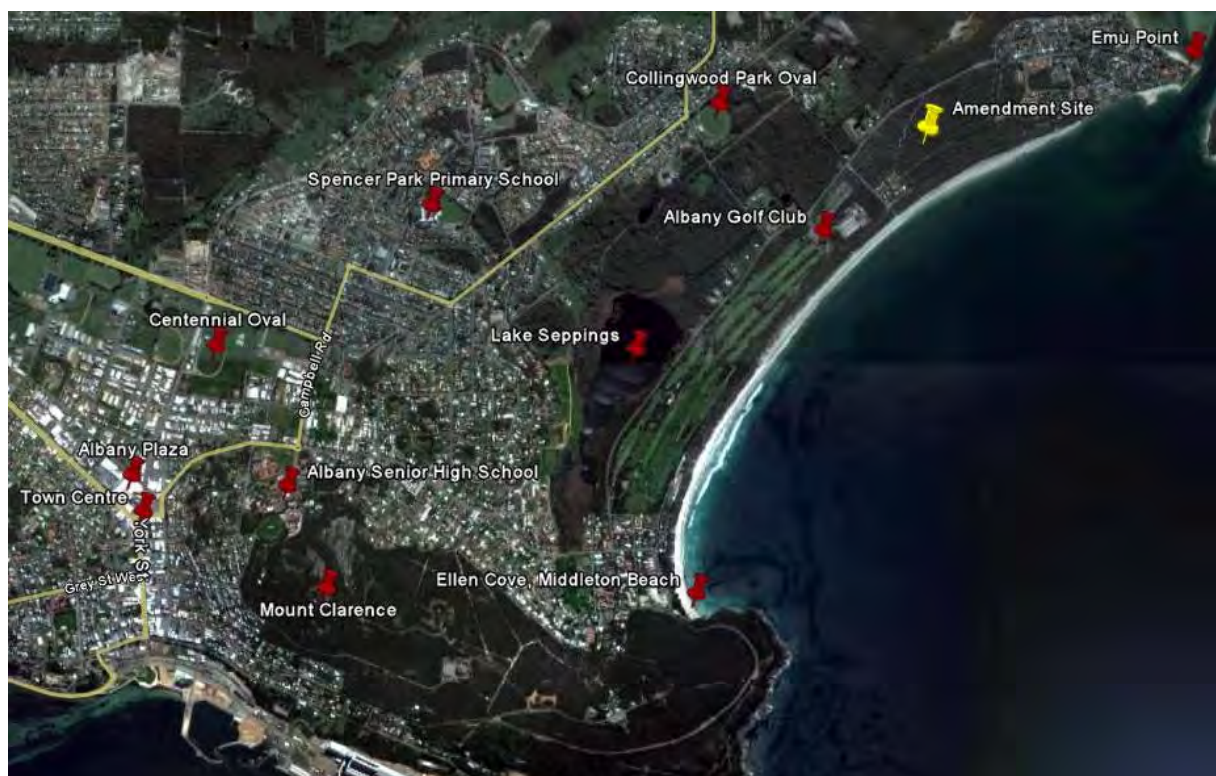


Figure 2: Location Plan

[Source: Google Earth]

3.1.2 Land Ownership

Lot 3000 Emu Point Drive, Collingwood Park and Lot 1523 Emu Point Drive, Emu Point are owned by the Western Australian Land Authority (trading as “LandCorp”). Lot 3001 on Deposited Plan 51548 (Reserve 14789) is owned by the State of Western Australia. The legal description of the subject site

is detailed in **Table 1** below. **Appendix A** provides the Certificates of Title applicable to the Amendment.

Lot Description	Lot Area	Certificate of Title	Landowner Details
Lot 3000 on Deposited Plan 51548.	25.9367ha	Volume: 2652 Folio: 911	Western Australian Land Authority
Lot 3001 on Deposited Plan 51548.	0.7566ha	Volume: LR3140 Folio: 947	State of Western Australia
Lot 1523 on Deposited Plan 28399.	7.2429ha	Volume: 2652 Folio: 910	Western Australian Land Authority

Table 1: Land ownership details.

3.2 Land Use

3.2.1 Existing Land Use

The subject site is undeveloped and predominantly covered in remnant coastal vegetation, with the topography comprising relict foredunes. There is some clearing associated with numerous paths and firebreaks traversing the subject site. Predominant land use for the subject site has been for informal recreational purposes only. The Site Plan at **Appendix B** provides an aerial photograph of the subject site and surrounding locality.

3.2.2 Surrounding Land Use and Zonings

The subject site is surrounded by Griffiths Street and the Hope Street residential development to the south west, Middleton Beach and coastal reserve (Reserve No. 14789) to the south, tourist development including Emu Point Motel and residential development to the north east and Emu Point Drive to the north.

The subject site is surrounded by a variety of zones and reserves (refer to **Figure 3** below).

To the west is land reserved for 'Parks and Recreation' and the 'Residential' and 'Hotel/Motel' zonings applicable to the Barry Court development (adjoining Golf Course and Tourist/Residential Accommodation). To the south west is the existing Hope Street residential area zoned 'Residential' with a density coding of 'R17.5'.

The Middleton Beach foreshore reserve is reserved for 'Parks and Recreation' by the Scheme and has retained existing native vegetation.

To the east is land zoned 'Hotel/Motel' that is developed with the Emu Point Motel and the Emu Beach Chalets.

To the north is a mix of reserved land and 'Rural' zoned land. There are a number of small lifestyle lots and a large reservation area protecting the Lake Seppings flood plain.



Figure 2: Land Zoning

[Source: City of Albany]

3.3 Community Consultation

In accordance with the requirements of the *Planning and Development Act 2005*, the Amendment is required to be advertised for 42 days for public submissions. These submissions are then presented to Council at its final consideration of the Amendment.

3.4 Environmental

3.4.1 Topography

The subject site consists of low undulating relict fore-dune topography running immediately parallel with the coast, with dunal heights ranging between 2 m and 9 m Australian Height Datum (AHD). The gently sloping beach to the south of the subject site is approximately 30 m wide, backed by a low incipient dune and a steep fore-dune, rising to between 5 m and 9 m.

3.4.2 Geology, Soils and Hydrogeology

The subject site comprises predominantly relict fore dunes, which are composed of white medium-grained sand, with rounded quartz and shell debris. The coastal dunes of the subject site are typical of local quaternary hydrogeology, which is typically characterised by coastal alluvial, estuarine, lagoonal and Aeolian (sand, clay and limestone), and minor local aquifers, which are fresh to saline.

The subject site is underlain by bedrock, comprising gneiss, metamorphic rock and granatoid in the Nornalup Complex of the Albany-Fraser Orogen. The Albany-Fraser Orogen is covered with a discontinuous veneer of the sediments of the Bremer Basin.

3.4.3 Water and Drainage

Groundwater

According to the Geotechnical and Preliminary Acid Sulphate Soil (ASS) Investigation prepared by Douglas Partners (2007) for the subject site, the groundwater survey recorded groundwater levels, quality and flow direction. The survey findings included the following:

- o Groundwater depth ranged between 2.19 m to 5.80 m below ground level;
- o Hydraulic gradient for the site is relatively flat;
- o Groundwater mound probably located in the south western corner of the site; and
- o A shallow aquifer exists, with the possibility of being underlain by salt water edge.

Surface Water and Drainage

The geology of the subject site comprises permeable, medium grained sand which facilitates the infiltration of water through the shallow aquifer into the ocean. There are no surface water bodies including wetlands, such as sump lands or damp lands within the subject site.

There are no distinct surface drainage lines onsite and water tends to accumulate in swales prior to infiltrating. Along the northern boundary, the subject site drains into the swales along Emu Point Drive. Stormwater disposal is expected to be facilitated through the aquifer, with no direct discharge into the Foreshore Reserve or Oyster Harbour.

3.4.4 Remnant Vegetation

There are three vegetation types situated within the subject site, including Sheoak woodland, open Peppermint heath and Peppermint thicket. The majority of the vegetation across the subject site is in 'excellent' condition, with areas of Very Good to Degraded vegetation along the site boundaries.

This proposal is seeking to conserve the existing remnant vegetation through means of reserving it under the Scheme for 'Parks and Recreation'. The future reserved land will be ceded to the Crown.

3.4.5 Visual Landscape

The subject site can be described as prominent coastal dunal ridge landscaping with dense native vegetation cover. It usually forms a visually pronounced vegetated landform of gently undulating terrain formed by the low linear dunal ridges.

Given much of the existing vegetation is proposed to be retained, reserved for 'Parks and Recreation'; the majority of the visual landscape will remain unaffected as a result.

3.5 Bush Fire Hazard Management

Due to the nature of the site, Bush Fire Management is an important element to be considered. Since the land, the subject of this Scheme Amendment, is to be ceded to the Crown and vested in

the City of Albany, the management of the land (also in terms of Bush Fire Management) will be the responsibility of the City of Albany.

It should be noted that a Fire Management Plan (FMP) for the site was prepared as part of the Local Structure Plan (refer to Section 4.2.3). The FMP identified that the site has a 'Moderate' bush fire hazard rating, based on the remnant vegetation located on the site and external fire risks.

The FMP made a number of recommendations in relation to strategic fire access and protection measures. The Local Structure Plan incorporated the necessary fire management elements to ensure that the proposal meets Department of Fire and Emergency Services (DFES) and City of Albany requirements.

3.6 Infrastructure

3.6.1 Access

External Access

Access to the subject site is attained from Emu Point Drive which runs along the northern boundary of both Lots 3000 and 1523. Griffiths Street intersects with Emu Point Drive at the north western corner of Lot 3000 and runs along the south western boundary of Lot 3000. The road reserve then runs along the south eastern side of the existing residential lots and abuts the south western boundary of Lot 3001.

Internal Access

Internal access is proposed in line with the Local Structure Plan for the subject site. A number of access roads are proposed which will grant access to the proposed residential development as indicated on the Local Structure Plan.

A number of shared paths and trails are also proposed for the site in line with the Local Structure Plan in order to allow pedestrian access through the site and to the beach to the south. Walk trails are proposed to run through the existing bushland in three different locations in the portion of the lots proposed to be reserved as part of this proposal, as indicated in the Local Structure Plan.

3.6.2 Services

Water

There is an existing reticulated water service available to the subject site. The proposed residential development adjoining the portion of the lots the subject of this proposal requires reticulated water infrastructure and will be serviced by a large diameter water main extension from Collingwood Road, via Troode Street and Emu Point Drive.

Power

An existing overhead low voltage power line runs along the length of the subject site on the southern side of Emu Point Drive and along Griffiths Street. The existing residential area is serviced by a 50kVA pole top transformer.

New transformers and switch gear will be required throughout the whole development to service the proposed lots. As is best practice, it is likely that this infrastructure will be placed within road reserves or Public Open Space.

Sewer

The subject site is not currently serviced with a reticulated sewer service. The existing dwellings in Hope and Griffiths Street utilise onsite effluent disposal systems.

The proposed residential development adjoining the portion of the lots the subject of this proposal will be serviced by a reticulated sewer service. This will require the construction of a new gravity sewer line from the Barry Court pump station along Emu Point Drive.

The existing residential properties in Hope and Griffiths Street will also be offered the ability to connect to this service.

Telecommunications

There are optic fibre cables that currently exist along the southern side of Emu Point Drive to service the Emu Point area. As well as this, there are reticulation cables along part of the site's frontage, within Griffiths and Hope Streets and to the existing end of Medcalf Parade. All lots within the proposed subdivision will be provided with a suitable connection to telecommunications.

4 PLANNING CONTEXT

4.1 State and Regional Planning

4.1.1 State Planning Strategy and State Planning Framework

The State Planning Strategy (SPS) was released by the Western Australian Planning Commission (WAPC) in 1996 and provides an overall strategic planning framework for the State. The SPS is supported by the State Planning Framework (State Planning Policy No.1) which ensures all State and regional planning documents meet SPS principles.

There are five key principles that are advocated by the SPS:

Environment:

To protect and enhance the key natural and cultural assets of the State and deliver to all West Australians a high quality of life which is based on environmentally sustainable principles.

Community:

To respond to social changes and facilitate the creation of vibrant, safe and self-reliant communities.

Economy:

To actively assist in the creation of regional wealth, support the development of new industries and encourage economic activity in accordance with sustainable development principles.

Infrastructure:

To facilitate strategic development by making provision for efficient and equitable transport and public utilities.

Regional Development:

To assist the development of regional Western Australia by taking account of the special assets and accommodating the individual requirements of each region.

The proposed Amendment seeks to meet these principles, specifically the protection of key natural assets. The Amendment seeks to reserve the subject site as 'Parks and Recreation' and therefore conserve the existing natural asset.

4.1.2 State Sustainability Strategy

The State Sustainability Strategy (SSS) was adopted by the State Government in 2003. At the core of the SSS is a sustainability framework, comprising eleven sustainability principles. The principles that this proposal is affected by and addresses are:

- Biodiversity and ecological integrity- the site contains extensive natural habitat for a number of indigenous species, in particular Western Ringtail Possum habitat. The reservation and conservation of the site will ensure that the existing biodiversity and ecological values are

protected and will allow for the vital wildlife linkages to be maintained through and around existing and proposed development.

- Common good from planning- The proposed Amendment will help to ensure that there is an equitable distribution of public resources (including parks and recreation areas) so that ecosystem functions are maintained and a shared resource is available to all.

4.1.3 State Planning Policy No.1 – State Planning Framework Policy

The purpose of SPP1 is to bring together the State and regional policies that apply to land use and development in Western Australia and to establish the general principles for land use planning and development in WA. SPP1 states “*the primary aim of planning is to provide for the sustainable use and development of land*”. It goes on to quantify this through identifying and expanding upon the five key principles that further define this statement – environment, community, economy, infrastructure and regional development. The principles of SPP1 are reflected in the policies and strategies that impact this Amendment and have been taken into consideration throughout the preparation of this Amendment.

4.2 Local Planning

4.2.1 Albany Local Planning Strategy

The Albany Local Planning Strategy (ALPS) sets out the long term planning direction for the City of Albany and has regard to all relevant State and regional planning policies.

The ALPS identifies the strategic planning direction for the City of Albany over the next 20 years. It draws on the key elements from the City of Albany’s strategic planning document, 3D Vision, and notes that the City of Albany should become a Learning, Healthy and Thriving City.

The subject site is currently classified by the ALPS as ‘*Future Urban – Priority 2*’ and ‘*Existing Urban*’ as depicted in **Figure 4** below.

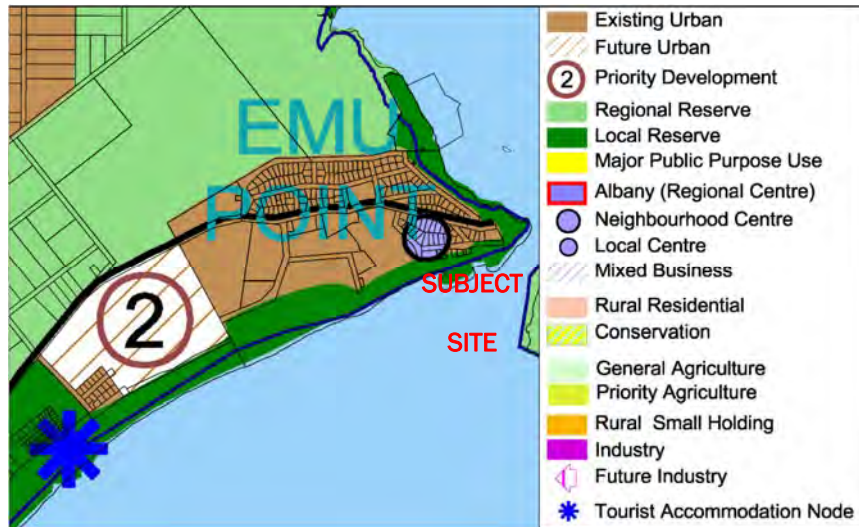


Figure 4: Albany Local Planning Strategy (Source: CoA)

Proposed development for the site (refer to Section 4.2.3 - Local Structure Plan below) is consistent with the ALPS classifications. The 'Existing Urban' and 'Future Urban' classification indicates that the site is suitable for residential development. The land subject of this Amendment is the remnant vegetation surrounding the proposed development as outlined in the associated Local Structure Plan.

The ALPS is divided into four strategies, settlement, environmental, economic and social, each with its own objectives and actions. This proposal is especially relevant to the environmental strategy direction.

The ALPS states strategic objectives in regards to the environment which include the following:

- *Encourage biodiversity preservation;*
- *Maintain the character of the rural landscapes within the district and protect areas of significant remnant vegetation;*
- *Establish, protect and manage a local open space system that integrates with the regional open space system; and*
- *Support and conserve the natural landscape and soil and water resources.*

The proposed Amendment meets the objectives as outlined above. The Amendment will ensure that the existing remnant vegetation and associated ecosystems are maintained and conserved. The proposal is to retain and reserve approximately 60% of the site in its natural state.

4.2.2 City of Albany Local Planning Scheme No.1

Under the City of Albany Local Planning Scheme No. 1 the subject site is reserved for 'Parks and Recreation' and zoned 'Future Urban'; these are shown in **Figure 3** as referred to earlier and are described as follows:

- Lots 1523 and 3000 Emu Point Drive have two zonings. The majority of the both lots are zoned 'Future Urban' with a strip being retained along Emu Point Drive reserved for 'Parks and Recreation' under the Scheme.
- Lot 3001 is currently zoned 'Future Urban'.

The Local Structure Plan associated with the subject site indicates the location of the proposed residential development within the relevant zonings. The residential development is proposed to be located fairly central on the lots. This Amendment is proposing to reserve the surrounding land and associated remnant vegetation for 'Parks and Recreation'.

4.2.3 Local Structure Plan

As referred to earlier, a Local Structure Plan has been prepared and submitted to the City of Albany in relation to the subject site. A copy of the Local Structure Plan is attached at **Appendix C**.

The Local Structure Plan was prepared with the intention of supporting the sustainable urban development of a portion of the subject lots. The intention of the Local Structure Plan is to allow for the development of approximately 133 residential lots, released in stages providing for a variety of housing products.

The Local Structure Plan is also supported by the provision of Design Guidelines, a Landscape Master Plan, Fire Management Plan, Traffic Study, Visual Impact Assessment, Local Water Management Strategy and a variety of environmental assessments including flora, fauna, Dieback and coastal processes assessments. Features of the Local Structure Plan include:

- o A Village Centre to provide a focus and meeting place for the surrounding residential area and passing traffic;
- o A range of residential lot types to accommodate apartment, townhouses, strata cluster dwellings and detached housing; and
- o Retention, enhancement and protection of approximately 60% of the site's vegetation.

It is the retention and preservation of the majority of the site's vegetation that is the focus of this Amendment. The proposed Amendment is seeking to ensure the long term future of the site's remnant vegetation by reserving the land in the City of Albany Local Planning Scheme No.1.

5 ISSUES

5.1 Ceding of Land

The subject of this Amendment is the land proposed to be ceded to the Crown and vested in the City of Albany for ongoing management. Therefore, in terms of future and ongoing management of the land, this will be the responsibility of the City of Albany.

5.2 Fire

Due to the nature of the site, fire management is a fundamental issue that needs to be addressed. A Fire Management Plan (FMP) was prepared by Bio Diverse Solutions in October 2011 to reflect the requirements of *Planning for Bush Fire Protection Edition 2* (2010) and *AS 3959-2009 Construction of Buildings in Bush Fire Prone Areas*. A FMP was previously prepared by Opus International Consultants (2010) supporting the Local Structure Plan, however, this was based on a previous version of the abovementioned documentation.

To address both the City of Albany and DFES fire requirements, a revised Fire Management Plan has been completed taking into consideration the recent fire publications and guidelines (Bio Diverse Solutions, 2011).

As previously mentioned in this report, the majority of the site is vegetated. The FMP identifies the site as having a 'Moderate' bush fire hazard rating, based on the remnant vegetation located on the site and external fire risks. The previous FMP identified the site as having a 'Low' bush fire hazard rating. The requirements of the FMP have been reviewed to reflect the more stringent requirements of the increased fire hazard rating.

The FMP recommends the following measures are implemented within the Local Structure Plan to ensure that future subdivision and development complies with the requirements of *Planning for Bush Fire Protection Edition 2* and *AS3959-2009 Construction of Buildings in Bush Fire Prone Areas*:

- All internal public roads should be constructed to suitable standards and should allow two way access/egress;
- 25 m Hazard Separation Zone (HSZ) to be implemented in the north eastern portion of the ODP;
- Gated fire service for access/emergency egress to be provided to the Shared Use Paths (SUP) throughout the development;
- Houses fronting the area of fire risk to comply with designated Bushfire Attack Levels of BAL 19 and BAL 12.5. Dwellings on these properties will be required to be constructed in accordance with *AS3959 Construction of Buildings in Bush Fire Prone Areas*; and
- Placement of fire hydrants at 200 m intervals on subdivisional roads.

In the FMP, internal vegetation retained within the green spines (referred to as bushland corridors) is highlighted as a fire risk and is to be reduced to and maintained at a fuel reduced state of 2 tonnes

per hectare. Overstorey vegetation within green spines will be retained in accordance with the FMP, but understory clearing will need to occur.

All of the recommended requirements have been implemented within the Local Structure Plan. It is believed that the FMP addresses all of the requirements of *Planning for Bush Fire Protection Edition 2* and *AS3959-2009 Construction of Buildings in Bush Fire Prone Areas*. The development takes account of best practice for fire management planning.

As a result of changes to the fire management requirements and detailed engineering and earth works design up to 2.6 ha of hazard separation clearing will be required within green spines where overstorey vegetation will be retained in accordance with the FMP. The increase in clearing of understory vegetation within green spines resulted in a reduction in the area of vegetation to be retained within the development footprint and a need to vary the Environmental Protection Authority (EPA) approval for the proposed development (refer to Section 5.3.2 below).

5.3 EPA Approvals

5.3.1 State Approvals Status and History

In May 2007, Landcorp referred the proposed development of the Emu Point Residential Development to the EPA under Section 38 of the *Environmental Protection Act 1986*. The EPA set the level of assessment for the proposal at the level of Public Environmental Review (PER) with a four-week review period due to the potential impacts on significant fauna species and native vegetation. The PER was released for public review from 10 May 2010 until 7 June 2010.

On 18 April 2011, the EPA released their report to the Minister for Environment (EPA Report 1392: *Residential Subdivision Lots 3000 (Formerly Lot 1512) & 1532 Emu Point Drive Albany* ('the EPA Report')) regarding the site and the proposed development and Local Structure Plan (previously referred to as the Outline Development Plan). The report assessed the proposal and gave advice and recommendations to the Minister in relation to the key environmental factors.

The EPA decided that the following key environmental factors relevant to the proposal required detailed evaluation in the report:

- *Vegetation and flora; and*
- *Conservation of significant fauna.*

The EPA report noted the proposal will result in the clearing of 14.7 hectares (ha) of native vegetation within the development footprint and that approximately 16.3 ha of vegetation outside of the development footprint will be retained and is proposed to be protected for conservation. The EPA concluded that the acceptability of the proposed residential subdivision as outlined in the Local Structure Plan was made on the basis that the native vegetation proposed to be retained outside of the development footprint will be protected for conservation purposes in perpetuity.

Having considered the proposal the EPA recommended that a number of conditions be imposed. The matters addressed in the conditions included the following:

(a) *Limiting clearing of vegetation within the development footprint to a maximum of 14.7 ha.*

(b) *The 16.3 ha of native vegetation outside the development footprint be zoned to allow for conservation.*

Two appeals were lodged in objection to the contents of, and recommendations in, the EPA Report. These appeals were investigated by the Officer of the Appeals Convenor. The recommended conditions from the EPA report were then revised to reflect the Minister's appeal determination and provided to Landcorp for comment on 29 December 2011.

On 25 January 2012, Landcorp provided written comments on the draft conditions and requested a number of changes relating to the project key characteristic and conditions. These changes were linked to the revision of the Fire Management Plan (FMP) prepared by Bio Diverse Solutions in October 2011.

The proposal was approved by the Minister for Environment under Ministerial Statement 894 on 30 April 2012. It was subsequently noted however, that the final conditions and key characteristics included in Ministerial Statement 894 omitted Landcorp's comments and requested changes to the draft conditions.

5.3.2 Amendments to EPA's Conditions

In order to amend the proposal, Landcorp submitted requests under section 45c and section 46 of the *Environmental Protection Act 1986*. In May 2013, the EPA released their report to the Minister for Environment (EPA Report 1473: *Residential Subdivision on Lots 3000 (Formerly Lot 1512) & 1532 Emu Point Drive, Albany – Inquiry under section 46 of the Environmental Protection Act 1986 to change conditions 3 and 5 of Ministerial Statement 894* ('the EPA Report')). The Minister for Environment; Heritage published Statement 939 on 13 June 2013 implementing the changes to condition 5 in that condition 5-2 of Statement 894 is deleted.

In July 2013, changes to the proposal under s45c of the *Environmental Protection Act 1986* were such that:

1. That the native vegetation to be cleared within the development footprint be changed from 'not more than 14.7 hectares (includes 0.6 hectares of hazard separation where overstorey vegetation will be retained)' to 'not more than 16.5 hectares (includes 2.6 hectares of hazard separation where overstorey vegetation will be retained)'; and
2. That the area of vegetation to be retained within the development footprint be changed from 'not less than 2.2 hectares' to 'not less than 0.4 hectares'.

5.4 Commonwealth Approvals

5.4.1 Commonwealth Approvals Status and History

In May 2010, Landcorp referred the proposed development of the Emu Point Residential Development to the Department of Sustainability, Environment, Water, Population and

Communities (SEWPaC) (now Department of the Environment) under the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act), following significant consultation as well as a site visit with representatives of SEWPaC.

On 8 June 2010, SEWPaC formally advised the proposed development was deemed a ‘controlled action’ and therefore required formal assessment and approval by the Minister for Sustainability, Environment, Water, Population and Communities. The proposed action was considered by SEWPaC to have a significant impact on listed threatened species and communities (sections 18 and 18A), specifically the Western Ringtail Possum (*Pseudocheirus occidentalis*) and Baudin’s and Carnaby’s White-tailed Black Cockatoos (*Calyptorhynchus baudinii* and *Calyptorhynchus latirostris*).

Preliminary Documentation for the Emu Point Residential Development was published for public comment from 6 July 2011 until 2 August 2011. Submissions received during the public comment period were addressed in the final Preliminary Documentation published on 7 March 2012.

In October 2012, SEWPaC released the EPBC Act *Environmental Offsets Policy* (SEWPaC, 2012). This policy outlines the Australian Government’s approach to the use of environmental offsets under the EPBC Act.

Under the *Environmental Offsets Policy*, offsets are defined as “*measures that compensate for the residual adverse impacts of an action on the environment*” (SEWPaC, 2012). Residual impacts are further defined as the unavoidable impacts that remain after avoidance and mitigation measures have been put in place. Avoidance and mitigation measures can reduce and, in some cases, remove the need for offsets if the residual impact is not significant. For assessments under the EPBC Act, offsets are only required if residual impacts are significant (SEWPaC, 2012). A ‘significant impact’ is an impact which is important, notable, or of consequence, having regard to its context or intensity. Retention of the vegetation on site, and the protection of it in perpetuity via vesting with the City and placement of a restrictive covenant protecting the vegetation may negate the need for any further offsets.

6 JUSTIFICATION AND CONCLUSION

The proposal is to reserve a portion of Lot 3000 Emu Point Drive, Collingwood Park and Lot 3001 on Deposited Plan 51548 (currently zoned 'Future Urban') as well as a portion of Lot 1523 Emu Point Drive, Emu Point (currently zoned 'Future Urban') for 'Parks and Recreation' by the City of Albany Local Planning Scheme No.1.

The proposed Amendment is justified on the following grounds.

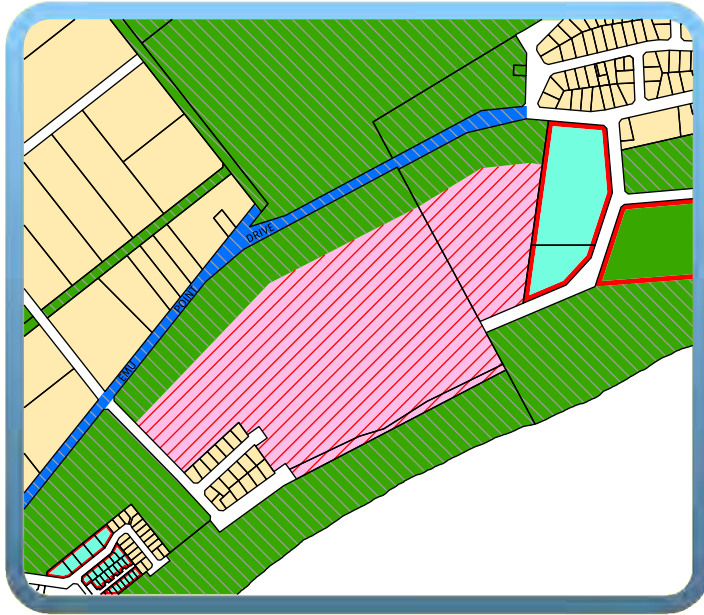
- It will ensure the long term conservation of the existing remnant vegetation and associated ecosystems for the site;
- It will remove zonings that propose the future development of urban areas on the subject site. Further urban areas would not be appropriate given the Local Structure Plan that has been prepared and the associated reporting that has been undertaken;
- It is in accordance with the Environmental Protection Authority's report for the site (dated May 2013) and the recommendations and conditions resulting from it;
- It is in accordance with the associated Local Structure Plan for the site; and
- It is working towards ceding the subject site to the Crown to be vested in the City of Albany. This will allow for the adequate environmental management of the subject site.

Endorsement of the Amendment is therefore respectively requested.

CITY OF ALBANY

Local Planning Scheme No. 1

Amendment No. 2







Existing Zoning

LOCAL SCHEME RESERVES

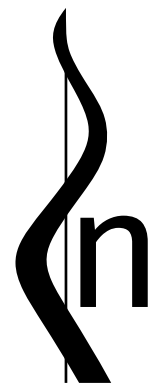
	Local Roads
	Priority Road
	Parks and Recreation

ZONES

	Residential
	Future Urban
	Caravan & Camping
	Hotel / Motel



Proposed Zoning



PLANNING AND DEVELOPMENT ACT 2005

CITY OF ALBANY

LOCAL PLANNING SCHEME NO.1

AMENDMENT No.2

The City of Albany under and by virtue of the powers conferred upon it in that behalf by the Planning and Development Act 2005 hereby amends the above local planning scheme by:

1. Reserving a portion of Lot 3000 Emu Point Drive, Collingwood Park and Lot 3001 on Deposited Plan 51548 (currently zoned 'Future Urban') and a portion of Lot 1523 Emu Point Drive, Emu Point (currently zoned 'Future Urban') for 'Parks and Recreation', and amending the Scheme Maps accordingly.

REPORT ITEM PD113 REFERS

PLANNING AND DEVELOPMENT ACT 2005

CITY OF ALBANY

LOCAL PLANNING SCHEME NO.1

AMENDMENT No.2

ADOPTION:

Adopted by resolution of the Council of the City of Albany at the meeting of the Council held on the _____ day of _____ 201__:

Mayor

Chief Executive Officer

FINAL APPROVAL:

Adopted for final approval by resolution of the City of Albany at the meeting of the Council held on the _____ day of _____ 201__ and the Common Seal of the municipality was pursuant to that resolution hereunto affixed in the presence of:

Mayor

Chief Executive Officer

RECOMMENDED / SUBMITTED FOR FINAL APPROVAL:

Delegated under s.16 of the PD Act 2005

Date

FINAL APPROVAL GRANTED:

Minister for Planning

Date

APPENDIX A – CERTIFICATES OF TITLE

[illegible]

P51548

<i>Lot Number</i>	<i>Part Register Number</i>	<i>Section Sheet Number</i>	<i>Lot Number</i>	<i>Part Register Number</i>	<i>Section Sheet Number</i>
3000	2652/911	1	3001	LR 3140/947	1

APPENDIX B – SITE PLAN



116 Serpentine Road, ALBANY WA 6330
T: 08 9841 7333 F: 08 9841 3643
E: hgalb@harleyglobal.com.au

SITE PLAN

LOT 1523 ON DP 28399,
LOT 3000 ON DP 51548 &
LOT 3001 ON DP 51548
EMU POINT DRIVE
COLLINGWOOD PARK



SCALE AT A4 1:10000

0 100 200 300 400 500

ALL DISTANCES ARE IN METRES

DRAWN
AMS 14/09/11

CHECKED
LB 14/09/11

DRAWING No
14581-15A.dgn

REV
A

DESCRIPTION
Original Drawing

DATE
14/09/11

COPYRIGHT

This document is and shall remain the property of HARLEY GLOBAL. The document may only be used for the purpose for which it was commissioned and in accordance with the terms of engagement for the commission. Unauthorised use of this document in any form whatsoever is prohibited.

NOTE:

This plan has been prepared for planning purposes. Areas, Contours and Dimensions shown are subject to survey.



APPENDIX C – LOCAL STRUCTURE PLAN

LOCAL STRUCTURE PLAN


EMU POINT RESIDENTIAL DEVELOPMENT
LOT 3000 & LOT 1523 EMU POINT DRIVE, COLLINGWOOD PARK



This Local Structure Plan has been adopted by Council and signed by the Chief Executive Officer for the City of Albany


Chief Executive Officer.....Date.....


LEGEND

 Local Structure Plan Boundary


Land Use:


PRECINCTS


 Village Centre Precinct
Medium Density Residential
(R30 & R40)


 Apartment Buildings
Mixed Use


- Residential density determined by vertical building envelope.
- Ground floor commercial fronting street.
- Shop/Deli/Cafe), Consulting Rooms, Day Care Centre, Newsagency and Office
- Up to 4 storeys height.


 Single House Precinct
Low Density Residential (R20)


 Subdivisional Layout (Indicative Only)


 Cluster Precinct
Low Density Residential (R20)

 AS 3959* Requirements Apply

 6m Front Setback (No Averaging)

 Beachside Precinct
Medium Density Residential (R30)

 Landscaped Rear Setback

 Potential City Reserve for Public Amenity

Open Space:

Bushland Nodes

Retained Bushland

Bushland Corridors

Hazard Separation Zone
(Modified Landscape)

Infrastructure:

Main Access Street

Access Streets

Slow Speed Link for Service Vehicles

4m Wide Laneway

Shared Path (2.5m Wide)

Existing Shared Path

Trails

Proposed Roundabout
(refer to 4:4:2)

Other:

Indicative Parking Bay Locations

Existing Bus Stop

Horizontal Setback Datum

Visually Permeable Uniform Fencing

* Higher construction standards for fire protection.



116 Serpentine Road. ALBANY WA 6330
T: 08 9841 7333 F: 08 9841 3643
E: hgalb@harleyglobal.com.au

copyright
This document is and shall remain the property of HARLEY GLOBAL. The document may only be used for the purpose for which it was commissioned and in accordance with the terms of engagement for the commission. Unauthorised use of this document in any form whatsoever is prohibited.
note:
This plan has been prepared for planning purposes. Areas, Contours and Dimensions shown are subject to survey

Drawn ABS 22/08/2011 Checked GA 22/08/2011

HG Ref 14581-40A



APPENDIX D – EPA SCHEME AMENDMENT CHECKLIST

Amendment No.2 – City of Albany Local Planning Scheme No.1

Lots 1523 and 3000 Emu Point Drive and Lot 3001 on Deposited Plan 51548

Attachment A3-2

Referral of a Scheme to the EPA and Environmental Checklist

REFERRAL OF
A SCHEME

Environmental Protection Authority

Referral of a Scheme to the Environmental Protection Authority

PURPOSE OF THIS GUIDE

Referral requirements are set out in the planning legislation relevant to the scheme*, and include a requirement that the EPA is given such written information about the scheme as is sufficient to enable the EPA to comply with section 48A of the *Environmental Protection Act 1986* i.e. to decide whether or not to assess the scheme.

The purpose of this guide is to help clarify referral requirements.

Whilst the EPA has some general information for each municipality, it often does not have local or site specific information. Under the relevant planning legislation, it is the role of the authority responsible for the scheme to provide sufficient information. The information that is likely to be sufficient in most instances is indicated in this guide. The EPA will advise if further information is required. Upon receiving sufficient information, the EPA must make a decision within 28 days on whether or not to assess the scheme.

A referral must contain:

- A copy of council's resolution to prepare or adopt the scheme. Referral upon adoption is preferred as more information is usually available at that time.
- Scheme documentation - a hard copy of the referral of the scheme (as defined under the *Environmental Protection Act 1986*), text and map/s, **together with** an electronic copy of the documentation (see Spatial Data for Environmental Impact Assessment attached), as follows:
 - a compact disc version of the scheme, or scheme amendment, in PDF (Portable Document Format) file format, contained in a soft clear plastic adhesive-backed envelope;
 - spatial data (GIS or CAD) on CD, depicting the scheme/amendment extent, geo-referenced and conforming to the following parameters:
 - Datum: GDA94;
 - Projection: Geographic (latitude/longitude) or Map Grid of Australia (MGA);
 - Format: Arcview shapefile, Arcinfo coverages, Microstation or AutoCAD.
- Sufficient information for the EPA to decide whether or not to assess the scheme. This will usually be a completed **Environmental Checklist** (see over), and, in cases where the scheme may have environmental implications, the following:
 - clear identification on a map of the location of the land to which the scheme applies
 - an outline development plan or subdivision guide plan, where appropriate
 - information on relevant items in the environmental checklist (see over)
 - when electronic documentation is not available, additional copies of the scheme documentation for the EPA Service Unit to forward to the Department of Environment and Conservation and other agencies for technical advice.

If the information submitted to the EPA is not sufficient for the EPA to decide whether or not to assess the scheme, the EPA may request additional information.

The EPA Service Unit's Planning and Infrastructure Branch can advise on referral requirements and issues of environmental significance. Liaison with the EPA Service Unit may be particularly helpful in the following instances - schemes raising potentially significant environmental issues, and whole-of-municipality town planning schemes. The Planning and Infrastructure Branch can be contacted by ringing 6364 6500 and asking for an environmental officer who deals with the region.

* In this form, the term **scheme** has the same meaning as in *Environmental Protection Act 1986*, and includes town planning schemes, regional planning schemes and their amendments.

Referral of a scheme to the Environmental Protection Authority

ENVIRONMENTAL CHECKLIST

Title of scheme*: _____

This checklist is intended to assist authorities responsible for schemes to identify potential environmental issues, and to supply the information that the EPA requires to decide whether or not to assess a scheme.

Please tick the appropriate box and supply the information indicated at Section D below to the EPA. For clarification of any terms or descriptions used, please refer to EPA Guidance No. 33 'Environmental Guidance for Planning and Development' or the Planning and Infrastructure Assessments Branch of the EPA Service Unit.

A. Biophysical factors

Yes No Unsure

- | | | | |
|---|--------------------------|--------------------------|--------------------------|
| 1. Does the area to which the scheme applies contain or adjoin any of the following? | | | |
| a) bushland. If yes, identify | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| b) a wetland (includes seasonally damp land), watercourse or river - if yes, identify | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| c) an estuary or inlet. If yes, identify | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| d) coastal area or near-shore marine area. If yes, identify | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| e) a public water supply area. If yes, identify | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| f) a landform of special interest, for example, karst, beach ridge plain. If yes, identify | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 2. Is any area to which the scheme applies in a catchment that is of particular environmental concern or interest? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| If yes, identify the catchment: | | | |
| Lake Clifton catchment | <input type="checkbox"/> | | |
| Swan Coastal Plain catchment of the Peel-Harvey Estuary | <input type="checkbox"/> | | |
| Swan and Canning Rivers catchment (other than Ellenbrook catchment) | <input type="checkbox"/> | | |
| Ellenbrook catchment | <input type="checkbox"/> | | |
| Other catchment (please name) | <input type="checkbox"/> | | |
| 3. Is the land to which the scheme applies the subject of any significant or potentially significant soil or land degradation issues, for example, salinity, waterlogging, erosion, acid sulphate soil? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| If yes, identify issue/s: _____ | | | |

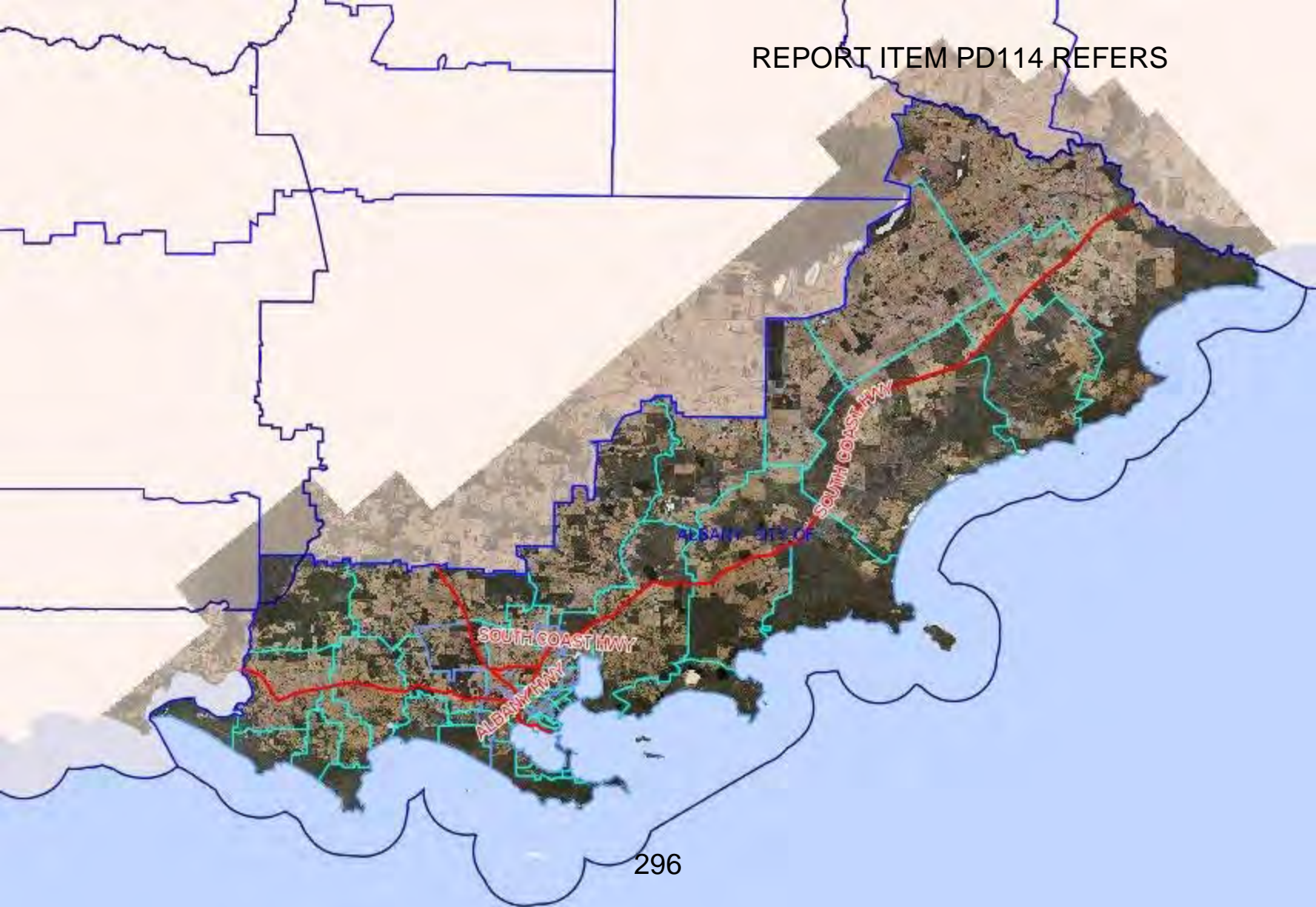
B. Pollution management

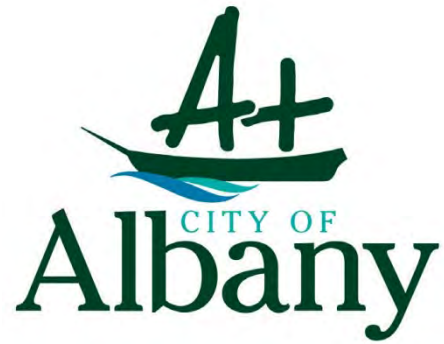
- | | | | |
|--|--------------------------|--------------------------|--------------------------|
| 4. Does the scheme allow for a land use that will or could discharge a significant quantity of a potential pollutant to the air, surface water, soil or groundwater? | | | |
| | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| If yes, please identify the land use/s, and associated pollutants: | | | |
| _____ | | | |

NOTE: In this form, the term 'scheme' has the same meaning as in *Environmental Protection Act 1986*, and includes regional and town planning schemes and their amendments.

	Yes	No	Unsure
5. Does the scheme allow for a land use that could require a buffer over adjoining land? that is, does it allow for uses that may affect adjoining land (including land that may be used for future residential use) due to gases, noise, vibration, odours, light?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
If yes, please identify land use/s, and off-site areas that may be affected:			
What is the distance to the nearest residences?			
6. Would the scheme allow a residential area or sensitive land use (e.g. school) to be located in an area likely to be affected by emissions (e.g. gases, noise, odour) from industry, agriculture or infrastructure (e.g. landfill site)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
If yes, please identify:			
7. Does the scheme apply to a site that has been used for a past land use which may have contaminated the soil or groundwater, for example, market garden, industrial use, fill?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
If yes, please identify:			
8. Does the scheme apply to any land with a high watertable?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
C. Social surroundings			
9. Does the scheme raise any issues known to be of concern to the public?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
If yes, is the concern to the public related to an environmental issue?			
Please specify the environmental issue(s) of concern			
10. Is the scheme likely to raise heritage or cultural issues due to impacts on the biophysical environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
If yes, please identify			
11. Does the scheme apply to areas of land where there are existing or potential land uses associated with high levels of risk, for example, a high pressure gas pipe line, heavy industry	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
If yes, please identify:			
D. Additional information			
<ul style="list-style-type: none"> • If all answers to the questions above are 'no', no other environmental information is required to accompany this checklist. • If answers include 'yes' or 'unsure', please provide information for those items on: <ul style="list-style-type: none"> o the existing environment o potential environmental impacts and their magnitude/significance o how the impacts will be managed to ensure a good environmental outcome. 			
The EPA will review the checklist and information submitted and if not sufficient for the EPA to decide whether or not to assess the scheme, the EPA may request additional information.			
Name of person completing form: _____ Date: _____			
Position: _____ Contact _____ Phone/Email: _____			

REPORT ITEM PD114 REFERS





Planning & Development Services

City of Albany
Policy

Development Approval Exemption

CONTENTS

1.	Policy Statement.....	3
2.	Objective	3
3.	Scope	3
4.	Legislative and Strategic Context.....	Error! Bookmark not defined.
5.	Review Position and Date.....	Error! Bookmark not defined.
6.	Associated Documents	5
7.	Definitions.....	Error! Bookmark not defined.
8.	Policy Provisions.....	Error! Bookmark not defined.

DRAFT

1. POLICY STATEMENT

In accordance with the City of Albany *Local Planning Scheme 1*, clause 5.5.3.2, any development (apart from home office) in the 'Future Urban' zone requires the planning approval of the Local Government.

The *Planning and Development Regulations 2015* states at clause 61(1)(i):

61. Development for which development approval not required

- (1) *Development approval of the local government is not required for the following works —*
 - (i) *the carrying out of any other works specified in a local planning policy or local development plan that applies to the development as works that do not require development approval.*

2. OBJECTIVES

The purpose of this policy is to exempt specified development from requiring a development approval where:

- a. Development will be on a lot that is zoned 'Future Urban';
- b. An R-Code density has been defined as a component of an endorsed structure plan; and
- c. The works satisfy the deemed-to-comply requirements of the R-Codes

3. SCOPE

This policy applies to the following specified works:

- single house;
- ancillary dwelling;
- outbuilding;
- external fixture;
- patio;
- pergola;
- veranda;
- garage;
- carport; or
- swimming pool.

4. LEGISLATIVE AND STRATEGIC CONTEXT

City of Albany Legislation/Strategy/Policy	State Legislation
<p><i>Community Strategic Plan, Albany 2023</i></p> <p>Section 3 of the <i>Community Strategic Plan, Albany 2023</i> recommends the following deliverables:</p> <ul style="list-style-type: none"> • A connected Built Environment; and • Connected and interesting precincts. 	<p><i>Planning and Development Regulations 2015</i></p> <p>Schedule 2, cl.61(1)(i)</p> <p>61 Development for which development approval not required</p> <p>(1) Development approval of the local government is not required for the following works —</p> <p>(i) the carrying out of any other works specified in a local planning policy or local development plan that applies to the development as works that do not require development approval;</p>
<p><i>Local Planning Scheme No. 1</i></p> <p>5.5.3 Future Urban Zone</p> <p>5.5.3.1 Notwithstanding any other requirement of the Scheme, for any lot within the Future Urban zone, the Local Government may only permit the following land uses:</p> <ul style="list-style-type: none"> • Single House/Relocated Dwelling; • Ancillary Accommodation; • Bed & Breakfast/Farmstay; • Home Business; • Home Occupation; • Home Office; • Industry – Cottage; • Rural Pursuit; • Telecommunications Infrastructure; and • Public Utility <p>unless a Structure Plan has been prepared and adopted</p>	<p><i>Planning and Development Regulations 2015</i></p> <p>Schedule 2, cl.61(1)(c)</p> <p>61 Development for which development approval not required</p> <p>(1) Development approval of the local government is not required for the following works —</p> <p>(c) the erection or extension of a single house on a lot if the R-Codes apply to the development and the development satisfies the deemed-to-comply requirements of the R-Codes unless the development is located in a place that is —</p> <p>(i) entered in the Register of Heritage Places under the <i>Heritage of Western Australia Act 1990</i>; or</p> <p>(ii) the subject of an order under the <i>Heritage of Western Australia Act 1990</i> Part 6; or</p> <p>(iii) included on a heritage list prepared in accordance with this Scheme; or</p> <p>(iv) within an area designated under the Scheme as a heritage area; or</p> <p>the subject of a heritage agreement entered into under</p>

<p>under clause 5.9 of the Scheme.</p> <p>5.5.3.2 Apart from Home Office, all land uses mentioned in clause 5.5.3.1 and any development requires the planning approval of the Local Government and no land use or development shall be permitted if, in the opinion of the Local Government, such use or development would adversely impact on the potential of the land for future urban purposes.</p> <p>8.2 Permitted Development</p> <p>Except as otherwise provided in the Scheme, for the purposes of the Scheme the following development does not require the planning approval of Local Government:</p> <p>(c) The erection on a lot of a Single House including any ancillary outbuildings and swimming pools, except where:</p> <p>(ii) The proposal requires the exercise of discretion by the Local Government under the Scheme to vary the provisions of the <i>Residential Design Codes</i> or Scheme;</p>	<p>the <i>Heritage of Western Australia Act 1990</i> section 29;</p>
--	--

5. REVIEW POSITION AND DATE

This policy was adopted on XXXXX.

This policy may be suitable for review every five years.

6. ASSOCIATED DOCUMENTS

1. *Planning and Development (Local Planning Schemes) Regulations 2015*
2. *Local Planning Scheme No. 1*
3. *Local Planning Policy Manual*
 - *South Lockyer Structure Plan*
 - *Little Grove Structure Plan*

- *Structure Plan – McKail – Boundary, Le Grande and Flemington*
- *Outline Development Plan – Big Grove*
- *Outline Development Plan – Catalina*
- *Bayonet Head Interim Outline Development Plan*
- *Brooks Garden Outline Development Plan*
- *Lots 1, 2 & 3 South Coast Highway, Mckail Structure Plan*
- *Outline Development Plan – Morgan Place*

7. DEFINITIONS

R-Codes means the *Residential Design Codes* prepared by the Western Australian Planning Commission under section 26 of the *Planning and Development Act 2005*, as amended from time to time.

8. POLICY PROVISION

Development approval of the local government is not required for the erection or extension of a single house, ancillary dwelling, outbuilding, external fixture, external fixture, boundary wall or fence, patio, pergola, veranda, garage, carport or swimming pool, in the 'Future Urban' zone, where an R-Code has been specified by an endorsed structure plan and the development satisfies the deemed-to-comply requirements of the R-Codes.

Document Approval			
Document Development Officer:		Document Owner:	
Senior Planning Officer – Strategic Planning Planning Officer		Executive Director Planning and Development	
Document Control			
File Number - Document Type:	CM.STD.7 – Policy		
Synergy Reference Number:	XXXXXXX		
Meta Data: Key Search Terms	Local Planning; Policy; Development Approval; Not Required		
Status of Document:	Draft		
Document file details:	Location of Document: N:		
Quality Assurance:	Executive Management Team; Planning and Development Committee; Council		
Distribution:	Public Document		
Document Revision History			
Version	Author	Version Description	Date Completed
Draft V0.1	Senior Planning Officer – Strategic Planning Planning Officer	Initial draft for consultation	19/02/2016



Planning & Development Services

City of Albany Policy

SOUTH LOCKYER STRUCTURE PLAN

SOUTH LOCKYER STRUCTURE PLAN

Objective:

The objectives of the SLSP area have arisen from the opportunities and constraints analysis found within the South Lockyer Structure Plan. The objectives of the plan are to:

- 1) support development and subdivision that provides for housing within the environmental parameters and character of the site and locality;***
- 2) To support a range of commercial uses in a 'Mixed Use Site' as a means to provide employment opportunities and local community support services;***
- 3) To respond to the natural constraints including the steep topography, the natural vegetation and the waterways, wetlands and cleared seepage areas;***
- 4) To provide safe and convenient vehicle and pedestrian access;***
- 5) To provide a stormwater system that minimises risk to public health and amenity; protects the built environment from flooding and water logging; protects existing waterways and wetlands and is economically viable in the long term; and***
- 6) To provide incidental open space, readily accessible to all residents and recreational open space in large units suitable for active leisure pursuits.***

Scope

This policy applies to all that land identified in the South Lockyer Structure Plan identified in Figure 15 attached. Development provisions discussed within the Structure Plan have been listed within this Policy to give them statutory effect.

Policy Statement

General

At the time of subdivision and/or development Council may request the submission of a detailed area plan to be adopted under the Scheme, as a Local Planning Policy, to define the positioning of building envelopes, vegetation protection and rehabilitation areas, visual amenity protection areas, fencing, vehicle access points and private open space.

In addition to requirement above, Council may request the submission of a wider subdivision concept plan, which is to be referred to the landowners affected, to be satisfied that the proposed subdivision/development will not adversely affect the subdivision and development of adjacent land parcels.

Land Use

Council will not support the following discretionary uses within the existing Industry zone in the Structure Plan Area, as these are not compatible with adjacent residential land uses: Car wrecking; General Industry; Hazardous Industry; Port Facilities; Stockyards; and Transport Depot.

Council will initiate appropriate changes to the Town Planning Scheme to allow for additional uses compatible with adjacent residential uses to be permissible within this identified 'Mixed Use' area.

The areas illustrated as 'Residential' on Figure 15 'Structure Plan', are to be developed for residential living purposes. Community services may be supported within these areas subject to complying with principles detailed in the Western Australian Liveable Neighbourhoods document.

The lots at Mai Street located within the 'Original Wetland' area are susceptible to water inundation. Prior to supporting development on the lots, Council will require management plans and the implementation thereof for acid sulphate soils and water inundation.

Density

Council will support areas being developed or subdivided into lot sizes in accordance with the residential densities shown on Figure 15. In areas where the R20 density is applicable, a 300m² minimum lot size will be supported subject to an average of one lot or dwelling unit per 500m² being met.

Variation to the R40 density may be supported by Council in the applicable areas shown on Figure 15. This support is subject to compliance with the objectives of this Structure Plan; incorporation of innovative design; and in accordance with relevant provisions of the Western Australian Planning Commission's 'Liveable Neighbourhoods' document.

Note: The minimum lot size of 300m² is considered large enough (depending of topography) to accommodate a residential dwelling, storage space, car parking, solar access and private open space.

Smaller lots (smaller than the min residential R20) at an average of 500m² helps to provide economic and environmental viability (eg the same amount (to R20 coding) of lots can potentially be developed in an area susceptible to environmental constraints).

Access

Direct vehicle access onto the 'Main Link' and Hanrahan Roads may be restricted at subdivision and development stages.

A dual use path is to be constructed on one side of the 'Main Link' road.

Cuming Road is to be closed at a future date once access can be obtained from the 'Main Link' road.

Drainage

Stormwater management systems shall be designed in accordance with the objectives, principles and delivery approach outlined in the *Stormwater Management Manual for Western Australia* and in consultation with the DoW.

An Urban Water Management Plan (UWMP) shall be submitted with all subdivision and/or development applications.

All UWMP's submitted with subdivision and/or development applications shall be consistent with any Local Water Management Strategy or overall Water Management Plan applicable to the study area. prior to designing the UWMP, developers shall consult with the Department of Water (DOW), City of Albany and other relevant stakeholders.

As a means to manage nutrient inputs; design and development is required to retain the post development hydrology as close as possible to the pre-development hydrology. Adequate field investigations shall be undertaken to determine the appropriate hydrologic regime for the site.

Runoff from constructed impervious areas (e.g. roofs and paved areas) is to be retained or detained on site through the use of tanks, soak wells, pervious paving, vegetated swales and/or native gardens.

The creation of artificial lakes or permanent open water bodies and the dewatering of potential acid sulphate soils will not be supported.

Earthworks

Geotechnical surveys are required (especially in acid sulphate areas) to determine the capability of urban development.

For areas sloping greater than 1:10, the following shall apply:

- 1) the maximum height of a retaining wall on or within 4.0m of a property boundary is to be no higher than 2.0m, with a maximum change in the height of the natural ground level being limited to 1.0m.
- 2) Beyond 4.0m of the boundaries, retaining is to be no higher than 3.0m, with a maximum change in the height of the natural ground level being limited to 1.5m.
- 3) Where retaining is undertaken for the purpose of constructing a building, the external walls of the building shall be designed as retaining walls and therefore contain the soil created by the cutting and filling.
- 4) Where a proposed retaining wall is to be constructed on the outer boundary of the subdivision area, and it abuts an existing developed land parcel, the subdivider shall consult with the adjoining landowner to ensure the amenity of the neighbour's property is not compromised, that any drainage issues are resolved prior to the construction of the retaining wall and any overlooking of the neighbouring property is adequately addressed.

Buildings

Where limitations on cutting and filling produce a building located on a podium, the exposed underside of the building is to be screened utilising materials that compliment the remainder of the building and demonstrate connectivity of the building to the site.

Buildings on lots that front onto areas of open space are to be orientated to address the open space as a means to facilitate surveillance of the POS.

Buffers

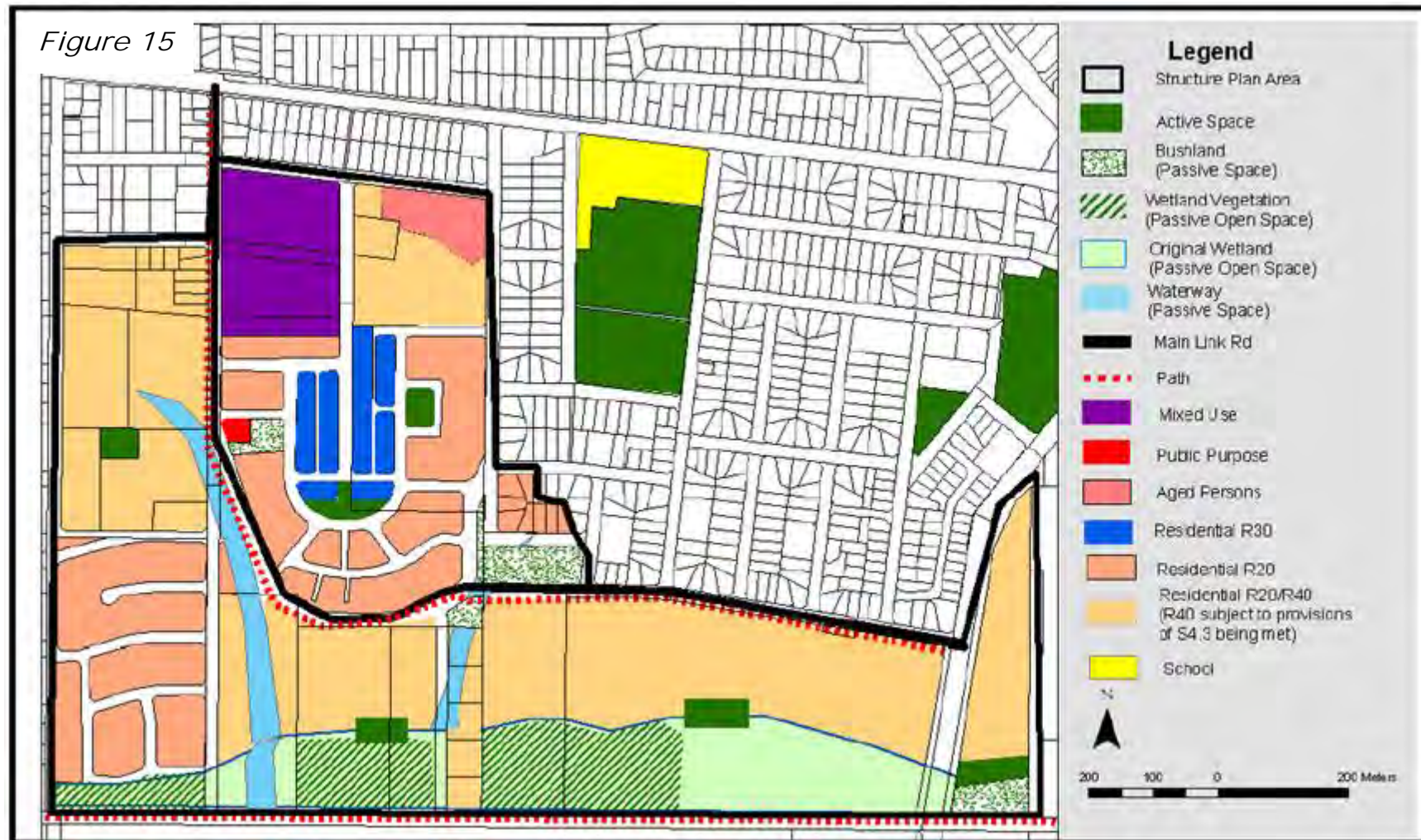
Appropriate measures (setbacks, brick wall or memorials on titles) are to be implemented at Lot 247 Cull Road to address any noise created by the industries located on Tate Street.

Appropriate setbacks are to be incorporated into subdivisional design and residential development adjacent to the 'Main Link' Road (Mueller and Cull Road).

Appropriate measures (setbacks, brick wall or memorials on titles) are to be implemented at Lot 236 Hanrahan Road to address any noise created by traffic on Hanrahan Road.

Appropriate measures are to be implemented in accordance with Environmental Protection Guidelines to address any discomfort that may occur as a result of the waste disposal site located east of Hanrahan Road.

Figure 15



Please tick one of the boxes below to identify your preferred option. Please return to the City of Albany by **Friday 18 December 2015** via email to atlantav@albany.wa.gov.au, in person at 102 North Road, Yakamia or using the enclosed reply paid envelope provided.

Landowner / resident name:.....

Lot / address details:.....

I am aware of the requirement to select a single name for the proposed road, now currently recorded as Cull Road (north-east section) and Mueller Street (south-west section), to be determined by a majority vote from all affected landowners.

My preference for the name is indicated below:

Road name options:

- ☐ **Cull Road** – believed to be named after the Cull family. The first settler from the Cull family, Matthew Cull, was verger (responsible for upkeep and other duties) of St John's Church of England (for 56 years) and also a foundation member and warden of the Albany branch of the Manchester Unity Lodge (for 54 years). Mr Cull worked on construction of the original Albany jetty while building his home on Middleton road, Matthew Cull's House, now an A+ heritage listed building.
- ☐ **Mueller Street** – named after Ferdinand von Mueller, a renowned botanist employed by the Government of Victoria in the late 1800's. He sought out the assistance of amateur collectors, encouraging women, children and Indigenous Australians to collect and submit specimens at a time where this was an otherwise male dominated pursuit. 225 female botanical collectors have been documented as contributing to his collection.
- ☐ **Gilbert Drive** – new proposed road name. Named after naturalist John Gilbert who was engaged as chief collector on the Gould expedition to Australia in 1838. In February 1839 he was sent to the Swan River settlement, where for eleven months he worked industriously collecting birds and mammals, meanwhile making notes on their habits and native names. Gilbert collected specimens of 432 birds, including 36 new species from Western Australia, and 318 mammals, including 22 species not previously known in the west. The Gilbert's potoroo (*Potorous gilberti*) was first discovered in 1840 by John Gilbert and recorded again only a few times over the next 40 years. This small rat-kangaroo was thought to be extinct since the late 1870s until rediscovered in 1994 at Two Peoples Bay near Albany, on the South Coast of Western Australia.

Additional Comments:

.....

.....

.....

.....

.....

.....

.....

Signed:

Date: