

Extract from relevant legislation

1. Town Planning Scheme No. 2

a. Clause 5.15

"OLD SWANBOURNE HOSPITAL PRECINCT"

5.15.1 Prior to Council considering any application for subdivision and/or development on the site, a suitable and sustainable low-key adaptive re-use for Montgomery Hall shall be identified;

5.15.2 Council shall require subdivision and development to be generally in accordance with the Development Plan No. 03/16/12A, dated July 2005, annexed to Local Planning Policy: Old Swanbourne Hospital Precinct;

5.15.3 Council shall require subdivision and development to have regard to, and be generally consistent with Local Planning Policy: Old Swanbourne Hospital Precinct;

5.15.4 Notwithstanding the provisions of Table 1: Use Class Table, and in accordance with the Development Plan referred to in 5.15(a), the following uses are 'AA':

- i. Caretakers Dwelling
- ii. Carpark
- iii. Civic Building
- iv. Club Premises
- v. Consulting Room(s)
- vi. Dwelling House – Single
- vii. Dwelling House – Grouped
- viii. Dwelling House – Multiple
- ix. Educational Establishment
- x. Home Business
- xi. Home Occupation
- xii. Medical Centre
- xiii. Office – General
- xiv. Office – Professional
- xv. Recreation – Private
- xvi. Recreation – Public
- xvii. Residential Building
- xviii. Restaurant.

All other uses are 'X' – not permitted.

5.15.5 Prior to Council considering any application for subdivision and/or development on the site, in accordance with clause 3.8 of the Scheme, the applicant shall submit an Outline Development Plan for the **approval of the Council**, in consultation with the Heritage Council of Western Australia; (emphasis added)

- 5.15.6 Prior to Council considering any application for subdivision and/or development on the site, a revised Conservation Plan for the site shall be completed to the satisfaction of the Heritage Council of Western Australia in accordance with the Government Heritage Property Disposal Process;
- 5.15.7 Prior to Council considering any application and/or development on the site, a Heritage Agreement shall be completed to the satisfaction of the Heritage Council of Western Australia in accordance with the Government Heritage Property Disposal Process;
- 5.15.8 Any application for subdivision and/or development shall have due regard for the revised Conservation Plan for the site and shall demonstrate the conservation of the existing heritage buildings to the satisfaction of the Heritage Council of Western Australia.”

b. Clause 3.8, which stipulates the number of steps to be taken as part of the approval process of an Outline Development Plan as follows:

"3.8.1 It is the intention of the Council to ensure that development of land within the Development Zone takes place only after comprehensive planning ensures the maximum possible benefits of urban design and servicing.

3.8.2 Any person who wishes to develop land within the Development Zone shall make application to the Council for approval in accordance with Part 6 and shall submit with the application, overall concept plan for all the land in the Development Zone or such part thereof as the Council shall require. The Outline Development Plan shall show:-

- a) the topography of the area;
- b) the existing major road systems;
- c) the location and width of proposed roads;
- d) the approximate location and quantity of shopping, civic and public facilities proposed;
- e) the approximate location of the recreation and open space area proposed;
- f) the population and residential densities proposed including the spatial location of appropriate Residential Planning Code densities;
- g) the basic layout of a sewerage system;

- h) the layout of comprehensive drainage, both land and stormwater;
- i) land holdings adjacent to or in the vicinity of the area the subject of the application;
- j) the development proposed, the method of carrying out the development and the projected times of completion of each stage of development;
- k) such other information as shall be required by the Council.

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- 3.8.3 If the Council shall approve the Outline Development Plan in principle it shall submit it to the Town Planning Board.
- 3.8.4 If the Board shall have approved the Outline Development Plan in principle Council on behalf of the applicant and at the applicant's expense shall advertise that the Outline Development Plan has been prepared and will be available for public inspection at the offices of the Council inviting submissions in relation to the Outline Development Plan which shall be made to the Town Clerk of the Council. A minimum period of 21 days from the date of the last advertising shall be made available for submissions.
- 3.8.5 The advertisement of the preparation of the Outline Development Plan shall be by notice at weekly intervals for each of three consecutive weeks in a newspaper circulating in the district. The notice shall be of such size as determined by Council.
- 3.8.6 The Council shall consider the submissions, if any, to the Outline Development Plan and may after consultation with the applicant amend the Outline Development Plan after consideration of such submissions.
- 3.8.7 The Council may decide not to proceed with the proposal or may submit the Outline Development Plan so prepared to the Town Planning Board together with the objections and request the Board to adopt the plan submitted as the basis for approval of subdivision and development applications within the area covered by the plan.”

Clause 3.8.7 is of particular significance in this context.

2. City Policies

Policy 6.13 Local Planning Policy "Old Swanbourne Hospital Precinct" applies in this instance.

This policy is based on the Development Plan No. 03/16/12A referred to in clause 15.2 of the scheme and has been developed in accordance this clause.

A re-evaluation of the conditions of approval granted by Council in May 2011

1. Public Open Space

Previous condition	WAPC response	Merit of including provision in City's adopted ODP
<ul style="list-style-type: none"> An additional amount of the 7440 m² public open space be provided on sites ideally in the location as the shown on the 2005 development plan or in a configuration as agreed with the City, so that the total amount of Public Open Space on the site is 9922 m² as shown in the 2005 development plan and required under Town Planning Scheme No 2 and flagged in advice note 1 attached to subdivision approvals WAPC 131108 and WAPC 131109 dated 24 February 2011. A provision is included in the proposed draft ODP to ensure that the City retains a role in the negotiation process to determine public open space on the site. 	<ul style="list-style-type: none"> The amount of Public Open Space proposed by the ODP (4482m² in the western portion of the site) accounts for 10% of the gross subdivision area of the subject site, which is in accordance with the requirements of WAPC Policy DC 2.3 'Public Open Space in Residential Areas'. This suggestion cannot be achieved through the ODP process. The WAPC is the final authority with regard to the ceding of Public Open Space. 	<ul style="list-style-type: none"> Despite numerous undertakings by the WAPC to ensure that additional open space is secured as part of the ODP process, the WAPC comment indicates an unwillingness to pursue additional Provision of POS. <p>Unlike the previous proposal the WAPC approved ODP map shows private open space in many of the areas that had been earmarked for Open Space in the 2005 development plan. While these areas are not Public Open Space, they will provide for the required openness.</p> <ul style="list-style-type: none"> The WAPC has indicated that it is not willing to include the City in this process. <p>It is recommended that the requirement for additional POS in not pursued further.</p>

PD18.12 – Attachment 7

A re-evaluation of the conditions of approval granted by Council in May 2011

2. Requirement of a guarantee for development of historic buildings

Previous condition	WAPC response	Merit of including provision in City's adopted ODP
<ul style="list-style-type: none"> Provisions are incorporated into the ODP to impose a relationship between the development of the historic buildings following the sale of the vacant blocks in the north and south wing so that the developer is legally bound to link the sale of the north and south wings to the development of the historic building and in this way guarantees are put in place to ensure that the historic buildings will be developed within an agreed timeframe. 	<ul style="list-style-type: none"> The landowner has an obligation to do this under the Heritage Agreement. The landowner has an obligation under TPS2 which requires the development to be in accordance a Government Heritage Property Disposal Process, which includes requirement for a Conservation Plan and Heritage Agreement for the site prior to commencement of development. The Heritage Agreement, signed in 2008 requires conservation works to be completed with a certain timeframe, being two years for designated urgent works, up to 5 years for less urgent works and up to 10 years for long term works. These works are clearly defined within the Heritage Agreement in the Schedule of Conservation Works section. The ODP states that the Council and Department of Planning are to have regard to the Revised Conservation Plan, Heritage Agreement and advice from the HCWA when assessing proposed DAPs and development or subdivision applications. 	<ul style="list-style-type: none"> While the Heritage Agreement that the WAPC is depending on does not have the capacity to enforce development, imposing a provision to link of the historic buildings to the sale of vacant land is too ambitious for the WAPC, and without their cooperation not enforceable. It is therefore recommended that this condition is not pursued.

3. Montgomery Hall

Previous condition	WAPC response	Merit of including provision in City's adopted ODP
<ul style="list-style-type: none"> The ODP addresses the question of a future use for Montgomery Hall and provides for the future parking needs for this use on site or alternatively provides an area on site where future parking needs of Montgomery Hall could be accommodated. 	<ul style="list-style-type: none"> The ODP states that Montgomery Hall may be used for a private community use such as real tennis, café, meeting rooms, museum or rhythmic gymnastics, subject to sufficient parking being available on site. The area between Montgomery Hall and the POS is one of the only places where car parking could be properly accommodated and there is a concern that if car parking for Montgomery Hall is not considered in the ODP the future ability to find an appropriate use would be constrained. Therefore it is proposed to sensitively landscape this area, to allow for car parking to be designed and constructed in such a way as to have minimal impact on the aesthetic qualities of the heritage buildings 	<ul style="list-style-type: none"> With the subdivision of the south wing, which was intended to provide for the parking needs of Montgomery Hall the use of the Hall has become an issue. The WAPC has not turned its mind to the question of use.
<ul style="list-style-type: none"> Pedestrian access way along the eastern side of Montgomery Hall is provided so that full public access to the exterior of the building remains. 	<ul style="list-style-type: none"> Public access along the eastern side of Montgomery Hall will not be provided. The space along the eastern side of Montgomery Hall forms a narrow laneway and have been identified with regard to crime prevention issues. It is also in close proximity to proposed private residences and therefore it is considered inappropriate to require that public access be provided at this point. 	<p>Instead it is proposing an ad hoc decision to provide a carpark in a location without allowing input from any stakeholders. Furthermore this carpark is to obtain its access via a local residential road that was always intended to provide very limited access (only to service vehicles to Montgomery Hall).</p> <p>It is evident that the question of use will only be settled once the use of remaining hospital buildings has been finalized as part of the DAP for the central wing. It is therefore recommended that this condition not be pursued in the revised ODP, while the proposed carpark and access from Abbey Gardens is opposed.</p> <ul style="list-style-type: none"> Quality design of this area is required to accommodate public access and protect private residences. Loosing this access way for the public is unfortunate, but not critical and given the resistance to providing this access it is recommended that this requirement is no longer pursued.

4. Pedestrian Access

Previous condition	WAPC response	Merit of including provision in City's adopted ODP
<ul style="list-style-type: none"> The land needed for dual use access purposes through the site is in public ownership so as to ensure that public access through the site is maintained in perpetuity. 	<ul style="list-style-type: none"> Pedestrian and cyclist access will be provided across the site generally along the routes shown on the ODP map. <p>The pathways will be created via either an easement for public access of a PWA.</p> <p>The routes should provide for pedestrian and cyclist access through the site and to allow public enjoyment of the heritage buildings.</p> <p>The detailed design of the pathways and landscaping treatments and placement of associated easement will be addressed in the Detailed Area Plan (DAP) state for the Heritage Buildings area.</p> <p>The text of the ODP is to state that the DAP for the Heritage Buildings is to be prepared to the satisfaction of the WAPC on the advice of the City of Nedlands and the Heritage Council of WA</p>	<ul style="list-style-type: none"> While the use of easements or PAW is not the same as having the land in public ownership, and easements are cumbersome to administer, it does achieve the objective to ensure public access through the site is maintained in perpetuity. <p>It is therefore recommended that this condition is no longer pursued.</p>

5. Access from existing adjoining local roads

Previous condition	WAPC response	Merit of including provision in City's adopted ODP
<p>The following additional wording to be added to the text:</p> <ul style="list-style-type: none"> • There shall be no link between Heritage Lane throughout the site to the North or South Wings which would enable vehicular access to or from Heritage Lane to or from any other existing public road; 	<ul style="list-style-type: none"> • No comment from the WAPC 	<ul style="list-style-type: none"> • With the subdivisions of the north and south wings a link between Heritage Lane to any other existing public road is no longer possible. There is therefore no further need to pursue this provision.
<ul style="list-style-type: none"> • An additional vehicle access point can be provided from Heritage Lane south of Circular Drive; • There shall be no vehicle access to and from the site via St John's Wood Boulevard, Abbey Gardens, Charles Lane or Hamilton Gardens unless otherwise provided in this ODP; 	<ul style="list-style-type: none"> • Proposed vehicle access points are shown on the ODP plan. • Access from Abbey Gardens is to be shown as an additional access point on the ODP as this is required to facilitate access to the parking area for Montgomery hall 	<ul style="list-style-type: none"> • As this is not a prohibiting provision excluding it from the text has no consequences. • Access from Abbey Gardens for a proposed parking area for Montgomery Hall was imposed without consulting stakeholders and is unacceptable

6. Curtilage

Previous condition	WAPC response	Merit of including provision in City's adopted ODP
<p>The following additional wording to be added to the text:</p> <ul style="list-style-type: none"> • The curtilage areas are to be retained for the purposes of providing public access throughout the site; • retaining the conservation values of the buildings; • providing a visual separation between the heritage buildings and other development and "providing limited parking". • No above ground structures of any type including movable furniture and equipment will be permitted in the curtilage areas unless approved as part of the landscape masterplan. 	<ul style="list-style-type: none"> • The ODP states that "The curtilage shall be retained for providing public access throughout the site, retaining conservation values of the buildings and for visual separation between the heritage buildings and other development." <p>As indicated on the ODP, the cartilage is to maintain a width of 23 m between the Northern Subdivision Wing and a width of 20 m between the Southern subdivision Wing and the existing heritage buildings.</p> <p>The treatment of the cartilage will be addressed via DAP, development and landscaping plans at the development application stage.</p> <p>The curtilage is envisaged to be a parklike pedestrian environment and therefore it is unlikely that parking will be proposed</p> <ul style="list-style-type: none"> • The detailed landscape plan for the whole site is required to be prepared at the Detailed Area Plan stage. <p>The text of the ODP is to state that the landscape plan and the DAP for the Heritage Buildings is to be prepared to the satisfaction of the WAPC on the advice of the City of Nedlands and the Heritage Council.</p>	<ul style="list-style-type: none"> • The WAPC comments reflect the intent of the condition that was imposed in the previously approval, with the exception of possibility of providing for parking in the curtilage. As this not a prohibiting provision excluding it from the text is has no consequences. <p>It is therefore recommended that this condition is not pursued.</p> <ul style="list-style-type: none"> • Seemingly the role of the Council in the approval of the DAP is to be limited and the WAPC does not deem this to be a high priority. It is therefore recommended that this condition is not pursued, as it is also include in the City's Local Planning Policy.

<ul style="list-style-type: none"> • The levels within all curtilage areas shall not be altered by more than 500mm calculated from the Natural Ground Level shown on the Development Plan. • The full extent of the curtilage area may be given up by the Developer free of cost as a reserve for which the City has care, control and management. 	<ul style="list-style-type: none"> • This provision is included in the City's Local Planning Policy. This level of detail will be dealt with as part of the Landscape Masterplan • This provision is included in the City's Local Planning Policy. This level of detail will be dealt with as part of the Landscape Masterplan 	<ul style="list-style-type: none"> • It is recommended that this condition is not pursued further as it is also include in the City's Local Planning Policy. • It is recommended that this condition is not pursued further as it is also include in the City's Local Planning Policy.
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7. Circular Drive

Previous condition	WAPC response	Merit of including provision in City's adopted ODP
<ul style="list-style-type: none"> • Circular Drive remains accessible to the public at all time and shall not be gated. 	<ul style="list-style-type: none"> • It is not considered appropriate to include this provision. 	<ul style="list-style-type: none"> • To align with the provisions of TPS2 and for practical purposes, as vehicles from Heritage Lane are unable to be diverted should Circular Drive no longer be available to the public because it is privately owned. <p>It is therefore recommended that the wording in the document be amended to include that "Circular Drive shall be not less than 725m² and is to be created as a public road".</p>

8. Protect View Corridors

Previous condition	WAPC response	Merit of including provision in City's adopted ODP
<ul style="list-style-type: none"> The following words "so that view corridors to and from the historic building from all sides are retained" are added to the sentence in the ODP "High quality open space treatments are required, commensurate with the quality of the development of the heritage buildings". 	<ul style="list-style-type: none"> The General Provisions text in ODP states: "To ensure that the visual prominence of Heritage Buildings is protected and retained, view corridors to and from the heritage building must not be interfered with, so that the profile of the buildings when viewed at close range or from a distance remains unchanged. 	<ul style="list-style-type: none"> The provision in the General Provisions of the ODP meets the objective of the previous condition.

OLD SWANBOURNE HOSPITAL PRECINCT

OUTLINE DEVELOPMENT PLAN

APRIL 2012

**OLD SWANBOURNE HOSPITAL
OUTLINE DEVELOPMENT PLAN**

*This Outline Development Plan is prepared under the provisions of
Clause 3.8 of the City of Nedlands Town Planning Scheme No. 2*

*Approved by The City of Nedlands at ordinary Council
meeting dated.....*

CERTIFICATION OF OUTLINE DEVELOPMENT PLAN

*Certified that this Outline Development Plan was adopted by
resolution of the Western Australian Planning Commission on 26
July 2011 and endorsed on 27 March 2012*

*.....
being an officer of the Commission duly authorised by the
Commission pursuant to section 24 of the Planning and
Development Act 2005.*

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EXECUTIVE SUMMARY

This Outline Development Plan (ODP) is a revised document that incorporates the decision of the Western Australian Planning Commission (WAPC) made on 26 July 2011 from the ODP that has been prepared by TPG Town Planning & Urban Design on behalf of the Swanbourne Estate Development Pty Ltd to enable the redevelopment of the Old Swanbourne Hospital Precinct (the Precinct).

The ODP sets out appropriate guidelines for the future development and subdivision of the Precinct. It aims to facilitate high quality infill development that remains cognisant of existing heritage values on a landmark site. The ODP also makes provision for Public Open Space, indicative residential densities, vehicular and pedestrian access and general development parameters.

The ODP contains general development provisions that are intended to inform a set of Detailed Area Plans (DAPs) which are to be created for three (3) character areas; the Northern Subdivision Wing, the Southern Subdivision Wing and the Heritage Buildings.

These DAPs incorporate detailed design and development parameters for each individual area which will assist in the assessment of future development applications in the Precinct.

The ODP has been prepared in consultation with:

- Advice from the Heritage Council of Western Australia (HCWA) and the City of Nedlands;
- The City of Nedlands Town Planning Scheme No. 2; (TPS2)
- The Taylor Burrell Barnett Town Planning & Design (TBB) Development Plan 03/016/012A dated October 2005;
- The Local Planning Policy: Old Swanbourne Hospital Precinct (May 2008);
- The revised Conservation Plan and Heritage Agreement pertaining to the Precinct.

PART 1: STATUTORY PLANNING

OUTLINE DEVELOPMENT PLAN AREA

This ODP relates to the Old Swanbourne Hospital Precinct as depicted in Figure 1 – Structure Plan Area. The study area is hereafter referred to as the Precinct.

REFER TO FIGURE 1: ODP AREA

The Old Swanbourne Hospital Precinct comprises the former Swanbourne Hospital estate in Mount Claremont in the City of Nedlands. The Precinct is found 7 kilometres from the Perth City Centre and 3 kilometres from the coastline.

John XXIII College borders the site to the east, and Graylands Hospital and the Industrial Rehabilitation Division are found approximately one kilometre east of the site. The site is approximately 700 metres from the Mount Claremont shopping centre and is well-served by local public open space including Hamilton Park, Mooroo Park, Pine Tree Park and Mount Claremont Oval. Lake Claremont and the Lake Claremont Golf Course are also located two kilometres south of the site whilst the Cottesloe Golf Club is located a similar distance to the west.

REFER TO FIGURE 2: AERIAL PHOTOGRAPH ODP AREA

RELATIONSHIP WITH THE SCHEME

As provided for under the provisions of the City of Nedlands Town Planning Scheme No. 2 (TPS2), Part 1 of the ODP has the same force and effect as a provision, standard or requirement of TPS2. In the event of any inconsistency or conflict between the provisions, standards and requirements of TPS2 and the provisions, standards and requirements of this ODP, then those contained within TPS2 shall prevail.

INTERPRETATION

The words and expressions used in this ODP shall have the respective meanings given to them in TPS2, or where not defined in TPS2, as set out hereunder. The context of the use of any term will be given weight in interpreting its meaning.

OPERATION DATE

In accordance with Clause 3.8.7 of TPS2, this ODP shall come into operation when it is fully endorsed by the Town Planning Board, now the Western Australian Planning Commission (WAPC).

FIGURE 1 - ODP AREA

FIGURE 1 - ODP AREA

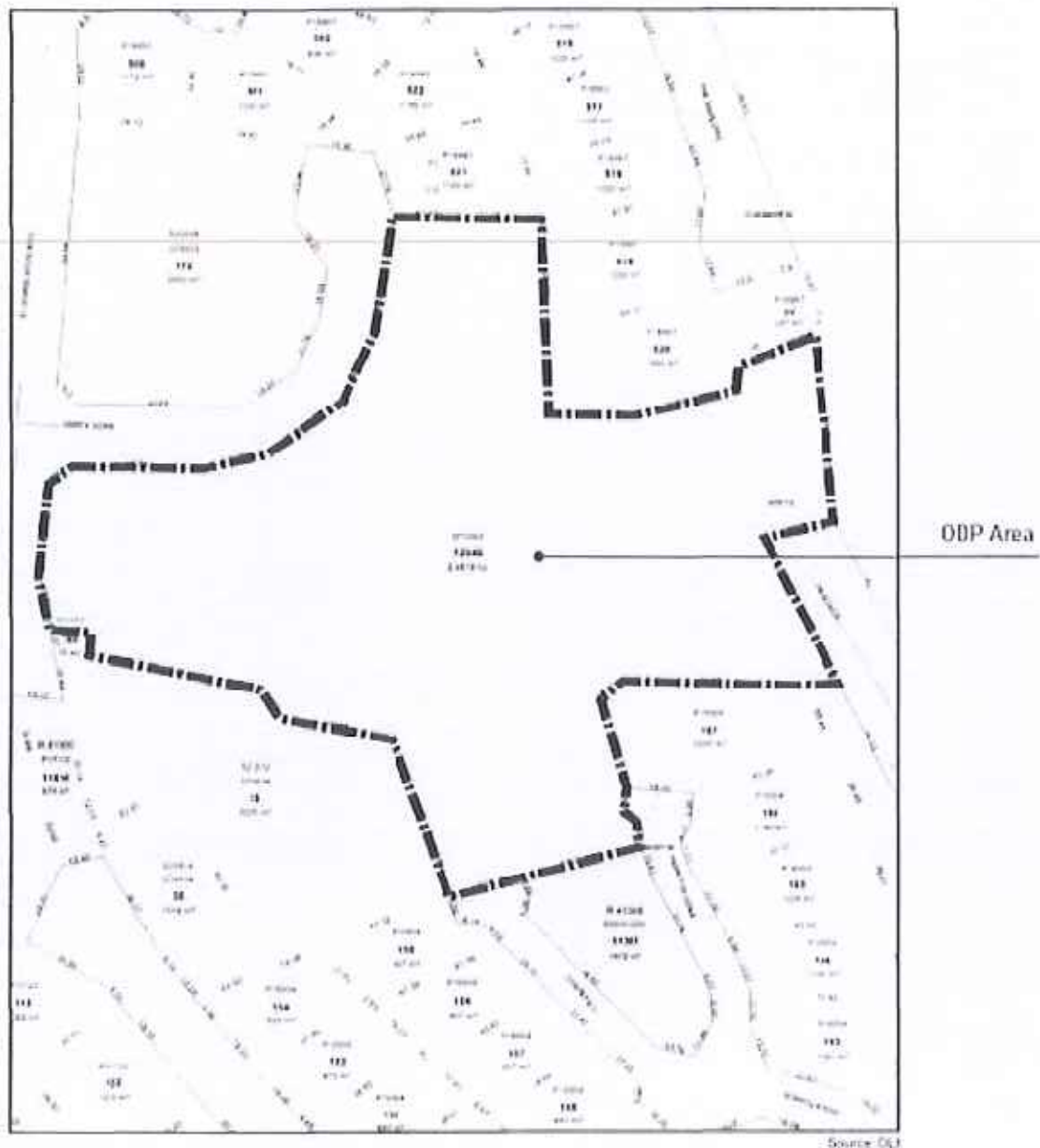


FIGURE 2 - AERIAL PHOTOGRAPH ODP AREA

FIGURE 2 - AERIAL PHOTOGRAPH ODP AREA



Subject Site

Source: DJJ

GENERAL PROVISIONS

The ODP (Figure 3) details the future pattern of development intended for the Precinct. It sets out indicative land uses, residential densities and general development parameters for the Precinct as well as the allocation of Public Open Space (POS), and makes provision for pedestrian and vehicular access. Development is to be carried out in accordance with the principles detailed in this document, and the ODP.

REFER TO FIGURE 3: SWANBOURNE HOSPITAL PRECINCT ODP AND APPENDIX B

DETAILED AREA PLANS

The Precinct has been divided into three (3) distinct character areas for which individual agreed Detailed Area Plans (DAP) are to be prepared in order to ensure co-ordinated and orderly planning and development.

These character areas are defined as the Northern Subdivision Wing, the Southern Subdivision Wing and the Heritage Buildings. The Heritage Buildings is the largest of the character areas and is located between the subdivision wings.

Development of the character areas should be carried out in accordance with a DAP.

The agreed DAPs will include detailed design guidelines for the assessment of future development applications, however a DAP may modify the application of any statutory part of the ODP where the modification is in keeping with the general intent of the explanatory section of the ODP.

The DAPs for the Northern and Southern Subdivision Wings are to be submitted for Council's consideration as part of the conditions of subdivision approval imposed by the Western Australian Planning Commission (WAPC) on 24 February 2010.

The DAP for the Heritage Buildings is to be prepared to the satisfaction of the WAPC on the advice of the City of Nedlands and the Heritage Council of WA.

Figure 3 – SWANBOURNE HOSPITAL PRECINCT ODP



GUIDING PRINCIPLES AND DEVELOPMENT PARAMETERS

The ODP incorporates the following guiding principles and general development parameters for the Precinct.

GENERAL PROVISIONS

Land Uses	No public or affordable housing is to be provided.
Built Form	Existing Heritage Buildings are to be retained. The style of new development is to respect the existing heritage building character but not mimic the heritage style.
Heritage	<p>The Council and Department for Planning are to have regard to the Revised Conservation Plan, Heritage Agreement and advice from the Heritage Council of Western Australia when assessing proposed DAPs and development or subdivision applications.</p> <p>All existing heritage buildings on the site are required to be retained and conserved in situ, given their inclusion on the State Register.</p> <p>To ensure that the visual prominence of the Heritage Buildings is protected and retained, view corridors to and from the heritage buildings must not be interfered with, so that the profile of the buildings when viewed at close range or from a distance remains unchanged.</p> <p>Circular Drive and the tree to the immediate north along with the trees along the northern boundary and along Heritage Lane have been identified as having heritage significance and are required to be retained. The detailed landscaping plan is required to identify these trees on site and any other existing trees that will be retained, and indicate measures to protect these trees during and after construction.</p> <p>The development and conservation of the heritage buildings are to be to the satisfaction of the Heritage Council of Western Australia.</p>
Public and Private Open Space	<p>A total contribution of 2482 m² of Public Open Space is to be provided as part of the subdivision approvals granted in 2010 for the northern and southern subdivision wings.</p> <p>All Public Open Space shall be ceded free of cost to the Crown under Section 152 of the <i>Planning and Development Act 2005</i> with the intention that the land will become a reserve for which the City will have care, control and management.</p> <p>All Public Open space must be landscaped to a high standard to protect and enhance the profile of Montgomery Hall and existing view corridors in accordance with plans approved by the City.</p> <p>The Public Open Space is to provide for pedestrian/cycle access and landscaping, lighting and public art and may incorporate things such as a playground.</p> <p>No parking shall be permitted in this area.</p> <p>A landscape plan for the Heritage Buildings area including the Public Open Space located to the west of Montgomery Hall must be prepared in consultation with the City and the Heritage Council of WA as part of the Detailed Area Plan stage. The landscaping plan is to be prepared to the satisfaction of the WAPC. The approved</p>

detailed landscaping plan is to be implemented by the Developer to the satisfaction of the City as a condition of development approval.

The landscape plan must indicate what treatments (i.e. plantings, "hard" landscaping) are proposed for the curtilage areas, any private open space areas within the site, and for road verges bounding the site. The verge planting for Abbey Gardens must be such that it prevents parking within the road verge.

High quality open space treatments are required, commensurate with the quality of the redevelopment of the heritage buildings. An indication of the type of landscaping considered appropriate to elements of the site are included overleaf.

REFER FIGURE 4 – PUBLIC OPEN SPACE WEST OF MONTGOMERY HALL

FIGURE 4, 5 & 6

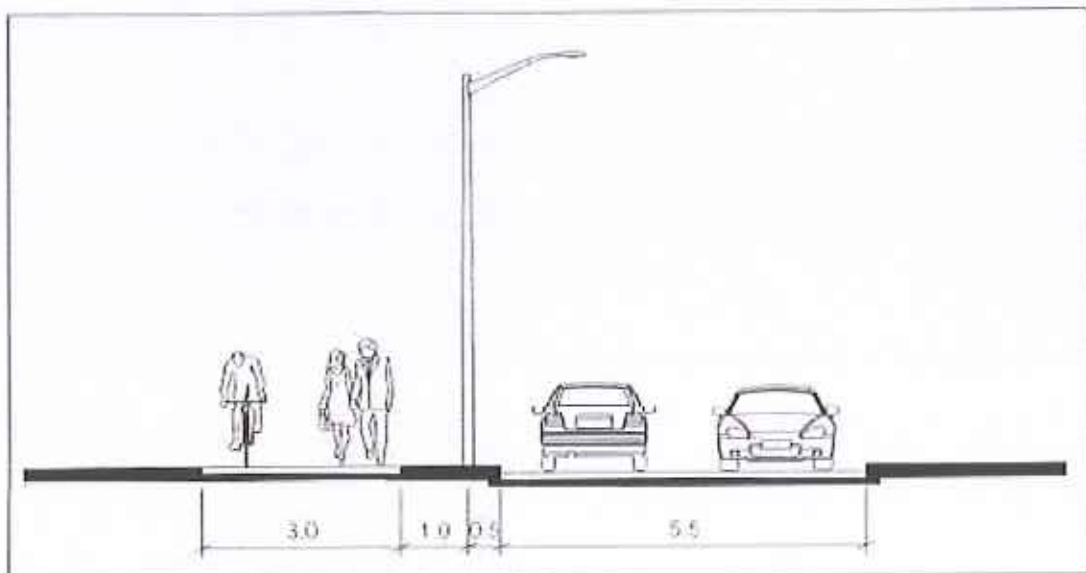
FIGURE 4 - PUBLIC OPEN SPACE WEST OF MONTGOMERY HALL



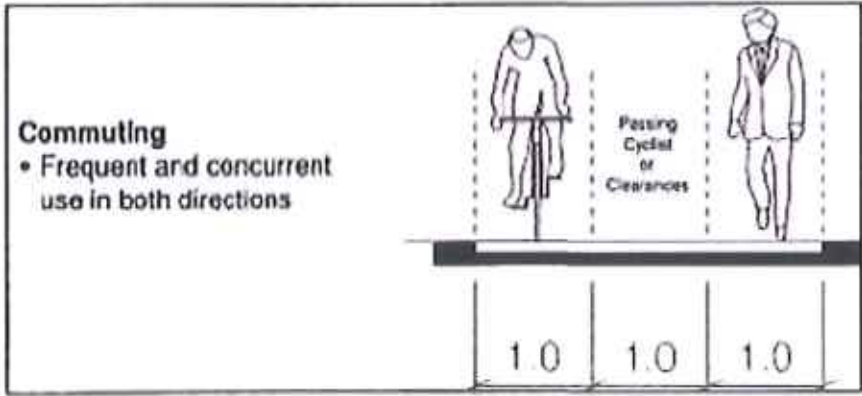
FIGURE 5 - PRIVATE OPEN SPACE: NORTH EAST WING



FIGURE 6 - INDICATIVE CROSS STREET SECTION



<p>Vehicle Movement</p>	<p>Vehicle access is to be provided across the Precinct along the routes shown on the ODP.</p> <p>Carriageways are to maintain a minimum width of 6.0 m.</p> <p>REFER TO FIGURE 6 – INDICATIVE CROSS STREET SECTION</p> <p>The road reserves located within the Northern and Southern Subdivision Wings will be created as dedicated road reserves with a width of 6.0 m.</p> <p>Principal vehicle access to the Precinct is to be provided along Heritage Lane.</p> <p>Service vehicles servicing Montgomery Hall may use Abbey Gardens to access only Montgomery Hall. Service vehicle parking bays may be provided adjacent to Montgomery Hall. The use of these bays is to be regulated.</p> <p>Vehicle Access to the Subdivision Wings</p> <p>Vehicle access to the Northern Subdivision Wing is to be provided via Abbey Gardens.</p> <p>Vehicle access to the Southern Subdivision Wing is to be provided via Charles Lane and Hamilton Gardens. Access to Lot 6 will be provided by Hamilton Gardens whilst access to the remaining lots will be provided via Charles Lane and the 6.0 m road reserve.</p> <p>Vehicle access to the Northern and Southern Subdivision Wings will ensure that the majority of the subdivision lots can be rear loaded. This means that where possible, future dwellings can be oriented towards the heritage buildings and curtilage, without the interference of garages and carports. This arrangement provides an opportunity for passive surveillance of the curtilage and reduces the potential for vehicle congestion and vehicles and pedestrian conflict.</p>
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Circular Drive	<p>Views to and from the Administration Building are to be protected. The design is to be sensitive to the heritage character of the building i.e. coloured pavement, minimal carriageway width and landscaping.</p> <p>Visitor parking is located on the outer edge of the Circular Drive.</p> <p>Circular Drive shall be not less than 725m² and is to be created as a public road.</p>
Parking	<p>All car parking requirements for all future residents and their visitors shall be provided on the site. As far as possible parking shall be provided out of sight such as undercroft parking or at-grade, under the covered way adjacent to the Stores and around the Circular Drive.</p> <p>At-grade parking shall not be covered unless it is provided in an area where roof cover has already been provided.</p> <p>Parking demand will need to be calculated at the development application stage once the proposed use and design has been finalised.</p>
Curtilage	<p>As indicated on the ODP, the curtilage is to maintain a width of 23 m between the Northern Subdivision Wing and the existing heritage buildings, and a width of 20 m between the Southern Subdivision Wing and the existing heritage buildings. The treatment of the curtilage will be addressed via development and landscaping plans at the development application stage.</p> <p>The curtilage is to include a 3.0 m wide shared access path. – Refer to FIGURE 7-SHARED ACCESS PATH CROSS SECTION.</p> <div data-bbox="424 1079 1366 1585" style="border: 1px solid black; padding: 10px;"> <p style="text-align: center;">FIGURE 7 -INDICATIVE DUAL USE PATH CROSS SECTION</p>  <p>Commuting • Frequent and concurrent use in both directions</p> <p style="text-align: center;">Passing Cyclist or Clearances</p> <p style="text-align: center;">1.0 1.0 1.0</p> </div>
Public Access	<p>Pedestrian and cyclist access will be provided across the Precinct generally along the routes shown on the ODP. The pathways will be created via an easement for public access or the creation of a Public Access Way (PAW).</p> <p>The shared paths should provide for pedestrian and cyclist access through the site and to allow public enjoyment of the heritage buildings.</p> <p>Shared access paths should be constructed in coloured aggregate to blend into the heritage character of the site and soften the visual impact of the paths. The developer will be required to landscape the access ways and include street furniture in appropriate locations.</p>

	<p>All shared access paths on site must be separate from vehicle access and shall integrate with the existing pedestrian network.</p>
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	<p>The detailed design and placement of the shared access paths will be addressed as part of the detailed landscaping plan required as part of the Detailed Area Plan (DAP) for the Heritage Buildings area.</p>
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SPECIFIC PROVISIONS

The ODP incorporates the following specific principles and development parameters for the individual character areas.

DAPs are also required for each area prior to the approval of individual development applications.

The DAPs for the Northern and Southern Subdivision Wings will take the form of Design Guidelines. The Design Guidelines are required as a condition of subdivision approval as imposed by the WAPC on 24 February 2010 and have been supported by the City of Nedlands at its meeting of 22 June 2010 as shown below:

SECTION 1: INTRODUCTION

Located in one of Perth's most attractive and established suburbs, the Old Swanbourne Hospital in Mount Claremont offers a unique opportunity for an exceptional residential community. These design guidelines have been carefully prepared to maximise the benefits for future residents.

Context

Three components make up the Old Swanbourne Hospital site; the existing hospital buildings and grounds at the centre of the site, and the Northern and Southern subdivision wings. Each component is subject to the preparation of a Detailed Area Plan (DAP). These design guidelines support the DAPs prepared for the Northern and Southern Subdivision wings. A copy of the DAPs for the Northern and Southern Subdivision wings are attached to these design guidelines.

The lots subject to these guidelines form an integral part of the overall development of the Swanbourne Hospital Precincts redevelopment, which incorporated the existing hospital buildings, and the Northern and Southern Subdivision wings which are to be subdivided into six (6) and eight (8) residential lots respectively.

The existing hospital building and grounds have recognised heritage values. The redevelopment of the central Swanbourne of the site will be guided by the Swanbourne Hospital Conservation Area Conservation Plan dated October 2005 (the Conservation Plan) and by discussion with the City of Nedlands and the Heritage Council of Western Australia (HCWA).

Relationship to the City of Nedlands Town Planning Scheme No. 2

Part Five of the General Provisions of the City of Nedlands Town Planning Scheme No. 2 (TPS2) enables the Council to prepare and implement policies specific to land identified in the scheme map.

These guidelines support the Outline Development Plan (ODP) and DAPs prepared for the Old Swanbourne Hospital and have been prepared having regard to the Development Plan and the City of Nedlands' Local Planning Policy for the Old Swanbourne Hospital site.

In determining application for planning approval, the council will utilise these guidelines as the primary assessment criteria to be exercised in conjunction with the provisions of TPS2 and Residential Design Codes. The provisions of TPS2 and Residential Design Codes will apply where these design guidelines are silent. All development should comply with these design guidelines and any departures from these provisions will require full and substantial justification.

Planning Approval Process

TPS2 requires that an Outline Development Plan must be approved for these lots before the City can grant Planning Approval. In the absence of an Outline Development Plan having been approved, these lots cannot be developed.

TPS2 requires that planning approval be obtained from the City of Nedlands prior to development occurring on the individual lots. Architectural drawings (plans and elevations) or any proposed development should be submitted to the City of Nedlands with an application for Planning Approval.

The usual Local Government Planning, Building and health By-laws remain in force and any required licences must be obtained from the City of Nedlands.

It is strongly recommended that the prospective landowners and / or their architect or designer, liaise with the city of Nedlands at the earliest stage of design development to discuss proposals. Purchasers are also encouraged to liaise with neighbouring property owners prior to submitting an application for Planning Approval having particular regard to potential impact associated with parapet walls, boundary fencing, location of private open space and balconies should be discussed. Proposed designs may be submitted to the developer for endorsement of the design intent prior to lodging an application for Planning Approval with the City of Nedlands.

The City of Nedlands will assess each application on its merit having regard to the relevant provision of these guidelines, TPS2, R-Codes and local planning policies. Applications for Planning Approval will also be referred to the heritage Council for comment to ensure compliance with the Heritage Agreement and the Conservation Plan which relate to the site. Non compliant applications may be approved if in the opinion of Council, the application satisfied the objectives of the design guidelines, TPS2, R-Codes or relevant Local Planning Policy.

Planning applications are to be submitted in the format as required by the City of Nedlands. All costs associated with applications for Planning Approval will be borne by the applicant.

SECTION 2: OBJECTIVES

These design guidelines aim to establish best practice parameters within which quality housing may be developed. Future development will sit comfortably amongst the existing surrounding residences, having due respect for the heritage values of the Swanbourne Hospital buildings and grounds. Indicative elevations of future developments in the Northern and Southern Subdivision Wings are attached to this document.

SECTION 3: SPECIFIC DEVELOPMENT REQUIREMENTS

(i) Northern subdivision wing design guidelines (6 lot residential subdivision)

The provisions of the R-Codes apply to the development of the Northern Subdivision Wing unless otherwise varied by these design guidelines.

Dwelling Type Permitted:	Single House
Residential Coding:	R20
Open Space Requirement:	40 %
Site Coverage:	60 %
Minimum Outdoor Living:	30 m ²
Relative Lot Levels:	As per the Northern Subdivision Wing Detailed Area Plan.
Minimum Setbacks:	
Front Setback:	4 m pursuant to the R-Codes.
Rear Setback:	As per R codes
Side Setback:	A nil setback is permitted and encouraged along the site boundary as indicated on the Northern Subdivision Wing Detailed Area Plan. Nil setbacks are to be measured in accordance with R-Codes. All other setbacks are to be in accordance with R-Codes.
Garage/Carport	To be located along common lot boundaries, and as per the Northern Subdivision Wing Detailed Area Plan. Garage/carport to be set back 1.5 m from road reserve.
Vehicle Access:	For Lots 3 to 7 vehicle access to garages and carports are to be accessed by the 6.0m road reserve. Vehicle access to Lot 2 is provided from Abbey Gardens and the provisions of the RCodes relating to garages and carports apply.

Orientation: Lots 2 & 3 shall address Abbey Gardens as the primary frontage. Lots 4 to 7 shall address the heritage buildings as primary frontage.

Lot 4 shall also address Abbey Gardens as the secondary frontage whereby the same architectural treatment to the front façade (windows, awnings, gables, materials) is to be used within the first 4 m of the secondary frontage.

(ii) Southern subdivision wing design guidelines (8 lot residential subdivision)

Dwelling Type Permitted:	Single House
Residential Coding:	R30
Open Space Requirement:	40 %
Site Coverage:	60 %
Minimum Outdoor Living:	30 m ²
Relative Lot Levels:	As per the Southern Subdivision Wing Detailed Area Plan.
Minimum Setbacks:	
Front Setback:	4 m pursuant to the RCodes.
Rear Setback:	As per RCodes
Side Setback:	A nil setback is permitted and encouraged along the site boundary as indicated on the Southern Subdivision Wing Detailed Area Plan. Nil setbacks are to be measured in accordance with RCodes. All other setbacks are to be in accordance with RCodes.
Garage/Carport:	To be located along common lot boundaries, and as per the Southern Subdivision Detailed Area Plan. Garage/carport to be set back 1.5 m from road reserve.
Vehicle access:	All lots are to be rear loaded. Garages and carports to be accessed by the 6.0 m wide access way.
Orientation:	Lots 2 to 5 shall address the heritage buildings as primary frontage. Lots 6, 7 and 8 shall address the Public Open Space. Lot 9 shall address Charles Lane.

SECTION 4: GENERAL DESIGN REQUIREMENTS: MANDATORY PROVISIONS

Site planning:	Amalgamation or subdivision of lots is not permitted.
	Setbacks shall be in accordance with the RCodes unless otherwise specified elsewhere in this document.
	Where a front fence, letterbox and gate are provided by the Developer, houses should be designed to allow convenient access to the front door from this gate. Relocation or amendment of the front fence or gate will not be permitted.
Dwelling type:	A single residential dwelling and associated outbuildings is permitted on each Lot.
Eave requirements:	A minimum eave requirement of at least 750 mm also applies.
Lot levels:	Lot levels shall not to be altered except in relation to the finished floor level of the ground floor slab which shall not be increased by more than 300 mm from the relative lot levels depicted on the respective detailed area plan.

Building height:	Building height shall be in accordance with the City's Town Planning Scheme except for the Northern Lots 4,5,6 & 7 and Southern Lots 2,3,4 & 5 where the building height shall be two storeys.
Building form:	<p>Min roof pitch of 30° and max roof pitch of 34°. Roof pitch on Northern Lots 4,5,6 & 7 and Southern Lots 2,3,4 & 5 shall be 35°.</p> <p>Tinted or reflective glazing will not be permitted along the front and rear elevations of dwellings.</p> <p>Minimum 2 covered car bays provided per lot.</p>
Roofscape:	<p>It is intended that the principal portion of the roof shall be pitched to a central ridgeline. The roof must have a minimum pitch of 30° and a maximum pitch of 34°. The use of appropriately proportioned dormer windows, chimneys and skylights may be use to add further interest and to break down the perceived bulk of the dwelling.</p> <p>The use of verandas, loggia and pergola elements is encouraged for climate control appropriate to the West Australian environment.</p> <p>Roofs may be constructed of:</p> <ul style="list-style-type: none"> • Terracotta tiles; • Colorbond finished corrugated metal roof sheet (colours: Jasper, Paperbark, Dune, Shale Grey, Windspray Woodland Grey, Bushland or Ironstone) or similar approved; or • Zinalume finish roof sheeting will not be permitted unless applicants can demonstrate that their development will not cause problems with glare and reflectivity impacting on neighbouring lots.
Overshadowing:	All development shall comply with the overshadowing requirements of the R-Codes.
Visual Privacy:	<p>All development shall comply with the visual privacy requirements of the R-Codes.</p> <p>It is recommended that a minimum of two courtyard spaces be provided for each lot with a minimum depth of 4 m, and clothes drying.</p>
Materials:	<p>The materials and colours of a dwelling shall convey a contemporary aesthetic, whilst acknowledging the existing palette established by the Old Swanbourne Hospital buildings and the surrounding residences. Architectural richness is encouraged through the use of a variety of high quality materials and colours such as:</p> <ul style="list-style-type: none"> • Painted rendered masonry Pre-cast or in-situ concrete. • Feature stone as approved. • Feature brickwork as approved. • Maxi-sized (i.e. Austral Double Decker) or limestone coloured bricks. Concrete blocks as approved. • Recycled, plantation or sustainable harvested timber. • Steel elements and details. <p>The use of alternative materials will be considered on their</p>

merits for each individual application.

All visible areas of parapet walls must be finished to the standard of the remainder of the house. Particular attention shall be paid to areas of wall that will be visible to neighbouring properties.

Windows:

Tinted or reflective glass is not permitted in areas facing publicly accessible areas. Windows shall have a vertical proportion and strongly expressed mullions providing visual interest. Expressed sills and lintels are encouraged.

Fences:

Fences, letterboxes and gates fronting the Old Swanbourne Hospital buildings will be provided by the Developer and are not to be altered.

The developer shall provide open style fencing on all boundaries facing the heritage building, and abutting areas of public open space, unless otherwise specified in these guidelines. The maximum height of these fences shall be in accordance with the requirements for front fences as specified in the R-Codes. The maximum height of the solid portion of the fences and any other structure (letterbox etc) shall not exceed 500 mm.

All rear fences shall be 1.8 m maximum height. Rear fencing shall be setback 1.5 m from the road reserve boundary adjacent to the bin pad location as depicted for each property on the detailed area plans.

Side and rear fencing shall be constructed in materials, colours and style to match and complement the dwelling.

Vehicle Accommodation:

A carport or garage capable of housing two vehicles is required to be constructed for each dwelling. With the exception of Lot 2 in the Northern Subdivision Wing, all vehicle accommodation is to be accessed from the road reserves with a 1.5 m setback to allow for adequate manoeuvring space. Garages are to be fitted with approved garage doors with a maximum width of 6.25 m.

Services:

All air conditioners, pipes, conduits, clothes drying areas, hot water storage tanks and such items shall be concealed on the lot, and shall not be visible from publicly accessible areas.

TV antennae, satellite dishes and radio masts shall not be seen from a Primary Street. These items should be located where they are not visible from publicly accessible areas.

Waste management:

A 1.5 m x 1.5 m bin pad shall be constructed at the location depicted for each lot on the detailed area plans. The bin pad shall be constructed in the same materials as the pavement adjacent to the bin pad. Bins are to be placed on the designated bin pad for collection as depicted for each lot on the respective detailed area plans. Provision shall be made for the storage of green waste, recycling and general waste bins to be stored on non-collection days on-site and out of view of any public place.

SECTION 5: GENERAL DESIGN REQUIREMENTS: ADVICE NOTES

Site Planning:	Particular care should be taken in the design of each dwelling to ensure that visually sensitive areas of adjoining properties (as part of this subdivision and existing adjacent) are not overlooked. This can be achieved through the careful location and design of openings and outdoor living areas to upper floor levels.
Architectural Character:	<p>The scale of dwellings should not compete with the bulk of the Old Swanbourne Hospital buildings, but rather should take their cues from adjacent residences.</p> <p>Housing forms should be of a domestic nature with simple but well proportioned façade elements. Specifically, façade elements should have a strong relationship to each other through common proportions and common horizontal and vertical alignments without becoming too repetitive and symmetrical.</p> <p>The dwelling should be articulated through sills and lintels and through projecting and recessed sections of facade. Balconies should be open and lightweight but preferably not sheet glass. Tinted or reflective glass is not permitted on any visible elevation.</p> <p>The intent is to reflect aspects of contemporary Australian housing styles and lifestyles incorporating design features that sit comfortably within the existing streetscape and heritage context.</p> <p>Examples of appropriate housing design intended to guide the design of new dwellings are attached to these design guidelines.</p> <p>Contextual and design aspects to be taken into consideration include:</p> <ul style="list-style-type: none"> • The heritage buildings; • The parkland setting; • Topography; • Microclimate; • Views and vistas; • Orientation and ability to provide "eyes on the street" for passive surveillance of publicly accessible areas; and • Access by pedestrians and vehicles. <p>Houses should have features such verandahs, pergolas, balconies etc. to improve their energy efficiency and to provide visual interest to facades.</p> <p>Entries shall be oriented to the primary boundary towards the Swanbourne Hospital buildings, Abbey Gardens or Public Open Space and Charles Lane as applicable.</p> <p>Houses should be designed with habitable rooms oriented towards publicly accessible areas to provide passive surveillance. Corner lots are assumed to have dual frontage and will be required to present a high standard of façade treatment to address both these boundaries.</p>
Elevations:	Dwellings shall be designed such that all visible frontages are

formally addressed. Elevations facing the Old Swanbourne Hospital shall be of the quality of the dwelling's major elevations. "Back of house" elements such as air conditioners and clothes drying areas should not be visible from publicly accessible areas.

Front Gardens:

Front gardens should be simple, featuring low level water-wise plants and turf. Small deciduous trees are encouraged to ameliorate the harsh summer sun and allow winter sun to access living rooms and private open space.

Internal Open Space:

The West Australian climate allows for outdoor living areas to be utilised almost year-round, making it essential that these spaces are functional and relate well to the dwelling and have appropriate daylight access and privacy.

Solar Access and Energy Efficient Design:

Solar access and energy efficient design is encouraged. The planning configuration of individual houses, relationship to open space and design of the various building elements should respond to solar access and control considerations by allowing direct sun penetration to main living areas in winter months whilst controlling sun penetration over the summer period. Cross ventilation to passively cool the dwelling and reduce reliance on mechanical cooling should be achieved by the considered location of openings and internal flow paths.

The relevant provisions of the RCodes apply in respect of designing for climate requirements.

Building elements such as roof overhangs, awnings and canopies, verandas, pergola structures, external blinds and the orientation and siting of openings should be effectively utilised to achieve Building Code of Australian requirements. The use of landscape elements such as the placement of deciduous trees and shrubs may also contribute significantly to solar efficiency.

If a solar hot water system is installed, it should be located to receive sufficient solar gain, preferably on a north facing roof or a secondary west facing roof. Where the preferred north or secondary west facing roof is visible from the public domain, a split solar hot water system should be installed, with the storage tank located on the ground or within the roof space i.e. not visible from the public domain. The solar panels should integrate with the roof, be frameless and mounted flush with the roof.

Major household appliances should achieve a minimum 4 star rating and mechanical heating and cooling a 5 star rating.

Water management:

It is important to consider the water permeability of the landscape on your Lot, in light of the 60 % allowable site coverage. Segmented or permeable pavers and open decking shall be installed in outdoor living areas to allow water to be absorbed on site.

The impact on the local water table depth, salinity of the soil can be minimised including predominantly indigenous or native species of plant in your garden. These plants minimise watering and feeding and, together with mulching, soil conditioning and appropriate waterwise irrigation (sub-surface drip irrigation or

similar), moisture and nutrients in the soil can be retained and water conserved.

A minimum 2500 litre rainwater tank is encouraged to capture runoff from dwelling rooves and associated outbuildings. Tanks should not be visible from publicly accessible areas.

Treated grey water may be used to assist with the irrigation of any planting in outdoor areas, subject to the approval of the City of Nedlands.

Owners are encouraged to install water efficient fixtures (for example taps, shower heads and toilets) that have achieved a minimum AAA rating.

<u>Heritage Buildings</u>	<i>(a) Montgomery Hall</i>
Land Use	<p>Montgomery Hall may be used for a private community use such as real tennis, café, meeting rooms, museum or rhythmic gymnastics, subject to sufficient parking being available on site.</p> <p>Any future use or development of Montgomery Hall must be considered in the context of other uses proposed for the site with particular regard to parking and traffic volumes, hours of use, noise levels and the heritage values of the building.</p> <p>The land immediately south and north of Montgomery Hall may be used as a courtyard for uses associated with Montgomery Hall, provided full public access to these areas and to the exterior of the building remains unobstructed.</p> <p>Public access to the exterior of the Montgomery Hall building shall be maintained.</p> <p>Montgomery Hall shall not be used for residential purposes.</p> <p>The interior volume of the hall is of considerable significance and should not be subdivided into smaller spaces.</p> <p>All parking for and vehicular access to Montgomery Hall must be provided within the site.</p> <p>The undercroft of the building may be utilised for service vehicle parking or other compatible uses (such as meeting rooms, cafe, etc).</p>
Maintenance	<p>The ongoing costs of maintaining Montgomery Hall will be managed by the Residents Association, which will include the future strata owners and freehold landowners. Members of the Resident's Association will contribute a nominal levy into a sinking fund that will be set aside for the ongoing maintenance and upkeep of Montgomery Hall. This requirement is proposed to be integrated into the strata company by laws and the title of each subsequent lot in the precinct shall be endorsed to the effect that each owner is aware of the ongoing obligation for the continual upkeep of Montgomery Hall.</p>
	<i>(b) Existing hospital Buildings</i>
Land Use	<p>The existing Heritage buildings are to be converted for use as residential or retirement housing, or an assisted care facility. The reuse of the buildings may under certain circumstances also accommodate a possible café, art/community</p>

	<p>uses, as long as amenity and car parking considerations are addressed adequately.</p> <p>Possible reuse of the Administration Building and Covered Way may include residential, retirement housing, home-based business, commercial, mixed use, consulting rooms and professional offices. The Covered Way may be used for vehicle parking or courtyard space.</p> <p>Development of the Stores Building needs to be sensitive to the heritage values of the building, with to retaining the volume of the space.</p> <p>Development of the 'covered way' area will need to be handled sensitively from a heritage perspective.</p>
Residential Dwellings	A maximum of 28 residential dwellings may be developed in the area comprised by the Existing Hospital buildings, the associated courtyard and the Administration Building.
New Courtyard Building	A new building may be constructed in the heritage buildings courtyard limited to a maximum height of no greater than approximately 10 meters above the current level of the courtyard.

PART 2: EXPLANATORY REPORT

INTRODUCTION

TPG Town Planning and Urban Design (TPG) were commissioned by the Swanbourne Estate Development Pty Ltd to prepare an Outline Development Plan (ODP) to guide the future redevelopment and subdivision in the Old Swanbourne Hospital Precinct (the Precinct).

The ODP supports the high quality redevelopment of the Precinct that respects the existing heritage buildings. This section of the report provides information as required under clause 3.8 of the City of Nedlands Town Planning Scheme No. 2 (TPS2).

The ODP has been prepared to:

- Enable the sustainable and sensitive conservation of the heritage values in the Precinct;
- Identify appropriate new uses and establish over-arching development provisions to guide new development;
- Maintain the cultural and recreation importance of the precinct to the local community; and
- Ensure that the reuse and redevelopment of the Precinct does not adversely impact the amenity of the surrounding development.

The ODP is informed by the advice from the Heritage Council of Western Australia, the provisions of the City of Nedlands Town Planning Scheme No. 2 (TPS2), the Taylor Burrell Barnett Development Plan 03/06/012A dated October 2005 and the Local Planning Policy: Old Swanbourne Hospital Precinct (May 2008), in addition to the revised Conservation Plan and Heritage Agreement.

BACKGROUND

Historically, the Precinct accommodated the Claremont Hospital for the Insane which subsequently became the Swanbourne Hospital for the mentally ill. In 1986 the hospital was closed and in 1987 the surrounding land was subdivided for residential purposes. The Precinct remained vacant and unused since its closure and the ongoing vacancy has contributed to extensive vandalism.

In 1991, the State Government elected to dispose of the site in accordance with the Government Heritage Property Disposal process since neither the State Government nor the City of Nedlands was interested in retaining the site for public purposes.

In 2003, the Department of Housing and Works appointed Taylor Burrell Barnett (TBB) to undertake a study of the Precinct that included public consultation. The study produced a development plan (03/016/012A dated October 2005), which indicated the future land use and development potential for the site. The study also produced draft design guidelines and precinct policy provisions, which were to be adopted as a local planning policy for the Precinct. The development plan, draft policy provisions and design guidelines were used to support Amendment No. 158 which rezoned the Precinct for future redevelopment.

The amendment was gazetted in October 2005 and the site was sold through a tender process in January 2006 to the current landowner.

SITE DESCRIPTION AND LOCATION

LOCATION

The Old Swanbourne Hospital Precinct comprises the former Swanbourne Hospital estate in Mount Claremont in the City of Nedlands. The Precinct is found 7 kilometres from the Perth City Centre and 3 kilometres from the coastline.

John XXIII College, Graylands Hospital and the Industrial Rehabilitation Division are found approximately one kilometre east of the site. The site is approximately 700 metres from the Mount Claremont shopping centre and is well-serviced by local public open space including Hamilton Park, Mooro Park, Pine Tree Park and Mount Claremont Oval. Lake Claremont and the Lake Claremont

Golf Course are also located two kilometres south of the site whilst the Cottosloe Golf Club is located a similar distance to the west.

Refer to figure 8: location plan

THE SUBJECT LAND

The Precinct is bounded by Lot 35 St Johns Wood Boulevard, St Johns Wood Boulevard and Abbey Gardens to the west, Charles Lane, Lot 11381 (Reserve R41549) to the south, Lot 167, Heritage Lane, Lot 520, Lot 519 and The Marlows to the east, and Lot 521 to the north.

REFER TO FIGURE 9: SITE PLAN

SITE CONTEXT

The hospital buildings represent the structural elements of the Precinct and are regarded as having significant cultural heritage value. The buildings include the Administration Building, the Stores, the Female and Male Attendants Blocks, the Kitchen, Montgomery Hall, the Covered Way and the Courtyard.

REFER TO FIGURE 10: HOSPITAL BUILDINGS

The buildings are located at the core of the Precinct and are surrounded by an expansive area of open space being the former hospital grounds and Montgomery Hall, which is paved and grassed. The Precinct is also bound by the Circular Drive and Formal Entrance on the eastern extent of the site. The Northern and Southern Subdivision Wings surround the hospital buildings to the north and south and are currently vacant.

FIGURE 8

FIGURE 8 - LOCATION PLAN

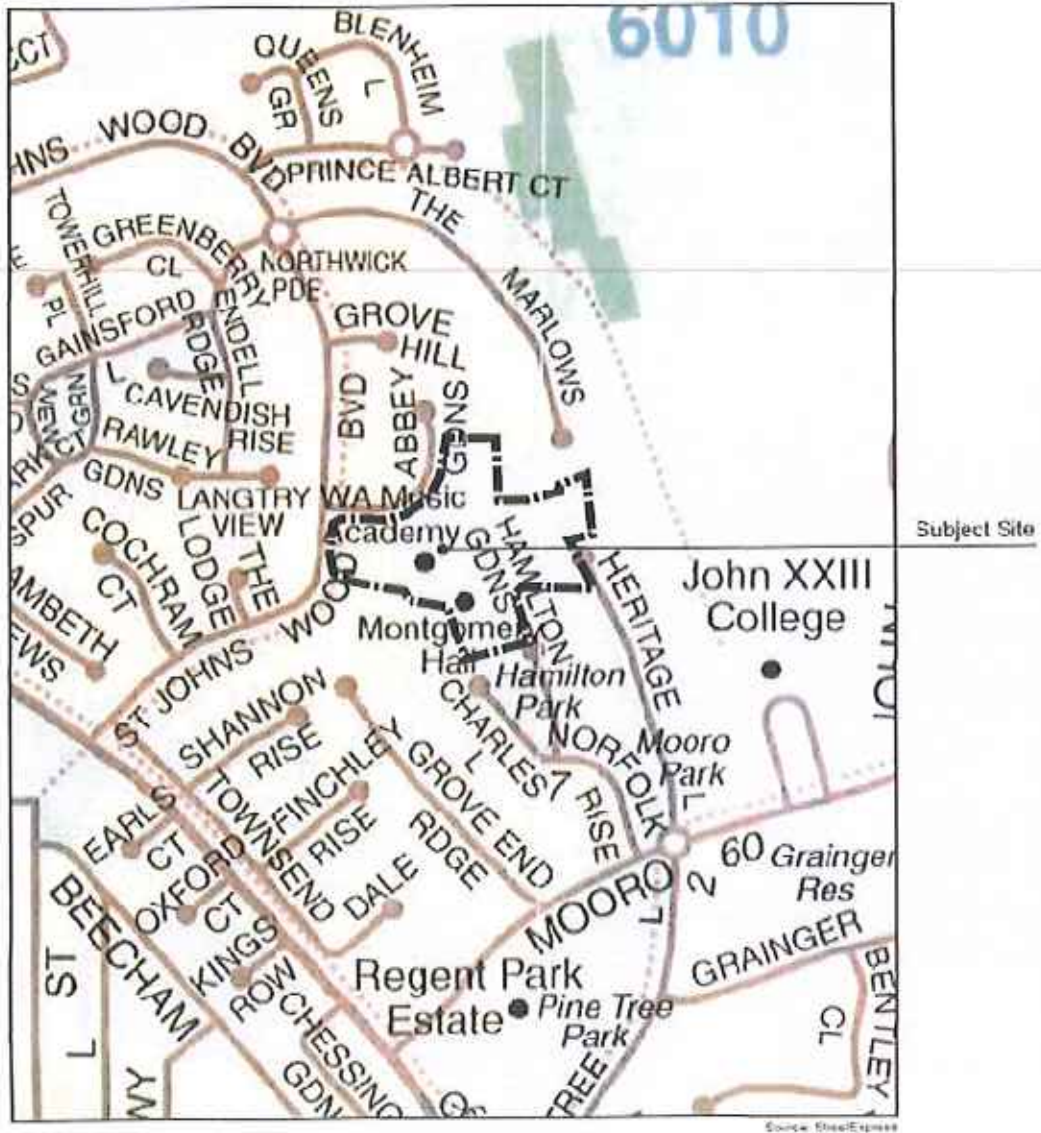


FIGURE 9

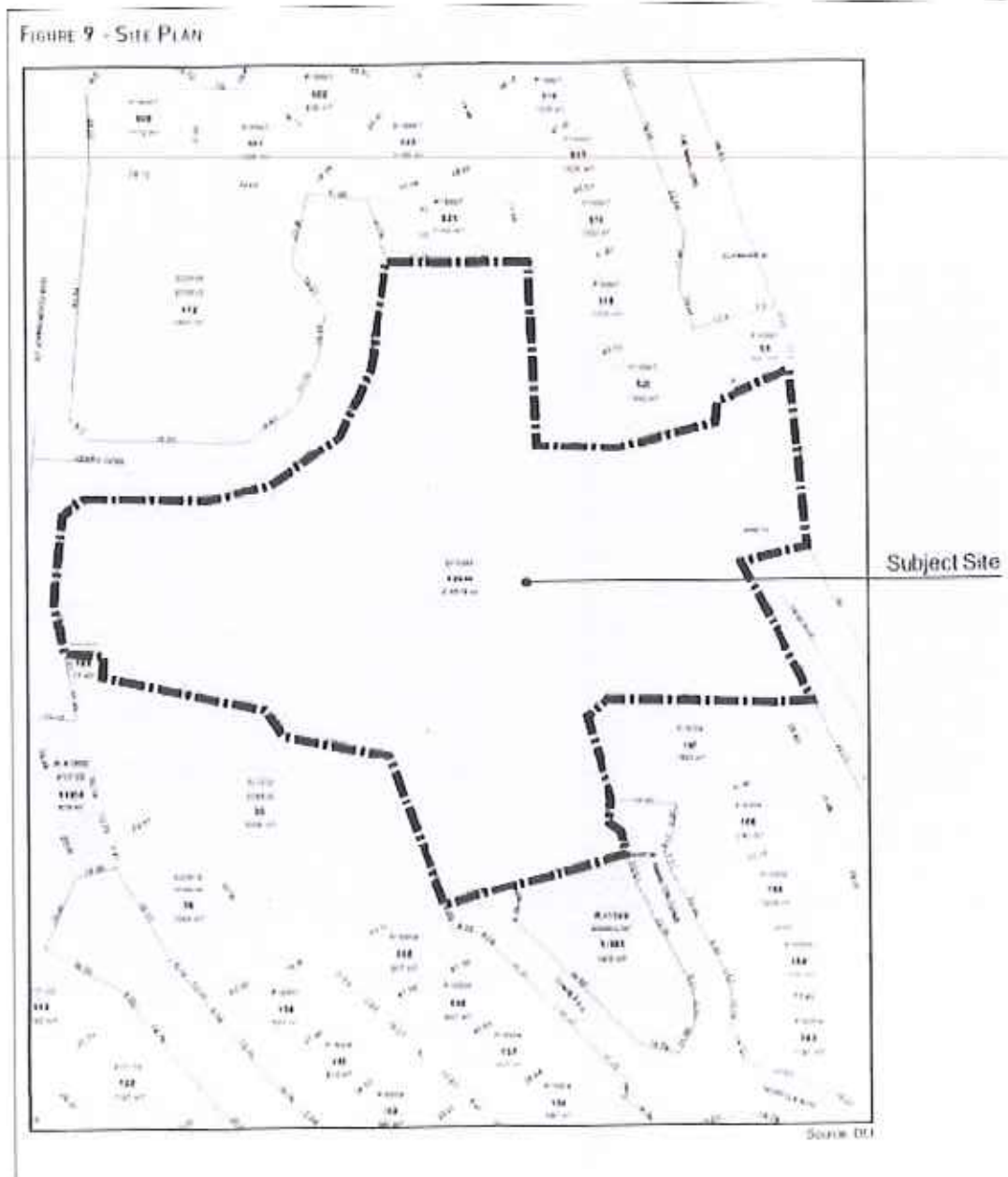
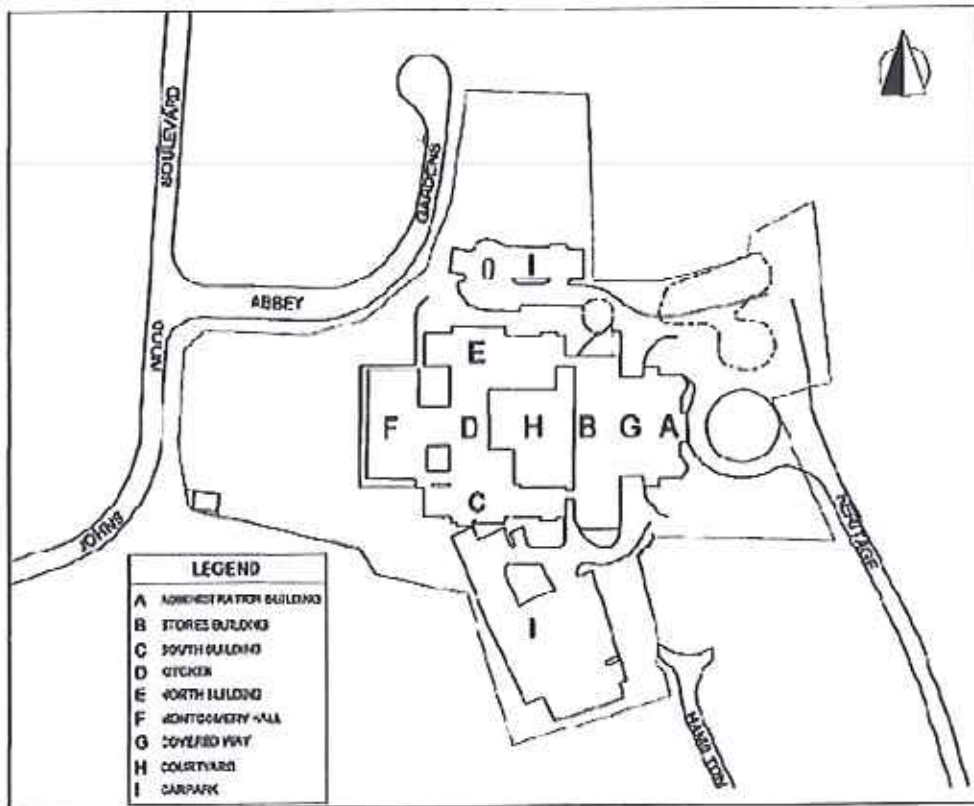


FIGURE 10

FIGURE 10 - HOSPITAL BUILDINGS



SITE DETAILS

The Precinct comprises Lot 12040 which is owned by The Swanbourne Estate Development Pty Ltd as trustee for The Swanbourne Estate Development Joint Venture. Lot 12040 includes the Northern and Southern Subdivision Wings, the hospital buildings and the surrounding open space. The following table provides the property details of the subject land.

Lot	Street	Volume or Folio	Diagram No.	Land Area	Landowner
12040	St Johns Wood Boulevard	2121/149	75983	2.48ha	The Swanbourne Estate Development Pty Ltd

A copy of the Certificate of Title is included as Appendix A.

Lot 12040 is affected by a memorial in accordance with the *Heritage of Western Australia Act 1990*. The memorial was lodged by HCWA in 1994 whereby the land described as the Swanbourne Hospital Conservation Area (formerly Lot 171 on Diagram 75983, now Lot 12040) was entered onto the Register of Heritage Places, pursuant to Division 2 of Part 5 of the *Heritage of Western Australia Act 1990*.

The Administration Building, Montgomery Hall, the Male Attendants Block, Female Attendants Block, Kitchen and Store are regarded as being of cultural heritage significance since they represent the remnant core of the original Claremont Hospital for the Insane (subsequently known as Swanbourne Hospital). The hospital buildings were the State's largest institution for the care of mentally ill throughout most of the twentieth century.

SURROUNDING LAND USES

The Precinct is set contextually within a broader residential area to the west, north and south. Existing residential development ranges in style from a majority of single lot development that has a mix of one and two storey houses to duplex style and retirement residences.

PLANNING FRAMEWORK

METROPOLITAN REGION SCHEME

The land is zoned 'Urban' under the Metropolitan Region Scheme (MRS).

Refer to figure 11: MRS map

CITY OF NEDLANDS TOWN PLANNING SCHEME NO. 2 (TPS2)

The Precinct is located within the City of Nedlands and zoned 'Development' under TPS2. It is considered a place of natural beauty and entered as item 3 in Appendix II of TPS2 "Conservation and Preservation of Place of Natural Beauty and Historic Buildings and Objects of Historic or Scientific Interest."

Refer to figure 12 - TPS2 map

Clause 5.15 of TPS2 specifies the requirements affecting the development of the Precinct including:

- Prior to Council considering any application for subdivision and/or development of the site, a suitable and sustainable low key adaptive use for Montgomery Hall shall be identified;
- Council shall require subdivision and development to be generally in accordance with the Development Plan No. 03/16/12A dated July 2005, annexed to Local Planning Policy: Old Swanbourne Hospital Precinct;
- Council shall require subdivision and development to have regard to and be generally consistent with Local Planning Policy: Old Swanbourne Hospital Precinct;

- Notwithstanding the provisions of Table 1: Use Class Table and in accordance with the Development Plan referred to in 5.15(a), the following uses are 'AA' or discretionary uses:
 - Caretakers Dwelling
 - Home business
 - Car park
 - Home occupation
 - Civic Building
 - Medical Centre
 - Club Premises
 - Office: General
 - Consulting room(s)
 - Office: Professional
 - Dwelling House: Single
 - Recreation: Private
 - Dwelling House: Grouped
 - Recreation: Public
 - Dwelling House: Multiple
 - Residential Building
 - Educational Establishment
 - Restaurant

All other uses are 'X' or not permitted uses.

- Prior to Council considering any application for subdivision and/or development onsite, in accordance with clause 3.8 of the Scheme, the applicant shall submit an Outline Development Plan (ODP) for the approval of the Council, in consultation with the HCWA;

- Prior to Council considering any application for subdivision and/or development on the site, a revised Conservation Plan for the site shall be completed to the satisfaction of the HCWA in accordance with the Government Heritage Property Disposal Process; and
 - Any application for subdivision and/or development shall have due regard for the revised Conservation Plan for the site and shall demonstrate the conservation of the existing heritage buildings to the satisfaction of the HCWA.
-

FIGURE 11

FIGURE 11 - MRS MAP

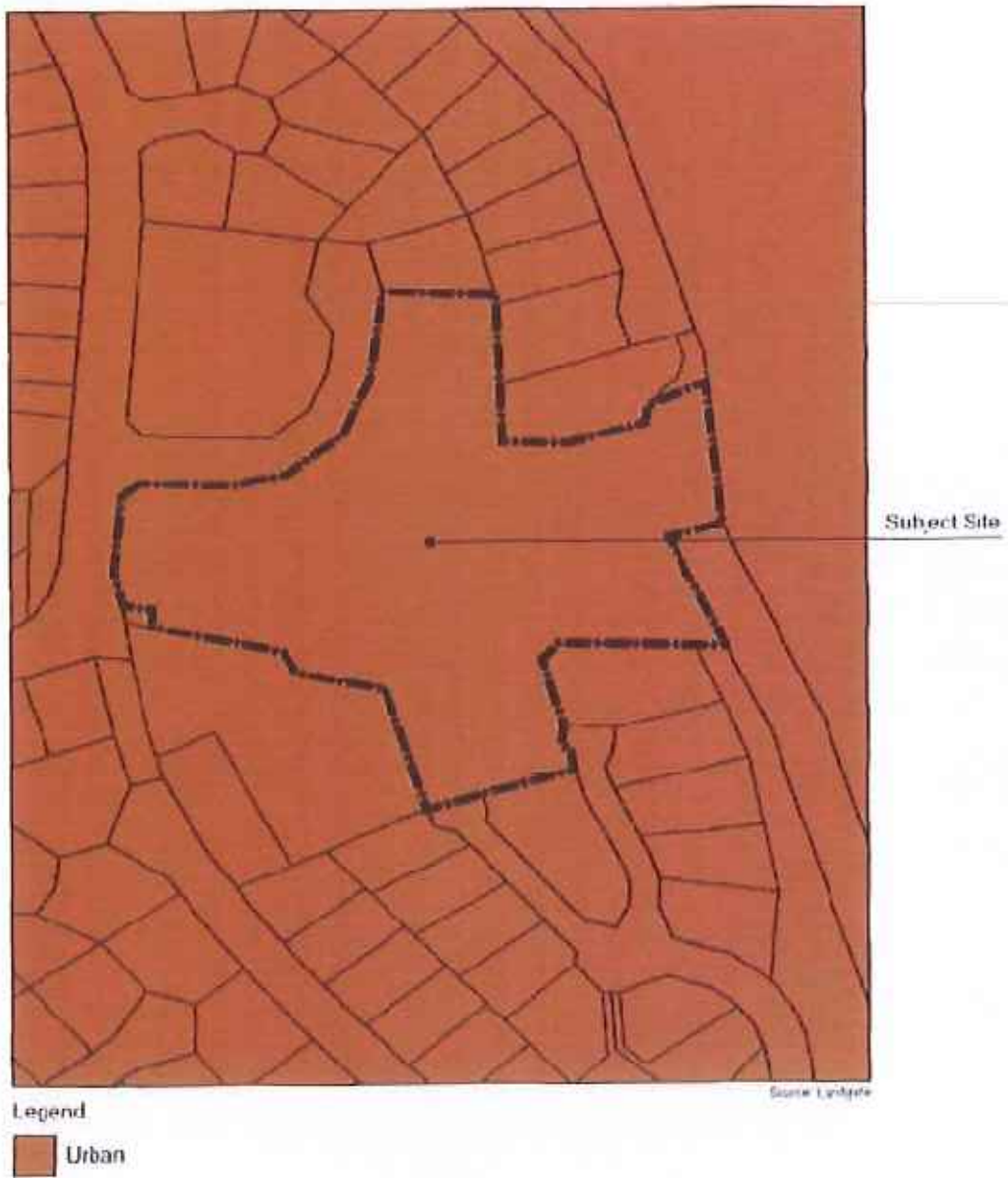
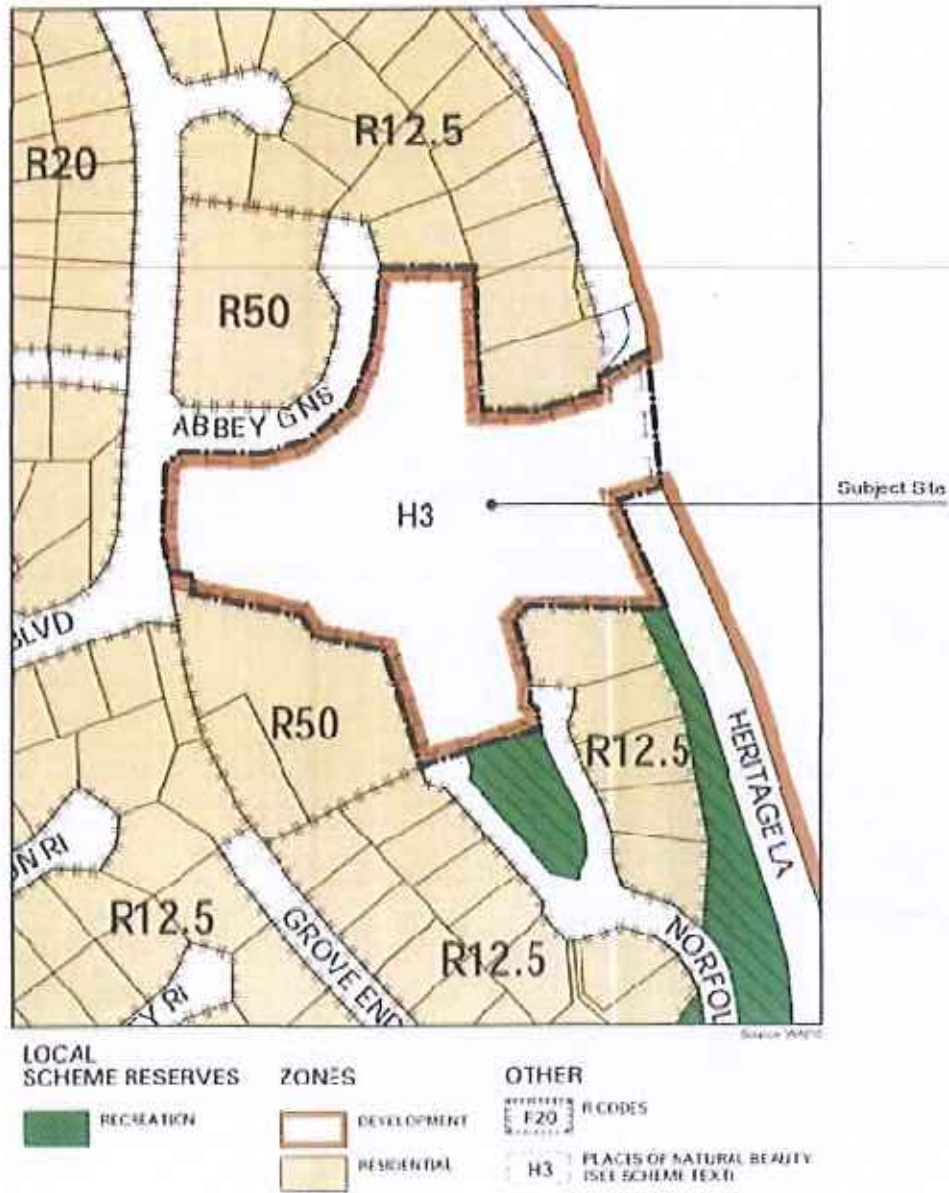


FIGURE 12

FIGURE 12 - TP52 MAP



Clause 3.8 of TPS2 deals with land that is zoned "Development" on the Scheme Map. Subclause 3.8.2 requires that development of land that is zoned "Development" shall make application to the Council for approval in accordance with Part 6 and shall submit with the application, an overall concept plan for the land in the Development Zone or such part thereof as the Council shall require.

The Outline Development Plan shall show:

- The topography of the area;
- The existing major road systems;
- The location and width of proposed roads;
- The approximate location and quantity of shopping, civic and public facilities proposed;
- The approximate location of the recreation and open space area proposed;
- The population and residential densities proposed including the spatial location of appropriate Residential Planning Code densities;
- The basic layout of a sewerage system;
- The layout of comprehensive drainage, both land and stormwater;
- Landholdings adjacent to or in the vicinity of the area the subject of the application;
- The development proposed, the method of carrying out the development and the projected times of completion of each stage of development; and
- Such other information as shall be required by the Council.

Under subclauses 3.8.3 to 3.8.7 of TPS2, if the ODP is approved by Council in principle it is to be submitted to the Town Planning Board (the Board). If the Board also approves the plan in principle, it is to be advertised for a minimum period of 21 days for public comment. Submissions received during advertising are to be considered by Council and after consultation with the applicant, the ODP may be amended.

Council may decide not to proceed with the ODP or may submit it to the Board together with objections and a request that the Board adopt the plan as the basis for the approval of subdivision and development applications for the area covered by the plan.

STATE PLANNING POLICIES

The ODP is cognisant of a number of key State planning policies and strategies.

STATE PLANNING STRATEGY

The State Planning Strategy incorporates the following key principles relevant to the redevelopment of the Precinct:

- To protect and enhance the key natural and cultural assets of the State and deliver to all Western Australians a high quality of life which is based on sound environmentally sustainable principles;
- To respond to social changes and facilitate the creation of vibrant, accessible, safe and self-reliant communities; and
- To facilitate strategic development by ensuring land use, transport and public utilities are mutually supportive.

The ODP will implement strategic development objectives by establishing new uses for the Precinct that will enable the conservation of significant heritage values. The ODP will facilitate development that provides diverse residential and a limited number of non residential options in proximity to the coast and other community assets that will improve the local amenity.

NETWORK CITY: COMMUNITY PLANNING STRATEGY (WAPC)

Network City is a strategy prepared to guide the future form and function of the Perth Metropolitan and Peel Regions. It embodies a metropolitan land use and transport strategy through a whole-of-

Government approach to the provision of services and a commitment to partnership with local government in planning with communities.

The key elements of Network City relevant to the LSP include:

- Consolidating residential development in existing areas and directing urban expansion into designated growth areas which are, or will be, well serviced by employment and public transport;
- Giving priority to infill development in established urban areas, particularly through urban regeneration and intensification of development on under-utilised urban land, whilst respecting neighbourhood character;
- Locating higher residential densities in locations accessible to transport and services, such as in and around the CBD, regional and district centres and activity corridors; and
- Developing an integrated land use and transport network which reduces car dependence and broadens travel options, makes it easier for people to use public transport or walk/cycle to their destinations.

The ODP will serve to implement the strategies and objectives of Network City by encouraging more effective use of urban land by revitalising under utilised urban land whilst respecting the neighbourhood character.

LIVEABLE NEIGHBOURHOODS (2007)

The Liveable Neighbourhoods principles apply to the preparation and review of regional, district and local structure plans for new urban areas, local structure plans for new subdivisions and in planning for the revitalisation or redevelopment of existing areas.

These principles include:

- A sense of community, strong local identity and sense of place in neighbourhoods and towns;
- Active street frontages with buildings facing streets to improve personal safety through increased surveillance and activity;
- A variety of lot sizes and housing types to cater for the diverse housing needs of the community at a density that can ultimately support the provision of local services;
- Subdivision and housing types which can adapt to changing needs and accommodate gradual intensification; and
- The protection of key environmental areas and the incorporation of significant cultural and environmental features of a site into the design of an area with an integrated approach to the design of open space and urban water management.

The proposed ODP serves to implement the above requirements of Liveable Neighbourhoods 2007 by particularly establishing an overarching framework for future development subdivision on the site.

SPP 3.5 HISTORIC HERITAGE CONSERVATION (2007)

The policy notes that heritage conservation and sustainable economic development should be seen as complementary rather than conflicting objectives. Adaptation of buildings for new uses is seen as the key to conservation of heritage places that no longer serve their original function, and will often require imagination and flexibility. Exercising effective controls over land use, density and plot ratios through town planning schemes and other planning controls is an important practical way to attain heritage conservation outcomes.

Development control principles should be applied to planning applications concerning places that are entered in a heritage list, a place or area entered in the state register or a heritage area designated pursuant to a local planning scheme. The weight given to heritage as a consideration will vary depending on the degree of significance of a place or area, and relevant economic, social or environmental factors that may apply.

In regard to alterations, extensions or change of use affecting a heritage place, development should involve the least possible change to the significant fabric. Alterations and additions should not detract from the significance of a heritage place and should be compatible with the siting, scale, architectural style and form, materials and external finishes of the place. Compatibility requires additions or alterations to sit well with the original fabric rather than simply copying or mimicking it. Sympathetic adaptation and change of use should be supported where the conservation and protection of a heritage place requires a change of use to ensure a reasonable beneficial use. Development should accord with local planning policies relating to heritage.

Demolition of a State heritage place is rarely appropriate and should require the strongest justification. It is noted however that there will be circumstances where demolition is justified although the onus rests with the applicant to provide a clear justification for this. Consideration of a demolition proposal should be based on the significance of the building or place, the feasibility of restoring or adapting it, or incorporating it into new development, the extent to which the community would benefit from the proposed redevelopment and any local planning policies relating to the demolition of heritage places.

Development within a heritage area should complement the heritage significance of the area as identified in a local planning policy. Respectful design should give special consideration to the siting, scale, architectural style, and form, materials and finishes of the proposed development in relation to its neighbours without copying historic detailing or decoration. Buildings that make positive contributions should be retained and any new buildings erected in heritage areas should be designed and sited in a way that respects and complements the heritage significance of the area. New construction that is imaginative, well designed and harmonious should not be discouraged.

LOCAL PLANNING POLICIES AND STRATEGIES

TAYLOR BURRELL BARNETT STUDY

In 2003 TBB was appointed by the Department of Housing and Works (DHW) to undertake a study of the former Swanbourne Hospital site. The study resulted in the preparation of the 2005 TBB Development Plan, which indicated future land use and development of the site. The plan was created to support an application to rezone the site under Amendment No. 158 and give greater development certainty to a future purchaser of the site.

The Study also produced draft policy provisions and design guidelines. The draft policy provisions were created as general provisions and specific provisions relating to the existing hospital buildings, Montgomery Hall, Administration Buildings, West Wing, East Wing, Northern Wing and Southern Wing. The draft provisions were later revised in 2008 and adopted as the Local Planning Policy: Old Swanbourne Hospital Precinct.

LOCAL PLANNING POLICY: OLD SWANBOURNE HOSPITAL PRECINCT

Under clause 5.15.3 of TPS2, all development is to have regard to and be generally consistent with Local Planning Policy: Old Swanbourne Hospital Precinct. The latest version of the Local Planning Policy was adopted by the Council in May 2008 and is based on the recommended draft policy provisions prepared as part of the earlier TBB Study.

The Local Planning Policy for the Precinct include a set of general provisions that deal with the heritage buildings, public access, vehicular access, parking, agreements, landscaping, subdivision, public open space, curtilage and other elements.

The Local Planning Policy also sets out specific provisions that concern the use and development, landscaping, parking and curtilage and new building issues for the existing buildings, as well as the use, landscaping parking and public access for Montgomery Hall. Specific provisions also deal with the use, curtilage and covered way for the Administration Building, and well as the use, landscaping, public access, and other issues related to the east and west wings. Specific provisions have also been prepared for the north and south wing in respect of use, public access, parking, height and levels, fencing, landscaping and agreements.

The general and specific requirements of the Local Planning Policy have been incorporated into the proposed ODP.

CONTEXT AND ANALYSIS

TOPOGRAPHY

The Precinct has an undulating topography. It rises from 29 metres on the western site boundary to 40 metres at the Administration Building. In the east, the topography rises steeply from Heritage Lane towards the Circular Drive, as well as both north and south of the roundabout at the eastern entrance. The Northern Subdivision Wing has a gentle northerly rise of approximately 1.5 metres. The Southern Subdivision Wing falls gently to the west by 2.5 metres.

EXISTING VEHICLE ACCESS

Vehicles access to the site can be taken from Heritage Lane, Abbey Gardens, Hamilton Gardens and Charles Lane. Heritage Lane provides access to the formal entrance on the eastern side of the Precinct and under the TBB Development Plan, Heritage Lane is to be retained as the principle means of vehicle access. Abbey Gardens is to provide access to Montgomery Hall.

SOCIAL INTEGRATION

The Precinct exists as an important piece of infrastructure in the local community. Aside from its historical significance as the State's principle hospital for the mentally ill, the site has important recreation values for the surrounding residential area. Since being vacated in the late 1980s, the Precinct has gradually deteriorated through constant vandalism. Set in a primarily residential environment, the redevelopment and conservation of the heritage buildings will revitalise and inject new life into the Precinct. Redevelopment will also contribute to a stronger community identity and through design strategies, create an interactive neighbourhood space.

PHYSICAL CONNECTIONS

The built structures on the site have a significant cultural and social history and future development needs to respect and respond appropriately to the heritage integrity of the Site. Heritage considerations for future development are outlined below.

HERITAGE CONSIDERATIONS

OLD SWANBOURNE HOSPITAL CONSERVATION PLAN OR HERITAGE AGREEMENT

The Precinct is listed on the State Register of Heritage Places as the Old Swanbourne Hospital Conservation Area, whereby aside from the buildings, the roads, trees and spaces between the buildings are also protected.

The former Swanbourne Hospital is considered significant for the following reasons:

- The buildings that remain on the Swanbourne Hospital site are the remnant core of the Claremont Hospital for the Insane constructed in 1904;
- The hospital was Western Australia's largest institution for the care of the mentally ill throughout most of the 20th century;
- The buildings have a landmark quality, occupying a prominent site and are visually dominant from the surrounding areas including the formal grandeur of the Administration Building on the eastern side of the site, with its limestone and brick façade and Donnybrook stone portico; and
- The site contains the following elements of considerable significance: the Administration Building (1904), Montgomery Hall (1904), Male Attendant's Block (1904), Female Attendant's Block (1904 and 1912), Kitchen (1904), Store (1904), Covered Way (1906) between the Administration Building and the Store, and the formal space to the east of the Administration

Building including the circular drive, circular planted bed, the Eucalyptus Clodocalyx and Port Jackson Fig on the northern side of the site.

TPS2 requires development to be in accordance with a Government Heritage Property Disposal Process which includes the requirement for a Conservation Plan and Heritage Agreement for the site, prior to the commencement of development. All development applications are also required to be referred to the HCWA for consideration as part of the statutory approval process.

A Conservation Plan for the site was completed in 1994 and an updated schedule of works was completed in 2001. A Heritage Agreement was signed in 2005 and the Conservation Plan was updated in 2005. The Conservation Plan identifies the following 'Future Use' and 'Physical Conservation' policies:

Future Use and Development:	<ul style="list-style-type: none"> • Future uses that do not require major adaptation of significant buildings and site area are appropriate. These could include commercial, residential or community uses; and • Montgomery Hall should be used for a purpose that allows some public access. Use as a theatre or other entertainment or performance venue, or for meetings is desirable.
Plantings and Landscape Features:	<ul style="list-style-type: none"> • Significant buildings on the Swanbourne Hospital Conservation Area site should be retained and conserved in accordance with the place specific policies included in the Conservation Plan; • The significant buildings in the Swanbourne Hospital Conservation Area should not be extended; • The open areas of the Administration Building and west of Montgomery Hall should be retained and no new buildings should be constructed in these spaces; • Views of Montgomery Hall from the west and the Administration Building from the east should not be obstructed; • Generally surface treatments including bitumen and concrete pavers are not of particular heritage significance and may be retained or altered as required. Bitumen adjacent to the Administration Building requires repair. Although not of particular heritage significance, concrete slabs suit the scale of the former institutional buildings and are appropriate for pathways around the building; • Where they remain extant, the original stone edging to planted beds should be retained. In some areas stone edging has been reinstated (south of the South Block) and is appropriate to the significance of the place. Where concrete edging has been used this may be retained or relaced with stone. Consider in particular replacing the concrete edging to the circular bed east of the Administration Building with stone; and • Where possible, mature trees associated with the original Claremont Hospital for the Insane should be retained. In particular retain the mature Port Jackson Fig and Eucalyptus Clodocalyx north of the Administration Building.

Courtyard:	<ul style="list-style-type: none"> • The Courtyard should be retained as open space. If new structures are required, these should comprise shelters or pavilions only and should be relatively small structures no larger than the former meat store, no longer extant but shown on 1904 plans of the area. The Courtyard could be landscaped provided the landscape treatment was designed in a manner compatible with the heritage value of the adjacent buildings; and • The remnant Covered Ways between the Store and the South and North Blocks could be retained or photographed and removed.
Retaining Walls and Steps:	<ul style="list-style-type: none"> • Retain and conserve without alteration the limestone retaining walls south and north of the Administration Building. The concrete steps immediately north of the Administration Building are also original and should be retained and conserved; • Limestone walls adjacent to Montgomery Hall are recent and may be retained, removed, or replaced as required. While not of heritage significance, they are appropriate to the site. Any new walls should be of similar limestone construction; • Other than the steps north of the Administration Building, steps may be retained removed or replaced as required; and • Brick retaining walls may be retained or replaced as required.
Covered Walkway:	<ul style="list-style-type: none"> • The steel framed awning over the covered walkway east of Montgomery Hall dates from the 1950s refurbishment. It is recommended that it be removed and left either open or replaced with a covered walkway reflecting the detail of the original walkways of the site. Alternatively a contemporary awning that interprets the form of the original walkway may be considered; • The Covered Walkway between the Administration Building and the Store is original and should be retained and conserved. Any timbers that require replacement should be replaced with material of the same dimensions and species and finished to match the remainder of the structure. The wired glass is original. Replace broken sections with clear laminated glass and retain a section of the original wired glass for interpretative purposes. Contemporary wired glass is not the same quality as the original and need not be used in the restoration of the roof. The detail of the gable ends at the north and south of the structure should be retained and the structure should not be extended; and • If the roof sheeting requires replacement, short sheets of galvanised iron should be used.
Toilet Blocks:	<ul style="list-style-type: none"> • The two brick toilet blocks east of Montgomery Hall may be retained or removed. If they are removed the courtyard areas in which they are located should be landscaped. Consideration should be given to creating herb gardens in these areas as they were originally associated with the Kitchen.
Lights:	<ul style="list-style-type: none"> • Floodlighting of the building is not of heritage significance, but enhances the buildings at night it is recommended that floodlights be retained in any redevelopment of the site if possible.
Roads and Car parks:	<ul style="list-style-type: none"> • Access to the Swanbourne Hospital Conservation Area site from Heritage Lane should be retained as the primary access to the place in any future adaptive reuse or redevelopment of the place; and

- | | |
|--|--|
| | <ul style="list-style-type: none">• The circular driveway and circular planted bed east of the Administration Building should be retained and conserved in any redevelopment of the place. |
|--|--|
-

OUTLINE DEVELOPMENT PLAN OUTLINE

The ODP includes the whole of Lot 12040, which can be characterised as three distinct areas; the Northern Subdivision Wing, the Southern Subdivision Wing and the Existing Heritage Buildings. Whilst this ODP sets out the general development provisions for the ODP area, detailed development parameters will be provided via a set of DAPs including design guidelines, which address each of the character areas. The DAPs are to be approved prior to the approval of development applications. The DAP for the Northern and Southern Subdivision Wing is to be approved as a condition of a subdivision approval imposed by the WAPC on the 24 February 2010.

The key aspects of the ODP area discussed below in detail.

PUBLIC OPEN SPACE

The ODP cedes a minimum of 10 % of the site area as Public Open Space. The land ceded as Public Open Space is to be vested in the City of Nedlands.

MOVEMENT SYSTEMS

VEHICLE ACCESS

Vehicle access is provided generally in a manner that is consistent with the TBB Development Plan. Primary vehicular access to the Precinct is provided via Heritage Lane with service access to Montgomery Hall from Abbey Gardens. Access to the Northern Subdivision Wing is provided via Abbey Gardens and the 6.0 m road reserve. Access to the Southern Subdivision Wing is provided via Hamilton Gardens for Lot 6, and from the 6.0 m road reserve via Charles Lane for remaining lots. The road reserves created within the subdivision wings are to be dedicated road reserves.

PEDESTRIAN ACCESS

Pedestrian access is provided generally in a manner that is consistent with the TBB Development Plan. It may be facilitated via a three (3) metre wide shared access path that will provide a high level of public access through the site.

The shared access path will provide a link from Heritage Lane to the Northern Subdivision Wing, Montgomery Hall, the Southern Subdivision Wing and the circular driveway. The shared access path will also connect to the existing residential area on St Johns Boulevard and Abbey Gardens, Charles Lane, Heritage Lane and the adjoining land to the north east.

The proposed shared access path is to be constructed in coloured aggregate to blend into the heritage character of the site and soften the visual impact

Private pedestrian access is also to be maintained through the 'Covered Way' which may be utilized as car parking that remains sensitive to the heritage values of the Covered Way.

PUBLIC TRANSPORT

Bus services (Route: 27 between East Perth - Claremont Train Station and Route: 28 between East Perth - Claremont Station deviating at Floreat Forum Shopping Centre) provide public transport access to the surrounding centres (Claremont and Floreat Shopping Centre and Claremont Train Station which provides links to Fremantle, Subiaco and Perth). These bus routes also provide access to Swanbourne Beach. The bus stops are accessed from The Marlows located to the north west of the Precinct.

LAND USE

The land uses proposed for the Precinct are consistent with the provisions of the TBB Development Plan.

Montgomery Hall is to be utilised for a sustainable, low key private community use which will enable the Southern Subdivision Wing to be developed for residential uses.

The Existing Hospital Buildings may be converted into residential or retirement housing or an assisted care facility. They may also incorporate a possible café or arts/community facility as well as consulting rooms and a hospital medical facility. A new building may be located in the existing courtyard.

The Administration Building and Covered Way may be redeveloped for residential, retirement housing, home based business, commercial, mixed use, consulting rooms and professional offices with parking or courtyards along the Covered Way.

The Northern and Southern Subdivision Wings may be developed for residential purposes to a density of R20 and R30 in accordance with the approved subdivision plans.

A portion of the site as evidenced on the ODP is to be ceded as Public Open Space and vested in the City of Nedlands.

RELATIONSHIP TO ADJOINING LAND

The redevelopment of the Precinct is to respond appropriately to its mainly residential surrounds. The proposed densities represent a median position between the existing R50 and R12.5 densities that abut the site. The uses proposed for the adaptation of the existing buildings are complementary to the residential character of the locality. The proposed pedestrian and vehicle access makes use of existing road connections and provides a high level of connectivity throughout the site.

URBAN DESIGN

Details of the ultimate design of the Precinct are to be determined through DAPs for the Northern and Southern Subdivision Wings and the heritage buildings. The DAPs which are to be informed by the general principles embodied in this ODP, are to be adopted prior to the approval of development applications and are to respect the heritage character and qualities of the Precinct. The DAPs will include specific guidelines that articulate the development requirements appropriate to each character area.

The layout of the subdivision wings have nevertheless been indicatively designed to address the heritage buildings at the core of the Precinct. This orientation towards the heritage buildings and their visual curtilage will create an interactive, intimate space which fosters a sense of community and residential neighbourhood.

CRIME PREVENTION THROUGH ENVIRONMENTAL DESIGN (CPTED)

Whilst the Precinct appears reasonably attractive, safe and well utilised for recreation by surrounding properties, the Precinct has been a constant target for vandalism. Given the extended period of vacancy and relative deterioration of the heritage buildings the site could become a host to antisocial behaviour.

The proposed ODP reinforces CPTED principles since it creates well defined legible and visible public spaces and maintains a capacity to separate areas for pedestrian and vehicle access. The orientation of lots in the Northern and Southern Subdivision Wings which addresses the heritage buildings, ensures good passive surveillance and interaction between the different character areas.

CONCLUSION

TPG was commissioned to prepare an ODP to guide the future redevelopment and subdivision in the Old Swanbourne Hospital Precinct.

The ODP supports the high quality redevelopment of the Precinct in line with clause 3.8 of the City of Nedlands TPS2.

The ODP sets out the broad development parameters based on heritage advice, the revised conservation plan, the recommendations resulting from the TBB study and TPS2 provisions. In acknowledging the work undertaken in regard to the site, this ODP seeks to conserve the cultural and recreation amenity of the Precinct to the local community whilst establishing a way forward for sustainable adaptation.

APPENDIX A: CERTIFICATE OF TITLE

Simarscedad - Cani for Clatoh Onk
 Page 1 (of 2 pages) 2121 149



SUBJECT NUMBER 12040/D75983	
PAYMENT METHOD N/A	INSTRUMENT NUMBER N/A

RECORD OF CERTIFICATE OF TITLE
 UNDER THE TRANSFER OF LAND ACT 1893

VOLUME **2121** PAGE **149**

The person described in the first schedule is the registered proprietor of an estate in fee simple in the land described below subject to the reservations, conditions and depth limit contained in the original instrument (if a grant issued) and to the limitations, interests, encumbrances and notifications shown in the second schedule.

RG Roberts
 REGISTRAR OF TITLES

LAND DESCRIPTION:

LOT 12040 ON DIAGRAM 75983

REGISTERED PROPRIETOR:
 (FIRST SCHEDULE)

SWANBOURNE ESTATE DEVELOPMENT PTY LTD OF 461 SCARBOROUGH BEACH ROAD, OSBORNE PARK
 (T 1699620) REGISTERED 12 APRIL 2006

LIMITATIONS, INTERESTS, ENCUMBRANCES AND NOTIFICATIONS:
 (SECOND SCHEDULE)

- *G661946 MEMORIAL HERITAGE OF WESTERN AUSTRALIA ACT 1990. LODGED 18.12.1997.
- *J699422 MEMORIAL HERITAGE OF WESTERN AUSTRALIA ACT 1990. LODGED 12.1.2006.
- *J699621 MORTGAGE TO AUSTRALIA & NEW ZEALAND BANKING GROUP LTD REGISTERED 12.4.2006.

Warning: A current search of the sketch of the land should be obtained where detail of position, dimensions or area of the lot is required.
 * Any entries preceded by an asterisk may not appear on the current edition of the duplicate certificate of title.
 Lot as described in the land description may be a lot or lots.

-----END OF CERTIFICATE OF TITLE-----

STATEMENTS:

The statements set out below are not intended to be nor should they be relied on as substitutes for inspection of the land and the relevant documents or for local government, legal, surveying or other professional advice.

SKETCH OF LAND: 2121-149.
 PREVIOUS TITLE: This Title.
 PROPERTY STREET ADDRESS: LOT 12040 ST JOHNS WOOD BVD, MOUNT CLAREMONT.
 LOCAL GOVERNMENT AREA: CITY OF NEDLANDS.

- NOTE 1: A000001A LAND PARCEL IDENTIFIER OF SWAN LOCATION 12040 (OR THE PART THEREOF) ON SUPERSEDED PAPER CERTIFICATE OF TITLE CHANGED TO LOT 12040 ON FREEHOLD TITLE DIAGRAM 75983 ON 28-SEP-02 TO ENABLE ISSUE OF A DIGITAL CERTIFICATE OF TITLE.
 NOTE 2: THE ABOVE NOTE MAY NOT BE SHOWN ON THE SUPERSEDED PAPER CERTIFICATE OF TITLE OR ON THE CURRENT EDITION OF DUPLICATE CERTIFICATE OF TITLE.
 NOTE 3: DUPLICATE CERTIFICATE OF TITLE NOT ISSUED AS REQUIRED BY DEALING 1699621

DLI COPY OF ORIGINAL NOT TO SCALE Mon Aug 28 12:25:09 2006 JOB 26509380

FOR ENCUMBRANCES AND OTHER MATTERS AFFECTING THE LAND SEE SECOND SCHEDULE

DLI COPY OF ORIGINAL NOT TO SCALE Mon Aug 28 12:25:09 2006 JOB 26509380

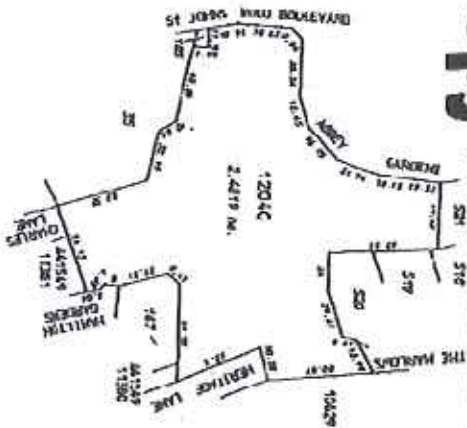
PERSONS ARE OUTLINED AGAINST ALTERING OR ADDING TO THIS CERTIFICATE OR ANY NOTIFICATION

Page 2 of 2 pages

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED EXCEPT WHERE SHOWN OTHERWISE. DATE 08-28-2006 BY 60322 UCBAW/STP

SUPERSEDED - Copy for Sketch Only

Date: 1-2000
 Survey: LINDA/2000
 Off: 21210N 149
 4



SECOND SCHEDULE

NOTE: BLANK THROUGH AND SEALING WITH THE OFFICE SEAL INDICATE THAT AN ENTRY NO LONGER HAS EFFECT. ENTRIES NOT FULLY PROVIDED MAY BE REPEATED BY SUBSEQUENT ENDORSEMENTS.

INSTRUMENT	PARTICULARS	REGISTERED	THE	SEAL	OFFICIAL	CANCELLATION	NUMBER	ISSUED	OR	SEAL	REMARKS
NO.								DATE	BY		
Heredit(a)	Heritage of Western Australia Act 1980. Lodged 18-12-97 at 15.15 hrs.										

CERTIFICATE OF TITLE VOL. 2121 149

APPENDIX B: OUTLINE DEVELOPMENT PLAN

- Legend**
- Site Boundary**
 - Site Public Open Space (POS)**
 - Site Core Area**
 - Vehicle Access (At Ground Level Car Access)**
 - Access to Surface Subterranean Space**
 - Access to Surface Access (At Ground Level)**
 - Existing Pathway**
 - Road To Be Retained**
- Site Specific Notes**
- Retain the topsoil.
 - Retain the existing parking areas and existing roads.
 - Site of Emergency will include a fire station, police station and ambulance station.
 - Emergency will include a fire station, police station and ambulance station.
 - The site boundary of the site will include the existing roads and existing paths.
 - The site boundary of the site will include the existing roads and existing paths.
 - The site boundary of the site will include the existing roads and existing paths.
- Public Open Space (POS)**
- Landscaping of the POS in the east of the site will include a fire station, police station and ambulance station.
 - Landscaping of the POS in the east of the site will include a fire station, police station and ambulance station.
 - Landscaping of the POS in the east of the site will include a fire station, police station and ambulance station.
- Site Core Area**
- A fire station will be located in the site core area.
 - A fire station will be located in the site core area.
 - A fire station will be located in the site core area.
- Site Boundary**
- Landscaping of the site boundary will include a fire station, police station and ambulance station.
 - Landscaping of the site boundary will include a fire station, police station and ambulance station.
 - Landscaping of the site boundary will include a fire station, police station and ambulance station.



- Notes**
- The site boundary will include the existing roads and existing paths.
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- Public Open Space (POS)**
- Landscaping of the POS in the east of the site will include a fire station, police station and ambulance station.
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 - Landscaping of the POS in the east of the site will include a fire station, police station and ambulance station.
- Site Core Area**
- A fire station will be located in the site core area.
 - A fire station will be located in the site core area.
 - A fire station will be located in the site core area.
- Site Boundary**
- Landscaping of the site boundary will include a fire station, police station and ambulance station.
 - Landscaping of the site boundary will include a fire station, police station and ambulance station.
 - Landscaping of the site boundary will include a fire station, police station and ambulance station.

tpg

Old Scarborough Hospital Outline Development Plan

Site Plan

Scale: 1:1000

North Arrow

Site Plan

Scale: 1:1000

North Arrow