

Deputy Lord Mayor Clyde Bevan disclosed an Impartiality Interest in Item 11.3 as detailed in Item 5.

Councillor Brent Fleeton disclosed an Impartiality Interest in Item 11.3 as detailed in Item 5.

11.3 Final Adoption of Amendment No. 51 to City Planning Scheme No. 2 (Additional Use)

Responsible Officer	Dale Page – General Manager Planning and Economic Development
Voting Requirements	Simple Majority
Attachments	Attachment 11.3A – Scheme Amendment No. 51 Report Attachment 11.3B – Proposed Modifications to Precinct Plan Policy - P13 Adelaide Attachment 11.3C – Schedule of Submissions and Administration Response

Purpose

- For Council to consider the submissions received on Amendment No. 51 to City Planning Scheme No. 2 (CPS2) and resolve whether to support the amendment for submission to the Western Australian Planning Commission (WAPC) for a final decision by the Minister for Planning.
- For Council to consider whether to adopt the amendments to Precinct Plan Policy - P13 Adelaide.

Recommendation

That Council:

- SUPPORTS Amendment No. 51 to City Planning Scheme No. 2, without modification, as per Attachment A, pursuant to Regulations 50(3) and 50(4) of the *Planning and Development (Local Planning Schemes) Regulations 2015*.
- NOTES the submissions (including late submissions) received during the formal consultation period for Amendment No. 51 to City Planning Scheme No. 2.
- ADOPTS the amended Precinct Plan Policy No. 13 – P13 Adelaide as per Attachment B, in accordance with the Deemed Provisions Clause 4 and Clause 5 of the *Planning and Development (Local Planning Schemes) Regulations 2015*, and subject to the gazettal of Amendment No. 51.

Background

1. At its Ordinary Meeting held on 29 August 2023, Council resolved to prepare Amendment No. 51 to CPS2 and advertise the proposed modification to Precinct Plan Policy – P13 Adelaide.
2. The Environmental Protection Authority did not require environmental assessment of the amendment and the Department of Planning, Lands and Heritage approved the amendment for advertising.
3. The purpose of the amendment is to include 'Healthcare 2' land use category as an additional use over the southern half of 99 (Lot 10) Adelaide Terrace, 10 and 40 (Lots 11 and 12) Terrace Road, East Perth (subject site).
4. In 2017, the site received planning approval for a mixed-use redevelopment. This approval comprised a supermarket, retail and restaurant tenancies, a community theatre, gallery, performance venues, childcare centre, health and wellness centre, and a medical centre.

Discussion

5. The subject site is across two scheme use areas under CPS2. The northern half of the site is located within the Office/Residential scheme use area and the southern half of the site is located within the Residential scheme use area. 'Healthcare 2' is classified as a 'Contemplated' land use in the Office/Residential scheme use area and a 'Prohibited' land use in the Residential scheme use area under CPS2.
6. Amendment No. 51 is to amend Schedule 5 of CPS2 to allow for the 'Healthcare 2' land use category to be considered on the southern half of the site through a development application.
7. Clause 19 of CPS2 provides the criteria for when an amendment to Schedule 5 can be considered. Amendment No. 51 satisfies the criteria, as presented to Council at the Ordinary Council Meeting held on 29 August 2023.
8. As a result of advertising, 24 objections were received. The submissions were from landowners and occupiers in two different residential apartment buildings at 128 Adelaide Terrace and 42-52 Terrace Road, East Perth. The primary concern raised was the perceived loss in residential amenity due to incompatibility of the land use with the residential area, an increase in traffic and on-street parking availability along Terrace Road.
9. Clause 19(3) of CPS2 sets out that a land use listed in Schedule 5 is taken to be a 'Contemplated' land use. As a 'Contemplated' land use, a development application needs to be lodged, assessed and approved for 'Healthcare 2' use groups. The development application is the appropriate planning mechanism to assess and determine whether the size and scale of a proposed land use is appropriate and considers matters such as amenity, traffic and car parking.
10. The modifications to Precinct Planning Policy No. 13 that were advertised also ensures the development application process considers the potential impacts on surrounding residential properties, requiring:
 - a. any development application for 'Healthcare 2' use groups to be advertised in accordance with clause 64 of the Deemed Provisions; and
 - b. new mixed-use development to minimise conflict between non-residential and residential uses.
11. Whilst the scheme amendment report indicates the landowner seeks to develop a specialist hospital and medical centre to replace the existing squash courts and commercial floor area on Level Four of the southern half of the podium building, this is a concept plan only and does not commit the landowner or the City to this outcome.

Consultation

12. The amendment and modification to Precinct Plan Policy No.13 were advertised for a period of 42 days in accordance with Clause 47 (3) of the *Planning and Development (Local Planning Schemes) Regulations 2015*.
13. The method of advertising included letters to landowners located directly abutting and adjoining the subject site, a notice placed in the newspaper, notices placed in the Council House foyer and the City of Perth Library, and information displayed on the *Engage Perth* website.
14. A total of 26 submissions were received, including late submissions. The submissions comprised 24 objections and 2 non-objections. The majority of submissions were endorsement of an objection received from the Council of Owners of the Panorama Luxury Apartments (42-52 Terrace Road, East Perth).
15. The following issues were raised in the objections:
 - a. Concerns about loss of residential amenity
 - b. Concerns about reduced on street parking availability along Terrace Road
 - c. Concerns about increased traffic along Terrace Road
 - d. Concerns about the City's legal ability to consider the land use and the amendment process
 - e. Concern about potential loss in property values.
16. No modifications are proposed to the amendment and precinct plan policy as a result of the submissions.
17. Individual submissions and the Administration's responses are provided in Attachment C.

Decision Implications

18. Council has the option to support Amendment No. 51, with or without modifications, or not support the amendment.
19. If Council supports the recommendation:
 - a. the amendment will be forwarded to the WAPC for its consideration and recommendation to the Minister for Planning for a final decision.
 - b. the precinct plan policy will be updated following the Minister's approval of the amendment.
20. If Council does not support the recommendation:
 - a. the amendment will be forwarded to the WAPC for its consideration and recommendation to the Minister for Planning for a final decision.
 - b. the precinct plan policy will not be amended.

Strategic, Legislative and Policy Implications

Strategic Community Plan	
Strategic Pillar (Objective)	Liveable
Related Documents (Issue Specific Strategies and Plans):	Strategic Community Plan 2022-2032 The proposed scheme amendment aligns with the 'Liveable' pillar of the Strategic Community Plan 2022-2032, as the addition of the 'Healthcare 2' land use category at the site allows for the provision of services that support an increased residential community envisioned for East Perth. Local Planning Strategy 2023 East Perth offers diverse housing options and is well placed to accommodate a larger resident population. The proposed 'Healthcare 2' use group will support the increased residential population through offering new healthcare facilities in East Perth, which is consistent with the vision of the Local Planning Strategy.

Legislation, Delegation of Authority and Policy	
Legislation:	<i>Planning and Development Act 2005</i> Clauses 75, 81, 84 and 87 outline the process for amending a local planning scheme. <i>Planning and Development (Local Planning Schemes) Regulations 2015</i> - Regulation 47, 50 and 53 outline the process for a standard amendment to a local planning scheme. - Schedule 2, Part 2, Cl 4(1) specifies the requirements for advertising local planning policy amendments. <i>City of Perth Act 2016</i> 8(1)(d) - Ensuring Perth continuously improves the services and facilities that the City of Perth provides to the community and to local, interstate, and international visitors and tourists. <i>City Planning Scheme No. 2</i> - Clauses 3A of Schedule A (Supplemental Provisions) refers to amending Precinct Plans. - Clause 19 sets out the criteria for Schedule 5 - Additional Land Uses. - Schedule 1 refers to Scheme Use Areas. - Schedule 5 refers to Additional Land Uses. <i>Minor Town Planning Scheme No. 14 - Withernsea (MTPS14)</i> The subject site is located within the MTPS14 area. MTPS14 allows a permissible plot ratio of 4.0:1.0 within the subject site to be shared across the lots. MTPS14 does not include any provisions that relate to land use. Therefore, Amendment No. 51 does not impact or require amendment to this scheme.

Authority of Council/CEO:	The <i>Planning and Development Act 2005</i> and <i>Planning and Development (Local Planning Schemes) Regulations 2015</i> gives local governments powers in relation to Local Planning Schemes and Local Planning Policies. The above provisions of the <i>Planning and Development Act 2005</i> requires a decision to amend a Local Planning Scheme be by Council resolution.
Policy:	City of Perth City Planning Scheme No.2 Precinct Plan No. 13 (P13) – Adelaide Precinct The intent for the Adelaide Precinct is to develop the Precinct as a residential quarter accommodating a wide range of residential and visitor accommodation and employment opportunities serviced by activities which support these uses. The proposal is consistent with the Statement of Intent as the addition of ‘Healthcare 2’ land use category provides essential healthcare services that support an increased residential population and employment opportunities. Terrace Road Design Policy The subject site is located within the Terrace Road Design Planning Policy Area which guides the built form outcomes of the area. Amendment No. 51 relates to land use and does not propose any built form modifications and therefore, the Terrace Road Design Policy is unaffected by the scheme amendment. Council Policy 3.5 (CP 3.5) Amendment No. 51 satisfies the criteria of CP 3.5 which provides a framework to guide the preparation of scheme amendments ahead of the new local planning scheme.

Financial Implications

21. In accordance with the *Planning and Development Regulations 2009* and *Planning and Development (Local Planning Schemes) Regulations 2015* costs associated with the assessment, advertising and gazettal of the scheme amendment are met by the applicant.

Further Information

22. Questions and responses forming part of the Agenda Briefing Session held on 20 February 2024 are as follows:

	Question	Response
1.	Residents have contacted me about their concerns around the limited time to respond to the change in use. Some residents didn't get the information. Is there are reason why this was not sent to neighbouring buildings via their Strata management maybe?	The City wrote to the five strata management companies of the properties directly abutting and adjoining the Hyatt Centre, as well as owners of nearby properties. The City requested confirmation from the strata management companies that the correspondence had been forwarded to all owners and occupiers of the building. The City received confirmation from all strata management companies that the correspondence had been forwarded within one week of receiving. A 42-day comment period was provided in which to submit comments on the scheme amendment, between 2 October and 1 December 2023. The public agenda for the Agenda Briefing Session was released on Friday 16 February 2024. All submitters were advised.

Council Resolution (OCM-24/02-007)

Mover: Councillor Brent Fleeton

Seconded: Councillor Liam Gobbert

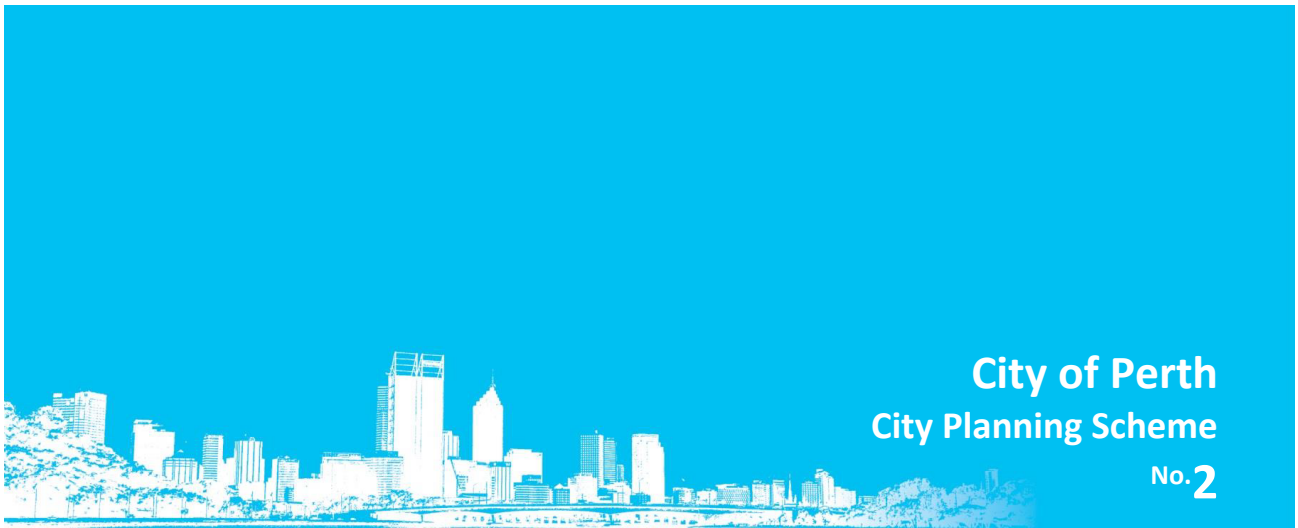
That Council:

1. SUPPORTS Amendment No. 51 to City Planning Scheme No. 2, without modification, as per Attachment A, pursuant to Regulations 50(3) and 50(4) of the *Planning and Development (Local Planning Schemes) Regulations 2015*.
2. NOTES the submissions (including late submissions) received during the formal consultation period for Amendment No. 51 to City Planning Scheme No. 2.
3. ADOPTS the amended Precinct Plan Policy No. 13 – P13 Adelaide as per Attachment B, in accordance with the Deemed Provisions Clause 4 and Clause 5 of the *Planning and Development (Local Planning Schemes) Regulations 2015*, and subject to the gazettal of Amendment No. 51.

CARRIED UNOPPOSED (9/0)

For : Lord Mayor Basil Zempilas; Deputy Lord Mayor Clyde Bevan; Councillors Brent Fleeton, Liam Gobbert, Viktor Ko, Catherine Lezer, Raj Doshi, David Goncalves and Bruce Reynolds

Against : Nil



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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FORM 2A

Planning and Development Act 2005

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

City of Perth

CITY PLANNING SCHEME NO.2

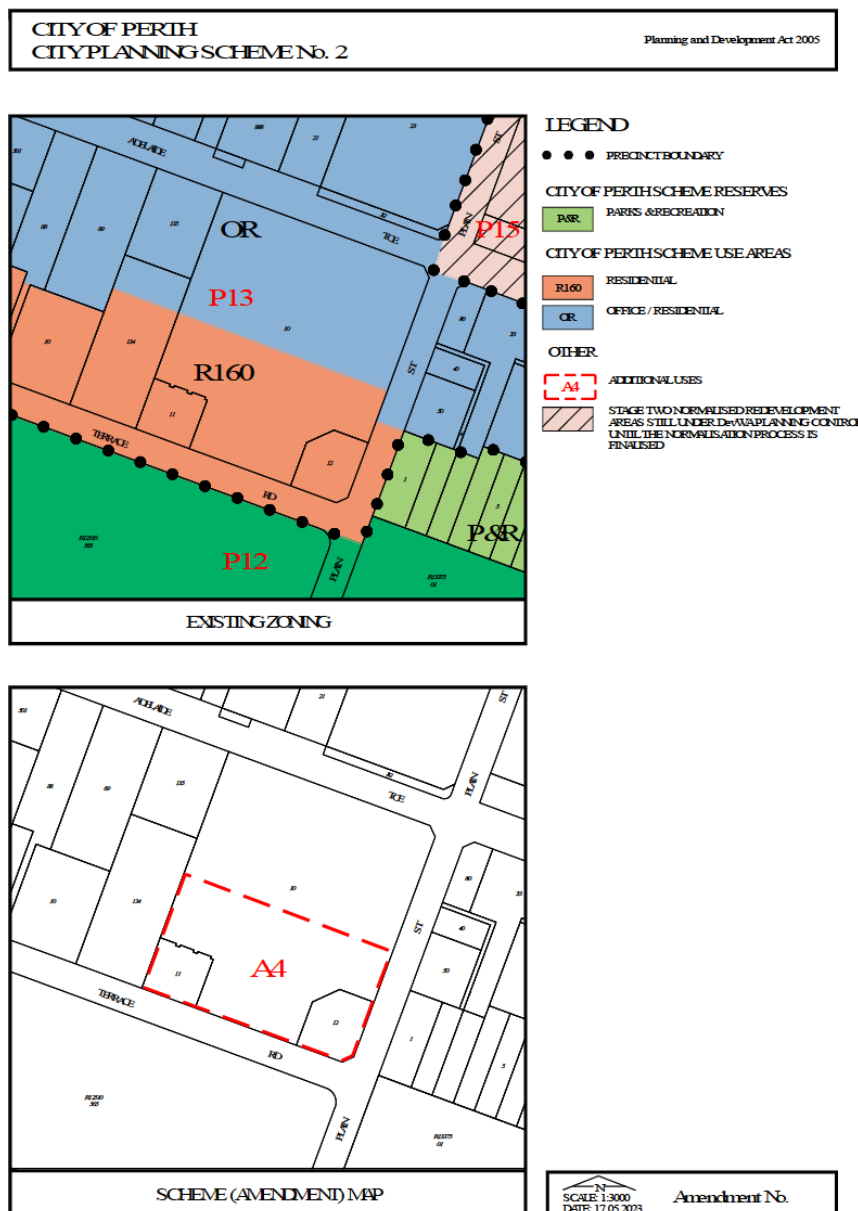
AMENDMENT NO.51

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.



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.

The subject site is located within the East Perth Neighbourhood. The Strategy generally maintains the status quo in relation to the subject site. The proposed additional use seeks the adaptive reuse of the existing squash courts and approved retail, office, and dining floor areas. Therefore, the additional use will occupy existing and approved commercial floor areas and the adaptive reuse of the squash courts is an important sustainable outcome.

7.2 City Planning Scheme No. 2

The subject site is located within the Adelaide Precinct (P13). The northern portion of the subject site is within the Office/Residential Scheme Use Area and the southern portion of the site is located within the Residential Scheme Use Area (Refer to Figure 3).

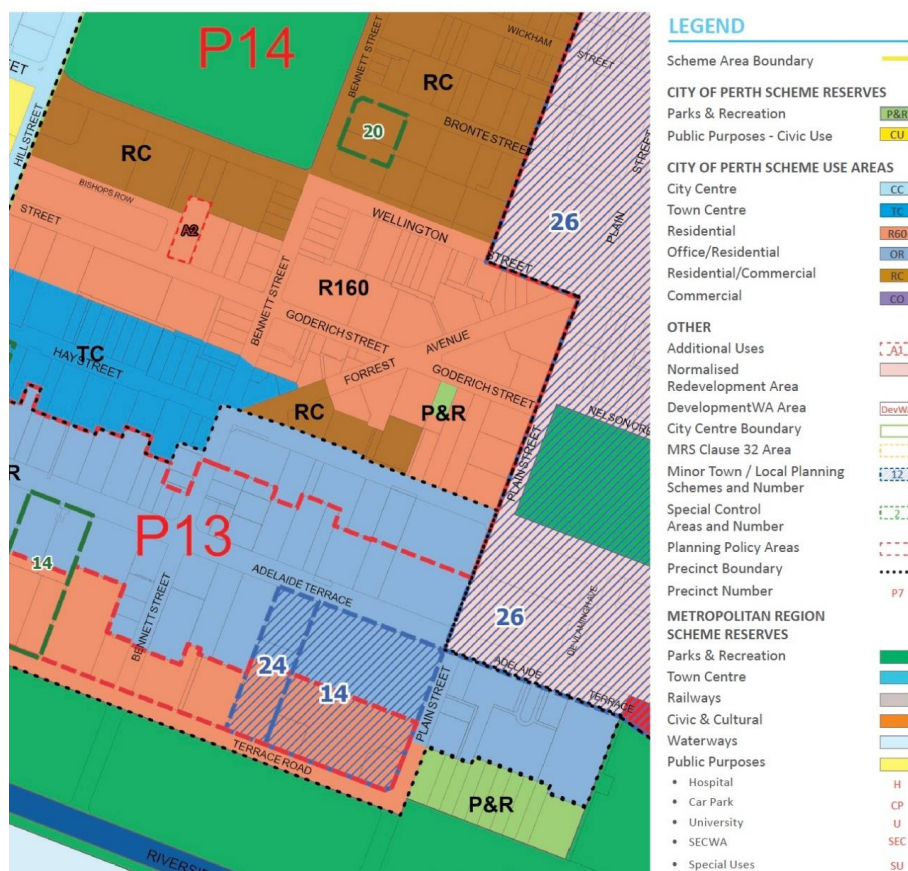


Figure 2: Extract from City Planning Scheme No.2 Precinct Map No.13 - Adelaide

The Statement of Intent for the Adelaide Precinct states (extracts):

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 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.

FORM 2A

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:

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

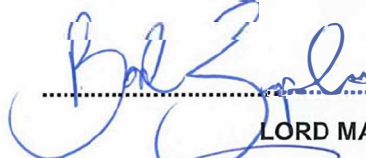
A4	Southern portion of 99 Adelaide Terrace, 10 and 40 Terrace Road, East Perth, located at the corner of Plain Street and Terrace Road.	Southern portion of Lot 10 on Certificate of Title Volume 1637 Folio 312. Lot 11 on Certificate of Title Volume 1835 Folio 883. Lot 12 on Certificate of Title Volume 1835 Folio 884.	Healthcare 2
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4. 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.

FORM 6A

COUNCIL ADOPTION

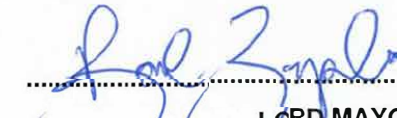
This Standard Amendment was adopted by resolution of the Council of the City of Perth at the Ordinary Meeting of the Council held on the 29 day of August, 2023.


.....
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 29 day of August, 2023, proceed to advertise this Amendment.


.....
LORD MAYOR

.....
CHIEF EXECUTIVE OFFICER

COUNCIL RECOMMENDATION

This Amendment is recommended _____ by resolution of the City of Perth at the Ordinary Meeting of the Council held on the day of _____, 20____ 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

FORM 6A - CONTINUED

WAPC ENDORSEMENT (r.63)

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

DATE.....

APPROVAL GRANTED

.....
MINISTER FOR PLANNING

DATE.....



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

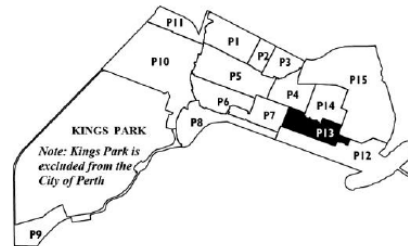


Precinct Plans

Precinct Plan No. 13 - Adelaide

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.



Precinct Plans

Precinct Plan No. 13 - Adelaide

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.



Precinct Plans

Precinct Plan No. 13 - Adelaide

- (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.



Precinct Plans

Precinct Plan No. 13 - Adelaide

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.



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

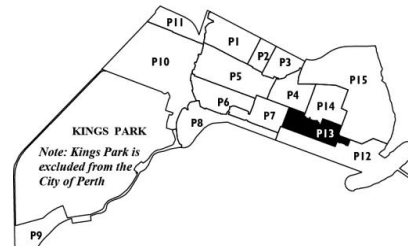


Precinct Plans

Precinct Plan No. 13 - Adelaide

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.



Precinct Plans

Precinct Plan No. 13 - Adelaide

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.



Precinct Plans

Precinct Plan No. 13 - Adelaide

- (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.



Precinct Plans

Precinct Plan No. 13 - Adelaide

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.

Schedule of Submissions

Amendment No. 51 to City Planning Scheme No. 2

No.	Submitter	Affected Property	Submission Comment	Administration Response
1.	Department of Mines, Industry Regulation and Safety (DMIRS)	General submission	No objection Thank you for your letter dated 20 October 2023 inviting comment on the City of Perth - City Planning Scheme 2 - Amendment 51 - New proposed additional use of land – Lot 10 (No 99) Adelaide Terrace and Lot 11 and 12 Terrace Road, East Perth. The Department of Mines, Industry Regulation and Safety (DMIRS) has determined that this proposal raises no significant issues with respect to mineral and petroleum resources, geothermal energy, and basic raw materials. DMIRS lodges no objections to the above planning scheme amendment.	Noted.
2.	Landowner	Unit number withheld at submitters request 128 Adelaide Terrace, East Perth	No objection	Noted.
3.	Landowner	54/128 Adelaide Terrace, East Perth	Objection I have concerns, as an owner of an apartment located directly across the street from the proposed location of the new specialist hospital. While I understand the potential benefits this	Should the amendment be approved by the Minister for Planning, the amendment does not remove the requirement for a development

No.	Submitter	Affected Property	Submission Comment	Administration Response
			hospital could bring to our community, I would like to address the critical issue of parking, which is of utmost concern to us in the area. Being a long-term apartment owner near the proposed hospital site, I have observed that the existing parking infrastructure in the area is already strained, particularly during peak hours. The introduction of a new medical facility will inevitably lead to a substantial increase in the number of visitors, patients, and staff members seeking parking spaces. I fear that without a comprehensive parking plan, this influx of vehicles will exacerbate the current parking issues and create a major inconvenience for residents. As such, I respectfully urge the City Council to consider the following recommendations to mitigate the potential parking problems that may arise with the hospital's construction: 1. Comprehensive Parking Study: Conduct a thorough parking study to assess the current demand and supply of parking spaces in the area, taking into account the hospital's expected traffic. 2. Adequate On-Site Parking: Require the hospital to provide sufficient on-site parking facilities to accommodate patients, visitors, and employees. The parking capacity should be in proportion to the size and anticipated capacity of the hospital. 3. Off-Site Parking Options: Explore the possibility of establishing agreements with nearby businesses or public	application to be lodged, assessed, and approved for the land use. The development application is the appropriate planning mechanism to consider matters such as car parking, traffic, and accessibility when full details of the proposed scale and operation of the land use is provided. The modifications to Precinct Planning Policy No. 13 that were advertised also ensures the development application considers the amenity impact of the land use, requiring new mixed-use development to minimise conflict between residential and non-residential land uses, and any development application for 'Healthcare 2' use groups to be advertised for public comment. The City routinely undertakes safety audits and traffic monitoring of its local roads and as a result, the Terrace Road Safety Improvement project is estimated to commence in early 2024. As part of the project, a

No.	Submitter	Affected Property	Submission Comment	Administration Response
			facilities to provide additional parking for hospital visitors and staff during peak times. 4. Improved Public Transportation: Encourage the development of accessible public transportation options to reduce the reliance on personal vehicles, such as bus routes or dedicated shuttle services to and from the hospital. 5. Resident Parking Permits: Consider implementing a resident parking permit program to ensure that residents have priority access to parking spaces in the vicinity of our apartment building. 6. Parking Management Strategies: Implement effective parking management strategies, such as time-limited parking zones, to prevent long-term parking by hospital employees on residential streets. Regular Review and Adjustment: Commit to regular reviews of the parking situation after the hospital's opening and make necessary adjustments to the parking plan based on actual usage and community feedback.	number of traffic calming measures are proposed for Terrace Road. The City also continues to work with the Department of Transport to advocate for an improved integrated transport network within the City of Perth, including public transportation.
4.	Council of Owners - Panorama Luxury Apartments	42 - 52 Terrace Road, East Perth	Objection 1. INTRODUCTION Panorama Luxury Apartments are comprised of 128 residential apartments with a collective owner investment of over \$100 M. Owners have invested in the predominantly residential Terrace Road precinct in the expectation and confidence that the City of Perth, through its City Planning Scheme No. 2 and Section 6.4	Submissions 4 to 26 are from the Council of Owners and other landowners of 42 – 52 Terrace Road and raise the same or similar matters. One response has been provided to address all matters raised in these submissions.

No.	Submitter	Affected Property	Submission Comment	Administration Response
			'Terrace Road Design Policy' document, (The Policy) will enforce the stated parameters for future development on this road, that the general policy of the City of Perth to encourage inner city living will be supported, and that the expectation for general amenity for residential developments will be protected in the future. Under CPS 2, proposed additional use Healthcare 2 is not permitted on Lots 10, 11 and 12 and if implemented, has the potential to depart substantially from, and compromise, the objectives, requirements, and principles of The Policy, and will potentially have a negative impact on the residential amenity of Panorama occupants, financial value of Panorama residential apartments and users of Terrace Road in general. There appears to have been no attempt in the City of Perth proposed Amendment No. 51 to investigate, identify, take into account or appropriately consider potential negative impacts on Panorama or Terrace Road in general, nor to substantiate the statement that there is: 'an identification of a demand for hospital and specialist medical facilities within the existing building' – or in the environs of the eastern end of Terrace Road. 2. DISCUSSION a. TERRACE ROAD DESIGN POLICY AND CITY PLANNING SCHEME NO. 2	<u>City Planning Scheme No.2 and Terrace Road Design Policy</u> The purpose of Amendment No. 51 is to amend Schedule 5 – Additional Uses of CPS 2 to include 'Healthcare 2' as an additional use. Schedule 5 can be updated through a scheme amendment process, with Clause 19 of CPS2 setting out the considerations for an amendment. It is considered that the amendment meets Clause 19 and is consistent with the strategic intent of the Local Planning Strategy, Terrace Road Design Policy, and Precinct Plan No. 13 – Adelaide: • The commercial land use nature of the site is established, and the site has valid planning approval for a mixed-use redevelopment. • 'Healthcare 2' includes land uses that are often located within proximity to residential uses, including medical centre.

No.	Submitter	Affected Property	Submission Comment	Administration Response
			i. The term additional use, (under Definitions in CPS2): 'means a use, in respect of a specified site, listed in Schedule 5, and to which clause 19 applies'. CPS2 clause 19 Additional Uses - states: '(1) An additional use is a use which, in relation to a specific lot - a) is a prohibited use in the precinct in which that lot is located; b) is listed, with reference to that lot, in Schedule 5' Schedule 5 of CPS2 does NOT list 99 Adelaide Terrace, 10 and 40 Terrace Road, East Perth, located at the corner of Plain Street and Terrace Road (Lots 10, 11 and 12). Accordingly, it does not appear that the City of Perth has the authority to approve a change of use (for a prohibited use) on the land comprising the above sites – either within the existing building or on Lots 11 or 12. ii. Notwithstanding the above, with regard to Objectives, the Policy encourages a range of: 'incidental and complementary commercial uses' along Terrace Road. The Policy defines incidental and commercial use as: 'A small scale use which forms a minor and subordinate component of the dominant residential use within the locality' and	• The addition of 'Healthcare 2' at the subject site will allow new medical services to be provided close to the City's residential population. Medical facilities are essential to the health of a population, and it is considered the use will support the envisioned increased residential population in East Perth. • The addition of 'Healthcare 2' will not reduce the existing or expected residential floorspace of the area, given the historical commercial use of the subject site and existing valid planning approval for a mixed-use commercial redevelopment of the site. The site has not ever been included in projections for residential development as this has never occurred at the site. Should the amendment be approved by the Minister for Planning, it does not remove the requirement for a

No.	Submitter	Affected Property	Submission Comment	Administration Response
			'A use which draws a substantial proportion of its turnover from the demand of residents in the immediate locality.' A Healthcare 2 facility will obviously not draw any significant proportion of its turnover from local residents – (if any at all) and is prohibited in the above documents obviously because it is not considered to be an appropriate or 'incidental and complementary commercial use' either to the hotel or to the predominately residential nature of the street. iii. The City's proposed Amendment No. 51 document states: '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.' This statement clearly contradicts the prime objectives of The Policy and allowing specialist medical facilities to service intrastate, interstate and international clients in this predominantly residential precinct will certainly NOT be of any benefit to the residents of Terrace Road. iv. Since implementation of The Policy in 2001, residential development along Terrace Road has burgeoned with all buildings having been constructed generally and successfully in compliance with the objectives of the above document. Nothing has changed to now warrant the inclusion of Healthcare 2 use within the existing Hyatt Centre or on Lots 11 & 12.	development application to be lodged, assessed, and approved for the land use. The development application is the appropriate planning mechanism to consider the impact on parking, traffic, and residential amenity of the area, where full details of the scale and nature of the land use are required to be submitted. To ensure appropriate consideration of the amenity impact of the land use, it is proposed that Precinct Plan No. 13 – Adelaide is modified to require new mixed-use development to minimise conflict between residential and non-residential land uses, and any development application for 'Healthcare 2' use groups to be advertised for public comment. <u>Lots included in the amendment</u> The amendment proposes to introduce the additional use 'Healthcare 2' across all lots that

No.	Submitter	Affected Property	Submission Comment	Administration Response
			Adding additional use' Healthcare 2' to the southern portion of 99 Adelaide Terrace and 40 Terrace Road (and removing it as a prohibited use) in this residential precinct would effectively give 'carte blanche' for approval in principle (subject only to regulatory approval) of any future development application for such a facility, either within the existing building structure or on lots 11 & 12, without the need for the applicant to justify why such a facility may be appropriate for this locality or to consider the impact on residents in Terrace Road. v. Whilst the Amendment 51 document states: 'the proposed additional use seeks to use existing and approved commercial floor areas', it also states that it is to be applied to Lots 11 & 12 which are currently vacant lots with planning approval for either Residential development (Lot 11) Office development (Lot 12) and Function Hall on Lot 11 that has been interpreted as 'incidental to' the activities of and to be run out of the hotel. To state again, Healthcare 2 is a stand-alone prohibited use (which would not be administered by the Hotel), and Amendment 51 proposes this additional use for the subject land with no background assessment or justification. b. DEMAND FOR HOSPITAL AND SPECIALIST MEDICAL FACILITIES i. Amendment No. 51 states that the proposal is based on: 'an identification of a demand for hospital and specialist medical facilities within the existing building'.	form part of the site commonly known as the 'Hyatt Centre', comprising Lots 10, 11 and 12. As Lots 11 and 12 are used for vehicle access, servicing, and landscaping to service the main building on Lot 10, they have been included as part of the amendment. <u>Demand for hospital and medical specialist facilities</u> The matter of demand for a hospital or other medical facilities, and competition amongst the same land uses in the area or greater Perth Metropolitan region is not a relevant planning consideration. <u>Impact on property values</u> As set out above, the development application will consider the amenity impact on the surrounding area, including minimising conflict of commercial and residential uses. The impact on property values is not a valid planning consideration under

No.	Submitter	Affected Property	Submission Comment	Administration Response
			However, the document does not offer any background information or justification for this claim. There exist, in the general metropolitan area, many medical facilities offering similar services to the ones proposed including and amongst others: Royal Perth Hospital, South Perth Hospital, The Mount Hospital, Bethesda Hospital, Hollywood Private Hospital, Sir Charles Gairdner Hospital, St John of God Hospital Subiaco, St John of God Hospital Mt Lawley, St John of God Hospital Midland, St John of God Hospital Murdoch, Bentley Health Service, Osborne Park Hospital, Fiona Stanley Hospital, , The Park Private Hospital, , West Leederville Private Hospital, Fremantle Hospital, Subiaco Private Hospital, Kings Park Day Hospital, North Perth Metropolitan Health Services, Perth Clinic, Armadale Health Service, Joondalup Private Hospital, Joondalup Health Campus – and many others. All of the above, and others, are easily accessible by car, public transport or taxi. c. SIZE OF FACILITY, TRAFFIC MOVEMENT AND PARKING REQUIREMENTS i. From the description and itemisation of the proposed facilities, it is obvious that the whole of the currently proposed facility within the Hyatt Centre will be quite substantial and likely to occupy all of the existing building area to the south of the hotel facilities and to the west of the central podium area, including the area of courtyard east of the existing squash courts that has	the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i>.

No.	Submitter	Affected Property	Submission Comment	Administration Response
			recently been filled in with a floor slab, comprising a total floor area of approximately 2,500 m2. Refer to attached floor plan of level 4. The proposed development will straddle the use zones with a major area in the Residential prohibited use zone and only a minor area in the Office Residential contemplated use zone. ii. Whilst the proposed amendment states that parking is available on site, the type of medical facilities offered suggest frequent and numerous visitors during operating hours (and possibly out of operating hours for visitors), as well as substantial staff car parking and medical facility servicing vehicles. In addition to this, tour buses (servicing the Crown Plaza Hotel) currently and frequently take up considerable parking space on Terrace Road. iii. When the new Hyatt entry onto Terrace Road is commissioned, it is likely that tour buses servicing Hyatt clients will also park on Terrace Road adding pressure to parking along this predominantly residential street. The proximity of the facility to the new main entrance on Terrace Road is likely to tempt clients, visitors, and service vehicles alike to park in Terrace Road close to the entry rather than in the parking areas below the building – observation of parking behaviour, around many hospitals, shopping areas and the like facilities, bears this out.	

No.	Submitter	Affected Property	Submission Comment	Administration Response
			iv. Pressure on parking in Terrace Road is already at a maximum for visitors to the many apartment buildings along Terrace Road, and for servicing of complementary commercial facilities. The substantial Healthcare 2 facility proposed within the building, (let alone possible future Healthcare 2 facilities on lots 11 & 12), will most certainly add to the demand for parking in the street over and above the demand for parking generated by offices and the like – again reducing the amenity for residential visitor use. 3. CONCLUSION In conclusion we do not believe that the City of Perth has the authority to add additional use Healthcare 2 to the southern residential precinct of Lots 10, 11 or 12 nor that this use will contribute to the ‘greater good’ of residents on Terrace Road, but rather the opposite, and we respectfully request that the City of Perth withdraw this proposal.	
5.	Landowner	5/42-52 Terrace Road, East Perth	Objection This objection is being raised to support the submission of the Council of Owners of Panorama Luxury Apartments.	
6.	Landowner	10/42-52 Terrace Road, East Perth	Objection This objection is being raised to support the submission of the Council of Owners of Panorama Luxury Apartments.	
7.	Landowner	18/42-52 Terrace Road, East Perth	Objection This objection is being raised to support the submission of the Council of Owners of Panorama Luxury Apartments.	

No.	Submitter	Affected Property	Submission Comment	Administration Response
8.	Landowner	21/42-52 Terrace Road, East Perth	Objection This objection is being raised to support the submission of the Council of Owners of Panorama Luxury Apartments.	
9.	Landowner	25/42-52 Terrace Road, East Perth	Objection This objection is being raised to support the submission of the Council of Owners of Panorama Luxury Apartments.	
10.	Landowner	31/42-52 Terrace Road, East Perth	Objection This objection is being raised to support the submission of the Council of Owners of Panorama Luxury Apartments.	
11.	Landowner	33/42-52 Terrace Road, East Perth	Objection This objection is being raised to support the submission of the Council of Owners of Panorama Luxury Apartments.	
12.	Landowner	58/42-52 Terrace Road, East Perth	Objection This objection is being raised to support the submission of the Council of Owners of Panorama Luxury Apartments.	
13	Landowner	61/42-52 Terrace Road, East Perth	Objection As the owner of Apartment No. 61 at the Panorama Apartment Complex I strongly object to this proposal. Please see attached (letter received by the Council of Owners).	
14.	Landowner	77/42-52 Terrace Road, East Perth	Objection This objection is being raised to support the submission of the Council of Owners of Panorama Luxury Apartments.	

No.	Submitter	Affected Property	Submission Comment	Administration Response
15.	Landowner	79/42-52 Terrace Road, East Perth	Objection This objection is being raised to support the submission of the Council of Owners of Panorama Luxury Apartments.	
16.	Landowner	87/42-52 Terrace Road, East Perth	Objection This objection is being raised to support the submission of the Council of Owners of Panorama Luxury Apartments.	
17.	Landowner	89/42-52 Terrace Road, East Perth	Objection This objection is being raised to support the submission of the Council of Owners of Panorama Luxury Apartments.	
18.	Landowner	29/42-52 Terrace Road, East Perth	Objection The proposed change will devalue my property. It will increase traffic and affect my visitor parking. I feel uncomfortable to live directly next door to a hospital. This objection is being raised to support the submission of the Council of Owners of Panorama Luxury Apartments.	
19.	Landowner	4/42-52 Terrace Road, East Perth	Objection This objection is being raised to support the submission of the Council of Owners of Panorama Luxury Apartments. I strongly object to establishment of a cosmetic hospital at the Hyatt Hotel Site.	
20.	Landowner	10/42-52 Terrace Road, East Perth	Objection	

No.	Submitter	Affected Property	Submission Comment	Administration Response
			We fully support the submission document that objects the Amendment No.51 provided by our Council of Owners on 1 st Dec 2023.	
21.	Landowner	106/42-52 Terrace Road, East Perth	Objection This objection is being raised to support the submission of the Council of Owners of Panorama Luxury Apartments. Yes, I fully supported the above – mentioned objection which is submitted by our Council of Owners.	
22.	Landowner	99/42-52 Terrace Road, East Perth	Objection This objection is being raised to support the submission of the Council of Owners of Panorama Luxury Apartments. As owners and occupiers of a Panorama apartment, my husband and I have concerns about the increased traffic flow that is likely to result at the front of our home and the increased challenge to find parking when friends and family visit which is also likely to occur.	
23.	Landowner	82/42-52 Terrace Road, East Perth	Objection The nature and size of the proposed medical facility business is inconsistent with the objectives and design parameters of the Terrace Road Design Policy. The nature of this business will result in significant numbers of staff, clientele and visitors arriving and departing the building via Terrace Road at all hours of the day and evening and on weekends. The proposed facility is not 'incidental and	

No.	Submitter	Affected Property	Submission Comment	Administration Response
			complimentary' or 'small scale forming a minor component of the dominant residential use' of Terrace Road. The clientele and staff of the proposed business are very different in their nature and movements to those of existing office and small trader businesses in the street. Affect on me as a resident – (1) reduced street parking for my visitors (2) significant increased traffic on Terrace Road and Plain Street affecting my freedom to exit from and return to my street of residence, plus affecting my peaceful enjoyment through increased noise. The proposal includes no evidence to support any of the claims made by the developer, only self-serving, textbook statements with no evidentiary basis whatsoever and which most likely will bare no resemblance to the real outcomes	
24.	Landowner	68/42-52 Terrace Road, East Perth	Objection We endorse the submission made on behalf of all residents of Panorama Luxury Apartments by the Council of Owners and submitted by the building manager.	
25.	Landowner	60/42-52 Terrace Road, East Perth	Objection If the proposed addition is granted and the hospital goes ahead the parking of cars will be a constant nightmare / We do not want a parking situation at the front of Panorama that now exists at the Royal Perth Hospital.	
26.	Landowner	20/42-52 Terrace Road, East Perth	Objection I am an eight-year owner-occupier of a unit on the western side of Panorama apartments. I am not a member of the Council of	

No.	Submitter	Affected Property	Submission Comment	Administration Response
			Owners, barely know anyone on it, and knew nothing of the medical center planned for the southern Hyatt site until last week. In crude terms, it seems the City of Perth is intent on bending its zoning laws to serve the financial interests of a medical conglomerate – while turning its back on rate-paying residents’ concerns in order to boost the CoP’s revenue stream from rates, and possible a share of parking fees. Alternatively, selfish well-off property owners are using NIMBY tactics to try to preserve the value of their assets. While the truth may lie in between, it does seem that approving Healthcare 2 is a big stretch from permission for shops, offices and eateries to operate in business hours. However, my main objection concerns traffic flow in Terrace Road. With expected extra volumes that Healthcare 2 will generate, where does this leave the CoP’s Black Spot traffic calming plans announced in February? Surely widening footpaths, narrowing road lanes, removing some parking bays and installing a median strip will only add to traffic congestion. How will big tour buses get through? The same goes for furniture removal trucks that park regularly in Terrace Road. Human nature means Healthcare 2 visitors will be inclined to drop and pick up in the street rather than pay through the nose for on-site parking.	

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			The upshot will be cars clogging the corner clearway from 4-6pm. The busiest man in Perth will be the tow-away driver, no doubt boosting CoP coffers! Traffic counting boxes and strips across Terrace Road have been evident of late. Does this mean the CoP is worried about increasing vehicle movements already? In short, the CoP has a vested interest in allowing this prohibited use to go ahead at the expense of residents. Please reconsider your amendment.	