

## CITY OF ALBANY LOCAL PLANNING SCHEME No. 1

## AMENDMENT No. 1 &amp; 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. 1**  
**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. 1 REPORT ITEM PD125 REFERS

## AMENDMENT No. 1 & MIDDLETON BEACH ACTIVITY CENTRE STRUCTURE PLAN

### KEY ISSUES TABLE

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		<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. 1**  
**REPORT ITEM PD125 REFERS**  
**AMENDMENT No. 1 & MIDDLETON BEACH ACTIVITY CENTRE STRUCTURE PLAN**  
**KEY ISSUES TABLE**

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		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><b><u>Hotel:</u></b></p> <p>One bay per two employees + one per bedroom + one per 4m<sup>2</sup> in other public areas.</p> <p><b><u>Retail:</u></b></p> <p>One bay per 40m<sup>2</sup> 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><b><u>Residential / short stay tourist accommodation:</u></b></p> <p>As per <i>Local Planning Scheme No. 1</i>, with no visitor car parking requirement for permanent residential components.</p> <p><b><u>Other uses:</u></b></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. 1**  
**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. 1  
AMENDMENT No. 1 & MIDDLETON BEACH ACTIVITY CENTRE STRUCTURE PLAN  
KEY ISSUES TABLE**

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		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"> <li>• 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”;</li> <li>• 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:</li> <li>• <i>‘(2) Means that the permissibility of the use shall be contingent upon prior or concurrent construction of a hotel.’; and</i></li> <li>• Renumbering existing notation “(2)” as notation ‘3’.</li> </ul>

## 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"> <li>• 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”;</li> <li>• 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:</li> <li>• <i>‘(2) Means that the permissibility of the use shall be contingent upon prior or concurrent construction of a hotel.’; and</i></li> <li>• Renumbering existing notation “(2)” as notation ‘3’.</li> </ul>

## CITY OF ALBANY LOCAL PLANNING SCHEME No. 1

## AMENDMENT No. 1 &amp; MIDDLETON BEACH ACTIVITY CENTRE STRUCTURE PLAN

## SCHEDULE OF SUBMISSIONS

No.		Summary of Submission	Officer Comment	Staff Recommendation
1		The Environmental Protection Authority (EPA) considers that the proposed scheme amendment should not be assessed under Part IV Division 3 of the <i>Environmental Protection Act 1986</i> (EP Act).	Nil.	Advice noted.
2		No response received.	Nil.	Nil.
3		No response received.	Nil.	Nil.
4		<p>ATCO Gas do not have any objection to the proposed modification for the Local Planning Scheme subject to the Medium Pressure Gas Pipelines and Gas infrastructure being recognised and factored into any future designs for the areas where the ATCO Gas assets will be impacted.</p> <p>Any impact on the gas infrastructure and network due to the redevelopment may require the gas infrastructure to be relocated. ATCO Gas requests the proponents contact Engineering Services if this is identified.</p> <p>Atco Gas requests early consultation with proponents prior to any pre-construction field work studies being undertaken, any</p>	ATCO's advice will be relevant to subsequent subdivision and development stages.	Submission noted.

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

No.		Summary of Submission	Officer Comment	Staff Recommendation
		ground truthing/disturbance occurring or proposed crossing designs being finalised.		
5		No response received.	Nil.	Nil.
6		<p>Some off-site water and sewerage upgrades may be required, depending on the final development density, but the servicing issues affecting the servicing of the site are well summarised in the engineering report attached to the Structure Plan.</p> <p>Some sections of the Water Corporation water mains and gravity sewer and a private wastewater pressure main traverse the site and will need to be relocated out of the site onto acceptable alignments with existing or future road reserves.</p> <p>The proponents will also need to undertake upgrades of the existing undersized water reticulation mains by replacing the 80mm cast iron mains with a minimum of 100mm along Flinders Drive frontage and along Marine Terrace and Adelaide Crescent, as depicted on the Wood &amp; Grieve Engineers' sketch plan attached to the servicing report. The final details of the water main upgrades</p>	Water Corporation's advice will be relevant to subsequent subdivision and development stages.	Submission noted.

**CITY OF ALBANY LOCAL PLANNING SCHEME No. 1  
AMENDMENT No. 1 & MIDDLETON BEACH ACTIVITY CENTRE STRUCTURE PLAN  
SCHEDULE OF SUBMISSIONS**

No.		Summary of Submission	Officer Comment	Staff Recommendation
		will be determined by the Water Corporation at the subdivision and/or development stages.		
7		No response received.	Nil.	Nil.
8		No response received.	Nil.	Nil.
9		All issues appear to be addressed and DFES Great Southern Region has no further comment.	Nil.	Submission noted.
10		No response received.	Nil.	Nil.
11		<p>The proposed scheme amendment and structure plan will enable the development of an integrated precinct that recognises its importance, providing scope for tourist accommodation and an activity centre with supporting infrastructure including cafes and restaurants.</p> <p>The site, which previously included the Esplanade Hotel, has been vacant since 2007 when the hotel was demolished. This has left a significant gap in the tourism accommodation offer of the Great Southern region. The scheme amendment is considered by Tourism WA as a critical element in facilitating investment and utilisation of this site to fill this gap, and the</p>	<p>Tourism WA's comments regarding the distribution of hotel/short-stay rooms and permanent residential apartments in any future hotel/mixed use development will be relevant at the development stage.</p> <p>City staff note the recommendation to make 'small bar' a 'D' or discretionary land use, rather than an 'A' use, which would require public advertising prior to any approval being issued. However, City staff consider that maintaining 'small bar' as an 'A' use is consistent with the zoning provisions that apply to the surrounding area.</p>	Submission noted.

**CITY OF ALBANY LOCAL PLANNING SCHEME No. 1  
AMENDMENT No. 1 & MIDDLETON BEACH ACTIVITY CENTRE STRUCTURE PLAN  
SCHEDULE OF SUBMISSIONS**

No.		Summary of Submission	Officer Comment	Staff Recommendation
		<p>development of a high end hotel in this location.</p> <p>Tourism WA notes the creation of a Special Use Zone that recognises the Middleton Beach Activity Centre as a potential key tourist node, and the development of a built form and active beach front that reinforces this position. In particular, Tourism WA considers that the provision for additional height requirements (up to 12 storeys) and realignment of Flinders Parade to create direct access to the beachfront are critical elements of the hotel/mixed use component of the precinct and scheme amendment. The potential for Flinders Parade to be significantly pedestrianised, traffic calmed and potentially closed for events such as markets and festivals is recognised and supported.</p> <p>The Special Use Zone will enable the potential development of a landmark building that corresponds to its locality, and the creation of a precinct with a mix of uses and activities. However, it is noted that the proposed zoning and land uses permit multiple dwellings within the hotel/mixed use precinct and that the Middleton Beach</p>		

**CITY OF ALBANY LOCAL PLANNING SCHEME No. 1  
AMENDMENT No. 1 & MIDDLETON BEACH ACTIVITY CENTRE STRUCTURE PLAN  
SCHEDULE OF SUBMISSIONS**

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		<p>Activity Centre Structure Plan document specifies that residential development can occur at upper levels on this site (page 40).</p> <p>Tourism WA recommends that to protect the tourism integrity of this site, a condition should be included in the schedule, which requires the hotel/short stay rooms to be located on the upper floors and/or the component of the site with the highest tourist amenity (e.g. facing the ocean). This is consistent with the provisions of <i>Planning Bulletin 83 – Planning for Tourism</i> and ensuring that tourism is the key focus of the development of this significant tourism site.</p> <p>Tourism WA supports the creation of mixed use precincts and the opportunities for tourist facilities, restaurants, cafes and short stay accommodation as outlined in the amendment report. These will add to the vibrancy of the location and its attraction as a destination for visitors and residents.</p> <p>Significantly, these mixed use precincts will also support the proposed hotel and associated investment by providing</p>		

**CITY OF ALBANY LOCAL PLANNING SCHEME No. 1  
AMENDMENT No. 1 & MIDDLETON BEACH ACTIVITY CENTRE STRUCTURE PLAN  
SCHEDULE OF SUBMISSIONS**

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		<p>complementary infrastructure and add value to the overall development of this area. In this regard, uses which encourage activation and vibrancy both day and night (primarily those focused on food and beverage premises) should be facilitated, including small bars and taverns.</p> <p>It is noted that small bars are listed as an 'A' use in the proposed land use table (page 41). It is recommended that this be amended to a 'D' use, requiring Council discretion without the need to give special notice to support this type of development.</p> <p>The redevelopment of this site represents a significant opportunity to create a popular, vibrant destination for locals and visitors alike. However, as with all mixed use precincts which have an element of evening and night time activity, careful management is required to ensure that potential conflicts are identified and addressed at an early stage. In particular, appropriate attenuation and mitigation measures to manage noise is considered by Tourism WA to be important in achieving the</p>		

**CITY OF ALBANY LOCAL PLANNING SCHEME No. 1  
AMENDMENT No. 1 & MIDDLETON BEACH ACTIVITY CENTRE STRUCTURE PLAN  
SCHEDULE OF SUBMISSIONS**

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		envisaged tourism outcome and should be reflected in the Scheme Amendment.		
12		No response received.	Nil.	Nil.
13		<p>The Department of Water advises that it has no comment on the Scheme Amendment Report.</p> <p>The Department has assessed and reviewed the Local Water Management Strategy prepared for Land Corp as part of the Middleton Beach Activity Centre Structure Plan (various consultants) and is satisfied with the document.</p> <p>The strategies contained within the Local Water Management Strategy are considered the best outcome based on the constraints of the site. These strategies have been adopted in the stormwater management concept, in addition to retaining up to the 5yr ARI storm event.</p> <p>Although the approach used within the Local Water Management Strategy is supported by the Department, the following additional advice should be noted:</p>	The City of Albany and Landcorp are currently working to upgrade the stormwater management arrangements within the Activity Centre area.	Submission noted.

**CITY OF ALBANY LOCAL PLANNING SCHEME No. 1  
AMENDMENT No. 1 & MIDDLETON BEACH ACTIVITY CENTRE STRUCTURE PLAN  
SCHEDULE OF SUBMISSIONS**

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		<ul style="list-style-type: none"> <li>• The Local Water Management Strategy on HPRM was not complete and as such Appendix 5 and 6 could not be reviewed, which relate to the Stormwater Management Plan and Drainage Plan.</li> <li>• Section 5 of the Local Water Management Strategy outlines the stormwater management proposed, which based on the sites constraints seems the most appropriate. However, it was noted in Section 5.1 it was stated that:               <ul style="list-style-type: none"> <li>○ First dot point, pre and post development flows would be maintained. This is inconsistent with the subsequent investigations by WGE who put forward options of how discharges could be reduced to avoid impacting amenity on the beach.</li> <li>○ Third dot point said to retain and infiltrate the 1yr ARI event. The department recommends that this rainfall event is managed as high in the catchment as possible, it does not need to be retained and infiltrated. That said due to the very high permeability of the underling</li> </ul> </li> </ul>		

**CITY OF ALBANY LOCAL PLANNING SCHEME No. 1  
AMENDMENT No. 1 & MIDDLETON BEACH ACTIVITY CENTRE STRUCTURE PLAN  
SCHEDULE OF SUBMISSIONS**

No.		Summary of Submission	Officer Comment	Staff Recommendation
		<p>sands the most appropriate management is infiltration.</p> <ul style="list-style-type: none"> <li>• Section 5.2 of the Local Water Management Strategy states that fill level may need to be raised to ensure soakwells remain above the maximum groundwater level. However, there are alternative shallower systems that could be used instead of soakwells such as Atlantis cells. This provides the ability to reduce fill requirements, where the controlling factor is not separation from flood.</li> <li>• WGE letter outlines that Landcorp intend to: <ul style="list-style-type: none"> <li>○ Reduce discharges to the beach and improve the drainage and area where possible, with the aim of retaining and infiltrating up to the 5yr ARI event. The approach include use of sub-surface infiltration devices within the beach foreshore area upstream of the discharge locations.</li> <li>○ Maximise detention in the system with the use of vegetated swales in median strips and use of soakage pits on site.</li> </ul> </li> </ul>		

**CITY OF ALBANY LOCAL PLANNING SCHEME No. 1  
AMENDMENT No. 1 & MIDDLETON BEACH ACTIVITY CENTRE STRUCTURE PLAN  
SCHEDULE OF SUBMISSIONS**

No.		Summary of Submission	Officer Comment	Staff Recommendation
		<p>The subject area is adjacent to Middleton Beach (Place No. 17520), which the Heritage Council's Register Committee has identified as a place warranting assessment for possible entry in the State Register of Heritage Places. One of the key values of this area is the group of Norfolk Island Pine Trees planted in the 1940s within the foreshore reserve.</p> <p>We note the proposed structure plan proposes an area of public open space that incorporates and extends the foreshore area and retains the avenue of Norfolk Island Pines. A small number of trees are noted for removal or relocation; however, these are outside the area considered to have heritage significance.</p> <p>The proposed Scheme Amendment gives due regard to the Structure Plan and recognises the 'iconic location' of the public foreshore reserve.</p> <p>Overall the amendment is not considered to negatively impact on identified heritage places and there is therefore no objection to the proposal.</p>	Nil.	Submission noted.

**CITY OF ALBANY LOCAL PLANNING SCHEME No. 1  
AMENDMENT No. 1 & MIDDLETON BEACH ACTIVITY CENTRE STRUCTURE PLAN  
SCHEDULE OF SUBMISSIONS**

No.		Summary of Submission	Officer Comment	Staff Recommendation
14		<p>Asking if the City of Albany and LandCorp have consulted with the State Heritage Council regarding the Middleton Beach Development plan. The area from Ellen Cove to Flinders Parade is listed with the Heritage Council, with reference number; Heritage Place No. 17520 – Middleton Beach, – Middleton Beach Arising from nomination of P17771 Norfolk Pine Trees Albany Middleton Beach Landscape Arising from nomination of P17771 Norfolk Pine Trees Albany, and utilities Heritage List – YES on 30 December 1983 Constructed from 1940.</p> <p>Unsure if the City is aware that it is listed but had noticed there was no reference to heritage consultation in the plan.</p>	Item five of the key issues table addresses the matter of heritage in detail.	Submission noted.
15		Concerned that height will look out of place and degrade the unique low key attributes of the beach. Suggests four to five storeys is a more appropriate limit.	Item one of the key issues table addresses the matter of building height in detail.	Submission noted.
16		Concerned regarding the height of the proposed Hotel/Mixed Use area. States that 12 storeys would be too high and would	Item one of the key issues table addresses the matter of building height in detail.	Submission noted.

**CITY OF ALBANY LOCAL PLANNING SCHEME No. 1  
AMENDMENT No. 1 & MIDDLETON BEACH ACTIVITY CENTRE STRUCTURE PLAN  
SCHEDULE OF SUBMISSIONS**

No.		Summary of Submission	Officer Comment	Staff Recommendation
		spoil a beautiful area. A maximum of 3 storeys would be better.		
17		In opinion that a building of six stories or above would not be in keeping with the glorious location of Ellen Cove. Low impact, low rise of not more than four stories would be more suitable for the location. The view through the trees to the sea and beyond belongs to everyone, not a few staying for a short while.	Item one of the key issues table addresses the matter of building height in detail.	Submission noted.
18		In opposition to proposed 12-storey development as she believes that it will destroy what they have there. The area is unique and unspoilt. Visitors to the area feel like they have discovered a well-kept secret. Doesn't think that [we] need development like this at the beach and there are many other places that would be more suited to it. She much prefer to have nothing than a massive building dominating the beachfront. Comments such as 'we need to be dragged kicking and screaming into the 21 <sup>st</sup> Century' are stupid, as I am not ashamed of liking our town the way it is and hope to keep it that way.	Item one of the key issues table addresses the matter of building height in detail.	Submission noted.

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

No.		Summary of Submission	Officer Comment	Staff Recommendation
19		<p>States that unless the multistorey Hotel/Mixed Use precinct is removed from the proposal we strongly oppose the amendment on grounds of landscape considerations, loss of existing public amenity near the 'Anchors precinct', visual impact upon several thousand local residents (particularly Spencer Park, Mira Mar, Mount Clarence, Middleton Beach) and the total lack of sympathy/sense of place regarding some of Albany's finest assets, viz. Middleton Beach, Ellen Cove and their juxtaposition with a proposed 'world class walking trail area' in the adjacent Albany Heritage Park of Mounts Adelaide and Clarence. There will also be a visual landscape impact from Middleton Bay and King George Sound as well as looking back from the Gull Rock/Mount Martin reserves.</p> <p>The proposal therefore has a fundamental flaw in not taking into consideration the visual impacts when any high-rise (greater than four storeys) component of the proposal is viewed from outside the proposed development area, i.e. failure to look 'outside the box' and genuinely think of</p>	<p>Items one and nine of the key issues table address the matters of building height and the location of the hotel within the development area in detail.</p> <p>The development is not expected to have a greater visual impact on the landscape than existing development at Checkers Walk, Morley Place, Hare Street and Wylie Crescent, when viewed from vantage points beyond the immediate area. While it will possible to distinguish any future building as free-standing when viewed from Mira Mar, it is part of an established urban area, albeit one that is presently developed with single, double and three-storey buildings.</p>	Submission noted.

**CITY OF ALBANY LOCAL PLANNING SCHEME No. 1  
AMENDMENT No. 1 & MIDDLETON BEACH ACTIVITY CENTRE STRUCTURE PLAN  
SCHEDULE OF SUBMISSIONS**

No.		Summary of Submission	Officer Comment	Staff Recommendation
		<p>the highly significant landscape blot to residents and visitors alike.</p> <p>Furthermore, the proposal as depicted will result in significant reduction of the highly popular grassy public foreshore near Ellen Cove which is ideally suited to families with children's playgrounds, public change rooms, alfresco café, etc. Moreover, to be towered over by a multi-storey development irrespective of the number of floors. Parking for locals and families will no doubt be significantly compromised in the Ellen Cove vicinity unless there is a large set back retaining the current road and car parking system. Multistorey development above four floors should have no place in Albany's future as the community clearly demonstrated in the Frederick Street multistorey proposals a decade or so ago. Albany is attractive to visitors largely because of its fine natural setting and the lack of multistorey development. The scars of Observation City in Scarborough are a stark reminder of poor planning decisions in the past. Please don't try to take our beautiful and unique natural setting away by such an</p>		

**CITY OF ALBANY LOCAL PLANNING SCHEME No. 1  
AMENDMENT No. 1 & MIDDLETON BEACH ACTIVITY CENTRE STRUCTURE PLAN  
SCHEDULE OF SUBMISSIONS**

No.		Summary of Submission	Officer Comment	Staff Recommendation
		<p>inappropriate proposal grossly impacting upon our most valuable assets. The demolished Esplanade Hotel was sensitively designed within the setting and ambience of Middleton Beach. Put it back as it was! It had soft tones, sensibly scaled setbacks from public areas and a true 'sense of place'. It also became an extended community facility with its various bars and lounges across a range of styles to suit most tastes. The conceptual designs in the various reports on the new multistorey component of the proposal comprise stark unsympathetic design completely out of context with the valuable natural surroundings and appear to be devoid of community enhancement potential.</p>		
20		<p>Expresses complete support to the proposed redevelopment at Middleton Beach. The up to 12 Stories is fantastic and is an opportunity to show leadership and progress for our great City. This project gives us another opportunity to achieve an icon for the years to come.</p>	Nil.	Submission noted.

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

No.		Summary of Submission	Officer Comment	Staff Recommendation
21		Expresses full support of the Middleton Beach proposal, including the proposed heights. It is obvious this is needed to attract developers. With the high side backing to the mount no-one should be affected or offended. If we do not let this proposal go ahead now we should be prepared to look at a vacant block for many years to come.	Nil.	Submission noted.
22		<p>Believes that altering the parking will taking views away from residents, and that the proposed building too tall and too close to the beach. It is out of character of the area. The shadow will cast on the beach and on to the native vegetation. States that high-rise is 'not Albany' and development should be on a hotel site, not public land with a three to four-storey maximum. People leave the city for a different experience and Albany is about beauty – it is special because it is not the city.</p> <p>Look at Scarborough; it is too busy on weekends and the '80s hotel looks terrible as the owner does not care about upkeep. You are selling the beach with this plan. It should be about the old hotel land.</p>	Items one, two, three and nine of the key issues table address the matters of building height, overshadowing, parking and the location of the hotel within the development area, in detail.	Preferred four-storey limit noted.

**CITY OF ALBANY LOCAL PLANNING SCHEME No. 1  
AMENDMENT No. 1 & MIDDLETON BEACH ACTIVITY CENTRE STRUCTURE PLAN  
SCHEDULE OF SUBMISSIONS**

No.		Summary of Submission	Officer Comment	Staff Recommendation
		<p>The amount of parking on the plan is under the requirement.</p> <p>I am sure your buildings will have architectural merit at first, but in 20 or 30 years everyone will say 'what did we do?'</p>		
23		<p>In opinion that 12 storeys is out of context. Is there a shadow plan at 3pm in winter for a 12 storey building? That's a plan that that you would like to see. Sure it's up against a hill and reduces visual impact but will the jetty be in a shadow for half the day?</p> <p>It says '5+' storeys in the concept so guessing that it stacks up commercially after five storeys.</p>	<p>Items one and two of the key issues table address the matters of building height and overshadowing in detail.</p>	<p>Submission noted.</p>
24		<p>The new 'footprint' extends well beyond the old hotel site but I believe any new development should not intrude on the beach and grassed area. Clearly road re-alignment will be considered, however, LandCorp needs to be aware of the 'sentiment' surrounding access to the present beach.</p>	<p>Items eight and nine of the key issues table address the matters of road alignment and the location of the hotel within the development area in detail.</p>	<p>Submission noted.</p>

**CITY OF ALBANY LOCAL PLANNING SCHEME No. 1  
AMENDMENT No. 1 & MIDDLETON BEACH ACTIVITY CENTRE STRUCTURE PLAN  
SCHEDULE OF SUBMISSIONS**

No.		Summary of Submission	Officer Comment	Staff Recommendation
		<p>It is important that more car parking bays are included in the development. Tourism is an increasingly important industry in Albany but 90% of tourists will come by car so while we need to be a pedestrian friendly city, developments also need to be car-friendly. While we all understand that land is very valuable and a resource which must be fully utilized, overdevelopment that will spoil the 'character' of the area must be opposed. While several alternatives have been suggested, it is important that multistorey buildings are towards the rear of the site and plot ratios are not pushed to their limit. Catering for families at street level at the front of the site will mean that retail, food and beverage service will be easily available and accessible.</p> <p>Any improvements should include more toilets and improved toilet blocks. Often the number of toilets are decreased when in fact they are an essential service.</p> <p>While the above may seem minor matters I believe they are important and should be considered.</p>		

**CITY OF ALBANY LOCAL PLANNING SCHEME No. 1  
AMENDMENT No. 1 & MIDDLETON BEACH ACTIVITY CENTRE STRUCTURE PLAN  
SCHEDULE OF SUBMISSIONS**

No.		Summary of Submission	Officer Comment	Staff Recommendation
25		<p>I wish to congratulate the City of Albany, LandCorp and the Government of WA on preparing the Middleton Beach development proposals. Having lived in the Albany area since 1990 and witnessed the very slow rate of progress in bringing the City of Albany into the 21<sup>st</sup> Century, I trust that the future development will include the 12-storey hotel as this will be absolutely essential in getting international tourists as well as interstate visitors into our region. Albany can no longer simply look at being an old people's retirement village where a minority want to restrict future growth and development. It is now a growing business centre that must attract people who will invest their energies and resources here and allow opportunities for our children and grandchildren to remain here in Albany.</p> <p>Don't allow a small group of 'NIMBY' types to 'shanghai' the proposed new vision that has been presented. Just like all the minority vocal groups who tried to stop the Albany Entertainment Centre happening whilst I was a City of Albany councillor a few years back, they eventually disappeared and now are at the facility to enjoy what the</p>	Nil.	Submission noted.

**CITY OF ALBANY LOCAL PLANNING SCHEME No. 1  
AMENDMENT No. 1 & MIDDLETON BEACH ACTIVITY CENTRE STRUCTURE PLAN  
SCHEDULE OF SUBMISSIONS**

No.		Summary of Submission	Officer Comment	Staff Recommendation
		Entertainment Centre has brought to our community. I trust that the Mayor and Councillors will speak up and support the often silent majority who just want Albany to take its place as the best regional city in Australia.		
26		In opinion that the proposed is a brilliant concept and that Albany cannot afford to 'lag' behind other towns such as Busselton or Esperance when it comes to attracting tourists.	Nil.	Submission noted.
27		Is in support of the proposed believing it will put Albany in a better light. Also believes that Albany needs to embrace change and to be more inviting to visitors, and states that to do so Albany needs outside, sophisticated investors with plans to make something an attraction in addition to what Albany already has. Believes this plan is exactly that.	Nil.	Submission noted.
28		Is delighted with the proposed plans, and thinks it important to ensure that development on the site is encouraged so the height of the hotel is reasonably high. He presumes that the 12-storey maximum	Nil.	Submission noted.

**CITY OF ALBANY LOCAL PLANNING SCHEME No. 1  
AMENDMENT No. 1 & MIDDLETON BEACH ACTIVITY CENTRE STRUCTURE PLAN  
SCHEDULE OF SUBMISSIONS**

<b>No.</b>		<b>Summary of Submission</b>	<b>Officer Comment</b>	<b>Staff Recommendation</b>
		is enough to entice developers. Believes it may be imposing, but Albany will become accustomed. Is not in support of the proposed planting of palms as it does not compliment the current climate.		
29		Suggesting that the proposal should allow more than 12 storeys and should include penthouses that have underground parking and lockable storage units.	Item three of the key issues table addresses the matter of parking in detail.	Submission noted.
30		In opinion that the hotel should be a maximum of five storeys as the afternoon shadow cast by a 12-storey building will cover the beach. Also believes that not enough parking is provided for the increasing population.	Items one and three of the key issues table address the matters of building height and parking in detail.	Submission noted.
31		Requests that adequate and hassle-free parking be provided.	Item three of the key issues table addresses the matter of parking in detail.	Submission noted.
32		In opposition to the 12-storey hotel proposal as he believes that it will be a 'foot in the door' for other high-rise buildings to be developed within the Middleton Beach area, in turn minimising views of Ellen Cove.	Item one of the key issues table addresses the matter of building height in detail.	Submission noted.

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

<b>No.</b>		<b>Summary of Submission</b>	<b>Officer Comment</b>	<b>Staff Recommendation</b>
33		Is in great support of the artist's impression of the proposal.	Nil.	Submission noted.
34		Considers it important that a guideline be created to preserve the ground floor of the hotel so that it may be a shared space for all. Believes this to be a great opportunity for Albany to expand the cycling facilities, including increase of bicycle parking. However, is concerned as to what 'pedestrian priority access' means in relation to crossing Marine Drive.	Item three of the key issues table addresses the matter of parking in detail.  The provision of end-of-trip facilities for cyclists will be a requirement at the time of development.  'Pedestrian priority access' essentially means that the pedestrians will be given priority over cars at this crossing point.	Submission noted.
35		In opinion that this proposal is what Albany needs to attract investment and give tourists incentive to visit and enjoy Albany.	Nil.	Submission noted.
36		In concerned that the proposed height of the hotel will look out of place against the existing two-storey properties. Also concerned regarding the shadow that a 12-storey building will cast over the area and that it will deter visitors in the evening. Believes the reduced road access is concerning given the population increase, and raised similar concerns regarding the	Extensive community consultation has occurred prior to the lodgement of the current proposals, in order to inform its design, and further community consultation has taken place according to statutory requirements.  Items one, two and three of the key issues table address the matters of	Submission noted.

**CITY OF ALBANY LOCAL PLANNING SCHEME No. 1  
AMENDMENT No. 1 & MIDDLETON BEACH ACTIVITY CENTRE STRUCTURE PLAN  
SCHEDULE OF SUBMISSIONS**

No.		Summary of Submission	Officer Comment	Staff Recommendation
		extra 20 car parking bays proposed. Believes that Albany needs development but does support the proposal and suggests more community consultation.	building height, overshadowing and parking, in detail.	
37		Raises concern stating that if the amenities are increased in the area then the car parking provided needs to be reviewed, with direct concern regarding peak tourism seasons. Would also like to know how much control the City of Albany has over Developers ensuring that they adhere to this Structure Plan. Believes that the 12-storey proposed hotel development is not in theme with Albany or Middleton Beach, but does like the proposed grassed areas between the beach and the buildings.	The proposed local planning scheme amendment and Middleton Beach Activity Centre Structure Plan would create a planning framework for the Activity Centre area, which would guide its subsequent development.  Items one and three of the key issues table address the matters of building height and parking in detail.	Submission noted.
38		Believes that parking will become an issue, and suggests that the hotel be situated in the middle of the whole site where the apartments are located to be a central attraction. Also believes that the 12-storey proposal is too large and the hotel footprint too wide. Wishes to add a suggestion of the hotel be made structurally sound so that the developer will build to five storeys and may add more storeys at a later date.	Items one and three of the key issues table address the matters of building height and parking in detail.	Submission noted.

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

No.		Summary of Submission	Officer Comment	Staff Recommendation
39		Asks that all buildings are six-star rated.	Any future buildings would have to be constructed to meet the energy rating required by the Building code of Australia at the time of development.	Submission noted.
40		Is in complete favour of the proposal, including the 12-storey maximum. Of the opinion that it will not dramatically affect views of residents and can only improve the value of surrounding properties.	Nil.	Submission noted.
41		Of the opinion that not enough bicycle racks are provided in the proposal and that the more that can be installed, then the more traffic the area will generate. Asks that safety lockers be provided at the beachfront for the public to safely store personal belongings.	Bicycle parking is already required as a component of new development by <i>Local Planning Scheme No. 1</i> . The proposed local planning scheme amendment would also introduce a bicycle parking requirement for residential development in the Activity Centre area.  Item three of the key issues table addresses the matter of parking.	Submission noted.
42		Admitted to signing a petition recently opposing the 12-storey proposal, but since viewing the artist's impression boards, he is now in favour of the proposal believing it to	Nil.	Submission noted.

**CITY OF ALBANY LOCAL PLANNING SCHEME No. 1  
AMENDMENT No. 1 & MIDDLETON BEACH ACTIVITY CENTRE STRUCTURE PLAN  
SCHEDULE OF SUBMISSIONS**

<b>No.</b>		<b>Summary of Submission</b>	<b>Officer Comment</b>	<b>Staff Recommendation</b>
		be magnificent, well thought out and well presented.		
43		Requests that no more than three storeys be proposed on the grounds it will be visually destructive to the open, friendly area and that only the wealthy will be able to live in the area once developed.	Item one of the key issues table addresses the matter of building height in detail.	Submission noted.
44		Believes the proposal to be fantastic, and that it is important to cement Albany as a premier tourist destination.	Nil.	Submission noted.
45		Is enthusiastically in favour of the Structure Plan and believes it is long overdue for this part of Albany. Of the opinion that the proposed heights made both design and commercial sense, and it in favour to have the 12-storey proposed hotel as part of the development.	Nil.	Submission noted.
46		Believes that palms should be avoided as part of the vegetation plans, but all other detailed vegetation is appropriate.	Nil.	Submission noted.
47		States that six to eight storeys would be ideal and that the mixed use sites should allow for home office situations, as he believes that it would be good for non-locals to be able to set up a small office and have	Item one of the key issues table addresses the matter of building height in detail.	Submission noted.

**CITY OF ALBANY LOCAL PLANNING SCHEME No. 1  
AMENDMENT No. 1 & MIDDLETON BEACH ACTIVITY CENTRE STRUCTURE PLAN  
SCHEDULE OF SUBMISSIONS**

<b>No.</b>		<b>Summary of Submission</b>	<b>Officer Comment</b>	<b>Staff Recommendation</b>
		a place to stay a few days a week. Does not want the area to become exclusive to a particular demographic (i.e. retirement village) and that diversity needs to be encouraged in the area. Hopes that developers seize the opportunity.	A 'home office' does not require development approval, provided that it is for the sole use of the occupier of the dwelling and is not open to the public. 'Office' is a use that may be permitted on the mixed use sites and there is an opportunity for dual use development.	
48		Is in support of the proposals and hopes that it proceeds quickly.	Nil.	Submission noted.
49		Believes the proposal would constitute good planning if developed as presented, but is sceptical of whether or not the City of Albany and developers will adhere to the Plan. Is in opposition to any development being closer to the beach than shown, as this belongs to the community and not solely tourists. Also wishes that the proposed artwork not be used.	The proposed local planning scheme amendment and Middleton Beach Activity Centre Structure Plan would create a planning framework for the Activity Centre area, which would guide its subsequent development.  Item nine of the key issues table addresses the location of the hotel within the development area in detail.	Submission noted.
50		Is in favour of the proposal, and believes that Albany needs a new hotel and business outlets in the area. Only concern is that the height is above seven storeys, but if it is nestled into the Western side it should as to not impact on local residents if 12 storeys is approved.	Item one of the key issues table addresses the matter of building height in detail.	Concerns noted.

**CITY OF ALBANY LOCAL PLANNING SCHEME No. 1  
AMENDMENT No. 1 & MIDDLETON BEACH ACTIVITY CENTRE STRUCTURE PLAN  
SCHEDULE OF SUBMISSIONS**

No.		Summary of Submission	Officer Comment	Staff Recommendation
51		All believe that the area will become too crowded with the proposal and that there will be adverse implications on traffic.	<p>Middleton Beach is subject to a 40km/h speed limit and the proposals will result in additional traffic calming that will make the area more pedestrian-friendly.</p> <p>Item three of the key issues table addresses the matter of parking in detail.</p>	Submission noted.
52		Of the opinion that adequate car parking has not be allowed for and that the hotel site needs to go back to the bush and road as if it is against the mountain, then the height is not going to be an issue as it is tucked away in the corner. Also believes that the hotel site should be positioned where the current parking area is situated to open up the beach to the public because as the plans currently are, they encroach onto public areas, grassed area and beach.	Items one, three and nine of the key issues table addresses the matter of building height, parking and the location of the hotel within the development area, in detail.	Submission noted.
53		Believes that there is no reason that this proposal should not go ahead. States that it would be better than the site in its current state.	Nil.	Submission noted.

**CITY OF ALBANY LOCAL PLANNING SCHEME No. 1  
AMENDMENT No. 1 & MIDDLETON BEACH ACTIVITY CENTRE STRUCTURE PLAN  
SCHEDULE OF SUBMISSIONS**

<b>No.</b>		<b>Summary of Submission</b>	<b>Officer Comment</b>	<b>Staff Recommendation</b>
54		Of the opinion that the artist's impression drawings look excellent, apart from the proposed 12-storey hotel site. Believes that five storeys should be the limit to the site and that the 12-storey maximum gives a 'Gold Coast' look to the area. Concerned that allowing 12 storeys would facilitate further decisions for 12-storey and taller buildings, which would detract from the character of the area.	Item one of the key issues table addresses the matter of building height in detail.	Submission noted.
55		Suggests that the hotel, residential and commercial buildings indicated on the proposal should be no higher than six storeys; that underground parking be provided for the hotel site; that the colour of the building should be accommodating of the environment and 'fit in' (i.e. previous colour scheme of the Esplanade Hotel); and suggests to close vehicle access to Flinders Parade and allow areas for markets, music, etc.	Item one of the key issues table addresses the matter of building height in detail.	Submission noted.
56		Is in opposition to the proposed 12-storey hotel site as it will cause shading across the café and playground area through winter when the sun is low, which will affect the amenity of the area and that the gap between Mount Clarence and the hotel will	Items one, two and six of the key issues table address the matters of building height, overshadowing and wind, in detail.	Submission noted.

**CITY OF ALBANY LOCAL PLANNING SCHEME No. 1  
AMENDMENT No. 1 & MIDDLETON BEACH ACTIVITY CENTRE STRUCTURE PLAN  
SCHEDULE OF SUBMISSIONS**

<b>No.</b>		<b>Summary of Submission</b>	<b>Officer Comment</b>	<b>Staff Recommendation</b>
		create a wind tunnel effect onto the beach. Believes that the other elements of the proposal are good but the high-rise component will impact the character of the area.		
57		Is in favour of the low-rise aspects of the proposal. Feels that a high-rise development is out of character with Middleton Beach and strongly urges the Council only consider low-rise proposals up to a six-storey maximum.	Item one of the key issues table addresses the matter of building height in detail.	Submission noted.
58		Believes that the City of Albany need to take more notice of the community over the interest of private developers who do not reside in the area. Previous developments in WA has cause the communities to live with poor developments and visual eyesores (i.e. Scarborough Beach development). The hotel site and height is inappropriate for the Middleton Beach area. Believes that the development height should be no more than five storeys.	Item one of the key issues table addresses the matter of building height in detail.	Submission noted
59		Is in support of the proposed 12-storey hotel site as she believes Albany needs something of this nature. Also strongly	Nil.	Submission noted.

**CITY OF ALBANY LOCAL PLANNING SCHEME No. 60 REPORT ITEM PD125 REFERS  
AMENDMENT No. 1 & MIDDLETON BEACH ACTIVITY CENTRE STRUCTURE PLAN  
SCHEDULE OF SUBMISSIONS**

No.		Summary of Submission	Officer Comment	Staff Recommendation
		believes that it will not impact on the community's view over the area.		
60		Believes it is imperative to leave open space on the foreshore to keep areas available for various activities. Will also still support what LandCorp indicates as the peoples' choice for low-rise buildings. Twelve storeys on the hotel site, insinuated into the mix by progressively increasing the height of the commercial/residential buildings is unacceptable. Completely disagrees with the proposed 12 storeys and considers that eight storeys would even be too much, and that six would be more agreeable. Does not accept the economic viability argument that demands height. And whoever put together the concept plan took no account of the easterlies which would make the main corridor a gigantic wind tunnel. I am also suspicious of the footprint of the hotel increasing towards the foreshore and its design to changes drastically to 'maximise return'.	Items one, six and nine of the key issues table address the matters of building height, wind and the location of the hotel within the development area, in detail.	Submission noted.
61		Believes the proposal to be absolutely fantastic and that Albany needs a five-star hotel. Loves the concept plans, including	Nil.	Submission noted.

**CITY OF ALBANY LOCAL PLANNING SCHEME No. 1  
AMENDMENT No. 1 & MIDDLETON BEACH ACTIVITY CENTRE STRUCTURE PLAN  
SCHEDULE OF SUBMISSIONS**

No.		Summary of Submission	Officer Comment	Staff Recommendation
		12 storeys if that's what the developer needs to make it financially viable. Albany is growing – we need accommodation to encourage tourism and business investment in our City as well as alternative residential options which this proposed development will provide.		
62		Is very impressed with the proposal plans and see good sense in the distribution of building heights. This allows the development to blend well into the current landscape. Road re-alignment and grassed areas at the waterfront is a benefit to the community. Retaining the iconic views between the Norfolk Island Pines and out into the sound is a priority always.	Nil.	Submission noted.
63		Does not like the footprint of the proposed 12-storey hotel. Understood the proposal to be situated where the carpark near Three Anchors is hard against the mountain. Is also in opposition to the actual 12-storey height proposal, but is in favour of the re-development. Suggests not planting Red Flowering Gums as they are quite messy.	Items one and nine of the key issues table address the matters of building height and the location of the hotel within the development area in detail.	Submission noted.

**CITY OF ALBANY LOCAL PLANNING SCHEME No. 1  
AMENDMENT No. 1 & MIDDLETON BEACH ACTIVITY CENTRE STRUCTURE PLAN  
SCHEDULE OF SUBMISSIONS**

<b>No.</b>		<b>Summary of Submission</b>	<b>Officer Comment</b>	<b>Staff Recommendation</b>
64		In favour of the proposed development and believes that the 12-storey hotel will become iconic only if a wide range of architectural designs are considered. Suggest to make an Australia-wide competition for designs.	Nil.	Submission noted.
65		Suggests to increase the height of the structures along Adelaide Crescent – the backdrop to the hill is not really obscuring views and lessen the height of the structure freestanding near the roundabout (hotel site) avoiding wind tunnels. Otherwise believes that it will work except maybe restricted traffic through the area and make Marine Terrace a more commonly used thoroughfare. Suggests to keep the idea of public access to the lower levels.	Nil.	Submission noted.
66		Thinks that the Plan is a great concept. Does not mind the five-storey building proposal but does think that more than five storeys is too much and will not reflect the other buildings around Middleton Beach. Would love to keep a good view of the whole mountain.	Item one of the key issues table addresses the matter of building height in detail.	Submission noted.

**CITY OF ALBANY LOCAL PLANNING SCHEME No. 1  
AMENDMENT No. 1 & MIDDLETON BEACH ACTIVITY CENTRE STRUCTURE PLAN  
SCHEDULE OF SUBMISSIONS**

No.		Summary of Submission	Officer Comment	Staff Recommendation
67		Does approve of the look of the proposal as it seems to fit a lot in. Would suggest moving the '6+' storey building even further back towards the mountain and putting the road in front of it. Would be in support of '6+' storeys if the site were located closer to the mountain.	Items one and nine of the key issues table address the matters of building height and the location of the hotel within the development area in detail.	Submission noted.
68		<p>Hotel – 12 storeys is excessive. The height and bulk is out of place in the area and will not fit the 'village' concept of the rest of the development and surrounding area. The height should be no more than four storeys.</p> <p>The streetscape created by the 12-storey height of the hotel is out of place. The architecture of the building should match the existing street scape along the adjoining streets.</p> <p>The hotel must have dedicated sufficient parking within its footprint.</p> <p>Public parking – apparently there will be approximately 30 additional public parking spaces. This appears to be inadequate due to the amount of additional traffic created by</p>	Items one and three of the key issues table address the matters of building height and parking in detail.	Submission noted.

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

<b>No.</b>		<b>Summary of Submission</b>	<b>Officer Comment</b>	<b>Staff Recommendation</b>
		the proposed restaurants, taverns and shops.		
69		<p>'You build it, they will come.'</p> <p>Believes the proposal to be excellent, and suggests not to limit the number of storeys as developers need encouragement to come and build at Middleton Beach. Believes we should make Middleton Beach a worldwide icon, to go for it, and not let people who have lived in the area 'forever' to dampen spirits and put doubt into minds. Strongly believes this is 'our future' being a small local business owner and mother.</p>	Nil.	Submission noted.
70		Believes the proposed 12-storey hotel height is too small to be viable and suggests increasing the number to 15. In favour of the proposal and states that people who are silent do want this and to not listen to a noisy minority.	Nil.	Submission noted.
71		This development will finally achieve a resolution to a problem that has been outstanding since the demolition of the hotel that once stood on this site. I am concerned about the 12-storey proposal	Item one of the key issues table addresses the matter of building height in detail.	Submission noted.

**CITY OF ALBANY LOCAL PLANNING SCHEME No. 1  
AMENDMENT No. 1 & MIDDLETON BEACH ACTIVITY CENTRE STRUCTURE PLAN  
SCHEDULE OF SUBMISSIONS**

<b>No.</b>		<b>Summary of Submission</b>	<b>Officer Comment</b>	<b>Staff Recommendation</b>
		but would accept that height if there is no alternative.		
72		Suggests that the hotel site be a maximum of six storeys.	Item one of the key issues table addresses the matter of building height in detail.	Submission noted.
73		Suggests to lose the path between the buildings moving them forward creating usable parking and market place space between Bay Merchants and new buildings.	Item nine of the key issues table addresses the location of the hotel within the development area in detail.	Submission noted.
74		Is concerned that there will be an issue with the easterly winds and a 12-storey building. Suggests keeping a lower profile with five storeys, which should lessen the effect and deflecting around the building. Also believes there is another issue with regard to the movement of beach sand into Ellen Cove. The beach keeps getting higher and the Council has to keep taking sand away so that the storm water drains can flush. Sand will block these drains no matter where you put them. Is in support of the proposal, only if it is kept to five storeys.	Items one, four and six of the key issues table address the matters of building height, coastal planning and wind, in detail.	Submission noted.

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

<b>No.</b>		<b>Summary of Submission</b>	<b>Officer Comment</b>	<b>Staff Recommendation</b>
75		States that she is not totally against the proposal, but feels that the hotel site and building should be further back against the hill where the carpark is across from Three Anchors so that it is not so imposing.	Item nine of the key issues table addresses the location of the hotel within the development area in detail.	Submission noted.
76		Is in favour of the concept and believes the hotel site with direct access to the beach is excellent. Suggests to not restrict the hotel site as it will not cause shading to anything important. States that the development must be economic and to be as high as it needs, with the only lack being that just 30 car parking bays are proposed. Suggests that LandCorp and the City of Albany seriously consider an underground public car park under the two lots facing Flinders Parade so that people can park and access the beach. Understands that to do so would be expensive and tricky as foundations would have to carry the proposed buildings, but having more car parking bays will be a bonus for business and the public in the future.	Nil.	Submission noted.
77		Believes the proposal to be fantastic for Albany and loves the concept plan. Of the opinion that this development will only enhance Albany's ability to secure a bigger	Nil.	Submission noted.

**CITY OF ALBANY LOCAL PLANNING SCHEME No. 1  
AMENDMENT No. 1 & MIDDLETON BEACH ACTIVITY CENTRE STRUCTURE PLAN  
SCHEDULE OF SUBMISSIONS**

No.		Summary of Submission	Officer Comment	Staff Recommendation
		share of the tourism industry. Has seen two Esplanade buildings in his lifetime and believes that they bring good fortune. Believes that Albany is moving in the right direction.		
78		<p>The concept looks great and thinks that the hotel is a perfect fit for the mountain corner, but believes that the 12 storeys could be imposing and would prefer eight to 10 storeys as a minor adjustment. With that said, maximum occupancy is required for the investment to pay off. Of the opinion that the concept looks a little clinical in design, and that it would be better to blend it in more.</p> <p>Believes that parking and pedestrians must be elevated in importance for the area. All in all believes that the development would be an amazing upgrade to a very 'tired' area of Albany.</p>	Items one and three of the key issues table address the matters of building height and parking in detail.	Submission noted.
79		Believes the proposal to be a great building on a great site, and that tidying at last the mess that has been the Esplanade for so long is good. Also believes that the development will bring jobs and revenue to	Nil.	Submission noted.

**CITY OF ALBANY LOCAL PLANNING SCHEME No. 1  
AMENDMENT No. 1 & MIDDLETON BEACH ACTIVITY CENTRE STRUCTURE PLAN  
SCHEDULE OF SUBMISSIONS**

No.		Summary of Submission	Officer Comment	Staff Recommendation
		Albany. Asks 'how can this not be approved?'		
80		<p>Believes that the proposed hotel height at up to 12 storeys would impact adversely on the character of the area. The argument that a developer wants a 'big' place can easily be met by allowing the hotel site more ground on the plan (less for Mixed Use). The number of rooms in a five to six storey hotel would then equal those in the 12 storey proposal.</p> <p>At 12 storeys, it impacts on everyone using the beach, as well as residents, spoiling the view which should remain the relaxing, low-key holiday feel it has always been.</p> <p>It would set a precedent at Middleton Beach for more high-rise further degrading the site.</p>	Item one of the key issues table addresses the matter of building height in detail.	Submission noted.
81		Both Mr & Mrs Loveridge express 100% support for the proposal as seen at the Surf Club in March 2016. It will enhance the area, showcase our wonderful beach, bring vibrancy to the area, offer a huge tourism boost, add value to residential properties	Nil.	Submission noted.

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

No.		Summary of Submission	Officer Comment	Staff Recommendation
		and some businesses nearby and it should not dramatically effect residential views. Both Mr & Mrs Loveridge like the design/planning and believe that to an extent it would look like a 'mini Noosa'.		
82		Believes the Middleton Beach Activity Centre looks great, is very well planned and likes the situation of the hotel. Believes it will be lovely once again to have somewhere nice to go on a Sunday by the sea and to have a nice dinner.	Nil.	Submission noted.
83		<p>Mr Slattery objects to the expansion of the area available for development beyond the immediate area and surrounds of the former Esplanade Hotel site.</p> <p>The site allocated for the Hotel/Mixed Use extends way beyond the former Esplanade boundary, across the current alignment of Flinders Parade and into the current grassed foreshore parkland.</p> <p>The proposal brings built development much closer to the coastline and will destroy the amenity and continuity of a broad grass/tree parkland along the full</p>	Items one, three, eight and nine of the key issues table address the matters of building height, parking, road alignment and the location of the hotel within the development area, in detail.	Submission noted.

**CITY OF ALBANY LOCAL PLANNING SCHEME No. 1  
AMENDMENT No. 1 & MIDDLETON BEACH ACTIVITY CENTRE STRUCTURE PLAN  
SCHEDULE OF SUBMISSIONS**

No.		Summary of Submission	Officer Comment	Staff Recommendation
		<p>length of Middleton Beach. There will be a narrowing between the hotel and the foreshore, instead of the wide swath of green that would otherwise flow through to the Three Anchors Café and approach to Ellen Cove.</p> <p>Furthermore, the approach down to Middleton Beach along Marine Drive, which now provides a spectacular outlook of the Beach will be lost. Drivers will instead be directed to a boring approach behind a Hotel, losing the view of the parkland and beach from the only elevated road in the precinct.</p> <p>A re-alignment is desirable, but it could be done better without the Hotel site where it is shown.</p> <p>An increase of 29 bays (22%) is not proportionate to the additional development proposed, given that the Activity Centre is designed to attract many more visitors to Middleton Beach's upgraded facilities and commercial outlets.</p>		

**CITY OF ALBANY LOCAL PLANNING SCHEME No. 1  
AMENDMENT No. 1 & MIDDLETON BEACH ACTIVITY CENTRE STRUCTURE PLAN  
SCHEDULE OF SUBMISSIONS**

No.		Summary of Submission	Officer Comment	Staff Recommendation
		<p>The provisions for up to 12 storeys on the Hotel/Mixed Use site is unnecessary and inappropriate. In discussions between authorities and stakeholders, the prospect of 12 storeys has not arisen and suddenly it is now considered necessary to attract the right developer or the community will be back to square one, which I think is not the case.</p> <p>Things are different now as there is a plan for the whole precinct which can occur in stages. It may well be advantageous for others to be done earlier to bring more people to the area and demonstrate the new market to potential developers.</p> <p>The large site in the corner of the bay would be able to produce great ocean views both eastward and southward without the need for 12 storeys if it had good design. A more compact development would keep more within the 'village' feel of Albany.</p>		
84		The community consultation with LandCorp has been welcome but are they holding the results? A recent survey resulted in 68% of the participating public wanting building	LandCorp undertook their own consultation to inform the design of the proposals. The City has advertised the proposals for public comment in order	Submission noted.

**CITY OF ALBANY LOCAL PLANNING SCHEME No. 1  
AMENDMENT No. 1 & MIDDLETON BEACH ACTIVITY CENTRE STRUCTURE PLAN  
SCHEDULE OF SUBMISSIONS**

No.		Summary of Submission	Officer Comment	Staff Recommendation
		height restricted to five storeys. So going to developers stating a maximum of 12 storeys would be deceiving the public and unfair to developers knowing there is so much opposition. I prefer a five-storey maximum on the hotel site, and a three-storey maximum on the old Esplanade site to avoid wind tunnelling, shade encroachment and future slums.	to gauge community opinion and inform the final recommendation.  Items one and six of the key issues table address the matters of building height and wind in detail.	
85		Believes the proposal to be a stupid idea, and states it should be re-considered. States that Flinders Parade should not be blocked off and that Albany should not be modelled on Perth. Suggests using the old Esplanade site only and not to build too high.	Nil.	Submission noted.
86		States that this plan looks good as it is much better than a hole in the ground. Believes that consideration should be given to moving the permanent accommodation block to the Flinders Parade frontage to afford a better view. States that too long too little has happened in the area and so believes that this proposal might revitalize the area.	Nil.	Submission noted.

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

No.		Summary of Submission	Officer Comment	Staff Recommendation
87		The proposed amendment to the Local Planning Scheme allowing high-rise above five storeys in nothing short of abandonment of civil duty and is purely a matter of Council being 'in bed' with LandCorp with the aim of making profit. Development of high-rise to 12 storeys will adversely impact the amenity of the area.	Item one of the key issues table addresses the matter of building height in detail.	Submission noted.
88		I think the plans look fantastic are we are in favour of what is being proposed.	Nil.	Submission noted.
89		<p>I believe that overdevelopment and inappropriate purposing of the fragile locale is indicated follows.</p> <p>Large hotel on prominent location:</p> <p>Twelve storeys is too high for the intended location close to the beach, whose current open, low-key and relaxed ambience is the most valuable feature to be preserved for visiting holidaymakers and local residents.</p> <p>There will be overshadowing at some times of the day and a blocked view of the sunset from Ellen Cove and its hillside timber tables and benches.</p>	<p>Items one, eight and nine of the key issues table address the matters of building height, road alignment and the location of the hotel within the development area, in detail.</p> <p>The artist's impressions were prepared as a guide to provide the public with a sense how completed buildings could look and are not development proposals.</p> <p>The rerouting of Flinders Parade has been proposed in order to enhance the permeability of the Activity Centre area and public access to the beach from the proposed hotel/mixed use site.</p>	Submission noted.

**CITY OF ALBANY LOCAL PLANNING SCHEME No. 1  
AMENDMENT No. 1 & MIDDLETON BEACH ACTIVITY CENTRE STRUCTURE PLAN  
SCHEDULE OF SUBMISSIONS**

No.		Summary of Submission	Officer Comment	Staff Recommendation
		<p>Purpose and architecture of hotel and associated development on old Esplanade site:</p> <p>The formal and expensive character of the hotel is not welcoming for holidaymakers and families with children seeking to casually picnic, play and swim at the popular location.</p> <p>Combined with proposals for the adjacent vacant site left after demolition of the Esplanade Hotel, the project's stated purpose as a 'Tourism Precinct' – to include a wellness centre, tavern, consulting rooms and glass-fronted cafes – would appeal to well-heeled adults but, unfairly, not have broader appeal.</p> <p>The style of any new buildings at Middleton Beach should complement existing structures in the area, some of which are heritage buildings.</p> <p>Bulk of hotel footprint:</p> <p>This extends too far east and north. The hotel would be alongside the most popular</p>		

**CITY OF ALBANY LOCAL PLANNING SCHEME No. 1  
AMENDMENT No. 1 & MIDDLETON BEACH ACTIVITY CENTRE STRUCTURE PLAN  
SCHEDULE OF SUBMISSIONS**

No.		Summary of Submission	Officer Comment	Staff Recommendation
		<p>part of the grassed area of Middleton Beach, i.e. near <i>Three Anchors</i> and adjacent playground, and its depth and breadth could deter families with children from the area. It would impinge on the above-cited, highly desirable openness near the beach, and, importantly, the parking bays closest to this area would be eliminated and encroach on ease of access. Additionally, it appears from one of LandCorp's diagrams that part of <i>Ellen Cove Walk</i> is at risk of being eliminated.</p> <p>Downgrading of priority roads / re-routing of Flinders Parade:</p> <p>Priority roads are to be downgraded, which again indicates that too much of the area nearest Middleton Beach will be for guests, owners or tenants of new commercial and residential establishments, and compromise public access and amenity. To create 'adaptable space', it has been proposed to re-route Flinders Parade to create a 'village road' and have a public parking area within the old Esplanade site, which could be closed for markets and cultural events. However, it is</p>		

**CITY OF ALBANY LOCAL PLANNING SCHEME No. 1  
AMENDMENT No. 1 & MIDDLETON BEACH ACTIVITY CENTRE STRUCTURE PLAN  
SCHEDULE OF SUBMISSIONS**

No.		Summary of Submission	Officer Comment	Staff Recommendation
		<p>unlikely that these spaces will be considered for the activities as they are not purpose-built for the same; there are other suitable venues in Albany that can be used for these.</p> <p>Maximum height of five storeys for old Esplanade site:</p> <p>The Middleton Beach area is fragile and could easily be spoiled by over-development. I believe that its hillsides and small suburban area do not accommodate LandCorp's present concept. Most of the suburban area of Middleton Beach is one storey, with some buildings of two or three storeys. The introduction of five storeys would not be compatible with the average height of existing buildings.</p> <p><b>Suggestion for an Alternative :</b></p> <p>Develop only vacant hotel site and do not re-route Flinders Parade:</p> <p>If a small to moderate-sized hotel is not a viable option, develop high quality housing of up to three storeys on the vacant site with</p>		

**CITY OF ALBANY LOCAL PLANNING SCHEME No. 1  
AMENDMENT No. 1 & MIDDLETON BEACH ACTIVITY CENTRE STRUCTURE PLAN  
SCHEDULE OF SUBMISSIONS**

No.		Summary of Submission	Officer Comment	Staff Recommendation
		<p>several one-storey specialty food outlets along Flinders Parade, using transparent wind barriers for al fresco areas, as were used at the old Esplanade Hotel.</p> <p>Food services could include: a confectionery shop selling fairy floss, sea salt taffy, ice cream and other sweet items; a bakery; and a cafe/bar, or solely cafe, providing a good standard of barista coffee, teas and moderately priced quality foods – dine-in or takeaway – that include items associated with being near the ocean.</p> <p>Shopping strips of this kind near the sea are highly successful in Bunbury, Mandurah and Rockingham.</p> <p>In general:</p> <p>There should be no construction on the site being considered for a new hotel, and an absolute maximum building height of four storeys should be set, no matter the type and purpose of development that ensues at Middleton Beach.</p>		

**CITY OF ALBANY LOCAL PLANNING SCHEME No. 1  
AMENDMENT No. 1 & MIDDLETON BEACH ACTIVITY CENTRE STRUCTURE PLAN  
SCHEDULE OF SUBMISSIONS**

No.		Summary of Submission	Officer Comment	Staff Recommendation
		In regard to suggested suitable architecture for Middleton Beach, attached to my covering email is an extract from <i>The West Australian – Real Estate</i> of 26-27 March 2016.		
90		<p>In my previous submissions to LandCorp I highlighted my concerns about the development favouring a high ratio of land use devoted to private dwellings threatening to displace opportunities for short term accommodation, retention of robust height limits – e.g. Maximum four stories plus semi-underground parking, sun shadows being cast over the community's amenity during prime visitation periods.</p> <p>The Middleton Beach Scheme Amendment and Activity Centre Structure Plan appear to ignore or compromise best practice on these fundamental criterion.</p> <p>As I understand it, the Western Australian community own the development site through the State Government and agency LandCorp. It is an understandable position that private dwellings within the site would seed fund the greater project. Sale of these</p>	Items one, two and three of the key issues table address the matters of building height, overshadowing and parking, in detail.	Submission noted.

**CITY OF ALBANY LOCAL PLANNING SCHEME No. 1  
AMENDMENT No. 1 & MIDDLETON BEACH ACTIVITY CENTRE STRUCTURE PLAN  
SCHEDULE OF SUBMISSIONS**

No.		Summary of Submission	Officer Comment	Staff Recommendation
		<p>dwelling would help to recoup some of the purchase price of the site. In some small part this would contribute to the alleviation of State Government debt levels. However, this is election term economics and comes at the price of the long term viability of a hotel development. A hotel with associated short stay accommodation relies absolutely, on an economy of scale to prosper. Private dwellings are already under-utilised in the Middleton Beach area. The problem presents itself as an absentee owner suburb with most vibrancy coming from outside visitors enjoying the amenity. More private dwellings will perpetuate this problem.</p> <p>I support a four-storey development with dedicated parking beyond what you ever think you will need.</p> <p>My opinion is just one of many and our community will ultimately get a development that Landcorp deems best. I was impressed with the extensive studies presented in the Middleton Beach Activity Centre Structure Plan. They will provide a useful knowledge base for any future</p>		

**CITY OF ALBANY LOCAL PLANNING SCHEME No. 1  
AMENDMENT No. 1 & MIDDLETON BEACH ACTIVITY CENTRE STRUCTURE PLAN  
SCHEDULE OF SUBMISSIONS**

No.		Summary of Submission	Officer Comment	Staff Recommendation
		<p>development of the site. I am concerned however, that shadow modelling of this current proposal was for June when (a) Visitation numbers to the beach amenity are relatively low, and (b) due to the Winter alignment of the sun, a very optimistic shadow outcome is illustrated. So, let's see some modelling for 1 January through to 1 April. How about you factor a real life scenario – people who live and work in Albany finish a hot day at work and knock off at 5pm and rush to the beach to meet the family for a swim or play. The shadow modelling during my suggested period, of this current proposal, would illustrate the demise of the community's valuable amenity. I thought the artist's impressions were worthy, if not dominating of our iconic Ellen Cove and majestic Mount Adelaide. In your current concept, I would choose your five-storey option over your 12-storey one. If we got stuck with either, please think about aligning the building axis more east-west to minimise those prohibitive shadows.</p>		
91		Mr & Mrs Twentyman state their excitement as something may finally progress with	Nil.	Submission noted.

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

No.		Summary of Submission	Officer Comment	Staff Recommendation
		<p>Middleton Beach. Believe that the proposed development appears great and in their view would be a tremendous opportunity for the City of Albany and the state.</p> <p>Believe the proposed hotel site is well positioned and appreciate that it must be economically viable. Also believe the proposal would greatly support the efforts of City of Albany and other parties to promote tourism in the area.</p>		
92		<p>In general I am not too concerned about the development on the land that was previously occupied by 'the Esplanade Hotel'. However, I am concerned about the location, size and height of the hotel site.</p> <p>Suggested overall priorities:</p> <ul style="list-style-type: none"> <li>• Preserve and enhance the natural environment and biodiversity, including the coastal reserves, open spaces, reserves and bushland.</li> <li>• Reduce car dependency and traffic through improved walkways, cycle ways and public transport and bus routes.</li> </ul>	<p>Items one, two, four and nine of the key issues table address the matters of building height, overshadowing, coastal planning and the location of the hotel within the development area, in detail.</p> <p><i>State Planning Policy 2.6 – State Coastal Planning</i> is the relevant policy document when assessing coastal hazard risk management.</p> <p>In accordance with State Planning Policy 2.6, a Coastal Hazard Risk Management and Adaptation Plan has</p>	Submission noted.

**CITY OF ALBANY LOCAL PLANNING SCHEME No. 1  
AMENDMENT No. 1 & MIDDLETON BEACH ACTIVITY CENTRE STRUCTURE PLAN  
SCHEDULE OF SUBMISSIONS**

No.		Summary of Submission	Officer Comment	Staff Recommendation
		<ul style="list-style-type: none"> <li>• Create a community friendly atmosphere.</li> <li>• Important to create and maintain a geographic buffer to absorb any natural fluctuation in the coastline.</li> </ul> <p>Comments:</p> <p>General impression from looking at other local authorities especially those located along the Perth coastal strip i.e. Stirling &amp; Cottesloe is that the maximum height would be eight stories.</p> <p>Also noted mention of imposing a minimum setback of 500 metres from high water mark as means of reducing the risk of damage caused by anticipated sea level rise.</p> <p>Current proposal appears to be approximately 100 metres from the high water mark. This of course could change dramatically by the end of the century.</p> <p>Could the hotel rezoning expose the council and the government to future litigation by dispossessed coastal landholders?</p>	<p>been prepared for the Activity Centre area and deals with the following matters:</p> <ul style="list-style-type: none"> <li>• Establishment of the context;</li> <li>• Coastal hazard assessment;</li> <li>• Risk analysis and evaluation;</li> <li>• Risk management and adaptation planning; and</li> <li>• Monitoring and review.</li> </ul> <p>The Coastal Hazard Risk Management and Adaptation Plan identifies that the Activity Centre area will be subject to coastal risks, which will require management into the future.</p> <p>Two potential options have been identified for managing coastal risk to the site. The first of these is to restore the level of the beach to the naturally occurring higher level, while the second is the construction of a seawall along the length of the foreshore, or solely around the proposed hotel/mixed use site.</p>	

**CITY OF ALBANY LOCAL PLANNING SCHEME No. 1  
AMENDMENT No. 1 & MIDDLETON BEACH ACTIVITY CENTRE STRUCTURE PLAN  
SCHEDULE OF SUBMISSIONS**

No.		Summary of Submission	Officer Comment	Staff Recommendation
		<p>Does the rezoning comply with the planned modifications to the shoreline law?</p> <p>Traffic and parking study needs to be undertaken. Over this Easter, car parks and verge areas were noted to be almost fully occupied.</p> <p>Any future development should be able to provide all anticipated extra parking requirements generated by any future development.</p> <p>The roundabout at foot of Marine Drive looks out of place. Does this need to be retained?</p> <p>Global sea level rise has accelerated in response to warming of the atmosphere and the ocean, and melting of the cryosphere. We know that scientific projections indicate that a one metre rise by the end of this century is possible.</p> <p>In the light of the damage caused by cyclone Alby in 1978, some 38 years ago, it could be deemed rather negligent to even</p>	<p>The final method for coastal risk mitigation will be determined later in the planning process. Before a final decision is made on the preferred management option, additional studies will be required in order to determine the most effective long term measure.</p>	

**CITY OF ALBANY LOCAL PLANNING SCHEME No. 1  
AMENDMENT No. 1 & MIDDLETON BEACH ACTIVITY CENTRE STRUCTURE PLAN  
SCHEDULE OF SUBMISSIONS**

No.		Summary of Submission	Officer Comment	Staff Recommendation
		contemplate placing a 12-storey hotel on what is basically a beach site.		
93		I would like to object most strongly to the proposed hotel at Middleton Beach. Even a six storey height limit would be way too high. The area would be overwhelmed by visitors if filled, and visually the whole approach to Marine Parade would be spoiled. Taking it to 12 floors is ridiculous. Is the idea that we get so upset about 12, that the six seems good by comparison? Please don't allow this destruction of our lovely city.	Item one of the key issues table addresses the matter of building height in detail.	Submission noted.
94		<p>I object to the proposed development at Middleton Beach on the following basis:</p> <p>The mix of retail, office, tourism and permanent high density accommodation is a commercial hub not a community activity centre.</p> <p>A 12 storey structure would be a blight on the landscape. People reside and/or visit Middleton Beach to enjoy its natural beauty – the beach, Mount Clarence and the ocean views. The proposal to build up to 12 storeys (twice the height of the pine trees)</p>	Nil.	Submission noted.

**CITY OF ALBANY LOCAL PLANNING SCHEME No. 1  
AMENDMENT No. 1 & MIDDLETON BEACH ACTIVITY CENTRE STRUCTURE PLAN  
SCHEDULE OF SUBMISSIONS**

No.		Summary of Submission	Officer Comment	Staff Recommendation
		<p>is not in keeping with the current low-rise residential and recreational nature of the area. A structure marginally higher than the pine trees would be suitable (3-4 storeys).</p> <p>Although the plans include an increase in public open space, a significant portion of public open space will be limited in use by shadows from the tower, making the area cold. A lower structure which is stepped back from the beach would be a better option.</p> <p>In a recent survey of the community, less than 3% agreed with a seven plus storey structure.</p> <p>There has been no realistic and multi-directional concept plans (views from the beach, boardwalk, Middleton Road hill, Emu Point) of the high-rise tower provided to the community for comment. The visual provided (The Weekender March 24 2016) is an aerial view.</p> <p>There is concern regarding the increase in traffic on residential roads and parking problems in the area due to high density</p>		

**CITY OF ALBANY LOCAL PLANNING SCHEME No. 1  
AMENDMENT No. 1 & MIDDLETON BEACH ACTIVITY CENTRE STRUCTURE PLAN  
SCHEDULE OF SUBMISSIONS**

No.		Summary of Submission	Officer Comment	Staff Recommendation
		living (687 permanent residents), their visitors, office/retail/hospitalities employees, patrons and tourist accommodation traffic. An estimation of traffic and parking (I would estimate at least 400+ cars per day) would be a fair and reasonable addition to the research based information residents deserve.		
95		<p>The scale of the four blocks of low rise development seem to be appropriate and suitable for the site. These four blocks represent, I believe, what the public understand as the development site. I found the presentation very misleading. When I saw that only 33% of the site was to be developed I was greatly reassured only to find that in truth nearly 100% of the site (as the public will understand it behind the old fencing) is to be developed together with its dedicated access roads.</p> <p>The proposed hotel site seems much more of a problem as it overlays part of the existing car park and the green lawns now enjoyed as public land and will probably encroach further when decking and access steps surround the proposed new buildings</p>	Items one, two and three of the key issues table address the matters of building height, overshadowing and parking, in detail.	Submission noted.

**CITY OF ALBANY LOCAL PLANNING SCHEME No. 1  
AMENDMENT No. 1 & MIDDLETON BEACH ACTIVITY CENTRE STRUCTURE PLAN  
SCHEDULE OF SUBMISSIONS**

No.		Summary of Submission	Officer Comment	Staff Recommendation
		<p>on the beach side. A building of this size will completely dominate the southwest end of Middleton beach and views from most angles. The proposed site is far too close to the beach not to destroy the existing use.</p> <p>If a five-star hotel is built it may prove very difficult to achieve a sufficient occupancy rate throughout the year to make it viable. A few high-spend guests will be attracted but I fear not in sufficient quantities.</p> <p>A better business model might be a four star hotel with good conference facilities with a maximum height of six stories. The building costs would be reduced and the occupancy rate improved.</p> <p>Inevitably, 12 stories will become the datum for future developments and may well spread to other parts of this site. This would be a disaster for Middleton Beach. One of the main attractions of Albany is that it represents a relaxed atmosphere and its old-world charm which is more and more sought-after by tourists from busy cities and other resorts. My background is partly in hotel development and I hope you will be</p>		

**CITY OF ALBANY LOCAL PLANNING SCHEME No. 1  
AMENDMENT No. 1 & MIDDLETON BEACH ACTIVITY CENTRE STRUCTURE PLAN  
SCHEDULE OF SUBMISSIONS**

No.		Summary of Submission	Officer Comment	Staff Recommendation
		able to take these views into consideration when deciding on the final shape of this development.		
96		<p>I was pleasantly surprised by the Middleton Beach Scheme. I think 20 storeys of hotel complex is probably too much and perhaps 10 or 12 would be a good compromise.</p> <p>My main concern is the lack of parking as at certain times parking space is extremely limited in the area. The plan states that parking will be increased by only 29 spaces which is not enough to cater for the added traffic the development will attract.</p>	Item three of the key issues table addresses the matter of parking in detail.	Submission noted.
97		<p>The proposal to cater for up to 12 storeys is against the environment of Middleton Beach. Any development should take into account all factors to protect this environment and prepare a reasonable proposal.</p> <p>The public parking demand will increase and needs to be taken into account, and the use of underground private parking for residents needs to be a 'must', not a 'may be'.</p>	Items one and three of the key issues table address the matters of building height and parking in detail.	Submission noted.

**CITY OF ALBANY LOCAL PLANNING SCHEME No. 1  
AMENDMENT No. 1 & MIDDLETON BEACH ACTIVITY CENTRE STRUCTURE PLAN  
SCHEDULE OF SUBMISSIONS**

No.		Summary of Submission	Officer Comment	Staff Recommendation
98		<p>Objects to the proposal to allow up to 12 storeys within the development as she believes it would adversely affect the amenity if the area. Crowding buildings in this area will certainly have an adverse effect on the natural openness and bush ambiance of the area. Much of the land designated for 'Public Open Space' appears to be roads, parking and walkthrough areas. And the private residential areas would not be welcoming to general public use.</p> <p>The extra parking spaces would be insufficient to cater for the patrons of the new retail facilities and restaurants as well as the usual beach-goers. There needs to be underground parking for residents to take the pressure of public parking.</p> <p>We need clever development, not over-development.</p>	<p>Items one and three of the key issues table address the matters of building height and parking in detail.</p>	<p>Submission noted.</p>
99		<p>Subsequent to my previous e-mail, I would like to add some points of concern.</p>	<p>Item four of the key issues table addresses the matter of coastal planning in detail.</p>	<p>Submission noted.</p>

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

No.		Summary of Submission	Officer Comment	Staff Recommendation
		<p>Although I previously touched on the subject of Sea Level Rise (SLR), I have since managed to obtain a copy of the Government Report titled: <i>Coastal inundation modelling for Busselton, Western Australia, under current and future climate</i>, which has made some quite startling conclusions, i.e. the 'model' prepared by <i>Cowell and Barry (2012)</i> identified coastal erosion to be within the range of 263 metres and 537 metres respectively for a 50% and 10% probability of exceedance under a 1.1 metre SLR scenario.</p> <p>COMMENTS:</p> <ol style="list-style-type: none"> <li>1. An in-depth 'Risk Assessment' needs to be undertaken to evaluate the seriousness of any future coastal hazards. Something on the scale of the Busselton study mentioned above is required at the very least before any future rezoning can be considered.</li> <li>2. Detailed modelling by someone such as Cowell and Barry is essential to enable</li> </ol>	<p><i>State Planning Policy 2.6 – State Coastal Planning</i> is the relevant policy document when assessing coastal hazard risk management.</p> <p>In accordance with State Planning Policy 2.6, a Coastal Hazard Risk Management and Adaptation Plan has been prepared for the Activity Centre area and deals with the following matters:</p> <ul style="list-style-type: none"> <li>• Establishment of the context;</li> <li>• Coastal hazard assessment;</li> <li>• Risk analysis and evaluation;</li> <li>• Risk management and adaptation planning; and</li> <li>• Monitoring and review.</li> </ul> <p>The Coastal Hazard Risk Management and Adaptation Plan identifies that the Activity Centre area will be subject to coastal risks, which will require management into the future.</p> <p>Two potential options have been identified for managing coastal risk to the site. The first of these is to restore</p>	

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

No.		Summary of Submission	Officer Comment	Staff Recommendation
		<p>appropriate planning setbacks to be determined.</p> <p>3. The section of coast between Emu Point and Ellen Cove is known to be dynamic and the coastal processes to be considered relevant to this location would include Winds, Waves. Water Levels (tides, storms, waves etc.) shoreline stability, currents and ocean circulation.</p> <p>4. It could be argued that an intensive development such as the Middleton Beach Activity Centre Structure Plan could prejudice the stability of surrounding structures which could therefore require the ultimate construction of some form of appropriate coastal protection works which might otherwise not have been required.</p> <p>5. After reading some of the many reports available it would not seem unreasonable to consider using some if not all of the available vacant land to create some form of natural buffer and</p>	<p>the level of the beach to the naturally occurring higher level, while the second is the construction of a seawall along the length of the foreshore, or solely around the proposed hotel/mixed use site.</p> <p>The final method for coastal risk mitigation will be determined later in the planning process. Before a final decision is made on the preferred management option, additional studies will be required in order to determine the most effective long term measure.</p>	

**CITY OF ALBANY LOCAL PLANNING SCHEME No. 1  
AMENDMENT No. 1 & MIDDLETON BEACH ACTIVITY CENTRE STRUCTURE PLAN  
SCHEDULE OF SUBMISSIONS**

No.		Summary of Submission	Officer Comment	Staff Recommendation
		<p>potential wetlands. Such areas are considered by some as perhaps the best natural barriers against storms and rising sea levels that we can have.</p> <p>6. The oceans will rise well into the future, so cities will eventually be forced to accommodate the extra water one way or another.</p>		
100		<p>The proposal appears well designed but the hotel site up to 12 storeys would be acceptable only to make a viable commercial business. I hope that up to eight storeys would suit any business model. The areas marked landscape must have adequate wind protection.</p> <p>Norfolk pines are too large and cast excessive shadows, making the beach unpleasant. A solution may be to remove a portion of the trees and replace with new young pines.</p>	Item one of the key issues table addresses the matter of building height in detail.	Submission noted.
101		I would like more emphasis on a hotel on the foreshore in close proximity to business, entertainment centres etc. Middleton Beach is more recreational	Item three of the key issues table addresses the matter of parking in detail.	Submission noted.

**CITY OF ALBANY LOCAL PLANNING SCHEME No. 1  
AMENDMENT No. 1 & MIDDLETON BEACH ACTIVITY CENTRE STRUCTURE PLAN  
SCHEDULE OF SUBMISSIONS**

No.		Summary of Submission	Officer Comment	Staff Recommendation
		<p>based and wouldn't attract as many people on expense accounts, conventions, etc.</p> <p>Parking is a major problem, especially with events. I hope any hotel developers are required to provide off-road parking for all guests and staff so that four-wheel drives or large vehicles (roof racks, trailers, etc.) are catered for.</p> <p>Will it be a requirement for the hotel developer to provide sufficient public function space?</p> <p>Will four/five-star Bed &amp; Breakfasts be encouraged if no hotel goes ahead at first?</p>	<p>The specific facilities to be provided as part of any future hotel are outside the scope of these proposals.</p>	
102		<p>The following advice is provided in response to the deferral of a scheme amendment as set out under Section 79 of the <i>Planning and Development Act, 2005</i>.</p> <p>The subject area is adjacent to Middleton Beach (Place No. 17520), which the Heritage Council's Register Committee has identified as a place warranting assessment for possible entry in the State Register of Heritage Places. One of the key</p>	Nil.	Submission noted.

**CITY OF ALBANY LOCAL PLANNING SCHEME No. 1  
AMENDMENT No. 1 & MIDDLETON BEACH ACTIVITY CENTRE STRUCTURE PLAN  
SCHEDULE OF SUBMISSIONS**

No.		Summary of Submission	Officer Comment	Staff Recommendation
		<p>values of this area is the group of Norfolk Island Pine Trees planted in the 1940s within the foreshore reserve.</p> <p>We note the proposed structure plan proposed an area of public open space than incorporates and extends the foreshore area and retains the avenue of Norfolk Island Pines. A small number of trees are noted for removal or relocation; however, there are outside the area considered to have heritage significance.</p> <p>The proposed Scheme Amendment gives due regard to the Structure Plan and recognises the 'iconic location' of the public foreshore reserve.</p> <p>Overall the amendment is not considered to negatively impact on identified heritage places and there is therefore no objection to the proposal.</p>		
103		<p>After receiving the proposed change to Middleton Beach, I was pleased to note that it has been taken into account local concerns and provided a great plan for both residents and visitors.</p>	Nil.	Submission noted.

**CITY OF ALBANY LOCAL PLANNING SCHEME No. 1  
AMENDMENT No. 1 & MIDDLETON BEACH ACTIVITY CENTRE STRUCTURE PLAN  
SCHEDULE OF SUBMISSIONS**

No.		Summary of Submission	Officer Comment	Staff Recommendation
		<p>There is a good mix of commercial and residential space and a responsible plan for height of constructions. It would be great to see some high-rise which attracts developers to the area with up to 15-20 storeys.</p> <p>Businesses and jobs will be created for visitors and locals alike in Albany's best spot.</p> <p>I support the plan fully.</p>		
104		<p>LandCorp and the City of Albany should be commended on their vision and proactive approach for the proposed. It's obvious what an underutilised area Middleton Beach has beach, as it is devoid of the required infrastructure and hospitality to make it a tourist destination. The locality would benefit enormously from the proposed development.</p> <p>The view would be spectacular and the majority of the shadowing will be kept to the adjoining bushland. The overall focus of the development must be towards tourism</p>	Nil.	Submission noted.

**CITY OF ALBANY LOCAL PLANNING SCHEME No. 1  
AMENDMENT No. 1 & MIDDLETON BEACH ACTIVITY CENTRE STRUCTURE PLAN  
SCHEDULE OF SUBMISSIONS**

No.		Summary of Submission	Officer Comment	Staff Recommendation
		with plenty of accommodation, hospitality and retail.		
105		<p>We approve the proposed development in general. The fine detail can be more important and more significant than the basic proposal, so we suggest consideration to the following:</p> <ul style="list-style-type: none"> <li>• The multistorey hotel complex will be as far as is possible into the corner of the lot, out of sight of residents in the upper levels of Wylie Crescent.</li> <li>• The same site should have a six-storey limit for the same reasons.</li> <li>• As much hotel accommodation be provided as the developers will allow as Albany caters badly to accommodation for performers.</li> </ul>	Items one and nine of the key issues table address the matters of building height and the location of the hotel within the development area in detail.	Submission noted.
106		<p>Believes the proposal for Middleton Beach is brilliant as it will add urban life to the area while providing for an economically viable accommodation enterprise.</p> <p>Only suggestions is that the hotel blend into the mountain and harmonises with its surroundings. If the building is designed</p>	Design Guidelines are being prepared for the Activity Centre area, which should ensure that any development is appropriate to the locality.	Submission noted.

**CITY OF ALBANY LOCAL PLANNING SCHEME No. 1  
AMENDMENT No. 1 & MIDDLETON BEACH ACTIVITY CENTRE STRUCTURE PLAN  
SCHEDULE OF SUBMISSIONS**

No.		Summary of Submission	Officer Comment	Staff Recommendation
		correctly it could be a piece of art, and I fully support the plan.		
107		Believes it will be a great space to see something done with the wasted area, and the concept plans look ideal. There can be no complaints regarding a high rise building as no views will be compromised because of its positioning.	Nil.	Submission noted.
108		Albany is in dire need of five-star accommodation and the Middleton Beach site is ideal. Restricting the height to six storeys will have no impediment. Currently Albany caters to backpackers and business travel, but not for fly-in, fly-out, high-end valued customers. Many wish to visit the Great Southern but do not as there is a lack of high-end accommodation.  I support the 12-storey development.	Nil.	Submission noted.
109		Believes that any development of the vacant site at Middleton Beach can only be a good thing. There is already plenty of holiday accommodation in the area along with dinning.	Nil.	Submission noted.

**CITY OF ALBANY LOCAL PLANNING SCHEME No. 1  
AMENDMENT No. 1 & MIDDLETON BEACH ACTIVITY CENTRE STRUCTURE PLAN  
SCHEDULE OF SUBMISSIONS**

No.		Summary of Submission	Officer Comment	Staff Recommendation
110		Is in full support of the concept plans provided by LandCorp for Middleton Beach, including the proposed 12-storey hotel development. Middleton Beach is currently underutilised and I believe the proposed concept plans will make it a vibrant area to visit, eat and play.	Nil.	Submission noted.
111		Believes the concept looks great.	Nil.	Submission noted.
112		<p>Believes the concept plans to be great and will allow the flexibility required to attract a suitable developer. Twelve storeys is not the 'Gold Coast' and will not cause any harm to the aesthetics of the area. If anything, it will significantly add to it.</p> <p>As a local business owner, I see Albany progressively and believe this is a huge boost needed to move forward. Fully supports the proposed concept.</p>	Nil.	Submission noted.
113		<p>Believes it is about time Albany moved forward and provided substantial accommodation options for visitors that utilise our natural environment.</p> <p>I support the proposal and hope that the City of Albany proceeds, and is not swayed by small lobby groups that protest against</p>	Nil.	Submission noted.

**CITY OF ALBANY LOCAL PLANNING SCHEME No. 1  
AMENDMENT No. 1 & MIDDLETON BEACH ACTIVITY CENTRE STRUCTURE PLAN  
SCHEDULE OF SUBMISSIONS**

No.		Summary of Submission	Officer Comment	Staff Recommendation
		any change regardless of the scale, type or research that goes into it.		
114		Is in total agreement with the Middleton Beach Activity Centre as it represents the necessary transition from a wasteland to a viable economic opportunity for a successful waterfront. The concept as suggested is modern, tasteful and exactly what Middleton Beach needs to move towards the forefront as a vibrant City.	Nil.	Submission noted.
115		Believes this is a fantastic proposal and is much needed for Albany and its future.	Nil.	Submission noted.
116		Believes the concept plans to look great. Albany is a thriving regional City and needs to increase the commercial development in order to cater for the population both in and around Albany, and its visitors. The proposed development is aesthetically pleasing and caters for the City's needs with regard for commercial and residential facilities.  Middleton Beach is 'crying-out' for a development of this nature and it will bring people down to enjoy the beautiful beach.	Nil.	Submission noted.

**CITY OF ALBANY LOCAL PLANNING SCHEME No. 1  
AMENDMENT No. 1 & MIDDLETON BEACH ACTIVITY CENTRE STRUCTURE PLAN  
SCHEDULE OF SUBMISSIONS**

No.		Summary of Submission	Officer Comment	Staff Recommendation
117		<p>Believes the concept plans to look fantastic and in consultation with developers should make this project viable. Having diversity in the site allows a potential purchase choice to make it feasible.</p> <p>The proposed 12-storey height is excellent with the potential mix of accommodation, commercial and residential very important. The proposal will create jobs, enhance growth and allow diverse businesses to operate which will in turn benefit the public, the region and the state.</p> <p>Suggest that an economy feasibility report be prepared for potential developers to gain further insight into the economic benefits of the site.</p> <p>I am in full support of the proposal and hope positive decisions are made in relation to this for the future of Albany.</p>	Nil.	Submission noted.
118		Believes the concept plans, including the heights, are a wonderful idea and supports any development on this site. Albany needs something of this nature to provide employment, a proper hotel, and offer the	Nil.	Submission noted.

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

No.		Summary of Submission	Officer Comment	Staff Recommendation
		public different housing possibilities like apartment living.		
119		<p>The boundary creep onto the foreshore is not an issue unless the size of the land dictates the need for a 12-storey hotel development.</p> <p>The visual impact of any 12-storey hotel would be permanent. It shows a lack of sympathy for the highly significant landscape of the area or for its heritage value.</p> <p>It is the uniqueness of Albany that visitors crave.</p> <p><b>LOCATION AND SCALE OF PROPOSED HOTEL</b></p> <p>I have no objection in principle to the site of the proposed hotel. However, because the footprint of the new hotel site does not include any land from the previous Esplanade Hotel site, the City of Albany is now forced to consider an amendment to the current Town Planning Scheme from currently five storeys to a 12-storey</p>	<p>Items one, four, five and nine of the key issues table address the matters of building height, coastal planning, heritage and the location of the hotel within the development area, in detail.</p> <p><i>State Planning Policy 2.6 – Coastal Planning</i> contains the following policy measure:</p> <p><i>“Ensure that land use and development, including roads, adjacent to the coast is sited and designed to complement and enhance the coastal environment in terms of its visual, amenity, social and ecological values.”</i></p> <p>The development is not expected to have a greater visual impact on the landscape than existing development at Checkers Walk, Morley Place, Hare Street and Wylie Crescent, when viewed from vantage points beyond the immediate area. While it will possible to distinguish any future building as free-standing when viewed from Mira Mar, it is part of an established urban</p>	Submission noted.

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

No.		Summary of Submission	Officer Comment	Staff Recommendation
		<p>maximum. This would not be necessary if more land was allocated to the proposed hotel development.</p> <p>I object to a 12-storey hotel being built on any part of the Middleton Beach Activity Centre Structure Plan. This proposal has not taken into consideration the visual impact of a potential 12-storey hotel nor has it considered the natural environment and heritage value of this site.</p> <p>Bringing the built environment closer to the coastline would require even more stringent guidelines in relation to the visual impact on the amenity.</p> <p>The sub-division as shown in the Middleton Beach Activity Centre Structure Plan is so rigid that it would appear there is no opportunity for any amendment to either the size of the lots, the zoning of the lots or the placement of roads.</p> <p>There has been no concrete justification for a change in the current Town Planning Scheme to allow a 12-storey hotel in the Middleton Beach Activity Centre, only to</p>	<p>area, albeit one that is presently developed with single, double and three-storey buildings.</p> <p>It is considered that the proposals will enhance the amenity and social values of the area and will have no minimal impact on ecological values as a brownfield redevelopment.</p> <p>The proposals are also considered to be consistent with the following policy measures contained within <i>State Planning Policy 2.6</i>:</p> <p><i>“(d) the amenity of the coastal foreshore is not detrimentally affected by any significant overshadowing of the foreshore; and</i></p> <p><i>(e) there is overall visual permeability of the foreshore and ocean from nearby residential areas, roads and public spaces.”</i></p> <p>Increasing the development footprint and reducing the overall height of a hotel would be at odds with these policy measures as it may lead to overshadowing of a larger proportion of the foreshore area and would reduce</p>	

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

No.		Summary of Submission	Officer Comment	Staff Recommendation
		<p>say that any developer would need to make a return on the investment. The alteration of the current Town Planning Scheme to allow a possible 12-storey development goes against community feedback from a LandCorp survey where 67% of comments indicated a preference for two to three storeys.</p> <p><b>IMPACT ON AMENITY, CHARACTER AND HERITAGE</b></p> <p>The proposed location and scale of the proposed development as shown on the concept plan will have a significant impact on the visual amenity of the area and the character of Middleton Beach.</p> <p>The juxtaposition of Middleton Beach and Ellen Cove with the natural bush backdrop of historic Mount Adelaide is rare and is one of Albany's finest assets. A 12-storey hotel would impact negatively on this panorama.</p> <p>The character of Middleton Beach is largely about its casual and natural residential and tourism environment. Locals and tourists alike come to Middleton Beach to</p>	<p>visual permeability through the Activity Centre area.</p> <p>LandCorp undertook their own consultation to inform the design of the proposals. The City has advertised the proposals for public comment in order to gauge community opinion and inform the final recommendation.</p> <p>A visual impact assessment is only required where there is a specific policy requirement, which does not exist in this instance. However, it is likely that a visual impact assessment would be submitted with any development application for a building in excess of five stories or 21.5 metres in height.</p>	

**CITY OF ALBANY LOCAL PLANNING SCHEME No. 1  
AMENDMENT No. 1 & MIDDLETON BEACH ACTIVITY CENTRE STRUCTURE PLAN  
SCHEDULE OF SUBMISSIONS**

No.		Summary of Submission	Officer Comment	Staff Recommendation
		<p>experience the ambience and community atmosphere provided by the natural environment and its low key lifestyle.</p> <p>Albany is attractive to visitors due to its natural beauty and lack of multi-storey developments. Albany should not even be considering high rise developments in its overall vision for the future. Community opinion regarding high rise development was evident a few years ago during the Frederick Street unit development protest. The long term, hideous visual impact of Observation City in Scarborough should alert us to the consequences of poor and short-sighted planning decisions.</p> <p>A 12-storey hotel or apartment block would not be authentic. Four hotels have graced this site since the first one opened in 1892. None have been more than three stories. A historic precedent has been set. A 12-storey hotel would destroy the casual, coastal character of Middleton Beach and be inconsistent with the heritage value of the site.</p>		

**CITY OF ALBANY LOCAL PLANNING SCHEME No. 1  
AMENDMENT No. 1 & MIDDLETON BEACH ACTIVITY CENTRE STRUCTURE PLAN  
SCHEDULE OF SUBMISSIONS**

No.		Summary of Submission	Officer Comment	Staff Recommendation
		<p>The visual impact of this proposal from Public Vantage Points such as the Boardwalk, Marine Drive, King George Sound, the Golf Club and Emu Point to name a few, has not undergone any formal assessment by the either the City of Albany nor the WA Planning Commission.</p> <p>While I acknowledge the need for a development on this site after almost eight years as a vacant site, I would suggest that a 12-storey development would destroy Albany's competitive advantage. It is the uniqueness of Albany that visitors crave.</p> <p>A high rise development is an easy option. Sensitive, sustainable developments require commitment to the community and its environment.</p>		
120		Is in opposition to the proposed 12-storey hotel site and would prefer to a smaller three-storey building in its place. Believes that is should not be higher than the existing Norfolk Pines.	Item one of the key issues table addresses the matter of building height in detail.	Submission noted.

**CITY OF ALBANY LOCAL PLANNING SCHEME No. 1  
AMENDMENT No. 1 & MIDDLETON BEACH ACTIVITY CENTRE STRUCTURE PLAN  
SCHEDULE OF SUBMISSIONS**

No.		Summary of Submission	Officer Comment	Staff Recommendation
121		<p>The 12-storey proposal is far too high and the structure is completely out of character in the proposed location. I value the natural beauty of the location, in particular the height and magnitude of the mountain as well as the parkland areas.</p> <p>I urge plans for a 12-storey building be abandoned and all future buildings be limited to three storeys.</p>	Item one of the key issues table addresses the matter of building height in detail.	Submission noted.
122		Expresses concern regarding the 12-storey hotel site as it will completely dominate the landscape and detract from the beachfront vista. It will also dominate the view when driving around Marine Drive to Middleton Beach. Strongly suggests a maximum height of five to six storeys.	Item one of the key issues table addresses the matter of building height in detail.	Submission noted.
123		I congratulate all parties for the progress made thus far on the redevelopment of the prime Middleton Beach site. I submit for you consultation on fine tuning the precise location of the hotel site and the ability to maximise the area for public open space adjacent to the beach.	Items three, seven and eight of the key issues table address the matters of parking, the public access way and road alignment, in detail.	Submission noted.

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

No.		Summary of Submission	Officer Comment	Staff Recommendation
		<p>Marine Drive needs to be re-aligned from the south east and located close to Mount Adelaide reserve, taking the existing car park with a further three to five metre verge strip added on the south side.</p> <p>The proposed located roundabout on Flinders Parade – Adelaide Crescent be moved a few meters further to the south to accommodate the realignment.</p> <p>The planned car park can be then relocated on the opposite side of Marine Drive and extended with further parking bays adjacent Three Anchors and extending the terraced Cove area.</p> <p>The hotel can then be moved as close as possible to this realignment and most importantly should be angled approximately 23 degrees towards the northeast and directly facing the Emu Point Channel.</p> <p>The effect of this realignment will give a minimum of 500m<sup>2</sup> of public beach space. It will reduce the perceived impact of the hotel height with its location closer to Mount</p>		

**CITY OF ALBANY LOCAL PLANNING SCHEME No. 1  
AMENDMENT No. 1 & MIDDLETON BEACH ACTIVITY CENTRE STRUCTURE PLAN  
SCHEDULE OF SUBMISSIONS**

No.		Summary of Submission	Officer Comment	Staff Recommendation
		Adelaide. The perceived fire risk from Mount Adelaide reserve will not be compromised in any way with Marine Drive and the new verge a further protection buffer. Further close parking to Three Anchors, the beach and hotel will be created. The impact of the summer solstice on the new hotel site will be advantageous to maximise shade.		
124		Believes that the original Federation style hotel was perfect and that it should be brought back as it would please most occupiers and visitors. Suggests that the new building not be higher than the tops of the Norfolk Pines (five storeys), that the style reflect Albany's history and heritage by not being another massive glass, concrete and steel monument with asymmetrical shapes. Also believes that the hotel must blend into its surroundings, and that the current proposal does not satisfy, hence why he is in opposition to the proposal. States that he would still like to see a boutique hotel on the vacant site however.	Item one of the key issues table addresses the matter of building height in detail.	Submission noted.

**CITY OF ALBANY LOCAL PLANNING SCHEME No. 1  
AMENDMENT No. 1 & MIDDLETON BEACH ACTIVITY CENTRE STRUCTURE PLAN  
SCHEDULE OF SUBMISSIONS**

No.		Summary of Submission	Officer Comment	Staff Recommendation
125		<p>I object to the amendment to allow a height of up to 12 storeys on the Hotel/Mixed Use site in the proposed Middleton Beach Scheme Amendment and Activity Centre Structure Plan. It seems to me that a maximum of five storeys would be much more desirable.</p> <p>The building with a 12-storey height would forever ruin the view from the whole of the Middleton Beach stretch towards Mount Clarence.</p> <p>Surely a building of lesser storeys would be cheaper to build and therefore require less investment which in turn would still result in a satisfactory return on investment. Yes, less guests, but also less staff, less overheads, etc.</p> <p>Why can't we have a really interesting boutique hotel that will blend in nicely and be a real drawcard for the region?</p>	Item one of the key issues table addresses the matter of building height in detail.	Submission noted.
126		I object to the expansion of the area available for development beyond the	Item nine of the key issues table addresses the location of the hotel within the development area in detail.	Submission noted.

**CITY OF ALBANY LOCAL PLANNING SCHEME No. 1  
AMENDMENT No. 1 & MIDDLETON BEACH ACTIVITY CENTRE STRUCTURE PLAN  
SCHEDULE OF SUBMISSIONS**

No.		Summary of Submission	Officer Comment	Staff Recommendation
		<p>immediate area and surrounds of the former Esplanade Hotel site.</p> <p>The location of the site allocated for the Hotel/Mixed Use expands beyond the former Esplanade boundary. This proposal brings built development much closer to the coastline and will destroy the amenity and continuity of a broad grass/tree parkland along the full length of Middleton Beach.</p> <p>The Hotel/Mixed Use site has clearly been placed in such a prominent location to afford maximum ocean views. With good design great views can still be achieved without moving the site closer to the beachfront.</p> <p>The approach down to Middleton Beach along Marine Drive, which now provides a spectacular outlook of the Beach, will be lost. Drivers will instead be directed to the boring approach behind the Hotel and not have opportunity to view the grassed parkland and beach - from the only elevated road. While acknowledging that re-alignment of Flinders Parade is desirable, it could be done better without</p>	<p>The artist's impressions were prepared as a guide to provide the public with a sense how completed buildings could look and are not development proposals.</p> <p>A visual impact assessment is only required where there is a specific policy requirement, which does not exist in this instance. However, it is likely that a visual impact assessment would be submitted with any development application for a building in excess of five stories or 21.5 metres in height.</p>	

**CITY OF ALBANY LOCAL PLANNING SCHEME No. 1  
AMENDMENT No. 1 & MIDDLETON BEACH ACTIVITY CENTRE STRUCTURE PLAN  
SCHEDULE OF SUBMISSIONS**

No.		Summary of Submission	Officer Comment	Staff Recommendation
		<p>the Hotel site where it is now shown. Why should the public amenity of road and public open space be lost to a Hotel development, which could well have been confined substantially to the former Esplanade Hotel site.</p> <p>I object to the height of up to 12 storeys on the Hotel/Mixed Use site, the height should be limited to five storeys and should include stepping up of development away from the foreshore. In discussions between authorities and stakeholders, the prospect of 12 storeys has not arisen. And suddenly, it is now considered necessary to attract the right Developer, or 'the community will be back to square one'. The development of the Middleton Beach precinct can occur in stages over time.</p> <p>Because the large site is at the corner of the Bay, good design would produce a building with great ocean views both eastwards and southwards, without the need for 12 storeys. And a more compact development would be far more in keeping with the 'village' feel of the rest of the Activity Centre. The community accepted the</p>		

**CITY OF ALBANY LOCAL PLANNING SCHEME No. 1  
AMENDMENT No. 1 & MIDDLETON BEACH ACTIVITY CENTRE STRUCTURE PLAN  
SCHEDULE OF SUBMISSIONS**

No.		Summary of Submission	Officer Comment	Staff Recommendation
		<p>investment by the State Government in the Middleton Beach site as a genuine measure to achieve an appropriate development.</p> <p>The challenge is to work with and strengthen the wonderful natural landscape and unique coastal identity of Middleton Beach, that will attract people to live in and visit Albany.</p> <p>We need to allow sustainable levels of development but we must avoid large scale commercial development that damages the character of the coastal area. Noosa has rejected high-rise and has shown that buildings over five storeys high are not required in order to have a thriving tourist economy. The maximum height for the Cottesloe foreshore is eight storeys – and this is considered very feasible to attract developers. Why is Albany expected to accept a 12-storey high-rise development that was not even approved for a metropolitan beach?</p> <p>I object to the low number of public car parking bays provided for. The 'Activity</p>		

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

No.		Summary of Submission	Officer Comment	Staff Recommendation
		<p>Centre' is being designed to attract more people to Middleton Beach's facilities. The public car parking near the foreshore/beach should not be reduced, given the number of local people who regularly visit the beach. An increase of 29 bays (22%) is insufficient for additional development proposed. I do not agree with the proposal to delete the current car parking requirements for visitor and hotel users. I have seen similar developments where bays intended for public parking are occupied significantly with visitors to the residential sections.</p> <p>There is not enough parking allowed for hotel/retail employees who will have to drive to work, given the lack of public transport to Middleton Beach.</p> <p>I object to lack of a visual impact assessment throughout the full period when this proposal was made available. The community has been unable to assess the visual impact of the proposal including height, bulk, over shadowing and changes to public open space. This appears to be deliberately misleading, particularly given the extent of good will demonstrated by the</p>		

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

No.		Summary of Submission	Officer Comment	Staff Recommendation
		Community to participate and engage in fruitful discussion with LandCorp and the City of Albany.		
127		<p>The first priority is to recognise the effect of the future structure of the Hotel on the present owners and long term supporters of the Middleton beach residential and recreational area.</p> <p>Every effort must be made to make to blend the hotel into the present landscape.</p> <p>A building of 12 storeys in the present position as proposed will be unacceptable. Therefore, no to 12 storeys as proposed. The Council has been given the opportunity to work with the planning commission to change the use of Council-controlled land to multi-residential and have the new hotel backed right up to mount Adelaide where 12 storeys or even more may be acceptable, as there would be very little interruption to present views and it would enhance the presence of the hotel with Mount Adelaide as a backdrop – particularly when approaching from the east.</p>	<p>Items one and nine of the key issues table address the matters of building height and the location of the hotel within the development area in detail.</p> <p>The proposals include a detailed bush fire risk assessment. This document ascertains that the development sites are sufficiently setback to allow the construction of buildings to <i>Australian Standard 3959 – Construction of Buildings in Bushfire Prone Areas</i> in order to manage bushfire risk.</p>	Submissions noted.

**CITY OF ALBANY LOCAL PLANNING SCHEME No. 1  
AMENDMENT No. 1 & MIDDLETON BEACH ACTIVITY CENTRE STRUCTURE PLAN  
SCHEDULE OF SUBMISSIONS**

No.		Summary of Submission	Officer Comment	Staff Recommendation
		<p>The west wall of the hotel will not have a view in the proposed site, so siting it further back is the correct way to go.</p> <p>Fire risk has to be considered and dealt with in the present proposal.</p> <p>Housing is promoted on the Mountain Side. Fire risk must also be considered there.</p> <p>The set of four complexes as mixed use are considered satisfactory.</p> <p>Marine Drive giving access to the beach must be maintained. It is totally unacceptable for the hotel to control the beachfront. Only seven bays which may service Three Anchors is not enough.</p> <p>My very considered recommendation is to push the Hotel back into the mountain.</p>		
128		I agree with the basic concept plan and the positioning of the highest development backing onto Mount Adelaide. Suggests design elements of the hotel for preservation against ocean winds.	Item six of the key issues table addresses the matter of wind in detail.	Submission noted.

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

No.		Summary of Submission	Officer Comment	Staff Recommendation
129		<p>Rezoning Lot 8888 Flinders Parade from 'Hotel/Motel' and 'Tourist Residential' zones is acceptable that the site no longer be zoned 'hotel/motel' but it is essential for preserving beachside accessibility for the public and local community that it not become exclusive for residential purposes only.</p> <p>This site must have some 'tourist residential' and retail/specialty/bars/cafes. This appears to be adequately covered by 'Special Use Zone SU25' as listed in 'conditions', so I am supportive of this. However, it is imperative that the natural environment, rich cultural and European heritage, and the unique coastal character of Middleton Beach be preserved. This means I strongly oppose high rise, six storeys at maximum and that it be designed in stepped up from the beach. Otherwise it will erode the precious aspects of Middleton Beach.</p> <p>Similarly for Lots 660 and 661 Marine Terrace, portions of Adelaide crescent, Marine Terrace, Barnett Street, Flinders Parade and Marine Drive, rezoning parts of</p>	<p>Item one of the key issues table addresses the matter of building height in detail.</p> <p>The hotel/mixed use site cannot be moved closer to the side of Mount Adelaide due to the implications that this would have from a bushfire risk perspective.</p> <p>While increasing parking numbers, the inclusion of on-street parking is an urban design principle that is proven to have a 'calming' effect on through traffic by forcing drivers to reduce their speed. This principle has recently been applied on Stirling Terrace and has resulted in a much more pedestrian-friendly environment with vehicles travelling at lesser speed.</p>	Submission noted.

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

No.		Summary of Submission	Officer Comment	Staff Recommendation
		<p>the roads from 'Priority Road' to Local Road reserves and Special Use Zone SU25 is acceptable. As an aside, I wonder why Adelaide Crescent isn't also re-aligned so that the hotel motel can be close up against the mountain side, thereby preserving the beachfront. I am concerned at the proposal to increase street-side parking, this would reduce pedestrian and bike safety and clutter the adjoining beachside area. Parking needs to be diverted either to underground on the existing site, north of the surf club, or to additional parking zones near the south end of the golf course or east side of Eyre Park. Also increased regular, frequent and reliable public transport by 'mini-buses' not large transporters, would be a preferred Council priority.</p> <p>I support the special use zone and applaud the potential for more community interaction and activity, public artworks and recreational opportunities including cycle-friendliness. A 'village' feel is my key wish in all that is to be redesigned.</p>		

**CITY OF ALBANY LOCAL PLANNING SCHEME No. 1  
AMENDMENT No. 1 & MIDDLETON BEACH ACTIVITY CENTRE STRUCTURE PLAN  
SCHEDULE OF SUBMISSIONS**

No.		Summary of Submission	Officer Comment	Staff Recommendation
		Drainage is my key concern and request that serious consideration be given to upgrading and rerouting the drainage away from the beachfront. Currently the drainage is an eyesore and it will not entice developers.		
130		<p>I grew up in Albany and regularly return with my husband and children to visit family and friends. I was shocked and disappointed at the design of the proposed hotel. It does not compliment the beautiful natural beach or hill environment. It looks like any standard high rise building seen on any street in any city centre in the world.</p> <p>Middleton Beach and Albany are incredibly unique. We can only hope that this monstrosity does not go ahead and a classic, architecturally appropriate hotel in context with the natural surrounding is built instead.</p>	<p>The artist's impressions were prepared as a guide to provide the public with a sense how completed buildings could look and are not development proposals.</p> <p>Design Guidelines are being prepared for the Activity Centre area, which should ensure that any development is appropriate to the locality.</p>	Submission noted.
131		We object to the expansion of the area available for development outside the immediate area and surrounds of the former Esplanade Hotel site.	Items one and nine of the key issues table address the matters of building height and the location of the hotel within the development area in detail.	Submission noted.

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

No.		Summary of Submission	Officer Comment	Staff Recommendation
		<p>We object to the height of up to 12 storeys on the Hotel/Mixed Use site. We object to the lack of a visual impact assessment through the full period when this proposal was made available for public consultation.</p> <p>We regularly visit coastal centres on the south coasts of South Australia and Victoria. The communities in those cities and towns seem to understand development and tourism in a way that it seems The City of Albany do not. The visual amenity of these coastal towns is intact with no high-rise. Indeed Noosa does not deem it necessary to have buildings beyond five stories in order to attract tourists.</p> <p>We suggest that you immediately scrap your proposed Middleton Beach Scheme Amendment and Activity Centre Structure Plan and come up with something that will only allow a development that is of five stories or less and is stepped back from the beach, and does not involve any encroachment on the existing foreshore reserve.</p>	<p>A visual impact assessment is only required where there is a specific policy requirement, which does not exist in this instance. However, it is likely that a visual impact assessment would be submitted with any development application for a building in excess of five stories or 21.5 metres in height.</p> <p>LandCorp undertook their own consultation to inform the design of the proposals. The City has advertised the proposals for public comment in order to gauge community opinion and inform the final recommendation.</p> <p>The proposal has been referred to the Environmental Protection Authority, which determined that the proposal does not require assessment.</p> <p>The development sites are sufficiently setback to allow the construction of buildings to <i>Australian Standard 3959 – Construction of Buildings in Bushfire Prone Areas</i> in order to manage</p>	

**CITY OF ALBANY LOCAL PLANNING SCHEME No. 1  
AMENDMENT No. 1 & MIDDLETON BEACH ACTIVITY CENTRE STRUCTURE PLAN  
SCHEDULE OF SUBMISSIONS**

No.		Summary of Submission	Officer Comment	Staff Recommendation
		<p>It should be noted that a significant outcome of your community consultation is that the top concern people expressed was that the height of any proposed building would exceed three to five storeys.</p> <p>In fact, the majority (67%) of respondents in your 'Community Feedback Outcomes' stated a preference for no more than three storeys, while only 15% preferred three to five storeys, 8.2% preferred five to seven storeys and a mere 2.7% preferred higher. What is proposed shows no respect for community views and values.</p> <p>An up to 12-storey scenario was never mentioned during the public consultation period. There is no doubt that this scenario would have been rejected outright.</p> <p>The relationship of the built environment to its natural setting is one that is balanced and visually pleasing. By allowing up to a 12-storey building in such a natural setting would see the end of the visual amenity would set a precedent for this type of building to multiply.</p>	bushfire risk, without the need to clear vegetation within the reserve.	

**CITY OF ALBANY LOCAL PLANNING SCHEME No. 1  
AMENDMENT No. 1 & MIDDLETON BEACH ACTIVITY CENTRE STRUCTURE PLAN  
SCHEDULE OF SUBMISSIONS**

No.		Summary of Submission	Officer Comment	Staff Recommendation
		<p>The dismissive manner in which the document deals with the biodiversity and natural area assets is disappointing. The flora and fauna of the adjacent Mount Adelaide will be adversely impacted by this proposal. Significant overshadowing will impact on the general growth and regeneration of native flora and lead to degradation. The vegetation is important habitat for a range of species in this conservation area. We note that some of the avifauna mentioned are endangered and will undoubtedly be adversely affected by the proposed development and its proximity to native vegetation.</p> <p>Management of fire hazards related to a building of the magnitude proposed is also another risk to the retention of the adjacent Mount Adelaide bushland.</p> <p>We believe that the State Government and its agencies should be working to conserve and enhance the character and outstanding natural beauty of Middleton Beach not proposing to devalue and degrade it by inappropriate development.</p>		

**CITY OF ALBANY LOCAL PLANNING SCHEME No. 1  
AMENDMENT No. 1 & MIDDLETON BEACH ACTIVITY CENTRE STRUCTURE PLAN  
SCHEDULE OF SUBMISSIONS**

No.		Summary of Submission	Officer Comment	Staff Recommendation
132		<p>I would like to see developers create a complex that is an example of green building design using ideas that reduce energy consumption, water usage and minimise waste. Suggestion of having a community space for gardens, encouraging a collaboration and sharing of ideas and common resources.</p> <p>This is a brilliant site to showcase Albany as an innovative City leading the way with sustainable design.</p>	Nil.	Submission noted.
133		<p>Expresses concern to the proposal of a 12-storey hotel site as it would detract from the natural scenery of the area to which most locals and tourists find its main attraction. Also expresses concern regarding the overshadowing that would come from such a tall structure and the stability of building in close proximity to the beach. Believes that development is needed for the area, but asks that more consideration go into the preparation of the proposal.</p>	Items one and two of the key issues table address the matters of building height and overshadowing in detail.	Submission noted.
134		We would like to advise the council that we are wholly in favour of the whole concept. We think a building of this height	Nil.	Submission noted.

**CITY OF ALBANY LOCAL PLANNING SCHEME No. 1  
AMENDMENT No. 1 & MIDDLETON BEACH ACTIVITY CENTRE STRUCTURE PLAN  
SCHEDULE OF SUBMISSIONS**

No.		Summary of Submission	Officer Comment	Staff Recommendation
		<p>will give a real touristy feel to this area. We also believe that the proposal to have mixed shops, restaurants, coffee houses and accommodation is an excellent idea. In fact it reminds us very much of the water front in Cairns which has great atmosphere.</p> <p>We also think that private housing needs to be included in this site. This will give a solid base of people who are in that area using the cafes, restaurants, etc. We also feel that having private homes in the area will increase the value of the land in that area.</p> <p>Further the height of the building is appropriate as it will give the occupants of the motel a great view and will be a great draw card in its own right. Without a doubt the views will be amongst the best in Western Australia if not the world. If we want to be serious about tourism in Albany we need to be serious about this plan.</p>		
135		I object to the amendment to allow a height of up to 12 storeys on the Hotel/Mixed Use site in the proposed Middleton Beach Amendment and Activity Centre. The	Item one of the key issues table addresses the matter of building height in detail.	Submission noted.

**CITY OF ALBANY LOCAL PLANNING SCHEME No. 1  
AMENDMENT No. 1 & MIDDLETON BEACH ACTIVITY CENTRE STRUCTURE PLAN  
SCHEDULE OF SUBMISSIONS**

<b>No.</b>		<b>Summary of Submission</b>	<b>Officer Comment</b>	<b>Staff Recommendation</b>
		maximum height should be limited to five storeys.		
136		I am opposed to a development in excess of four to five storeys as anything higher than this is completely inappropriate with the current environment, confronting and out of proportion to the existing buildings. Tourists visit Albany for its unique natural environment and its sense of history and culture, which the development should embrace. Any new development should be modest in scale and height to compliment the environment, not overwhelm it.	Item one of the key issues table addresses the matter of building height in detail.	Submission noted.
137		I dread the thought of the character of the area being desecrated by such a high-rise proposal. I have seen the submission made by Pam Dolley and agree with her argument.	Nil.	Submission noted.
138		We do not believe that a building on this site should be any more than five storeys high.	Item one of the key issues table addresses the matter of building height in detail.	Submission noted.
139		Believes the proposal should go ahead as Albany is a major tourism destination. States the proposal will create employment for youth, an economic boost to Albany and	Nil.	Submission noted.

**CITY OF ALBANY LOCAL PLANNING SCHEME No. 1  
AMENDMENT No. 1 & MIDDLETON BEACH ACTIVITY CENTRE STRUCTURE PLAN  
SCHEDULE OF SUBMISSIONS**

No.		Summary of Submission	Officer Comment	Staff Recommendation
		to tourism. Comments that if it were up to those opposed the proposal, nothing would be approved.		
140		Express their strong opposition to a 12-storey hotel as it would impact Ellen Cove.	Nil.	Submission noted
141		<p>Believes the height of any building should not exceed the height of Norfolk Pines on the foreshore. Suggests the material used in the building should ensure that building fits into the landscape, rather than sticking out like a 'sore thumb'. Also suggest gardens around building be compatible with native flora and fit into the shore line aesthetic.</p> <p>Believes it is very important that any building placed in this beautiful spot does not detract from the natural scene, rather enhances it.</p>	Items one and nine of the key issues table address the matters of building height and the location of the hotel within the development area in detail.	Submission noted.
142		Although some aspects of the proposal appear sensible and could result in better amenities and use of the area, I am disappointed in the proposed hotel size and location. I firmly believe that a lower profile would be more in keeping with the existing beachfront area and ensure ongoing use of	Items one and three of the key issues table address the matters of building height and parking in detail.	Submission noted.

**CITY OF ALBANY LOCAL PLANNING SCHEME No. 1  
AMENDMENT No. 1 & MIDDLETON BEACH ACTIVITY CENTRE STRUCTURE PLAN  
SCHEDULE OF SUBMISSIONS**

No.		Summary of Submission	Officer Comment	Staff Recommendation
		<p>the area as a family and resident-friendly beach.</p> <p>This could be a great opportunity for an aesthetic and environmental sensitivity to be included in the area and give Albany a uniquely southern coast design. Instead, the proposal (although conceptual) appears to have settled for maximising rooms at the cost of turning this beautiful area into a beachfront similar to ones found anywhere in the world.</p> <p>I would like to see the height restricted to five stories maximum and the hotel set back further from the foreshore.</p> <p>I would like to see stringent conditions on design and materials used to minimise the environmental footprint, and to encourage some creative design rather than a square box. Be ambitious in style, not size!</p> <p>These comments also apply to the residential/commercial/activity centre parts of the proposal, although they seem to at least be more in keeping with the scale of the site.</p>		

**CITY OF ALBANY LOCAL PLANNING SCHEME No. 1  
AMENDMENT No. 1 & MIDDLETON BEACH ACTIVITY CENTRE STRUCTURE PLAN  
SCHEDULE OF SUBMISSIONS**

No.		Summary of Submission	Officer Comment	Staff Recommendation
		<p>I remain unconvinced that parking has been adequately considered even though, as a local I often walk rather than drive to the beach. On long weekends or in holiday periods currently it is very difficult to get parking so I am concerned that needs have been underestimated and that the small public green spaces will end up being sacrificed for additional parking as soon as the re-development occurs.</p> <p>I would like to see some measures in place to limit the potential for a beachfront hotel to end up as a place where loud drinking and music overwhelms the ambience for other beachfront users. I would hate to see the beachfront become a place where it is unpleasant to be because it caters more to drinkers than to swimmers, walkers and picnickers.</p>		
143		I strongly object to a twelve storey hotel being built at Middleton Beach. I have seen the LandCorp pictures of what it would look like and find it an eyesore at our beautiful waterfront. Any development here should	Items one and nine of the key issues table address the matters of building height and the location of the hotel within the development area in detail.	Submission noted.

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

No.		Summary of Submission	Officer Comment	Staff Recommendation
		be limited to the five storeys as originally suggested.		
144		I am appalled at the obvious disregard that the design has for the environment. The hotel site is oversized and dwarfs existing buildings, so it should not be more than four storeys. The design is unsympathetic to the existing style of buildings in the area. The style and scale of the hotel is brash, ugly and inappropriate for Albany. The central plan is more modest.	Items one and nine of the key issues table address the matters of building height and the location of the hotel within the development area in detail.	Submission noted.
145		<p>I object to the expansion of the area available for development beyond the immediate area and surrounds of the former Esplanade Hotel site. There is enviable beauty and amenity in the trees and grasses along the foreshore. Why lose it for commercial interests?</p> <p>Drivers will not have opportunity to appreciate the wonderful view from Marine Drive into the Middleton Beach area.</p> <p>I object to the height of up to 12 storeys on the Hotel/Mixed Use site. The height should be limited to five storeys</p>	<p>Items one, three and nine of the key issues table address the matters of building height, parking and the location of the hotel within the development area, in detail.</p> <p>A visual impact assessment is only required where there is a specific policy requirement, which does not exist in this instance. However, it is likely that a visual impact assessment would be submitted with any development application for a building in excess of five stories or 21.5 metres in height.</p>	Submisison noted.

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

No.		Summary of Submission	Officer Comment	Staff Recommendation
		<p>and should include stepping up of development away from the foreshore.</p> <p>In discussions between authorities and stakeholders, the prospect of 12 storeys has not arisen. It should not even be considered. Why do we need a 12-storey development, apart from commercial viability?</p> <p>Once one building is approved to 12 storeys, an argument will exist for others to follow, and our Middleton Beach will look like any other high-rise coastline.</p> <p>If the hotel site was moved closer to the foot of Mount Adelaide, so that it was not creating a height silhouette, or blocking the wonderful vista, it may be less of a problem, but there should still be a limit of five storeys.</p> <p>Buildings and development reflect fashions and commercial demands of the day. We are custodians, to care for our natural resources for future generations, not to exploit them.</p> <p>We need to allow sustainable levels of</p>	<p>LandCorp undertook their own consultation to inform the design of the proposals. The City has advertised the proposals for public comment in order to gauge community opinion and inform the final recommendation.</p>	

**CITY OF ALBANY LOCAL PLANNING SCHEME No. 1  
AMENDMENT No. 1 & MIDDLETON BEACH ACTIVITY CENTRE STRUCTURE PLAN  
SCHEDULE OF SUBMISSIONS**

No.		Summary of Submission	Officer Comment	Staff Recommendation
		<p>development. But we must also avoid large scale commercial development that damages the character of this beach and coastal area forever. If high-rise is necessary for commercial viability, could an alternative mixed business/accommodation model be considered?</p> <p>I object to the low number of public car parking bays provided for. The public car parking near the foreshore/beach should not be reduced as per the proposal, given the number of local people who regularly visit the beach. An increase of 29 bays (22%) is insufficient for additional development proposed. There is not enough parking allowed for hotel/retail employees who will have to drive to work, given the lack of public transport to Middleton Beach.</p> <p>I object to the lack of a visual impact assessment throughout the full period when this proposal was made available for public consultation. The community has been unable to assess the visual impact of the proposal including height, bulk,</p>		

**CITY OF ALBANY LOCAL PLANNING SCHEME No. 1  
AMENDMENT No. 1 & MIDDLETON BEACH ACTIVITY CENTRE STRUCTURE PLAN  
SCHEDULE OF SUBMISSIONS**

No.		Summary of Submission	Officer Comment	Staff Recommendation
		overshadowing and changes to public open space.		
146		<p>I don't want anything under discussion to happen at the site. I don't want the view altered, listen to construction for two or more years, change my walk route each morning or walk in the shadow of tall buildings. But I am putting aside personal preferences and commenting on the greater good.</p> <p>I think a hotel development would be better placed in town where visitors would support existing retail infrastructure which struggles outside prime tourism season.</p> <p>I hope that there has been a full marketing plan that ensures the proposed hotel and retail spaces at Middleton Beach would be fully utilised and not become the dead heart of Middleton Beach.</p> <p>I hope the development of a new hotel is not detrimental to existing businesses.</p> <p>I do not think there is adequate parking in the new development. When we all head to the beachside pub for the Sunday</p>	<p>Items one, two, three and nine of the key issues table address the matters of building height, overshadowing, parking and the location of the hotel within the development area, in detail.</p> <p>The City of Albany and Landcorp are currently working to upgrade the stormwater management arrangements within the Activity Centre area.</p>	Submission noted.

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

No.		Summary of Submission	Officer Comment	Staff Recommendation
		<p>session there will be more cars than carparks.</p> <p>I am concerned about the wastewater. I read in the thick bound plan submission at the City of Albany office that existing systems would be utilised. I question that existing systems can absorb the increase outputs without environmentally detrimental overflows.</p> <p>Shade on the beach is a real issue for a 12-storey building. The modelling of shadow in the concept plan showed 21 June at 9am, noon and 3pm. We want to know about 21 January 5pm when we get home from work and want a quick swim.</p> <p>There will be a significant increase in vehicle numbers on Marine Drive/Burgoyne Road, Middleton Road and possibly Adelaide Crescent. I do not want to see increased traffic on Adelaide Crescent as it will spoil the main recreation area at Eyre Park. Adelaide Crescent should be for local traffic.</p>		

**CITY OF ALBANY LOCAL PLANNING SCHEME No. 1  
AMENDMENT No. 1 & MIDDLETON BEACH ACTIVITY CENTRE STRUCTURE PLAN  
SCHEDULE OF SUBMISSIONS**

No.		Summary of Submission	Officer Comment	Staff Recommendation
		<p>I am concerned that 12 storeys is inappropriate for the hotel. However if 12 storeys allows for a smaller footprint than a five storey hotel it may be acceptable.</p> <p>I would like to congratulate the developer on the thought they have put into the proposal. I believe they have worked hard to present a workable plan. I understand that 12 storeys may make for a feasible proposition but would prefer less height.</p>		
147		<p>Asks when Albany will get it right with the Esplanade hotels, as the previous two did not work. Suggests to not name the proposed hotel the Esplanade and to start with a clean slate.</p>	Nil.	Submission noted.
148		<p>States he has no issue with a hotel being at Middleton Beach, but more concerns with its shadow effect of the proposal in the afternoons at Ellen Cove.</p> <p>Believes 12 storeys to be too high a proposal and that the site itself needs to be set back from the beach front. Suggests that the site be shifted more towards to hill and tiered as in Noosa. Does not wish to</p>	<p>Items one and two of the key issues table address the matters of building height and overshadowing in detail.</p>	Submission noted.

**CITY OF ALBANY LOCAL PLANNING SCHEME No. 1  
AMENDMENT No. 1 & MIDDLETON BEACH ACTIVITY CENTRE STRUCTURE PLAN  
SCHEDULE OF SUBMISSIONS**

No.		Summary of Submission	Officer Comment	Staff Recommendation
		see the 3pm shadows on the beach as seen in Surfer's Paradise.		
149		<p>I am generally supportive of the plan, including the incorporation of commercial and retail areas, public open space and road layout.</p> <p>High density options need to be supported in Albany to make the most of high amenity locations. Therefore, I support the multistorey proposal to a degree. I also feel that developers need to be respectful to the existing amenity of the area and that a 12-storey hotel would be inappropriate. This has been confirmed by my inspection of the photo montages that have been prepared. I would support a maximum seven storey development for the hotel, with the other buildings in the precinct being up to five storeys. The current plan shows the buildings increasing in height as they get closer to Mount Adelaide, which I support.</p> <p>I understand that having a residential component to the development will increase its viability. I am supportive of including a residential component as long</p>	Nil.	Submission noted.

**CITY OF ALBANY LOCAL PLANNING SCHEME No. 1  
AMENDMENT No. 1 & MIDDLETON BEACH ACTIVITY CENTRE STRUCTURE PLAN  
SCHEDULE OF SUBMISSIONS**

No.		Summary of Submission	Officer Comment	Staff Recommendation
		<p>as it is clear the proportion, number and location of residential versus short term accommodation and other commercial uses.</p> <p>I hope that local businesses will be given the opportunity to be involved in future planning for the site. I note that only one local consultant was used in the compilation of planning information for the Structure Plan, which is disappointing, when expertise exists in the Albany.</p>		
150		<p>States that she is glad that something is being done with the area. Would like to add that more access routes to the beach for both able-bodied and disabled, the height of the hotel is too high and needs to be screened better my trees, and that the hotel's footings need to be in granite as storm surges create inundation of water in the area.</p>	Nil.	Submission noted.
151		<p>I object to the amendment to allow a height of up to 12 storeys on the Hotel/Mixed use site in the proposed Middleton Beach Scheme Amendment. The maximum height should be limited to five storeys with a more</p>	Nil.	Submission noted.

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

No.		Summary of Submission	Officer Comment	Staff Recommendation
		compact development to be more suitable to the grassed areas and treed beach area. We have waited so long for this development, please don't spoil it now with a high-rise 12-storey building which will change the character of the Middleton Beach area.		
152		Expresses her strong disapproval of the development proposed as she cannot simply believe it.	Nil.	Submission noted.
153		Believes that the low-key ambience of Middleton Beach will be destroyed by the dominance of a 12-storey hotel. The ambience is what makes the area so attractive to tourists as they are seeking out smaller, boutique-style hotels and not the hotel shown in the concept plans. Suggests a five-storey hotel would blend into the area better.  States that a satisfactory return in investments can be made for a smaller hotel and that Middleton Beach mustn't be destroyed for high-rise.	Item one of the key issues table addresses the matter of building height in detail.	Submission noted.

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

No.		Summary of Submission	Officer Comment	Staff Recommendation
154		<p>I wish to suggest that the development should have a maximum of five storeys, and that if the financial viability of this is uncertain for developers and subsequent business then the Western Australian government should subsidise the gap.</p> <p>We regard Middleton Beach as one of the jewels of WA for the fact that it is still devoid of high developments. This is what attracts many visitors to Albany. Even if the proposed 12-storey building is subtly angled into the corner of the landscape, it opens the way to future developments of similar height. One also hopes also that however many storeys exist, that they are for short term accommodation and not a blight on the landscape for the pleasure of a few well-heeled apartment owners/investors who may often be absent, such as is observed on Perth waterfront properties.</p> <p>Please maintain the naturally scenic and low key uniqueness of the beach precinct for locals and regular visitors alike, by limiting development to five storeys. Allow Middleton Beach to maintain its local</p>	<p>Item one of the key issues table addresses the matter of building height in detail.</p>	<p>Submission noted.</p>

**CITY OF ALBANY LOCAL PLANNING SCHEME No. 1  
AMENDMENT No. 1 & MIDDLETON BEACH ACTIVITY CENTRE STRUCTURE PLAN  
SCHEDULE OF SUBMISSIONS**

No.		Summary of Submission	Officer Comment	Staff Recommendation
		character, allowing the natural topography to continue to indelibly make lasting impressions. High-rise is everywhere globally, careful restraint is a rare attribute for tourist precincts.		
155		Expresses concern regarding the proposed hotel height of up to 12 storeys. Believes it should not exceed five storeys.	Item one of the key issues table addresses the matter of building height in detail.	Submission noted.
156		<p>As a long term resident of Albany and 45 years' experience as a property developer and resort owner, the development at Middleton Beach must have:</p> <p>a) A very strong upmarket residential component of at least 40 units of approximately 140m<sup>2</sup> each on the top 4-6 floors of the mixed development building. The developer should be able to justify if the market is deemed to be big enough for an additional two floors. Taking the building to 14 floors with 8 permanent residential floors would give the developer an income from sales of \$50 million. This then makes it attractive enough to persuade the right developer to participate.</p>	Nil.	Submission noted.

**CITY OF ALBANY LOCAL PLANNING SCHEME No. 1  
AMENDMENT No. 1 & MIDDLETON BEACH ACTIVITY CENTRE STRUCTURE PLAN  
SCHEDULE OF SUBMISSIONS**

No.		Summary of Submission	Officer Comment	Staff Recommendation
		<p>b) Because of the seasonality the commercial businesses on the ground floor sections of the total area need to have permanent residents to maintain the viability during the winter months. This will attract high net worth retirees with an accommodation type currently unavailable in Albany.</p> <p>c) Short term rentals and commercial areas of the total development will always go well during the summer periods and as a resort operator over the last 22 years in Denmark alone, the commercial area demise is the off-season which these permanent retirees will support.</p> <p>d) As all developers now require at least 60% in presales before bank finance is available it may be necessary to give these selected developers opportunity to test the market before committal.</p> <p>Finally, it is a unique opportunity in the best position on the south coast, so it is essential to make the proposal attractive enough to</p>		

**CITY OF ALBANY LOCAL PLANNING SCHEME No. 1  
AMENDMENT No. 1 & MIDDLETON BEACH ACTIVITY CENTRE STRUCTURE PLAN  
SCHEDULE OF SUBMISSIONS**

No.		Summary of Submission	Officer Comment	Staff Recommendation
		get the best result with a development up and running as soon as possible.		
157		<p>The possibility of a 12-storey hotel on Middleton Beach does not suit the area. There is nothing near this height anywhere in the whole of Albany so a maximum of five or six storeys is desirable. Why put priority on the hotel above the local population and other visitors for use of the beach front land.</p> <p>Place the hotel back on the original location of the old Esplanade hotel and keep the height to five to six storeys high as is already planned for that area. Allow the beach front grassland and Norfolk Pine trees to remain untouched and be accessible to all visitors. This would be preferable using up a finite piece of beachfront by putting the hotel next to the Three Anchors cafe.</p> <p>The number of prospective apartment dwellers at a possible 687 people is far too many. That number of people will have a direct impact on the feel of the area. By putting the hotel here it also lessens the number of permanent residents.</p>	<p>Items one, three and nine of the key issues table address the matters of building height, parking and the location of the hotel within the development area, in detail.</p> <p>The proposals do not seek to remove any of the Norfolk Island Pine trees located within the foreshore area.</p>	Submission noted.

**CITY OF ALBANY LOCAL PLANNING SCHEME No. 1  
AMENDMENT No. 1 & MIDDLETON BEACH ACTIVITY CENTRE STRUCTURE PLAN  
SCHEDULE OF SUBMISSIONS**

No.		Summary of Submission	Officer Comment	Staff Recommendation
		<p>A total of 29 extra parking bays does not cover the number of people who would be attracted to this area and indeed would already be living there. I was told at the information session at the Albany Surf Lifesaving Club by a LandCorp employee that there will not even be dedicated visitors parking provided for the apartments. So they have to fit into the 29 extra parking bays when there is a possibility of 687 people having friends with cars visit them. Lastly the increased amount of traffic is of concern, no amount of traffic calming devices are going to make the road less busy.</p>		
158		<p>The multi-storied complex might look in place in a busy suburbia but negates the tranquillity of Albany. States that as a Bed &amp; Breakfast owner, the thing that tourists love about Albany is the quiet lifestyle.</p>	<p>Item one and eight of the key issues table addresses the matter of building height in detail.</p>	<p>Submission noted.</p>
159		<p>The proposed Hotel/Mixed Use site should not exceed six storeys in height as the building will cast a shadow over Three Anchors. The concept plans show this hotel site outside the Esplanade block – why? Suggests that one parking bay for</p>	<p>Items one, two and nine of the key issues table address the matters of building height, overshadowing and the location of the hotel within the development area, in detail.</p>	<p>Submission noted.</p>

**CITY OF ALBANY LOCAL PLANNING SCHEME No. 1  
AMENDMENT No. 1 & MIDDLETON BEACH ACTIVITY CENTRE STRUCTURE PLAN  
SCHEDULE OF SUBMISSIONS**

No.		Summary of Submission	Officer Comment	Staff Recommendation
		each rental room within the hotel site should be provided. Believes that the proposal sets a bad precedent for years to come.		
160		<p>I do not support a 12-storey building in the Hotel/Mixed Use precinct as it will impact heavily on the natural environment of the area. I am in favour of development but 12 storeys will be most inappropriate.</p> <p>Believes that through years of previous workshops, it's clear that redevelopment is strongly supported at the old Esplanade site, but want to retain a low rise, low key village.</p> <p>I do not support something that contradicts the community ideals.</p> <p>I do not support the connection of Flinders Parade and Barnett Street as cars will be dangerous for pedestrians and cyclists.</p>	Items one and eight of the key issues table address the matters of building height and road alignment in detail.	Submission noted.
161		Believes we need to look at clever ways of building tourism accommodation that does not impinge on the unique landscape of the	Item one of the key issues table addresses the matter of building height in detail.	Submission noted.

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

No.		Summary of Submission	Officer Comment	Staff Recommendation
		area. Also believes that 12 storeys is too high.		
162		The proposed 12-storey building is not in keeping with the way Albany should be developed. We do not want to start looking like the Gold Coast. Our uniqueness would be severely compromised. A building of four storeys would be an acceptable option.	Item one of the key issues table addresses the matter of building height in detail.	Submission noted.
163		<p>Albany's first hotel should not be built at Middleton Beach, it should be at the marina foreshore with the revamped Stirling Terrace, AEC, UWA and Queen Victoria Gardens, which is ideally the heart of Albany.</p> <p>I still support the proposed tourist-residential development proposal for Middleton Beach as I envisage three-storey narrow frontage buildings to maximise potential development. I have concerns with the 10-12 storey hotel site as this is Albany's family orientated area and aesthetics should be retained. Also have concerns regarding the shadow of such a building is it will affect Three Anchors, the playground area and Ellen Cove in summer</p>	<p>LandCorp have been actively marketing the designated hotel site at the Albany Foreshore for a number of years now, without success. It has been indicated by prospective developers that the five-storey building height limit and restriction on permanent residential units that apply are too restrictive and that development is not commercially viable.</p> <p>Items one and two of the key issues table address the matters of building height and overshadowing in detail.</p>	Submission noted.

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

No.		Summary of Submission	Officer Comment	Staff Recommendation
		<p>afternoons. I suggest and support a maximum of six storeys of commercial ground floors with upper storeys for residents.</p>		
164		<p>The proposed height of up to 12 storeys for a hotel is a major concern as images provided by LandCorp of numerous views show a building dominating and overpowering its surrounds. I suggest a height maximum of five-storeys stepped back from ground level. This would be just below the height of the Norfolk Pines.</p> <p>Shadows cast by the proposed hotel will impact on the playgrounds, Three Anchors and Ellen Cove in summer/tourism seasons.</p> <p>Middleton Beach is historically a casual, family orientated beach, and this character must be retained with a sympathetic, people friendly Activity Centre with commercial options. The retail outlets should exclude chains/franchises and include small shops.</p>	<p>Items one and two of the key issues table address the matters of building height and overshadowing in detail.</p> <p>While the comments regarding the type of shop are noted. However, provided that a proposed use fits within the definition of a 'Shop' under <i>Local Planning Scheme No.1</i>, the City cannot make a distinction between independent operators and chain/franchise stores.</p>	Submission noted.

**CITY OF ALBANY LOCAL PLANNING SCHEME No. 1  
AMENDMENT No. 1 & MIDDLETON BEACH ACTIVITY CENTRE STRUCTURE PLAN  
SCHEDULE OF SUBMISSIONS**

No.		Summary of Submission	Officer Comment	Staff Recommendation
		Traffic management has been well planned. Predicted parking shortage can be offset by using spaces at Eyre Park, etc. and frequent shuttle buses in summer.		
165		Supports the development but wants to ensure that it be open to every socio-economic level, also supports the re-alignment of traffic for better beach access. Is in opposition to 12 storey hotel site, and suggests four to five storeys as a substitute.	Item one of the key issues table addresses the matter of building height in detail.	Submission noted.
166		I believe that the planned hotel site should have a variety of rooms suitable for conferences/seminars, etc. At least one such room needs to be for large gatherings which is better than what Albany currently provides. This would help support the hotel by bringing business functions, club and society functions, etc. to Albany.	Hotel facilities will become known at the development stage.	Submission noted.
167		States that it is a tremendous responsibility to make decisions for future development but believes that Council will continue to preserve the character of this great place. Surely five storey buildings in Ellen Cove is sure for congestion and is out of character.	Item one of the key issues table addresses the matter of building height in detail.	Submission noted.

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

No.		Summary of Submission	Officer Comment	Staff Recommendation
		High-rise, traffic lights and congestion belong in places like Noosa but not on the foreshore of King George Sound.		
168		<p>We fully support the proposed changes to Middleton Beach as it is a great mix of hotel, private land ownership and business. Albany needs tourism to expand to provide jobs for youth to stay in the town. This proposal does not spoil Middleton Beach but enhance it.</p> <p>Suggest a luge be created from the top of Mount Adelaide (ANZAC Centre) to Middleton Beach with a cable car as seen in New Zealand as it would stimulate visitation to major attractions.</p>	Nil.	Submission noted.
169		LandCorp did not provide visual depictions of the proposed development, showing its visual impacts from popular vantage points such as the beach and boardwalk, until the 8 <sup>th</sup> of April. This information was provided to several community members after they requested this several weeks before, but the general public has not had an	The visual depictions of the proposed development from vantage points, such as the beach and boardwalk, were produced in response to early community comments. These depictions were then added to the LandCorp website, which was	<p>Submission upheld in part.</p> <p>It is recommended that the proposed amendment to Schedule 4 – Special Use Zones is modified as follows:</p>

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

No.		Summary of Submission	Officer Comment	Staff Recommendation
		<p>opportunity to see or comment on this information. The community information session organised by LandCorp did not include these depictions, only aerial and overhead artist impressions. The information on the City of Albany's and LandCorp's websites was incorrect and misleading.</p> <p>For the majority of the consultation period the City of Albany's and LandCorp's websites showed a 'preferred development option' that was an out of date plan not now being proposed. This plan was provided to me by City of Albany officers, who printed it off from LandCorp's website believing it to be the valid plan for comment. The City of Albany's website contained no other information on the proposal other than the form for public comment, instead using a link to LandCorp's website. LandCorp's website contained 14 downloadable documents, with no advice on which documents needed to be referred to, or comment provided on. The first document in this list was the Concept Plan that forms no part of the Scheme Amendment. The other documents (such as the transport</p>	<p>hyperlinked from the City of Albany's website.</p> <p>The Minister for Lands issued a media statement on the day after the Council meeting where it was resolved to adopt the local planning scheme amendment for the purpose of public advertising. However, the City was not in a position to advertise the amendment for a week following the meeting, due to newspaper advertising deadlines. It was during this period that the submitter first visited the City of Albany offices seeking information.</p> <p>The City was expecting updated documentation from the proponent, incorporating some minor changes, prior to public advertising. In order to avoid confusion by circulating an incorrect Structure Plan, the submitter was given a copy of the 'preferred development option' plan from the LandCorp website and clearly advised that it was broadly similar to the Middleton Beach Activity Centre</p>	<ul style="list-style-type: none"> <li>• 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";</li> <li>• 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.'</i>; and</li> <li>• Renumbering existing notation "(2)" as notation '3'.</li> </ul>

**CITY OF ALBANY LOCAL PLANNING SCHEME No. 1  
AMENDMENT No. 1 & MIDDLETON BEACH ACTIVITY CENTRE STRUCTURE PLAN  
SCHEDULE OF SUBMISSIONS**

No.		Summary of Submission	Officer Comment	Staff Recommendation
		<p>study, master landscape plan, drainage study and so on) are lengthy documents, that the public would find difficult to understand or comment, and would have put people off from making comment. Effectively, the community were swamped with lengthy and detailed studies, rather than guided to the key documents on which comment was sought (the Amendment and Precinct Plan).</p> <p>LandCorp has focused their engagement on the 'Concept Plan', which has no statutory basis and is indicative only. Of most concern is the lack of information on the visual impact of the proposal. Given the scheme amendment is seeking a dramatic increase in building height adjacent to a beach, the public deserved to be provided with unbiased information to assist them in making comment on the proposal. LandCorp did not do this, but rather provided artist's impressions from oblique or aerial viewpoints (not public places). They have not provided a model of the development, despite advising they would do this on their website some 12 months ago. They have provided no scaled</p>	<p>Structure Plan, but that the final draft plan would be available during the public advertising period that would commence in a week's time.</p> <p>Upon commencement of the public advertising period, the documentation was made available on the LandCorp website, which was hyperlinked from an advertising notice on the City of Albany website. The advertising notice clearly stated that the City was seeking comment on the local planning scheme amendment and Activity Centre Structure Plan. These documents were clearly labelled on the LandCorp website, while the supporting studies were labelled as appendices to the Activity Centre Structure Plan. The intent of providing the background studies was not to confuse the public but to provide answers to any specific questions that arose, as the City has been criticised in the past for not providing enough technical information to satisfy some members of the public.</p>	

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

No.		Summary of Submission	Officer Comment	Staff Recommendation
		<p>drawings of the development, showing cross sections from the foreshore despite being requested to do so from members of the public. They refused to demarcate the foreshore boundary on site, despite being requested to do so from members of the public. They refused to use a crane to show the real height of the development, even though there was a request to do so and a willingness to pay for this from the community. The development will be highly visible and greatly alter the landscape, and so the lack of suitable visual impact assessment information from the consultation process until a few days before the end of the consultation period is a major concern. It also needs to be pointed out the development will be subject to design principles, that have also not been made public. There is a planning policy requirement that the community should be provided with sufficient information so that they can make informed input to planning development, particularly of this scale next to the coast. This has not occurred in this case, and due to the scale of the development and requirement for the development to be approved by the State's</p>	<p>Furthermore, a date was set at the commencement of the public advertising period for a public information session that was to be held in order to provide an opportunity for members of the public to ask questions directly of LandCorp and City staff. City staff were also available to answer questions for the duration of the public advertising period.</p> <p>The concept plan was utilised by LandCorp to illustrate the intended development outcome, as it shows landscaping and notional building types, which are not included on the Activity Centre Structure Plan. It is considered that the best type of information has been provided to illustrate the overall visual impact of the proposals.</p> <p>The proposed local planning scheme amendment sets a number of land uses as 'A' uses, which means that they are discretionary and require advertising for public comment, prior to determination. This includes any development on the hotel/mixed use</p>	

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

No.		Summary of Submission	Officer Comment	Staff Recommendation
		<p>Development Assessment Panel, the local community is not likely to have a later input. I ask that the consultation period be extended and include provision of the recently completed visual impact images, as well as demarcation of the development on site, and scaled drawings so that the community clearly is able to comprehend the scale and impact of the proposal. I would add that public comments from the Council's mayor, that the development will not be visible as it is positioned next to Mount Adelaide are inappropriate and totally misleading.</p> <p>I support a development height restriction of up to six storeys for the Hotel/Mixed Use Precinct. I do not support higher development given its adverse impacts on the visual amenity, landscape and public enjoyment of nearby areas, particularly Middleton Beach. There is a policy requirement that development takes into account the topography and landscape character of the locality (e.g. State Coastal Planning Policy). Local studies (e.g. City of Albany 2015 Middleton Beach amenity study) showed users of the beach valued its</p>	<p>site in excess of five stories or 21.5 metres in height. Although any significant development may be determined by a Joint Development Assessment Panel, the public will have an opportunity to comment on certain proposals.</p> <p>Items one, two and six of the issues table address the matters of building height, overshadowing and wind, in detail.</p> <p><i>State Planning Policy 2.6 – Coastal Planning</i> contains the following policy measure:</p> <p><i>“Ensure that land use and development, including roads, adjacent to the coast is sited and designed to complement and enhance the coastal environment in terms of its visual, amenity, social and ecological values.”</i></p> <p>The development is not expected to have a greater visual impact on the landscape than existing development at Checkers Walk, Morley Place, Hare Street and Wylie Crescent, when viewed from vantage points beyond the</p>	

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

No.		Summary of Submission	Officer Comment	Staff Recommendation
		<p>natural beauty. The green backdrop of Mt Adelaide dominates the view looking south along this iconic beach. The proposed building of up to 12 storeys in the Hotel/Mixed Use precinct is twice the height of the foreshore Norfolk Island Pine trees and, as shown by LandCorp images, will dominate views from popular public vantage points, including the boardwalk and beach. The building is totally out of character with the locality and will overpower the landscape, transforming it into an urban and City Centre landscape. This is exacerbated by both the proposed height of the development, and its close proximity to the beach. These impacts are contrary to the policies mentioned. The present planning restrictions on building height were introduced to protect public amenity, and no justification has been provided to amend the development height. The introduction of mixed uses, rather than purely Hotel/Motel will enable development to occur on the site, and it is incorrect to say an increased height restriction is required to enable development of the area.</p>	<p>immediate area. While it will possible to distinguish any future building as free-standing when viewed from Mira Mar, it is part of an established urban area, albeit one that is presently developed with single, double and three-storey buildings.</p> <p>It is considered that the proposals will enhance the amenity and social values of the area and will have no minimal impact on ecological values as a brownfield redevelopment.</p> <p>The proposals are also considered to be consistent with the following policy measures contained within <i>State Planning Policy 2.6</i>:</p> <p><i>“(d) the amenity of the coastal foreshore is not detrimentally affected by any significant overshadowing of the foreshore; and</i></p> <p><i>(e) there is overall visual permeability of the foreshore and ocean from nearby residential areas, roads and public spaces.”</i></p> <p>The proposals do not seek to remove any of the Norfolk Island Pine trees located within the foreshore area. At the time of development, a tree</p>	

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

No.		Summary of Submission	Officer Comment	Staff Recommendation
		<p>A building of 12 storeys will clearly impact on the public's enjoyment of the adjacent public open space and beach. This is contrary to policy, such as the Coastal Planning Policy, and to the principles detailed in the Scheme Amendment. This amendment states development in the Hotel! Mixed Use precinct should ensure 'No adverse impacts on the locality are presented by overshadowing' and the development needs to 'Contributes positively to the public realm'. These two principles are not reflected in the Scheme Amendment's Precinct Plan or the structure plan's concept plan, which show 12 storeys located immediately adjacent to the foreshore reserve. Modelling of the shadowing (in the Structure Plan) shows shadows being cast over the public domain, existing trees, public children's play area and existing café. In summer, this shadowing would extend to the sea, across the beach, late each afternoon. The 'preferred development option' plan on the City of Albany's and LandCorp's websites (only taken off about a week ago) had a range of development height restrictions within the Hotel / Mixed Use precinct, to</p>	<p>protection plan can be required as a condition of any approval, which would be implemented to protect trees from damage during construction.</p> <p>The Structure Plan report contains a preliminary survey plan that clearly indicates that the eastern boundary of the hotel/mixed use site will to the west of the canopy spread of the nearest Norfolk Island Pine trees.</p> <p>City staff have identified 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. A modification to the Special Uses is recommended to address this issue.</p>	

**CITY OF ALBANY LOCAL PLANNING SCHEME No. 1  
AMENDMENT No. 1 & MIDDLETON BEACH ACTIVITY CENTRE STRUCTURE PLAN  
SCHEDULE OF SUBMISSIONS**

No.		Summary of Submission	Officer Comment	Staff Recommendation
		<p>reduce impact and overshadowing on the foreshore reserve. The latest Middleton Beach Activity Centre Plan Structure Plan and the Concept Plan now omit this, having a blanket 12-storey height restriction. This should be amended back to the previous plan.</p> <p>There is inconsistency between the policy direction (State coastal planning policy and Scheme Amendment text) and the Middleton Beach Activity Centre Precinct Plan and structure plan. In the latter two plans building is permitted up to 12 storeys immediately adjacent to the coastal reserve, having impacts on the environmental and social values of the foreshore. This is contrary to State and Local planning policy and the Activity Centre Precinct Plan the concept plan need amendment to reflect these policy requirements, with development set back, reduced in height and stepped up from the foreshore. The Activity Centre Precinct Plan needs to show reduced height restrictions near the foreshore to reflect these policies. Mixed Use precinct as the development's impacts will be mitigated in</p>		

**CITY OF ALBANY LOCAL PLANNING SCHEME No. 1  
AMENDMENT No. 1 & MIDDLETON BEACH ACTIVITY CENTRE STRUCTURE PLAN  
SCHEDULE OF SUBMISSIONS**

No.		Summary of Submission	Officer Comment	Staff Recommendation
		<p>part by the existing Norfolk Island Pine trees, particularly from the boardwalk. It will still be highly visible from the beach to Emu Point, but there is more retention of the green backdrop provided by Mount Adelaide, and the top of the building will align more with existing development that can be seen from this location. It will impact on the landscape, but still retain the main components of the present natural landscape.</p> <p>I support a three storey height restriction for the northern two precincts. I support a five-storey height restriction for the two southern mixed use precincts, on the condition a three-storey restriction is placed on the Adelaide Crescent road frontage and pedestrian access way. Five-storey development along Adelaide Crescent will provide a tunnel effect, made worse by the summer easterly winds. Travelling along this road by car or on foot will be unpleasant if development towers above you, and such a height does not integrate with development further west along Adelaide Crescent. A three-storey development height restriction along the southern side of</p>		

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

No.		Summary of Submission	Officer Comment	Staff Recommendation
		<p>the pedestrian access way will combine with the same restriction on the north side of the access way, making for a more pleasant pedestrian experience.</p> <p>The eastern development boundary of the Mixed Use/Hotel precinct needs realignment to protect the healthy growth of the existing Norfolk Island Pine trees. This is likely to require realignment of the existing foreshore reserve boundary by some five to 10 metres to the west. The eastern boundary of the Hotel/Mixed Use precinct has not been demarcated on site, and is difficult to determine given it follows no existing on-site features. It should be surveyed so an assessment of its suitability can be made. The boundary is shown differently in different plans, with the Landscape Master Plan showing the canopy of the existing Norfolk Island Pine trees extending to this boundary, while the Concept Plan shows the trees some 10 metres to the east of the development boundary. As the Landscape Master Plan is based on aerial photograph images, the Concept Plan is presumably incorrect. The inaccurate representation of the trees'</p>		

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

No.		Summary of Submission	Officer Comment	Staff Recommendation
		<p>location should be corrected, given public comment is specifically being sought on the Concept Plan. The foreshore reserve and the Pine trees are heritage listed, and the protection of the trees should be given a high priority. Earthworks and any alteration to natural ground level should not occur in close proximity to the trees. The Foreshore Reserve should be extended to include the full extent of the trees canopy, when fully mature. This is likely to require realignment of the existing foreshore reserve boundary by some five to 10 metres to the west. The protection of foreshore heritage, social and environmental values is a requirement of planning policy, such as the State Coastal Planning Policy. This policy justifies an extension of the foreshore reserve to include the full canopy of the existing trees when mature. This is particularly important when the Scheme Amendment is requesting a nil development setback for this boundary.</p> <p>The Activity Centre Precinct Plan and Structure Plan's Concept Plan need to be amended to ensure the development will integrate with the foreshore reserve, have a</p>		

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

No.		Summary of Submission	Officer Comment	Staff Recommendation
		<p>ground floor interface and built form step up from the foreshore reserve, so as to reduce adverse impacts on the foreshore such as from overshadowing. The Precinct Plan needs to show a Primary Active frontage on the Hotel/Mixed Use and coastal reserve interface, and the Hotel/Mixed Use Precinct needs to contain stepped development heights (as previously shown in the 'preferred development option' plan. The Concept Plan needs amendment to step built form up from the coast as required by the Scheme Amendment text and Structure Plans figures 18 and 19. The 'Preferred development option' plan shown on both the City of Albany's website and LandCorp's website had a tiered development height restriction within the Hotel/Mixed Use precinct, but the proposed Scheme Amendment's Precinct Plan now only has a 12 storey height restriction. This allows for 12 storey development to be built immediately adjacent to the foreshore reserve, with no development set back, no stepping up of development or ground floor interface for public purposes. The Scheme Amendment states that in the Hotel / Mixed Use precinct, a key principle will be that</p>		

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

No.		Summary of Submission	Officer Comment	Staff Recommendation
		<p>built form will step up from the beach. This key principle in the Scheme Amendment is supported by diagrams in the structure plan - figs 18 and 19. These figures show a development set back from the foreshore and existing Norfolk Island Pines, a permeable interface at ground level between the foreshore and development, and built form stepping from ground level, to three storeys, then five storeys and then to 12 storeys. I support all of these principles, but they are not shown in the proposed Scheme Amendment's Precinct Plan or Structure Plan's Concept Plan, which seem to have been completed without regard for any of this guidance. The Scheme Amendment's Precinct Plan does not show a primary or secondary active frontage along the coastal foreshore reserve boundary closest to the beach. There is no development set back proposed. The Concept Plan shows maximum height development within five metres of the foreshore boundary, with no stepping up of development from the beach, or public interface. This is inconsistent with the Scheme Amendment and Structure Plan guidance. Effectively</p>		

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

No.		Summary of Submission	Officer Comment	Staff Recommendation
		<p>the Scheme Amendment and Structure Plan's Concept Plan show development turning its back onto the beach. These plans will permit development that will have major impacts on the public's use and enjoyment of the adjacent reserve. Both plans need changing to be more consistent with the Scheme Amendment's principles and figures within the Structure Plan.</p> <p>A Foreshore Management Plan should be prepared by LandCorp, as a condition of subdivision that shows how the foreshore within the Middleton Beach Activity Centre will be developed and managed. The proposed development will greatly impact on the foreshore area, and new trails, interpretation, art work and landscaping are to be implemented on the foreshore. These are broadly covered in the Landscape Master Plan, but this plan cannot be progressed until the Scheme Amendment itself is finalised as this will determine the P05 area and boundaries. There has been no community engagement with the Landscape Master Plan, other than its provision as an attachment to the Structure plan. No specific public comment has been</p>		

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

No.		Summary of Submission	Officer Comment	Staff Recommendation
		<p>sought on this plan. It is a key principle of planning that the community is engaged in coastal planning and management, and foreshore management plans are a means of gaining such public input. I recommend such a plan is placed as a condition of subdivision, so that the facilities with the foreshore can be coordinated, and agreement reached on their implementation, with community participation in the plan's preparation.</p> <p>I do not support any increase in the development height restriction for the sole purpose of permanent residential. There should be a requirement that tourism accommodation and public use be provided in the Hotel / Mixed Use and Mixed Use precincts. With the change from Hotel / Motel zoning to precincts with Mixed Use, with no stipulation of specific uses, there is the possibility tourism accommodation might not be provided. If permanent residential offers the greatest economic return, possibly only permanent residential use might be offered by developers, with some token retail or tourism accommodation. To guard against this, I</p>		

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

No.		Summary of Submission	Officer Comment	Staff Recommendation
		<p>ask that the structure plan or amendment contain some wording that expresses a preference that tourism accommodation is a major requirement.</p> <p>People are supporting this development on the basis that a hotel or tourism use is being provided, and will be very concerned if higher development is allowed that only contains permanent residential. We don't want to have lose the tourism value of the site, or have adverse impacts on the locality for the sake of providing penthouses.</p>		
170		<p>The Middleton Beach Group is generally supportive of the proposed change in zoning from 'Hotel/Motel' to mixed use and hotel/mixed use precincts, on the condition that future use contains a tourism accommodation component. This should be included as a principle in the Structure Plan.</p> <p>The Middleton Beach Group notes the proposed zoning of the hotel/mixed use precinct does not require a tourism accommodation component, and that as such sole use for residential is possible.</p>	<p>City staff have identified 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. A modification to the Special Uses is recommended to address this issue.</p> <p>Items two and three of the key issues table address the matters of overshadowing and parking in detail.</p>	<p>Submission upheld in part.</p> <p>It is recommended that the proposed amendment to Schedule 4 – Special Use Zones is modified as follows:</p> <ul style="list-style-type: none"> <li>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";</li> </ul>

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

No.		Summary of Submission	Officer Comment	Staff Recommendation
		<p>The Middleton Beach Group would not support increased development heights and density solely for the purpose of permanent residential use, given the tourism importance of the area. Of the opinion of the Middleton Beach Group, the required tourism component need not include a Hotel. Development with a mixed use and public benefit should occur, not 'development at any cost'.</p> <p>The Middleton Beach Group is supportive of the public access way that traverses the site west-east, as it enables public access to the centre of the site and enhances public use of the area.</p> <p>The public access way is consistent with the Middleton Beach Group's previous suggestion of a 'village green' feel, particularly if a central area is provided for relaxation. The group requests that protection from easterly winds is considered in the design, and the car park in the centre of the site also complements the public use in an integrated way.</p>	<p>The City of Albany is also exploring the potential for nearby land to be utilised for overflow parking, particularly when events are held in the area.</p> <p>The proposals do not seek to remove any of the Norfolk Island Pine trees located within the foreshore area. At the time of development, a tree protection plan can be required as a condition of any approval, which would be implemented to protect trees from damage during construction.</p> <p>The City of Albany and Landcorp are currently working to upgrade the stormwater management arrangements within the Activity Centre area.</p>	<ul style="list-style-type: none"> <li>• 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.'</i>; and</li> <li>• Renumbering existing notation "(2)" as notation '3'.</li> </ul>

**CITY OF ALBANY LOCAL PLANNING SCHEME No. 1  
AMENDMENT No. 1 & MIDDLETON BEACH ACTIVITY CENTRE STRUCTURE PLAN  
SCHEDULE OF SUBMISSIONS**

No.		Summary of Submission	Officer Comment	Staff Recommendation
		<p>The Middleton Beach Group is concerned the proposed maximum allowable height (12 storeys/46 metres) will impact on the amenity of the local and surrounding areas, and is in general not supportive of this allowable height, instead recommending a five/six storey maximum allowable height for the hotel/mixed use precinct to reduce its impact.</p> <p>The Middleton Beach Group inputted to the City of Albany's study of the amenity values of Middleton Beach in 2013, and notes the natural attractiveness of the beach was a major value highlighted by tourists and residents alike in this study. LandCorp's community consultation in February – March 2015 found that 67% of public submissions on the preferred development height supported a two/three storey development height restriction. Only 2.7% of submissions supported a height restriction of seven storeys or over. Middleton Beach Group's own submission to LandCorp was consistent with this sentiment.</p>		

**CITY OF ALBANY LOCAL PLANNING SCHEME No. 1  
AMENDMENT No. 1 & MIDDLETON BEACH ACTIVITY CENTRE STRUCTURE PLAN  
SCHEDULE OF SUBMISSIONS**

No.		Summary of Submission	Officer Comment	Staff Recommendation
		<p>The most recent feedback from Middleton Beach Group members is from a meeting on April 5<sup>th</sup> 2016 to generate input to this submission, and the subsequent circulation to them of additional LandCorp images received on April 6<sup>th</sup> 2016. The majority of the 21 meeting attendees have now stated a preferred height limit of five to seven storeys in the hotel/mixed use precinct. Only three people supported the 12-storey limit, based on a perception the viability of the project was dependent on such a height requirement. It was felt by most that viability could not be used as a means of determining an appropriate development height as no information had been provided by LandCorp or the City on this issue and specific land uses had not been determined for the site.</p> <p>The Middleton Beach Group requests that information on 'viability' for development is made available by LandCorp, given it is being used to justify proposed changes to development height restrictions, and the development height will have significant impacts on public amenity.</p>		

**CITY OF ALBANY LOCAL PLANNING SCHEME No. 1  
AMENDMENT No. 1 & MIDDLETON BEACH ACTIVITY CENTRE STRUCTURE PLAN  
SCHEDULE OF SUBMISSIONS**

No.		Summary of Submission	Officer Comment	Staff Recommendation
		<p>The Middleton Beach Group supports the stepping of development from the beach and foreshore, to reduce adverse impacts on the amenity values of these areas. The Middleton Beach Group requests revision of the scheme amendment's Precinct Plan and Structure Plan's Concept Plan to show a ground floor interface and stepping of development from the foreshore to the east of the hotel/mixed use precinct, to accommodate the design principles as outlined in the scheme amendment and Structure Plan (figs 18 and 19).</p> <p>The location of high rise development immediately adjacent to the foreshore is a concern, given impacts on use and enjoyment of these areas. The scheme amendment states the development of the hotel/mixed use precinct should contribute positively to the public realm, and also contains the principle that 'the height of the proposed development responds to the site and its context and steps built form away from the beach'. This stepping of development from the foreshore and beach is illustrated in the Structure Plan. These documents also highlight the need for</p>		

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

No.		Summary of Submission	Officer Comment	Staff Recommendation
		<p>interaction between the development and foreshore, at ground level.</p> <p>The scheme amendment also states that development within the hotel/mixed use precinct should ensure 'no adverse impacts on the locality are presented by overshadowing' of the foreshore. The Structure Plan's modelling clearly shows the proposed development will overshadow the adjacent reserve with adverse impacts on the public open space. Modelling of summer overshadowing is not shown, but would show considerable impacts on the beach to the east of the development. The concept plan shows stepping of development only to the north, not to the existing coastal reserve and beach to the east. The amendment's Precinct Plan and Structure Plan's Concept Plan show five to 12 storeys immediately adjacent to the reserve, with no ground floor interface. These plans are considered inconsistent with the scheme amendment and Structure Plan policy direction, and should be amended to include a ground floor public use area, development set back, with the built form stepped up gradually as shown in</p>		

**CITY OF ALBANY LOCAL PLANNING SCHEME No. 1  
AMENDMENT No. 1 & MIDDLETON BEACH ACTIVITY CENTRE STRUCTURE PLAN  
SCHEDULE OF SUBMISSIONS**

No.		Summary of Submission	Officer Comment	Staff Recommendation
		<p>Figs 18 and 19 so as to not impact on the amenity values of the beach and public open space.</p> <p>The Middleton Beach Group supports the widening of the public open space in the northern portion of the site, as shown in the Precinct Plan. The coastal foreshore reserve is considered an important public area, and its public use and existing Norfolk Island Pine trees need to be protected and where possible enhanced. The Concept Plan shows development occurring up to the foreshore boundary in the southern portion of the site. This is a concern, as the development could impact on the existing Norfolk Island Pine trees. State policy, such as the Coastal Planning policy, requires the determination of coastal foreshore boundaries to have regard for the protection and enhancement of environmental, cultural and heritage considerations and the protection of these trees would be justified under such policy.</p> <p>The boundary of the foreshore reserve in the southern portion of the site is not clearly shown or identifiable on site, but from the</p>		

**CITY OF ALBANY LOCAL PLANNING SCHEME No. 1  
AMENDMENT No. 1 & MIDDLETON BEACH ACTIVITY CENTRE STRUCTURE PLAN  
SCHEDULE OF SUBMISSIONS**

No.		Summary of Submission	Officer Comment	Staff Recommendation
		<p>Landscape Master Plan appears to be at the edge of the present canopy of the Norfolk Island Pines. Given there is no development setback, and the Concept Plan shows development within five metres of the present canopy, the proposed development, including building and earthworks, could impact on the future growth and health of these trees.</p> <p>The Middleton Beach Group requests that the foreshore reserve boundary be surveyed and determined so that it includes the present and future growth requirements of the existing Norfolk Island Pine trees. The boundary should be demarcated on site, so that the community is informed that this has been achieved. Based on the Landscape Master Plan, this would likely require the realignment of the foreshore boundary some five to 10 metres to the west of the present boundary.</p> <p>The Middleton Beach Group supports the proposed use of public open space for trails, interpretation and public art, but requests that the design and implementation of these be coordinated</p>		

**CITY OF ALBANY LOCAL PLANNING SCHEME No. 1  
AMENDMENT No. 1 & MIDDLETON BEACH ACTIVITY CENTRE STRUCTURE PLAN  
SCHEDULE OF SUBMISSIONS**

No.		Summary of Submission	Officer Comment	Staff Recommendation
		<p>through the preparation of a foreshore management plan, as a condition of later subdivision/development. Foreshore management plans are commonly required to achieve management of development impacts on foreshore reserves, and are promoted in State planning policy. They also provide a means of assisting community engagement in this process, and the Middleton Beach Group would be keen to be involved in the preparation of such a plan. It is noted the Landscape Master Plan provides some direction on this matter, but is indicative at this stage of the planning process and has not contained input from the community, including Middleton Beach Group.</p> <p>The Structure Plan notes that it would be desirable to redirect stormwater drainage from the existing five outfalls onto to the beach to an alternate location away from beach users, and that infiltration at source would be desirable within the existing catchment of these drains. No details are provided on this and it is noted these sites are outside the development area. The Structure Plan notes that considerable</p>		

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

No.		Summary of Submission	Officer Comment	Staff Recommendation
		<p>earthworks and engineering will be undertaken within the Activity Centre area, to provide for the development and potentially a seawall. Raising of the beach is also proposed as a means of protecting the area from coastal processes. All of these activities could impact on the potential to redirect stormwater away from the beach, or could provide opportunities to do so. The Middleton Beach Group recommends that LandCorp and the City of Albany integrate the development needs of the site with the goal of redirecting stormwater away from Middleton Beach. It is requested that a plan be provided by the City of Albany detailing how drainage onto the beach can be reduced, prior to any development works on the Middleton Beach Activity Centre so that opportunities provided by these works are utilised.</p> <p>The scheme amendment proposes to reduce car parking requirements of the present Local Planning Scheme in the Middleton Beach Activity Area, by over 100 public car parking bays, by excluding requirements for hotel, restaurant/café visitors and residential dwelling visitors,</p>		

**CITY OF ALBANY LOCAL PLANNING SCHEME No. 1  
AMENDMENT No. 1 & MIDDLETON BEACH ACTIVITY CENTRE STRUCTURE PLAN  
SCHEDULE OF SUBMISSIONS**

No.		Summary of Submission	Officer Comment	Staff Recommendation
		<p>and reducing by half parking for retail users. It is noted an additional 29 public car parking bays is proposed, but that this does not cover this shortfall. The Middleton Beach Group is concerned the shortfall in public car parking, combined with the spreading of this parking over a larger area, particularly further from the beach, will cause increase use of adjacent residential areas and impact on local residents.</p> <p>The Middleton Beach Group recommends the request by LandCorp to reduce public car parking requirements for the Middleton Beach Activity Centre be reviewed and potentially increased, to reduce congestion and increased car parking impacts on nearby residential areas.</p> <p>The Middleton Beach Group recommends that the City of Albany consider the use of adjacent public areas, such as Eyre Park, and area north of Wollaston Road, as potential spill over public car parking areas when major events occur.</p>		

**CITY OF ALBANY LOCAL PLANNING SCHEME No. 1  
AMENDMENT No. 1 & MIDDLETON BEACH ACTIVITY CENTRE STRUCTURE PLAN  
SCHEDULE OF SUBMISSIONS**

No.		Summary of Submission	Officer Comment	Staff Recommendation
171		Expresses her opposition to the proposed 12-storey height maximum for the hotel site as she does not believe that there would be a need for so many rooms nor it be a viable proposal. Also expresses concern regarding potential shadowing. Suggests instead a three to five storey hotel. Quotes Paul Lionetti's statement of "having the hotel along the side of the mountain, tucked in close, running East to West and North to South" as being a reasonable proposal.	Item one of the key issues table addresses the matter of building height in detail.	Submission noted.
172		Believes the proposal to be a fantastic idea as Albany needs a waterfront area like other seaside towns. Comments that creating jobs in Albany to encourage youth to move to Albany and keep people in the region is important and that Albany needs more local attractions. Believes the proposed hotel will look great, doesn't appear to impede any views and will enhance Middleton Beach.	Nil.	Submission noted.
173		Signed petition with 138 signatures expressing support for a height restriction of no more than six storeys.	Item one of the key issues table addresses the matter of building height in detail.	Submission noted.

**CITY OF ALBANY LOCAL PLANNING SCHEME No. 1  
AMENDMENT No. 1 & MIDDLETON BEACH ACTIVITY CENTRE STRUCTURE PLAN  
SCHEDULE OF SUBMISSIONS**

<b>No.</b>		<b>Summary of Submission</b>	<b>Officer Comment</b>	<b>Staff Recommendation</b>
174		Expresses concern regarding the height of the proposed hotel, that a restriction of six storeys would be more acceptable to the beachfront environment.	Item one of the key issues table addresses the matter of building height in detail.	Submission noted.
175		Believes the proposal to be fantastic as Middleton Beach has had the 'eyesore' of the old site for a number of years. States that tourists have been deterred in the past as there is no five-star accommodation in Albany currently, so this proposal can only promote more visitors. Believes the hotel concept is very appealing in height and position and supports the proposal.	Nil.	Submission noted.
176		Whilst in favour of the hotel, she expresses opposition to the 12-storey height limit. Believes it should be a maximum of four storeys.	Item one of the key issues table addresses the matter of building height in detail.	Submission noted.
177		Wishes to support the proposal to build a hotel at Middleton Beach. Expresses a preference that the height of the Hotel not exceed the height of Mount Adelaide (eight to 10 storeys), and believes a culturally sensitive building should be built on this iconic site blending in with the landscape, not altering the skyline.	Item one of the key issues table addresses the matter of building height in detail.	Submission noted.

**CITY OF ALBANY LOCAL PLANNING SCHEME No. 1  
AMENDMENT No. 1 & MIDDLETON BEACH ACTIVITY CENTRE STRUCTURE PLAN  
SCHEDULE OF SUBMISSIONS**

<b>No.</b>		<b>Summary of Submission</b>	<b>Officer Comment</b>	<b>Staff Recommendation</b>
178		Objects to the amendment to allow a height of up to 12 storeys on the hotel/mixed use site in the proposed Middleton Beach scheme amendment and Activity Centre Structure Plan. Believes the maximum height should be five storeys and should include stepping up of development away from the foreshore.	Item one of the key issues table addresses the matter of building height in detail.	Submission noted.
179		Believes the development is good apart from the 12-storey hotel limit as it would be too high a structure so close to the beach.	Item one of the key issues table addresses the matter of building height in detail.	Submission noted.
180		Petition with 265 signatures in favour of a height limit of five storeys.	Item one of the key issues table addresses the matter of building height in detail.	Submission noted.
181		Comments that he is keen for progress to be finally made but objects to the amendment to allow a height of up to 12 storeys on the Hotel/Mixed Use site. Suggests the maximum height should be limited to five storeys. However, if five is not likely to attract interest/investment, eight may be tolerable.	Item one of the key issues table addresses the matter of building height in detail.	Submission noted.
182		I object to the expansion of the area available for development beyond the	Items one, three and nine of the key issues table address the matters of	Submission noted.

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

No.		Summary of Submission	Officer Comment	Staff Recommendation
		<p>immediate area and surrounds of the former Esplanade Hotel site.</p> <p>The location of the site allocated for the hotel/mixed use expands beyond the former Esplanade boundary, across the current alignment of Flinders Parade and into the current grassed foreshore parkland. This proposal brings built development much closer to the coastline and will destroy the amenity and continuity of a broad grass/tree parkland along the full length of Middleton Beach. The Hotel/Mixed Use site has clearly been placed in such a prominent location to afford maximum ocean views. With good design great views can still be achieved <u>without</u> moving the site closer to the beachfront. There will be a narrowing between the Hotel and foreshore, instead of the wide swathe of green that would otherwise flow through to the Three Anchors café and the approach to Ellen Cove.</p> <p>While acknowledging that realignment of Flinders Parade is desirable, it could be done better without the Hotel site where it</p>	<p>building height, parking and the location of the hotel within the development area, in detail.</p> <p>The local planning scheme amendment and Activity Centre Structure Plan do not contain any staging requirements for the development of the various sites within the Activity Centre area.</p> <p>A visual impact assessment is only required where there is a specific policy requirement, which does not exist in this instance. However, it is likely that a visual impact assessment would be submitted with any development application for a building in excess of five stories or 21.5 metres in height.</p>	

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

No.		Summary of Submission	Officer Comment	Staff Recommendation
		<p>is now shown. Why should the public amenity of road and public open space be lost to a hotel development, which could well have been confined substantially to the former Esplanade Hotel site?</p> <p>I object to the height of up to 12 storeys on the hotel/mixed use site. The height should be limited to five storeys and should include stepping up of development away from the foreshore.</p> <p>In discussions between authorities and stakeholders, the prospect of 12 storeys has not arisen. And suddenly, it is now considered necessary to attract the right developer, or 'the community will be back to square one'.</p> <p>Would it matter if the hotel/mixed use site is not the first developed? It may well be advantageous for others to be done earlier to bring more people to the area, and to demonstrate to prospective developers the nature of the new market.</p> <p>Because the large site is at the corner of the Bay, good design would be able to produce</p>		

**CITY OF ALBANY LOCAL PLANNING SCHEME No. 1  
AMENDMENT No. 1 & MIDDLETON BEACH ACTIVITY CENTRE STRUCTURE PLAN  
SCHEDULE OF SUBMISSIONS**

No.		Summary of Submission	Officer Comment	Staff Recommendation
		<p>a building with great ocean views both eastwards and southwards, without the need for 12 storeys. And a more compact development would be far more in keeping with the 'village' feel of the rest of the Activity Centre.</p> <p>The community accepted the investment by the State Government in the Middleton Beach site as a genuine measure to achieve an appropriate development for this important regional city. The challenge is to work with and strengthen the wonderful natural landscape and unique coastal identity of Middleton Beach that will attract people to live in and visit Albany.</p> <p>We need to allow sustainable levels of development. But we must also avoid large scale commercial development that damages the character of this beach and coastal area forever.</p> <p>I object to the low number of public car parking bays provided for.</p> <p>The 'Activity Centre' is being designed to attract many more people to Middleton Beach's upgraded facilities, and the</p>		

**CITY OF ALBANY LOCAL PLANNING SCHEME No. 1  
AMENDMENT No. 1 & MIDDLETON BEACH ACTIVITY CENTRE STRUCTURE PLAN  
SCHEDULE OF SUBMISSIONS**

No.		Summary of Submission	Officer Comment	Staff Recommendation
		<p>commercial outlets it will include. The public car parking near the foreshore/beach should not be reduced as per the proposal, given the number of local people who regularly visit the beach. An increase of 29 bays (22%) is insufficient for additional development proposed. I do not agree with the proposal to delete the current car parking requirements for visitor and hotel users. I have seen similar developments elsewhere where bays intended for public parking are occupied significantly with visitors to the residential sections.</p> <p>I object to lack of a visual impact assessment throughout the full period when this proposal was made available for public consultation. The community has been unable to assess the visual impact of the proposal including height, bulk, over shadowing and changes to public open space. This appears to be deliberately misleading.</p>		
183		Believes the hotel/mixed use site should be supported at the proposed 12-storey height limit.	Nil.	Submission noted.

**CITY OF ALBANY LOCAL PLANNING SCHEME No. 1  
AMENDMENT No. 1 & MIDDLETON BEACH ACTIVITY CENTRE STRUCTURE PLAN  
SCHEDULE OF SUBMISSIONS**

No.		Summary of Submission	Officer Comment	Staff Recommendation
184		Suggests that the proposal should be another hotel and beer gardens, so that members of every socio-economic level can enjoy and afford the area and that a three-storey limit be placed on the area.	Item one of the key issues table addresses the matter of building height in detail.	Submission noted.
185		<p>The proposal for a hotel of up to 12 storeys for Middleton Beach is counter not only to local wishes but also to common sense.</p> <p>The Planning System in WA is undemocratic, with no rights of appeal by affected parties; and when LandCorp are involved it becomes dictatorial with their claims of 'community consultation' so much whitewash. There are no standards or guidelines as to what 'community consultation' is and when and how the wishes of the community might be followed. LandCorp does as it pleases and answers to the Planning Minister. Local people under this system are sidelined in preference of the current 'fashionable' economics.</p> <p>The hotel height proposed is totally out of scale with Middleton Beach. LandCorp have repeatedly likened Albany to Cape</p>	<p>Item one of the key issues table addresses the matter of building height in detail.</p> <p>LandCorp undertook their own consultation to inform the design of the proposals. The City has advertised the proposals for public comment in order to gauge community opinion and inform the final recommendation.</p>	Submission noted.

**CITY OF ALBANY LOCAL PLANNING SCHEME No. 1  
AMENDMENT No. 1 & MIDDLETON BEACH ACTIVITY CENTRE STRUCTURE PLAN  
SCHEDULE OF SUBMISSIONS**

No.		Summary of Submission	Officer Comment	Staff Recommendation
		<p>Town, a city with a population of 3,740,025, which is approximately 100 times the size of this small town. I believe from experience in regeneration of urban areas and my understanding of places that Albany cannot be compared with Cape Town.</p> <p>Albany has a large number of undeveloped blocks of land and many empty houses along with houses only utilised by seasonal visitors. Albany is 'the end of the road' in the most isolated State of Australia and as such unlikely to reach the level of development to support such a hotel. We cannot build a reputation for excellence overnight but we can start now by small scale excellent developments.</p> <p>It would be far better for the town if we had fewer inflated egos in business and Council and if we pursued development both at the Harbour Foreshore and in Middleton Beach in keeping with our capabilities and our local character: i.e. small scale and top quality – much on the line of developments that have occurred at Hillarys Boat Harbour in scale and character. I think the promoted</p>		

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

No.		Summary of Submission	Officer Comment	Staff Recommendation
		scale of development actively counters any interest in developing these sites from local finance and at a smaller scale suited to the inhabitants and regular visitors to the area.		
186		Does not support the proposed 12 storey hotel as it will be dominating and deface Middleton Beach.	Item one of the key issues table addresses the matter of building height in detail.	Submission noted.
187		<p>As a Middleton Beach resident and architect who specialises in heritage places, I strongly object to the following:</p> <ol style="list-style-type: none"> <li>1. A height of more than three storeys at the proposed development on the urban block bounded by Flinders Parade/Adelaide Crescent/Barnet Street/Marine Terrace and any new block created adjacent to the public open space associated with Ellen Cove.</li> <li>2. A new development site being created so close to the public open space of the grassed foreshore of Ellen Cove.</li> <li>3. Increasing the height of the lawn area and the sea wall.</li> </ol>	<p>Items one, two, three, four, five, six and nine address the matters of building height, overshadowing, parking, coastal planning, heritage, wind and the location of the hotel within the development area, in detail.</p> <p><i>State Planning Policy 2.6 – Coastal Planning</i> contains the following policy measure:</p> <p><i>“Ensure that land use and development, including roads, adjacent to the coast is sited and designed to complement and enhance the coastal environment in terms of its visual, amenity, social and ecological values.”</i></p> <p>The development is not expected to have a greater visual impact on the</p>	Submission noted.

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

No.		Summary of Submission	Officer Comment	Staff Recommendation
		<p><u>The grounds for objection</u></p> <p>1. The height, bulk and appearance of the building.</p> <p>Middleton Beach is a small seaside suburb which has traditionally been single storey with a small amount of two storey development.</p> <p>The proposal of up to 12 storeys next to the 'Three Anchors' is totally out of scale with this area and its values.</p> <p>A high or medium rise development would have a very high visual impact for a wide area, and from a number of important vantage points, including the beach itself, Emu Point, the board walk, Marine Drive, Adelaide Crescent (the beach view would be obliterated) and Mira Mar.</p> <p>2. The type of use proposed and its impact with regard to traffic, noise and other potential adverse effects to the environment.</p>	<p>landscape than existing development at Checkers Walk, Morley Place, Hare Street and Wylie Crescent, when viewed from vantage points beyond the immediate area. While it will possible to distinguish any future building as free-standing when viewed from Mira Mar, it is part of an established urban area, albeit one that is presently developed with single, double and three-storey buildings.</p> <p>It is considered that the proposals will enhance the amenity and social values of the area and will have no minimal impact on ecological values as a brownfield redevelopment.</p> <p>The proposals are also considered to be consistent with the following policy measures contained within <i>State Planning Policy 2.6</i>:</p> <p><i>"(d) the amenity of the coastal foreshore is not detrimentally affected by any significant overshadowing of the foreshore; and</i></p> <p><i>(e) there is overall visual permeability of the foreshore and ocean from nearby residential areas, roads and public spaces."</i></p>	

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

No.		Summary of Submission	Officer Comment	Staff Recommendation
		<p>Access to the proposed new development site, if developed to the density illustrated by the proposal, would place undue pressure on Adelaide Crescent, a mostly residential street, and would encourage through traffic on that street.</p> <p>3. Adverse effects on adjoining property, such as overlooking or overshadowing.</p> <p>A multistorey development would overlook the whole of Middleton Beach itself, and most of the suburb that is 'on the flats', creating privacy issues for users of the beach and residents of the suburb whose property it will overlook.</p> <p>Overshadowing of the beach and public open space would occur from midday, with a very high degree after about mid-afternoon in Summer. As we have a cool climate this is an issue for beach users.</p> <p>4. The effect on the amenity of the area.</p> <p><i>Amenity refers to the comfort and enjoyment of a place and extends to all of</i></p>	<p>A visual impact assessment is only required where there is a specific policy requirement, which does not exist in this instance. However, it is likely that a visual impact assessment would be submitted with any development application for a building in excess of five stories or 21.5 metres in height.</p> <p>The proposed local planning scheme amendment and Activity Centre Structure Plan are being developed in order to supersede the current policy provisions over the area. Past policy cannot bind the decision-making related to future statutory controls.</p>	

**CITY OF ALBANY LOCAL PLANNING SCHEME No. 1  
AMENDMENT No. 1 & MIDDLETON BEACH ACTIVITY CENTRE STRUCTURE PLAN  
SCHEDULE OF SUBMISSIONS**

No.		Summary of Submission	Officer Comment	Staff Recommendation
		<p><i>the factors that people value in their locality. Amenity may be affected by physical factors such as noise, smell or light, but also by the judgements in relation to the appearance and design of the proposal, which are often referred to as the 'aesthetics'.</i></p> <p>The amenity of Middleton Beach is that of a small sea side town beach. It is highly valued by the population of the town, the region and the state and also by interstate and international tourists for its natural beauty with a small mostly residential development with some low key commercial development in the form of cafes and restaurants. Mostly, as has been stated, single storey with some two storey and very limited three storey.</p> <p>Ellen Cove is an area enjoyed by a whole spectrum of the population. For families with children it is particularly enjoyable, as there is a wide variety of interest and activity for children, with a number of cafes and restaurants close. The Three Anchors is particularly popular. The proposed development would radically impinge on</p>		

**CITY OF ALBANY LOCAL PLANNING SCHEME No. 1  
AMENDMENT No. 1 & MIDDLETON BEACH ACTIVITY CENTRE STRUCTURE PLAN  
SCHEDULE OF SUBMISSIONS**

No.		Summary of Submission	Officer Comment	Staff Recommendation
		<p>this amenity by crowding out the site and creating a wall of development close to the cove, where at the present time the development is planned to occur across the road, giving a more open aspect to the grassed area of the cove.</p> <p>I sincerely believe that this development would have an adverse impact on the tourism to the town, as we would considerably alter the aesthetic value of our iconic beach, which at the present time is valued by both residents and visitors for its relaxed "away from it all" ambiance.</p> <p>Overshadowing of the beach and Public Open Space would be an issue.</p> <p>The development next to the Three Anchors would create a wind tunnel effect. The sea wall is a natural place to sit and watch the beach and supervise children. A raised sea wall and grassed area would have the psychological effect of preventing visual and physical proximity to the beach.</p> <p>5. The effect on the character of an area.</p>		

**CITY OF ALBANY LOCAL PLANNING SCHEME No. 1  
AMENDMENT No. 1 & MIDDLETON BEACH ACTIVITY CENTRE STRUCTURE PLAN  
SCHEDULE OF SUBMISSIONS**

No.		Summary of Submission	Officer Comment	Staff Recommendation
		<p>The character of Middleton Beach has already been discussed. This proposal is a large scale commercial type development that may be acceptable in a dense metropolitan area but is totally out of character with this low key beach suburb.</p> <p>6. The heritage value of a building or place.</p> <p>Ellen Cove has exceptionally high heritage values to the state – and indeed the nation. These heritage values have not been addressed in the proposal. The criteria that are required to be addressed when ascertaining the cultural heritage significance of a place are listed at the end of this submission. Ellen Cove/Middleton Beach meets most if not all of these criteria. The way these criteria are met by Middleton Beach should guide appropriate development.</p> <p>Previous City of Albany town planning schemes recognised the heritage value of the place, but the present town planning scheme does not.</p>		

**CITY OF ALBANY LOCAL PLANNING SCHEME No. 1  
AMENDMENT No. 1 & MIDDLETON BEACH ACTIVITY CENTRE STRUCTURE PLAN  
SCHEDULE OF SUBMISSIONS**

No.		Summary of Submission	Officer Comment	Staff Recommendation
		<p>7. The suitability of the land for the type of development proposed.</p> <p>Water Table: As underground car parking will be required I would question whether the water table would allow this to occur.</p> <p>Rising sea levels: Engineers now accept that the effects of global warming will cause increase in sea levels. Middleton Beach has been affected by storms in the past that have breached the sea wall, and I therefore question the suitability of this site for such an intense development that will require underground parking and services.</p> <p>8. The access and egress arrangements for vehicles to and from the site, the space for loading, unloading, manoeuvring and parking.</p> <p>The value of this beach to the general population of Albany and tourist visitors is such that sufficient parking should be provided. Unfortunately this has not been achieved.</p>		

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

No.		Summary of Submission	Officer Comment	Staff Recommendation
		<p>Also see point 2 for impact on Adelaide Crescent</p> <p>9. Whether the proposal is consistent with policies relevant to the area.</p> <p>This proposal is not consistent with past policies relevant to the area, which previously stated a maximum of five storeys with a height limit of 15 metres plus roof. In fact, even five storeys is too high to retain the cultural heritage values of the area.</p> <p>10. Landscaping</p> <p>Middleton Beach has high value to the community as a mostly natural landscape, with the backdrop of the natural bush of Mount Adelaide. Other natural elements are the dune vegetation, sand, water and boulders. Introduced elements are the sea wall and the grassed area behind it, the Norfolk Island Pines, some paving and other retained areas. This has a relative simplicity that has unfortunately become cluttered by a number of introduced elements.</p>		

**CITY OF ALBANY LOCAL PLANNING SCHEME No. 1  
AMENDMENT No. 1 & MIDDLETON BEACH ACTIVITY CENTRE STRUCTURE PLAN  
SCHEDULE OF SUBMISSIONS**

No.		Summary of Submission	Officer Comment	Staff Recommendation
		<p>Residential development (mostly single storey) has occurred behind the dunes and along part of the lower flank of Mount Adelaide. Some low key commercial development has occurred along Flinders Parade and Adelaide Crescent, creating a low key beach-side suburb that is typical of many seaside towns. Ellen Cove is particularly special for the fact that it is one of a small number of coves in Western Australia, many of whose beaches are long flat western facing strips with very little shelter from the wind. It is also north facing, another unusual characteristic of a town beach in Western Australia.</p> <p>A five to 12 storey development would totally dominate this landscape with an urban character that is totally inappropriate to this place.</p> <p><u>Ellen Cove/Middleton Beach Assessment Of Significance</u></p> <p>The following values are required to be addressed when assessing a place for the Register of Heritage Places. Middleton Beach/Ellen Cove meets most if not all of</p>		

**CITY OF ALBANY LOCAL PLANNING SCHEME No. 1**  
**AMENDMENT No. 1 & MIDDLETON BEACH ACTIVITY CENTRE STRUCTURE PLAN**  
**SCHEDULE OF SUBMISSIONS**

No.		Summary of Submission	Officer Comment	Staff Recommendation
		<p>these criteria, which could be specifically developed to explain the cultural heritage values of this particular site and would then help to guide appropriate development. Previous City of Albany town planning schemes recognised the heritage value of the place, but the present town planning scheme does not.</p> <ul style="list-style-type: none"> <li>• Aesthetic</li> </ul> <p><i>It is significant in exhibiting particular aesthetic characteristics valued by the community.</i></p> <p>Importance to a community for aesthetic characteristics (Criterion 1.1)</p> <p>Importance for its contribution to the aesthetic values of the setting demonstrated by a landmark quality or having impact on important vistas. (Criterion 1.3)</p> <p>Importance for its contribution to the aesthetic qualities of the cultural environs or the natural landscape within which it is located or Importance for its contribution to</p>		

**CITY OF ALBANY LOCAL PLANNING SCHEME No. 1  
AMENDMENT No. 1 & MIDDLETON BEACH ACTIVITY CENTRE STRUCTURE PLAN  
SCHEDULE OF SUBMISSIONS**

No.		Summary of Submission	Officer Comment	Staff Recommendation
		<p>the natural landscape as part of a cultural environment. (Criterion 1.3)</p> <p>Importance for the aesthetic character created by the individual components that collectively form a significant precinct; that is, streetscape, townscape or cultural environment. (Criterion 1.4)</p> <ul style="list-style-type: none"> <li>• Historic</li> </ul> <p><i>It is significant in the evolution or pattern of the history of Western Australia.</i></p> <p>Importance for the density or diversity of cultural features illustrating the human occupation and evolution of the locality, region or the State. (Criterion 2.1)</p> <p>Importance in relation to an event, phase or activity of historic importance in the locality, the region or the State. (Criterion 2.2)</p> <p>Importance for close association with an individual or individuals whose life, works or activities have been significant within the history of the nation, State or region. (Criterion 2.3)</p>		

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

No.		Summary of Submission	Officer Comment	Staff Recommendation
		<p>Importance as an example of technical, creative, design or artistic excellence, innovation or achievement in a particular period. (Criterion 2.4)</p> <ul style="list-style-type: none"> <li>• Social</li> </ul> <p><i>It is significant through association with a community or cultural group in Western Australia for social, cultural, educational or spiritual reasons.</i></p> <p>Importance as a place highly valued by a community or cultural group for reasons of social, cultural; religious, spiritual, aesthetic or educational associations. (Criterion 4.1)</p> <p>Importance in contributing to a community's sense of place. (Criterion 4.2)</p> <ul style="list-style-type: none"> <li>• Scientific</li> </ul> <p><i>It has demonstrable potential to yield information that will contribute to an understanding of the natural or cultural history of Western Australia.</i></p>		

**CITY OF ALBANY LOCAL PLANNING SCHEME No. 1  
AMENDMENT No. 1 & MIDDLETON BEACH ACTIVITY CENTRE STRUCTURE PLAN  
SCHEDULE OF SUBMISSIONS**

No.		Summary of Submission	Officer Comment	Staff Recommendation
		<p>Importance for information/archaeological material contributing to a wider understanding of natural or cultural history by virtue of its use as a research site, teaching site, type locality, reference or benchmark site. (Criterion 3.1)</p> <p>Importance for its potential to yield information contributing to a wider understanding of the history of human occupation of the locality, region or the State. (Criterion 3.2)</p> <p>Importance in demonstrating technical innovation or achievement. (Criterion 3.3)</p> <ul style="list-style-type: none"> <li>• Rarity</li> </ul> <p>Importance for rare, endangered or uncommon structures, landscapes, archaeological material/features or phenomena. (Criterion 5.1)</p> <p>Importance in demonstrating a distinctive way of life, custom, process, land-use, function or design no longer practised in, or in danger of being lost from, or of exceptional interest to, the locality, region or the State. (Criterion 5.2)</p>		

**CITY OF ALBANY LOCAL PLANNING SCHEME No. 1  
AMENDMENT No. 1 & MIDDLETON BEACH ACTIVITY CENTRE STRUCTURE PLAN  
SCHEDULE OF SUBMISSIONS**

No.		Summary of Submission	Officer Comment	Staff Recommendation
		<ul style="list-style-type: none"> <li>Representativeness</li> </ul> <p>Importance in demonstrating the principal characteristics of a range of landscapes or environments, the attributes of which identify it as being characteristic of its class; for e.g. modernist architecture or, in the case of archaeological sites, being characteristic of a particular type of place/use. (Criterion 6.1)</p> <p>Importance in demonstrating the principal characteristic of the range of human activities (including way of life, philosophy, custom, process, land-use, function, design or technique) in the environment of the locality, region or the State. (Criterion 6.2)</p>		
188		Expresses great support for the current proposals to increase tourism potential and attraction to Middleton Beach. Additional accommodation, cafes and shopping options can only be good for the area. States the potential for a high-rise building as shown will not detract from the area as it will not be blocking views as it is placed close to the hill.	Nil.	Submission noted.

**CITY OF ALBANY LOCAL PLANNING SCHEME No. 1  
AMENDMENT No. 1 & MIDDLETON BEACH ACTIVITY CENTRE STRUCTURE PLAN  
SCHEDULE OF SUBMISSIONS**

No.		Summary of Submission	Officer Comment	Staff Recommendation
189		States that 12 storeys is too high for the Middleton Beach area, and makes a suggestion of having a larger ground floor for more rooms to make it viable.	Item one of the key issues table addresses the matter of building height in detail.	Submission noted.
190		<p>Objects to the amendment to allow a height of up to 12 storeys on the hotel/mixed use site in the proposed Middleton Beach scheme amendment and Activity Centre Structure Plan and suggested the height needs to be restricted to five stories.</p> <p>States she would be horrified to see this beautiful area compromised. The attraction for tourists and holiday-makers, as well as for the people of Albany, is to be able to enjoy the natural environment set in to a village-like feel and a sense of belonging to all users.</p> <p>Also asks that consideration to all people who enjoy Albany before decisions are made that will be detrimental.</p>	Item one of the key issues table addresses the matter of building height in detail.	Submission noted.
191		States that this plan does not provide to the community enough of an 'Activity Centre' for our community.	Item one of the key issues table addresses the matter of building height in detail.	Submission noted.

**CITY OF ALBANY LOCAL PLANNING SCHEME No. 1  
AMENDMENT No. 1 & MIDDLETON BEACH ACTIVITY CENTRE STRUCTURE PLAN  
SCHEDULE OF SUBMISSIONS**

No.		Summary of Submission	Officer Comment	Staff Recommendation
		<p>Disagrees with a large area being sold off to private housing, as it will mean those areas are lost to the community. A five to 12 story building is unnecessary and inappropriate in the area proposed and may be unlikely to attract a developer.</p> <p>The quality of design and architecture proposed is uninspiring. The civic spaces are mainly parking and roads rather than activity areas. Private housing and community activity areas will be in conflict because of noise and movement issues. It has been suggested that some of the area will be used for professional offices, and does not support this as the area needs to be an activity area for all the community.</p> <p>Suggests increasing the amount of community activity areas as if the current area was landscaped with picnic shelters and a central activity area that would make the area an activity area to be enjoyed into the future when more appropriate and imaginative ideas are created. A row of shops, cafes and bars with short term accommodation above could be an extension of the current shops between</p>	<p>The artist's impressions were prepared as a guide to provide the public with a sense how completed buildings could look and are not development proposals.</p>	

**CITY OF ALBANY LOCAL PLANNING SCHEME No. 1  
AMENDMENT No. 1 & MIDDLETON BEACH ACTIVITY CENTRE STRUCTURE PLAN  
SCHEDULE OF SUBMISSIONS**

No.		Summary of Submission	Officer Comment	Staff Recommendation
		<p>Rats Bar and Three Anchors. States this would be a much lower cost development and undoubtedly more likely to happen as the example of the Foreshore on the Harbour demonstrates.</p> <p>If Landcorp was to observe the example of many east coast towns, this is what happens in most places similar to Middleton Beach.</p>		
192		<p>Within the Middleton Beach environment, I believe we could carefully introduce some more holiday accommodation in the form of a low-rise, well-designed, modern resort which integrates with the natural landscape and contours. The outdoor as well as the indoor spaces of any such development should integrate. I note that the vision put forward by Landcorp includes a sparkling high rise that in no way appears to integrate with its surrounds. I disagree with allowing 12 storeys, four-storey would be the maximum.</p> <p>I don't believe we should be developing the site for a multistorey structure in this well used community location.</p>	<p>Items one, six and nine of the key issues table address the matters of building height, wind and the location of the hotel within the development area in detail.</p>	<p>Submission noted.</p>

**CITY OF ALBANY LOCAL PLANNING SCHEME No. 1  
AMENDMENT No. 1 & MIDDLETON BEACH ACTIVITY CENTRE STRUCTURE PLAN  
SCHEDULE OF SUBMISSIONS**

No.		Summary of Submission	Officer Comment	Staff Recommendation
		<p>If there is a large structure is to be built, I believe it would be better placed near the Forts. In that location it should likewise be low-rise, but extensive. Or alternatively near the Entertainment Centre.</p> <p>The so-called 'active frontage' proposed, in my view is misplaced. That area collects a great degree of wind and if we are going to encourage the public to occupy those areas, we need to provide more than a few shop and hotel frontages. Giving the Albany people more restaurants to go to is not creating community capital. In terms of offering a 'visionary plan for Albany' the current proposal is very light on. It seems to be an 'off the shelf concept' and does not appear to contain any original idea or visionary plan that would unite our community and provide any real amenity that is useable, apart from a windy grassed area (similar to what is there now) and a road that can be used at times for markets, and some shopfronts. However, it's great that the road is to be re-directed to make this a more people friendly place.</p>		

**CITY OF ALBANY LOCAL PLANNING SCHEME No. 1  
AMENDMENT No. 1 & MIDDLETON BEACH ACTIVITY CENTRE STRUCTURE PLAN  
SCHEDULE OF SUBMISSIONS**

No.		Summary of Submission	Officer Comment	Staff Recommendation
		<p>I suggest creating a village square with a centre piece, some community space, some landscaped undulating space with a small grassed and protected bowl/amphitheatre.</p> <p>Adding short-stay holiday accommodation integrated with the village square and shops. I don't agree with putting corporates down there such as consultants and accountants, as I think this area is more suited for holiday and community uses. Of course, commercial viability will dictate who eventually leases/buys the spaces.</p>		
193		<p>I support the rezoning of the site to Special Use as the change to mixed use provides opportunities for a vibrant development that accommodates many of the public amenities suggested by the community. The scheme amendment does not stipulate that the hotel/mixed use precinct must include tourism accommodation. This should be rectified, given that the site has been identified as one of Albany's most significant tourist accommodation sites. Unless the above change is made, it would be possible for permanent residential</p>	<p>Items one, two, three, seven, eight and nine of the key issues table address the matters of building height, overshadowing, parking, the public access way, road alignment and the location of the hotel within the development area, in detail.</p> <p>City staff have identified 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</p>	<p>Submission upheld in part.</p> <p>It is recommended that the proposed amendment to Schedule 4 – Special Use Zones is modified as follows:</p> <ul style="list-style-type: none"> <li>• 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";</li> </ul>

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

No.		Summary of Submission	Officer Comment	Staff Recommendation
		<p>accommodation to occupy the whole precinct, which I definitely do not support. I do not support increasing the maximum permissible building height above five storeys in the hotel/mixed use precinct, for the following reasons:</p> <p>More than five storeys is not in accord with the character of the area as Middleton Beach is of a low-key, family-friendly, seaside holiday nature and has a strong sense of place emanating from its beautiful natural environment. These values, and the community's aspirations for appropriate redevelopment of the old Esplanade site in tune with the natural and built environment, have been well documented over the last five years through workshops, surveys, Landscape Design Guidelines, public meetings and frequent communication with the City of Albany and LandCorp by the local community, the Middleton Beach Group.</p> <p>The main concern expressed by the community about the early concept plans was height above three to five storeys. After LandCorp's Preferred Concept Plan</p>	<p>hotel/mixed use site for short-stay holiday accommodation or multiple dwellings, without a hotel. A modification to the Special Uses is recommended to address this issue.</p> <p>While policy measures from <i>State Planning Policy 3 – Urban Growth and Settlement</i> and the City of Albany's <i>Activity Centre Planning Strategy (2012)</i> have been referenced in the submission, <i>State Planning Policy 2.6 – State Coastal Planning</i> is more pertinent in this instance. It is considered that the proposals are broadly consistent with the policy measures outlined in State Planning Policy 2.6.</p> <p>The City of Albany and Landcorp are currently working to upgrade the stormwater management arrangements within the Activity Centre area.</p> <p>Design Guidelines are being prepared for the Activity Centre area, which</p>	<ul style="list-style-type: none"> <li>• 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: '(2) Means that the permissibility of the use shall be contingent upon prior or concurrent construction of a hotel.'; and</li> <li>• Renumbering existing notation "(2)" as notation '3'.</li> </ul>

**CITY OF ALBANY LOCAL PLANNING SCHEME No. 1  
AMENDMENT No. 1 & MIDDLETON BEACH ACTIVITY CENTRE STRUCTURE PLAN  
SCHEDULE OF SUBMISSIONS**

No.		Summary of Submission	Officer Comment	Staff Recommendation
		<p>was released, indications were that the hotel/mixed use precinct would be five storeys of tourist accommodation with the possibility of a further two storeys of 'penthouse' permanent residential. Release of the scheme amendment was the first indication the public had of a 12 storey maximum. More than five storeys does not align with Objectives and Development Principles contained in the Structure Plan:</p> <p><i>'A landmark site that is reflective of the coastal character and scale of Middleton Beach' and 'Design is place-based and integrates with the foreshore, pines, Mount Adelaide and the existing built form and scale'.</i></p> <p>It is difficult to reconcile these views with the increased permissible height sought in the scheme amendment, given that there are currently no buildings in the area higher than three storeys, with most no higher than two.</p> <p>A change in permitted maximum height does not align with <i>State Planning Policy 3 – Urban Growth and Settlement</i> – “To</p>	<p>should ensure that any development is appropriate to the locality.</p>	

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

No.		Summary of Submission	Officer Comment	Staff Recommendation
		<p><i>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” and the City of Albany Activity Centre Planning Strategy (2012) states: “Preserve and where possible enhance the local character and amenity of residential neighbourhoods.”</i></p> <p>Increasing the permitted height will have a detrimental visual impact which will be particularly noticeable from the boardwalk and further along the beach towards Emu Point, but also when walking and driving along Adelaide Crescent. The most recent images from LandCorp show this impact very clearly and contradict the perception that 12 storeys will ‘nestle against the hill’. Such comments have misled the public and are simply not true.</p> <p>I support the requirement for buildings in the Hotel/Mixed Use precinct and the two southern Mixed Use precincts to be ‘stepped’.</p> <p>This will reduce the visual impact in the</p>		

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

No.		Summary of Submission	Officer Comment	Staff Recommendation
		<p>Hotel/Mixed Use precinct and reduce the 'canyon' effect along the Public Access Way, in the southern Mixed Use precincts.</p> <p>I support the public access way through the development, subject to the following:</p> <p>Appropriate traffic calming and parking arrangements should be devised to optimise the potential for the public access way to be the 'village green' along its full extent, especially at its interface with the internal laneway and Flinders Parade. Wind mitigation measures should be required.</p> <p>The interface of the car park and the public access way should take account of potential use of the car park as an occasional market.</p> <p>Consideration should be given to accessing the laneway on the north side of the public access way via Barnett Street and on the south side, from Adelaide Crescent, rather than allowing vehicle to cross over the public access way.</p>		

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

No.		Summary of Submission	Officer Comment	Staff Recommendation
		<p>The amount of public open space at the southern end of the site should be increased, by adjusting the eastern boundary of the hotel/mixed use precinct. The present precinct boundary compromises public amenity and may adversely affect the western row of Norfolk pines.</p> <p>Re-aligning the current 'dog leg' boundary in a straight line from the north east to the south east corners of the precinct should be considered, increasing the amount of public open space in a potentially busy area. At the moment it seems every effort has been made to ensure the hotel/mixed use precinct is as large and as 'beachfront' as possible, at the expense of public amenity.</p> <p>Overshadowing diagrams should be provided for mid-summer to determine the effect on the beach, playground and Three Anchors. A diagram for 6pm should be included, as this is when many visit the beach, after work.</p> <p>I support the relocation of piped outlets to locations that minimise impact on beach</p>		

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

No.		Summary of Submission	Officer Comment	Staff Recommendation
		<p>amenity. This is recommended in the Stormwater Drainage report attached to the Structure Plan.</p> <p>Although the stormwater beach outfalls are outside the development site, the opportunity should be taken for the City and LandCorp to address an ongoing, unsightly and unhealthy problem. We cannot let this outdated infrastructure diminish the visitor experience of the new development.</p> <p>I support the priority given to alternative transport, provided an improved bus services is available to/from the area and the City developing and administering Design Guidelines, as stated in the scheme amendment. It is critical that developers are required to conform to design guidelines that ensure high quality development with overall integrity and sympathy with the surrounding natural and built environment.</p> <p>Design guidelines should apply to all precincts, not just the hotel/mixed use precinct as stated in the scheme amendment.</p>		

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

No.		Summary of Submission	Officer Comment	Staff Recommendation
194		<p>I support development on the hotel site but do not support a height of 12 storeys for the hotel/mixed use site, as it would significantly impinge on the visual aspect from multiple areas.</p> <p>I am aware of economic viability importance as a local business owner but do not agree with the arguments put forward by Landcorp. We should encourage development that recognises the 'triple bottom line', not development at any cost. I support a height increase to six storeys in this area and do support the 'hotel/mixed use' for holiday accommodation in the sense that it does not have to be a traditional hotel but instead could be serviced apartments.</p> <p>I do not support any amendment that would facilitate development which is residential for the 'hotel/mixed use' lot.</p> <p>I support mixed use and residential use for the other four lots as identified, the up to three to five-storey in the northern lots and may support up to five storeys in the southern lots if they were stepped back</p>	<p>Items one, two and three of the key issues table address the matters of building height, overshadowing and parking, in detail.</p>	<p>Submission noted.</p>

**CITY OF ALBANY LOCAL PLANNING SCHEME No. 1  
AMENDMENT No. 1 & MIDDLETON BEACH ACTIVITY CENTRE STRUCTURE PLAN  
SCHEDULE OF SUBMISSIONS**

No.		Summary of Submission	Officer Comment	Staff Recommendation
		<p>development. I do not support up to five storeys in the southern lots as outlined.</p> <p>Any development should complement the existing Norfolk pines. The Hames Sharley report on shadow impact shows only 3pm shadows in winter but this shadowing would progressively worsen as they day progresses, impacting on Three Anchors and the public areas around.</p> <p>I do not support the extent of the parking proposed as regular daily demand would increase significantly.</p> <p>Any amendments should build around the location's strengths and attractions (natural beauty, family friendly holiday destination) not a 'modern city style' precinct.</p>		
195		Believes that a 12-storey building is not suitable for the Middleton Beach area as it will detract from the current amenity of the area. Suggests a height of three to four storeys as a maximum instead.	Item one of the key issues table addresses the matter of building height in detail.	Submission noted.
196		Originally Mr Barnett said you will have a tavern. He forgot to mention that the tavern	Items one, four, six and nine of the key issues table address the matters of	Submission noted.

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

No.		Summary of Submission	Officer Comment	Staff Recommendation
		<p>would have an 11-storey roof above to protect it from the rain. This is not what anybody asked for nor envisaged.</p> <p>I favour a three-storey height restriction in order to retain the integrity of the location and the current visual amenities offered of unrestricted vast views over our hinterland from many vantage points. I believe a three-storey development will allow Middleton Beach to provide the necessary support to still engage with Middleton Beach as a family friendly and adult friendly venue.</p> <p>Fundamentally the incentive offered to the private developer is to give them exceptional access to an iconic beachfront property encroaching on public recreational reserve with a height allowance of 12 storeys. The Foreshore has a 12-storey height allowance and there is no developer there. To ensure profitability private residential units are essential to the developer making a profit. I do not see any formula of a ratio of residential to tourism units as a benchmark of development requirement.</p>	<p>building height, coastal planning, wind and the location of the hotel within the development area, in detail.</p> <p><i>State Planning Policy 2.6 – State Coastal Planning</i> is the relevant policy document when assessing coastal hazard risk management.</p> <p>In accordance with State Planning Policy 2.6, a Coastal Hazard Risk Management and Adaptation Plan has been prepared for the Activity Centre area and deals with the following matters:</p> <ul style="list-style-type: none"> <li>• Establishment of the context;</li> <li>• Coastal hazard assessment;</li> <li>• Risk analysis and evaluation;</li> <li>• Risk management and adaptation planning; and</li> <li>• Monitoring and review.</li> </ul> <p>The Coastal Hazard Risk Management and Adaptation Plan identifies that the Activity Centre area will be subject to coastal risks, which will require management into the future.</p>	

**CITY OF ALBANY LOCAL PLANNING SCHEME No. 1  
AMENDMENT No. 1 & MIDDLETON BEACH ACTIVITY CENTRE STRUCTURE PLAN  
SCHEDULE OF SUBMISSIONS**

No.		Summary of Submission	Officer Comment	Staff Recommendation
		<p>A building of this magnitude will sit very nicely in the Little Grove area and provide magical night displays of light and form when looking back to the town site. Highlights of this vision would be the Albany Entertainment Centre and the port reflected into the waters of Princess Royal Harbour with the twinkle of the house and street lights floating up our precious mounts defining the outline of our beautiful city. Defining our assets and our aspirations and the heart of Albany. Add to that a ferry trip across a sheltered harbour to take them back and forth. And what will they be looking at in the night sky from Middleton? A big expanse of darkness from ocean and mountain maybe.</p> <p>The emphasise that we must accept 12 storeys or forever be the poor second cousin is somewhat annoying as it is an option of destroying the iconic beach front and the unfettered vistas from the boardwalk, its view to openness and space or to stamp it with the forever target of over-development on iconic locations.</p>	<p>Two potential options have been identified for managing coastal risk to the site. The first of these is to restore the level of the beach to the naturally occurring higher level, while the second is the construction of a seawall along the length of the foreshore, or solely around the proposed hotel/mixed use site.</p> <p>The final method for coastal risk mitigation will be determined later in the planning process. Before a final decision is made on the preferred management option, additional studies will be required in order to determine the most effective long term measure.</p> <p>It is not expected that the City of Albany would be required to fund coastal risk mitigation works in association with the proposed development.</p>	

**CITY OF ALBANY LOCAL PLANNING SCHEME No. 1  
AMENDMENT No. 1 & MIDDLETON BEACH ACTIVITY CENTRE STRUCTURE PLAN  
SCHEDULE OF SUBMISSIONS**

No.		Summary of Submission	Officer Comment	Staff Recommendation
		<p>A further statement is that the 12 storey development may encourage someone to develop the remaining areas. And if it doesn't we are left with an unwieldy 12 storey building with ongoing coastline control costs.</p> <p>Given that this proposed 12-storey development may meet the needs of Albany for some time to come it may also discourage developments in other areas. Currently the Middleton foreshore area is semi-protected by a retaining wall which acts to hold back storm waves and controls to a degree the sand drift. It has been stated that an under earth sea wall will be required and the beach front graduated to meet current planning requirements to support a 12-storey building. Given that there is currently sufficient sand build up on the beachfront to transport it to Emu Point beach erosion areas what measures would have to be taken to prevent sand drift across the grassed area into the building complex? Middleton beach experiences heavy seasonal winds. And more importantly – who is responsible for the construction of this seawall and who is to</p>		

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

No.		Summary of Submission	Officer Comment	Staff Recommendation
		<p>pay for ongoing costs of maintenance for the gradient of the beach front.</p> <p>The expected 697 residents of the entire complex is a significant impact on the fragility of this foreshore and with the added anticipated influx of local users, possible sand drift and overshadowing the grassed areas may have little chance of survival – particularly in the narrowed strip in front of the proposed 12-storey development.</p> <p>In conclusion I believe Albany must start standing on its' own two feet – let us achieve the achievable and decrease future maintenance costs that we as a low monthly earning population cannot afford to maintain and which the State Government should not be requested to supply endless cash to which they no longer have access.</p> <p>Please consider the reduction of heights and protect this area.</p>		
197		<p>Considers the proposed height of 12 storeys to be excessive and believes the hotel should not exceed the visual line of Mount Adelaide when looking from the foreshore. Suggests that the proposal</p>	<p>Item one of the key issues table address the matter of building height in detail.</p>	<p>Submission noted.</p>

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

No.		Summary of Submission	Officer Comment	Staff Recommendation
		consider the natural location and historical nature of the site and town more. States that the scale of the proposal is beyond what Albany can accommodate, and additional holiday accommodation will impact on existing providers. The community does not support the scale of the development or its location beyond the original Esplanade site.		
198		<p>I support the general objectives as outlined on page 12 of the Hames Sharley document March 2016. In particular I support the statement regarding community objectives to 'enhance the identity of Middleton Beach' and 'social interaction, including families'.</p> <p>I also would endorse the Middleton Beach Activity Centre objective of 'a landmark site that is reflective of the coastal character and scale of Middleton Beach'.</p> <p>I support the statement on page 17 'planning for liveable neighbourhoods including a sense of community and strong local identity' and the increase in public space and the west/east pedestrian</p>	<p>Items one, two, three and five of the key issues table address the matters of building height, overshadowing, parking and heritage, in detail.</p> <p>City staff have identified 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. A modification to the Special Uses is recommended to address this issue.</p>	<p>Submission upheld in part.</p> <p>It is recommended that the proposed amendment to Schedule 4 – Special Use Zones is modified as follows:</p> <ul style="list-style-type: none"> <li>• 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";</li> <li>• Insertion of a new notation "2" against "Multiple Dwelling (up to 5 storeys (21.5 metres)" and "Multiple Dwelling (above 5</li> </ul>

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

No.		Summary of Submission	Officer Comment	Staff Recommendation
		<p>walkway – although I have reservations regarding the impact of the summer easterly winds.</p> <p>I support a mix of land use including residential; visitor accommodation, hospitality and retail, and public/community open space and development which will enhance Middleton Beach as an iconic place to visit and a socially, active, vibrant place to live and work.</p> <p>However, I have reservations regarding particular aspects of the amendment. The amended structure plan does not appear to follow the principles of context to local character; place and surrounding scale.</p> <p>The images provided at the information session did not build confidence of the development of a 'world class' precinct which would enhance and strengthen the distinctive competences of this special part of Albany. The comments made by LandCorp representatives and reiterated by some, that we need 12 storeys to attract developers, but that over seven to eight storeys is more costly so may not happen,</p>		<p>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></p> <ul style="list-style-type: none"> <li>• Renumbering existing notation “(2)” as notation ‘3’.</li> </ul>

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

No.		Summary of Submission	Officer Comment	Staff Recommendation
		<p>is in my view suggesting 'we accept this and hope – and we need development at any cost' to the detriment of the long term vision for the area.</p> <p>I do not support an increase in the height to 12-storey for the 'mixed/hotel' site. This would dominate the environment. In addition the structure plan appears to have changed from a 'stepped' building to all 12-storey. The recent images provided by LandCorp (not presented at the information session), show the negative visual impact the amendment to allow up to 12 storeys would have from the beach and boardwalk. We have not been shown visual impact from Adelaide Crescent. A 12-storey structure would be highly visible from all of these vantage points and detract from one of our key characteristics of Albany and the area and impinge on the ambience and concept of a 'liveable neighbourhood'.</p> <p>I do not support any amendment that could provide the flexibility for the 'hotel/mixed use' lot to be developed for solely residential purposes. In discussion with LandCorp at the information session, it was</p>		

**CITY OF ALBANY LOCAL PLANNING SCHEME No. 1  
AMENDMENT No. 1 & MIDDLETON BEACH ACTIVITY CENTRE STRUCTURE PLAN  
SCHEDULE OF SUBMISSIONS**

No.		Summary of Submission	Officer Comment	Staff Recommendation
		<p>suggested the amendment to 12-storey and 'mixed use' site is necessary to attract developers and could allow a developer, for viability reasons, to propose solely residential use. I would like Council to ensure this is not the case.</p> <p>The statement on page 48 in the Hames Sharley document which states 'development of the area into 'a high street' environment' Middleton Beach is a holiday destination and a 'liveable neighbourhood'. This statement and images presented provide a 'city/urban' ambiance when the strength and attraction of Middleton Beach, as identified by earlier community feedback, is it's natural beauty and attraction as a family holiday destination.</p> <p>I do not support the extent of the reduction in the commercial parking requirements as outlined on the same page of the document. Whilst we would not want the area to look like a 'car park' a reduction of 50% will impact on local use and overflow to residential areas.</p>		

**CITY OF ALBANY LOCAL PLANNING SCHEME No. 1  
AMENDMENT No. 1 & MIDDLETON BEACH ACTIVITY CENTRE STRUCTURE PLAN  
SCHEDULE OF SUBMISSIONS**

No.		Summary of Submission	Officer Comment	Staff Recommendation
		<p>As recognised in the document, cars will be the primary form of transport and we have no meaningful public transport to this area of Albany. I do recognise the importance of economic viability but not at the expense of social and environmental impact.</p> <p>I would support a height increase to six-storey in this hotel/mixed use area, Adelaide Crescent area and other four development lots. I have concerns re: the proposed five storeys with no 'setback' on the physical, visual and ambience of Adelaide Crescent; which is the 'entry' to Middleton Beach.</p> <p>I would also support up to five-storey in these southern lots if the plan included 'stepped back' development so that Adelaide Crescent and the pedestrian walkway were three-storey.</p> <p>I am concerned re the traffic along Adelaide Crescent and impact on the 'space' and safety around Eyre Park.</p> <p>I disagree with the statement in Hames Sharley report that the impact of shadowing</p>		

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

No.		Summary of Submission	Officer Comment	Staff Recommendation
		<p>in the proposed structural plan has no undue impact. The report clearly shows shadows to the street, play area by Three Anchors and this would increase later in the day.</p> <p>I understand LandCorp and the City would not mark out the area of development which would have allowed the community to be more aware of the proposed impact. The area has heritage values and the Norfolk pines are a landmark which should be respected.</p> <p>I am disappointed that the information session did not present alternatives as LandCorp suggested they would.</p> <p>As an Albany resident I do want to support this development, however I disagree with the argument that we need '12 storey or we'll get nothing'. There are examples around the world where communities celebrate their unique environment and don't accept 'development at any cost'.</p>		

**CITY OF ALBANY LOCAL PLANNING SCHEME No. 1  
AMENDMENT No. 1 & MIDDLETON BEACH ACTIVITY CENTRE STRUCTURE PLAN  
SCHEDULE OF SUBMISSIONS**

No.		Summary of Submission	Officer Comment	Staff Recommendation
199		Objects to the amendment to allow a height of up to 12 storeys on the Hotel/Mixed Use site in the proposed Middleton Beach Scheme Amendment and Activity Centre Structure Plan. Believes a 12-storey Hotel at Middleton Beach would totally destroy the ambiance of the area and suggest a maximum height should be limited to five storeys.	Item one of the key issues table addresses the matter of building height in detail.	Submission noted.
200		<p>Approval for development of the designated area of Middleton Beach is certain and would be welcomed by everybody. The only doubt surrounds the type of development that will be finally approved as everything seems to be weighted in favour of a 12-storey resort-style hotel being promoted to developers and forced through by local and state governing bodies.</p> <p>All the statements in the Hames Sharley Executive Summary that seem to take into account the wishes of the local community amount to bland motherhood statements about 'a landmark site' or recognising 'the iconic location and significance of the site</p>	<p>The proposed local planning scheme amendment and Middleton Beach Activity Centre Structure Plan would create a planning framework for the Activity Centre area, which would guide its subsequent development.</p> <p>These documents have been assessed on their individual planning merits and the public submissions have been assessed in reaching the final recommendation to Council.</p> <p>The phrase "<i>Bulk and scale of the proposed development are effectively mitigated</i>" refers to the requirement for any future development on the</p>	Submission noted.

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

No.		Summary of Submission	Officer Comment	Staff Recommendation
		<p>to the community' or the need for a 'landmark building to respond to Mount Adelaide'.</p> <p>Their Scheme Amendment Report prepared for LandCorp contains similar statements flavouring what they call the State Planning Context such as the need 'To build on existing communities...and enhance the quality of life in those communities' or to have 'Good urban design which creates and enhances community identity, sense of place, liveability and social interaction'.</p> <p>The Scheme Amendment Report also points out that the City of Albany Tourism Accommodation Planning Strategy (2010) claimed that 'based on the demand analysis there does not appear to be a demand for higher return motels, hotels and/or additional resorts' and that 'the (<i>City of Albany Local Planning</i>) policy provides for a height limit of five storeys'.</p> <p>However the Executive Summary also contains far more weighted and directed statements that allow for and even suggest</p>	<p>hotel/mixed use site to be of a 'podium' style, stepping back from the foreshore as it increases in height, thereby reducing its perceived bulk.</p>	

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

No.		Summary of Submission	Officer Comment	Staff Recommendation
		<p>the need for a 12-storey resort-style hotel. The suggestion that 'the site will include potential for development up to 12 storeys' is followed by the Summary pointing out that 'the (<i>commercial</i>) yield is based on the development achieving the maximum permitted development controls (Height up to 12 storeys) and (<i>yields</i>) are likely to vary and be notably less should a reduction in height occur'.</p> <p>The Executive Summary also points out that the State's Western Australian Planning Commission's <i>Planning Bulletin No. 83</i> and <i>Improvement Plan No. 40</i> give the Western Australian Planning Commission the power to override Albany's local planning policy in order to 'help optimise the opportunity for successful development' and 'to facilitate opportunities for investment and development'.</p> <p>The City of Albany Local Planning Scheme No. 1, Amendment No. 1 has already caved in to WAPC by requiring that 'opportunities for investment and development are facilitated'. The Key Principles for Hotel/Mixed Use Precinct sound as if they</p>		

**CITY OF ALBANY LOCAL PLANNING SCHEME No. 1  
AMENDMENT No. 1 & MIDDLETON BEACH ACTIVITY CENTRE STRUCTURE PLAN  
SCHEDULE OF SUBMISSIONS**

No.		Summary of Submission	Officer Comment	Staff Recommendation
		<p>will safeguard treasured values of the site but they are littered with weasel words that can be interpreted in any way a developer's legal team wishes. Just what does 'Bulk and scale of the proposed development are effectively mitigated' mean?</p> <p>All the concept plans and computer renderings released to the public and the media by LandCorp show flattering views of a twelve storey hotel development at Ellen Cove. All the language used by LandCorp representatives at 'public consultations' has favoured a twelve story resort style hotel as the bait required to lure international developers. Clearly the demands of a developer will be allowed take priority over the wishes of the local community. I am not at all optimistic about the outcome of this consultation process and the effectiveness of submissions from the public.</p>		
201		It is encouraging to see community discussion continuing around the Middleton Beach development. I would like to raise two issues with the City concerning building scale and procurement process.	Item one of the submission table addresses the matter of building height in detail.	Submission noted.

**CITY OF ALBANY LOCAL PLANNING SCHEME No. 1  
AMENDMENT No. 1 & MIDDLETON BEACH ACTIVITY CENTRE STRUCTURE PLAN  
SCHEDULE OF SUBMISSIONS**

No.		Summary of Submission	Officer Comment	Staff Recommendation
		<p>Human scale is essential in any consideration of building development. In great liveable cities such as Copenhagen, scale is capped at around six stories.</p> <p>When you tilt your head you can connect to the upper levels visually and physically, there is a sense the urban environment can flow up into these buildings, and in turn they can offer life back to the street and their surrounds.</p> <p>A 12-storey building creates a very different condition. It becomes an object, unrelatable in its height and disconnected from its context. This is particularly accentuated in an area where social and natural amenity is central, and is deeply connected to residents and visitors. This is a place with very strong traditions.</p> <p>The argument put is that Mount Adelaide will serve as a balance to such a large structure.</p> <p>However, the hill has a gradient, and while the mass of this structure may appear to</p>	<p>While the comments regarding 'human scale' are acknowledged, the majority of buildings in central Copenhagen, as in many older European cities, are of no more than six storeys due to the limits of building technology at the time of their construction. The requirement for 'podium' style development on the hotel/mixed use site would reduce the perceived bulk of any future building when viewed from the foreshore.</p> <p>Copenhagen is also home to at least five hotels in excess of 18 storeys and in recent years, urban redevelopment in various parts of the city, including waterfront areas, has seen the construction of residential buildings of between eight and 12 storeys tall.</p> <p>Design Guidelines are being prepared for the Activity Centre area, which should ensure that any development is appropriate to the locality.</p> <p>LandCorp also requires that development proposals undergo a rigorous assessment process, prior to</p>	

**CITY OF ALBANY LOCAL PLANNING SCHEME No. 1  
AMENDMENT No. 1 & MIDDLETON BEACH ACTIVITY CENTRE STRUCTURE PLAN  
SCHEDULE OF SUBMISSIONS**

No.		Summary of Submission	Officer Comment	Staff Recommendation
		<p>balance against Mount Adelaide in visualisations taken from birds-eye-views, these are vantage points that humans will not experience at ground level, and they diminish the impact of the scale of a twelve story structure on this site.</p> <p>Thinking of site and human scale, it must be remembered that beaches and beachfronts such as Middleton Beach are inherently horizontal places. Their expanse stretches on for a great distance, and this makes the visual and physical impact of any vertical structures exceptionally strong. The effect of a twelve story tower would be a burden on this site.</p> <p>There is a reason that developments such as those recently undertaken at Leighton Beach in North Fremantle (by Kerry Hill Architects and Spaceagency) are capped at five stories. They sit in their environments at a medium scale, they do not detract in form or weight from the pristine coastal dunes, the vast horizontal expanse of the Western Australian coastline. They give back to their surroundings.</p>	<p>the sale of development sites. A component of this assessment process considers the quality of design.</p>	

**CITY OF ALBANY LOCAL PLANNING SCHEME No. 1  
AMENDMENT No. 1 & MIDDLETON BEACH ACTIVITY CENTRE STRUCTURE PLAN  
SCHEDULE OF SUBMISSIONS**

No.		Summary of Submission	Officer Comment	Staff Recommendation
		<p>I think I speak for many residents of Albany and visitors who hold this place dear, when I say that such a vision is fundamentally inappropriate for this community.</p> <p>Development is essential on this site. A hotel and hundreds of new dwellings is exactly what Albany needs at Middleton Beach to foster and strengthen a vibrant community, and limit the sprawl of the town. However, the scale of the hotel is of significant issue here.</p> <p>The second point I make is around procurement process. It is essential that the design of this project be taken very seriously. The process of tendering and selection should strengthen the design outcome. The schematic proposal put by Silver Thomas Hanley is clearly only an initial suggestion, it is concerning that many in the community believe this to be a final proposal. The architecture here needs to be approached with absolute attention to site, ecological credentials and design quality.</p>		

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

No.		Summary of Submission	Officer Comment	Staff Recommendation
		<p>The Office of the Victorian Government Architect refers to principles in 'Government as Smart Client'. These offer procurement processes and strategies to enable good design.</p> <p>Following these, could a competition be launched for the design of this project? Community consultation on a variety of design outcomes in the procurement process would be essential in addressing both community and site, and a great way to bring the community on board in the design process and foster ownership of the place into the future.</p>		
202		<p>Construction of buildings with underground car parks will cause more extensive soil disturbance than previous buildings at Middleton Beach, so hence asks if there any legal requirements for Aboriginal Heritage site surveys. Subject to any legal requirements, there may be an opportunity for archaeological projects at the site which could contribute to eventual cultural interpretation installations.</p>	<p>Item one of the key issues table addresses the matter of building height in detail.</p> <p>There are no identified Aboriginal Heritage sites within the Activity Centre area. However, developers would have to fulfil relevant obligations under the <i>Aboriginal Heritage Act 1972</i>, should any Aboriginal Heritage interest be identified on-site.</p>	Submission noted.

**CITY OF ALBANY LOCAL PLANNING SCHEME No. 1  
AMENDMENT No. 1 & MIDDLETON BEACH ACTIVITY CENTRE STRUCTURE PLAN  
SCHEDULE OF SUBMISSIONS**

No.		Summary of Submission	Officer Comment	Staff Recommendation
		<p>In relation to the proposed hotel site, anything above five storeys will visually dwarf all the aspects of Middleton Beach. Instead of the current intersection of vegetated Mount Adelaide, ocean, sky and beach which makes Middleton Beach appealing, a hotel greater than five storeys will 'hot the eye' and reduce the positive view.</p> <p>A study says that a hotel up to five storeys may need a shallow floating foundation, but no mention is made of foundation requirements for a higher building, so I ask would these foundations disturb acid sulphate soils.</p> <p>If the hotel is to be higher than five storeys, there could be long-term adverse impact on the adjacent mountain vegetation from over-shadowing. If this did happen, it would impact on the Western Ringtailed Possum. There also does not appear to have been a serious attempt to study the potential impact of overshadowing.</p>		

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

<b>No.</b>		<b>Summary of Submission</b>	<b>Officer Comment</b>	<b>Staff Recommendation</b>
203		As a permanent resident of Albany and a regular user of Middleton Beach and its amenities, I feel strongly about maintaining the space and beauty that attracts people to the area. I object to the expansion of the area available for development beyond the immediate area and surrounds of the former Esplanade Hotel site. I also object to the height of up to 12 storeys on the hotel/mixed use site. The height should be limited to five storeys and should include stepping up of development away from the foreshore. I also object to the low number of public car parking bays provided for.	Item one of the key issues table addresses the matter of building height in detail.	Submission noted.
204		Believes the plan for more public space on the beachside is excellent and the potential for more apartment type residents is attractive to the increasing number of elderly retirees. Also comments that the hotel is an interesting concept, however suggests that eight storeys would be more attractive and hopefully viable.	Item one of the key issues table addresses the matter of building height in detail.	Submission noted.
205		We strongly object to aspects if the Middleton Beach Scheme Amendment and Activity Centre Structure Plan.	Items one and three of the key issues table address the matters of building height and parking in detail.	Submission noted.

**CITY OF ALBANY LOCAL PLANNING SCHEME No. 1  
AMENDMENT No. 1 & MIDDLETON BEACH ACTIVITY CENTRE STRUCTURE PLAN  
SCHEDULE OF SUBMISSIONS**

No.		Summary of Submission	Officer Comment	Staff Recommendation
		<p>Primarily, the proposed 'hotel/mixed use' precinct with the potential to be 12 storeys high and with its proposed footprint, is completely out of character with the local architecture, landscape and amenity.</p> <p>To build a structure like this in a small popular beachside suburb, where the buildings are not higher than three storeys with the public area mainly used for seaside activities, would constitute something similar to Scarborough Beach which is an eyesore.</p> <p>In the case of this proposal, little consideration seems to have been given to the public use of space and access to the beach.</p> <p>I ask that intelligence, creativity and sensitivity be used when finally approving the development. Perhaps the development of a luxury and large hotel can be considered for the foreshore which would be more in keeping with the amenities of the area.</p>		

**CITY OF ALBANY LOCAL PLANNING SCHEME No. 1  
AMENDMENT No. 1 & MIDDLETON BEACH ACTIVITY CENTRE STRUCTURE PLAN  
SCHEDULE OF SUBMISSIONS**

No.		Summary of Submission	Officer Comment	Staff Recommendation
		<p>The Middleton Beach development needs to be sensitive to the primary users of the area, including ease of traffic movement and adequate parking, viable opportunities for small businesses, and more residential/holiday accommodation designed along the current theme of the area.</p> <p>The more immediately serious issues with the proposal are congestion, lack of adequate parking, wind tunnels, shadowing and a large obstacle to beach access.</p>		
206		Expresses that he is pleased with the overall plan for the Middleton Beach area, especially the position of the proposed 12-storey hotel being placed in the south east corner of the site. Placement will also not impinge on any residential views and any shadowing cast will also be towards the reserve. Believes it is a great concept plans and deserves to be accepted by the community to make a step forward.	Nil.	Submission noted.
207		I am totally opposed to granting permission for the 'hotel/mixed use' to be five to 12 storeys high as this is out of character for	Item one of the key issues table addresses the matter of building height in detail.	Submission noted.

**CITY OF ALBANY LOCAL PLANNING SCHEME No. 1  
AMENDMENT No. 1 & MIDDLETON BEACH ACTIVITY CENTRE STRUCTURE PLAN  
SCHEDULE OF SUBMISSIONS**

No.		Summary of Submission	Officer Comment	Staff Recommendation
		<p>Albany, will create shadowing problems for the playground area and no matter the design, it will be unattractive. I am also opposed any development in Middleton Beach being over three storeys.</p> <p>The city of Albany should not be trying to meet developers' requirements over local ones. Albany is a small regional centre with the major attractions of natural environment and culture.</p>		
208		Comments that 12 storeys in the proposed position would be a mistake.	Item one of the key issues table addresses the matter of building height in detail.	Submission noted.
209		Is in wholehearted support of the proposal as the extra public space is great. Would like to comment that available parking should not be reduced in any way as this will become an important social hub. States it would be great to see development occur as per the concept plans and increase opportunity for work for the youth of the community.	Nil.	Submission noted.
210		Believes that buildings over five storeys will adversely impact the character of the area, that an additional 29 car parking bays is	Items one and three of the key issues table address the matters of building height and parking in detail.	Submission noted.

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

No.		Summary of Submission	Officer Comment	Staff Recommendation
		inadequate for the proposed additions to the area as current parking is not sufficient, and the appearance of the buildings should be compatible with the environment and surroundings.		
211		Asks that no more than five storeys be approved for the area.	Item one of the key issues table addresses the matter of building height in detail.	Submission noted.
212		<p>We welcome progress towards development of this iconic site, LandCorp's vision for a 'vibrant, mixed use development' and their aim to 'deliver social, economic and liveability benefits for the people of Albany as well as the many tourists who visit the area every year'.</p> <p>Given the enormous importance of the unique character, landscape, heritage and identity of Middleton Beach, any future development must fit in with the area's natural and cultural environment without impacting adversely on its inherent charm. While a significant period of time has passed since the former Esplanade Hotel was demolished and the community has been feeling a sense of frustration with the</p>	<p>Items one and two of the key issues table address the matters of building height and overshadowing in detail.</p> <p>City staff have identified 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. A modification to the Special Uses is recommended to address this issue.</p> <p>LandCorp undertook their own consultation to inform the design of the proposals. The City has advertised the</p>	<p>Submission upheld in part.</p> <p>It is recommended that the proposed amendment to Schedule 4 – Special Use Zones is modified as follows:</p> <ul style="list-style-type: none"> <li>• 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”;</li> <li>• Insertion of a new notation “2” against “Multiple Dwelling (up to 5 storeys (21.5 metres)” and “Multiple Dwelling (above 5</li> </ul>

**CITY OF ALBANY LOCAL PLANNING SCHEME No. 1  
AMENDMENT No. 1 & MIDDLETON BEACH ACTIVITY CENTRE STRUCTURE PLAN  
SCHEDULE OF SUBMISSIONS**

No.		Summary of Submission	Officer Comment	Staff Recommendation
		<p>lack of activity in the area, we believe that it is more important to get the new development right than to accept development at any cost.</p> <p>We support mixed use of site, the priority pedestrian access east to west and the increased public open space connecting with the existing foreshore.</p> <p>We support the inclusion of a hotel, however, we note that a hotel is not a required component of the hotel/mixed use precinct. Given the importance of tourism in this location and the lack of a five-star hotel in Albany, we would like to see the hotel stated as a required, and not an optional component.</p> <p>We do not support a 12-storey development for any building in any form on this site. It would cause significant shadowing, particularly across the foreshore reserve, public access areas and beach during the second half of the day and evening, impacting significantly on the ambience of the area and its recreational amenities. It would be highly visible from</p>	<p>proposals for public comment in order to gauge community opinion and inform the final recommendation.</p> <p>The development is not expected to have a greater visual impact on the landscape than existing development at Checkers Walk, Morley Place, Hare Street and Wylie Crescent, when viewed from vantage points beyond the immediate area. While it will possible to distinguish any future building as free-standing when viewed from Mira Mar, it is part of an established urban area, albeit one that is presently developed with single, double and three-storey buildings.</p> <p>A visual impact assessment is only required where there is a specific policy requirement, which does not exist in this instance. However, it is likely that a visual impact assessment would be submitted with any development application for a building in excess of five stories or 21.5 metres in height.</p>	<p>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></p> <ul style="list-style-type: none"> <li>• Renumbering existing notation “(2)” as notation ‘3’.</li> </ul>

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

No.		Summary of Submission	Officer Comment	Staff Recommendation
		<p>key public view points such as Middleton Beach, Emu Point, Mira Mar, King George Sound, the Albany Golf Links and from the beach itself. A recent visit to the Duxton Hotel in Perth made it clear to us what 12 storeys would look like from the ground and we consider this entirely inappropriate not only for this site, but for anywhere in Albany.</p> <p>We would not support a hotel greater than five storeys in height, consistent with the current Local Planning Scheme's maximum height limit. We would like to see the height limit for the remainder of the whole development kept at two to three storeys.</p> <p>Previous community input sought by LandCorp on approximate height restrictions for the Middleton Beach site resulted in 220 public submissions, with only 3% supporting a height restriction above seven storeys, while 67% supported a two to three storey maximum height, 15% a three to five storey height and only 8% a five to seven storey height.</p>	<p>The proposals do not seek to remove any of the Norfolk Island Pine trees located within the foreshore area. At the time of development, a tree protection plan can be required as a condition of any approval, which would be implemented to protect trees from damage during construction.</p> <p>The City of Albany and Landcorp are currently working to upgrade the stormwater management arrangements within the Activity Centre area.</p>	

**CITY OF ALBANY LOCAL PLANNING SCHEME No. 1  
AMENDMENT No. 1 & MIDDLETON BEACH ACTIVITY CENTRE STRUCTURE PLAN  
SCHEDULE OF SUBMISSIONS**

No.		Summary of Submission	Officer Comment	Staff Recommendation
		<p>Visual impact assessments are a normal requirement of significant developments on sites next to the coast and these have been used in the past to inform the Council and the community of likely impacts of developments, such as Barry Court near the golf course. We therefore find it unacceptable that on this occasion, there has been no specific visual impact assessment of the proposed development from high-use public amenity areas and vantage points. The visual displays made available to the public are not to scale, and do not give an accurate picture of the heights in the proposed development and how they relate to the existing adjacent areas, including the foreshore, beach and residential housing.</p> <p>We recommend that a visual assessment of the proposed development be undertaken from important public locations (such as the Ellen Cove Boardwalk, Eyre Park, Middleton Road), depicting several options (12 storeys, eight storeys, six storeys), that the visuals be represented in three-dimensional format, and the period for submissions be extended to enable</p>		

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

No.		Summary of Submission	Officer Comment	Staff Recommendation
		<p>more informed community comment on the visual impact of the Middleton Beach Activity Centre.</p> <p>While we support the emphasis on high quality design to enhance public use of the foreshore area with plantings, pathways, seating and public art, we are concerned about the development boundary where the hotel/mixed use precinct meets the reserve. Specifically, the various plans in the documents show the location of the existing Norfolk Island Pine trees slightly differently, making it difficult to determine the actual boundary of the site and whether the natural growth of these trees will be adversely impacted. This boundary needs to be assessed to ensure that the healthy growth of these established and popular trees is not compromised by the development.</p> <p>We request that a foreshore management plan be undertaken in consultation with the community to address the impacts on the foreshore reserve and adjacent public open space in more detail.</p>		

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

No.		Summary of Submission	Officer Comment	Staff Recommendation
		We understand that there is a historical issue of stormwater drains and pollution in this area and are concerned about the potential of associated health risks. We note that stormwater drainage is given only a brief mention in the Structure Plan and attached drainage plans. We therefore request that the City of Albany and LandCorp develop a stormwater drainage plan to reduce stormwater discharge points to the beach, and make use of the Middleton Beach Activity Centre development and associated earthworks to implement this plan.		
213		Believes that a 12-storey building will spoil the beach and streetscape of the seaside precinct and suggests a development of six storeys instead.	Item one of the key issues table addresses the matter of building height in detail.	Submission noted.
214		Expresses that she is in favour of redevelopment of the area but not at the expense of local access and parking.  The higher building leads to more people and more vehicles in the area. Underground parking would need to be provided to accommodate this as most	Items one, three and nine of the key issues table address the matters of building height, parking and the location of the hotel within the development area, in detail.	Submission noted.

**CITY OF ALBANY LOCAL PLANNING SCHEME No. 1  
AMENDMENT No. 1 & MIDDLETON BEACH ACTIVITY CENTRE STRUCTURE PLAN  
SCHEDULE OF SUBMISSIONS**

No.		Summary of Submission	Officer Comment	Staff Recommendation
		<p>bays would be taken up by residents, leaving no available bays for visitors. Suggests implementing time restricted parking and limiting the hotel height to eight storeys and the residential buildings to two storeys to reduce the amount of traffic it would attract.</p> <p>Wishes to add that people travel to Emu Point as it is considered less busy than Middleton Beach, and so with an increase to Middleton Beach's popularity, Emu Point will become pressured and crowded.</p> <p>States that the need for a hotel to be commercially viable but comments that it must also fit into Albany's existing culture. Suggests positioning the hotel closer to the mountain. Also suggests that parking be increased along Adelaide Crescent as this road will become more commonly used.</p> <p>Also wishes to express concern regarding the proposed planting of palm trees as she believes that they do not suit the local scenery as they are a tropical plant.</p>		

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

No.		Summary of Submission	Officer Comment	Staff Recommendation
215		<p>We have no reason to change our initial comments dated 12 March 2016. Whilst we have noted some new images of the high rise proposal provided by LandCorp, these still omit the highly significant wider landscape issues. The bottom line is that any structure over four storeys will inevitably impact on the site, the site's immediate surroundings, and the full landscape/seascape setting of the area. There will also be unavoidable loss of existing public and open space.</p> <p>We have also noted the recent issue (The Extra 25 March 2016) regarding circus advertising with banning such short term colourful trailer displays on the basis of the following reported quotes from a senior City officer <i>"a visual eyesore..."</i> and <i>"the visual amenity of our city needs to be maintained and preserved, and everyone needs to do their part to ensure Albany presents as well as it can, not only for residents but also tourists and potential investors."</i></p> <p>We find it bizarre that the City considers small scale temporary advertising to be an eyesore whereas the permanent landscape</p>	<p>Item one, two and three of the key issues table address the matters of building height, overshadowing and parking, in detail.</p> <p>The artist's impressions were prepared as a guide to provide the public with a sense how completed buildings could look and are not development proposals.</p> <p>The development is not expected to have a greater visual impact on the landscape than existing development at Checkers Walk, Morley Place, Hare Street and Wylie Crescent, when viewed from vantage points beyond the immediate area. While it will possible to distinguish any future building as free-standing when viewed from Mira Mar, it is part of an established urban area, albeit one that is presently developed with single, double and three-storey buildings.</p> <p>The comparison of unapproved signage to the potential development of a 12-storey hotel, which will be</p>	Submission noted.

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

No.		Summary of Submission	Officer Comment	Staff Recommendation
		<p>scale impact from inappropriate multistorey development is apparently endorsed.</p> <p>This proposal remains of great concern to us and is not supported.</p> <p>Unless the multistorey hotel/mixed use precinct is removed from the proposal we strongly oppose the amendment on grounds of landscape considerations, loss of existing public amenity near the 'Anchors precinct', visual impact upon several thousand local residents (particularly Spencer Park, Mira Mar, Mount Clarence, Middleton Beach) and the total lack of sympathy/sense of place regarding some of Albany's finest assets, viz. Middleton Beach, Ellen Cove and their juxtaposition with a proposed 'world class walking trail area' in the adjacent Albany Heritage Park of Mounts Adelaide and Clarence. There will also be a visual landscape impact from Middleton Bay and King George Sound as well as looking back from the Gull Rock/Mount Martin reserves.</p> <p>The proposal therefore has a fundamental flaw in not properly taking into</p>	<p>subject to design guidelines and extensive statutory requirements, is not considered relevant.</p> <p>The proposals do not impinge on the existing foreshore parkland and will, in fact, lead to the creation of a larger area of consolidated public open space.</p>	

**CITY OF ALBANY LOCAL PLANNING SCHEME No. 1  
AMENDMENT No. 1 & MIDDLETON BEACH ACTIVITY CENTRE STRUCTURE PLAN  
SCHEDULE OF SUBMISSIONS**

No.		Summary of Submission	Officer Comment	Staff Recommendation
		<p>consideration the visual impacts when any high rise (greater than four storeys) component of the proposal is viewed from outside the proposed development area – i.e. failure to look ‘outside the box’ and genuinely think of the highly significant landscape blot to residents and visitors alike.</p> <p>Furthermore, the proposal as depicted will result in significant reduction of the highly popular grassed public foreshore near Ellen Cove which is ideally suited to families, with children’s playgrounds, public change rooms, alfresco café, etc. This family-friendly, largely natural public space should not be towered over by a multi-storey development, irrespective of the number of floors.</p> <p>Parking for locals and families will no doubt be significantly compromised in the Ellen Cove vicinity unless there is a large setback retaining the current road and car parking system.</p> <p>Multistorey development above four floors should have no place in Albany's future as</p>		

**CITY OF ALBANY LOCAL PLANNING SCHEME No. 1  
AMENDMENT No. 1 & MIDDLETON BEACH ACTIVITY CENTRE STRUCTURE PLAN  
SCHEDULE OF SUBMISSIONS**

No.		Summary of Submission	Officer Comment	Staff Recommendation
		<p>the community clearly demonstrated in the Frederick Street multistorey proposals a decade or so ago.</p> <p>Albany is attractive to visitors largely because of its fine natural setting and the lack of multistorey development. The scars of Observation City in Scarborough are a stark reminder of poor planning decisions in the past...please don't try to take our beautiful and unique natural setting away by an inappropriate structure which will grossly impact upon our most valuable assets.</p> <p>The demolished Esplanade Hotel was sensitively designed within the setting and ambience of Middleton Beach. Put it back as it was! It had soft tones, sensibly scaled setbacks from public areas and a true 'sense of place'. It also became an extended community facility with its various bars and lounges across a range of styles to suit most tastes. The conceptual designs in the various reports on the new multistorey component of the proposal comprise stark, unsympathetic designs completely out of context with the valuable</p>		

**CITY OF ALBANY LOCAL PLANNING SCHEME No. 1  
AMENDMENT No. 1 & MIDDLETON BEACH ACTIVITY CENTRE STRUCTURE PLAN  
SCHEDULE OF SUBMISSIONS**

<b>No.</b>		<b>Summary of Submission</b>	<b>Officer Comment</b>	<b>Staff Recommendation</b>
		natural surroundings, and appear to be devoid of community enhancement potential.		
216		Is in support of the proposed development, however states that the height of the buildings should be no more than five storeys.	Item one of the key issues table addresses the matter of building height in detail.	Submission noted.
217		Express their opposition to high rise development above three storeys in Albany, as they are concerned that anything above three storeys would allow for the height to be normalised and promote more high-rise development in Albany.	Item one of the key issues table addresses the matter of building height in detail.	Submission noted.
218		Believes that the proposed structures will not fit the historical ambience of the foreshore, and that the height of the buildings do not complement the natural space and surroundings as it is far too tall. Does believe that it is great the site is being developed but wishes that it be kept appropriate for Albany and its historical links. Comments that there is risk that the hotel will set a precedent for the Middleton Beach area becoming similar to the Gold	Item one of the key issues table addresses the matter of building height in detail.	Submission noted.

**CITY OF ALBANY LOCAL PLANNING SCHEME No. 1  
AMENDMENT No. 1 & MIDDLETON BEACH ACTIVITY CENTRE STRUCTURE PLAN  
SCHEDULE OF SUBMISSIONS**

No.		Summary of Submission	Officer Comment	Staff Recommendation
		Coast, which is a mistake as it will push regular holiday makers to other areas.		
219		Suggests a height restriction of six storeys for the proposed buildings, that the selected colours blend in with the Norfolk Pines, and adequate parking be provided for the public.	Item one of the key issues table addresses the matter of building height in detail.	Submission noted.
220		Believe the concept plan presented by LandCorp for Middleton Beach for two to 12 storey hotel and mixed use looks excellent, and would recommend the hotel includes a minimum of 12 storeys as the future commercial use of this would be significant (world class and demand for international conferences). Comment that the positioning will have no impact on residents, that the views from the hotel will be magnificent and the facilities and landscaping will enhance the area. Also comment that the orientation of the hotel suits Albany's climate with protection from winds.	Nil.	Submission noted.
221		Comment that Albany does not need high rise buildings as visitors come to the region for the low key feel. Believes the hotel	Item one of the key issues table addresses the matter of building height in detail.	Submission noted.

**CITY OF ALBANY LOCAL PLANNING SCHEME No. 1  
AMENDMENT No. 1 & MIDDLETON BEACH ACTIVITY CENTRE STRUCTURE PLAN  
SCHEDULE OF SUBMISSIONS**

No.		Summary of Submission	Officer Comment	Staff Recommendation
		should be limited to six storeys in height and blend in with the existing surroundings.		
222		Believes that the area needs to be developed, but not to the height indication by the proposal and instead all development restricted to four storeys. Comments that the 'commercial' feel the proposal has may attract guests but will for the most part deter visitors, and that existing accommodation providers will be negatively impacted.	Item one of the key issues table addresses the matter of building height in detail.	Submission noted.
223		Expresses support for the development proposal but believes the height of all buildings should be restricted to five storeys.	Item one of the key issues table addresses the matter of building height in detail.	Submission noted.
224		Expresses grave concern that the proposed 12-storey maximum will have genitive repercussions by visual impediment of a standalone 12-storey building, increased shadowing over public areas and decreased enjoyment of visitors as there will be a feeling of 'being watched' by the high rise hotel. Believes that this proposal is not in accordance with Albany	Items one and two of the key issues table addresses the matters of building height and overshadowing in detail.	Submission noted.

**CITY OF ALBANY LOCAL PLANNING SCHEME No. 1  
AMENDMENT No. 1 & MIDDLETON BEACH ACTIVITY CENTRE STRUCTURE PLAN  
SCHEDULE OF SUBMISSIONS**

No.		Summary of Submission	Officer Comment	Staff Recommendation
		and Middleton Beach as it creates a profit for developers at the expense of locals.		
225		Believes that if the proposal can be taken up by private developers it will create a boost for Middleton Beach, but expresses concern regarding the proposed height limit of 12 storeys will drastically alter the amenity of the area and over shadow public areas. Is also of the opinion that the current position of the hotel site will be ugly in appearance and there are no other buildings of a similar height in the area. Suggests a maximum of five storeys instead.	Item one of the key issues table addresses the matter of building height in detail.	Submission noted.
226		Of the opinion that 12 storeys is an eyesore and is out of character for Middleton Beach. Suggests a maximum of four storeys.	Item one of the key issues table addresses the matter of building height in detail.	Submission noted.
227		Believes the proposal to be a great idea to incorporate mixed use as it will be very good for Albany as it will represent it as modern. Suggests that more public friendly area like playgrounds, space for outdoor cinemas, etc. should be put in the design.	Nil.	Submission noted.

**CITY OF ALBANY LOCAL PLANNING SCHEME No. 1  
AMENDMENT No. 1 & MIDDLETON BEACH ACTIVITY CENTRE STRUCTURE PLAN  
SCHEDULE OF SUBMISSIONS**

<b>No.</b>		<b>Summary of Submission</b>	<b>Officer Comment</b>	<b>Staff Recommendation</b>
228		Suggests that a height limit of two to five storeys should apply to the whole site.	Item one of the key issues table addresses the matter of building height in detail.	Submission noted.
229		Believes that the look of the proposal is appealing, but suggests for area to cater for the youth of Albany, with an example of a stage for entertainment.	Nil.	Submission noted.
230		Believes that the proposed development looks fantastic and will be great for future development of Albany as a National and International tourist destination.	Nil.	Submission noted.
231		Believes that if a developer thinks the 12-storey limit be viable then the proposal will be a great addition to the area as Albany has been waiting for a development in Middleton Beach for some time. Believes the proposal to be forward thinking and a great tourism destination.	Nil.	Submission noted.
232		Believes that the proposed five to 12 storey height limit is too high and even five to seven storeys is not suited to Albany or the area.	Item one of the key issues table addresses the matter of building height in detail.	Submission noted.
233		Believes the proposal would attract a number of tourists to the area but asks if the	Item four of the key issues table addresses the matter of coastal planning in detail.	Submission noted.

**CITY OF ALBANY LOCAL PLANNING SCHEME No. 1  
AMENDMENT No. 1 & MIDDLETON BEACH ACTIVITY CENTRE STRUCTURE PLAN  
SCHEDULE OF SUBMISSIONS**

<b>No.</b>		<b>Summary of Submission</b>	<b>Officer Comment</b>	<b>Staff Recommendation</b>
		erosion of the beach will be addressed as part of development.		
234		Comments that the proposal appears to be a great space and will be fully utilised, but expresses concern that the height limit of 12 storeys is too large for what the area can support.	Item one of the key issues table addresses the matter of building height in detail.	Submission noted.
235		Expresses concern regarding traffic redirection once road re-alignments are completed, car parking provisions and believes that the proposed 12-storey height limit should be lessened to four to eight storeys. States that overall, the proposal looks good, offers 'hang-out' areas and will benefit Albany.	Items one, three and eight of the key issues table address the matters of building height, parking and road alignment, in detail.	Submission noted.
236		Is in favour of the general concept of the proposal as he welcomes development in the area, but believes that the proposed 12 storey height limit is too much and should be restricted to seven to eight storeys as such a height would not distract from the existing landscape and would not take business away from local accommodation providers. Comments also that the proposed development will instil a lot of pride in Albany locals once complete.	Item one of the key issues table addresses the matter of building height in detail.	Submission noted.

**CITY OF ALBANY LOCAL PLANNING SCHEME No. 1  
AMENDMENT No. 1 & MIDDLETON BEACH ACTIVITY CENTRE STRUCTURE PLAN  
SCHEDULE OF SUBMISSIONS**

<b>No.</b>		<b>Summary of Submission</b>	<b>Officer Comment</b>	<b>Staff Recommendation</b>
237		Believes that the proposal looks great and hopes the development is allowed to proceed as it will be a welcomed venue for both locals and tourists.	Nil.	Submission noted.
238		Is in opposition to the proposal as it does not fit in with the existing, low level and relaxed Middleton Beach area. Believes that as the building is too tall and will creating overlooking issues, it will take away from the natural vista of the area.	Item one of the key issues table addresses the matter of building height in detail.	Submission noted.
239		Believes that the proposal would be great for the area as it is not being utilised currently.	Nil.	Submission noted.
240		Believes that the proposal would benefit Albany as currently there are no eye-catching buildings.	Nil.	Submission noted.
241		Believes the proposal to be a good idea if it includes areas for children to utilise.	Nil.	Submission noted.
242		Suggests to include a park in the south-eastern corner of the mixed use area.	Nil.	Submission noted.
243		Suggests the proposal include park land adjacent to the beach to attract families.	Nil.	Submission noted.

**CITY OF ALBANY LOCAL PLANNING SCHEME No. 1  
AMENDMENT No. 1 & MIDDLETON BEACH ACTIVITY CENTRE STRUCTURE PLAN  
SCHEDULE OF SUBMISSIONS**

<b>No.</b>		<b>Summary of Submission</b>	<b>Officer Comment</b>	<b>Staff Recommendation</b>
244		Is in favour of the proposed development as the increased accommodation will attract more tourists.	Nil.	Submission noted.
245		Of the opinion that the height restriction should be three storeys as the site is already large enough to be economically viable without making Middleton Beach similar to the Gold Coast.	Item one of the key issues table addresses the matter of building height in detail.	Submission noted.
246		Believes the proposed 12-storey height limit should be reduced to a five-storey maximum.	Item one of the key issues table addresses the matter of building height in detail.	Submission noted.
247		Expresses congratulation that development is moving forward for the Esplanade site and that the proposal looks great.	Nil.	Submission noted.
248		Comments then the artists impression of the proposal is appealing, but suggests that the 12-storey hotel should be designed with staggered floors so that only 50% of the footprint be at 12 storeys. Also suggests that the rest of the proposal be restricted to a four-storey maximum.	Item one of the key issues table addresses the matter of building height in detail.	Submission noted.

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

<b>No.</b>		<b>Summary of Submission</b>	<b>Officer Comment</b>	<b>Staff Recommendation</b>
249		Believes that the proposed 12-storey hotel will obscure views from residents in the Mount Clarence area and that the hotel should be restricted to five storeys instead of 12. Asks if the residents in the Mount Clarence area will experience property value decreases and that these residents should be personally consulted.	Item one of the key issues table addresses the matter of building height in detail.	Submission noted.
250		Suggest that the hotel site be restricted to four storeys and that all other mixed use areas be restricted to two storeys. States that the importance should be on keeping Albany an attractive tourist destination as visitors come to the region to 'escape' high density cities. Suggests that the design material of the structures be sympathetic to the natural environment, with examples of rammed earth or limestone.	Item one of the key issues table addresses the matter of building height in detail.  Design Guidelines are being prepared for the Activity Centre area, which should ensure that any development is appropriate to the locality.	Submission noted.
251		Is in opposition to a proposed hotel in excess of five storeys.	Item one of the key issues table addresses the matter of building height in detail.	Submission noted.
252		Expresses opposition regarding the scale of the proposed development as she believes that a six-storey hotel on the proposed site would be excessive, and that the proposed will overwhelm the Middleton	Item one of the key issues table addresses the matter of building height in detail.	Submission noted.

**CITY OF ALBANY LOCAL PLANNING SCHEME No. 1**  
**REPORT ITEM PD125 REFERS**  
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**SCHEDULE OF SUBMISSIONS**

No.		Summary of Submission	Officer Comment	Staff Recommendation
		Beach area as the increase in attraction will make the area loud and be unpleasant for families.		
253		Believe that the proposed heights are too large and should be restricted to the previous height limit of the Esplanade. Comment that the proposed heights will increase the already existing shadowing, and that the proposal detracts from the appeal of Albany as a holiday destination of natural beauty and historic value of a small city.	Items one and two of the key issues table address the matters of building height and overshadowing in detail.	Submission noted.
254		<p>The Albany Ratepayers and Residents Association Inc. does not believe that the general community is aware of the hotel position. The development should be within the confines of the original site and should not be extended out to the public open space.</p> <p>The hotel should be three levels including ground level in the proposed location. If it was within the confines of the original site then maybe five levels including ground level would be more acceptable. All the</p>	<p>Items one, five and nine of the key issues table address the matters of building height, heritage and the location of the hotel within the development area, in detail.</p> <p>A mix of tourist accommodation and permanent residential uses is consistent with current planning policy, as confirmed by Tourism WA.</p>	Submission noted.

**CITY OF ALBANY LOCAL PLANNING SCHEME No. 1  
AMENDMENT No. 1 & MIDDLETON BEACH ACTIVITY CENTRE STRUCTURE PLAN  
SCHEDULE OF SUBMISSIONS**

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		<p>other accommodation should not be more than three levels including ground level.</p> <p>The area is a tourist area and as such should have no permanent residential as part of it. It should be 100% tourist.</p> <p>This Association believes that while there is a need for tourist accommodation and even a hotel that it should not be at the expense of the public open space which is what attracts people to the area. This is a public area and should be kept as is. Leaving the area open will be a bigger tourist asset in the future because we have preserved the natural beauty of the beachfront.</p> <p>The area from Ellen Cove to Flinders Parade is currently part of assessment by the Heritage Council. Has the City consulted the Heritage Council? The following is the Heritage Council reference. Heritage information needs to add to the plan for future reference and consultation.</p> <p>Heritage Place No. 17520 - Middleton Beach, – Middleton Beach Arising from nomination of P17771 Norfolk Pine Trees</p>		

**CITY OF ALBANY LOCAL PLANNING SCHEME No. 1  
AMENDMENT No. 1 & MIDDLETON BEACH ACTIVITY CENTRE STRUCTURE PLAN  
SCHEDULE OF SUBMISSIONS**

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		<p>Albany Middleton Beach Landscape Arising from nomination of P17771 Norfolk Pine Trees Albany, &amp; utilities Heritage List - YES on 30 Dec 1983 Constructed from 1940.</p> <p>Heritage Place No. 15477 - Ellen Cove Jetty &amp; Norfolk Island Pine Trees, – Ellen Cove Jetty &amp; Norfolk Island Pine Trees Flinders Parade Middleton Beach Ellen Cove Jetty &amp; Norfolk Island Pine Trees Other Built Type Flinders, - Adopted on 30 Jun 2001 Constructed from 1899 Ellen Cove jetty has played a significant role, users. Ellen Cove Jetty has played a significant role in the transport of goods and people in Albany.</p> <p>In conclusion the Albany Ratepayers and Residents Association Inc. would like to see the vacant land that was formerly the Esplanade Hotel site utilised and should be used for a hotel and tourist accommodation. There should be no development outside this site as the area is for the general public and should stay that way. There are many environmental issues</p>		

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**REPORT ITEM PD125 REFERS**  
**AMENDMENT No. 1 & MIDDLETON BEACH ACTIVITY CENTRE STRUCTURE PLAN**  
**SCHEDULE OF SUBMISSIONS**

No.		Summary of Submission	Officer Comment	Staff Recommendation
		that is hoped the council will take into consideration.		
255		<p>Harley Dykstra is a development consultancy firm of Town Planners and Surveyors, established in Albany in 1954. Over the past 60 years we have been involved in many key developments in Albany and witnessed evolution of the land development industry responding to economic, planning and consumer changes over time. We have a pertinent interest in the planning, environmental, economic and ongoing sustainability of Albany and the wider Great Southern region.</p> <p>We commend the proponents of the Middleton Beach Scheme Amendment and Structure Plan Activity Centre and support changes proposed to this key tourist node. We believe key tourist nodes such as Middleton Beach require a more fluid approach to permit residential and tourism elements to co-exist within the same development, and that in doing so will result in a better and more sustainable outcome for these localities. Furthermore, this</p>	Design Guidelines are being prepared for the Activity Centre area, which should ensure that any development is appropriate to the locality.	Submission noted.

**CITY OF ALBANY LOCAL PLANNING SCHEME No. 1  
AMENDMENT No. 1 & MIDDLETON BEACH ACTIVITY CENTRE STRUCTURE PLAN  
SCHEDULE OF SUBMISSIONS**

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		<p>flexible arrangement allows the development to respond to seasonal and global fluctuations, and avoid high vacancy rates and a lack of activity and activation outside of peak season.</p> <p>Due consideration has been given to the built form scale and location with the siting of the hotel development adjacent Mount Adelaide providing high amenity and potentially some shelter from south-westerly winds. The indicative built form responds well to the locality and surroundings, and we encourage adoption of a high quality outcome through future design guidelines. The gradual increase to building heights towards Mount Adelaide is respectful to the surroundings and will provide flexibility and certainty to future developers to viably develop the land.</p> <p>An increased focus towards more sustainable forms of transport including walking and cycling is encouraging, however separation of these two modes may require further consideration to avoid future conflict. Suitable consideration has been given to private motor vehicle</p>		

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**REPORT ITEM PD125 REFERS**  
**AMENDMENT No. 1 & MIDDLETON BEACH ACTIVITY CENTRE STRUCTURE PLAN**  
**SCHEDULE OF SUBMISSIONS**

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		<p>movements and parking, which are appropriately reflected in the proposed Structure Plan and Scheme Amendment provisions.</p> <p>We support the proposed Middleton Beach Scheme Amendment and Structure Plan, and anticipate it will enable viable development of the land, whilst still respecting the locality and surrounding land uses. We respectfully encourage the City of Albany to approve the Scheme Amendment and Structure Plan when next presented to Council for consideration.</p>		