

**CITY OF ALBANY LOCAL PLANNING SCHEME No. 1**

**AMENDMENT No. 1**

**SCHEDULE OF MODIFICATIONS**

| <b>No.</b> | <b>Summary of Submission(s)</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                     | <b>Recommended Modification</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
|------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1          | <p>The Special Uses and Condition 11 of the Special Use zone proposed by the local planning scheme amendment do not preclude the development of the hotel/mixed use site for short-stay holiday accommodation or multiple dwellings, without a hotel. While there are local planning policy measures in place that would require the development of a hotel on the site, a local planning policy may be varied by Council and there is a risk that a hotel may not be provided.</p> | <p>The proposed amendment to Schedule 4 – Special Use Zones is modified as follows:</p> <ul style="list-style-type: none"> <li>• Replacement of “P” (Permitted) with ‘D’ (Discretionary) against “Multiple Dwelling (up to 5 storeys (21.5 metres))” in the “Special Use” column under “Hotel / Mixed Use Precinct”;</li> <li>• Insertion of a new notation “(2)” against “Multiple Dwelling (up to 5 storeys (21.5 metres))” and “Multiple Dwelling (above 5 storeys (21.5 metres))” to read as follows:</li> <li>• <i>‘(2) Means that the permissibility of the use shall be contingent upon prior or concurrent construction of a hotel.’; and</i></li> <li>• Renumbering existing notation “(2)” as notation ‘3’.</li> </ul> |
| 2          | <p><i>Councillor’s reason:</i></p> <p>This amendment is intended to activate the Middleton Beach frontage and will ensure the hotel building frontage, facing Middleton Beach is between 1 and 3 stories and that the main bulk of the building is stepped back from the beach.</p>                                                                                                                                                                                                 | <p>The proposed amendment to Schedule 4 – Special Use Zones is modified as follows:</p> <ul style="list-style-type: none"> <li>• Insertion of an additional bullet point after ‘Building Height’ under Condition 11, Hotel/Mixed Use Precinct, to read as follows:<br/><br/>‘1-3 storey height limit along Primary Active Frontages abutting Public Open Space, with additional height located towards Mount Adelaide.’</li> </ul>                                                                                                                                                                                                                                                                                               |
| 3          | <p><i>Councillor’s reason:</i></p> <p>This amendment is intended to activate the Middleton Beach frontage and will ensure the hotel building frontage, facing Middleton Beach is between 1 and 3 stories and that the main bulk of the building is stepped back from the beach.</p>                                                                                                                                                                                                 | <p>The precinct plan is modified to incorporate Primary Active Frontage on the eastern edge of the Hotel/Mixed Use Precinct where it abuts the Public Open Space.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |