

4 February 2026

Our Ref: 2565-04

Chief Executive Officer
City of Swan
PO Box 196
MIDLAND DC WA 6936

Attention: Laura O'Shea – Senior Planning Officer

**PROPOSED AMENDMENT TO DA-324-2024 'PRIVATE PSYCHIATRIC HOSTEL'
LOT 10 (#40) JOHN STREET, MIDLAND (DA-324/2024)**

Hidding Urban Planning acts for Roshana Group Pty Ltd (**Roshana**), the owner of the Private Psychiatric Hostel at Lot 10 (#40) John Street, Midland (**Subject Land**).

A Change of Use Approval (**Approval**) was granted by the Council of the City of Swan (**City**) at its meeting held on 14 August 2024 for a Use Not Listed – Private Psychiatric Hostel for the subject land. The approval was time-limited for 12 months, valid to 19 August 2025.

An amendment to the Approval was granted by the City on 17 September 2025 to extend the term of approval until 7 May 2026.

Given this date is coming up in a few months' time, we hereby seek to amend Condition 1 of the City's Approval to allow for operation of the Private Psychiatric Hostel in perpetuity.

We propose to amend the Approval pursuant to Clause 77 of Schedule 2 (Deemed Provisions) of the *Planning & Development (Local Planning Schemes) Regulations 2015*.

Clause 77 of the Deemed Provisions states that,

"An owner of land in respect of which development approval has been granted by the local government may make an application to the local government requesting the local government to do any or all of the following -

- (a) to amend the approval so as to extend the period within which any development approved must be substantially commenced;*
- (b) to amend or delete any condition to which the approval is subject;*
- (c) to amend an aspect of the development approved which, if amended, would not substantially change the development approved;*
- (d) to cancel the approval.*

This application is made in respect part (b) of Clause 77 referenced above, in order to amend conditions to which the approval is subject.

For this purpose, please find enclosed a completed and signed City of Swan Application for Planning Approval Form and MRS Form 1 as well as the Certificate of Title for the land.

THE SITE:

The site at 40 John Street, Midland comprises six (6) double-storey dwellings located on a 2023m² parcel of land for the purpose of accommodating a maximum of 30 residents under the Approval conditions.

PROPOSED AMENDMENTS:

Approval is sought for the following amendments:

- Modify condition 1 so that the time limitation is deleted, allowing approval of the use in a permanent manner until no longer required.
- Modify condition 3, by deleting a section of part (h), to remove reference to the requirement for a quarterly meeting between Roshana Pty Ltd, the City of Swan and community representatives to review operational performance.

Permanent approval is now sought, to allow Roshana to better meet the needs of the community without the requirement to apply for planning approval every year. Roshana has been operating the facility well, with no major issues reported.

The Condition 3h requirement for quarterly meetings has been complied with (but not ultimately occurring in a timely manner), with Roshana reaching out to the City on the 22 September 2025 to request a meeting.

The City sent out by letter an expression of interest to all who provided an objection to the original development application DA-324/2024 on 8 October 2025, providing 2 weeks for submitters to express their interest in attending the meeting. A notification email was also sent to Cr Sarah Howlett, Cr Ian Johnson, and Cr Rashelle Predovnik.

The City received two (2) expressions of interest from Cr Rashelle Predovnik and Margaret Roberts. A meeting was then scheduled by the City of Swan for 21 January 2026. The minutes of the meeting are **attached** to this submission.

It should be noted that the lead time in requesting a meeting and organising an agreed meeting date between interested parties is lengthy and as such, quarterly meetings should no longer be required. This does not, however, stop the balance of Condition 3h from being complied with, which is the Operational Management Plan and having a procedure for managing and dealing with any complaints. In fact, Roshana has already been doing that.

Two minor issues have brought up by a nearby resident:

1. 6 June 2025 – Lights were too bright and facing externally – Matter resolved in 3 days: 11 June 2025 – Disconnected Lights
2. 21 January 2026 – Motion sensor light was facing neighbour – Matter resolved in 24 hours; 22nd January 2026 – Light direction changed and intensity reduced.

Roshana also has an ongoing feedback and compliments register – refer **attached** document.

Accordingly, Roshana proposes to delete the requirement for a quarterly meeting, but commits to continue complying with its Operational Management Plan including dealing with any complaints. Otherwise, we consider that the operation of the facility has been going on without any major issues.

We can also confirm that, at the date of this correspondence, there are 22 residents on site.

There are no other planning considerations that would prevent the City from amending the Approval to allow operation in perpetuity and to remove the need for quarterly meetings.

Further, all other conditions will remain in effect to ensure that the occupation of the dwellings for the purpose of the Private Psychiatric Hostel will not affect the amenity of the locality.

We thank the City for its consideration and look forward to the City's amended Approval so that Roshana can continue to occupy the site for its intended purpose and continue to meet the needs of the community.

*Amendment to Approval – Private Psychiatric Hostel
Lot 10 (#40) John Street, Midland*

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If the City requires any further information to consider this application, please do not hesitate to contact me on 0424 651 513.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Nik Hidding', with a stylized, flowing script.

Nik Hidding
Director
HIDDING URBAN PLANNING