



LOCAL PLANNING SCHEME NO. 2

Amendment No. 11

Complex amendment to include a Special Control Area over the Royal Perth Hospital Emergency Flight Path.



FORM 2A

Planning and Development Act 2005

RESOLUTION TO PREPARE AMENDMENT TO LOCAL PLANNING SCHEME

CITY OF VINCENT LOCAL PLANNING SCHEME NO. 2
AMENDMENT NO. 11

RESOLVED that the local government pursuant to section 75 of the *Planning and Development Act 2005* (as amended), amend the above Local Planning Scheme to:

1. Delete the following text under Part 5 clause 36:

There are no special control areas which apply to this Scheme.

2. Insert the following text into Part 5 clause 36:

1. The following special control areas are listed in Schedule 4 –

(a) Royal Perth Hospital Flight Path Protection Special Control Area

2. Provisions that apply to a special control area are set out in Schedule 4 and apply in addition to any other provision of this Scheme.
3. Where a provision of a special control area is inconsistent with any other provision of this Scheme, the provision of the special control area is to prevail.
4. Special control areas are marked on the Scheme Map according to the legend on the Scheme Map.

3. Insert new Schedule 4:

Schedule 4 - Special Control Areas

1. (a) Royal Perth Hospital Helicopter Flight Path Protection Special Control Area

1.1 Special Control Area

The following provisions apply to the land shown in Figures 1.1 to 1.4 as the Royal Perth Hospital Helicopter Flight Path Protection Special Control Area which comprises Core and Frame Flight Path Areas.

Note: The provisions of this Special Control Area do not apply to the parts of the Special Control Area which are legislated under the Metropolitan Redevelopment Act 2011 or to telecommunication facilities legislated by the Telecommunications (Low Impact Facilities) Determination Act 1997.

1.2 Objectives

The objectives of the Royal Perth Hospital Helicopter Flight Path Protection Special Control Area are –

- a. To ensure the continued safe operation of Royal Perth Hospital's Strategic Helicopter Landing Site in support of the hospital's function as the State's Major Trauma Unit.
- b. To ensure that permanent development does not encroach into the Core Flight Path Area.



- c. To ensure that temporary works and equipment within the Special Control Area do not present a hazard to helicopters using the Core Flight Path Area.

1.3 General Provisions

- 1.3.1 Where a provision of another Special Control Area is inconsistent with a provision of this Special Control Area, the provisions of this Special Control Area shall prevail.
- 1.3.2 Notwithstanding clause 36(3) of the Scheme, where the heights specified in sub-clause 1.5.1 of this Special Control Area are inconsistent with the heights specified on the Maximum Building Heights Plan, whichever is the lower height shall apply.

1.4 Requirement for Development Approval for Works

In accordance with sub clause 61(6)(a) of the Deemed Provisions, an application for development approval for works that are typically excluded under clause 61(1) of the Deemed Provisions shall be required for works that are situated above or within 30 metres of the maximum Australian Height Datum (AHD) heights specified in Figures 1.2 and 1.3 for the Core and Frame Flight Path Areas.

1.5 Development Requirements

- 1.5.1 Within the Core Flight Path Area, permanent development, including the parts of a building which are ordinarily excluded from building height calculations, shall not exceed the maximum AHD heights specified in Figures 1.2 and 1.3, as well as intermediate maximum AHD heights determined by a 4.5% gradient as shown in Figure 1.4.
- 1.5.2 Within the Core and Frame Flight Path Areas, temporary works and equipment shall not present a hazard to helicopters using the Core Flight Path Area.

1.6 Consultation with Other Authorities

Where development and any associated works and equipment are situated above or within 30 metres of the maximum AHD heights specified in Figures 1.2 and 1.3 and/or the intermediate maximum AHD heights specified in Figure 1.4 for the Core and Frame Flight Path Areas, the local government shall provide a copy of the application for development approval to the owner of the Royal Perth Hospital Helicopter Landing Site for objections and recommendations in accordance with clause 66 of the Deemed Provisions.

Note: The Department of Health's East Metropolitan Health Service is the owner of the Royal Perth Hospital Helicopter Landing Site.

1.7 Consideration of Application by Local Government

- 1.7.1 Development approval shall not be granted for permanent development in the Core Flight Path Area which exceeds the maximum AHD heights specified in Figures 1.2 and 1.3 or the intermediate maximum AHD heights specified in Figure 1.4.
- 1.7.2 In considering an application for development approval (other than an application for which approval cannot be granted under subclause 1.7.1), the local government is to have due regard to the following matters:
- a. the objectives of this Special Control Area; and
 - b. the views of the owner of the Royal Perth Hospital Helicopter Landing Site in relation to how the application addresses the National Airports Safeguarding Framework - Guideline H, or any other relevant technical guidelines.



- 1.7.3 Where development and associated works are situated above or within 30 metres of the maximum AHD heights specified in Figures 1.2 and 1.3, or the intermediate maximum AHD heights in Figure 1.4, for the Core and Frame Flight Path Areas, the local government shall include as a condition of development approval, the submission of a Construction and Demolition Management Plan in a form and manner to the satisfaction of the local government.
- 1.7.4 The local government shall provide a copy of the Construction and Demolition Management Plan, including any subsequent amendments to the plan, to the owner of the Royal Perth Hospital Helicopter Landing Site for recommendations for the local government to consider in determining the acceptability of the plan.
- 1.7.5 The owner of the Royal Perth Hospital Helicopter Landing Site shall, within 21 days of receiving the Construction and Demolition Management Plan, or within such longer period as the local government allows, provide to the local government a memorandum in writing containing any recommendations with respect to the plan and any subsequent amendments to the plan.
- 1.7.6 The Construction and Demolition Plan shall provide details of the temporary works and equipment, including cranes, to be used on site for construction and demolition purposes including but not limited to:
- The duration of the construction period (start date and end date) and the time period in which any crane or other equipment will remain on site;
 - Maximum operating height, maximum operating radius and operating time/s of any crane or other equipment; and
 - The measures to be taken to minimise any potential impact on and/or encroachment into the Core Flight Path Area.

1.8 Definitions

The following definitions apply within the Special Control Area:

Core Flight Path Area - is the protected operational flight paths used by helicopters arriving and departing the Royal Perth Hospital Helicopter Landing Site as defined by the relevant civil aviation guidelines and/or standards as shown in

Figures 1.1 to 1.4.

Frame Flight Path Area - is the area adjoining the Core Flight Path Area as shown in Figures 1.2 and 1.3 within which temporary works and equipment need to be considered in relation to their impact on the Core Flight Path Area.

Royal Perth Hospital Helicopter Landing Site – the rooftop landing surface used for the arrival or departure of helicopters associated with the operations of the Royal Perth Hospital State Major Trauma Unit as shown in Figure 1.1.

Permanent development – development which is not temporary works or equipment.

Temporary works and equipment – works and equipment such as cranes, machinery and structures used temporarily to undertake development and/or maintenance.

4. Insert Figures 1.1 to 1.4 into Schedule 4 – Special Control Areas of the Scheme.



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

- The amendment is not consistent with a local planning strategy for the scheme that has been endorsed by the Commission; and
- The amendment is not addressed by any local planning strategy.



CITY OF VINCENT

Dated this **day** of **2022**

CHIEF EXECUTIVE OFFICER



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COUNCIL RECOMMENDED/SUBMITTED FOR APPROVAL

Supported for submission to the Minister for Planning for approval by resolution of the City of Vincent at the Ordinary Meeting of the Council held on the _____ and the Common Seal of the City of Vincent was hereunto affixed by the authority of a resolution of the Council in the presence of:

.....
MAYOR

.....
CHIEF EXECUTIVE OFFICER

WAPC RECOMMENDED/SUBMITTED FOR APPROVAL

.....
DELEGATED UNDER S.16 OF
THE *PLANNING AND DEVELOPMENT ACT 2005*

DATE.....

APPROVAL GRANTED

.....
MINISTER FOR PLANNING
S.87 OF THE *PLANNING AND DEVELOPMENT ACT 2005*

DATE.....