

# **IMPROVEMENT PLAN NO. 35**

## **PERTH WATERFRONT**



**WESTERN AUSTRALIAN PLANNING COMMISSION**

**NOVEMBER 2010**

# IMPROVEMENT PLAN NO. 35

## PERTH WATERFRONT

### 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 within the Perth metropolitan region.
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 35 is enacted under section 119 of the *Planning and Development Act 2005* to advance planning for the Perth Waterfront, conferring on the WAPC the authority to undertake the necessary tasks to plan for and progress the project on behalf of the Western Australian State Government. Improvement Plan 35 also authorises the WAPC to undertake actions and enter into agreements under section 121(1)(a) and (c) of the *Planning and Development Act 2005* for the purpose of advancing the development of land within the Improvement Plan area.

### Improvement Plan 35

4. Improvement Plan No 35 incorporates the terrestrial and Swan River aquatic areas within the vicinity of Mounts Bay, Perth, with the subject area depicted on the attached Department of Planning Plan No. 3.2339.

## **Improvement Scheme**

5. The *Planning and Development Act 2005*, once amended by the *Approvals and Related Reforms (No. 4) (Planning) Act 2010*, will enable an Improvement Plan to authorise the making of an Improvement Scheme over the subject land. Where applied, the provisions of an Improvement Scheme will prevail over the Metropolitan Region Scheme and the relevant local planning scheme, and be subject to the same process for preparation as a local planning scheme.
6. Improvement Plan No.35 may be amended at a later date to provide for the enactment of an Improvement Scheme, by resolution of the WAPC and approval of the Minister for Planning, if determined as a preferred statutory mechanism for Perth Waterfront. The objectives of any Improvement Scheme made under this Improvement Plan would be to implement the purposes and objectives of the Perth Waterfront project as set out below.

## **Background**

7. The redevelopment of Perth foreshore has been recognised by successive State Governments as important to the future growth of the city, and has been the subject of numerous planning, design and public consultation initiatives. This has resulted in strong community and business support for the redevelopment and an expectation that it will occur.
8. The current State Government is committed to the delivery of Perth Waterfront, and in August 2009 requested that the WAPC assume lead agency responsibility.
9. The WAPC prepared a revised masterplan for Perth Waterfront which was released by the Premier and Minister for Planning in December 2009. This was followed by a project Business Case submitted for Cabinet consideration in March 2010.
10. In June 2010, Cabinet requested that the WAPC progress the detailed planning, design and statutory approvals necessary for the commencement of project construction in early 2012.
11. In order to meet Government expectations, the WAPC intends to initiate this Improvement Plan as a key element of the strategic framework within which Perth Waterfront will be planned and delivered.

## **Purpose**

12. The purpose of Improvement Plan 35 is to:
  - i. Enable the WAPC to undertake all necessary steps for the Perth Waterfront, as provided for under Part 8 of the *Planning and Development Act 2005*;
  - ii. Establish the strategic planning and development intent for Perth Waterfront;
  - iii. Outline the procedural steps and program for obtaining statutory approvals;
  - iv. Provide guidance to the preparation and consideration of statutory plans, statutory referral documentation and policy instruments; and

- v. Provide for a strategic planning framework endorsed by the WAPC, Minister for Planning and the Governor.

### **Perth Waterfront project objectives**

13. The objective of Improvement Plan No.35 is to facilitate planning and implementation of the Perth Waterfront project, including but not limited to the following initiatives:
  - i. Masterplan preparation;
  - ii. Detailed design work and documentation;
  - iii. Technical site investigations;
  - iv. Procurement of infrastructure and built form works;
  - v. Coordination of statutory approvals; and
  - vi. Amendment of existing statutory frameworks to enable project delivery.
14. These works will be informed by the project principles endorsed by Cabinet to guide future planning and development of Perth Waterfront:
  - City context - The project will be a significant destination within the City, providing strong links with the Swan River, Kings Park, the central business district and the Northbridge cultural area.
  - Place - The project is to be established as a place for all Western Australians to enjoy, it will respect and promote the cultural and landscape qualities of the area, while being a space of intense activity and development
  - Focus area - The focus of the Perth Waterfront project will be between William and Barrack streets, building on the existing city grid and connections back into the city
  - Scale - The scale of the development will focus on the pedestrian experience and be evaluated in terms of its context within a growing, contemporary capital city, and its appropriateness to the location
  - Architectural aspiration - The project is to achieve an outcome of international standing and emerge from a robust design and evaluation process; mediocrity is to be avoided.
  - Timing and staging - The first stage of project development is to be commenced by early 2012.
  - Land uses - The project will be a mixed use precinct containing a broad range of city and waterfront activities and land uses
  - Tourism - The project is to be a highly recognised WA tourist destination and provide a range of local and international tourist opportunities through the creation of gathering spaces and place activation.
  - Access to and through the area - The project will deliver a seamless pedestrian connection of the city to the river, in a clear, inviting and unencumbered manner. Pedestrian journeys both to and from the river must be fostered, drawing the energy and amenity of the river back into the city.

- Private sector involvement - The project will seek early involvement of the private sector to provide a balance of project and financial outcomes
- A landmark public building - The project will include a National Indigenous Cultural Centre at the base of William Street, contributing a globally recognised civic facility to the project.

## **Procedural steps and programming**

15. The WAPC is authorised to progress the detailed planning, design and feasibility assessment of Perth Waterfront. At the same time, the WAPC is putting in place the following procedural steps to ensure implementation timeframes can be met:
  - *Improvement Plan* - Improvement Plan 35 (this Improvement Plan) will act as the strategic planning and development instrument for delivery of Perth Waterfront.
  - *Metropolitan Region Scheme (MRS) amendment* - with the approval of the Minister for Planning and consent of Parliament, the MRS will be amended to consolidate the various existing reserves within the project area into a single Public Purposes Special Use Reserve. This will facilitate project delivery while retaining sole planning authority with the WAPC (via the Central Perth Planning Committee).
  - *Statutory approvals* - In July 2010, Cabinet requested that Government Ministers with statutory responsibility relating to Perth Waterfront ensure that necessary approvals are processed and issued in a timely manner. The WAPC is working closely with key statutory agencies and regulatory authorities to ensure that this occurs.
  - *Improvement Scheme* - Improvement Plan 35 (this Improvement Plan) may be amended at a later date to provide for the creation and enactment of an Improvement Scheme. This would operate in the same way as a local planning scheme or redevelopment scheme, and enable the WAPC to exercise sole authority for detailed planning and development decisions.
16. In July 2010, Cabinet confirmed its expectation that responsibility for project implementation will ultimately transfer to the proposed Metropolitan Redevelopment Authority (MRA). The steps outlined in section 14 above in no way impede the transfer to MRA, but enable the project to be progressed in accordance with Government timeframes if passage of the enabling legislation or establishment of the new authority are delayed.

## **Process for making or amending an Improvement Plan**

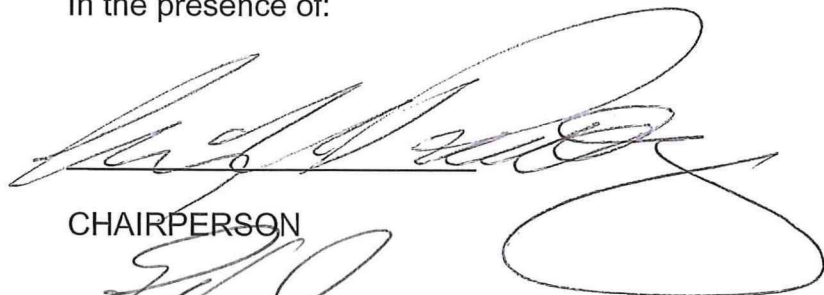
- i) WAPC resolution to establish an Improvement Plan;
- ii) WAPC to certify in writing to the Minister for Planning that the land should be the subject of an Improvement Plan;
- iii) If the Minister accepts the recommendation, the Minister is to forward the recommendation to the Governor for acceptance;

- iv) An Improvement Plan comes into force on the day on which the notice of acceptance of the recommendation by the Governor and a summary of the Improvement Plan, is published in the *Gazette*; and
- v) The WAPC may amend or revoke an Improvement Plan by way of the same processes enacted to make an Improvement Plan.

## 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



MEMBER

8/11/2010

DATE



THIS RECOMMENDATION IS ACCEPTED:

John Day.

MINISTER FOR PLANNING

9.11.2010.

DATE

THIS RECOMMENDATION IS ACCEPTED:

Ken Michael

GOVERNOR

16.11.2010

DATE

**WESTERN AUSTRALIAN PLANNING COMMISSION**  
**IMPROVEMENT PLAN NO 35**  
**CERTIFICATE AND RECOMMENDATION**

PURSUANT TO PART 8 OF THE PLANNING AND DEVELOPMENT ACT 2005 IT IS HEREBY

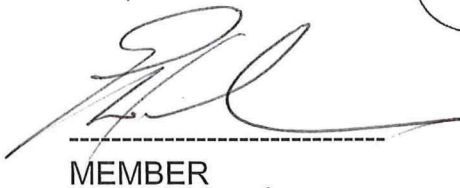
CERTIFIED THAT FOR THE PURPOSE OF ADVANCING THE PLANNING, DEVELOPMENT AND USE OF ALL THAT LAND WITHIN THE PERTH WATERFRONT AREA ('THE LAND') SHOULD BE REPLANNED, REDESIGNED, DEVELOPED AND RESUBDIVIDED AND PROVISION SHOULD BE MADE FOR IT TO BE USED FOR SUCH PURPOSES AS MAY BE APPROPRIATE; AND

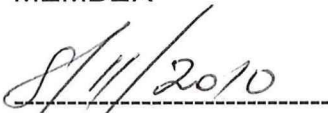
RECOMMENDED TO THE MINISTER FOR PLANNING AND HIS EXCELLENCY THE GOVERNOR THAT THE LAND SHOULD BE SO DEALT WITH AND USED AND MADE THE SUBJECT OF IMPROVEMENT PLAN NO. 35 AS DEPICTED ON DEPARTMENT OF PLANNING PLAN NUMBERED 3.2339 ANNEXED HERETO.

THIS CERTIFICATE AND RECOMMENDATION IS GIVEN IN ACCORDANCE WITH A RESOLUTION OF THE WESTERN AUSTRALIAN PLANNING COMMISSION PASSED ON THE 24th DAY OF AUGUST 2010.

THE COMMON SEAL OF THE WESTERN AUSTRALIAN PLANNING COMMISSION WAS HEREUNTO AFFIXED IN THE PRESENCE OF:

  
CHAIRPERSON

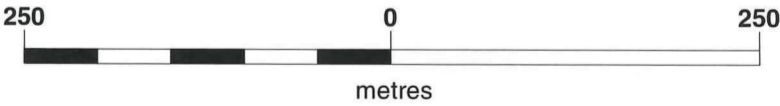
  
MEMBER

  
DATE





Improvement Plan No. 35



Improvement Plan No. 35 - Perth Waterfront



Western  
Australian  
Planning  
Commission

Project manager: L. Aitken  
Draftsperson: T. Lynch  
Examined: \_\_\_\_\_  
Revised: \_\_\_\_\_  
Date: \_\_\_\_\_



SCALE 1:5000

Plan number

3.2339

2610

File number: 819/2/10/8  
Plan reference: \_\_\_\_\_  
Perth 1:2000 sheet 13.24  
Metropolitan Region Scheme 1:25000 sheet 16

