



ATTACHMENTS

Ordinary Meeting of Council

Monday 13 June 2016

6.00pm

City of Albany Council Chambers

SPECIAL COUNCIL MEETING
ATTACHMENTS – 13/06/2016

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City of Albany

Local Planning Scheme No. 1

Amendment No. 1

Middleton Beach Activity Centre

Scheme Amendment Report

February 2016

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

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

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

1. Rezone Lot 8888 Flinders Parade, Middleton Beach from the 'Hotel/Motel' and 'Tourist Residential' zones, Lots 660 and 661 Marine Terrace, Middleton Beach from the 'Tourist Residential' zone and portions of Adelaide Crescent, Marine Terrace, Barnett Street, Flinders Parade and Marine Drive from 'Priority Road' and Local Road Reserves to 'Special Use Zone SU25';
2. Amend 'Schedule 4 – Special Use Zones' to incorporate provisions relating to Middleton Beach Activity Centre;
3. Introduce the following land use definition to the City of Albany Local Planning Scheme No. 1:

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

Dated this day of 20.....

.....

CHIEF EXECUTIVE OFFICER

Minister for Planning

Proposal to amend a Local Planning Scheme

Local Authority: City of Albany

Description of Local

Planning Scheme: Local Planning Scheme No. 1

Type of Scheme: Local Planning Scheme

Serial No. of Amendment: Amendment No. 1

Proposal: To:

1. Rezone Lot 8888 Flinders Parade, Middleton Beach from the 'Hotel/Motel' and 'Tourist Residential' zones, Lots 660 and 661 Marine Terrace, Middleton Beach from the 'Tourist Residential' zone and portions of Adelaide Crescent, Marine Terrace, Barnett Street, Flinders Parade and Marine Drive from 'Priority Road' and Local Road Reserves to 'Special Use Zone SU25';
2. Amend 'Schedule 4 – Special Use Zones' to incorporate provisions relating to Middleton Beach Activity Centre;
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single attached dwelling means one of a group of two or more attached dwellings, each being separated by a common wall and may include a row house, terrace house or town house, not located above or below another dwelling;
4. Amend the Scheme Maps accordingly.



Scheme Amendment Report

Middleton Beach Activity Centre

for LandCorp

Prepared by:

Hames Sharley (WA) Pty Ltd

ABN 42 009 073 563

PN 43460

February 2016

REVISION SCHEDULE

No.	Date	Details	CM
1	13/10/15	Draft v.1	MS
2	12/11/15	Draft v.2	MS
3	01/12/15	Draft v.3	MS
4	09/12/15	Draft v.4	MS
5	18/12/15	Final	MS
6	24/02/16	Final - Advertising	MS

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Scheme Amendment Report – Middleton Beach Activity Centre

1. INTRODUCTION

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

1. Rezone Lot 8888 Flinders Parade, Middleton Beach from the 'Hotel/Motel' and 'Tourist Residential' zones, Lots 660 and 661 Marine Terrace, Middleton Beach from the 'Tourist Residential' zone and portions of Adelaide Crescent, Marine Terrace, Barnett Street, Flinders Parade and Marine Drive from 'Priority Road' and Local Road Reserves to 'Special Use Zone SU25';
2. Amend 'Schedule 4 – Special Use Zones' to incorporate provisions relating to Middleton Beach Activity Centre;
3. Introduce the following land use definition to the City of Albany Local Planning Scheme No. 1:

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

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

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

2. SITE DESCRIPTION

2.1. LOCATION

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



Figure 1 – Site Plan

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

2.2. DETAILS OF LAND

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

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

2.3. LAND USES

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

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

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

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

3. PLANNING CONTEXT

3.1. STATE PLANNING CONTEXT

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

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

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

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

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

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

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

3.1.2. WAPC STATE PLANNING POLICIES

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

State Planning Policy 2.6 – State Coastal Planning

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

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

State Planning Policy 3 – Urban Growth and Settlement

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

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

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

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

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

State Planning Policy 3.1 : Residential Design Codes

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

WAPC Planning Bulletin No. 83 – Planning for Tourism

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

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

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

3.2. LOCAL PLANNING CONTEXT

3.2.1. CITY OF ALBANY LOCAL PLANNING SCHEME NO. 1

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

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

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

3.2.2. CITY OF ALBANY LOCAL PLANNING STRATEGY

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

The objectives of the Middleton Beach Tourist Precinct are to:

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

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

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

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

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

4. OVERVIEW OF PROPOSAL

4.1. BACKGROUND

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

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

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

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

4.2. POSSIBLE LAND USES

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

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

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

4.3. PROPOSED SCHEME PROVISIONS

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

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

REPORT ITEM PD125 REFERS

Variations

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

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

REPORT ITEM PD125 REFERS

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

5. CONCLUSION

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

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

PLANNING AND DEVELOPMENT ACT 2005

CITY OF ALBANY

LOCAL PLANNING SCHEME NO. 1

AMENDMENT NO. 1

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

1. Rezone:
 - a. Lot 8888 Flinders Parade, Middleton Beach from the 'Hotel/Motel' and 'Tourist Residential' zones to 'Special Use Zone SU25';
 - b. Lots 660 and 661 Marine Terrace, Middleton Beach from the 'Tourist Residential' zone to 'Special Use Zone SU25';
 - c. Portions of Adelaide Crescent, Marine Terrace, Barnett Street, Flinders Parade and Marine Drive from 'Priority Road' and Local Road Reserves to 'Special Use Zone SU25';
2. Amend Schedule 4 – Special Use Zones by inserting 'Special Use SU25' in the schedule and incorporate provisions relating to Middleton Beach Activity Centre as follows;

No.	Description of Land	Special Use	Conditions
SU25	Middleton Beach Activity Centre	Land use permissibilities within the precincts shown on the Middleton Beach Activity Centre Precinct Plan are as follows:	1. All development within the Middleton Beach Activity Centre Special Use zone shall comply with the following performance criteria: (a) The Middleton Beach Activity Centre is developed in a co-ordinated manner, recognising its significance for local recreation, organised sporting and cultural events and as a tourist destination; (b) High quality built form and public place design is provided across the Special Use zone and public foreshore reserve interfaces recognise the iconic location and significance of the site to the community; (c) The development of public and private land is integrated to establish a safe, vibrant mixed use centre with an active beach front and urban edge that includes
	Lot 8888 Flinders Parade	Hotel / Mixed Use Precinct	
	Lots 660 and 661, Marine Terrace	Car Park 'D'	
	Adjacent road reserves being portions of Adelaide Crescent,	Exhibition Centre 'A'	
	Marine Terrace, Barnett Street,	Holiday Accommodation 'D'	
	Flinders Parade and Marine Drive,	Hotel (up to 5 storeys (21.5 metres)) 'P'	
		Hotel (above 5 storeys (21.5 metres)) 'A'	
		Market 'D'	
		Multiple Dwelling	

REPORT ITEM PD125 REFERS

<p>Middleton Beach</p>	<p>(up to 5 storeys (21.5 metres) 'P'(1) Multiple Dwelling (above 5 storeys (21.5 metres) 'A'(1) Nightclub 'D' Public Utility 'D' Recreation-Private 'A' Restaurant 'D' Shop 'A' Small Bar 'A' Tavern 'A'</p> <p>Mixed Use Precinct</p> <p>Car Park 'D' Consulting Rooms 'D' Convenience Store 'D' Exhibition Centre 'A' Holiday Accommodation 'P' Hotel 'D' Market 'D' Multiple Dwelling 'P'(2) Office 'D' Public Utility 'D' Recreation-Private 'A' Restaurant 'D' Shop 'D' Single Attached Dwelling 'D'(2) Small Bar 'A' Tavern 'A'</p> <p>Residential Precinct</p> <p>Home Office 'D' Multiple Dwelling 'P' Public Utility 'D' Single Attached Dwelling 'P'</p> <p>Edge Precinct</p> <p>Car Park 'D'</p> <p><i>(1) Means the use is prohibited where it fronts the street at pedestrian level.</i></p>	<p>but is not limited to: local and tourist facilities; restaurants, cafes and shops; holiday and short stay accommodation; together with a range of permanent residential uses but excludes detached houses;</p> <p>(d) An effective, efficient, integrated and safe transport network that prioritises pedestrians, cyclists and public transport users is provided;</p> <p>(e) Vehicle parking is efficient and promotes the establishment of shared, reciprocal and common use facilities;</p> <p>(f) Developments incorporate sustainable technologies and design including best practice with regard to energy efficiency, water sensitive urban design and fire safety requirements; and</p> <p>(g) Opportunities for investment and development are facilitated.</p> <p>2. Due regard shall be given to the Activity Centre Structure Plan prepared prior to the development of the land in accordance with the relevant clauses within the deemed provisions for Local Planning Schemes.</p> <p>3. Notwithstanding that a use is not specifically listed in this schedule, the Local Government may consider the proposed use on its merits where that use and development complies with the performance criteria set out in Condition 1 and other relevant conditions in this schedule and is compatible with the listed uses in the designated precinct.</p> <p><u>Bushfire Management</u></p> <p>4. The Middleton Beach Activity Centre has been identified as a bushfire prone area and development and use of the site shall comply with the provisions of the approved Bushfire Management Plan and the Scheme.</p>
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REPORT ITEM PD125 REFERS

		<p>(2) <i>Means that the use is prohibited where it fronts the street at pedestrian level within the 'Primary Active Frontage' area as depicted on the Precinct Plan.</i></p>	<p>5. All residential buildings and, as far as is practicable, non-residential developments, are to incorporate the bushfire resistant construction requirements of the Building Code, including as appropriate the provisions of AS3959 <i>Construction of Buildings in Bushfire Prone Areas</i> (as amended), commensurate with the bushfire attack level (BAL) established for the relevant portion of the site.</p> <p><u>Development Requirements</u></p> <p>6. Before commencing or carrying out any development on land within the Special Use zone, the developer must comply with the requirements of any relevant design guidelines administered by the City of Albany.</p> <p>7. Notwithstanding the permissibility of the proposed use, any works proposed to be undertaken within the Special Use zone shall require the planning approval of Council following advertising of the proposal in accordance with clause 64(3) of the Deemed Provisions unless exempted by the provisions of Schedule 2, Cl 61 (1) of the Deemed Provisions to the Planning and Development Regulations 2015.</p> <p>8. Any approved development is to be constructed to plate height prior to the submission of any diagram or plan of survey (deposited plan) for subdivision of the parent lot to create individual lot(s) for the development(s).</p> <p>9. Basement car parking shall be integrated into the built form and screened from view, such that the car parking area is not directly visible from the street or other public spaces. Car parking areas shall be accessed from a laneway or secondary street where available.</p> <p>10. Car parking shall be provided in accordance with the provisions of the Scheme unless otherwise stated in Condition 11 below.</p>
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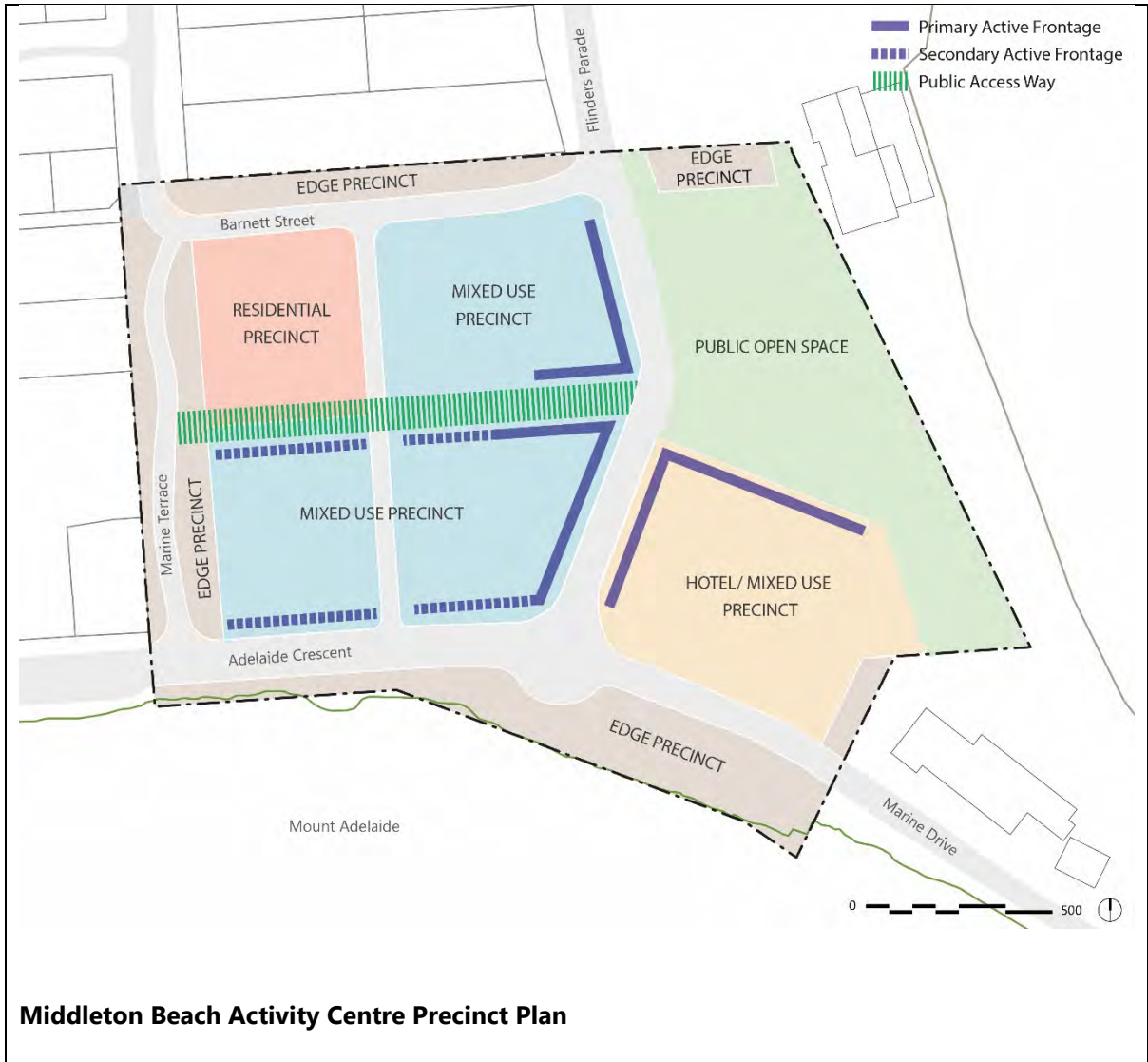
REPORT ITEM PD125 REFERS

			<p>11. The following development requirements specifically apply to the precincts as identified on the Middleton Beach Activity Centre Precinct Plan below:</p> <p><u>Hotel / Mixed Use Precinct</u></p> <p>Building Height:</p> <ul style="list-style-type: none">• 5 storey (21.5 metres) height limit;• Development of a hotel use and/or holiday accommodation and/or multiple dwellings above 5 storeys (21.5 metres) may be considered to a maximum of 12 storeys (46 metres) if the following can be demonstrated:<ul style="list-style-type: none">○ The proposed development accords with the key principles as outlined in condition 13 below; and○ The proposed development accords with any relevant design guidelines administered by the City of Albany. <p>Setbacks:</p> <ul style="list-style-type: none">• Generally nil street and side setbacks. <p>Car Parking:</p> <ul style="list-style-type: none">• Hotel 1 bay per 2 employees + 1 per bedroom + 1 per 4 sqm in other public areas.• Retail – 1 bay per 40 sqm NLA.• No visitor car parking requirement for permanent residential developments. <p>Bicycle Parking:</p> <ul style="list-style-type: none">• 1 bicycle parking space per residential dwelling and 1 bicycle parking space per 10 dwellings for residential visitors. <p>Access: Delivery services are prohibited from occurring on the Flinders Parade frontage of the Hotel / Mixed Use site.</p>
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REPORT ITEM PD125 REFERS

			<p><u>Mixed Use Precinct</u></p> <p>Building Height:</p> <ul style="list-style-type: none">• 2 storey (11 metres) minimum / 3 storey (14.5 metres) maximum between Barnett Street and the Public Access Way.• 2 storey (11 metres) minimum / 4 storey (18 metres) maximum for development fronting the southern extent of the Public Access Way;• 2 storey (11 metres) minimum / 5 storey (21.5 metres) maximum for development south of the Public Access Way, fronting Adelaide Crescent or Flinders Parade. <p>Setbacks: Generally nil street and side setbacks.</p> <p>Car Parking:</p> <ul style="list-style-type: none">• No visitor car parking requirement for permanent residential developments.• Retail – 1 bay per 40 sqm NLA. <p>Bicycle Parking:</p> <ul style="list-style-type: none">• 1 bicycle parking space per residential dwelling and 1 bicycle parking space per 10 dwellings for residential visitors. <p><u>Residential Precinct</u></p> <p>Building Height:</p> <ul style="list-style-type: none">• 2 storey (10 metres) minimum / 3 storey (13.5 metres) maximum between Barnett Street and the Public Access Way. <p>Setbacks:</p> <ul style="list-style-type: none">• Generally nil street and side setbacks. <p>Car Parking:</p> <ul style="list-style-type: none">• No visitor car parking requirement for permanent residential developments. <p>Bicycle Parking:</p> <ul style="list-style-type: none">• 1 bicycle parking space per residential dwelling and 1 bicycle parking space per 10 dwellings for residential visitors.
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		<p><u>Active Frontages</u></p> <p>12. Areas marked as 'Active Frontage' on the Precinct Plan encourage a range of active uses at the pedestrian level. Specifically this shall be achieved by:</p> <ul style="list-style-type: none"> • Residential uses at the pedestrian level in areas delineated as 'Primary Active Frontage' are prohibited. • Areas delineated as either 'Primary Active Frontage' or 'Secondary Active Frontage' shall demonstrate measures have been undertaken to build adaptability into the development at ground floor level. <p><u>Key Principles for Hotel / Mixed Use Precinct</u></p> <p>13. Any application within the Hotel / Mixed Use Precinct in excess of 5 storeys (21.5 metres) in height is to be supported by a report clearly demonstrating how the following key principles will be achieved and enhanced via the proposed development:</p> <ul style="list-style-type: none"> • Contributes positively to the public realm; • Provides a landmark element on the axis of Adelaide Crescent and Flinders Parade; • No adverse impacts on the locality are presented by overshadowing; • The height of the proposed development responds to the site and its context and steps built form away from the beach with additional height located towards Mt Adelaide; • Bulk and scale of the proposed development are effectively mitigated; and • The criteria in Condition (1) above have been achieved, in particular: <ul style="list-style-type: none"> ○ Provides high quality built form; ○ Effectively integrates the public realm and private land use; ○ Encourages alternative modes of transport; and ○ Incorporates sustainable technologies and design.
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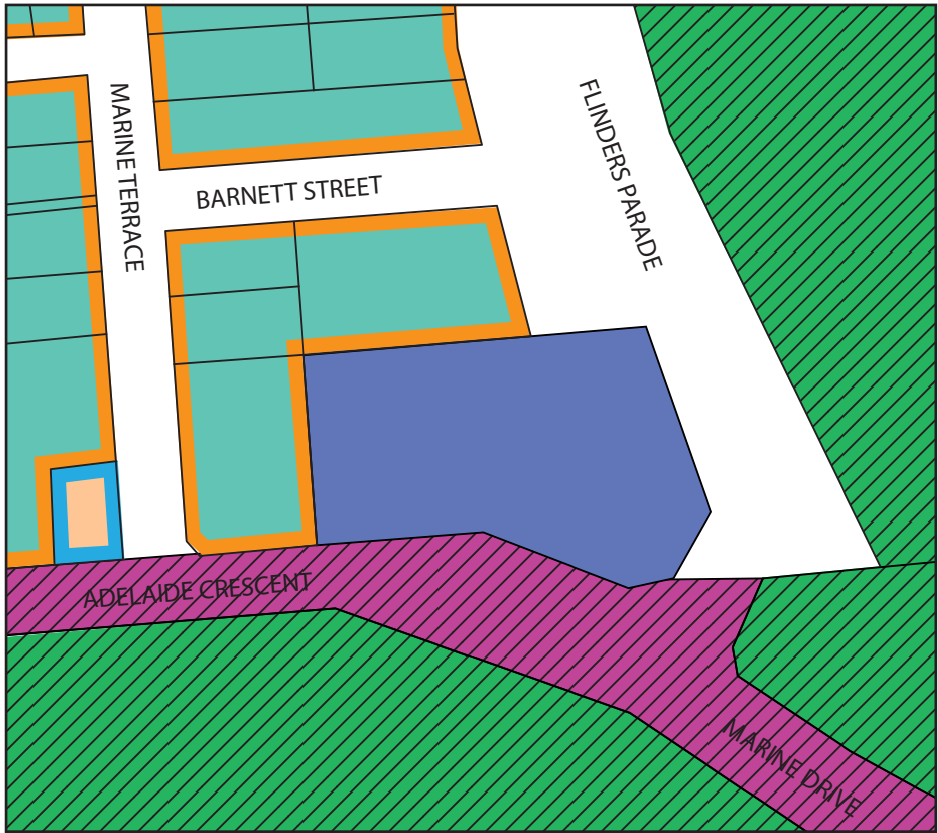
3. Introduce the following land use definition to the City of Albany Local Planning Scheme No. 1:

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

4. Amend the Scheme Maps accordingly.

CITY OF ALBANY Local Planning Scheme No. 1

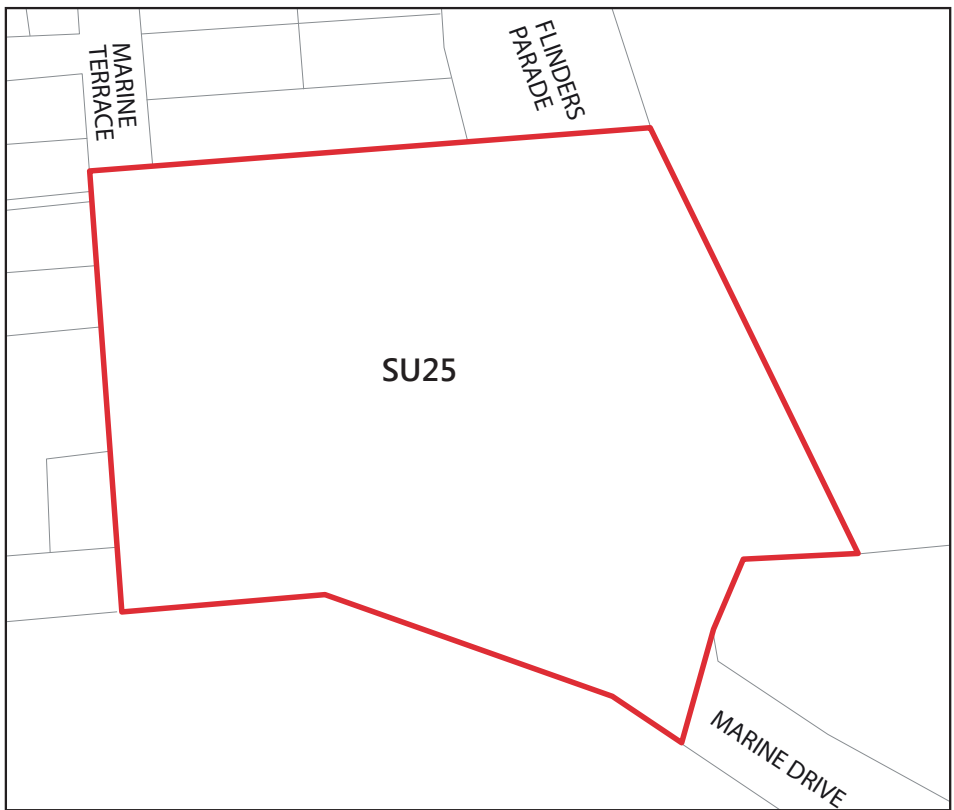
Amendment No. 1



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

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

Existing Zoning



Proposed Zoning

ADOPTION

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

.....

MAYOR

.....

CHIEF EXECUTIVE OFFICER

FINAL APPROVAL

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

.....

MAYOR

.....

CHIEF EXECUTIVE OFFICER

Recommended/Submitted for Final Approval

.....

Delegated under S.16 of PD Act 2005

Date:

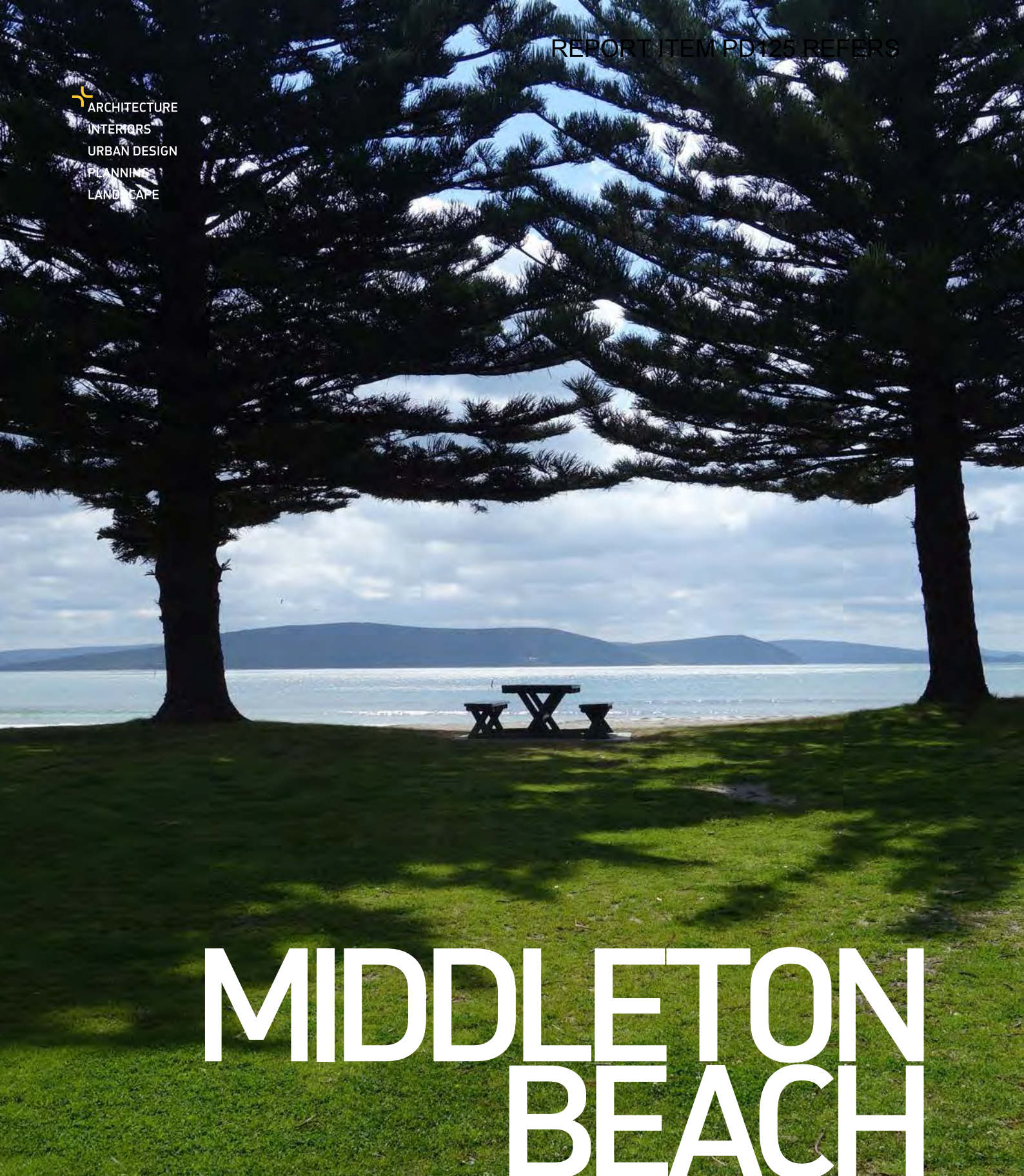
Final Approval Granted

.....

MINISTER FOR PLANNING

Date:

- ARCHITECTURE
- INTERIORS
- URBAN DESIGN
- PLANNING
- LANDSCAPE



MIDDLETON BEACH

ACTIVITY CENTRE STRUCTURE PLAN

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



LANDCORP

Prepared for LandCorp
MARCH 2016



LandCorp

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

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Revision Letter	Date	Reason for Issue	CM
1	14/10/2015	Draft ACSP Framework (Reviewed by Work Group)	MS
2	16/11/2015	Preliminary Draft Middleton Beach ACSP	MS
3	20/11/2015	Draft Middleton Beach ACSP	MS
4	16/12/2015	Final Draft Middleton Beach ACSP	MS
5	01/03/2016	Final Draft Middleton Beach ACSP for Advertising	MC

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ENDORSEMENT PAGE

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

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

DATE

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

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

Witness

Date

Date of Expiry



TABLE OF AMENDMENTS

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

TABLE OF DENSITY PLANS

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

EXECUTIVE SUMMARY

EXECUTIVE SUMMARY

Executive Summary

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

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

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

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

Key design components of the MBAC include:

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

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

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



Summary Table

Table 1: Summary Table

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

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

PART ONE IMPLEMENTATION 01

PART ONE - IMPLEMENTATION

1. STRUCTURE PLAN AREA

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

2. OPERATION

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

3. STAGING

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

STAGE 1

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

STAGE 2

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

STAGE 3

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

Staging is further discussed and graphically depicted in section 9.7 of this report.

4. SUBDIVISION AND DEVELOPMENT REQUIREMENTS

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

5. OTHER REQUIREMENTS

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

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



6. ADDITIONAL INFORMATION

ADDITIONAL INFORMATION	APPROVAL STAGE	CONSULTATION REQUIRED

INTENTIONALLY LEFT BLANK



Middleton Beach Activity Centre
STRUCTURE PLAN



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



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



Figure 1: Middleton Beach Activity Centre Structure Plan Map

PART TWO
EXPLANATORY
SECTION 02

PART TWO - EXPLANATORY SECTION

1 Planning Background

1.1. INTRODUCTION AND PURPOSE

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

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

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

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

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

GENERAL OBJECTIVES

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

OBJECTIVES FOR THE COMMUNITY

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

OBJECTIVES FOR THE MBAC

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



1.2. LAND DESCRIPTION

1.2.1. LOCATION

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

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

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

1.2.2. AREA AND LAND USE

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

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

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

The total land area of the MBAC is 3.29ha.



Figure 2: Context Location Plan

1.2.3. LEGAL DESCRIPTION AND OWNERSHIP

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

Table 2: Lot Details

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



Figure 3: Lot Details



1.3. PLANNING FRAMEWORK

1.3.1. ZONING AND RESERVATIONS

CITY OF ALBANY LOCAL PLANNING SCHEME NO. 1

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

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

1.3.2. IMPROVEMENT PLAN NO. 40

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

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

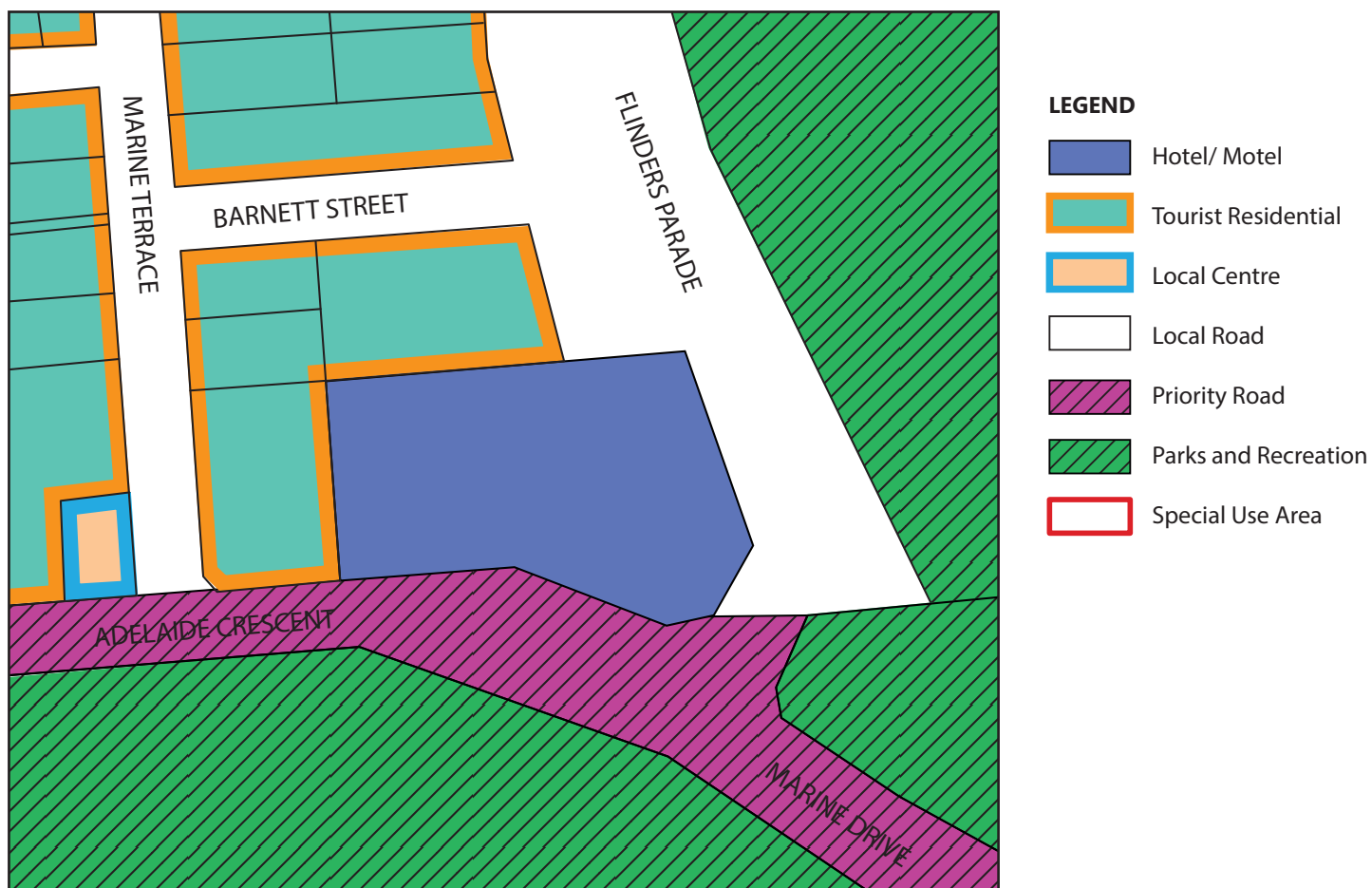


Figure 4: LPS1 Zoning (Extract)

1.4. PLANNING STRATEGIES

1.4.1. CITY OF ALBANY LOCAL PLANNING STRATEGY

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

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

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

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

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

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

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

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

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

1.4.2. CITY OF ALBANY TOURISM ACCOMMODATION PLANNING STRATEGY

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

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

Local strategic sites are defined as:

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

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

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



1.5 PLANNING POLICIES

1.5.1. WAPC STATE PLANNING POLICY 2.6 STATE COASTAL PLANNING

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

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

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

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

1.5.2. WAPC STATE PLANNING POLICY 3 URBAN GROWTH AND SETTLEMENT

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

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

and creates an identifiable sense of place for each community.

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

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

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

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

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

1.5.3. WAPC STATE PLANNING POLICY 3.1 RESIDENTIAL DESIGN CODES

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

1.5.6. WAPC PLANNING BULLETIN - NO. 83 PLANNING FOR TOURISM

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

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

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



1.6. OTHER APPROVALS AND DECISIONS

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

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

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

Improvement Plan 40 provides for the making of an Improvement Scheme. However, in February 2015, the Middleton Beach Activity Centre Working Group, representing key agencies including LandCorp, Department of Planning, City of Albany, Great Southern Development Commission and Department of Lands agreed that a Local Scheme Amendment and Structure Plan was the preferred mechanism for the statutory planning of the Middleton Beach Activity Centre.

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

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

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

1.7. PRE LODGEMENT CONSULTATION

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

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

Table 3: Pre Lodgement Consultation Summary

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



2 SITE CONDITIONS & CONSTRAINTS

2.1. BIODIVERSITY AND NATURAL AREA ASSETS

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

The Flora and Vegetation and Fauna Review was prepared to:

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

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

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

2.1.1. FLORA AND VEGETATION

The flora and vegetation desktop assessment and field investigation found:

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

2.1.2. FAUNA

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

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

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

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

2.1.3. MATTERS OF NATIONAL ENVIRONMENTAL SIGNIFICANCE

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

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

2.2. LANDFORM AND SOILS

2.2.1. TOPOGRAPHY

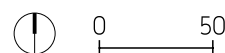
Wood & Grieve Engineers carried out investigations into MBAC to establish topographical constraints (**Appendix D**). Findings relating to geophysical characteristics from their investigations revealed MBAC is mostly cleared and relatively flat with reduced levels of between 2.4m and 2.8m Australian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

2.2.2. EARTHWORKS

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



Figure 5: Contour Mapping





2.2.3. SOILS

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

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

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

2.2.4. ACID SULFATE SOILS

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

2.3. GROUNDWATER AND SURFACE WATER

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

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

2.4. BUSHFIRE HAZARD

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

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

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

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

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

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

1. The Middleton Beach Activity Centre has been identified as a bushfire prone area and development and use of the site shall comply with the provisions of the approved Bushfire Management Plan and the Scheme.

2. All residential buildings and, as far as is practicable, non-residential developments, are to incorporate the bushfire resistant construction requirements of the Building Code, including as appropriate the provisions of AS3959 Construction of Buildings in Bushfire Prone Areas (as amended), commensurate with the bushfire attack level (BAL) established for the relevant portion of the site.

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

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

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

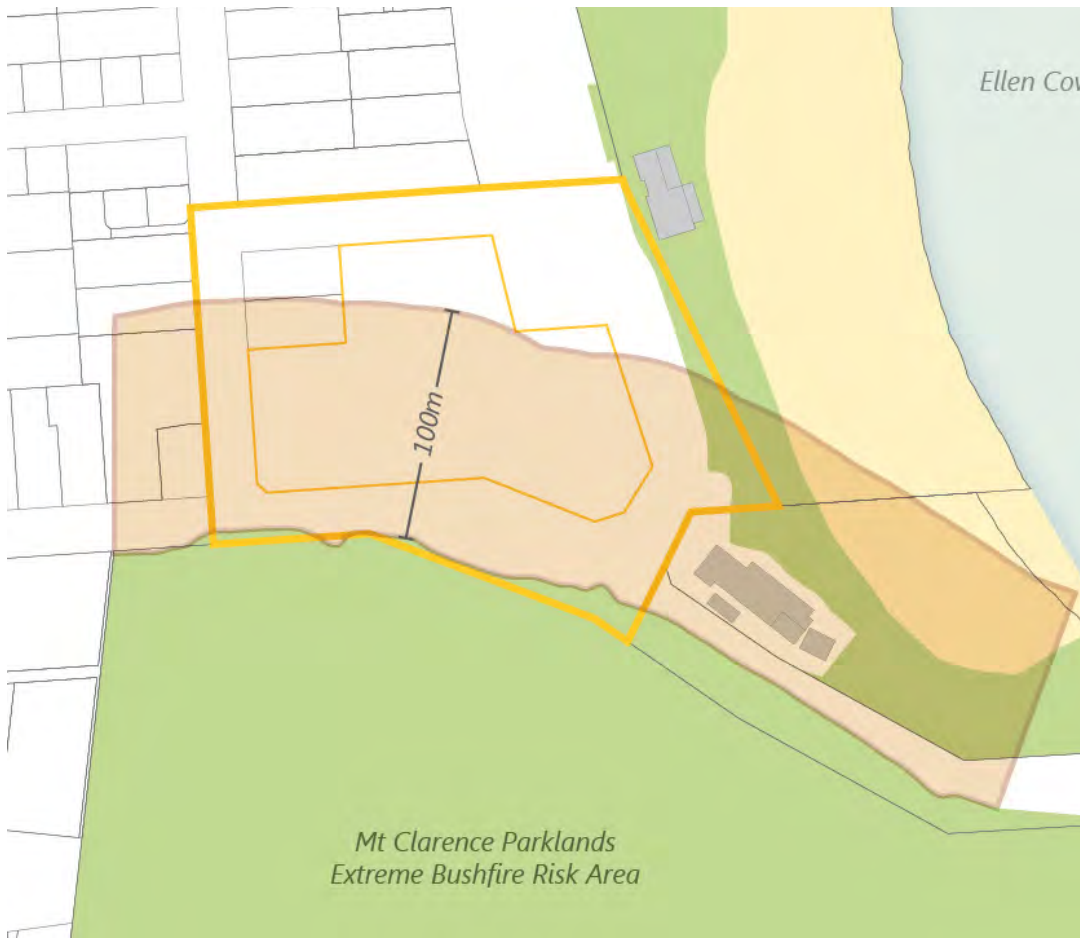


Figure 6: Bushfire Prone Area Buffer

2.5.COAST AND FORESHORES

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

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

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

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

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

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

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

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

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

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



2.6. CONTEXT AND OTHER LAND USE OPPORTUNITIES AND CONSTRAINTS

2.6.1. EXISTING ROAD NETWORK

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



Figure 7: Movement Networks

ADELAIDE CRESCENT

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

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

FLINDERS PARADE

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

BARNETT STREET

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

MARINE TERRACE

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

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

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

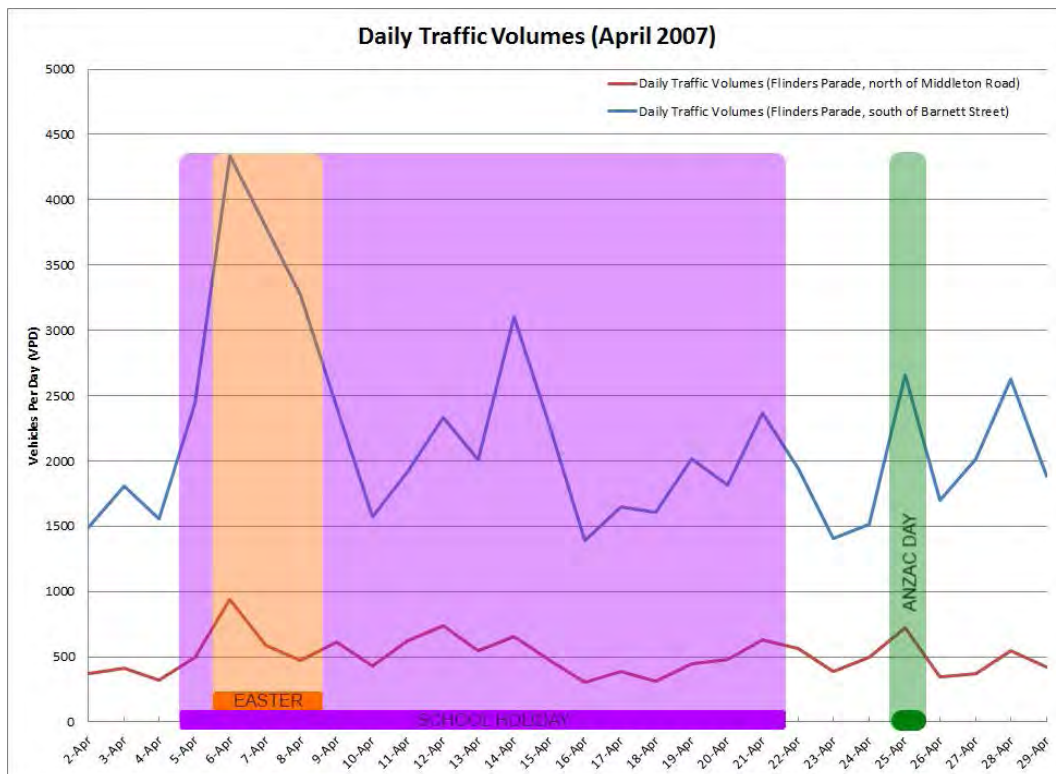


Figure 8: Daily Traffic Volumes on Flinders Parade (April 2007) source: Cardno



2.6.2. EXISTING BUS NETWORK

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

2.6.3. WALKING AND CYCLING

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

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

2.6.4. EXISTING PEDESTRIAN NETWORK

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



Figure 9: Existing Footpath Adjacent to MBAC along Adelaide Crescent



Figure 10: Poor Condition of Pedestrian Infrastructure Adjacent to MBAC



Figure 11: Pedestrian crossing within MBAC locality

2.6.5. PROPOSED CHANGES TO EXTERNAL ROAD NETWORK

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

2.6.6. PROPOSED CHANGES TO PUBLIC TRANSPORT NETWORK

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

2.6.7. PROPOSED CHANGES TO EXTERNAL PEDESTRIAN AND CYCLE NETWORKS

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

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

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

2.6.8. SERVICING AND EASEMENTS

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

UNDERGROUND POWER

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

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

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

COMMUNICATIONS / NATIONAL BROADBAND NETWORK CO.

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












GAS

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

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



Figure 12: Servicing and Easements

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

3 POPULATION AND DWELLINGS

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

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

3.1. DEMOGRAPHIC SUMMARY

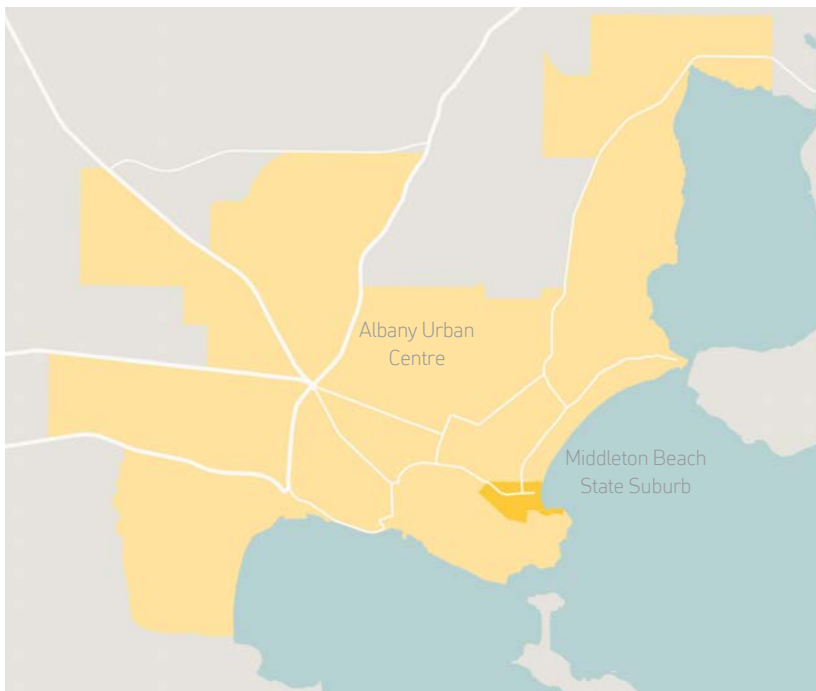


Figure 13: Subject Area. Source: ABS 2012

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

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

source: ABS, 2012



3.1.1. KEY FINDINGS:

Small area, large population

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

Older population

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

Wealthier population

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

Smaller household size

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

3.1.2. AGE CHARACTERISTICS | FAMILY COMPOSITION | LABOUR FORCE STATUS

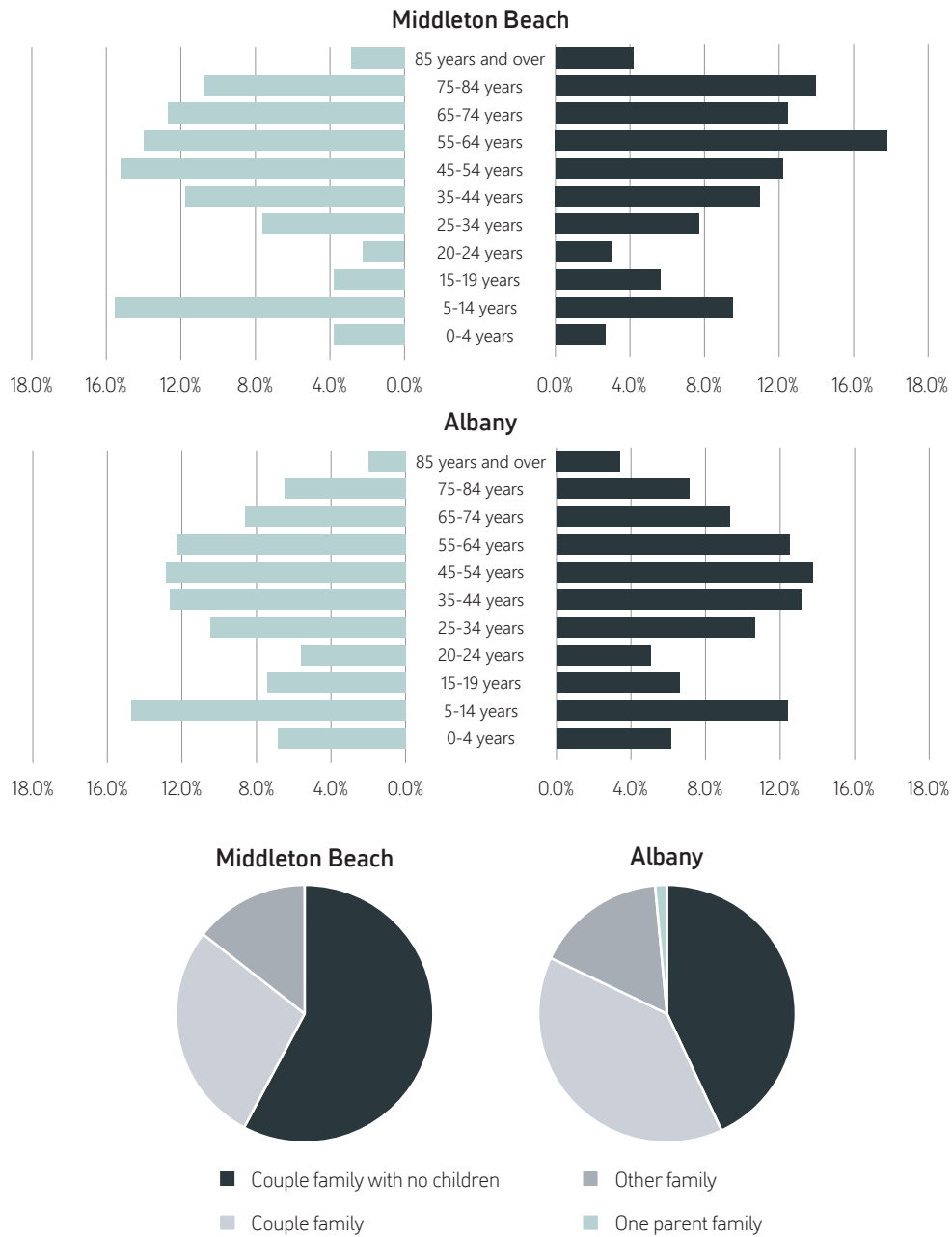


Figure 14: Age and family composition Source: ABS 2012



3.1.3. KEY FINDINGS

Older population

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

Lots of couples and not many children

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

High proportion of retirees

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

3.1.4. DWELLING CHARACTERISTICS

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

*Figures are for occupied private dwellings only, ABS does not provide details on unoccupied private dwellings
 source: ABS, 2012

3.1.6 AMOUNT OF ROOMS

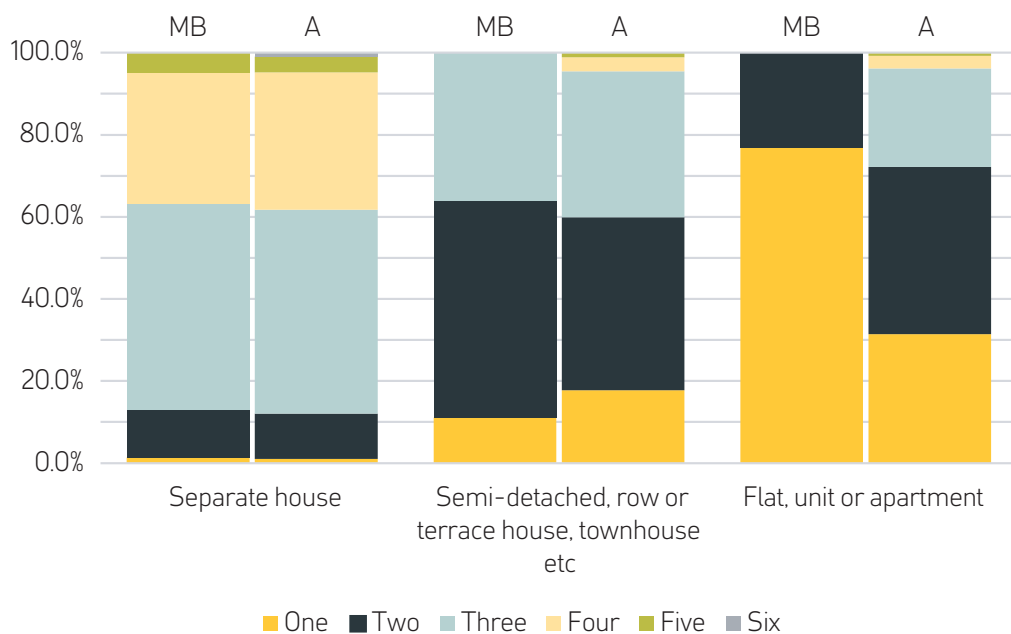


Figure 15: Dwelling Characteristics (Source: ABS 2012)



3.1.5. KEY FINDINGS

High proportion of holiday homes

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

Predominantly detached housing stock

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

Oversupply of bedrooms

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

3.2. ECONOMIC CONTEXT

3.2.1. CURRENT ECONOMIC OVERVIEW

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

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

3.2.2. KEY FINDINGS

Diversification of the economy

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

Strategic motivator

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

Realising the opportunity

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

Cumulative opportunity

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



3.3. TOURISM DEMAND

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

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

3.3.1. TOURISM INDUSTRY DEMAND SUMMARY

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

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

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

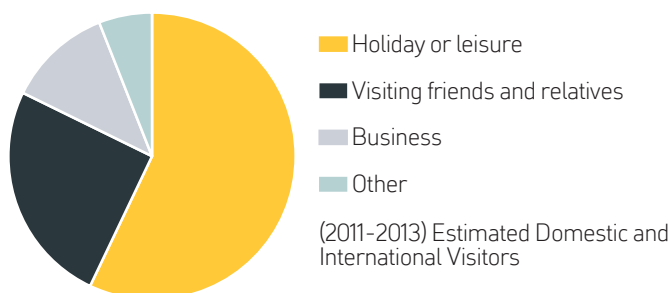


Figure 16: Tourism demand summary

3.3.2. TOURISM ISSUES AND OPPORTUNITIES

ISSUES

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

OPPORTUNITIES

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

4 LAND USE AND SUBDIVISION REQUIREMENTS

4.1. LAND USE

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

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

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

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

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

4.1.1. HOTEL/MIXED USE PRECINCT

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

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

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

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

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

4.1.2. MIXED USE PRECINCT

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

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

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

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

4.1.3. RESIDENTIAL PRECINCT

Medium density residential development is considered suitable for MBAC given the sites proximity and ability to leverage off surrounding amenities. Additionally, forecast change in demographics for the locality highlights a need for smaller housing typologies. The rationale behind the dwelling typologies that underpin the concept, are outlined in more detail in Section 5.0.

4.1.4. EDGE PRECINCT

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

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



4.1.5. ACTIVE FRONTAGES

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

Areas delineated as either ‘Primary Active Frontage’ or ‘Secondary Active Frontages’ are requested to demonstrate measures have been undertaken to incorporate adaptability into the development at ground level and for development to be orientated toward the street.

4.1.6. PRIMARY ACTIVE FRONTAGES

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

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

4.1.7. LAND USES

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

The following uses are specifically listed however the

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

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

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

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

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

(1) Means the use is prohibited where it fronts the street at pedestrian level.

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

Table 4: Land Use Table

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

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

Middleton Beach Activity Centre
STRUCTURE PLAN



0 500

© Hames Sharley

Scale: 1:1000 @ A3



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



Figure 17: Indicative Concept Plan

4.2. DEVELOPMENT CONTROLS

Design guidelines guide the detailed design of proposed development.

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

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

4.2.1. HEIGHT

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

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

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

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

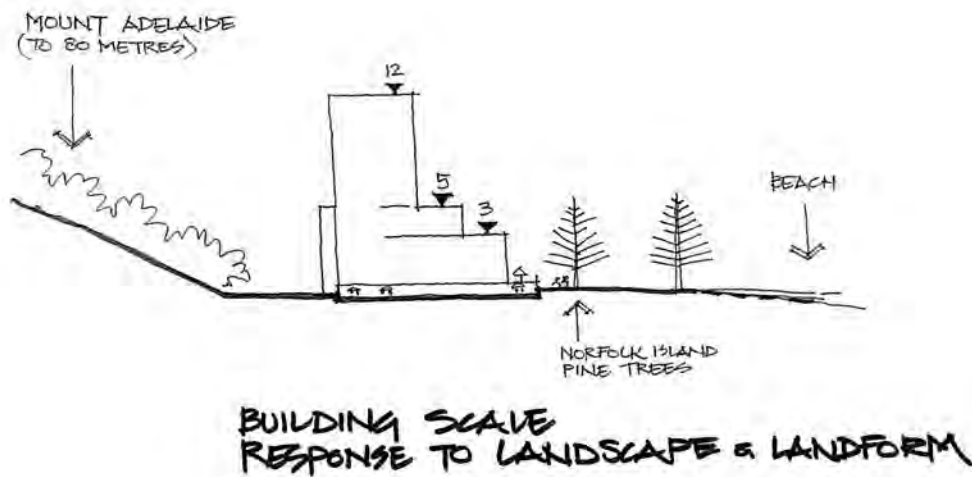


Figure 18: Indicative building height integration

Table 5: Building Heights

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

4.2.2. STREET SETBACKS

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

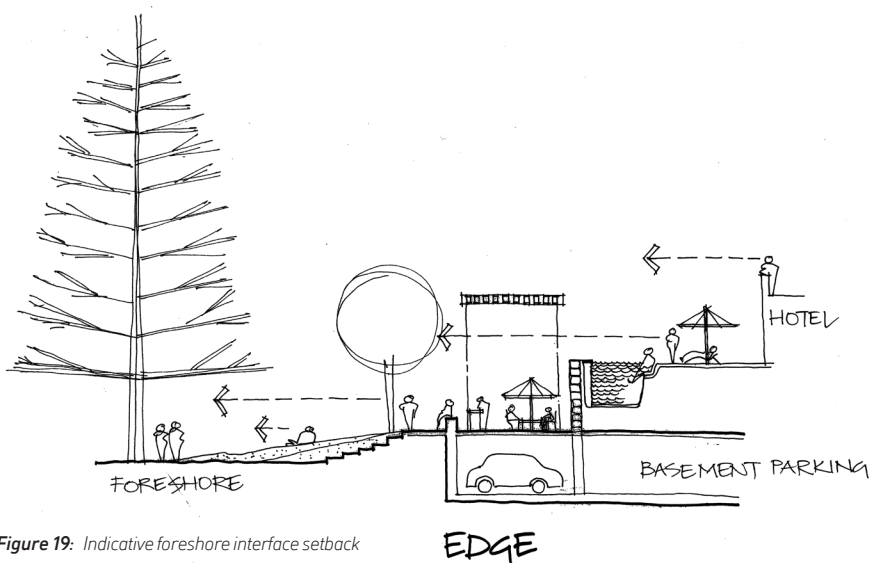


Figure 19: Indicative foreshore interface setback

Table 6: Setbacks

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



4.2.3. ACTIVATION

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

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

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

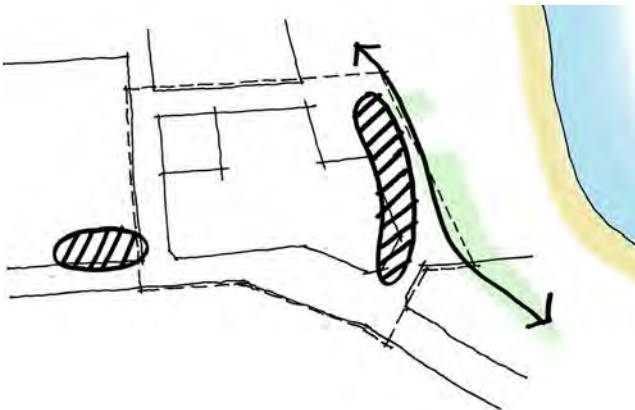


Figure 20: Activation focus with foreshore and existing development

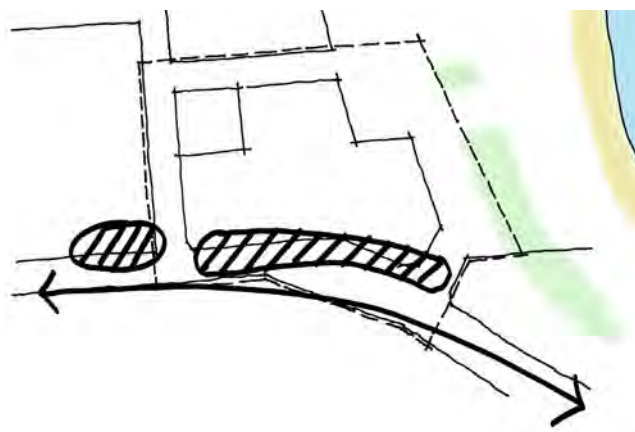


Figure 21: Activation focus with Adelaide Crescent and existing development

4.2.4. PARKING AND ACCESS

PUBLIC PARKING

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

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

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

RESIDENTIAL CAR PARKING

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

COMMERCIAL CAR PARKING

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

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

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

BICYCLE PARKING

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

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

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

VEHICLE PARKING AND ACCESS

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

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



Figure 22: Existing Car Parking Provision



Figure 23: MBAC Car Parking Provision

5 URBAN FORM

5.1. EXISTING FORM

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

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



Figure 24: Middleton Beach foreshore looking towards the beach



Figure 26: Middleton Beach facing north



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



Figure 27: Middleton Beach Surf Life Saving Club



Figure 28: MBAC facing west towards site



Figure 30: Middleton Beach existing housing adjacent to Barnett Street



Figure 29: Northern side of site



Figure 31: Walking and cycling trail along foreshore

5.2. DEVELOPMENT PRINCIPLES

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

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

CONTEXT AND LOCAL CHARACTER

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

BUILT FORM AND SCALE

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

ENVIRONMENTAL SUSTAINABILITY

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

LANDSCAPE AND OPEN SPACE

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

LEGIBILITY

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

CONNECTIVITY

- + Pedestrian, cyclist and public transport prioritised movement network.

- + Small block structure to increase permeability

AMENITY

- + Place identity: community desire for a meeting place, low key, 'fluctuating' foreshore edge.
- + Appropriate, well designed and maintained infrastructure that supports active living – supports recreation, social interaction and active transport options

BUILD QUALITY

- + Enhance the sense of place with architecturally considered buildings, landscape design and landmark development sites.
- + High quality, attractive built form which aids community in developing a sense of place.
- + Built form to frame public places – pleasing pedestrian edge/ human scale.
- + Provide for appropriate design solutions and management practices to address potential conflict and the impacts of different uses.

SAFETY

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

SOCIAL RESPONSIBILITY / SOCIAL INCLUSION

- + Affordable: flexibility to offer innovative dwelling types for aged and less able.
- + Encourage adaptable buildings to accommodate change of use over time.



5.3. INDICATIVE CONCEPT PLAN

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

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

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

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

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

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

5.4. YIELD ANALYSIS

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

Table 7: Indicative dwelling yield

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

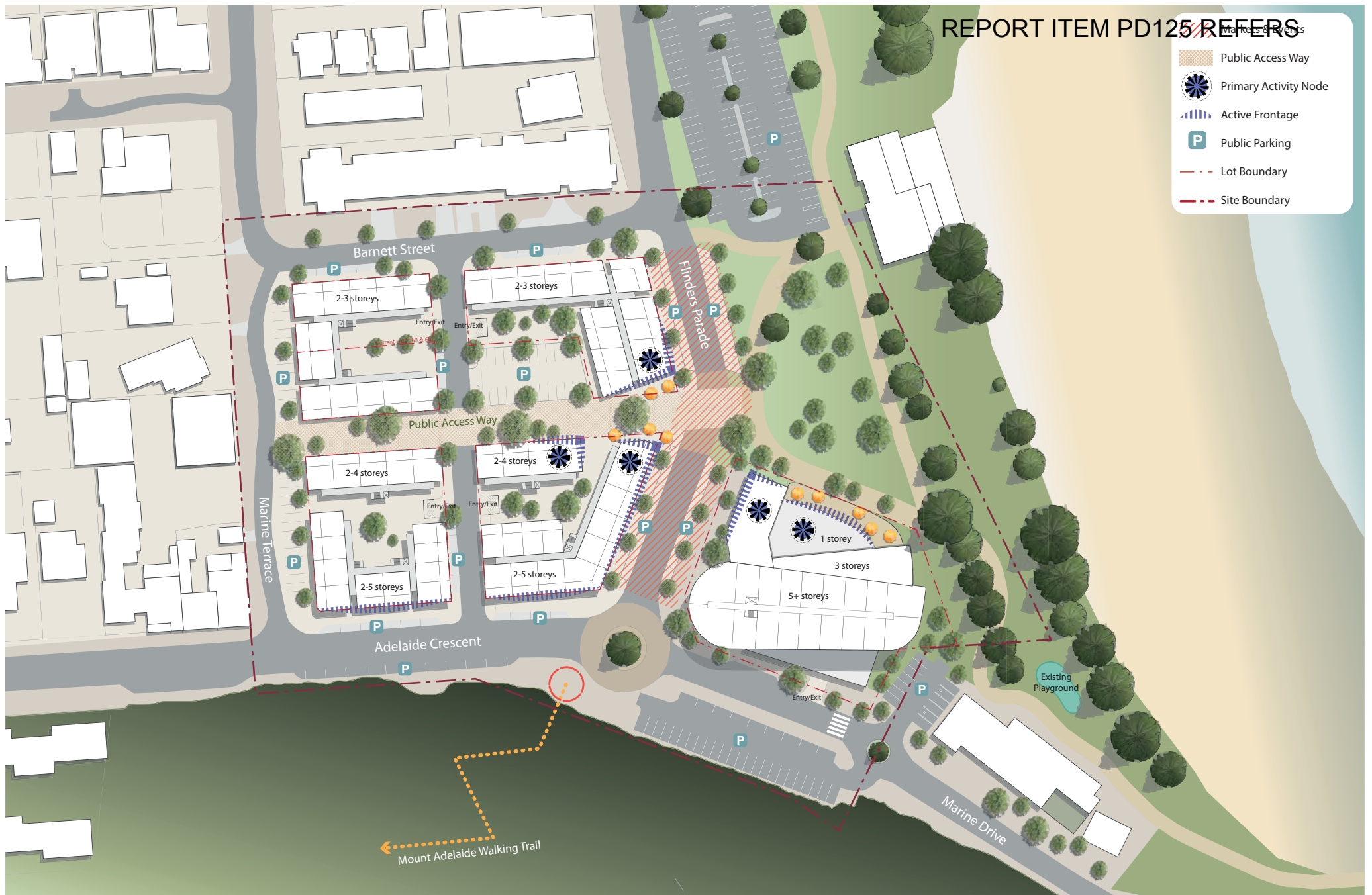
The above yields are based on the following dwelling sizes:

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

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

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

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Concept Plan - Indicative Built Form
MIDDLETON BEACH ACTIVITY CENTRE

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



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



Figure 32: Indicative Concept Plan

5.4. INDICATIVE BUILT FORM: CONTEXTUAL

Figures 33 - 48 depict possible form and scale of development that may occur at MBAC, showing indicative built form within the surrounding context.

The imagery provides a comparison between a 5 storey and 12 storey landmark development located within the Hotel/ Mixed Use Precinct.



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



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



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



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



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



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



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



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

5.5. INDICATIVE BUILT FORM: HUMAN SCALE

Figures 41 - 48 depict possible form and scale of development that may occur at MBAC from the human scale perspective. The imagery provides a comparison between a 5 storey and 12 storey landmark development.



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



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



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



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



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



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



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



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

5.6. OVERSHADOWING

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

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



Figure 49: Shadow cast at 9:00am 21 June - 5 storey option



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



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



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



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



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



6 OPEN SPACE / LANDSCAPE

6.1. LANDSCAPING

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

PRINCIPLES

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

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

OBJECTIVES

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

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AECOM
Figure 55: Landscape Master Plan (Source: AECOM)

MIDDLETON BEACH SK02-D LANDSCAPE MASTER PLAN



7 TRAFFIC

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

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

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



8 WATER MANAGEMENT

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

8.1. DRAINAGE NETWORK SUMMARY

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

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

8.2. MANAGEMENT OBJECTIVES

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

8.2.1. FLOOD CONTROL AND PROTECTION OF PROPERTY:

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

8.2.2. EXISTING NETWORK

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

8.2.3. WATER QUALITY

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

8.2.4. IMPROVED AMENITY

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

8.2.5. EXISTING PIPED OUTLETS

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

Changes to these existing outlets may include:

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

8.3. LOCAL WATER MANAGEMENT STRATEGY

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

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

9 INFRASTRUCTURE COORDINATION, SERVICING AND STAGING

9.1. SERVICING

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

9.2. SEWER RETICULATION

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

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

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

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

9.3. WATER RETICULATION

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

The Water Corporation have advised that:

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

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

- + Any development of this site will require:
 - Upgrade of existing 80CI main in Adelaide Crescent, from existing 100AC in Golf Links Drive.
 - 100 P-12 extension in Flinders Parade and Adelaide Crescent.

9.4. UNDERGROUND POWER SUPPLY

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

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

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

9.5. COMMUNICATIONS / NBN

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

9.6. GAS SUPPLY

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



9.7. STAGING

Development of the MBAC is proposed to occur in the following stages (Figure 56):

STAGE 1

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

STAGE 2

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

STAGE 3

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

Figure 57 provides an indication of a suitable subdivision configuration.

No additional subdivision beyond the 'super lot' layout will be considered until after any approved development is constructed to plate height. Construction to plate height shall occur prior to the submission of any diagram or plan of survey (deposited plan) for subdivision of the parent lot to create individual lot(s) for the development(s).



Figure 56: Staging Plan

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10 DEVELOPER CONTRIBUTIONS

10.1 DEVELOPER CONTRIBUTION ARRANGEMENTS

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



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TECHNICAL APPENDICES

03

TECHNICAL APPENDICES

A Middleton Beach Activity Centre Structure Plan Map



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B Certificates of Title



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



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



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



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F Bushfire Management Plan - Calibre Consulting



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



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H Transport Assessment - Cardno



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| Landscape Master Plan Report - AECOM



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J Storm Water Management Strategy - Wood and
Grieve Engineers



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



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L Preliminary Site and Context Analysis - Hames
Sharley 2015



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Hames
SHARLEY

 ARCHITECTURE
INTERIORS
URBAN DESIGN
PLANNING
LANDSCAPE

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IMPROVEMENT PLAN NO. 40

MIDDLETON BEACH ACTIVITY CENTRE



WESTERN AUSTRALIAN PLANNING COMMISSION

AUGUST 2014

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IMPROVEMENT PLAN NO. 40

MIDDLETON BEACH ACTIVITY CENTRE

Introduction

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

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

Background

5. Lot 8888 on the corner of Flinders Parade and Marine Drive, Middleton Beach ('the former Esplanade Hotel site') has been an iconic seaside location for Albany residents and holiday makers since the construction of the first Esplanade Hotel in the 1890s. The hotel was rebuilt a number of times over the 20th century, most recently in 1991 as a five star boutique hotel with extensive public facilities.
6. The site has been vacant since demolition of the hotel and associated accommodation units in January 2007. Previous development approvals granted by the City of Albany have lapsed.
7. The Albany community has continually expressed concern that the site is not being redeveloped to capitalise on its coastal location.
8. The current State Government has recognised redevelopment of the former Esplanade Hotel site as important to the future growth of Albany and is committed to the delivery of a redeveloped Middleton Beach Activity Centre.
9. To facilitate this redevelopment the State government is negotiating with the current landowners to acquire the former Esplanade Hotel site. The City of Albany supports the State Government's intention to acquire and develop the site.
10. Improvement Plan No. 40 also applies to Lots 660 and 661 Marine Terrace, which are in separate private ownership and not part of the former Esplanade Hotel site, together with the road reserves surrounding Lots 8888, 660 and 661, comprising portions of Adelaide Crescent, Marine Terrace, Barnett Street, Flinders Parade and Marine Drive. Inclusion of the entire street block within Improvement Plan No. 40 will optimise the opportunity for successful redevelopment.

Purpose

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

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

Improvement Scheme

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

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

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

- i. To develop the Middleton Beach Activity Centre in a co-ordinated manner, recognising its significance for local recreation, organised sporting and cultural events and as a tourist destination;
- ii. To achieve high quality built form and public place design across the Scheme Area and public foreshore reserve interfaces that recognise the iconic location and significance of the site to the community;
- iii. To integrate development of public and private land to establish a safe, vibrant mixed use centre with an active beach front and urban edge that includes but is not limited to: local and tourist facilities; restaurants, cafes and

shops; holiday and short stay accommodation; together with a range of permanent residential uses but excludes detached houses;

- iv. To facilitate the provision of an effective, efficient, integrated and safe transport network that prioritises pedestrians, cyclists and public transport users;
- v. To encourage provision of parking that is efficient and promotes the establishment of shared, reciprocal and common use facilities;
- vi. To encourage development to incorporate sustainable technologies and design including best practice with regard to energy efficiency, water sensitive urban design and fire safety requirements; and
- vii. To facilitate opportunities for investment and development.

Improvement Plan No. 40 Area

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

Affected Local Government

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

Certificate

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

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



CHAIRPERSON



SECRETARY



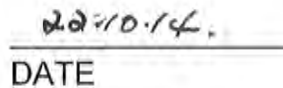
DATE



THIS RECOMMENDATION IS ACCEPTED:



MINISTER FOR PLANNING

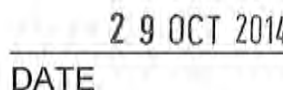


DATE

THIS RECOMMENDATION IS ACCEPTED:



GOVERNOR



DATE

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WESTERN AUSTRALIAN PLANNING COMMISSION
IMPROVEMENT PLAN NO. 40

CERTIFICATE AND RECOMMENDATION

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

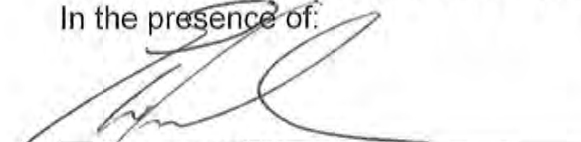
1. Certified that for the purposes of advancing the planning, development and use of all that land within the Middleton Beach Activity Centre area ('the land') should be planned, replanned, designed, redesigned, consolidated, re-subdivided, cleared, developed, reconstructed or rehabilitated and provision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

and

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

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


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



CHAIRPERSON



SECRETARY



DATE



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Middleton Beach Activity Centre Improvement Plan

