

To All Councillors

cc ELT

 Manager Planning Services

 Manager Governance

 Coordinator Planning

 Acting Coordinator Design Projects

 Acting Senior Planning Officer

From Director Development & Communities

Subject Amended Officer Recommendation – Item 12.1 – Amendment No. 18 to Local Planning Scheme No. 15 – Modifying the Use Class Permissibility of ‘Massage Parlour’ and ‘Medical Centre’.

Date 21 May 2021

Dear Councillors

Following questions raised at the 18 May 2021 Agenda Briefing Forum relating to the above item, Officers have reviewed the wording of the proposed Amendment and have prepared an amended recommendation.

The current Officer recommendation includes an amendment to the ‘Massage Parlour’ use class permissibility within all ‘Special Development Precinct’ zones. Officers have reviewed the proposed Amendment and now consider that it is more appropriate to retain the current ‘X’ use class within ‘Special Development Precinct’ zones where the precinct is characterised by residential development. It is however considered appropriate for a ‘Massage Parlour’ to be located within Belvidere Street Neighbourhood Centre, which is characterised by commercial activity.

The amended recommendation is to retain the current ‘X’ use class permissibility of the ‘Massage Parlour’ land use within the ‘Special Development Precinct’ zone but include ‘Massage Parlour’ as an ‘Additional Use’ in the Belvidere Street Neighbourhood Centre. The Belvidere Main Street Special Development Precinct already contains a number of additional uses appropriate for a Neighbourhood Centre, and the proposed inclusion of the ‘Massage Parlour’ land use (as seen in Attachment 1) provides for consistency with other centres around the City.

The amended Officer Recommendation is as follows (with changes to the original Officer Recommendation highlighted in red):

**That Council:**

1. **Pursuant to Section 75 of the *Planning and Development Act 2005*, adopts for the purpose of advertising the following amendment to Local Planning Scheme No. 15:**
	1. **Amending the Zoning Table to reflect a ‘D’ use class permissibility for ‘Massage Parlour’ within the ‘Commercial’~~, ‘Special Development Precinct’~~ and ‘Town Centre’ zones.**
	2. **Amending ‘Additional Use No. 20’ to introduce the ‘Massage Parlour’ land use.**
	3. **Amending the Zoning Table to reflect a ‘D’ use class permissibility for ‘Medical Centre’ within the ‘Town Centre’ zone.**
2. **Pursuant to Clause 35(2) of the *Planning and Development (Local Planning Schemes) Regulations 2015*, determines that Amendment No. 18 to Local Planning Scheme No. 15 is a ‘standard’ amendment, for the following reasons:**
	1. **The proposed amendment relates to the ‘Commercial’~~, ‘Special Development Precinct’~~ and ‘Town Centre’ zones and is consistent with the objectives of these zones under LPS 15.**
	2. **The proposed amendment applies to the ‘Commercial’~~, ‘Special Development Precinct’~~ and ‘Town Centre’ zones, and land designated by ‘Additional Use No. 20’ and will have no impact on land in the scheme area not the subject of this amendment.**
	3. **The proposed amendment will not result in any significant environmental, social, economic or governance impacts on land in the scheme area.**
	4. **The proposed amendment will facilitate a greater mix of land uses within the City of Belmont’s activity centres, in accordance with SPP 4.2.**
3. **Forwards Amendment No. 18 to Local Planning Scheme No. 15 to the Environmental Protection Authority for comment, pursuant to Section 81 of the *Planning and Development Act 2005*, and subject to no objection being received form the Environmental Protection Authority, advertise the amendment for public comment for a period of 42 days in accordance with Clause 47 of the *Planning and Development (Local Planning Schemes) Regulations 2015*.**

An Amended Agenda for the 25 May 2021 Ordinary Council Meeting will be published on the City’s website to include the Amended Officer Recommendation.

If you have any queries in relation to this matter, please contact the Manager Planning Services, Wilmot Loh on 9477 7275 or email: wilmot.loh@belmont.wa.gov.au

Yours sincerely



**JULIETTE GILLAN**

**DIRECTOR DEVELOPMENT AND COMMUNITIES**

**Attachment 1**

