

9.5 OUTCOME OF ADVERTISING OF AMENDMENTS TO LOCAL PLANNING POLICY NO. 7.5.22 - CONSULTING ROOMS

Attachments: 1. **Draft Amended Local Planning Policy: Consulting Rooms and Medical Centres**

RECOMMENDATION:

That Council PROCEEDS with the amendments to Local Planning Policy 7.5.22 – Consulting Rooms, included as Attachment 1, in accordance with Schedule 2, Part 2, Clause 5(1) of the *Planning and Development (Local Planning Schemes) Regulations 2015*.

PURPOSE OF REPORT:

To consider the outcomes of public consultation on the draft amended Local Planning Policy No. 7.5.22 – Consulting Rooms (Policy) and to determine whether to proceed with the amended policy.

BACKGROUND:

At its [22 August 2023 Meeting](#), Council resolved to prepare an amendment to Local Planning Policy No. 7.5.22 – Consulting Rooms for the purpose of community consultation.

In accordance with the City's [Community and Stakeholder Engagement Policy](#), community consultation was undertaken between 23 August and 13 September (21 days).

The policy was advertised on the City of Vincent website, social media and through the following public notices:

- Perth Now Central – 31 August 2023;
- Perth Voice – 2 September 2023 and
- Notice displayed on the notice board at the City's Administration and Library and Local History Centre.

No public submissions were received.

DETAILS:

Local Planning Policy No. 7.5.22 – Consulting Rooms has been amended to provide clear guidance for where and how consulting room and medical centre land uses can occur within the City. The removal of illegal land uses; and the inclusion of development controls will ensure the orderly and proper establishment of consulting room and medical centre land uses across the City.

A review of the Policy informed the changes included in the draft amended Policy. The draft amended Policy is included in **Attachment 1** that will be titled Local Planning Policy: Consulting Rooms and Medical Centres and which is recommended for Council to proceed with.

CONSULTATION/ADVERTISING:

No further consultation is required.

LEGAL/POLICY:

The *Planning and Development (Local Planning Schemes) Regulations 2015* Schedule 2, Part 2, Cl. 5, includes the requirements to amend a local planning policy.

The City's [Policy Development and Review Policy](#) sets out the process for repealing and adopting policies.

RISK MANAGEMENT IMPLICATIONS

Low: Adopting the proposed policy is low risk as the policy guides the application of discretion for two land uses within the City. The application of the policy will be reviewed every four years to ensure it is meeting the council community's expectations.

STRATEGIC IMPLICATIONS:

This is in keeping with the City's *Strategic Community Plan 2022-2032*:

Sensitive Design

Our planning framework supports quality design, sustainable urban built form and is responsive to our community and local context.

Innovative and Accountable

We engage with our community so they are involved in what we are doing and how we are meeting our goals.

SUSTAINABILITY IMPLICATIONS:

This does not contribute to any environmental sustainability outcomes. This action/activity is environmentally neutral.

PUBLIC HEALTH IMPLICATIONS:

This does not contribute to any public health outcomes in the *City's Public Health Plan 2020-2025*.

FINANCIAL/BUDGET IMPLICATIONS:

Adoption of this policy and associated administrative actions will be provided through the City's operational budget.

COMMENTS:

Clear guidance for the consideration of Consulting Rooms and Medical Centres land uses will provide clear expectations to maintain resident amenity and provide certainty for new businesses looking to operate within the City.

No changes have been made to the advertised version of the draft Policy, with no submissions received during the community consultation period.

It is recommended that Council proceeds with the draft amended Consulting Rooms and Medical Centres Policy.

LOCAL PLANNING POLICY: CONSULTING ROOMS AND MEDICAL CENTRES



Legislation / local law requirements	This policy has been prepared under the provisions of clause 9(2) of Schedule 2 of the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i>
Relevant delegations	16.1.1 Determination of various applications for development approval under the City's Local Planning Scheme
Related policies, procedures and supporting documentation	City of Vincent Local Planning Scheme No.2 Local Planning Policy 7.1.1 Built Form Local Planning Policy 7.7.1 Non - Residential Parking Requirements Local Planning Policy: Signs and Advertising

PART 1 - PRELIMINARY

INTRODUCTION

The City of Vincent (City) Local Planning Scheme No.2 (Scheme) guides the land use permissibility of 'consulting rooms' and 'medical centres' but does not contain specific provisions relating to their operation. Without adequate guidance, the use of consulting rooms or medical centres may have adverse implications on adjacent land uses.

PURPOSE

The purpose of Local Planning Policy: Consulting Rooms and Medical Centres (Policy) is to provide guidance for the establishment and operation of consulting rooms and medical centres within the City, by providing development controls and objectives to enhance the function and operation of these premises.

OBJECTIVE

The objectives of this Policy are to:

- limit the activities associated with consulting rooms or medical centres so that there is no undue impact on the surrounding area; and
- ensure consulting rooms or medical centres maintain an active and engaging street frontage by means of clear sight lines and visual surveillance between the street and the business.

SCOPE

The provisions of this Policy apply to uses defined as 'consulting rooms' and 'medical centre' within the Scheme.

LOCAL PLANNING POLICY: CONSULTING ROOMS AND MEDICAL CENTRES



CITY OF VINCENT

RELATIONSHIP TO THE PLANNING FRAMEWORK

This Policy is made pursuant to Schedule 2, Part 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015* (Regulations), Part 1 of State Planning Policy 7.3 Residential Design Codes Volume 2 and Part 7 of State Planning Policy 7.3 Residential Design Codes Volume 1.

This Policy is to be read in conjunction with the Scheme and all relevant local planning policies including but not limited to the City's Local Planning Policy 7.1.1 Built Form (Built Form Policy), Local Planning Policy 7.7.1 Non-Residential Parking and Local Planning Policy: Signs and Advertising.

This Policy forms part of the City's local planning policy framework. Where this Policy is inconsistent with the Scheme, the Scheme prevails.

Where inconsistency exists between this Policy and a state planning policy or another local planning policy, this Policy prevails to the extent of the inconsistency.

PART 2 - POLICY PROVISIONS

DEFINITIONS

consulting rooms means the same as the City's operative Local Planning Scheme.

medical centre means the same as the City's operative Local Planning Scheme.

POLICY

1. Car Parking and Vehicular Access

1.1 All car parking and vehicular access requirements are to be in accordance with the City's Built Form Policy and Non-Residential Parking Policy.

2. Signage and Street Frontage

2.1 All signage requirements are to be in accordance with the City's Local Planning Policy: Signs and Advertising.

2.2 Doors, windows and adjacent areas located along the primary street frontage shall maintain uninterrupted views to and from the primary street, and an active/interactive relationship with the primary street to the satisfaction of the City. Darkened, obscured, mirror or tinted glass or the like is prohibited.

LOCAL PLANNING POLICY: CONSULTING ROOMS AND MEDICAL CENTRES



CITY OF VINCENT

3. Location

3.1 The preferred location for consulting rooms and medical centres is in or adjoining commercial and local centre zones.

Consideration shall be given to surrounding land uses and their compatibility with a consulting room or medical centre. Applicants are required to demonstrate that their proposal will not unduly impact or be impacted by surrounding areas.

In considering applications for consulting rooms or medical centres within residential areas, the location, siting and design of the use shall be taken into consideration to ensure the development does not have an adverse impact on the residential character and amenity of surrounding areas and additional traffic and parking are minimised.

3.2 In relation to Clause 32 of the Scheme, where consulting rooms or medical centres are proposed on a ground floor, the City will assess the permissibility of the use against the objectives of this Policy and in reference to the following:

- a) Positive interaction with the streetscape, including visual and physical engagement between those in the street and those on the ground floors of buildings.
- b) An internal layout which locates reception areas or waiting rooms to adjoin the street.
- c) Signage and window treatments such as blinds and shutters are reduced as much as practical for the use.

4. Business Operations

4.1 The hours of operation for consulting rooms or medical centres in a non-residential zone and where not directly abutting a residential zone shall be limited to the following:

- 7:00am – 7:00pm, Monday – Friday
- 7:00am – 7:00pm, Saturday
- 11:00am – 5:00pm, Sunday and Public Holidays

4.2 The City may consider an increase in the above hours of operation for a consulting room or medical centre, provided that the amenity of the surrounding area is not unduly affected.

4.3 The hours of operation for a consulting room or medical centre in or directly abutting residential zones shall be limited to the following:

- 7:00am – 5:00pm, Monday – Saturday
- 11:00am – 5:00pm, Sunday and Public Holidays

4.4 A detailed Management Plan is required for consulting rooms or medical centres and is to be submitted as part of a development application. The Management Plan is to address the following:

LOCAL PLANNING POLICY: CONSULTING ROOMS AND MEDICAL CENTRES



- 4.4.1 Noise control and management, with an assessment of operating hours against the use of land abutting the proposed consulting rooms or medical centre.
- 4.4.2 The number of patrons in any week, number of staff and detail on how appointments are managed (i.e. number of patrons on site at any time, any overlap to appointments).
- 4.4.3 Car parking and parking management.
- 4.4.4 Rubbish collection and disposal.

5. Planning Application Process

5.1 In addition to the standard information provided as part of the lodgement of a development application, an applicant is to provide copies of relevant consultants' certificates from a relevant, legitimate, and reputable association or organisation prior to the issue of Development Approval.

Note: Building work associated with consulting rooms and medical centres may require a building permit or occupancy permit prior to a business beginning operations. Please contact the City of Vincent's Building Services team on 9273 6000 for further assistance and information in this regard.

OFFICE USE ONLY	
Responsible Officer	Executive Manager Urban Design and Strategic Projects
Initial Council Adoption	21/11/2006
Previous Title	Local Planning Policy No.7.5.22 Consulting Rooms
Reviewed / Amended	12/03/2013; 22/08/2023
Next Review Date	08/2027