



LOCAL PLANNING POLICY 5.2: OLD SWANBOURNE HOSPITAL PRECINCT

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| Introduction | <p>1.1 This local planning policy relates to Lot 12040, Heritage Lane, Mt Claremont, as required by clause 5.15.2 of Town Planning Scheme No 2. (“the Scheme”).</p> <p>1.2 The content of the policy is the product of a study of the Old Swanbourne Hospital site (“the site”) undertaken by Taylor Burrell Barnett Town Planning and Design in 2003 on behalf of the Department of Housing and Works to evaluate development options prior to the site being sold by the Department, and set the parameters for development of the site once in private ownership.</p> <p>1.3 The study included extensive community consultation, and resulted in the preparation of a Development Plan to indicate the future land use and development requirements for the site, and was used to support the rezoning of the site to accommodate the recommended land uses. Draft design guidelines and policy provisions were prepared as part of the Development Plan and are referred to in Town Planning Scheme 2.</p> <p>1.4 The final outcome from the study was the Taylor Burrell Barnett Plan 03/016/012A dated October 2005 (“the Development Plan”) which contains a list of development requirements flowing from the community consultation.</p> <p>1.5 This policy provides detail to the development requirements outlined in the Development Plan.</p> |
| Objectives | <p>2.1 The objectives of this policy are:</p> <ul style="list-style-type: none">(a) To ensure that development in the Old Swanbourne Hospital Precinct takes place in accordance with community expectations and principles developed in the Development Plan.(b) To ensure that community concerns are addressed, including the following issues:<ul style="list-style-type: none">i) ensuring public access throughout the site in perpetuity;ii) ensuring that the amenity of neighbours to the site is not adversely affected, particularly with regard to traffic and parking demand generated by any redevelopment; andiii) ensuring the redevelopment of the site is carried out in accordance with the Development Plan, which represents Council and community expectations regarding the maximum development potential of the site.(c) To remove any potential uncertainty about how the requirements for the development of the site |



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| | <p>established in the Development Plan are to be achieved, by setting out precisely what is required.</p> |
| <p>Policy Documents</p> | <p>Development Plan</p> <p>3.1 The Development Plan is an attachment to this policy, and should be used to inform the intent and understanding of this policy. However where the policy is inconsistent with the Development Plan, the policy prevails to the extent of that inconsistency.</p> <p>Design Guidelines</p> <p>3.2 Draft Design Guidelines were produced along with the Development Plan, and formed part of the Scheme Amendment No. 158 documents associated with the creation of the provisions in clause 5.15 of the Scheme relating to the site. The Design Guidelines are an attachment to this policy and should be used to inform the intent and understanding of this policy. However where the policy is inconsistent with the Design Guidelines the policy prevails to the extent of that inconsistency.</p> |
| <p>General Provisions</p> | <p>Heritage Buildings</p> <p>4.1 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>4.2 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>4.3 All development is to be derived from the architectural character of the existing heritage buildings without mimicking the heritage style.</p> <p>Public Access</p> <p>4.4 A high level of public access within the site shall be maintained in perpetuity. Public Right of Way Access (cyclists, pedestrians only) and Public Right of Way Access (vehicles) shall be provided in the exact locations shown on the TBB Development.</p> <p>4.5 The Developer shall construct dual use paths and Public Right of Way Access (Vehicles) in the exact locations shown on the Development Plan as “Public ROW Access (cyclists, pedestrians only)” and Public Right of Way Access (Vehicles).</p> <p>4.6 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 accessways and include street furniture in appropriate locations.</p> |



4.7 All dual use paths on site must be separate from vehicle access and shall integrate with the existing pedestrian network established beyond site boundaries.

4.8 A dual use path may be constructed within Hamilton Park (to the south of the site) by the City of Nedlands, providing a link from Hamilton Gardens to the public open space accessway adjacent to the Norfolk Lane Complex to facilitate public access.

Vehicular Access

4.9 In response to resident's concerns about traffic and parking, all vehicle access to the site shall be via Heritage Lane, with only the following exceptions:

- (a) service vehicles servicing Montgomery Hall may use Abbey Gardens to access only Montgomery Hall. Service vehicle parking bays may be permitted adjacent to Montgomery Hall. The use of these bays is to be regulated;
- (b) future residents of any development of the North Wing residential lots may use Abbey Gardens for access and egress; and
- (c) future residents of any development of the South Wing residential lots shall obtain access and egress in accordance with Clause 11.7.

4.10 Subject only to the exceptions in 4.9 above, there shall be no vehicle access to or from the site via St John's Wood Boulevard, Abbey Gardens, Charles Lane or Hamilton Gardens.

4.11 There shall be no link between Heritage Lane through 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.

Parking

4.12 No parking for residents of dwellings within the policy area, their visitors, or for people using any facilities provided at Montgomery Hall, will be permitted on the street or road verge of any existing public road or on public open space.

- Sufficient parking for all future residents of the site, their visitors, and people using facilities on the site shall be provided on the site. Land designated for POS under the Development Plan shall not be used for parking purposes.
- All future residential lots in the North and South Wing subdivisions shall have a minimum of two undercover parking bays and one off street motor vehicle bay as per the Taylor Burrell Barnett Design Guidelines

Agreements



- 4.15 Prior to the Council consenting to any subdivision or development in the Precinct, a Conservation Plan/Heritage Agreement will be required to be prepared by the disposing agency for the consideration of the Heritage Council.
- 4.16 Any subdivision or development approval of any portion of the site shall be subject to a condition which will require the developer to retain ownership of Montgomery Hall at least until the future use of the South Wing is determined, because the use of Montgomery Hall and the South Wing is interrelated. This will enable the City to require that a legal agreement be put in place, which specifies that the use of Montgomery Hall is limited in the event that the South Wing is used for residential purposes.
- 4.17 Any subdivision or development approval of any portion of the site shall be subject to a condition which will require the developer to enter into a legal agreement with the City which commits the developer to complete the redevelopment of the heritage buildings and surrounding areas.

Landscaping

- 4.18 The Developer of the site shall prepare a Landscape Master Plan which deals with the entire policy area. The Landscape Master Plan must be prepared in consultation with the City and approved by the City before any subdivision or development application for the site is considered by the Council.
- 4.19 The Landscape Master Plan must indicate what treatments (e.g. plantings, “hard” landscaping) are proposed for all public open space areas, curtilage areas and any private open space areas within the site, and for road verges bounding the site.
- 4.20 The verge planting for Abbey Gardens must be such that it prevents parking within the road verge.
- 4.21 Detailed landscape plans consistent with the approved Landscape Master Plan shall be lodged by the Developer for approval by the City with any subsequent development applications for the component parts of the site, with the exception of the West Wing, which must be landscaped as part of any subdivision of the site or the development of the site if that precedes the subdivision..

Subdivision

- 4.22 Vacant lot subdivision shall only occur within the areas identified as the North Wing and South Wing in the Development Plan.



4.23 No subdivision for private ownership purposes shall be permitted of any portion of the curtilage areas, so as to ensure that public access to and within this area remains unobstructed.

Public Open Space

4.24 As a minimum, all land shown as Public Open Space in the Development Plan shall be given up free of cost for public open space as a condition of subdivision approval, with the intention that the land will become a reserve for which the City will have care, control and management.

4.25 All public open space must be landscaped in accordance with plans approved by the City, and maintained for a minimum of 2 years after the completion of landscape works. A legal agreement securing that obligation, including provision for a bond or bank guarantee, will be required as a condition of subdivision or development approval.

Curtilage

4.26 Public access to and public ownership of the areas around the buildings is required to be maintained in perpetuity.

4.27 The full extent of the curtilage area as shown in grey on the development plan may be given up by the Developer free of cost as a reserve for which the City has care, control and management. Conditions requiring this will be imposed as part of any subdivision/ development approval process.

4.28 No above ground structures of any type (including moveable furniture or equipment) will be permitted in the curtilage areas, unless it is proposed for a community purpose and is approved in a detailed landscape plan.

4.29 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.

Other

4.30 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.

4.31 No public/affordable housing on the site will be supported by the Council.

4.32 The requirements of this policy may be applied by conditions of subdivision or development approval, or



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| | <p>both, even where a particular method is expressly stipulated.</p> <p>4.33 The title of each subsequent lot in the site shall be endorsed to the effect that each owner is aware of the ongoing obligation for the continual upkeep of Montgomery Hall.</p> |
| <p>Existing Hospital Buildings</p> | <p>Application</p> <p>5.1 The provisions in this section apply to the buildings and land in the central part of the site coloured light grey on the Development Plan, including the Existing Hospital Buildings, associated courtyard and curtilage areas.</p> <p>Use and Development</p> <p>5.2 The existing buildings may be converted to residential or retirement housing or assisted care.</p> <p>5.3 A café, arts and/or community uses may be considered within the existing buildings, if considered appropriate by the Council, if sufficient parking can be provided on site and having regard to the potential impact on the amenity of residents within and adjoining the site.</p> <p>5.4 Development of the Stores Building needs to be sensitive to the heritage values of the building, with a view to retaining the volume of the space. This will require inventive design solutions and negotiation with the Heritage Council.</p> <p>5.5 Development of the 'covered way' area will need to be handled sensitively from a heritage perspective.</p> <p>Landscaping</p> <p>5.6 A detailed Landscaping Plan for the area including the curtilage areas is to be prepared in consultation with the City and lodged for approval at the Development Application/subdivision stage whichever comes first.</p> <ul style="list-style-type: none"> ○ The approved detailed landscaping plan is to be implemented by the Developer to the satisfaction of the City prior to occupation of the buildings or transfer of the land to the City for care as a recreational reserve, whichever comes first. |
| | <p>Parking</p> <p>5.8 Parking around the buildings and in the courtyard area shall be undercroft wherever possible. At grade parking shall not be covered.</p> <p>5.9 Access to parking in the courtyard shall be via existing accessways.</p> <p>Curtilage</p> <p>5.10 The full extent of the areas to the north of the buildings identified on the Development Plan as "curtilage 23m. min." and to the south of the building as "curtilage</p> |



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| | <p>20metre.min.” shall be retained as the minimum width provided for in the plan for the purpose of:</p> <ul style="list-style-type: none"> (a) providing public access throughout the site; (b) retaining the conservation values of the buildings; (c) providing a visual separation between the heritage buildings and other development (d) providing limited parking. <p>New Building</p> <p>5.11 When the Development Plan was prepared, the construction of new building elements within the area was not proposed or contemplated.</p> |
| <p>Montgomery Hall</p> | <p>Application</p> <p>6.1 The provisions in this section apply to the building labelled Montgomery Hall on the Development Plan and the portions of land around the building coloured grey on the Development Plan.</p> <p>Future Use</p> <ul style="list-style-type: none"> ○ 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. ○ The use of Montgomery Hall is directly linked to the use of the South Wing, as the area of the south wing is intended to cater for any parking needs generated by a future use of Montgomery Hall. Development of the South Wing will compromise the use of Montgomery Hall. <p>6.4 In the event that the South Wing or any portion thereof is approved for residential use, the developer must enter into a legal agreement which will bind all future owners of Montgomery Hall, and which prevents that building from being used for anything other than a “low key” use that does not generate any traffic demand above that which can be accommodated on site.</p> <p>6.5 Montgomery Hall may be developed for private community uses including Real Tennis, café, meeting rooms, museum and rhythmic gymnastics uses, subject to sufficient parking being available on site.</p> <p>6.6 The land to the immediate 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>6.7 Montgomery Hall shall not be used for residential purposes.</p> |



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| | <p>6.8 The interior volume of the hall is of considerable significance and should not be subdivided into smaller spaces.</p> <p>Landscaping</p> <ul style="list-style-type: none"> • A detailed Landscaping Plan dealing with the areas surrounding the building must be prepared in consultation with the City and lodged for approval at the Development Application/subdivision stage whichever comes first. • The approved detailed landscaping plan is to be implemented by the Developer to the satisfaction of the City prior to occupation of the buildings or transfer of the land to the City for care as a recreational reserve, whichever comes first. <p>Parking</p> <p>6.11 All parking for and vehicular access to Montgomery Hall must be provided within the site. The Development Plan indicates that the South Wing may be used as a parking area to service Montgomery Hall and other non-residential uses of the site. If the South Wing remains in whole or part as a car park, then vehicular access to that car park shall be via Heritage Lane only.</p> <p>6.12 The undercroft may be utilised for service vehicle parking or other compatible uses (such as meeting rooms, cafe, etc.).</p> <p>Public Access</p> <p>6.13 Public access to the exterior of the Montgomery Hall building must be maintained.</p> <p>6.14 Access to any undercroft parking may only be taken from Heritage Lane, through the site. No access from Abbey Gardens will be permitted.</p> |
| Administration Building | <p>Application</p> <p>7.1 The provisions in this section apply to the Administrative Building and Covered Way as coloured dark grey on the Development Plan.</p> <p>Uses</p> <p>7.2 Uses within the building may include residential and/or retirement housing, home based business, commercial, mixed use, consulting rooms and professional offices.</p> <p>Curtilage</p> <p>7.3 The curtilage is to be retained around the building as shown in light grey on the Development Plan.</p> <p>Covered Way</p> |



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| | <p>7.4 Private access should be maintained through the 'covered way'. The area may also be used for carparking and/or courtyard areas. Use of this area shall be sensitive to the heritage values of the covered way.</p> |
| <p>East Wing</p> | <p>Application</p> <p>8.1 The provisions in this section apply to the areas to the east, north and south of the Administration Building which is coloured in green and labelled East Wing on the Development Plan, as well as the Circular Drive coloured in blue on the Development Plan.</p> <p>Uses</p> <p>8.2 The land except the Circular Drive is to be public open space only and shall retain the view corridor to the Administration Building from the east. The Circular Drive shall be retained as a future road reserve.</p> <p>Landscaping</p> <p>8.3 A detailed Landscaping Plan must be prepared in consultation with the City and lodged for approval at the Development Application/subdivision stage whichever comes first.</p> <ul style="list-style-type: none"> ○ The approved detailed landscaping plan is to be implemented by the Developer to the satisfaction of the City prior to occupation of the buildings or transfer of the land to the City for care as a recreational reserve, whichever comes first. <p>Public Access</p> <p>8.5 The circular driveway shall be not less than 725m² and is to be created as a public road.</p> <p>8.6 Pedestrian/cycle access shall be given priority.</p> <p>8.7 Primary vehicle access to the site shall be from Heritage Lane via the existing northern access point. An additional vehicle access point may be provided from Heritage Lane south of Circular Drive. The access points shall be developed as Public Right of Way and in a finish approved by the City.</p> <p>8.8 Access from Heritage Lane to the South Wing shall be designed with sensitive use of paving treatments and landscaping to reinforce the pedestrian priority of the area.</p> <p>Other</p> <p>8.9 The developer is required to maintain the Public Open Space within the East Wing for a minimum period of two (2) years after completion of landscape works. A legal agreement securing that obligation will be</p> |



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| | <p>required as a condition of subdivision or development approval.</p> <p>8.10 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>8.11 Circular Drive, as a public road, shall be sensitively designed and constructed to compliment the heritage building.</p> <p>8.12 The view corridor to and from the east to the Administration building shall be retained.</p> <p>8.13 In addition to the General Provisions for parking (clause 4.12, 4.13, 4.14) there is no reduction of the Public Open Space (POS) by either expanding verge parking into the POS or intrusion of car bays into the POS.</p> |
| West Wing | <p>Application</p> <p>9.1 The provisions in this section applies to the area surrounding Montgomery Hall coloured in green and labelled Public Open Space (West Wing) on the Development Plan.</p> <p>Uses</p> <ul style="list-style-type: none"> ○ The West Wing is to be public open space providing for pedestrian/cycle access, and landscaping, lighting and public art and may incorporate things such as a playground. The open space shall retain the view corridor to Montgomery Hall from the west. <p>Parking</p> <ul style="list-style-type: none"> ○ No parking shall be permitted in this area. <p>Landscaping</p> <p>9.4 A detailed Landscaping Plan for the West Wing must be prepared in consultation with the City and lodged for approval at the Development Application/subdivision stage whichever comes first.</p> <p>9.5 The approved detailed landscaping plan is to be implemented by the Developer to the satisfaction of the City prior to the creation of any new subdivisional lot within the policy area</p> <p>Other</p> <p>9.6 The Developer is required to maintain the public open space for a minimum period of two (2) years after completion of landscape works. A legal agreement securing that obligation will be required as a condition of subdivision approval.</p> |



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| | <p>9.7 In the event development of the site is proposed prior to subdivision approval being sought, the requirements above may be imposed as conditions of development approval.</p> |
| <p>North Wing</p> | <p>Application</p> <p>10.1 The provisions in this section apply only to the area to the north of the Hospital buildings coloured in yellow on the development plan and labelled North Wing on the Development Plan.</p> <p>Use</p> <p>10.2 The land delineated as the North Wing on the Development Plan shall be developed for residential or retirement housing uses only.</p> <p>10.3 Council shall only support a maximum of 5 lots (for a maximum of 5 dwellings only) in the North Wing, in the subdivision layout shown in the Design Guidelines.</p> <p>10.4 The standards and requirements of the R20 density code will be used to assess proposed residential development except in regard to lot numbers/lot sizes which is to be in accordance with clause 10.3 above.</p> <p>10.5 No part of the adjacent curtilage area may be incorporated into the North Wing for subdivision or residential development purposes.</p> <p>Public Access</p> <ul style="list-style-type: none"> ○ Access to lots shall only be via Abbey Gardens. <p>Parking</p> <ul style="list-style-type: none"> ○ No street parking within the road reserve of Abbey Gardens will be allowed. <p>Height and Levels</p> <p>10.8 The height of all new buildings must comply with Scheme requirements.</p> <p>10.9 The finished level of the lots shall be at an RL of 35.5 AHD to minimise adverse impacts on neighbours to the east.</p> |
| <p>South Wing</p> | <p>Application</p> <p>11.1 The provisions in this section apply to the area to the south of the Hospital buildings coloured in yellow on the development plan and labelled South Wing on the Development Plan.</p> <p>Use</p> <p>11.2 The full extent of the South Wing shall be retained either for parking (up to 60 bays), unless Montgomery Hall is put permanently to a low key use, or for</p> |



residential or retirement housing. Access to the parking area shall be solely via Heritage Lane.

11.3 Council shall only support a maximum of 7 residential lots (for a maximum of 7 dwellings only) in the subdivision layout shown in the Design Guidelines.

11.4 The standards and requirements of the R30 density code will be used to assess proposed residential development except in regard to lot numbers/lot sizes which is to be in accordance with clause 11.3 above.

11.5 The adjacent curtilage area may not be incorporated into the South Wing for subdivision or residential development purposes .

Public Access

11.6 Public access (non-vehicular) to the heritage buildings and open space shall be maintained from Charles Lane to the balance of the site via the public open space corridor indicated on the Development Plan. The corridor shall be a minimum width of 10 metres. The corridor provides separation between residents in the Norfolk Lane complex and the potential residential lots, to minimise impacts of level differences, overlooking and overshadowing.

11.7 Access to any future residential lots shall be as per Design Guidelines: i.e from Heritage Lane via a vehicular public right of way (4 lots); from Charles Lane (1lot) and from Hamilton Gardens (2 lots), however no access for vehicles from Charles Lane or Hamilton Gardens to the existing Hospital Building area including curtilage areas shall be permitted.

Legal Agreement

11.8 In the event that the South Wing is approved for residential use, the land owner must enter into a legal agreement which will bind all future owners of Montgomery Hall, and which prevents that building from being used for anything other than a “low key” use that does not generate any traffic demand above that which can be accommodated on site.

Height

11.9 The height of all new buildings must comply with Scheme requirements.

Fencing

11.10 An open style of fencing shall be provided on the southern and western boundaries, abutting the public open space to provide casual surveillance of the open space.

Levels



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| | <p>11.11 The finished level of any residential lots shall be at an RL of 36.0 AHD to minimise adverse impacts on neighbours in the Norfolk Lane complex to the west.</p> <p>Landscaping Should the South Wing be used for non-residential purposes then:</p> <ul style="list-style-type: none"> ○ A detailed Landscaping Plan for the South Wing must be prepared in consultation with the City and lodged for approval at the Development Application/subdivision stage whichever comes first. ○ The approved detailed Landscaping Plan is to be implemented by the Developer to the satisfaction of the City prior to the creation of any new subdivisional lot within the policy area <p>Parking</p> <ul style="list-style-type: none"> ○ In addition to General Provisions for Parking (4.12, 4.13, 4.14) there is to be no reduction of Public Open Space by either expanding verge parking into the park or intrusions of car parking into the park ○ If the South Wing remains in whole or part as a car park, the vehicular access to that car park shall be via Heritage Lane. |
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