



Your ref:
Our ref: TPS/3077
Enquiries: Local Planning Schemes

Chief Executive Officer
City of Perth
GPO Box C120
PERTH WA 6839

Transmission via electronic mail to: planning@cityofperth.wa.gov.au

Dear Sir/Madam

TOWN PLANNING SCHEME NO. 2 AMENDMENT NO. 51

The Western Australian Planning Commission (Commission) has considered the amendment and submitted its recommendation to the Minister in accordance with section 87(1) of the *Planning and Development Act 2005* (the Act).

The Minister has approved the amendment in accordance with section 87(2)(a) of the Act. In accordance with section 87(3) of the Act, the Commission will cause the approved amendment to be published in the *Government Gazette*.

The Commission has forwarded notice to the Department of Premier and Cabinet (attached) and it is the local governments' responsibility to make arrangements for the payment of any publication costs. The local government is required under section 87(4B) of the Act, and regulation 64 of the *Planning and Development (Local Planning Schemes) Regulations 2015*, to publish the approved amendment, ensure that it is available to the public, and notify each person who made a submission.

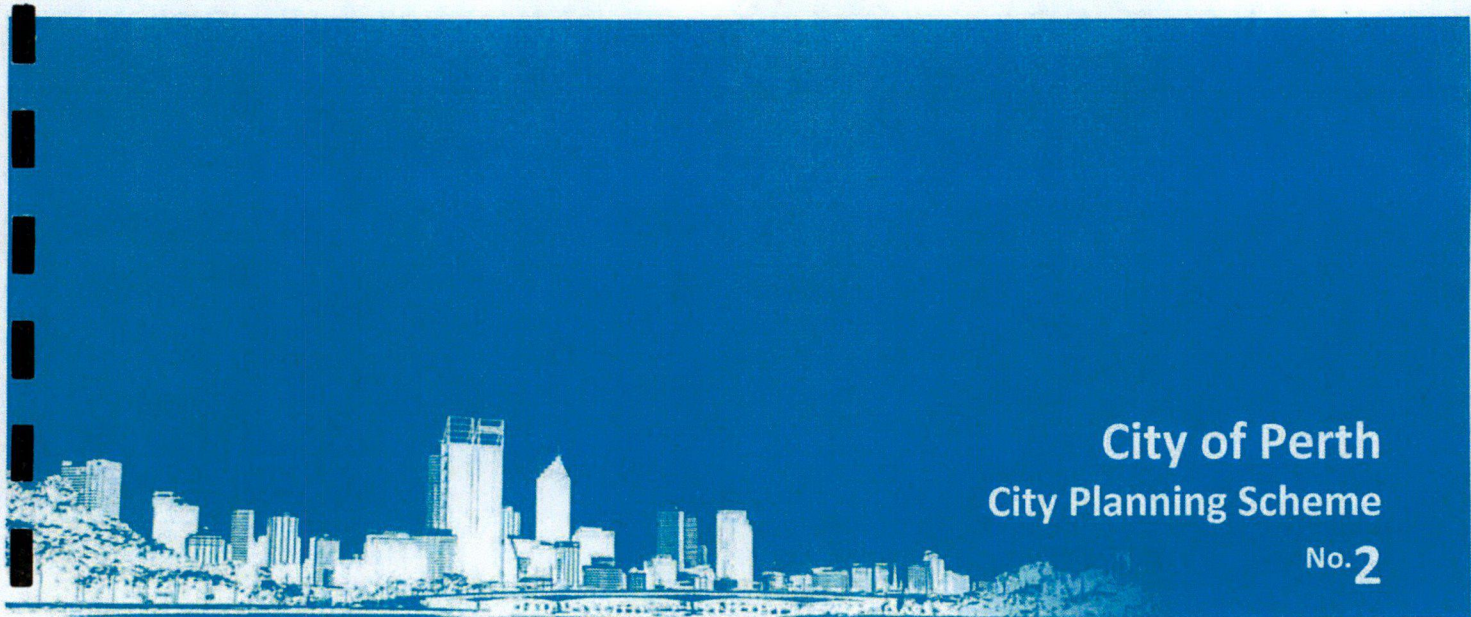
For all payment and purchase order queries, please contact the Department of Premier and Cabinet on (08) 6552 6000. One signed set of the amending documents are returned for your records.

Please direct any queries about this matter to localplanningschemes@dplh.wa.gov.au

Yours sincerely

Ms Sam Boucher
Secretary
Western Australian Planning Commission

21/05/2024



City of Perth
City Planning Scheme
No. 2

Amendment No. 51

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City of Perth

City Planning Scheme No. 2

Amendment No. 51

To add additional use 'Healthcare 2' to the Southern portion of 99 Adelaide Terrace, 10 and 40 Terrace Road, East Perth, located at the corner of Plain Street and Terrace Road.

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Planning and Development Act 2005

**RESOLUTION TO PREPARE AMENDMENT TO
LOCAL PLANNING SCHEME**

City of Perth

CITY PLANNING SCHEME NO.2

AMENDMENT NO.51

Resolved that the Local Government pursuant to section 75 of the *Planning and Development Act 2005*, amend the above Local Planning Scheme by:

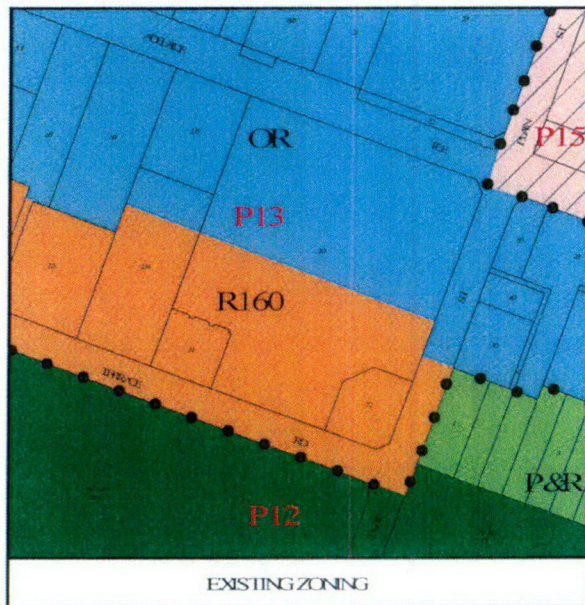
1. Amending Schedule 5 – Additional Use - by inserting:

A4	Southern portion of 99 Adelaide Terrace, 10 and 40 Terrace Road, East Perth, located at the corner of Plain Street and Terrace Road.	Southern portion of Lot 10 on Certificate of Title Volume 1637 Folio 312. Lot 11 on Certificate of Title Volume 1835 Folio 883. Lot 12 on Certificate of Title Volume 1835 Folio 884.	Healthcare 2
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2. Amending the Scheme Map by inserting the annotation 'A4' over the southern portion of 99 Adelaide Terrace, 10 (Lot 11) and 40 (Lot 12) Terrace Road, East Perth.

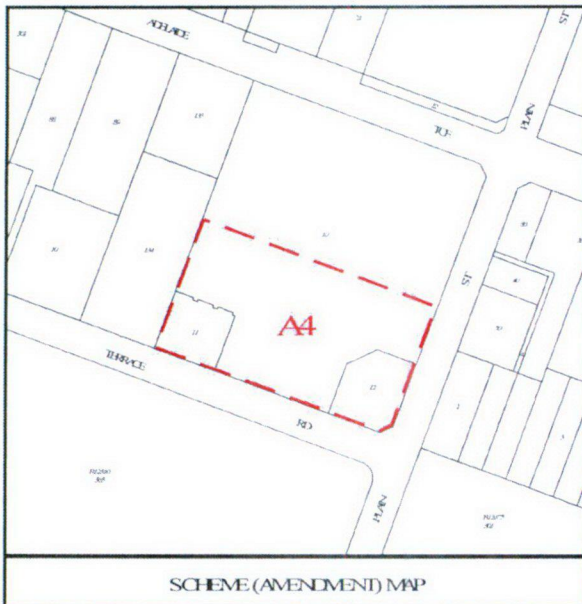
CITY OF PERTH
CITY PLANNING SCHEME No. 2

Planning and Development Act 2005



LEGEND

- • • PRECINCT BOUNDARY
- CITY OF PERTH SCHEME RESERVES
 - P&R PARKS & RECREATION
- CITY OF PERTH SCHEME USE AREAS
 - R160 RESIDENTIAL
 - OR OFFICE / RESIDENTIAL
- OTHER
 - A4 ADDITIONAL USES
 - STAGE TWO NORMALISED REDEVELOPMENT AREAS STILL UNDER DEVELOPMENT CONTROL UNTIL THE NORMALISATION PROCESS IS FINISHED



SCALE 1:3000
DATE 17/05/2013
Amendment No.

The amendment is Standard under the provisions of the *Planning and Development (Local Planning Schemes) Regulations 2015* for the following reason(s):

- The amendment would have minimal impact on land in the scheme area that is not the subject of the amendment.
- The amendment is consistent with the City of Perth Local Planning Strategy that has been endorsed by the Commission.

Dated this 29 day of August 2023


CHIEF EXECUTIVE OFFICER

SCHEME AMENDMENT REPORT

1.0 INTRODUCTION

The purpose of this amendment to City Planning Scheme No. 2 (CPS2) is to introduce an additional use 'Healthcare 2' over the land being the southern portion of 99 (Lot 10) Adelaide Terrace and over 10 (Lot 12) and 40 (Lot 11) Terrace Road, East Perth located at the corner of Plain Street and Terrace Road (subject site).

The additional use will allow the Healthcare 2 use group category to be considered on the site. The Healthcare 2 use group provides for premises, other than those included in the Healthcare 1 use group category, used for general healthcare and associated facilities, including: hospital, medical centre, nursing home.

The amendment is proposed based on an identification of a demand for hospital and specialist medical facilities within the existing squash courts and commercial floor area (existing and approved) of Level 4 of the podium buildings. The landowner is in discussions with a specialist medical group to establish the use if approved.

The area proposed for the hospital and medical centre straddles the Scheme Use Area boundary between the Office/Residential Use Area and the Residential Use Area. Healthcare 2 is a 'C' Contemplated land use in the Office/Residential Use Area, however, is a 'X' prohibited land use (other than nursing home) in the Residential Use Area.

2.0 LOCATION AND OWNERSHIP

The subject site consists of three lots being 99 (Lot 10) Adelaide Terrace and 10 (Lot 12) and 40 (Lot 11) Terrace Road, East Perth. All three lots are owned by Grand Hotel Management Pty Ltd.

3.0 SUBJECT SITE

The subject site has frontages to three public roads, being Adelaide Terrace to the north, Plain Street to the east and Terrace Road to the south. The site has a total land area of 25,826m².

A two-level car park is accessed from Terrace Road and Adelaide Terrace with the upper level car park being at ground level and a basement carpark located below. The car park accommodates tenant and public car parking.

The northern portion of Lot 10 accommodates the Hyatt Hotel and includes associated functions rooms, amenities, restaurants and bars. To the west of the hotel is an office building fronting Adelaide Terrace.

To the east and south of the hotel are retail and office podium buildings. The podium buildings are located above the car parking, being one level above the Plain Street and Terrace Road footpath level. The podium level contains restaurants, shops, and offices. The levels above contain offices.

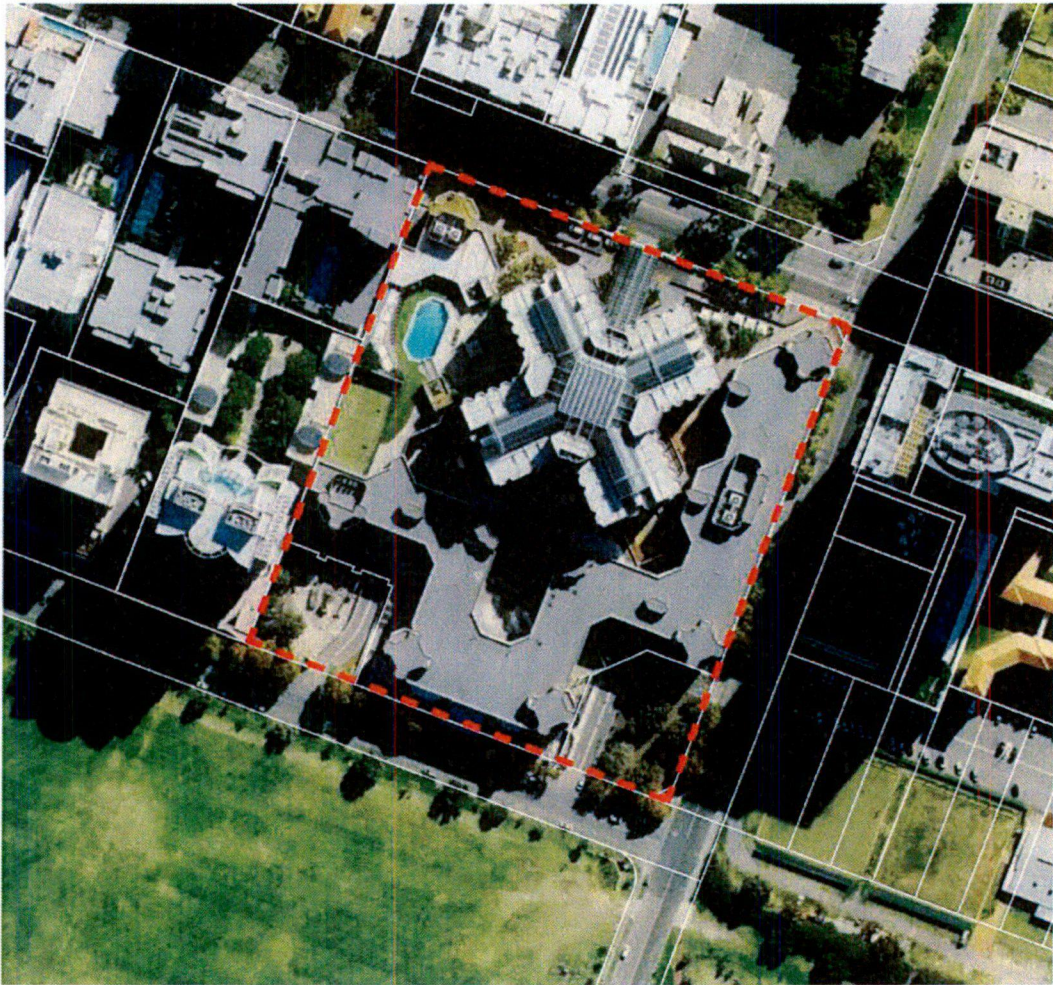


Figure 1: Aerial of the subject site

4.0 BACKGROUND

The original improvements on the subject site, being the Hyatt hotel and podium buildings, were approved in 1981.

The City of Perth LDAP approved the redevelopment of the podium buildings on the subject site at its meeting held on 15 August 2017. There have been several Form 2 Applications to amend the design since the original application, however, these have not changed the intent of the approval.

The landowner is currently undertaking staged works associated with the approved plans which includes a child care centre, gymnasium, supermarket, retail, restaurants and offices on the southern portion of the site.

The southern portion of the site, while included within the Residential Use Class Area, has always been used for commercial purposes including offices, retail, and restaurants.

5.0 HOSPITAL AND MEDICAL CENTRE

The proposed hospital and specialist medical centre include services by a group of Specialists and includes: Aesthetic/Cosmetic & Reconstructive Plastic Surgery; Ophthalmology, Oral and Maxillofacial Surgery; Neurosurgical/ Anaesthetic and related medical procedures.

The use includes the adaptive reuse of the squash courts for 4-5 operating theatres. Associated with the use will be 8-10 recovery bays and a further 8-10 second stage recovery bays, a 2-4 bed high dependency area, 20-30 day beds, a multi-use discharge lounge, 20 overnight hospital beds and 5 or more "Medi Hotel" beds for step down nursing care and family members.

Associated with the hospital and specialist medical centre will be Radiology; Specialist Surgical Consulting Rooms; Pharmacy; Pathology; Occupational Therapy/ Physiotherapy/ Occupational Medicine and Rehabilitation.

The area proposed for the medical facilities is on level four and includes the squash courts and the area approved for retail, restaurant and office land uses

Detailed site location will be determined through the development approval process.

6.0 STATE PLANNING CONTEXT

6.1 Metropolitan Region Scheme

The subject site is zoned 'Central City Area' under the Metropolitan Region scheme (MRS). The site is not affected by any reservations under the MRS.

7.0 LOCAL PLANNING CONTEXT

7.1 Local Planning Strategy

The Local Planning Strategy (the Strategy) provides a range of planning directions and actions at a city wide and neighbourhood level that seek to:

1. Create a liveable city of neighbourhoods where people love to live, work and play.
2. Build a sustainable city that can meet growing economic, social, and environmental challenges.
3. Strengthen Perth city as a prosperous globally competitive economic, social, cultural, and civic centre.

The additional use 'Healthcare 2' meets the vision of the Strategy providing important specialist medical facilities within the City of Perth both for its residents and the broader community, which has a direct community benefit.

The proposed additional use supports business and employment diversity, helping to grow the city's medical sector through the provision of facilities that will attract metropolitan, intrastate, interstate, and international opportunities in specialised medical fields.

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general commercial activities of a kind that will contribute to residential amenity. A variety of uses which will serve the local workforce and resident and visitor population will be encouraged to locate in the Hay Street portion of the Precinct, while general business activities will concentrate on Adelaide Terrace.

The Residential Area is to be characterised by:

The Terrace Road residential area will remain an area for high density residential uses. Any new development will be in accordance with the Terrace Road Design Policy, the area for which is shown on the Precinct Plan Map. A wide variety of uses are to be accommodated including visitor accommodation, such as hotels, serviced apartments and hostels as well as multiple dwellings.

7.3 Town Planning Scheme No. 14 - Withernsea

The site is subject to Town Planning Scheme No. 14 – Withernsea (TPS14). The general objects of the Scheme are to enable the comprehensive redevelopment of land in the scheme area to be affected and to control the development of land in the Scheme Area.

TPS14 specifically relates to plot ratio and therefore this amendment to add an additional use does not impact TPS14 or require TPS14 to be amended.

7.4 Terrace Road Design Policy

The Terrace Road Design Policy provides matters to be considered within the Residential Scheme use Area along Terrace Road. In relation to Land Use the policy objectives states:

To actively encourage a wide variety of high-density residential development supported by a range of complimentary commercial uses along the Terrace Road frontage.

As identified above, the existing and approved site works are entirely commercial, and the proposed additional use seeks to use existing and approved commercial floor areas.

8.0 THE PROPOSAL

The proposed amendment provides an additional use 'Healthcare 2' to the southern portion of the site being the Residential Scheme Use Area as provided in the following table.

A4	Southern portion of 99 Adelaide Terrace, 10 and 40 Terrace Road, East Perth located at the corner of Plain Street and Terrace Road.	Southern portion of Lot 10 on Certificate of Title Volume 1637 Folio 312. Lot 11 on Certificate of Title Volume 1835 Folio 883. Lot 12 on Certificate of Title Volume 1835 Folio 884.	Healthcare 2
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The 'Healthcare 2' use group provides for premises, other than those included in the Healthcare 1 use group category, used for general healthcare and associated facilities, including: hospital, medical centre, nursing home.

9.0 PLANNING RATIONALE

As identified in the Background, the original improvements on the subject site, being the Hyatt hotel and podium buildings, were approved in 1981. Approval has been granted for the redevelopment of the podium buildings on the subject site. These works are currently being completed on a staged basis. The area proposed for the hospital and specialist medical centre is approved as retail, pre function and dining land uses. These are all commercial uses.

While the southern portion of the site is located within the Residential Scheme Use Area, the uses approved on site have all been commercial including offices, retail, and restaurants. The proposed amendment relates to a land use, which is to be located within the existing and approved building, and therefore there is no built form outcome proposed by the amendment.

The site includes 2 levels of existing car parking (public and tenant car parking) and therefore car parking is located on site for the proposed uses.

The proposed use seeks to adapt the existing squash courts for the 4-5 operating theatres. The existing and approved retail, office and dining land uses will be used for the other parts of the hospital and specialist medical centre.

The additional use does not have any environmental or amenity impacts given the use within the existing building, that the current uses are all commercial in nature, that car parking already exists on site and the proposed use has a relatively low level of impact.

The additional use meets the vision of the Strategy in that 'Healthcare 2' provides important specialist medical facilities within the City of Perth. The variety of local land use will contribute in creating a liveable city that supports economic development by attracting intrastate, interstate, and international consumers and professionals, in specialised medical fields.

10.0 SCHEME AMENDMENT CLASSIFICATION

The *Planning and Development (Local Planning Schemes) Regulations 2015* include three categories for amending Local Planning Schemes which are; Basic, Standard and Complex. It is considered that the proposed amendment would be a Standard amendment because:

- The amendment would have minimal impact on land in the scheme area that is not the subject of the amendment.
- The amendment is consistent with the City of Perth Local Planning Strategy that has been endorsed by the Commission.

11.0 CONCLUSION

The proposed amendment seeks to add an additional use 'Healthcare 2' to the southern portion of the site to enable a hospital and speciality medical facility to be approved on the site. The specialist medical facilities will be located within the existing approved commercial areas of the podium buildings.

The medical facilities will build upon the unique nature of the site which includes a hotel, child care centre, gymnasium, supermarket, shops and restaurants, resulting in a proposed use that has no amenity impacts to the surrounding locality.

The proposed specialist medical facilities will provide services to the local community, whilst also providing economic benefits through metropolitan, intrastate, interstate, and international opportunities in specialised medical fields.

Planning and Development Act 2005

**RESOLUTION TO PREPARE AMENDMENT TO
LOCAL PLANNING SCHEME**

City of Perth

CITY PLANNING SCHEME NO.2

AMENDMENT NO.51

Resolved that the Local Government pursuant to section 75 of the *Planning and Development Act 2005*, amend the above Local Planning Scheme by:

1. Amending Schedule 5 – Additional Use - by inserting:

A4	Southern portion of 99 Adelaide Terrace, 10 and 40 Terrace Road, East Perth, located at the corner of Plain Street and Terrace Road.	Southern portion of Lot 10 on Certificate of Title Volume 1637 Folio 312. Lot 11 on Certificate of Title Volume 1835 Folio 883. Lot 12 on Certificate of Title Volume 1835 Folio 884.	Healthcare 2
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2. Amending the Scheme Map by inserting the annotation 'A4' over the Southern portion of 99 Adelaide Terrace, 10 (Lot 11) and 40 (Lot 12) Terrace Road, East Perth.

COUNCIL ADOPTION

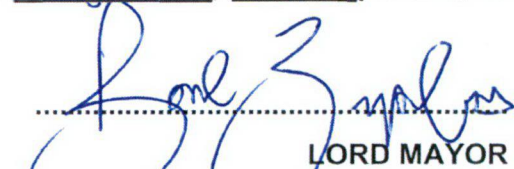
This Standard Amendment was adopted by resolution of the Council of the City of Perth at the Ordinary Meeting of the Council held on the 29th day of August, 2023.


LORD MAYOR


CHIEF EXECUTIVE OFFICER

COUNCIL RESOLUTION TO ADVERTISE

by resolution of the Council of the City of Perth at the Ordinary Meeting of the Council held on the 29th day of August, 2023, proceed to advertise this Amendment.

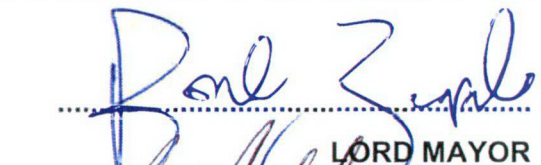

LORD MAYOR


CHIEF EXECUTIVE OFFICER

COUNCIL RECOMMENDATION

This Amendment is recommended for support by resolution of the City of Perth at the Ordinary Meeting of the Council held on the 27th day of February, 2024 and the Common Seal of the City of Perth was hereunto affixed by the authority of a resolution of the Council in the presence of:




LORD MAYOR


CHIEF EXECUTIVE OFFICER

WAPC ENDORSEMENT (r.63)

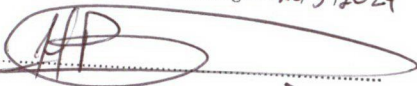
unsealed

DELEGATED UNDER S.16 OF
THE P&D ACT 2005

DATE 13/05/2024

APPROVAL GRANTED

It is hereby certified that this is a true copy of the
~~Scheme~~ Amendment, final approval to which was
endorsed by the Minister for Planning on 20/5/2024

Certified by 

Officer of the Commission Duty authorised pursuant
to Section 24 of the Planning and Development Act
2005 and Regulation 32(3) Scheme and Regulation
63(3) (Amendment) of the Planning and Development
(Local Planning Scheme) Regulations 2015.

MINISTER FOR PLANNING

DATE.....

A white silhouette of the Perth city skyline, including various skyscrapers and buildings, set against a solid blue background.

City of Perth
City Planning Scheme
No. 2

Precinct Plans

Precinct Plan No.13

Adelaide

NOTE: Proposed Amendments are Shown in Red – page 5



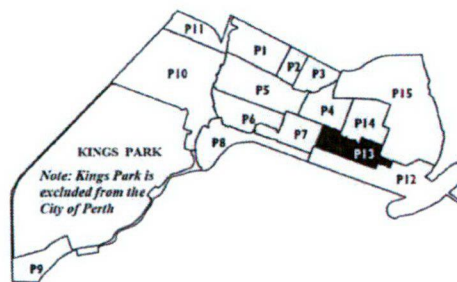
Precinct Plans

Precinct Plan No. 13 - Adelaide

Version #	Decision Reference	Synopsis
1	26 June 2001	Gazetted
2	26 February 2013	Amended
3	18 July 2014	Amended
4	17 March 2015	Amended
5	13 December 2016	Amended
6	11 April 2017	Amended
7	To be inserted	Amended

STATEMENT OF INTENT

The Adelaide Precinct will be developed as a residential quarter accommodating a wide range of residential and visitor accommodation and employment opportunities serviced by activities which support these uses. The Precinct will also accommodate offices, functioning as a secondary, less intensive, general office district and contain a mixture of general commercial activities of a kind that will contribute to residential amenity. A variety of uses which will serve the local workforce and resident and visitor population will be encouraged to locate in the Hay Street portion of the Precinct, while general business activities will concentrate on Adelaide Terrace.



The Precinct will develop at an intensity markedly lower than the city centre. It will generally be characterised by medium scale buildings. Consistent with the Goderich and Terrace Road Design Policies, buildings will have a nil street setback and be of a low scale along the street frontage to provide a consistent and continuous urban edge. Additional building height will be set back from all lot boundaries. Buildings should be designed to a high standard and evoke a sense of prestige. This will be further enhanced by grand scale boulevard planting along Adelaide Terrace and Plain Street. Buildings, places and other objects having historical, architectural or other significance are to be preserved and maintained. Views to the Swan River from the streets in this and adjoining Precincts will be provided and preserved.

The Adelaide Terrace environment will be augmented to contribute to the landscaped Swan River foreshore and the Causeway gateway to the city. A continuous, safe, attractive and clearly identified network of pedestrian paths, spaces and facilities will be provided throughout the Precinct and linked to the city centre and the foreshore. The Precinct will continue to be well served by public transport and the major city roads. Entrances to new car parks are to be minimised, shared and grade-separated access points are to be encouraged. The local government will endeavour to regulate traffic flow in accordance with the functional road hierarchy plan for the Scheme area and require that new development and redevelopment take into consideration pedestrian access and safety, and make provision for cyclists.

Uses

The Use Group Table (refer to Schedule 3 of the Scheme text) lists the preferred, contemplated and prohibited uses within the Precinct. Any development proposal will only be approved where it complies with the Precinct Plan and the relevant planning policies.

Additional considerations for determining an appropriate use, as well as development standards for Scheme use areas, are listed below.





OFFICE/RESIDENTIAL AREA

Business activities on Adelaide Terrace should be mixed with high density residential and visitor accommodation. Adelaide Terrace is also a prime location for other tourist, leisure and recreation oriented activities, as well as regional service functions.

Provision is to be made for sheltered recreation and relaxation areas in suitable locations. Buildings on the south side of Adelaide Terrace will be designed to minimise impact on the adjoining residential uses on Terrace Road, particularly in relation to overshadowing, privacy and wind deflection. The protection and enhancement of the amenity and general environmental standards of existing and future residential development in and around the Precinct is important. Ensuring the compatibility of office activities and residential uses is therefore necessary and building design will aim to avoid conflict between the two uses. Car parks will not visually detract from the public environment and preferably will not be visible from streets and public spaces. As such, below ground or undercroft parking is preferred.

The sensitive illumination of buildings, signs and gardens, particularly in the vicinity of the Causeway, is considered appropriate.



Uses

Appropriate uses for the Office/Residential Scheme Use Area are listed in the Use Group Table. The following additional requirement applies:

Where it is considered that a particular use could have a detrimental impact on the amenity of the surrounding area (mainly adjacent residential uses) it will be subject to the advertising procedure set down in clause 64 of the Deemed Provisions.

Note: 1. Processes for advertising are contained in clause 64 of the Deemed Provisions and the City Planning Scheme Policy Manual under the section Public Notification/Advertising Procedures.

Development Standards

Development shall be in accordance with the general planning policies contained in the City Planning Scheme Policy Manual concerning:

- Development and Design
- Residential Development
- Parking and Access

In addition to these the following standards apply:

- (1) Development within the Goderich Policy Area as shown on the Precinct Plan map will comply with the Goderich Design Policy.

- (2) Mixed Development: Conflict between non-residential and residential uses will be minimised.

RESIDENTIAL AREA

The Terrace Road residential area will remain an area for high density residential uses. Any new development will be in accordance with the Terrace Road Design Policy, the area for which is shown on the Precinct Plan Map. A wide variety of uses are to be accommodated including visitor accommodation, such as hotels, serviced apartments and hostels as well as multiple dwellings. The outlook of this land over the foreshore and the river, as well as its proximity to Langley Park and the city centre, will be highlighted in its promotion as a residential locality. Non-residential uses such as kiosks, coffee shops, restaurants and local shops are appropriate provided they are small scale, serve the residents and visitors and are part of a residential or special residential development.



The area will have a high level of amenity and be characterised by:

- a constant urban edge which strengthens the legibility of the public domain;
- an active edge to Terrace Road;
- an articulated building form; and
- an interactive relationship between ground floor uses and the street.

Residential development standards will generally be applied to both private and tourist accommodation. Development will minimise wind and overshadowing effects on Langley Park and the impact on commercial and residential development to the north.

The streetscape will be further enhanced through improvements to paving and street furniture and planting of an appropriate scale. Pedestrian and cyclist facilities will be improved in this area. Better pedestrian access across Terrace Road, Hill Street and Bennett Street will be provided and adapted to incorporate attractive pedestrian paths linking the Precinct with areas to the north and Langley Park and to facilitate pedestrian connections to the foreshore. Pedestrians should have ease of access throughout the area. Design of residential development will take this into consideration.



Uses

Appropriate uses for the Residential Scheme Use Area are listed in the Use Group Table. The following additional requirement applies:

Specialised forms of accommodation, **as well as the Healthcare 2 use group** and consulting rooms, will be subject to the advertising procedure as set down in clause 64 of the Deemed Provisions.

Development Standards

Development shall generally be in accordance with the planning strategies and policies contained in the City Planning Scheme Policy Manual concerning:

- Development and Design
- Residential Development
- Parking and Access

In addition, the following standards apply:

- (1) Residential Density and Development: Residential development shall generally be in accordance with the Residential Design Codes R160 standards in relation to dwelling density. Variation of the Residential Design Codes, to accommodate heritage requirements or specific site and location circumstances, may be given favourable consideration.
- (2) Development and Design: Development must be in accordance with the Terrace Road Design Policy. The Policy Area is shown on the Precinct Plan map.
- (3) **Mixed Development: Conflict between non-residential and residential uses will be minimised.**

MINOR TOWN PLANNING SCHEME NO. 14

Town Planning Scheme No. 14 was initiated for the purpose of controlling development and enabling comprehensive redevelopment of the land delineated on the Precinct Plan Map. The primary controlling factor is to enable the Scheme area to be treated as one site for the purposes of plot ratio; the maximum plot ratio being 4.0:1.

All town planning schemes are subject to review under town planning legislation and as the local government reassesses development control policies. If further development of land within the Scheme area is contemplated then the local government should be contacted with regard to the current details of the Scheme.

FUNCTIONAL ROAD HIERARCHY

The local government has adopted a functional road hierarchy for all roads in the Municipality. This hierarchy classifies roads on the basis of their purpose and the destination of the traffic they carry. This will provide a framework for local area traffic management and assist in the assessment of development proposals for adjoining land. A map illustrating the functional road hierarchy is available from the local government.

Traffic impact assessment will be an important consideration for development of properties taking vehicular access from all city streets and laneways.