



ATTACHMENTS

Planning and Development Committee Meeting

04 May2016

6.00pm

City of Albany Council Chambers

PLANNING AND DEVELOPMENT COMMITTEE
ATTACHMENTS –04/05/2016

TABLE OF CONTENTS

Attachment	Report No.	Description	Page No.
A		Planning & Development Committee	
A	PD124	RESIDENTIAL BUILDINGS (STUDENT HOUSING) – 28-30 STIRLING TERRACE, ALBANY	1
A	PD125	CONSIDERATION OF SCHEME AMENDMENT AND ACTIVITY CENTRE STRUCTURE PLAN – LOT 8888 FLINDERS PARADE AND LOTS 660 AND 661 MARINE TERRACE, MIDDLETON BEACH	38

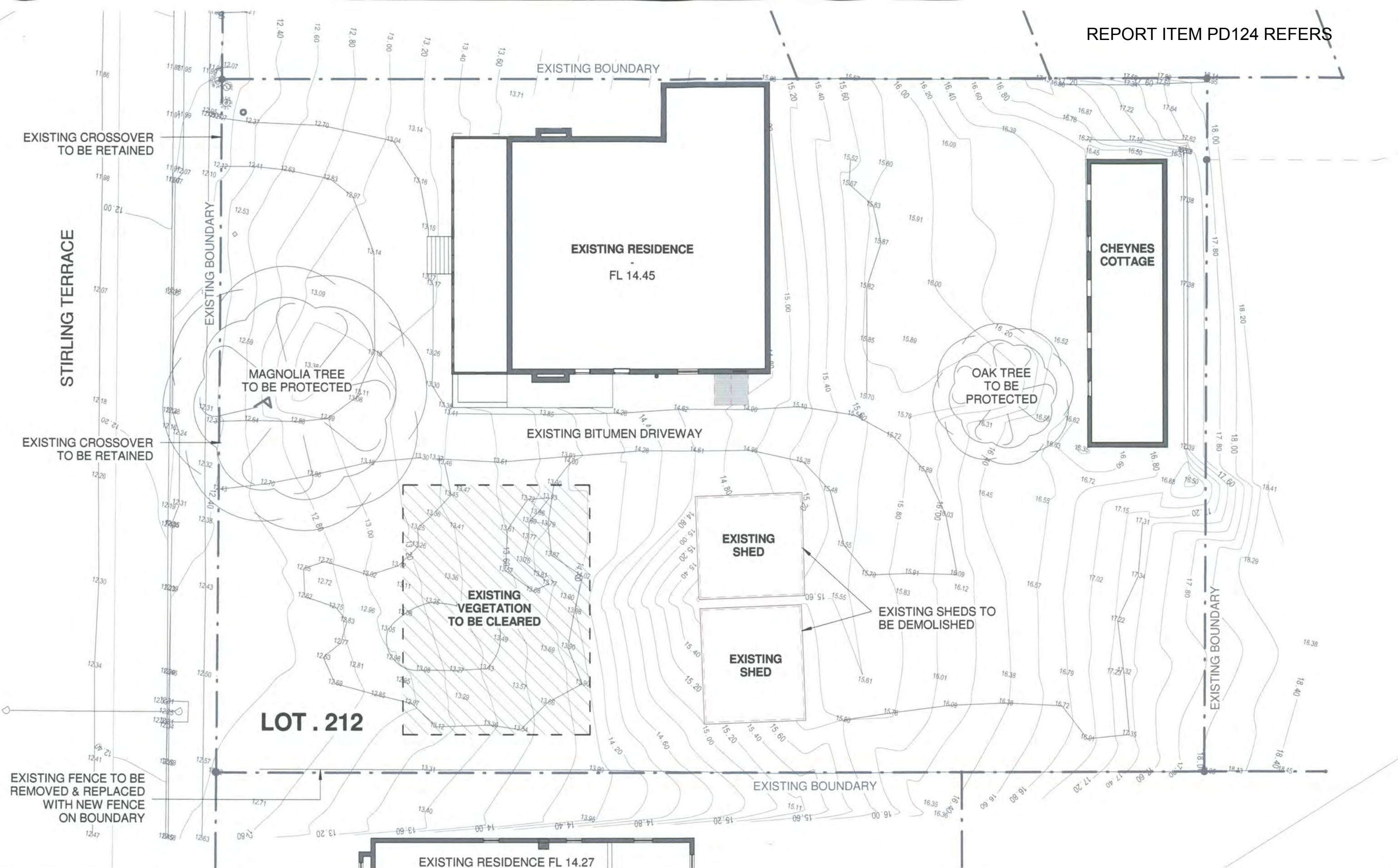


This map has been produced by the City of Albany using data from a range of agencies. The City bears no responsibility for the accuracy of this information and accepts no liability for its use by other parties. Reproduced by permission of Western Australian Land Information Authority, Copyright Licence SLIP 618-2015-1. www.landgate.wa.gov.au

13/04/2016

1:1250





Norman House

PROPOSED STUDENT ACCOMMODATION

Stirling Terrace Albany
Great Southern Community Housing

DRAWING No
DRAWING
SCALE
JOB NUMBER
DATE
DRAWN

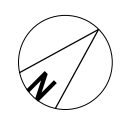
SK1_A
EXISTING SITE PLAN SHOWING PROPOSED DEMOLITION
1 : 200@A3
7223-15
16.09.2015
PG

H+H architects

58 SERPENTINE RD, ALBANY WA 6330
PO BOX 5427, ALBANY WA 6332
ADMIN@HHARCHITECTS.COM.AU
WWW.HHARCHITECTS.COM.AU
08 9842 5558

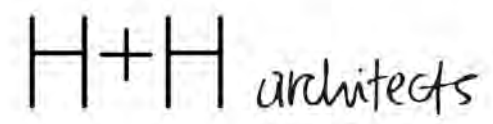


REPORT ITEM PD124 REFERS



Norman House
 PROPOSED STUDENT ACCOMMODATION
 Stirling Terrace Albany
 Great Southern Community Housing

DRAWING No **SK2.3_A**
 DRAWING **SITE PLAN SOLAR ACCESS**
 SCALE 1 : 200@A3
 JOB NUMBER 7223-15
 DATE 16.09.2015
 DRAWN PG



58 SERPENTINE RD, ALBANY WA 6330
 PO BOX 5427, ALBANY WA 6332
 ADMIN@HHARCHITECTS.COM.AU
 WWW.HHARCHITECTS.COM.AU
 08 9842 5558

EXISTING CROSSOVER TO BE RETAINED

DRIVEWAY 6000

REPORT ITEM PD124 REFERS

PARKING CALCULATION:

No. OF BEDS ON SITE = 26 BEDS
 No. OF PARKING BAYS PROVIDED = 15 BAYS
 VISITOR BAYS: 1 PER 4 BAYS = 7 BAYS
 SHORTFALL OF BAYS = 18 BAYS

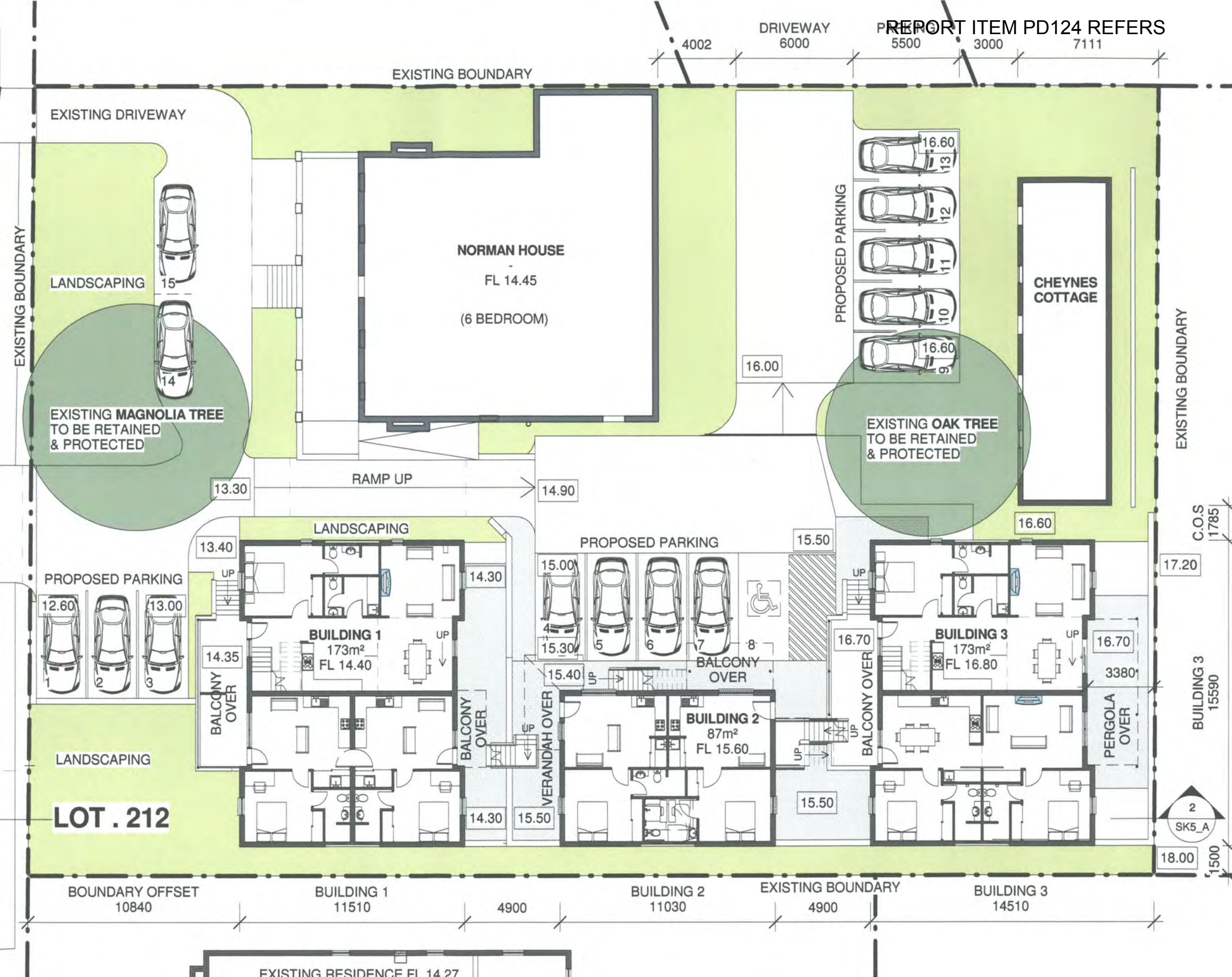
BUILDING AREAS:

BUILDING AREAS EXISTING:
 - NORMAN HOUSE APPROX: 278m²
 - CHEYNES COTTAGE APPROX: 79m²

BUILDING AREAS PROPOSED:
 - BUILDING 1: 174m²
 - BUILDING 2: 87m²
 - BUILDING 3: 174m²

BUILDING AREA TOTAL: 792m²

SITE AREA: 2329m²



EXISTING CROSSOVER TO BE UPGRADED TO LOCAL AUTHORITY REQUIREMENTS

STIRLING TERRACE

LOT . 212

Norman House
 PROPOSED STUDENT ACCOMMODATION
 Stirling Terrace Albany
 Great Southern Community Housing

DRAWING No SK2.1_A
 DRAWING SCALE PROPOSED SITE PLAN_GFL
 JOB NUMBER 1 : 200 @ A3
 DATE 7223-15
 DRAWN 16.09.2015
 PG

H+H architects

58 SERPENTINE RD, ALBANY WA 6330
 PO BOX 5427, ALBANY WA 6332
 ADMIN@HHARCHITECTS.COM.AU
 WWW.HHARCHITECTS.COM.AU
 08 9842 5558

STIRLING TERRACE

EXISTING BOUNDARY

EXISTING BOUNDARY

NORMAN HOUSE

CHEYNES COTTAGE

EXISTING MAGNOLIA TREE

EXISTING OAK TREE

LANDSCAPING

EXISTING BOUNDARY

LOT . 212



EXISTING BOUNDARY

EXISTING RESIDENCE

Norman House

PROPOSED STUDENT ACCOMMODATION

Stirling Terrace Albany
Great Southern Community Housing

DRAWING No
DRAWING
SCALE
JOB NUMBER
DATE
DRAWN

SK2.2_A
PROPOSED FIRST FLOOR PLAN_OVERVIEW
1 : 200 @ A3
7223-15
16.09.2015
PG

H+H architects

58 SERPENTINE RD, ALBANY WA 6330
PO BOX 5427, ALBANY WA 6332
ADMIN@HHARCHITECTS.COM.AU
WWW.HHARCHITECTS.COM.AU
08 9842 5558





1 STIRLING TERRACE STREET ELEVATION
1 : 100

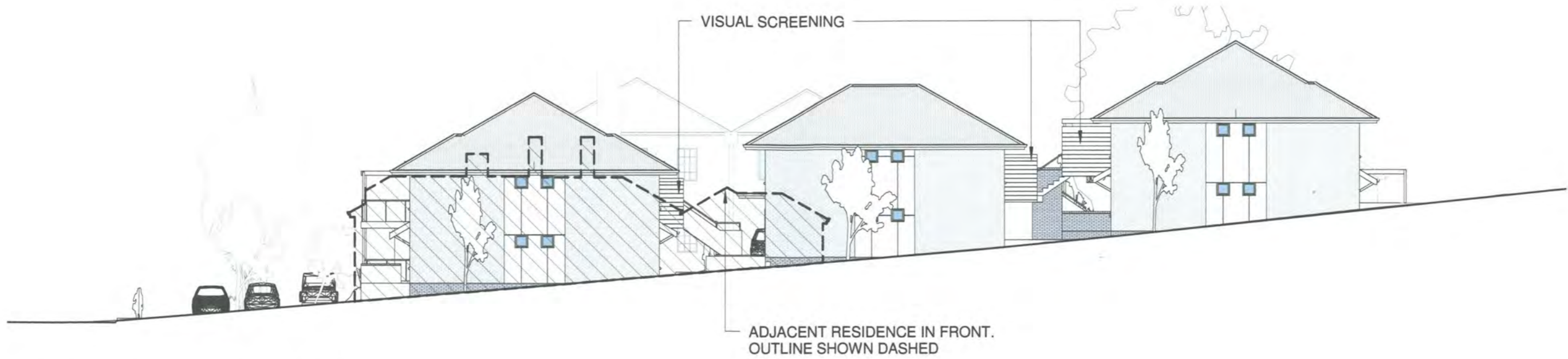


Norman House
 PROPOSED STUDENT ACCOMMODATION
 Stirling Terrace Albany
 Great Southern Community Housing

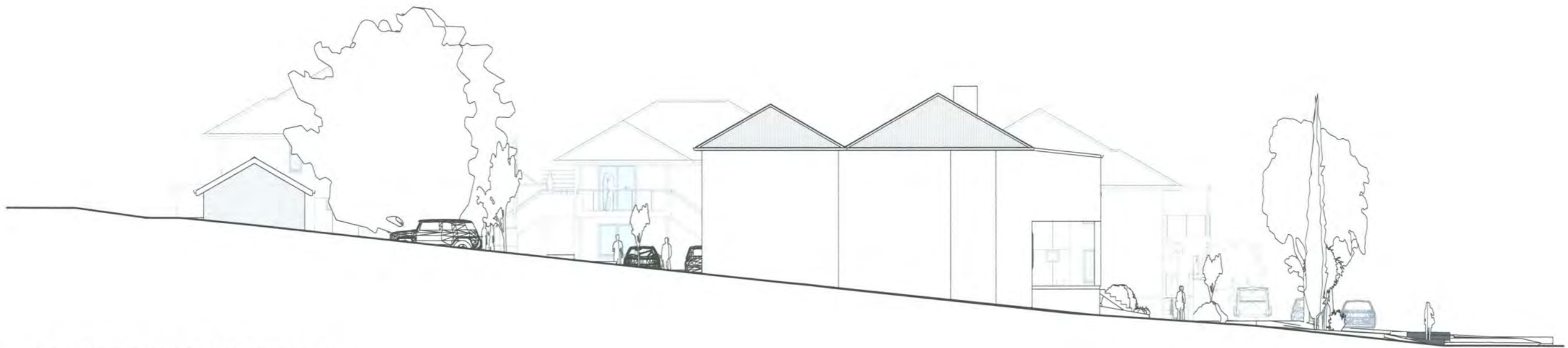
DRAWING No SK3_A
 DRAWING PROPOSED STREET ELEVATION
 SCALE As indicated
 JOB NUMBER 7223-15
 DATE 16.09.2015
 DRAWN PG

H+H architects

58 SERPENTINE RD, ALBANY WA 6330
 PO BOX 5427, ALBANY WA 6332
 ADMIN@HHARCHITECTS.COM.AU
 WWW.HHARCHITECTS.COM.AU
 08 9842 5558



1 EAST ELEVATION
1 : 200



2 WEST ELEVATION
1 : 200

Norman House

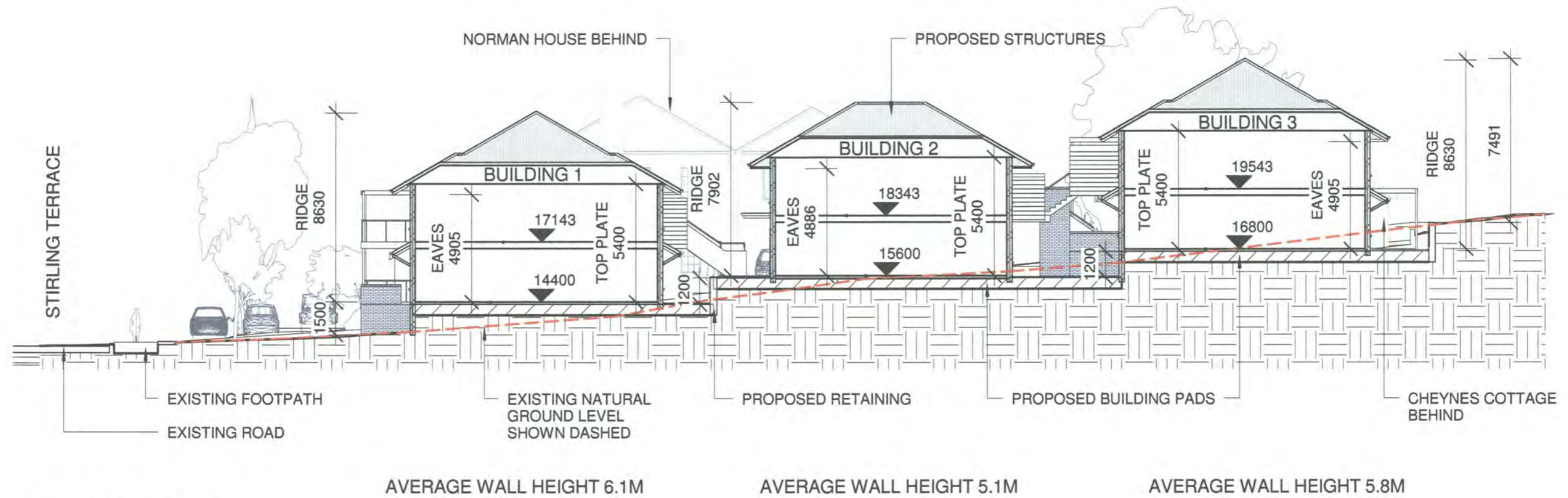
PROPOSED STUDENT ACCOMMODATION
Stirling Terrace Albany
Great Southern Community Housing

DRAWING No
DRAWING
SCALE
JOB NUMBER
DATE
DRAWN

SK4_A
SITE ELEVATIONS EAST & WEST BOUNDARY
1 : 200@A3
7223-15
16.09.2015
PG

H+H architects

58 SERPENTINE RD, ALBANY WA 6330
PO BOX 5427, ALBANY WA 6332
ADMIN@HHARCHITECTS.COM.AU
WWW.HHARCHITECTS.COM.AU
08 9842 5558



2 SECTION 1
1 : 200

Norman House

PROPOSED STUDENT ACCOMMODATION

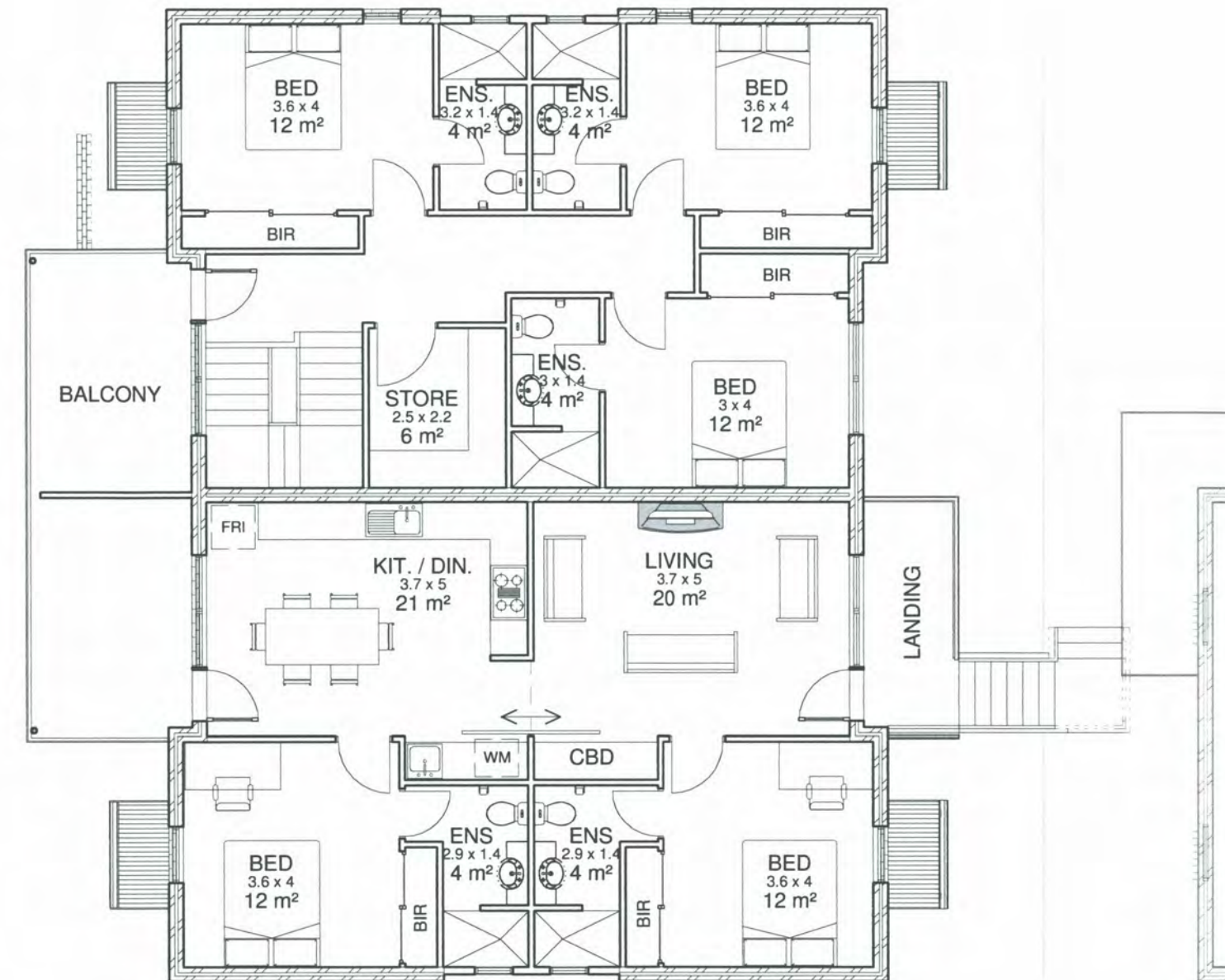
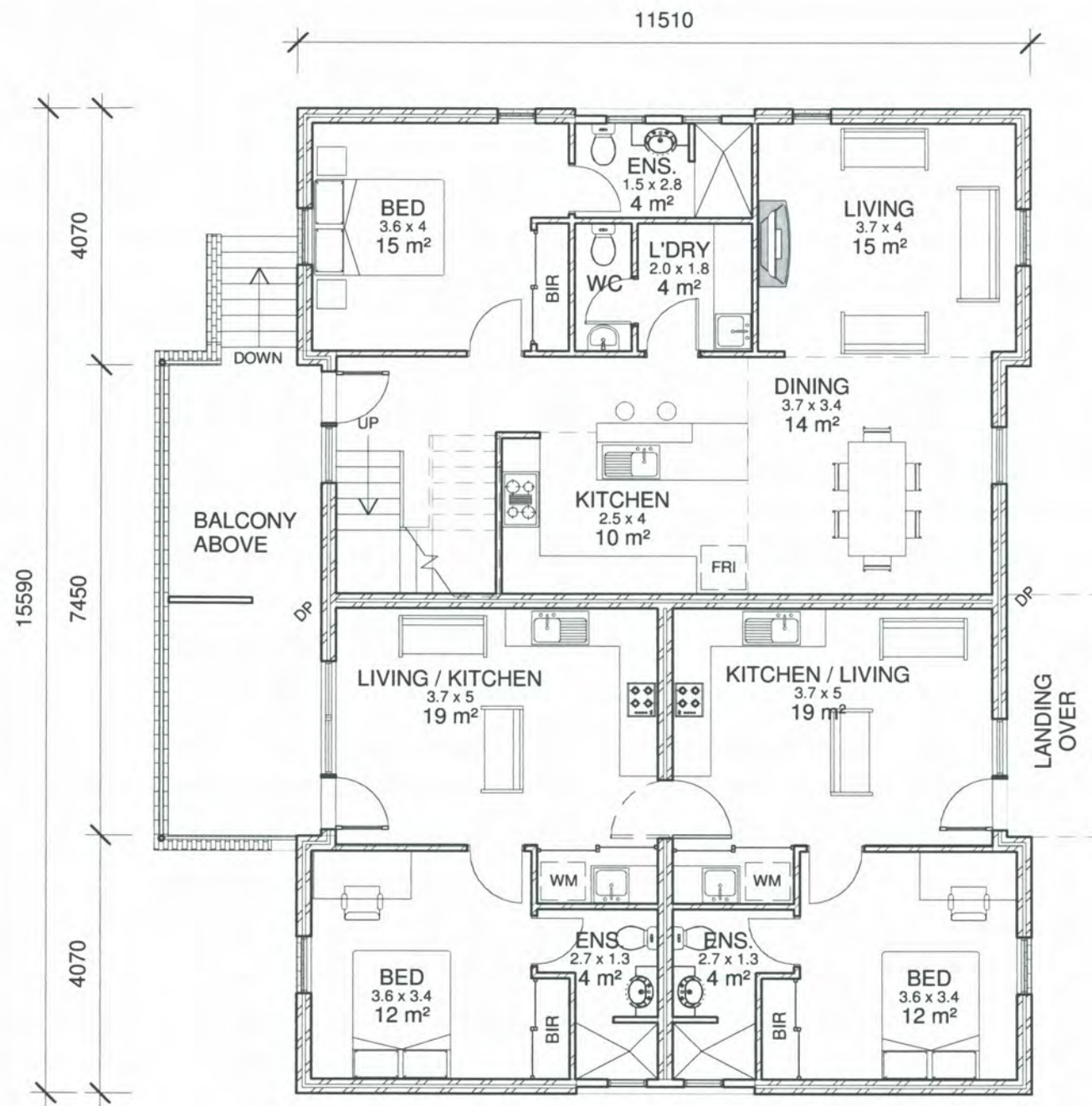
Stirling Terrace Albany
Great Southern Community Housing

DRAWING No
DRAWING
SCALE
JOB NUMBER
DATE
DRAWN

SK5_A
SITE SECTIONS
1 : 200@A3
7223-15
16.09.2015
PG

H+H architects

58 SERPENTINE RD, ALBANY WA 6330
PO BOX 5427, ALBANY WA 6332
ADMIN@HHARCHITECTS.COM.AU
WWW.HHARCHITECTS.COM.AU
08 9842 5558



1 GFL PLAN
1 : 100

2 FFL PLAN
1 : 100



Norman House

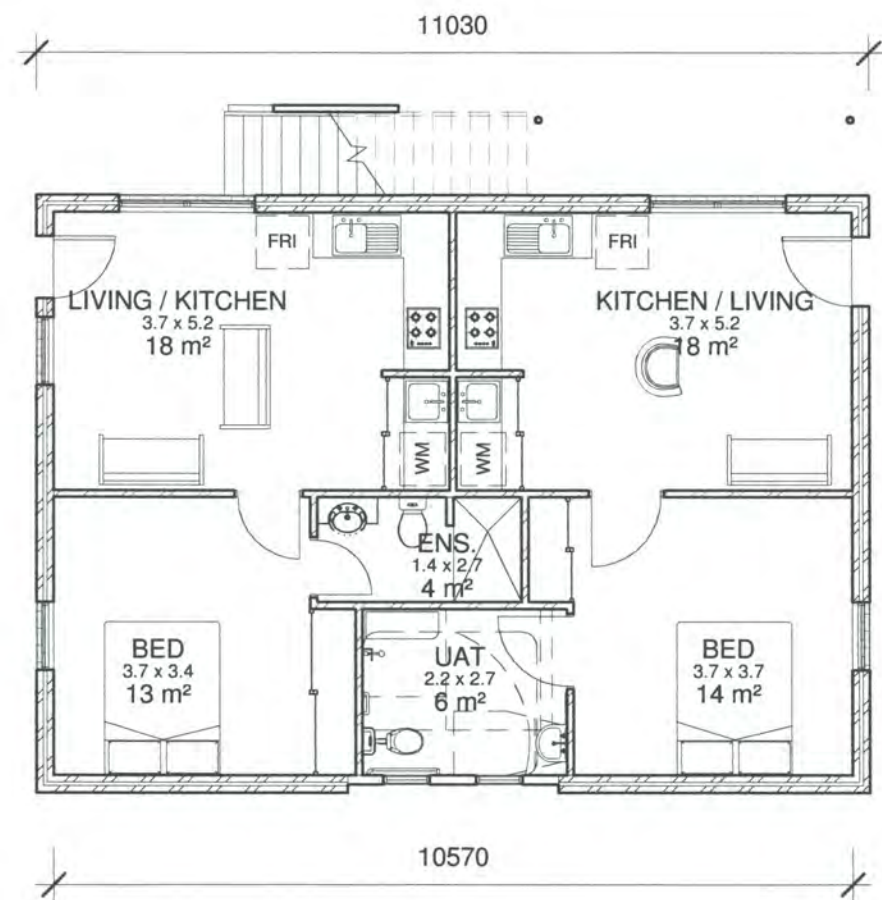
Stirling Terrace Albany
Uniting Church

DRAWING No SK7_A
DRAWING FLOOR PLANS
SCALE 1 : 100@ A3
JOB NUMBER 7223-15
DATE 14/12/2015 11:29:38 AM
DRAWN PG

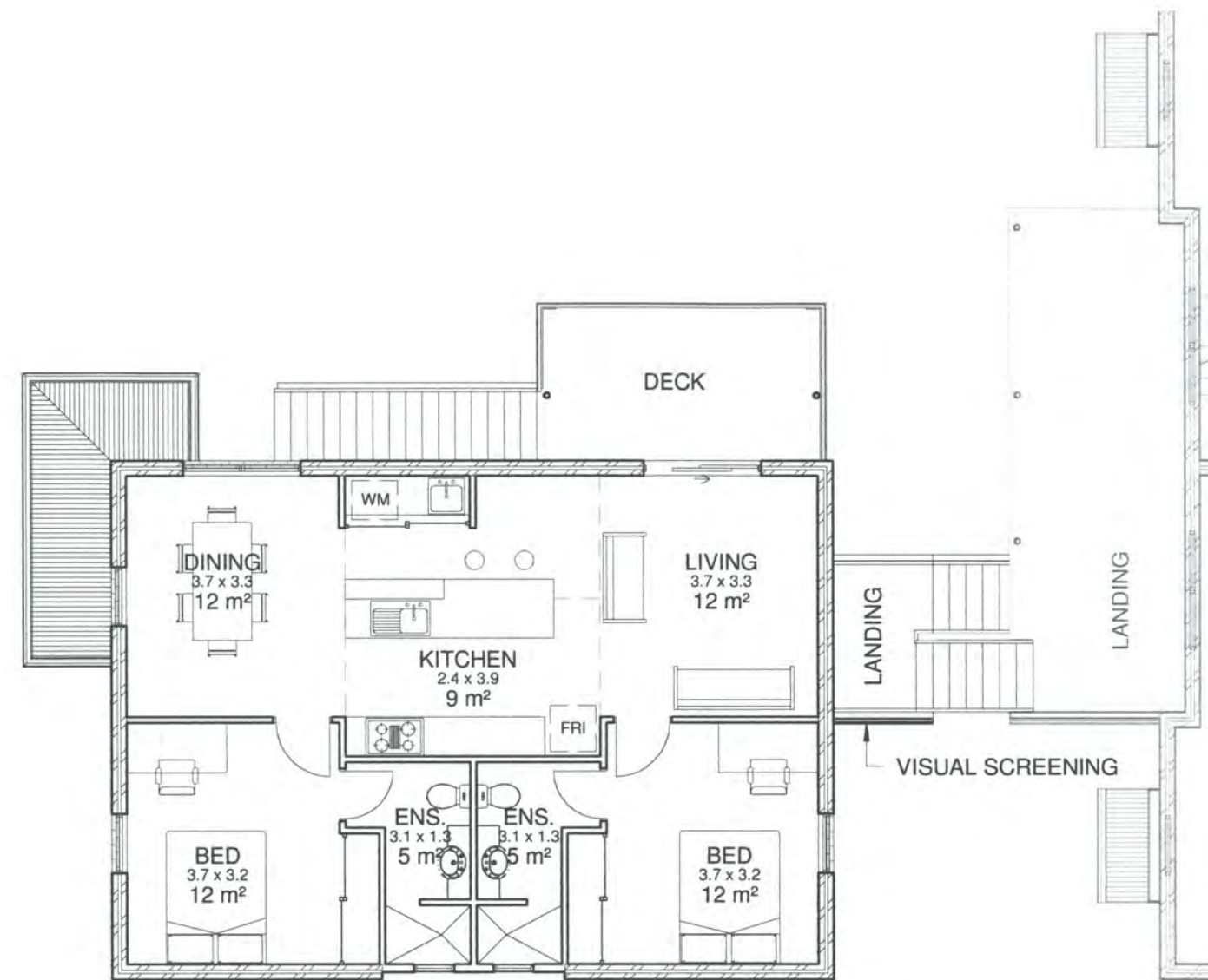
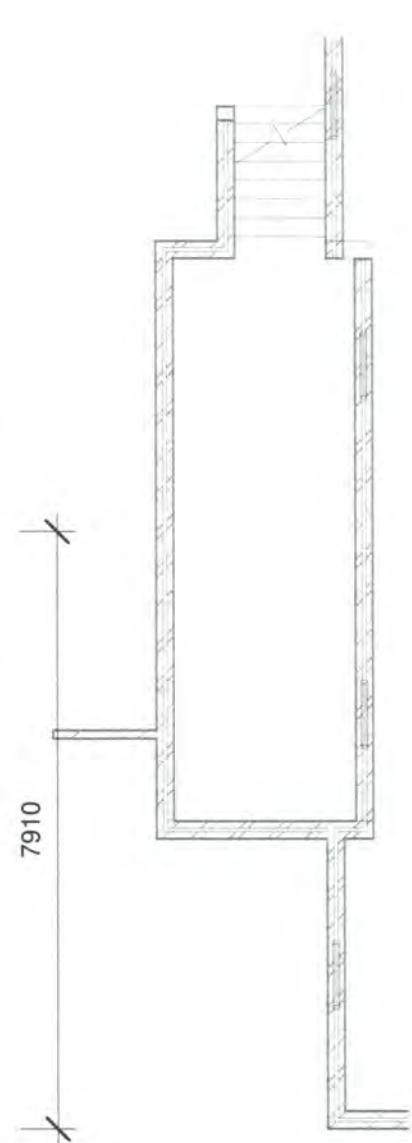
BUILDING 1

H+H architects

58 SERPENTINE RD, ALBANY WA 6330
PO BOX 5427, ALBANY WA 6332
ADMIN@HHARCHITECTS.COM.AU
WWW.HHARCHITECTS.COM.AU
08 9842 5558



1 GFL PLAN
1 : 100



2 FFL PLAN
1 : 100

Norman House

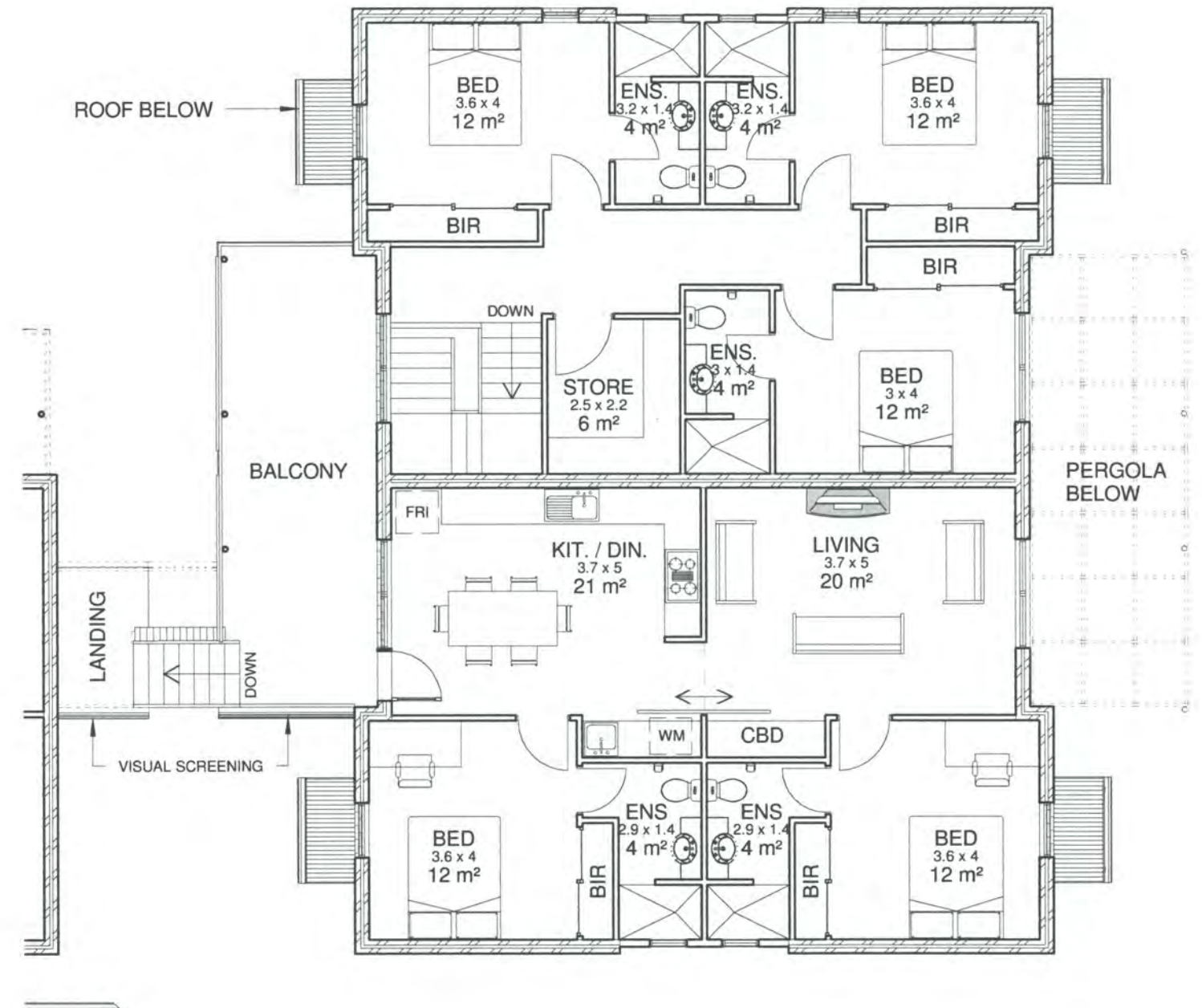
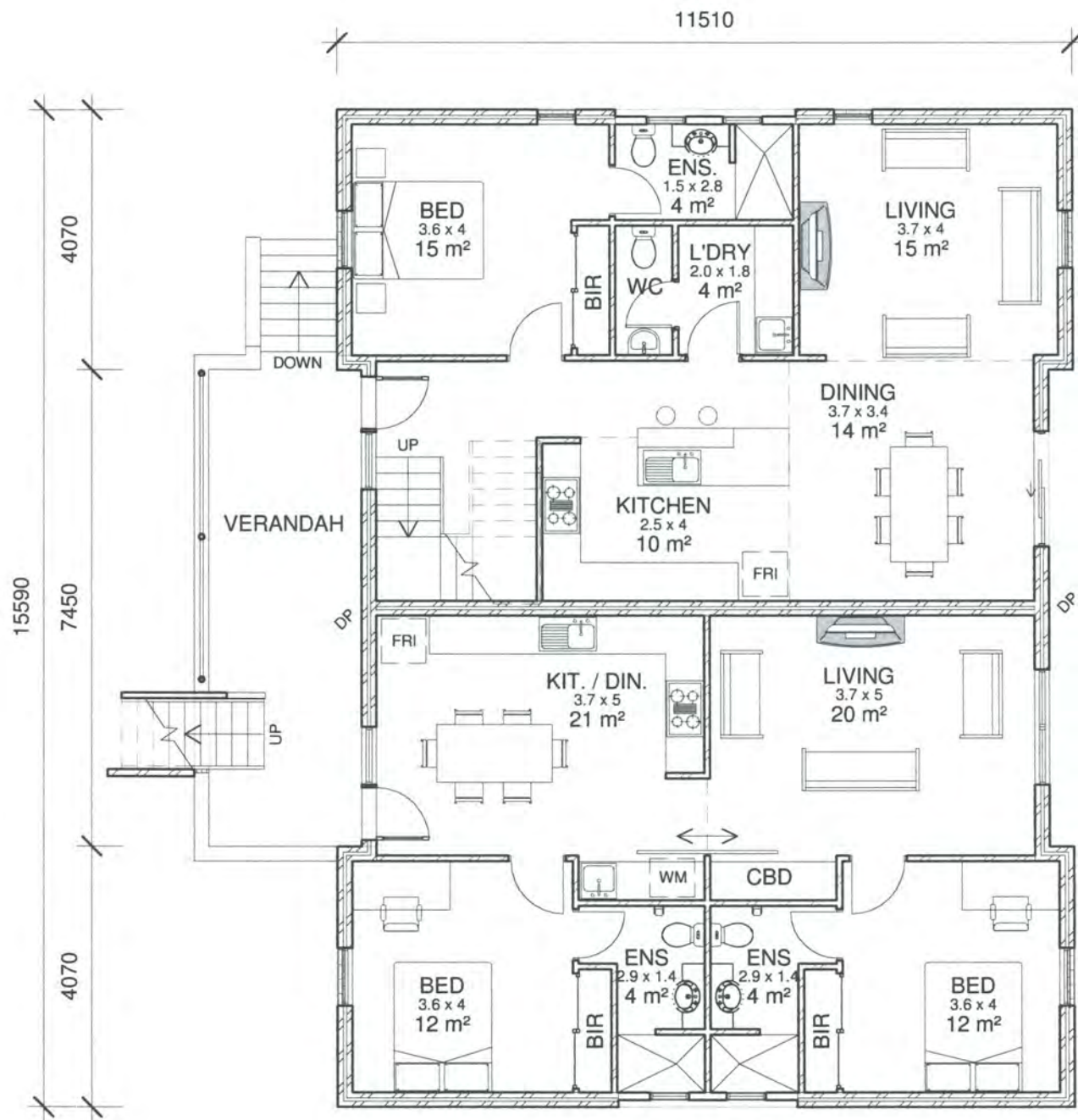
PROPOSED STUDENT ACCOMMODATION
Stirling Terrace Albany
Uniting Church

DRAWING No SK8_A
DRAWING GFL
SCALE 1 : 100@A3
JOB NUMBER 7223-15
DATE 16.09.2015
DRAWN PG

BUILDING 2

H+H architects

58 SERPENTINE RD, ALBANY WA 6330
PO BOX 5427, ALBANY WA 6332
ADMIN@HHARCHITECTS.COM.AU
WWW.HHARCHITECTS.COM.AU
08 9842 5558



1 GFL PLAN
1 : 100

2 FFL PLAN
1 : 100



Norman House
Stirling Terrace Albany
Uniting Church

DRAWING No SK9_A
DRAWING FLOOR PLANS
SCALE 1 : 100@A3
JOB NUMBER 7223-15
DATE 14/12/2015 11:31:29 AM
DRAWN PG

BUILDING 3

H+H architects

58 SERPENTINE RD, ALBANY WA 6330
PO BOX 5427, ALBANY WA 6332
ADMIN@HHARCHITECTS.COM.AU
WWW.HHARCHITECTS.COM.AU
08 9842 5558



1 NORTH ELEVATION
1 : 100



2 SOUTH ELEVATION (STREET ELEVATION)
1 : 100

Norman House

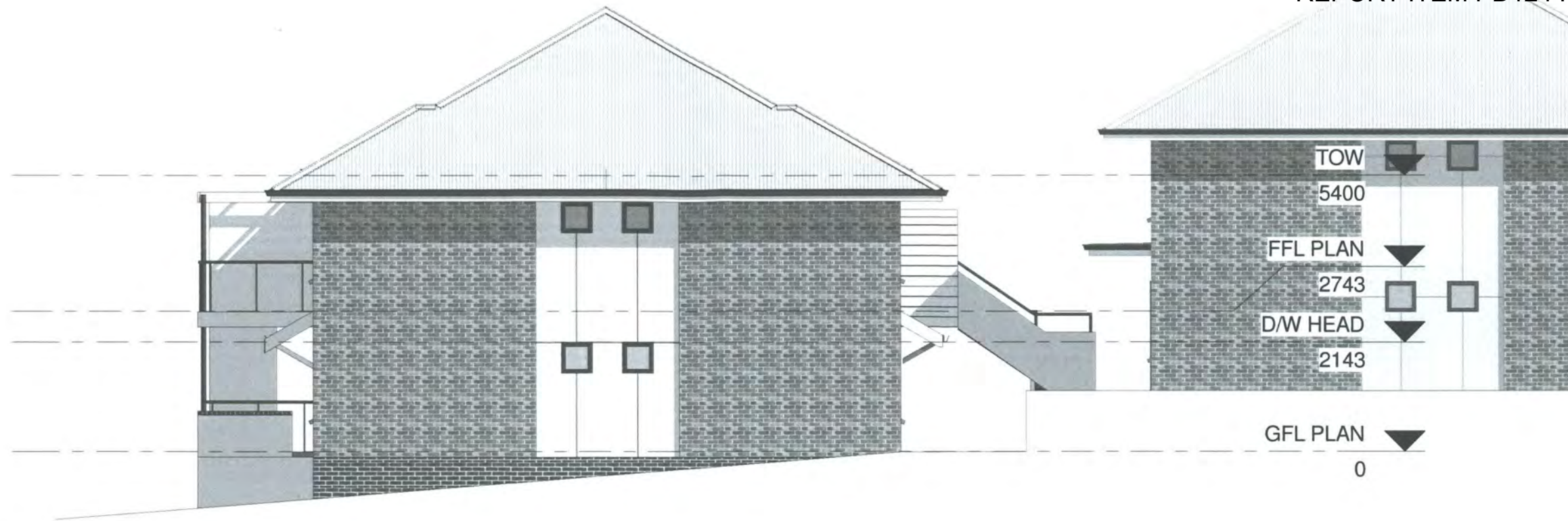
Stirling Terrace Albany
Uniting Church

DRAWING No SK10_A
DRAWING ELEVATIONS N-S
SCALE 1 : 100@A3
JOB NUMBER 7223-15
DATE 14/12/2015 3:46:59 PM
DRAWN PG

BUILDING 1

H+H architects

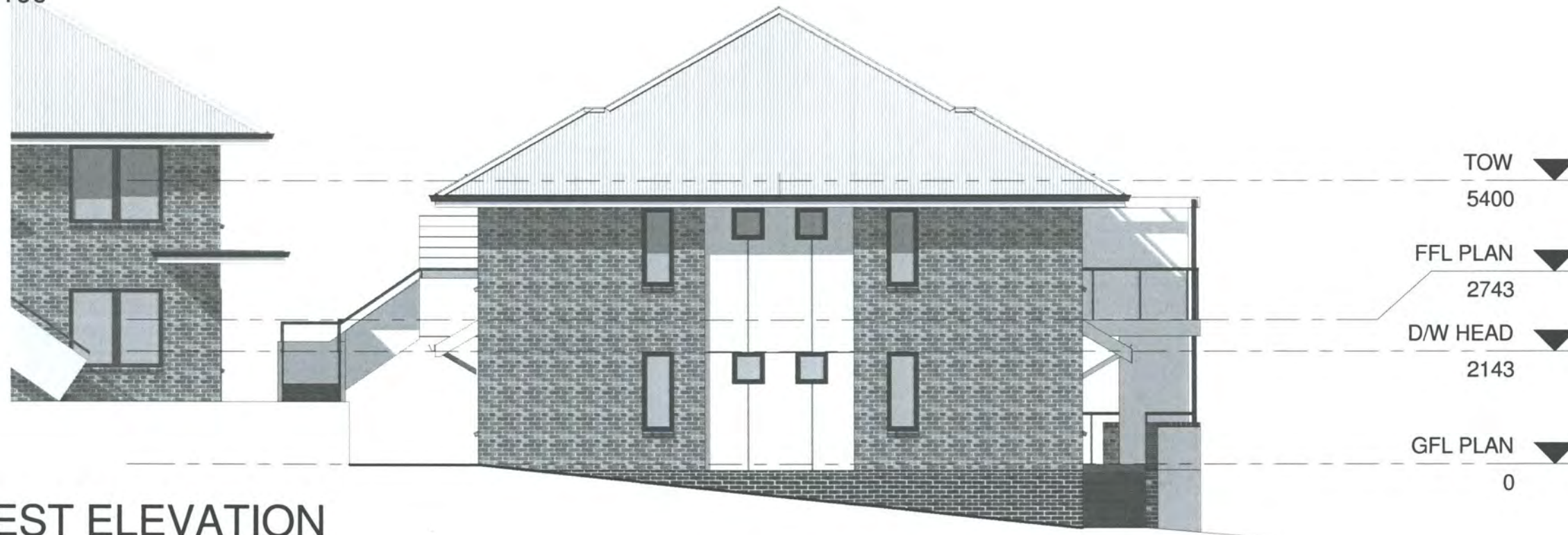
58 SERPENTINE RD, ALBANY WA 6330
PO BOX 5427, ALBANY WA 6332
ADMIN@HHARCHITECTS.COM.AU
WWW.HHARCHITECTS.COM.AU
08 9842 5558



EAST ELEVATION

2

1 : 100



WEST ELEVATION

1

1 : 100

Norman House

Stirling Terrace Albany
Uniting Church

DRAWING No SK11_A
DRAWING ELEVATIONS E-W
SCALE 1 : 100@A3
JOB NUMBER 7223-15
DATE 14/12/2015 3:47:26 PM
DRAWN PG

BUILDING 1

H+H architects

58 SERPENTINE RD, ALBANY WA 6330
PO BOX 5427, ALBANY WA 6332
ADMIN@HHARCHITECTS.COM.AU
WWW.HHARCHITECTS.COM.AU
08 9842 5558



1 NORTH ELEVATION
1 : 100



2 SOUTH ELEVATION
1 : 100

Norman House

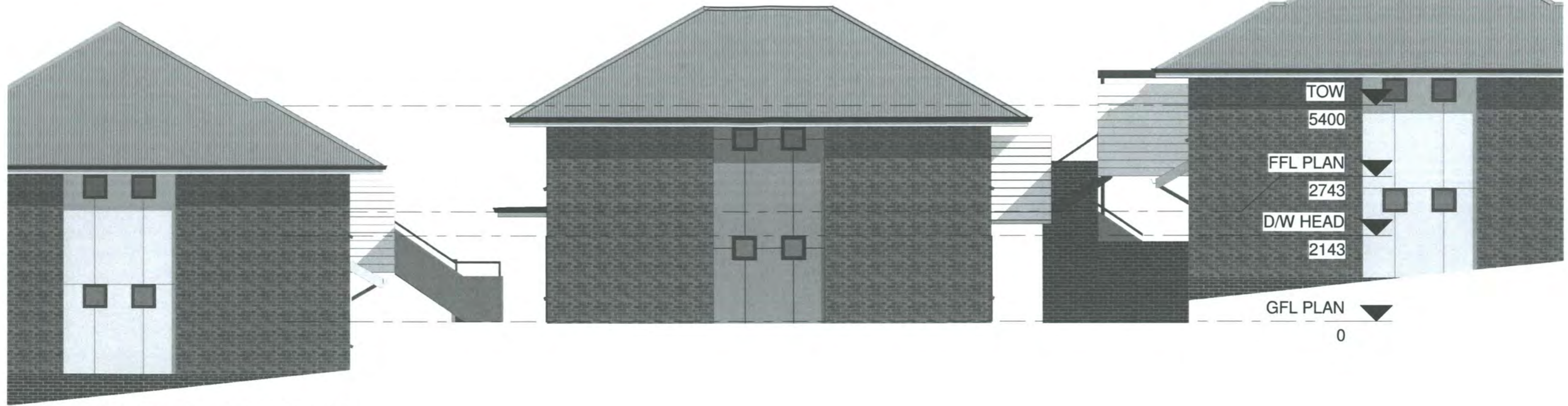
PROPOSED STUDENT ACCOMMODATION
Stirling Terrace Albany
Uniting Church

DRAWING No SK12_A
DRAWING ELEVATIONS NORTH & SOUTH
SCALE 1 : 100@A3
JOB NUMBER 7223-15
DATE 16.09.2015
DRAWN PG

BUILDING 2

H+H architects

58 SERPENTINE RD, ALBANY WA 6330
PO BOX 5427, ALBANY WA 6332
ADMIN@HHARCHITECTS.COM.AU
WWW.HHARCHITECTS.COM.AU
08 9842 5558



2 EAST ELEVATION
1 : 100



1 WEST ELEVATION
1 : 100

Norman House

PROPOSED STUDENT ACCOMMODATION
Stirling Terrace Albany
Uniting Church

DRAWING No SK13_A
DRAWING ELEVATIONS EAST & WEST
SCALE 1 : 100@A3
JOB NUMBER 7223-15
DATE 16.09.2015
DRAWN PG

BUILDING 2

H+H architects

58 SERPENTINE RD, ALBANY WA 6330
PO BOX 5427, ALBANY WA 6332
ADMIN@HHARCHITECTS.COM.AU
WWW.HHARCHITECTS.COM.AU
08 9842 5558



1 NORTH ELEVATION
1 : 100



2 SOUTH ELEVATION
1 : 100

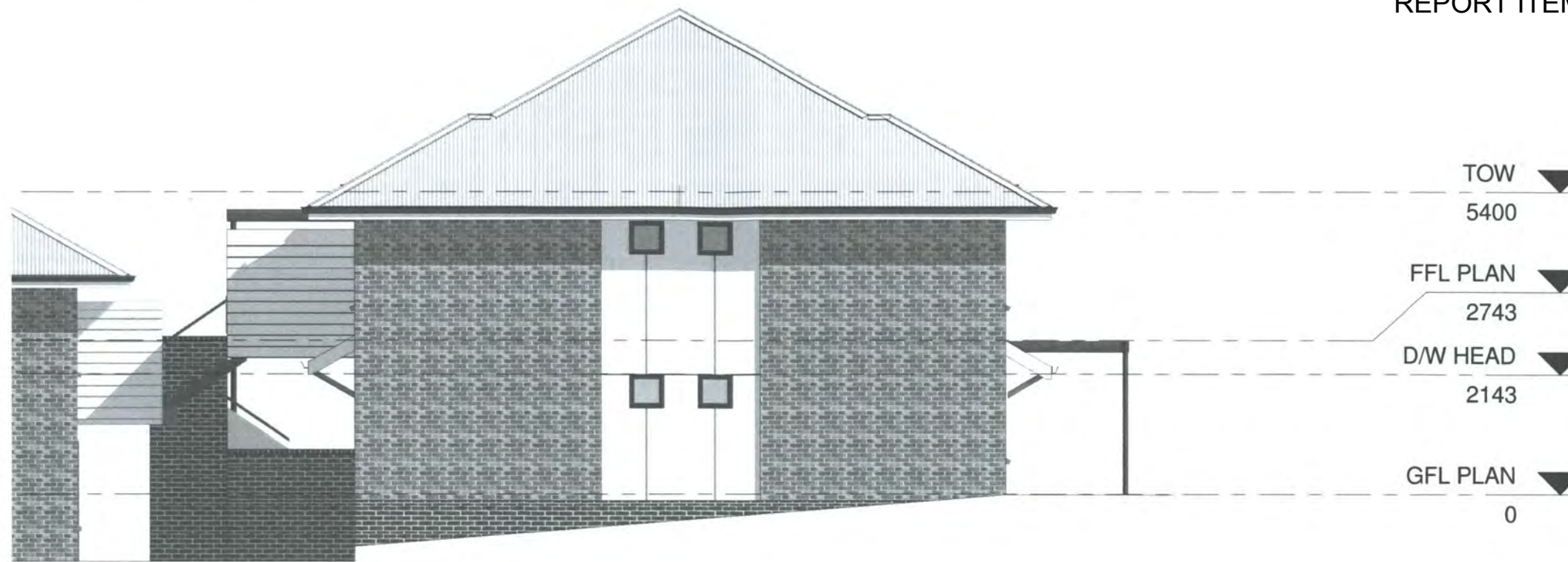
Norman House
Stirling Terrace Albany
Uniting Church

DRAWING No SK14_A
DRAWING ELEVATIONS N-S
SCALE 1 : 100@A3
JOB NUMBER 7223-15
DATE 14/12/2015 11:31:47 AM
DRAWN PG

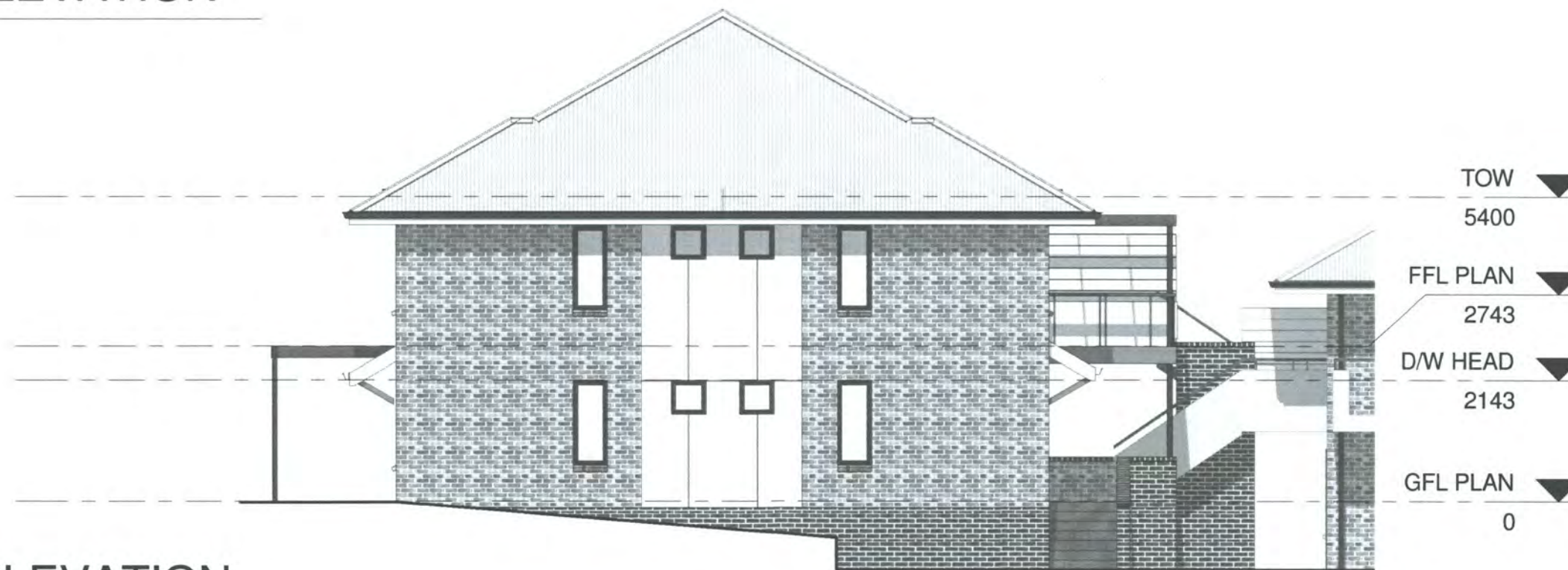
BUILDING 3

H+H architects

58 SERPENTINE RD, ALBANY WA 6330
PO BOX 5427, ALBANY WA 6332
ADMIN@HHARCHITECTS.COM.AU
WWW.HHARCHITECTS.COM.AU
08 9842 5558



2 EAST ELEVATION
1 : 100



1 WEST ELEVATION
1 : 100

Norman House

Stirling Terrace Albany
Uniting Church

DRAWING No SK15_A
DRAWING ELEVATIONS E-W
SCALE 1 : 100@A3
JOB NUMBER 7223-15
DATE 14/12/2015 11:32:12 AM
DRAWN PG

BUILDING 3

H+H architects

58 SERPENTINE RD, ALBANY WA 6330
PO BOX 5427, ALBANY WA 6332
ADMIN@HHARCHITECTS.COM.AU
WWW.HHARCHITECTS.COM.AU
08 9842 5558

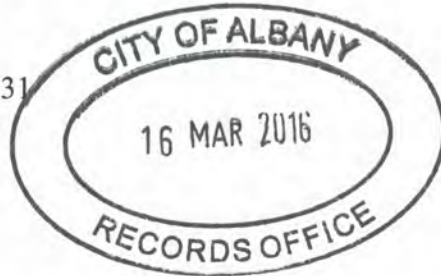


Great Southern
COMMUNITY
Housing Association

1/87 Aberdeen Street, Albany WA 6330
PO Box 5695, Albany WA 6332
Telephone: 9845 9697
Facsimile: 9842 8698
Email: admin@gscha.com.au

10 March 2016

Alex Bott
Senior Planning Officer
City of Albany
PO Box 484
ALBANY WA 6331



City of Albany Records
ICR16215586
le: A158499
ate: 16 MAR 2016
fficer: PLA:MPS:SPLAN3

tach:
ox:
ol:
ox+Vol:

Dear Alex,

Re: Development Application for Proposed 20 Unit Student Housing Facility at 28 - 30 Stirling Terrace, Albany WA

I am writing to provide information regarding the management by Great Southern Community Housing Association, of the proposed 20 unit Student Housing development. This is to ensure that tenancies are more stringently managed than general housing tenancies, and any potential issues are dealt with quickly and efficiently.

To this end, the following outlines the management arrangements:

- A full time Caretaker will be employed who will reside in the Caretakers flat on site
- House Rules have been developed and must be abided by at all times (see attached)
- All tenants will be on "License to Occupy" tenancy agreements (see attached)
- Weekly inspections are carried out on an ongoing basis, and monthly if the tenancy is going well with no problems
- Tenants will be evicted within 24 hours if any illegal activity is carried out on the premises and police will be notified
- Tenants will be evicted within 48 hours for causing a nuisance or anti-social behaviour
- Tenants will be evicted within 4 days for non-payment of rent
- There will be a mix of tenancies including different genders and ages, local, regional, metropolitan and international students with the aim of ensuring a sustainable tenancy mix.

I have personally had a number of years' experience managing the 170 unit Student Housing facility at the Edith Cowan University in Perth. Very few problems occurred there primarily due to careful screening and early intervention if issues arose. Generally, the majority of

students were respectful of others, complied with house rules, kept the facility clean and were primarily focused on working hard and obtaining good results in their disciplines.
Great Southern Community Housing Association has an excellent track record managing nearly 400 properties across the Great Southern. Incidents of evictions and rent arrears have been much lower than the sector standard.

If you require further information, please don't hesitate to contact me by phone on 9845-9605, or email kaz@gscha.com.au.

Yours Sincerely,

A handwritten signature in black ink, appearing to read 'Kaz Sternberg', written over a horizontal line.

Kaz Sternberg
CEO



House Rules for 28 Stirling Terrace, ALBANY WA 6330

We advise that the **House Rules** form an integral part of your **License to Occupy Agreement** for the above mentioned Property and that your Occupation at the Premises relies on your adherence to these Rules as detailed below:

We advise that if the following House Rules are broken it may result in an IMMEDIATE EVICTION.

1. **No physical violence or threats of violence is permitted anywhere on the Premises (Immediate eviction)**
2. **No illegal drugs, substances and paraphernalia are to be brought onto, consumed, sold, manufactured, supplied or used on the premises by the tenant or their guests. (Immediate eviction)**
3. **No Stealing or another Occupant's belongings or food. No theft or damage to GSCHA property or belongings. Occupants will be charged for the replacement or repair. (Immediate eviction)**
4. **No Criminal Activity, item or unlawful act permitted anywhere on the premises. (Immediate eviction)**
5. **No drunken, disorderly and/or intoxicated behaviour anywhere on the premises. (Immediate eviction)**
6. **No smoking inside the house.** Smoking is not permitted within 5 metres of any building. Cigarettes are to be extinguished and placed in external bins or receptors.
7. **No verbal abuse, racism, and/or intimidation including (but not limited to) sexual, racial, discriminatory or general harassment towards any person by an Occupant or their visitors will be tolerated.**
8. **No entering another Occupant's room without their permission.**



9. **No weapons or items capable of being used as weapons are permitted on your person or at the Premises.**
10. **No exchanging, sharing or passing on of keys to other residents, visitors or the General public.**

The Following is an overview of General House Rules – if these House Rules are broken a written warning is given by way of a Breach Notice.

Only one warning is given before a Termination notice is issued.

11. **Rooms and shared areas within the premises are to be kept in a clean, hygienic and tidy state at all times.** All areas to be cleaned after use (stoves, toilets, bathrooms, lounge room etc). No personal items are to be left in common areas.
12. No rubbish to be stored in cupboards or bedrooms. All rubbish must be disposed of regularly. Please follow instruction when disposing of Rubbish and or Recycling.
13. Any incidents, hazards, or damages are to be reported to Great Southern Community Housing immediately.
14. Occupants are responsible for their visitor and their visitor's behaviour. If an Occupant is not at the premises, their visitors are not permitted entry to, or to remain at the premises. No more than 4 visitors at a time. No guest under 18 is permitted at the premises unless prior approval is granted from GSCHA. There are to be no visitors before 10.00am or after 9.00pm on any given day.
15. No pets are allowed to be kept anywhere on the Premises.
16. Cooking and preparation of food is not permitted in rooms due to health regulations. Cooking and food preparation is to occur in the kitchen area only.



17. Noise levels are to be kept to a minimum so as to not disturb the peace of other occupants. Causing a nuisance to other Occupants/staff or contractors of GSCHA is NOT PERMITTED.
18. All rooms will be inspected once a week and residents are required to give access for this purpose. At inspections cupboards, fridges and bathrooms will be inspected. Please note if room refrigerators are approved for the Occupant's use it must be maintained at a clean and hygienic standard.
19. **Any return to the property by evicted ex-residents will be considered trespassing. Tenants may not allow them access to the property.**
20. No overnight guests are permitted without prior permission from GSCHA.
21. It is the Occupant's responsibility to inform Great Southern Community Housing of any changes to your circumstances as soon as practicable. Great Southern Community Housing requests that you also advise if you will be absent from the Premises overnight or longer.
22. Electrical appliances are not permitted in rooms without the prior consent of GSCHA. Televisions, radios, hair dryers and other electrical equipment if permitted are to be in good and safe working order. **No Candles, incense, oil burners and kerosene heaters are allowed.**
23. All Complaints in writing to Great Southern Community Housing



IN THE EVENT OF A FIRE

Raise the Alarm

1. If safe to do so ensure the immediate safety of anyone within the vicinity of the fire.
2. Raise the alarm by shouting 'Fire, Fire, Fire'.
3. Phone 000 to contact the Fire Brigade.
4. Evacuate the immediate area.

Fire fighting

5. If safe to do so and if trained in the use of fire equipment – attempt to extinguish the fire.
6. Choose the correct fire extinguisher. Do not use water or foam on an electrical fire.

Evacuate

7. Evacuate the building via the nearest Exit.
8. Walk quickly and calmly to the assembly area.
9. Close doors and windows as you exit - do not lock doors. Leave lights on.

I have read and understand the House Rules and the License to Occupy Agreement and agree to abide by them. I understand that the breaking of House Rules may lead to the termination of my accommodation.

Name of Applicant

Signature of Applicant

Signature of Housing Coordinator

Date



This **LICENSE TO OCCUPY** is made on the **26TH** day of **FEBRUARY**, 2016 between:

GREAT SOUTHERN COMMUNITY HOUSING ASSOCIATION (ABN 59 521 407 508) being the registered proprietor of the premises, 1/87 Aberdeen Street, Albany in the State of Western Australia

And

MIRANDA MAY RILEY of:

RM **SEVEN (7)**, 28 STIRLING TERRACE, ALBANY WA 6330, formerly of

20 ARDROSS CRESCENT, COLLINGWOOD PARK, ALBANY WA 6330

(" The Occupant")

1. LICENSE To OCCUPY:

Great Southern Community Housing Association and the Occupant acknowledge that this Agreement is a **LICENSE TO OCCUPY** and is not a Residential Tenancy and is therefore not subject to the Residential Tenancies ACT 1987 as amended.

2. LICENCE FEE:

The Occupant hereby agrees to pay the sum of \$ **320.00** ("the LICENCE FEE") per fortnight in respect of Room **SEVEN (7)**, at 28 STIRLING TERRACE, ALBANY WA 6330 ("the Premises") The License Fee is payable fortnightly two weeks in advance from the commencement of the License. Failure to pay the Licence Fee is a Breach of this License and may result in a Termination of this License. The License Fee includes access to and use of shared areas such as the Kitchen, Dining, Common Areas, Lounge and Laundry.

The License Fee is subject to review and may be increased by Great Southern Community Housing Association by way of **30 days** written notice to the Occupant. The Occupant acknowledges that:

- (a) The License Fee and method of calculation of the License Fee may be reviewed annually and / or if the Occupant's Income varies; and
- (b) The method of calculation of the License Fee as at the commencement date is **25%** of the Occupant's Income plus Commonwealth Rent Assistance ("CRA")
- (c) The Occupant is obliged to notify Great Southern Community Housing Association of any change to his/her Income, within 14 days of such change (ie Increase)



3. Utilities Fee:

The Occupant acknowledges and Agrees that a Utilities Fee of T (\$30.00) dollars ("the Utilities Fee") per fortnight will be charged in addition to the Licence Fee from the Commencement Date. The Utilities Fee is payable fortnightly in advance and is subject to bi-annual review. The Occupant acknowledges that notwithstanding payment of the Utilities Fee, excessive use or wastage of water, gas or electricity by the Occupant may result in additional charges being incurred and payable by the Occupant.

4. Deposit

The Occupant agrees to pay a deposit of \$640.00 such deposit to be paid in full prior to or on the date of Commencement of this Licence to Occupy Agreement. The Deposit will be refunded on Termination of the License as long as at the date of Termination there are:

1. No Arrear Licence Fees Outstanding
2. No Damages requiring Repair/Replacement of any items or Cleaning Costs or other Expenses occasioned by the Occupant
3. The Key for the Room has been Returned to Great Southern Community Housing

The Occupant is Acknowledges and Accepts that any Arrears of Costs associated with Repair or Replacement from Damage to the Room of Premises, will be deducted from the Deposit. Any Balance Deposit Monies Owing to the Occupant, upon vacating the Premises and after payment of any arrears or damages will be refunded as soon as is practicably possible to do so.

The Occupant acknowledges that as this is not a Residential Tenancy and therefore not subject to the Residential Tenancies Act, Great Southern Community Housing Association is not required to lodge the Deposit with the Bond Administrator.

The Occupant further Acknowledges and Agrees that if the Deposit is not sufficient to cover the costs of Cleaning, and Damage and Repairs to the Room or Premises by the Occupant, lost keys or any items supplied to the Occupant when the Occupant vacates, any debt that remains owing to Great Southern Community Housing Association will be pursued under GSCHA tenant Debt Policy and the necessary debt recovery action will be commenced, the costs of which will be Bourne by the Occupant.

5. Commencement Date and Term of Licence

This licence will commence on the 26TH day of FEBRUARY, 2016 ("the commencement date") and continue until the Licence is terminated by either party pursuant to the termination provisions in Clause 10 (whichever is the earlier) and **Subject TO:**



1. The Occupant successfully completing the Initial Trial period of Two Weeks which commences from the Commencement Date for the first Two Weeks of the Licence. The Occupant acknowledges that if any Breaches are issued by Great Southern Community Housing Association during the Trial Period, the License will not continue beyond that and the Occupant will be given Notice of the Termination of this License by Great Southern Community Housing Association. The Termination date will be 48 hours after the date of issue of the Termination Notice by Great Southern Community Housing Association, unless the Termination is for Violence, Threatening Behaviour, Possession or Use of Illegal Drugs or Criminal Activity.
2. The Occupant continuing to meet the Eligibility Criteria for Affordable Housing pursuant to Great Southern Community Housing Association Housing's Policies as may be updated from time to time.
3. All information provided in the Occupant's Application and during the Occupant's assessment interview being True and Correct. The Occupant Acknowledges and Agrees that any omission to disclose relevant information or any false disclosure of requested information can result in the Termination of the License, by Great Southern Community Housing Association.

6. House Rules

The Occupant Acknowledges and Agrees to abide by the **House Rules** which the Occupant has been supplied at the time of Signing this License to Occupy Agreement. Great Southern Community Housing Association reserves the right to review and amend the House Rules from time to time and the House Rules current at the time of an act or omission resulting in a Breach will be enforced. Great Southern Community Housing will issue a copy of any updated House Rules to the Occupant and the updated House Rules will take effect immediately from when they are issued.

7. Occupant's Responsibilities

The Occupant must:

- (a) Maintain the Room and Premises in a Reasonable state of cleanliness and in a Hygienic and Sanitary condition.
- (b) Notify Great Southern Community Housing of any Damage to the Room of Premises as soon as this occurs. Failure to report damage immediately may mean that the Occupant is Liable for the costs of repair.
- (c) Not attend any repairs to the Room or Premises without prior consent of Great Southern Community Housing Association.



- (d) Pay the cost of all repairs, resulting from damage caused by the Occupant or the Occupant's visitors, except those that result from reasonable fair wear and tear.
- (e) Not intentionally cause or permit damage to be caused to the Room or any part of the Premises.
- (f) The Occupant must not intentionally, negligently or recklessly cause or allow any other person to:
 - Cause Damage or Disrepair to the Room of any part of the Premises;
 - Threaten, abuse or cause injury to any employee or agent of Great Southern Community Housing Association including if appointed the onsite Caretaker: or
 - Any other person living and or working at the Premises
- (g) The Occupant Acknowledges and Agrees that the Occupant is responsible for the behaviour of any visitor or invitee of the Occupant to the Premises and that any unacceptable behaviour of an Occupants visitor may result in a Breach being issued to the Occupant and or the Termination of this License.

8. Use of the Room and the Premises

1. The Room shall be used solely as a dwelling for Residential purposes of the Occupant only and the Occupant shall not cause or permit the Premises to be used for any other purpose without prior written consent from Great Southern Community Housing Association.
2. The Occupant shall not use the Room or any part of the Premises or cause or Permit the Room or any part of the Premises to be used for any Illegal purpose or in a manner that is against the **House Rules** and Council Regulations and By-Laws and shall not cause or permit a Nuisance. The Occupant must comply with all statutes and Local Laws in force, from time to time, relating to the room and the Premises.
3. The Occupant must not store any illegal of dangerous item, compound or substance including weapons of any nature on or in the Occupant's Room or any part of the Premises.
4. The Occupant must not cause or permit an interference with the reasonable peace, comfort, safety and or privacy of another person who resides or works in the Premises or the immediate vicinity of the Premises. The Occupant acknowledges that nuisance or antisocial behaviour including drunken and disorderly conduct at anytime is a breach of this Licence and may result in Termination of this Licence.
5. The Occupant is only permitted to park the Occupant's Vehicle at the Premises if the Occupant is granted a separate parking licence by Great Southern Community Housing Association and abides by the signed Terms and Conditions therein.



9. Breaches:

The Occupant Acknowledges and Agrees that a Breach of any of the conditions contained in this Licence of which Great Southern Community Housing House Rules and any attached Annexures form part, can result in Termination. Breach and Termination circumstances and time frames are outlined below:

TYPE OF BREACH	TIME PERIOD TO REMEDY BREACH	RESULT IF BREACH IS NOT REMEDIED
Arrears or non-payment of Licence Fee or Utility Fee (issued after 3 days after non-payment)	4 Days	Termination and Eviction within 48 Hours
Any Illegal or Criminal Activity (Please note that any serious Illegal or Criminal Activity that includes violence, threatening behaviour or Illegal drugs or substances result in Immediate Termination and Eviction)	2 Days	Termination and Eviction within 48 Hours
Violence/Threatening Behaviour (Including possession of any Weapons)	NIL – No Violence or Threatening Behaviour will be Tolerated	Immediate Termination and Eviction
Possession or use of Illegal Drugs at the Premises	NIL – No use of Illegal Drugs will be Tolerated	Termination and Eviction within 48 Hours
Drunken and Disorderly Behaviour	NIL –	Termination and Eviction within 48 Hours
Nuisance / Antisocial Behaviour	24 Hours	Termination and Eviction within 48 Hours
Unsatisfactory Room Condition, poor hygiene and cleanliness standards	4 days	Termination and Eviction within 48 Hours
Breach of other Licence Condition or House Rules not referred to above	4 days	Termination and Eviction within 48 Hours

10. Termination:

- (a) Termination by an Occupant: The Occupant must give Great Southern Community Housing Association seven (7) days notice.
- (b) Notice of Termination by Great Southern Community Housing Association will be issued as follow:
 - (1) Violence and threatening behaviour – immediate termination and eviction.



- (2) Possession of Illegal drugs – Immediate Termination and Eviction.
- (3) Nuisance and Anti social behaviour – 24 hour notice of Termination.
- (4) Illegal or Criminal Activity (other than 1 & 2 above) – 2 days notice of Termination.
- (5) Arrear Licence Fee and Utility Fees, poor Room standards, Breach of House Rules – 4 days notice of Termination.

Please Note:

On Termination, the Occupant must vacate the Room and Premises within the Prescribed time frame and in accordance with the vacating provisions of this Licence.

11. Personal Belongings:

The Occupant acknowledges and understands that:

- (a) Any personal belongings left in the Room or at the Premises after the expiry of the Licence will be disposed of one week from the Termination date and the Occupant consents to this
- (b) Personal belongings and anything stored in the Room and/or the Premises by the Occupant are the Occupant’s responsibility and Great Southern Community Housing Association accepts no responsibility for lost, stolen or damaged personal belongings.

12. Maintenance and Repairs

The Occupant undertakes to notify Great Southern Community Housing Association of any maintenance or repairs required in or at the Room or Premises immediately and that any urgent or emergency repairs required after hours will be immediately reported by notifying the onsite caretaker or failing being able to contact the onsite caretaker, by contacting Great Southern Community Housing Association office details. Failure to report maintenance requirements or damage may result in the Occupant being held accountable / responsible for the costs of the damage.

The Occupant should not carry out any repairs himself/herself. The Occupant may be charged for any unauthorised repairs carried out by the Occupant of damage caused by the Occupant.

13. Inspections

It is a requirement of the Health Act that Rooms and Communal areas at the Premises will be inspected. The Inspections will be carried out weekly on a scheduled day to be advised by Great Southern Community Housing Association. Occupants will be given two (2) days notice of the Inspection date. Unsatisfactory Inspections may result in a Breach being issued for poor hygiene and or cleanliness standards.

The Occupant Agrees and Acknowledges that:

- (a) If the Occupant is not in his / her Room at the time and date of the scheduled Inspection, or does not answer to a knock on the door by Great Southern Community Housing

GREAT SOUTHERN COMMUNITY HOUSING
1/87 Aberdeen Street
ALBANY WA 6330

Occupant Signature: _____



- Association staff, staff will still access the Room to carry out and complete the Inspection even in the absence of the Occupant, utilizing GSCHA Housing's own key; and
- (b) Inspections include assessment of cupboards, fridges, bathrooms and bed linen.
 - (c) No notice is required to be given by Great Southern Community Housing Association to the Occupant when its staff or contractors inspect or access any common / shared areas within the Premises and that GSCHA has access to such areas at all reasonable times and in the event of an emergency or need for urgent repairs.

14. Cleanliness and Hygiene:

The Occupant is responsible for keeping his / her Room in a Clean and Tidy Condition and free from hazards and in a Hygienic state and condition. The Occupant is also responsible for making sure that the common areas are well maintained, clean and tidy and free from hazards after use. Throughout this Licence, referred to Room, includes the ensuite within the Room.

15. Improvements / Alterations:

The Occupant is not permitted to make any alteration and/or improvements to the Room or Premises.

16. Keys and Access to Room and Premises:

The Occupant will be supplied with a key to the Room and Premises and to a storage locker in the Kitchen. Great Southern Community Housing will keep a spare key for the Room at all times, in case of an emergency and for carrying out Inspections in the absence of the Occupant.

Lock and access devices must not be replaced, changed or added without notice to Great Southern Community Housing or the Occupant. Replacement of a lost Key or card will be at the expense of the Occupant.

17. Grievances:

The Occupant acknowledges that any grievances with other Occupants should be addressed in a Civil and respectful manner and in accordance with Great Southern Community Housing Association's Complaints Policy and Procedure.

18. Premises Condition Report

The Occupant acknowledges that the Room Condition Report ("RCR") attached to this License and that this reflects the state and condition of the Room as at the Commencement date. If the Occupant does not agree with the contents of the RCR the Occupant is to notify Great Southern Community Housing Association within 48 hours of the commencement date. The Occupant acknowledges that he / she will be responsible for any damage to the Room, or Premises or any missing or damaged furniture and the cost of replacement and / or repair.

Please note: If the Occupant does not agree with the condition of the Room at commencement of the Licence, it is the Occupant's responsibility to amend the RCR as applicable and present it to Great Southern Community Housing Association.



19. Communal Areas:

It is the Occupants Responsibility to maintain Hygiene and cleanliness standards of the Communal areas such as the Kitchen/Dining, Lounge, Laundry, Verandah, Passage and Stairwell etc. Failure to do so or contributing to poor standards may result in a Breach.

20. Occupant to provide:

The Occupant acknowledges that Great Southern Community Housing supplies the Occupant on the commencement date with the bedroom furniture, linen, etc that is listed in the RCR. The Occupant further acknowledges that it is the Occupant's responsibility to supply all other personal, food and sanitary items.

21. Support/Ability to Live Independently:

Support: The Occupant acknowledges that if the Occupant is engaged with a support provider on commencement of this Licence, the Occupant is required to remain engaged with that support provider, until the support provider deems that the Occupant no longer requires support.

If the Occupant refuses, is unwilling, or unable to engage with the support provider and Great Southern Community Housing Association at its discretion deems the Occupant is unable to successfully sustain the tenancy granted under this Licence, GSCHA may Terminate this Licence.

Independent Living: The Occupant acknowledges that this Licence may pertain to unsupported accommodation and that if it becomes evident the Occupant is no longer capable of living independently due to a requirement for personal, health or mental health care needs, this Licence may be terminated by Great Southern Community Housing Association.

22. Lockers

The Occupant will be allocated one storage locker in the kitchen for the purposes of storing non-perishable kitchen supplies. It is the Occupant's responsibility to secure their own locker and Great Southern Community Housing Association accepts no responsibility for any loss or damage to the Occupants belongings that are stored in the storage locker.

23. Emergencies

The Occupant acknowledges that he / she has sighted the evacuation plans in respect of the Room and Premises and provided with a copy of the Emergency Procedures.

The Occupant acknowledges that in the event of an Emergency involving the Occupant, if it is necessary for Access Housing to call for medical attention or an ambulance for the Occupant, the cost of such medical attention and or ambulance will be the responsibility of the Occupant. In the case of an emergency threatening the safety or life of the Occupant and others residing, visiting or working at the Premises, or if the Building is at risk of a natural or other disaster such as fire or flooding, the Occupant undertakes to contact the necessary emergency services immediately.



24. Laundry Facilities

1. Great Southern Community Housing Association will supply washing machines for the use of the Occupant. The Occupant is responsible for supplying his / her own washing machine suitable washing powder. The Occupant acknowledges that any washing left in the washing machine not claimed may be lost and assumes this risk when using the washing machine.

25. Vacating

On or prior to vacating the Premises the Occupant is required to:

- (a) Provide Great Southern Community Housing Association with a forwarding address.
- (b) Leave the Room in a clean and tidy state as per the original RCR and return all items referred to in the RCR.
- (c) Return all keys
- (d) Return all Linen to the Onsite Caretaker.
- (e) Return Rent Card if issued with one.

26. The Occupant Acknowledges and Agrees that he/she understands this Licence to Occupy and the Terms and Conditions contained therein, including the House Rules/Annexures and agrees to abide by them and further acknowledges that the breaking of the House Rules and Breaching of the Licence Terms and Conditions may lead to the Termination of this License and Eviction.

Signed By:

MIRANDA MAY RILEY _____

Name of Occupant	Signature of Occupant	Date:
-------------------------	------------------------------	--------------

_____	_____	_____
Great Southern Community Housing Association		Date:

Name of Housing Coordinator	Signature of Housing Coordinator	Date:
------------------------------------	---	--------------

**Local Planning Scheme No. 1
Application: Residential Buildings x 3 - P2150650
Schedule of Submissions for 28-30 Stirling Terrace Albany WA**

Issue	Officer Comment
<p>The scale and size of the planned development is out of proportion to the existing streetscape and surrounding houses. The house at 26 Brunswick Rd would be completely shaded by three high two-storey buildings on its western boundary.</p> <p>Potentially removing building two.</p> <p>Various design elements are inconsistent with Norman House. Has wall colour and material to match existing Norman House been considered? Matching roof designs but different wall colour does not exhibit clarity of design intent.</p>	<p>In this instance the primary assessment policy is <i>State Planning Policy 3.1 - Residential Design Codes (R Codes)</i>. The proposal has been designed to be of a similar size and scale of the adjoining Norman house. An assessment of the proposal has been made and the proposal is compliant with setbacks. A variation has been proposed for a section of ridge height to be consistent with Norman House. Screening and/or minor openings have been proposed on eastern elevation to avoid overlooking. An overlooking variation to the northern boundary as received no response.</p> <p>The density of the site is set by Local Planning Scheme No.1 and development densities governed by the R codes. The density of the proposed development is compliant with the R codes. On this basis the City does not have the ability to remove development, such as this case, which is compliant with the applicable element of the R codes.</p> <p>Overshadowing is a provision of <i>State Planning Policy 3.1 - Residential Design Codes (R Codes)</i>. The R 30 density of the site allows for 35% of the adjoining properties site area to be overshadowed. An overshadowing assessment has been undertaken, with the maximum overshadowing on the adjoining property is 22% .</p> <p>When development is occurring next to a heritage building it is now common practice to seek to compliment the building through design.</p>

Issue	Officer Comment
	<p>This can be achieved through the replicating certain design features while having other components different. This approach is taken on the grounds that a clear delineation between the heritage building and current development is made. There would be a general presumption against the use of skillion roofs in such close proximity to the Historic Stirling Terrace Precinct.</p>
<p>Proposed parking facilities are is not adequately provided for. The present proposal contravenes parking requirements under the Planning and Development Act and should not be granted permission to proceed in its current form.</p>	<p><i>Local Planning Scheme No.1</i>, which is an instrument of the <i>Planning Development Act 2005</i> provides the standards for parking bay numbers and design. <i>Local Planning Scheme No.1</i> also provides options for cash in lieu of parking and joint use parking arrangement. Given the land use proposed and surrounding context of the development site, both options have been recommended as a condition of approval.</p>
<p>No provision appears to be made for noise control. A noise impact study undertaken by Environmental Consultant has not been submitted</p>	<p>An acoustic study is generally required in the instance where there is a likelihood that the land use may potentially breach the Noise regulations. In this instance, given that the proposed land use is of a residential nature, an acoustic report was not required. In response to noise concerns the applicant has lodged a management plan. The enforcement of the management plan would be require to be an ongoing condition of consent. The management plan proposes a number of measures to address noise, including ;</p> <ul style="list-style-type: none"> • A full time caretaker living on site

Issue	Officer Comment
	<ul style="list-style-type: none"> • All tenants signing a tenancy agreement; • House Rules which all tenants are required to abide by, this includes behaviour standards and visitor exclusion hours; and • Tenants being evicted within 24 hours in the event of illegal activity and 48 hours in the event of anti-social behaviour. <p>A copy of the management plan is available for review as an attachment to the Council Item.</p>
<p>Concerns regarding compliance with DFES, Building Code of Australia, disability access and Australian Standards.</p>	<p>The planning application for the City is only assessed under the scope of the Planning and Development Act 2005 and associated polices. The building permit process provides the legal requirement and assessment of the proposal against the Building Code of Australia and associated legislative requirement pertaining to disability access and fire.</p> <p>A Certified Building Permit will be required to be lodged to the City of Albany. This permit is required to detail how the proposal (including parking and access ways) complies with the Building Code of Australia, Disability Standard and any other agency requirements.</p> <p>In addition to the above, a condition of consent requires a vehicular parking and access plan to be submitted for approval. All car parking is required to be in accordance with Car parking and access is to be designed in accordance with the Australian Standard 2890.</p>

Issue	Officer Comment
	Application are referred within the City of Albany's internal Department and are advised of the various legislative requirements in addition to the BCA that are required to be met, this includes the provisions under Health legislation.
<p>Appropriate screening would be needed for any balconies or landings that overlook neighbouring properties. Detail of this screening has not been supplied for comment.</p> <p>Screening has not been provided for stairways and landings</p>	Details of screening will be required as a condition of planning consent. This is common practice in instances where screening has been proposed. Details of the screening are required to be submitted to the City of Albany for approval in accordance with the R codes. As stairways and landings are not outdoor areas which are used for entertainment, there is no ability to require screening through the R codes.
Proposed renovation and replanning of existing Norman House has not been submitted with the application.	The renovation of Norman House is not proposed as part of the current application. At the time such an application is received it will require a Heritage Impact Statement and details of works to be undertaken. Conditions are proposed as part of the current application in order to proceed the heritage interests on the subject property.
Location of bin storage has not been provided.	It is proposed that the matter of bin storage be addressed via a condition of consent. The location will be required to be suitably located and approved by the City of Albany.

Issue	Officer Comment
Details of fencing have not been provided for comment.	Fencing will be a matter for the applicant and relevant adjoining landowner. The Dividing Fences Act and Albany Fencing Local Law will provide guidance to both parties.
Concerns regarding disruptions during the construction period.	In order to mitigate and manage this issue it is proposed to apply a condition of consent requiring a construction management plan. Given the location of the site this will potentially involving traffic management details. Hours of construction are will also be an element of the management plans, however, hours of construction are ultimately governed and enforced by the City.

CITY OF ALBANY LOCAL PLANNING SCHEME No. 1

AMENDMENT No. 1 & MIDDLETON BEACH ACTIVITY CENTRE STRUCTURE PLAN

KEY ISSUES TABLE

No.	Issue	Officer Comment
1	Building height	<p>The majority of submissions received from members of the public concern the proposed building height limits for the Activity Centre area, particularly that of the nominated hotel/mixed use site. While there is some support for the proposed height limits and a small number of submissions have called for additional height on the site, the majority of submissions object to the proposal to allow 12 storey development.</p> <p>Many members of the public have stated that they consider the proposed building height limit over the hotel/mixed use site to be overdevelopment and strongly at odds with the character of the wider area. Concerns have also been expressed with regard to the visual impact of the development of a tall building on this site.</p> <p>Opinion on the potential building height limit for this site covers a broad spectrum, with some members of the public objecting to any development in excess of three storeys, while others suggest that a limit of eight or ten storeys may be more appropriate.</p> <p>LandCorp had undertaken community consultation in February 2015 to inform the draft concept design for the proposed Activity Centre, prior to preparing the local planning scheme amendment and Activity Centre Structure Plan currently under consideration. While there was concern expressed by community members over any development in excess of five storeys at that time, LandCorp assigned a building height limit of '5+' storeys on the southern portion of the hotel/mixed use site in the draft concept plan. This was intended to reflect the capacity of the site to accept a taller building and also to allow a degree of flexibility, should an exceptional development proposal be brought forward.</p> <p>In acknowledging the community feedback, LandCorp has set an 'as of right' five storey/21.5 metre building height limit for future development in the local planning scheme amendment. However, they have advised that the optional 12 storey/46 metre height limit has been introduced in response to industry feedback suggesting that a greater building height limit may improve the viability of developing the site. Twelve storeys or 46 metres has been determined as an absolute limit to provide a degree of certainty to both developers and the community, rather than the nebulous '5+' originally indicated on the draft concept plan. Any development proposal in excess of 21.5 metres or five storeys would have to demonstrate exceptional design and be consistent with the objectives set out in condition 13 of the Special Use zone proposed by the local planning scheme amendment.</p> <p>Currently there are no buildings in Middleton Beach in excess of three storeys in height and the character of the area is generally 'low-rise'. However, Middleton Beach is a suburb in transition, with more two and three storey units being constructed. There is also a local planning policy already in place over tourist precinct that would potentially permit four and five storey developments.</p> <p>In terms of the proposed building height limits contained within the local planning scheme amendment, the two to three storey limit for the residential and mixed use sites fronting Barnett Street is considered appropriate in the context of the area. It is reflective of</p>

CITY OF ALBANY LOCAL PLANNING SCHEME No. REPORT ITEM PD125 REFERS

AMENDMENT No. 1 & MIDDLETON BEACH ACTIVITY CENTRE STRUCTURE PLAN

KEY ISSUES TABLE

No.	Issue	Officer Comment
		<p>the existing development to the north and west of the proposed Activity Centre area, which include the two to three storey Castlereagh apartments to the north and a mix of single and double storey development to the west.</p> <p>The proposed two to five storey building height limit over the mixed use sites in the southern half of the Activity Centre area is also considered appropriate in its context. A maximum height of five storeys fits well between three storey development to the north and the slope at the base of Mount Adelaide. As noted above, there is a local planning policy in place over the Middleton Beach tourist precinct that sets a maximum height limit of five storeys over much of the Activity Centre area. It also denotes a height limit of three storeys over the portion of the site immediately adjacent to Marine Terrace and this would provide an appropriate transition between the existing single storey development to the west and any new five storey buildings. The proposal under consideration is intended to provide a planning framework for the area and such matters can be considered in more detail at the development planning stage.</p> <p>Numerous submissions regarding the proposed 12 storey building height limit over the hotel/mixed use site have made reference to Observation City in Scarborough, Western Australia as an indicator of the impact that a 12 storey development would have on Middleton Beach. It is considered that Observation City is not a valid comparison, as it reaches a height of 19 storeys and is located on a stretch of relatively flat, open coastline, predominately developed with single and double storey buildings. The visual impact of Observation City on the landscape is therefore more significant than the proposed hotel/mixed use site at Middleton Beach is located in a very different environment that will lessen its visual impact.</p> <p>There is already significant residential development on the slopes of Mount Adelaide that can be clearly seen when viewed from Middleton Beach and from further vantage points such as Mira Mar or Emu Point. Similarly, Mount Adelaide acts as a backdrop to any tall building constructed on the hotel/mixed use site. The location of this site has been carefully selected to ensure a minimal visual impact from closer vantage points, such as the area around Hare Street and Wylie Crescent. Although any future development may be visible from homes in this area, the site will be on the periphery of their outlook, due to their orientation toward Lake Seppings and Middleton Beach to the north and north-east.</p> <p>The most significant visual impact will be seen from the streets immediately around the development. However, the context is likely to change with the redevelopment of the remainder of the Activity Centre. It can be assumed that three to five storey development is most likely immediately adjacent to the hotel/mixed use site, which would soften the presence of a taller building. The visual impact is also dependent on looking up at the building, which is typically beyond the field of view at street level, although this varies dependent on one's distance from the subject. The proposals seek to achieve a 'podium' style of development on the site, with a single storey element to the northern side, rising to perhaps three to five storeys and then potentially a taller element on the southern side. This achieves a more 'human' scale from the pedestrian areas to the northern side of the site, while the taller building element is confined to the southern side of the site, which is dominated by motor vehicle traffic.</p>

CITY OF ALBANY LOCAL PLANNING SCHEME No. REPORT ITEM PD125 REFERS

AMENDMENT No. 1 & MIDDLETON BEACH ACTIVITY CENTRE STRUCTURE PLAN

KEY ISSUES TABLE

No.	Issue	Officer Comment
		<p>The presence of the Norfolk Island pine trees lessens the visual impact of a new building from certain vantage points. LandCorp has provided details of the heights of the trees, which grow in two rows along the foreshore reserve. From the Surf Lifesaving Club, moving in a southerly direction, the row of trees closest to the beach ranges from 24.4 metres (six storeys) to 34.3 metres (nine storeys) in height. The row of trees closest to Flinders Parade, again moving in a southerly direction from the Surf Lifesaving Club, ranges from 17.2 metres (four storeys) to 32 metres (eight storeys) in height. The tree located in the middle of the roundabout at the intersection of Flinders Parade and Adelaide Crescent is 24.6 metres (6 storeys) tall.</p> <p>Other submissions have expressed concern that allowing one tall building in Middleton Beach will open the door to further development akin to that of the Gold Coast in Queensland. While the area could potentially be redeveloped in future, the local planning policy in place restricts new development to a maximum height of three to four storeys, in view of the potential for development along the beachfront to have a greater visual impact from surrounding vantage points.</p> <p>Condition 13 of the proposed Special Use zone, the concept plans contained within the activity centre structure plan and the forthcoming design guidelines require a 'podium' style development with the height of the building increased in stages, stepping back from the open space to the north of the site, which would reduce the footprint of any taller element of a building reducing its bulk.</p>
2	Overshadowing	<p>Several submissions expressed concern that the proposed development would overshadow the beach and foreshore reserve in afternoons and evenings during summer, and block views of the sunset from Ellen Cove.</p> <p>The original Activity Centre Structure Plan document contains overshadowing plans illustrating the extent of shadows cast by buildings, including both five and 12 storey hotel buildings, at 9:00am, 12:00pm and 3:00pm on 21 June. In all cases, shadows are cast predominately over internal streets and the Mount Adelaide reserve. Only at 3:00pm does the shadow cast by the hotel building fall across the Three Anchors restaurant and a small portion of the foreshore reserve. However, by this time of day, the Norfolk Island pines within the foreshore reserve are also casting significant shadow.</p> <p>Notwithstanding the above information, LandCorp has provided additional plans in response to the submissions, showing both five and 12 storey hotel buildings and the extent of the overshadowing that they would create at both 5:00pm and 6:00pm on 21 December. These plans illustrate that a five storey hotel would overshadow a small portion of the foreshore reserve at 5:00pm, extending to the beachhead by 6:00pm. This effect would be exaggerated by a 12 storey hotel building, extending across the beach by 6:00pm. However, the Norfolk Island pines also cast a significant shadow across the foreshore reserve and beach by this time of evening.</p> <p>The shadow from any future hotel building would fall across a relatively narrow band of foreshore reserve and beach by virtue of its orientation and is considered to have minimal detrimental impact. The overshadowing from a hotel building would not impact</p>

**CITY OF ALBANY LOCAL PLANNING SCHEME No. REPORT ITEM PD125 REFERS
AMENDMENT No. 1 & MIDDLETON BEACH ACTIVITY CENTRE STRUCTURE PLAN
KEY ISSUES TABLE**

No.	Issue	Officer Comment
		Ellen Cove or the amphitheatre area in the early evening, due to the location and orientation of the hotel/mixed use site; in fact, it is likely that these areas will already be in the Shadow of Mount Clarence by this time of day.
3	Parking	<p>A significant number of submissions have expressed concerns or dissatisfaction with the number and location of proposed car parking bays within the activity centre area. Many submissions highlight a perceived lack of parking and object to the removal of the 90° angle parking bays along the eastern edge of Flinders Parade, to the south of the Surf Lifesaving Club. The content of several submissions also indicates that some members of the public are not aware of the car parking requirements that would be imposed as conditions of the proposed Special Use zone.</p> <p>The proposals seek to rearrange the existing public car parking bays within the activity centre area, including the provision of 29 additional bays. The public car parking bays currently provided at Middleton Beach are considered to be adequate in number and will be supported by the additional bays. There are currently 26 car parking bays provided along the eastern edge of Flinders Parade, to the south of the Surf Lifesaving Club. Under the proposals, these would be replaced by 15 angled bays along the eastern edge of the realigned Flinders Parade, immediately south of the intersection with Barnett Street, and a further seven parallel bays adjacent to the hotel/mixed use site. This will result in a total of 22 public car parking bays immediately adjacent to the foreshore area.</p> <p>The car parking requirements will be incorporated into the local planning scheme to govern the location and number of car parking bays provided for residents and staff on each of the development sites. Firstly, there is a generic requirement that basement car parking shall be integrated into the built form and screened from view, such that the car parking areas are not directly visible from the street or other public spaces. Access to these car parking areas would only be permitted from a laneway or secondary street where available. A second generic requirement states that parking shall be provided in accordance with the provisions of the Local Planning Scheme unless otherwise stated in Condition 11 of the proposed Special Use zone.</p> <p>In terms of the number of car parking bays to be provided on each development site, the requirements are set by Condition 11, according to the land use(s) present. These can be summarised as follows:</p> <p><u>Hotel:</u></p> <p>One bay per two employees + one per bedroom + one per 4m² in other public areas.</p> <p><u>Retail:</u></p> <p>One bay per 40m² net lettable area.</p>

**CITY OF ALBANY LOCAL PLANNING SCHEME No. 1 REPORT ITEM PD125 REFERS
AMENDMENT No. 1 & MIDDLETON BEACH ACTIVITY CENTRE STRUCTURE PLAN
KEY ISSUES TABLE**

No.	Issue	Officer Comment
		<p><u>Residential / short stay tourist accommodation:</u></p> <p>As per <i>Local Planning Scheme No. 1</i>, with no visitor car parking requirement for permanent residential components.</p> <p><u>Other uses:</u></p> <p>As per <i>Local Planning Scheme No. 1</i>.</p> <p>There is also a strong emphasis on bicycle use within the local planning scheme amendment, with a requirement for one bicycle parking space to be provided per residential dwelling and one bicycle parking space per ten dwellings for residential visitors. This is in addition to the bicycle parking requirements prescribed within <i>Local Planning Scheme No. 1</i> for commercial uses and is consistent with the City of Albany's aim of becoming a cycle friendly city.</p>
4	Coastal Planning	<p>In accordance with <i>State Planning Policy 2.6 – State Coastal Planning</i>, a Coastal Hazard Risk Management and Adaptation Plan has been prepared for the Activity Centre and Scheme Amendment area. The Coastal Hazard Risk Management and Adaptation Plan establishes the context of the site and the required Risk management and adaptation responses.</p> <p>The proposal was referred to the Department of Planning's coastal planning specialists for comment. They have advised that they will provide comment on the proposal's coastal planning implications directly to the local office of the Department of Planning. The Department of Planning will consider the coastal planning advice along with all other information when making its recommendations to the Western Australian Planning Commission.</p> <p>While the Coastal Hazard Risk Management and Adaptation Plan has identified the coastal risk and provided management options, the final method for coastal risk mitigation will be determined at a later stage in the development process. Additional studies are required in order to determine the most effective long term measure.</p>
5	Heritage	<p>The City of Albany referred the proposals to the State heritage Office for comment. Middleton Beach (Place Number 17520) is identified as a place warranting assessment for potential inclusion in the State Register of Heritage Places. The State heritage Office has advised that the proposals do not negatively impact on the identified heritage place and has no objection to the proposals being progressed.</p> <p>The Middleton Bay Reserve, which includes Reserve No. 14789 is included on the Local Heritage List and afforded protection under the provisions of <i>Local Planning Scheme No. 1</i>.</p>
6	Wind	<p>A number of submissions have expressed concern that the east-west orientation of the public access way will create a 'wind tunnel' effect due to easterly winds. While it is acknowledged that the public access way will be affected by easterly winds, this is largely</p>

**CITY OF ALBANY LOCAL PLANNING SCHEME No. REPORT ITEM PD125 REFERS
AMENDMENT No. 1 & MIDDLETON BEACH ACTIVITY CENTRE STRUCTURE PLAN
KEY ISSUES TABLE**

No.	Issue	Officer Comment
		unavoidable, as the objective of the public access way is to create a pedestrianised space running back from the beachfront, which faces east. Orienting the pedestrian access way on an east-west access also helps to ensure solar access for any future development on the proposed mixed use sites between the access way and Adelaide Crescent. The effect of easterly winds can also be minimised by placing street furniture and planting within the pedestrian access way to act as windbreaks.
7	Public access way	A number of submissions object to the interface between the public access way and Flinders Parade, as there appears to have been a misunderstanding that Flinders Parade would be interrupted by the public access way and motor vehicles would not be able to travel across it. However, the public access way is shown on the plan as extending across Flinders Parade to indicate that pedestrians would have priority in this area, though motor vehicles may still cross.
8	Road alignment	The content of a number of submissions indicates that there is uncertainty over the proposed realignment of Flinders Parade and how this would influence the development of the Activity Centre area. The Activity Centre Structure Plan indicates that Flinders Parade would be realigned between Barnett Street and Adelaide Crescent. The road will be realigned to run in a southerly direction straight through the western extent of the existing car park to the south-east of Barnett Street. Shortly after it extends into the former hotel site, it will dogleg to the south-west, meeting Adelaide Crescent at the entrance to the former Esplanade Hotel and the entrance to the car park to the south. The land to the west of the realigned Flinders Parade, from the dogleg 'elbow' north to the Surf Lifesaving Club, will be landscaped and transferred into the foreshore reserve, while the land to the west of the road and south of the 'elbow' will form the hotel/mixed use site.
9	Location of hotel within the development area	<p>Several submissions have indicated an objection to the location of the proposed hotel/mixed use site, on 'public land', rather than the previous hotel site, and the subsequent loss of parkland on the foreshore. Other submissions object to the location of the proposed hotel/mixed use site due to it having direct frontage to the foreshore reserve. The objectors believe that this will lead to a loss of public access to the foreshore reserve, as it will become an outdoor area for the hotel by default.</p> <p>The content of the submissions regarding the location of the proposed hotel/mixed use site on 'public land' suggest that there has been a misunderstanding of the proposed plans. A comparison of the proposed plans with historic aerial photography, overlaid with the property cadastre, shows that the hotel/mixed use site would be located over approximately 40% of the footprint of the previous hotel building, its entry way and the adjacent road reserve between the former hotel site and the foreshore reserve. The hotel/mixed use site would not encroach on the existing foreshore reserve and the proposed realignment of Flinders Parade to the west of the hotel/mixed use site will offset the loss of the existing road reserve.</p> <p>With regard to the proposed hotel/mixed use site having direct frontage to the foreshore reserve, any future development on the site cannot exercise exclusive rights to utilise this space, meaning that it will remain accessible by the public. The conditions of the proposed Special Use zone also place an emphasis on any future development in this location incorporating an active frontage</p>

**CITY OF ALBANY LOCAL PLANNING SCHEME No. REPORT ITEM PD125 REFERS
AMENDMENT No. 1 & MIDDLETON BEACH ACTIVITY CENTRE STRUCTURE PLAN
KEY ISSUES TABLE**

No.	Issue	Officer Comment
		that will function as an interface between the public reserve and private spaces within the development site. It is intended that this would take the form of a deck area that would provide alfresco seating for a hotel restaurant, bar or café.
10	Hotel/mixed use site land use	<p>A small number of submissions have also highlighted that the Special Uses and Condition 11 of the Special Use zone proposed by the local planning scheme amendment do not preclude the development of the hotel/mixed use site for short-stay holiday accommodation or multiple dwellings, without a hotel. While there are local planning policy measures in place that would require the development of a hotel on the site, a local planning policy may be varied by Council and there is a risk that a hotel may not be provided.</p> <p>It is therefore recommended that the proposed amendment to Schedule 4 – Special Use Zones is modified as follows:</p> <ul style="list-style-type: none"> • Replacement of “P” (Permitted) with ‘D’ (Discretionary) against “Multiple Dwelling (up to 5 storeys (21.5 metres)” in the “Special Use” column under “Hotel / Mixed Use Precinct”; • Insertion of a new notation “(2)” against “Multiple Dwelling (up to 5 storeys (21.5 metres)” and “Multiple Dwelling (above 5 storeys (21.5 metres)” to read as follows: • <i>‘(2) Means that the permissibility of the use shall be contingent upon prior or concurrent construction of a hotel.’; and</i> • Renumbering existing notation “(2)” as notation ‘3’.

CITY OF ALBANY LOCAL PLANNING SCHEME No. 1

AMENDMENT No. 1

SCHEDULE OF MODIFICATIONS

No.	Summary of Submission(s)	Recommended Modification
1	<p>The Special Uses and Condition 11 of the Special Use zone proposed by the local planning scheme amendment do not preclude the development of the hotel/mixed use site for short-stay holiday accommodation or multiple dwellings, without a hotel. While there are local planning policy measures in place that would require the development of a hotel on the site, a local planning policy may be varied by Council and there is a risk that a hotel may not be provided.</p>	<p>The proposed amendment to Schedule 4 – Special Use Zones is modified as follows:</p> <ul style="list-style-type: none"> • Replacement of “P” (Permitted) with ‘D’ (Discretionary) against “Multiple Dwelling (up to 5 storeys (21.5 metres)” in the “Special Use” column under “Hotel / Mixed Use Precinct”; • Insertion of a new notation “(2)” against “Multiple Dwelling (up to 5 storeys (21.5 metres)” and “Multiple Dwelling (above 5 storeys (21.5 metres)” to read as follows: • <i>‘(2) Means that the permissibility of the use shall be contingent upon prior or concurrent construction of a hotel.’; and</i> • Renumbering existing notation “(2)” as notation ‘3’.

City of Albany

Local Planning Scheme No. 1

Amendment No. 1

Middleton Beach Activity Centre

Scheme Amendment Report

February 2016

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

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

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 SU25';
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. 1

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 SU25';
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

February 2016

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
6	24/02/16	Final - Advertising	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 SU25';
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.

REPORT ITEM PD125 REFERS

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.
<p>Car Parking</p> <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.
<p>Bicycle Parking</p> <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	
<p>Height</p> <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.
<p>Setbacks</p> <ul style="list-style-type: none"> • As per Table 4 of the R-Codes 	Generally nil street and side setbacks.
<p>Car Parking</p> <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.
<p>Bicycle Parking</p> <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>

REPORT ITEM PD125 REFERS

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.	No set percentage required. 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.
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. 1

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 SU25';
 - b. Lots 660 and 661 Marine Terrace, Middleton Beach from the 'Tourist Residential' zone to 'Special Use Zone SU25';
 - 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 SU25';
2. Amend Schedule 4 – Special Use Zones by inserting 'Special Use SU25' in the schedule and incorporate provisions relating to Middleton Beach Activity Centre as follows;

No.	Description of Land	Special Use	Conditions
SU25	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: (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; (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; (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
	Lot 8888 Flinders Parade	Hotel / Mixed Use Precinct	
	Lots 660 and 661, Marine Terrace	Car Park 'D'	
	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'	
		Multiple Dwelling	

REPORT ITEM PD125 REFERS

<p>Middleton Beach</p>	<p>(up to 5 storeys (21.5 metres) 'P'(1) Multiple Dwelling (above 5 storeys (21.5 metres) 'A'(1) Nightclub 'D' Public Utility 'D' Recreation-Private 'A' Restaurant 'D' Shop 'A' Small Bar 'A' Tavern 'A'</p> <p>Mixed Use Precinct</p> <p>Car Park 'D' Consulting Rooms 'D' Convenience Store 'D' Exhibition Centre 'A' Holiday Accommodation 'P' Hotel 'D' Market 'D' Multiple Dwelling 'P'(2) Office 'D' Public Utility 'D' Recreation-Private 'A' Restaurant 'D' Shop 'D' Single Attached Dwelling 'D'(2) Small Bar 'A' Tavern 'A'</p> <p>Residential Precinct</p> <p>Home Office 'D' Multiple Dwelling 'P' Public Utility 'D' Single Attached Dwelling 'P'</p> <p>Edge Precinct</p> <p>Car Park 'D'</p> <p><i>(1) Means the use is prohibited where it fronts the street at pedestrian level.</i></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>
------------------------	--	--

REPORT ITEM PD125 REFERS

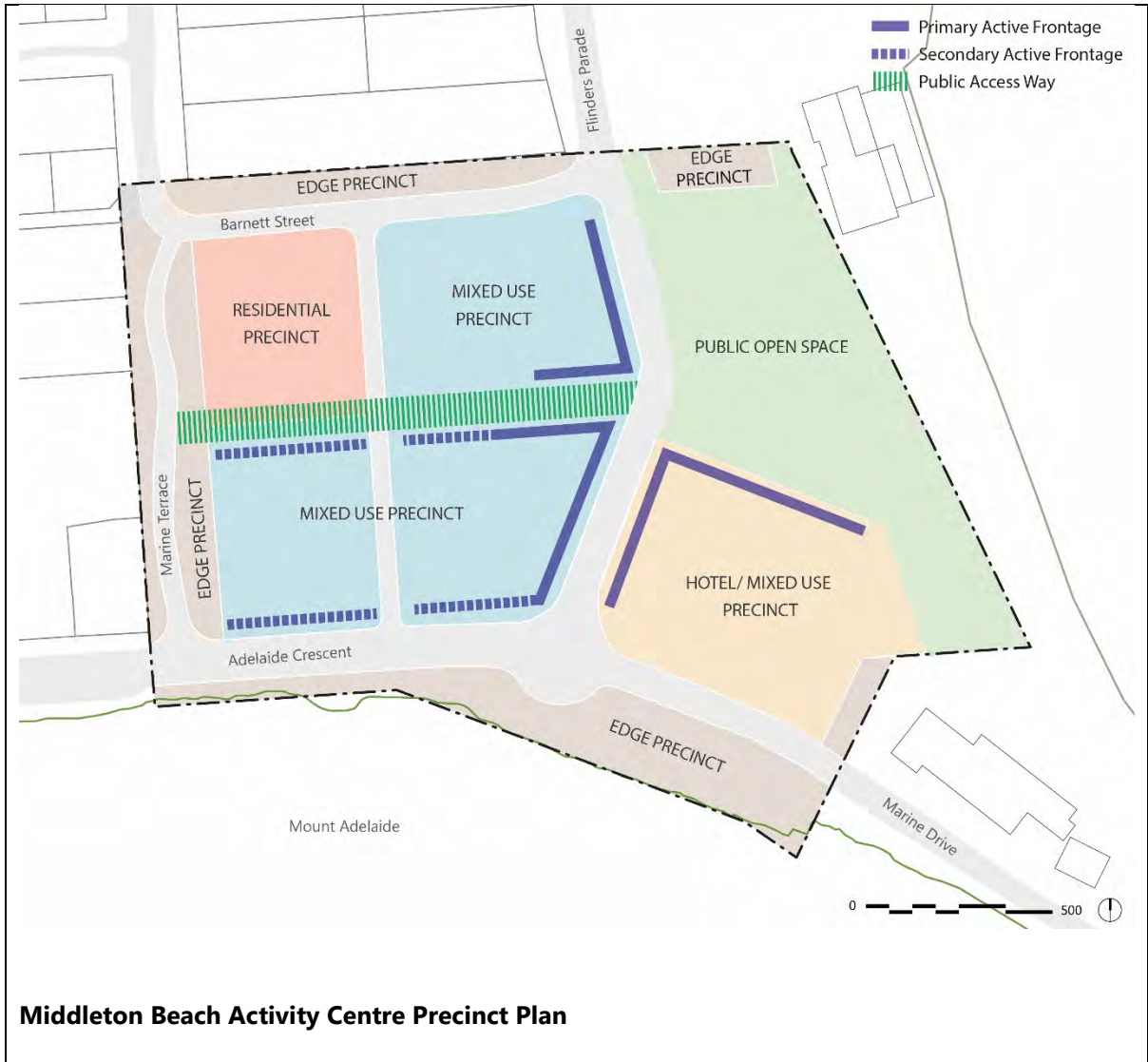
		<p>(2) <i>Means that the use is prohibited where it fronts the street at pedestrian level within the 'Primary Active Frontage' area as depicted on the Precinct Plan.</i></p>	<p>5. All residential buildings and, as far as is practicable, non-residential developments, are to incorporate the bushfire resistant 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: Delivery services are prohibited from occurring on the Flinders Parade frontage of the Hotel / Mixed Use site.</p>
--	--	--	--

REPORT ITEM PD125 REFERS

			<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: 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.
--	--	--



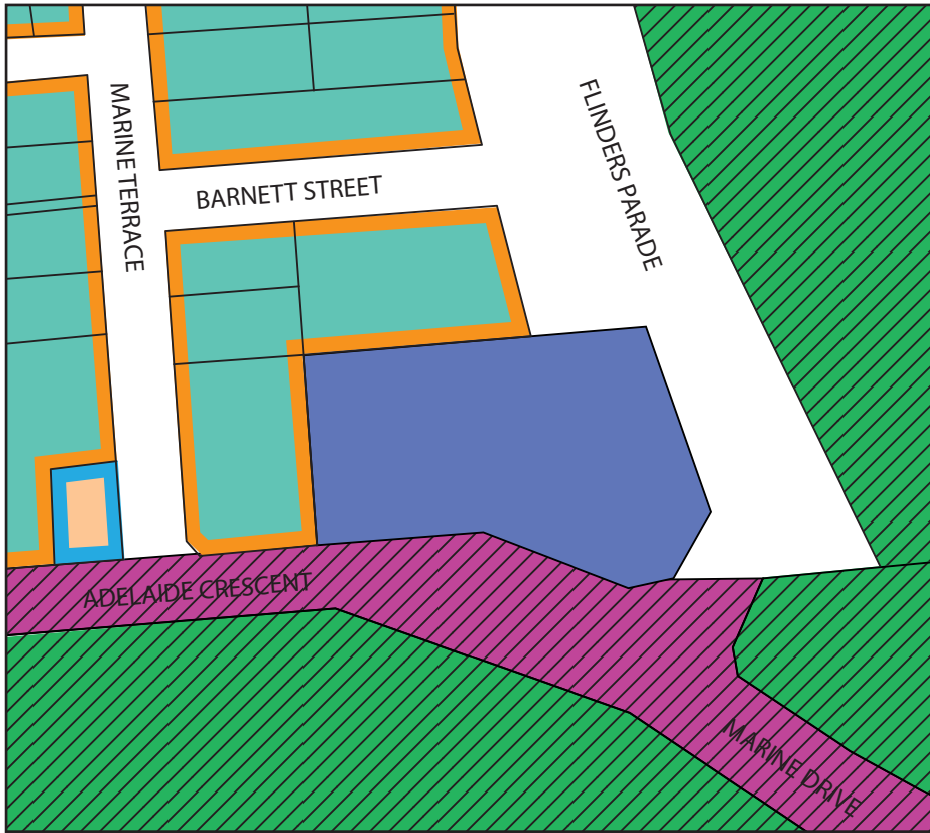
3. Introduce the following land use definition to the City of Albany Local Planning Scheme No. 1:

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. 1

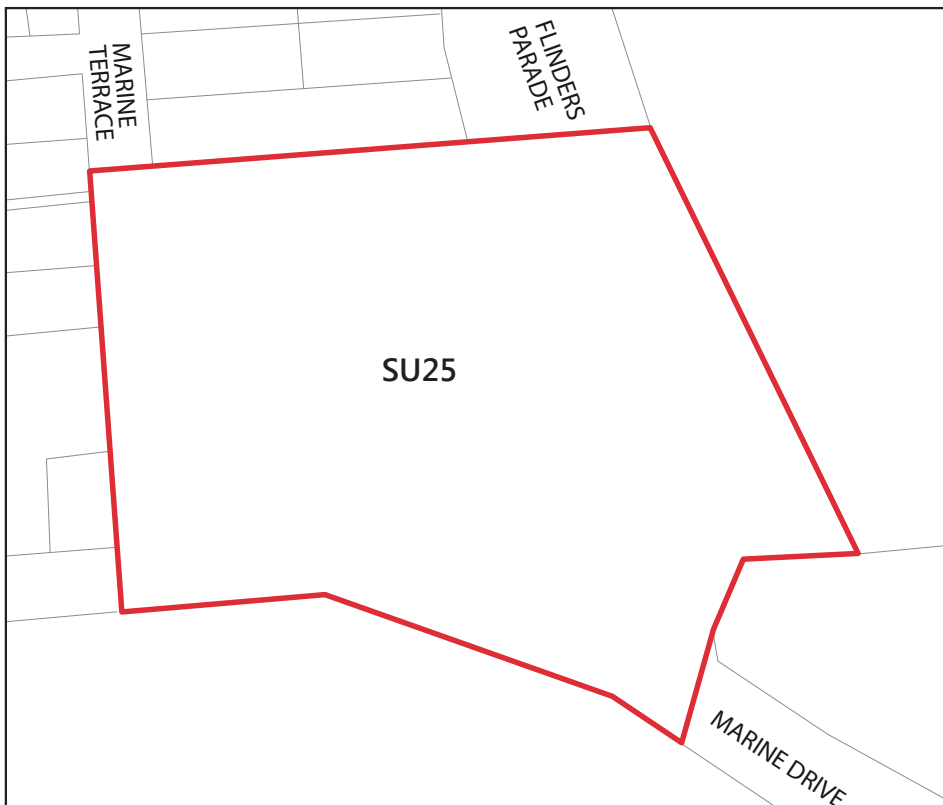


Lot 8888 Flinders Parade, Lots 660 & 661 Marine Terrace, and adjacent road reserves being portions of Adelaide Crescent, Marine Terrace, Barnett Street, Flinders Parade and Marine Drive, Middleton Beach.

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:

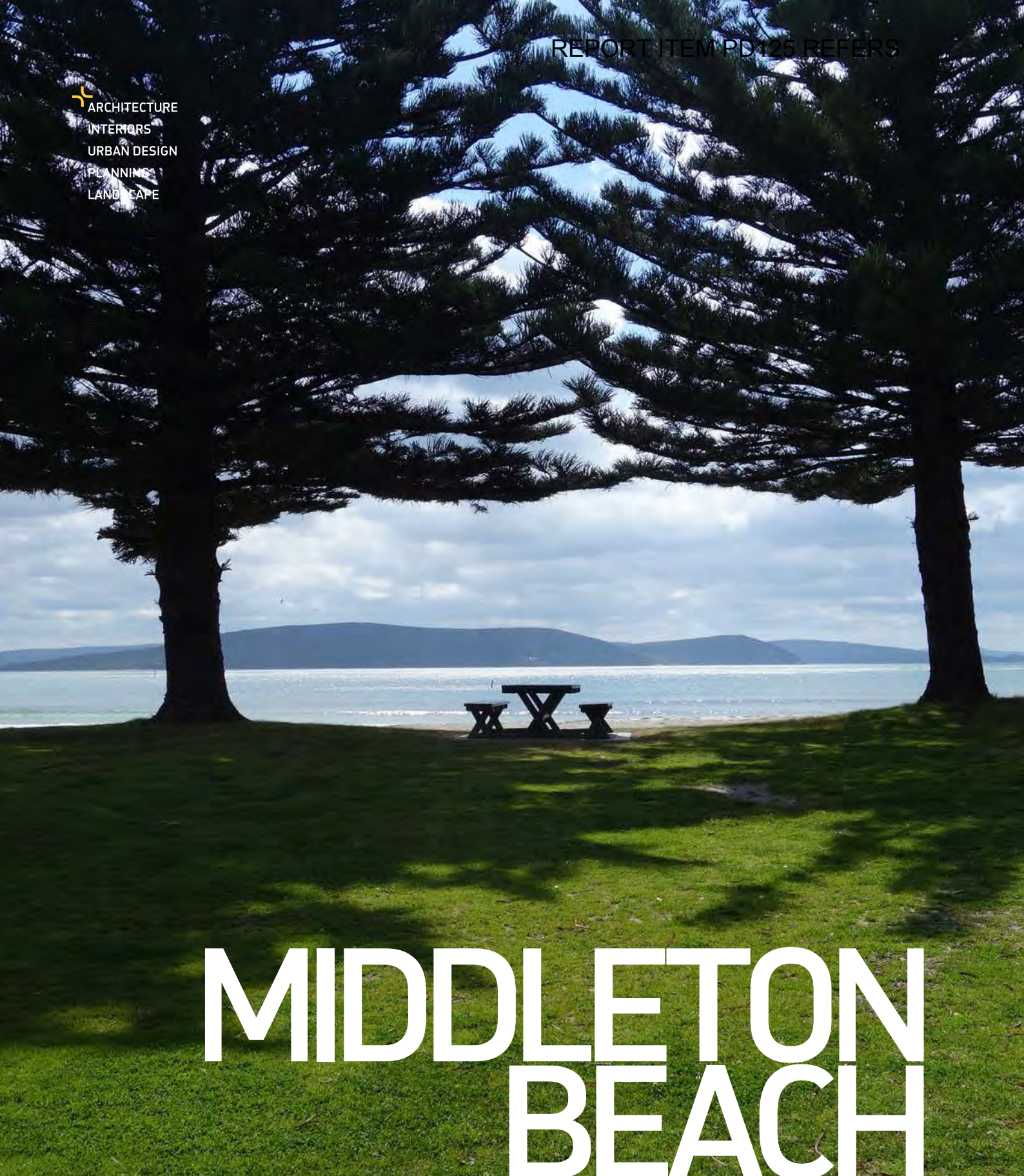
Final Approval Granted

.....

MINISTER FOR PLANNING

Date:

- ARCHITECTURE
- INTERIORS
- URBAN DESIGN
- PLANNING
- LANDSCAPE



MIDDLETON BEACH

ACTIVITY CENTRE STRUCTURE PLAN

**Hames
Sharley**
www.hamesharley.com.au



LANDCORP

Prepared for LandCorp
MARCH 2016



LandCorp

**Middleton Beach Activity Centre
Structure Plan**
March 2016

CONTACT

HAMES SHARLEY

Clare Roszak

Town 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 © 2016 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)	MS
2	16/11/2015	Preliminary Draft Middleton Beach ACSP	MS
3	20/11/2015	Draft Middleton Beach ACSP	MS
4	16/12/2015	Final Draft Middleton Beach ACSP	MS
5	01/03/2016	Final Draft Middleton Beach ACSP for Advertising	MC

P:\43460\MiddletonBeachAlbanyStatutoryPlanningServices\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 2015	90
L PRELIMINARY SITE AND CONTEXT ANALYSIS - HAMES SHARLEY	102

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 9:00AM 21 JUNE - 5 STOREY OPTION	64
FIGURE 50: SHADOW CAST 9:00AM 21 JUNE- 12 STOREY OPTION	64
FIGURE 51: SHADOW CAST AT 12:00PM 21 JUNE - 5 STOREY OPTION	65
FIGURE 52: SHADOW CAST 12:00PM 21 JUNE - 12 STOREY OPTION	65
FIGURE 53: SHADOW CAST AT 3:00PM 21 JUNE- 5 STOREY OPTION	66
FIGURE 54: SHADOW CAST AT 3:00PM 21 JUNE - 12 STOREY OPTION	66
FIGURE 55: LANDSCAPE MASTER PLAN (SOURCE: AECOM)	69
FIGURE 56: STAGING PLAN	73
FIGURE 57: 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 9.7 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



- LEGEND**
- Structure Plan Boundary
 - Lot Boundary
 - Precincts:
 - Hotel/ Mixed Use
 - Mixed Use
 - Residential
 - Edge
 - Public Open Space
 - High Street
 - Public Access Way
 - Pedestrian Priority Access
 - Green Pedestrian Link
 - Pedestrian Cross Walk
 - Primary Activity Node
 - Primary Active Frontage
 - Secondary Active Frontage
 - Public Parking
 - Parking Entry/Exit (Indicative)
 - Bush Fire Prone Area Boundary (100m from base of Mount Adelaide)

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



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

- + Reinstatement of 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.

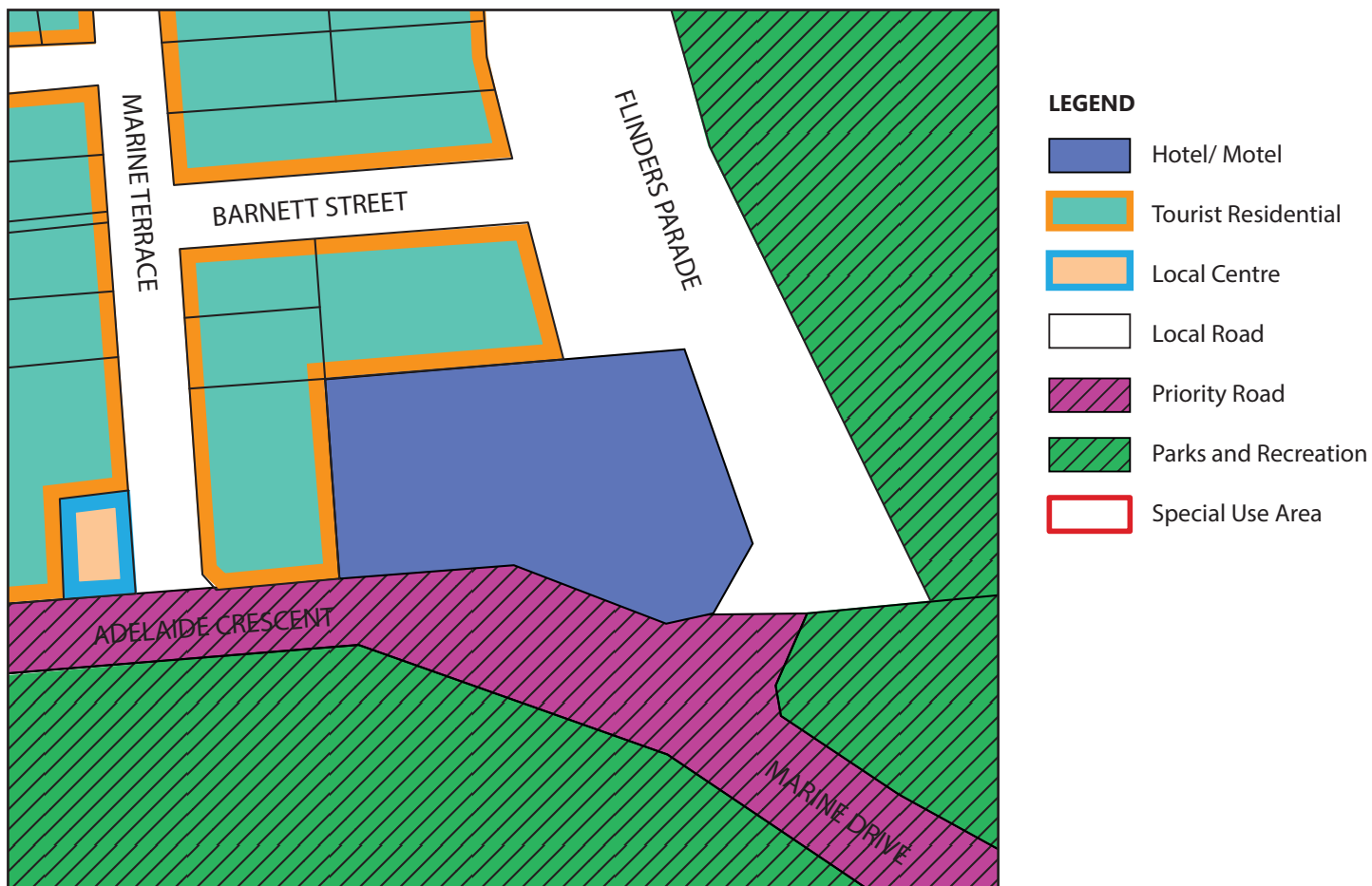


Figure 4: LPS1 Zoning (Extract)

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.

1.5.6. 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, the MBAC Structure Plan 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 the proposed Scheme amendment and associated MBAC Structure Plan to override the current Policy provisions.



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.

Improvement Plan 40 provides for the making of an Improvement Scheme. However, in February 2015, the Middleton Beach Activity Centre Working Group, representing key agencies including 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 and are included within the proposed special use provisions of the Scheme:

- + 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.
- + 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;

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
Middleton Beach Activity Centre Working Group (LandCorp/City of Albany/Department of Planning/Great Southern Development Commission/ Department of Lands)	2014 - ongoing	LandCorp	+ Meetings	Input into the MBAC Structure Plan and Scheme Amendment
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 need 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. These include:

1. 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.

2. 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 Construction of Buildings in Bushfire Prone Areas (as amended), commensurate with the bushfire attack level (BAL) established for the relevant portion of the site.

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.

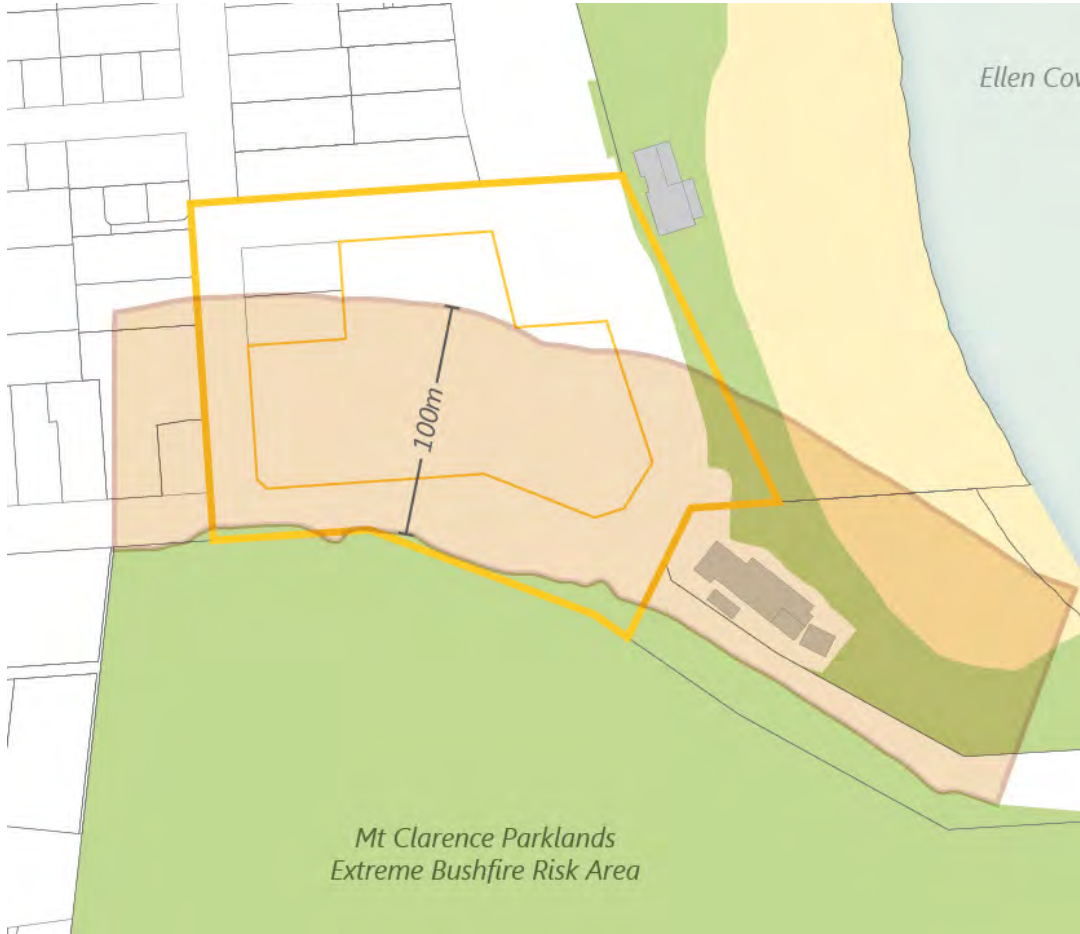


Figure 6: Bushfire Prone Area Buffer

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.

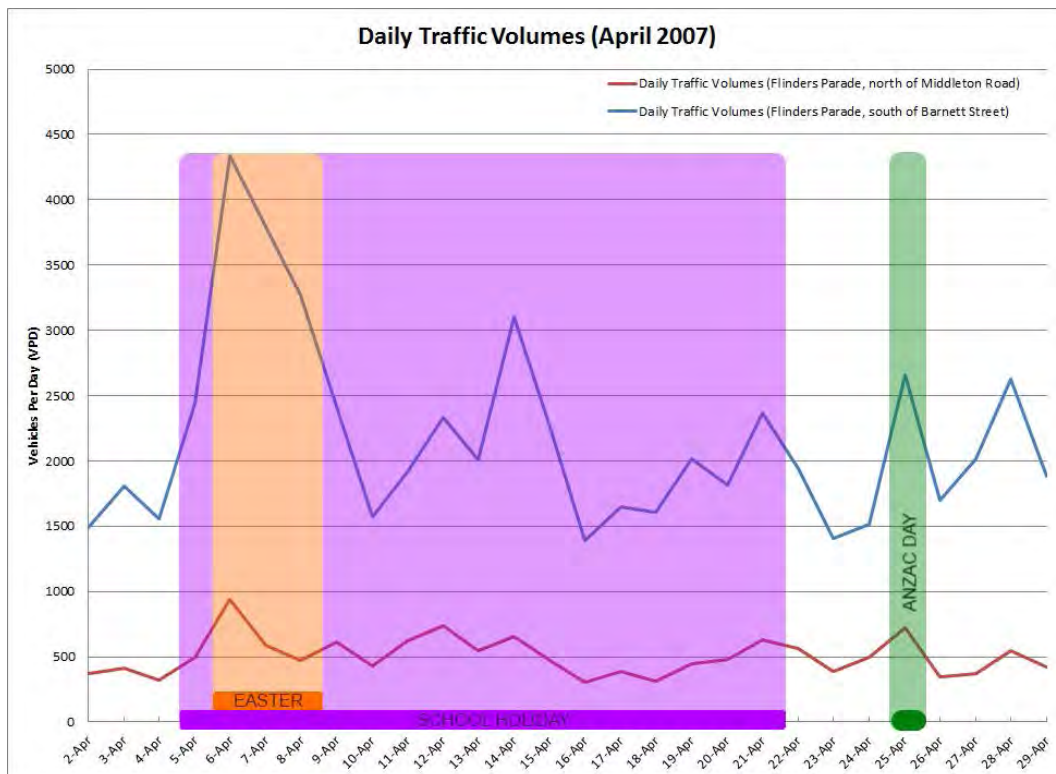


Figure 8: Daily Traffic Volumes on Flinders Parade (April 2007) source: Cardno



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

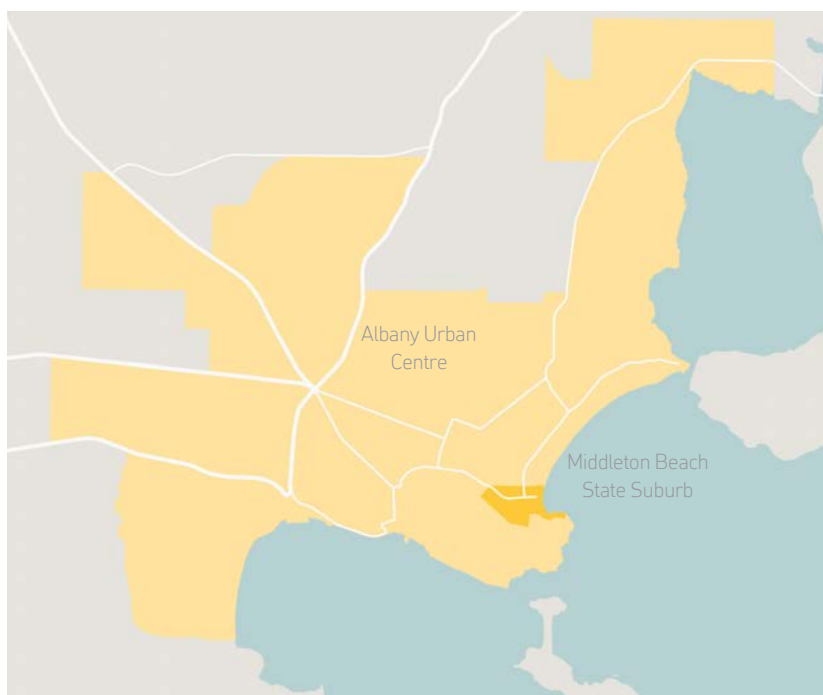


Figure 13: Subject Area. Source: ABS 2012

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

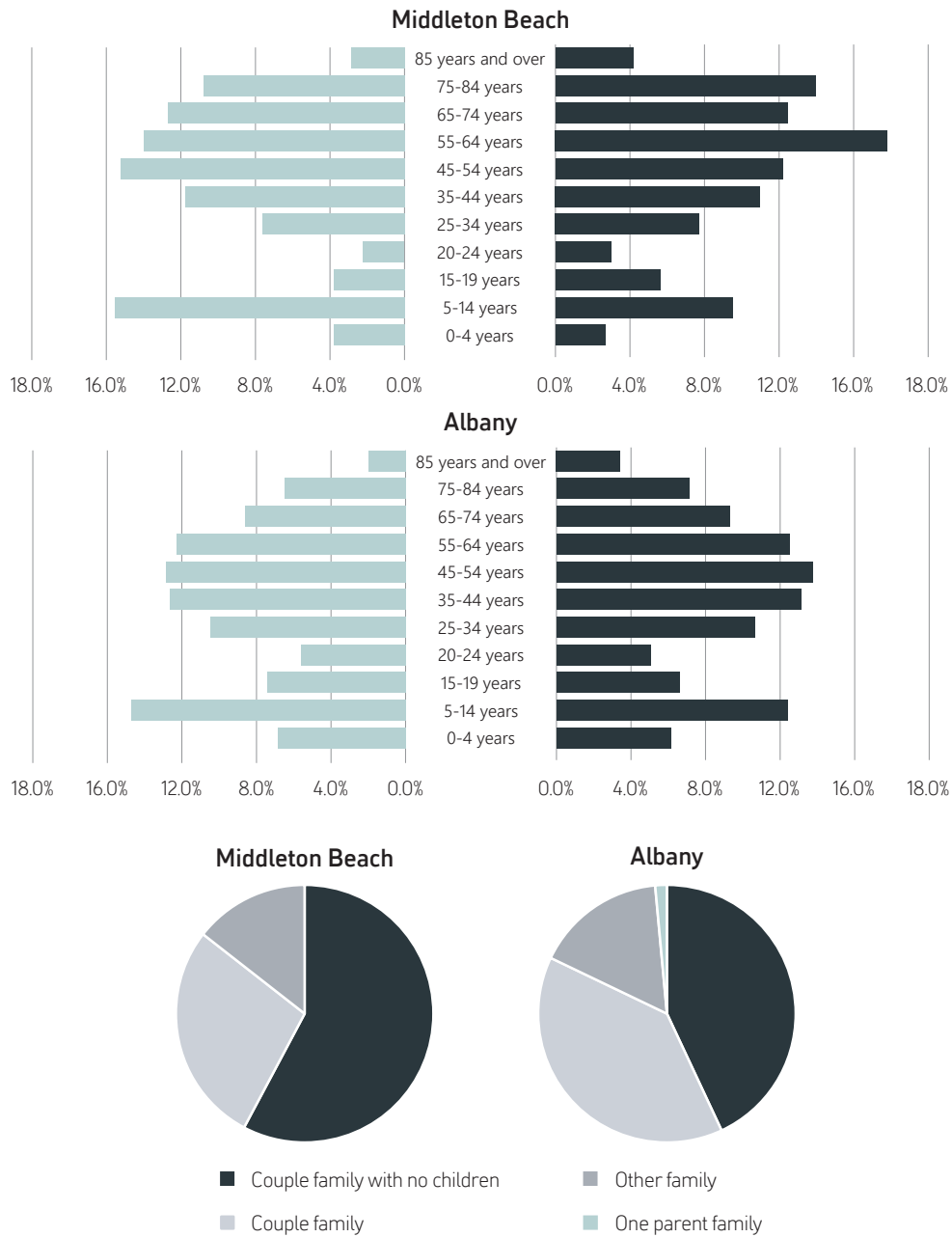


Figure 14: Age and family composition Source: ABS 2012



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

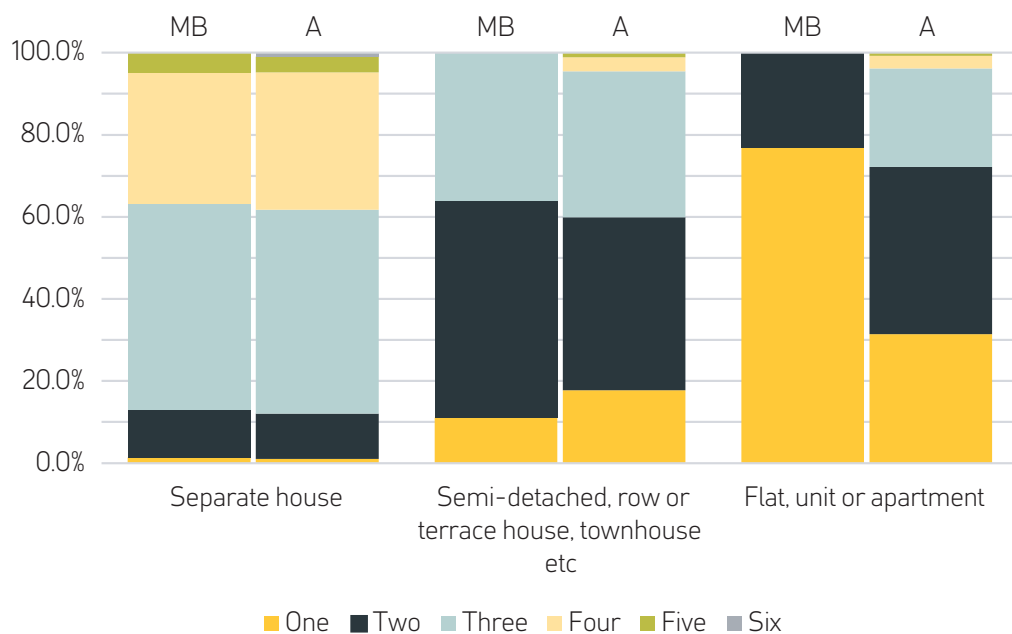


Figure 15: Dwelling Characteristics (Source: ABS 2012)



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

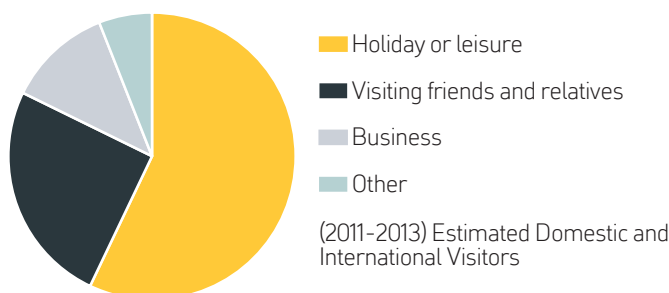


Figure 16: Tourism demand summary

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 stay accommodation or permanent residential have been identified as suitable uses 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 5.0.

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 and for development to be orientated toward the street.

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.

The following uses are specifically listed however the

proposed Scheme Amendment allows for merit based consideration of other uses consistent with performance criteria for the site and compatibility with the listed uses within the designated precinct.

“P” Means the use is permitted by the Scheme providing the use complies with the relevant development standards and the requirements of the Scheme;

“D” Means that the use is not permitted unless the Local Government has exercised its discretion by granting planning approval;

“A” Means that the use is not permitted unless the Local Government has exercised its discretion by granting planning approval after giving special notice in accordance with clause 9.4 of the Scheme;

“X” Means a use that is not permitted by the Scheme.

(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(2)	P	-
Multiple Dwelling (Up to 5 storeys 21.5m)	P(1)	-	-	-
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



- LEGEND**
- Structure Plan Boundary
 - Lot Boundary
 - Precincts:
 - Hotel/ Mixed Use
 - Mixed Use
 - Residential
 - Edge
 - Public Open Space
 - High Street
 - Public Access Way
 - Pedestrian Priority Access
 - Green Pedestrian Link
 - Pedestrian Cross Walk
 - Primary Activity Node
 - Primary Active Frontage
 - Secondary Active Frontage
 - P Public Parking
 - Parking Entry/Exit (Indicative)
 - Bush Fire Prone Area Boundary (100m from base of Mount Adelaide)

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



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.

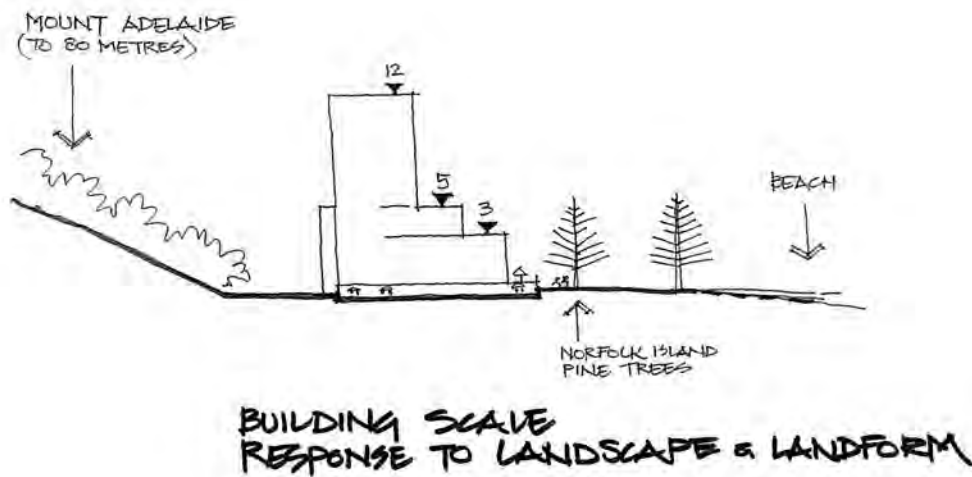


Figure 18: Indicative building height integration

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 is 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
	21.5m - 46m	5 - 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 is 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.

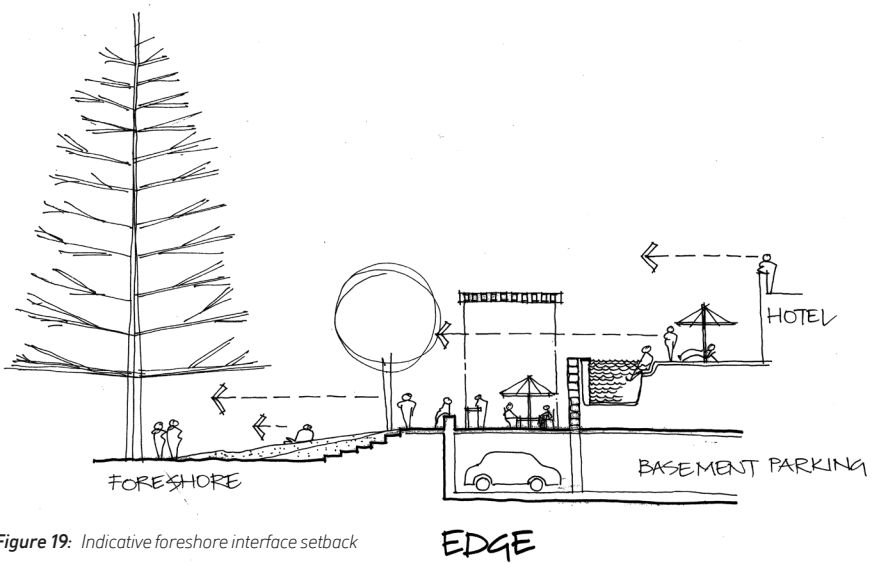


Figure 19: Indicative foreshore interface setback

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.

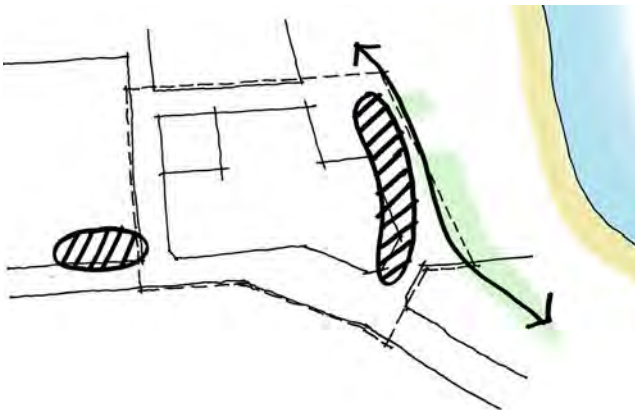


Figure 20: Activation focus with foreshore and existing development

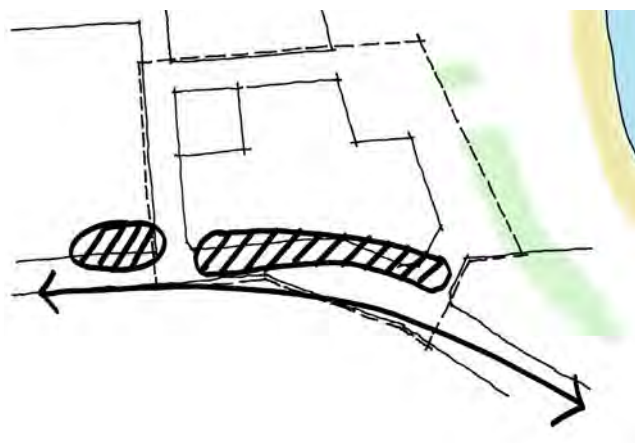


Figure 21: Activation focus with Adelaide Crescent and existing development

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 may 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 (attached as Appendix L) and community consultation outcomes, provide the foundation elements which are to be maintained through the development of MBAC. More specific site and building design consideration will be provided through the MBAC Design Guidelines. These overarching principles include:

CONTEXT AND LOCAL CHARACTER

- + Design is place-based and integrates with the foreshore, pines, Mount Adelaide and the existing surrounding built form and scale.

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, cyclist and public transport 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.
- + Provide for appropriate design solutions and management practices to address potential conflict and the impacts of different uses.

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.



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

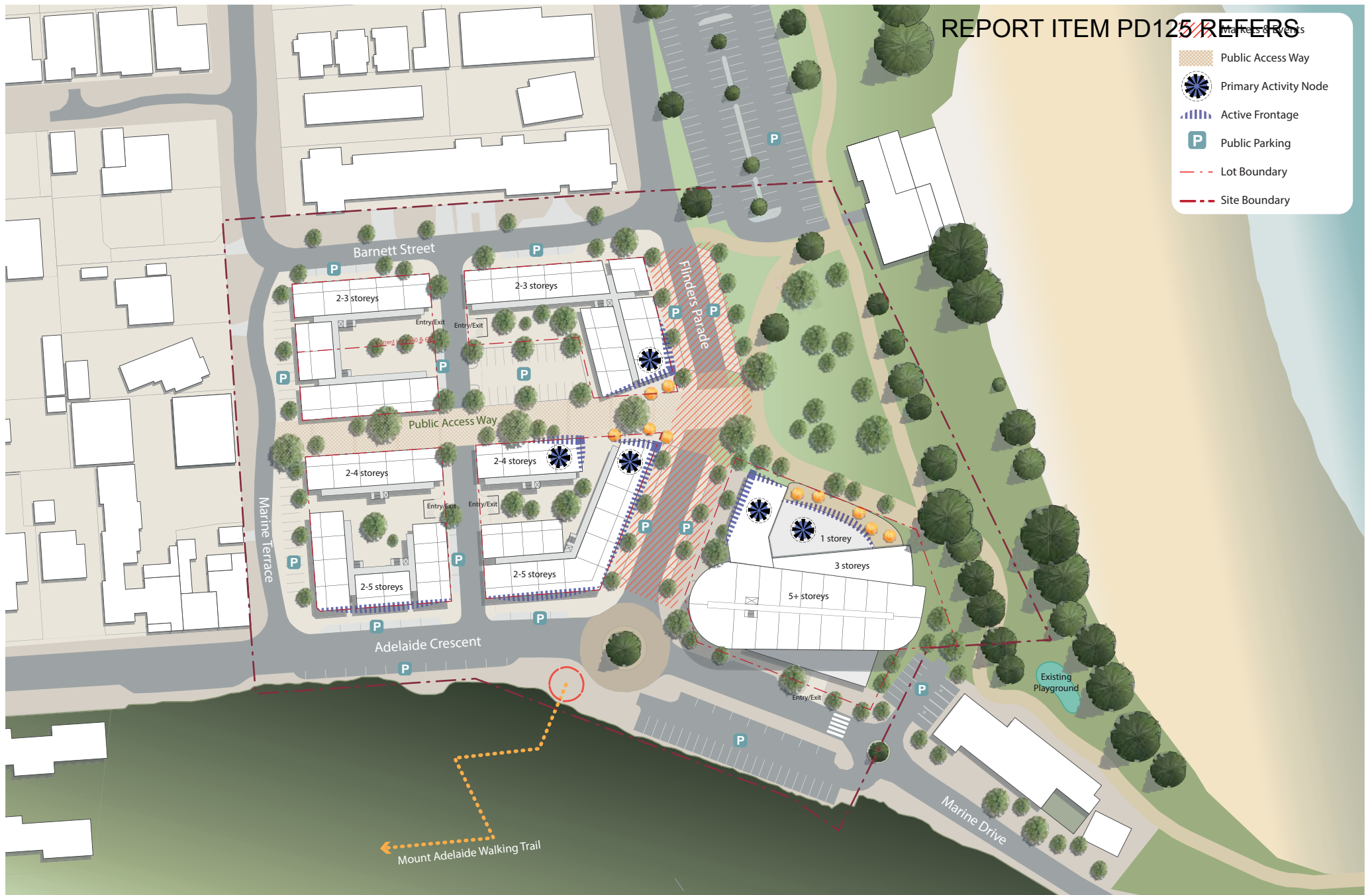
The above yields are based on the following dwelling sizes:

- + 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, including to a maximum 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



Figure 32: Indicative Concept Plan

5.4. INDICATIVE BUILT FORM: CONTEXTUAL

Figures 33 - 48 depict possible form and scale of development that may occur at 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 possible form and scale of development that may occur at 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 possible 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 9:00am 21 June - 5 storey option



Figure 50: Shadow cast at 9:00am 21 June - 12 storey option



Figure 51: Shadow cast at 12:00pm 21 June - 5 storey option



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



Figure 54: Shadow cast at 3:00pm 21 June - 5 storey option



Figure 53: Shadow cast at 3:00pm 21 June - 12 storey option



6 OPEN SPACE / LANDSCAPE

6.1. LANDSCAPING

AECOM developed a Landscape Master Plan (**Appendix I**) 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.
- + Ensure that there is a strong connection to the broader Middleton public domain through the connection of 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 I**, the plans developed are further 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.

INTENTIONALLY LEFT BLANK



AECOM
Figure 55: 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 J**). 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 (**Appendix D**), 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 56):

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 57 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. Construction to place height shall occur 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).

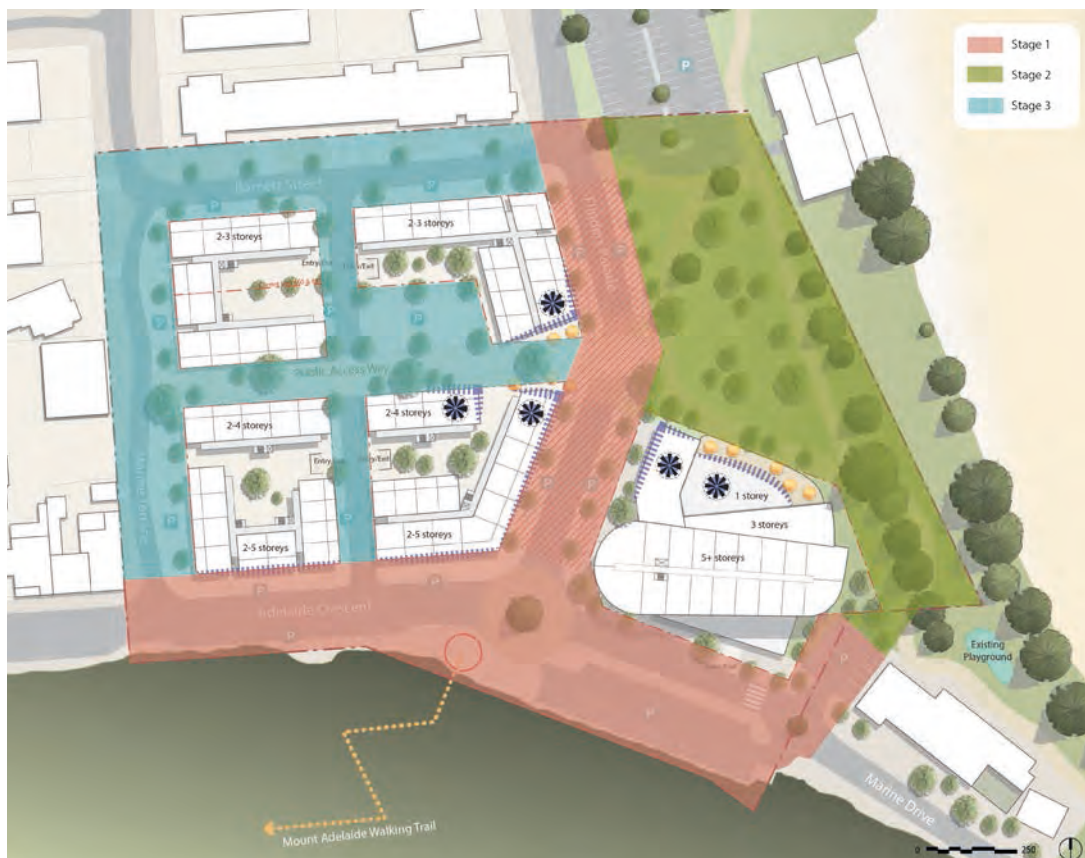


Figure 56: Staging Plan

INTENTIONALLY LEFT BLANK

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

L Preliminary Site and Context Analysis - Hames
Sharley 2015



INTENTIONALLY LEFT BLANK

Hames
SHARLEY

 ARCHITECTURE
INTERIORS
URBAN DESIGN
PLANNING
LANDSCAPE

www.hamesharley.com.au

IMPROVEMENT PLAN NO. 40

MIDDLETON BEACH ACTIVITY CENTRE



WESTERN AUSTRALIAN PLANNING COMMISSION

AUGUST 2014

This page has been left intentionally blank

IMPROVEMENT PLAN NO. 40

MIDDLETON BEACH ACTIVITY CENTRE

Introduction

1. Under section 119 of the *Planning and Development Act 2005*, the Western Australian Planning Commission (WAPC) is authorised to certify and recommend to the Minister for Planning that an Improvement Plan should be prepared for the purpose of advancing the planning, development and use of any land.
2. The Improvement Plan provisions of the *Planning and Development Act 2005* provides for the WAPC, with the approval of the Governor, to:
 - Plan, replan, design, redesign, consolidate, re-subdivide, clear, develop, reconstruct or rehabilitate land held by it under the Act or enter into agreement with any owner of land not held by it within the Improvement Plan area;
 - Provide for the land to be used for such purposes as may be appropriate or necessary;
 - Make necessary changes to land acquired or held by it under the Act;
 - Manage the tenure or ownership of the land or any improvements to that land held by it under the Act or enter into agreement with other owners of land within the Improvement Plan area for the same purposes;
 - Enter into agreement for the purchase, surrender, exchange, vesting, allocation or other disposal of land, including the adjustment of boundaries;
 - Recover costs in implementing the agreement with any owner of land within the Improvement Plan area; and
 - Do any act, matter or thing for the purpose of carrying out any agreement entered into with other land owners.
3. Improvement Plan No. 40 is enacted under these provisions to advance planning for redevelopment of the Middleton Beach Activity Centre, conferring on the WAPC the authority to undertake the necessary tasks to plan for and progress the redevelopment on behalf of the Western Australian Government.

4. Improvement Plan No 40 applies to the area depicted on the attached WAPC plan numbered 4.1607 as bound by Adelaide Crescent, Marine Terrace, Barnett Street, Flinders Parade and Marine Drive.

Background

5. Lot 8888 on the corner of Flinders Parade and Marine Drive, Middleton Beach ('the former Esplanade Hotel site') 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.
6. The site has been vacant since demolition of the hotel and associated accommodation units in January 2007. Previous development approvals granted by the City of Albany have lapsed.
7. The Albany community has continually expressed concern that the site is not being redeveloped to capitalise on its coastal location.
8. The current State Government has recognised redevelopment of the former Esplanade Hotel site as important to the future growth of Albany and is committed to the delivery of a redeveloped Middleton Beach Activity Centre.
9. To facilitate this redevelopment the State government is negotiating with the current landowners to acquire the former Esplanade Hotel site. The City of Albany supports the State Government's intention to acquire and develop the site.
10. Improvement Plan No. 40 also applies to Lots 660 and 661 Marine Terrace, which are in separate private ownership and not part of the former Esplanade Hotel site, together with the road reserves surrounding Lots 8888, 660 and 661, comprising portions of Adelaide Crescent, Marine Terrace, Barnett Street, Flinders Parade and Marine Drive. Inclusion of the entire street block within Improvement Plan No. 40 will optimise the opportunity for successful redevelopment.

Purpose

11. The Purpose of Improvement Plan No. 40 is to:

- i. Enable the WAPC to undertake all necessary steps to advance the planning, development and use of the land within the Middleton Beach Activity Centre as provided for under Part 8 of the *Planning and Development Act 2005*, including land assembly;
- ii. Establish the strategic planning and development intent for redevelopment of the Middleton Beach Activity Centre;
- iii. Provide guidance to the preparation and consideration of statutory plans, statutory referrals documentation and policy instruments;
- iv. Authorise the making of an Improvement Scheme for the Middleton Beach Activity Centre and establish its redevelopment objectives.

Improvement Scheme

12. Section 122A of the *Planning and Development Act 2005*, enables the WAPC to introduce an Improvement Scheme in areas where an Improvement Plan is in place over the subject land. Where applied, the provisions of an Improvement Scheme will prevail over applicable region and local planning schemes.

13. Improvement Plan No. 40 authorises the making of an Improvement Scheme, by the resolution of the WAPC and the approval of the Minister for Planning.

14. An Improvement Scheme made under this Improvement Plan will be informed by the following objectives:

- i. 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;
- ii. To achieve 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;
- iii. 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;

- iv. To facilitate the provision of an effective, efficient, integrated and safe transport network that prioritises pedestrians, cyclists and public transport users;
- v. To encourage provision of parking that is efficient and promotes the establishment of shared, reciprocal and common use facilities;
- vi. 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
- vii. To facilitate opportunities for investment and development.

Improvement Plan No. 40 Area

15. Improvement Plan No 40 incorporates Lot 8888 on Plan Survey No.052882 Flinders Parade, Lots 660 and 661 on Plan Survey No.120097 Marine Terrace and adjoining road reserves being portions of Adelaide Crescent, Marine Terrace, Barnett Street, Flinders Parade and Marine Drive at Middleton Beach, Albany, with the subject area depicted on the attached WAPC plan numbered 4.1607.

Affected Local Government

16. The City of Albany will be affected by Improvement Plan No. 40.
17. Consultation on this Improvement Plan has occurred with this local government as required under section 119 (3B).


Certificate

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

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



CHAIRPERSON



SECRETARY

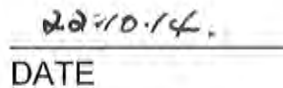


DATE



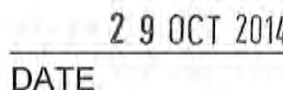
THIS RECOMMENDATION IS ACCEPTED:


MINISTER FOR PLANNING


DATE

THIS RECOMMENDATION IS ACCEPTED:


GOVERNOR


DATE

This page has been left intentionally blank

WESTERN AUSTRALIAN PLANNING COMMISSION
IMPROVEMENT PLAN NO. 40

CERTIFICATE AND RECOMMENDATION

Pursuant to Part 8 of the *Planning and Development Act 2005*, it is hereby

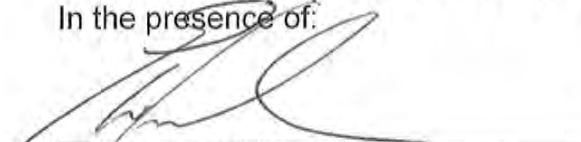
1. Certified that for the purposes of advancing the planning, development and use of all that land within the Middleton Beach Activity Centre area ('the land') should be planned, replanned, designed, redesigned, consolidated, re-subdivided, cleared, developed, reconstructed or rehabilitated and provision made for it to be used for such purposes as may be appropriate;

and

2. Recommended to the Minister for Planning and Her Excellency the Governor that the land should be so dealt with and used and made the subject of Improvement Plan No. 40 as depicted on WAPC plan numbered 4.1607 annexed hereto.

This Certificate and Recommendation is given in accordance with a resolution of the Western Australian Planning Commission passed on 26 August 2014.


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



CHAIRPERSON



SECRETARY

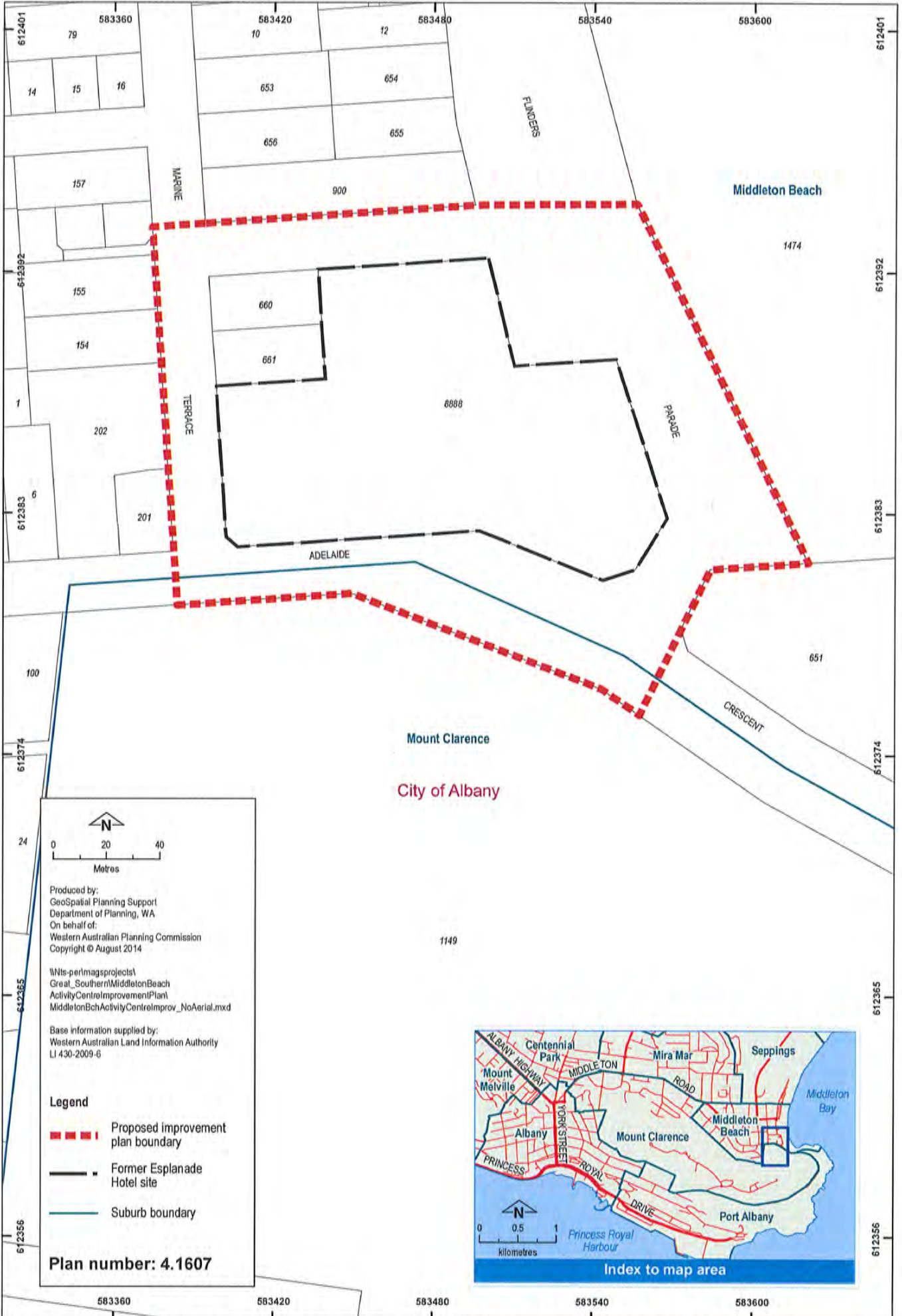


DATE



This page has been left intentionally blank

Middleton Beach Activity Centre Improvement Plan



Produced by:
GeoSpatial Planning Support
Department of Planning, WA
On behalf of:
Western Australian Planning Commission
Copyright © August 2014

\\Nls-per\mags\projects\Great_Southern\MiddletonBeachActivityCentreImprovementPlan\MiddletonBchActivityCentreImprov_NoAerial.mxd

Base information supplied by:
Western Australian Land Information Authority
LI 430-2009-6

Legend

- - - - - Proposed improvement plan boundary
- - - - - Former Esplanade Hotel site
- Suburb boundary

Plan number: 4.1607









