

IMPROVEMENT PLAN NO. 40

MIDDLETON BEACH ACTIVITY CENTRE



WESTERN AUSTRALIAN PLANNING COMMISSION

AUGUST 2014

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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.

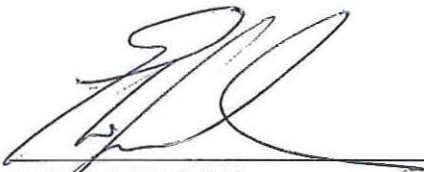
Affected Local Government

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:

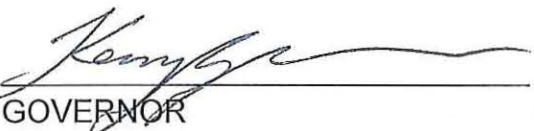


MINISTER FOR PLANNING

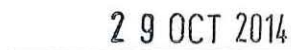


DATE

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;

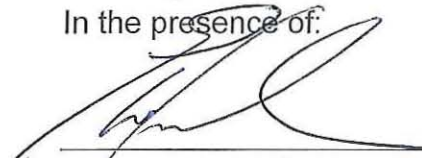
and

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

