

**CITY OF NEDLANDS
TOWN PLANNING SCHEME NO. 2
AMENDMENT NO. 198**

HOLLYWOOD PRIVATE HOSPITAL

**Prepared for
City of Nedlands**



By Landvision



PLANNING AND DEVELOPMENT ACT 2005

Resolution to Amend Town Planning Scheme

CITY OF NEDLANDS

TOWN PLANNING SCHEME NO. 2

AMENDMENT NO. 198

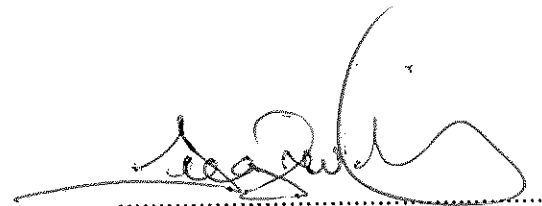
Resolved that the Council, pursuant to Section 75 of the Planning and Development Act 2005, amend the above Town Planning Scheme as follows:

The proposed Scheme Amendment is for the addition of a new clause iii) to column (B) of Schedule V – Special Use Zone in relation to Pt Location 1715 and Pt Location 8697 Monash Avenue, Nedlands.

The proposed new clause states the following:

- iii) The development of the site shall be in accordance with the current Master Plan applicable to the Special Use Zone as approved by the Council from time to time, following the procedures as set out in Clause 8.3 of the Scheme.

Dated this 17 day of JANUARY 2013



CHIEF EXECUTIVE OFFICER

AMENDMENT REPORT

Minister for Planning

Proposal to amend a Town Planning Scheme

1. Local Authority: City of Nedlands
2. Description of Town Planning Scheme: Town Planning Scheme No. 2
3. Type of Scheme: Local Planning Scheme
4. Amendment No.: 198
5. Property Description: Pt Location 1715 and Pt Location 8697 Monash Avenue, Nedlands (Hollywood Private Hospital).
6. Proposal: The proposed Scheme Amendment is for the addition of a new clause iii) to Column (b) of Schedule V – Special Use Zone relevant to Pt Loc. 1715 and Pt Loc. 8697 Monash Avenue, Nedlands (Hollywood Private Hospital). The proposed new clause states the following:

“the development of the site shall be in accordance with the current Master Plan applicable to this Special Use Zone as approved by Council from time to time, following the procedure as set out in clause 8.3 of the Scheme”.

1. Purpose of Amendment

The amendment is intended to provide a Master Plan for the whole of the Hollywood Private Hospital campus that can be amended from time to time that guides future redevelopment and new development required to maintain a modern and up-to-date hospital.

Adoption of the Master Plan by Council is subject to a separate planning process. Its adoption and inclusion in Town Planning Scheme No. 2 (TPS No. 2) by reference to the agreed Master Plan will be included in the Schedule for Special Use zones. The effect of this amendment is that the Master Plan

adopted by Council for the site will supersede the development provisions and standards in TPS No. 2 which would otherwise control development of the site.

2. Background

The Hollywood Private Hospital site is zoned Special Use Zone in the City of Nedlands Town Planning Scheme No. 2 City of Nedlands.

The Scheme currently does not require comprehensive planning for the site.

This amendment will provide a Master Plan for the site with statutory force thereby providing confidence to all stakeholders of the future intent for the area. The proposed wording of the new clause is designed to provide flexibility to allow for revisions of the Master Plan.

3. Proposed Changes to the Scheme

The relevant legislation that is being amended is the City of Nedlands Town Planning Scheme No. 2 (TPS No. 2). The table below lists those provisions in the Scheme which will be or are likely to be varied as a result of the adoption of this amendment.

	Scheme Provision	Detail of Provision
Use	Schedule V	(i) Hospital and ancillary facilities (ii) Aged persons housing and frail aged persons hotel, subject to being advertised in accordance with the provisions of Clause 6.3.3 and 6.3.4
Building Height	Clause 5.11	Maximum building height 10m – Council can vary datum that building height is calculated from; Maximum wall height 8.5m – no ability for variation.
Setback	Table III	Minimum front setback: 6m subject to conditions. Minimum side setbacks: 5m unless adjoining a residential zone in which case R-Code provisions apply. Minimum rear setback: average of 8m, minimum of 5m.
Plot Ratio	Table III	0.5
Amenity Clause	Clause 5.5	Provides Council authority to refuse a development that in Council's opinion would adversely affect the amenity of the surrounding area.
Carparking	Schedule 3	12 bays or 1 per every 4 beds whichever is greater.

4. Implications of Changes to the Scheme

The adoption of the amendment will result in the following benefits to both the future improvement of the HPH campus and the general community as:

- a) the current statutory provisions are very restrictive and often limit design and develop potential to the detriment of the orderly and proper planning of the campus;
- b) it will introduce greater flexibility for future planning and determination of development proposals; and
- c) it will result in better outcomes for the community generally and the people using the HPH in the future.

The current provisions applicable to the site under the scheme are generic so that they are able to cater for the numerous other Special Use sites in the City. By not being specific to the HPH site the provisions cannot maximise the opportunities on any specific site for a building or to minimise potential impact of a development. A more refined approach to the planning of these sites is therefore desirable.

In relation to the Hollywood Hospital site, the shortcomings of the generic provisions is that they allow any future development to have a greater impact on the North Hollywood residential area than necessary, while requiring a height restriction that is neither appropriate nor practical given the contours of the site and the existing development of the locality.

These shortcomings presumably motivated the development of the 2005 Master Plan for this site, but at that time no provisions were made to incorporate the Master Plan in the Scheme. It therefore lacks statutory force and by this stage is outdated.

This situation has prompted the need to revisit the overall process. This process includes the completion of a new Master Plan and a Scheme Amendment to give statutory force to the Master Plan and any future rendition of it.

The proposed Scheme Amendment will be added to Clauses (i) and (ii) of Schedule V. It is appropriate because the proposed additional Clause encourages site specific planning for the Hollywood Hospital site, provides the necessary mechanism for the implementation of a Master Plan and provides the necessary flexibility to adapt to future needs of the site through the Master Planning process.

5. Addition to Schedule V

The changes to Schedule V – Special Use Zone adds a new clause iii) on column (B) Permitted Uses and Provisions Applying to Special Use Sites and would appear as follows;

(A) DESCRIPTION OF SITE	(B) PERMITTED USES AND PROVISIONS APPLYING TO SPECIAL USE SITES
Pt. Loc 1715 and Pt. Loc 8697 Monash Avenue, Nedlands (Hollywood Private Hospital)	i) Hospital and ancillary facilities; and ii) Aged persons housing and frail aged persons hotel, subject to being advertised in accordance with the provisions of Clause 6.3.3 and 6.3.4 iii) The development of the site shall be in accordance with the current Master Plan applicable to this Special Use Zone as approved by Council from time to time, following the procedure as set out in Clause 8.3 of the Scheme.

6. Conclusion

The current Scheme provisions that guide the future development of Hollywood Private Hospital are inadequate to achieve the best possible outcomes at the site. The proposed Scheme Amendment addresses this shortcoming by providing statutory force to a comprehensive development approach for the site.

Adoption of the Master Plan, and the modifications to Schedule V will provide the Council and the general public with an assurance in respect to the future growth and development of the site. It also provides a process for Council to determine if any future proposed variations to the Master Plan require re-advertising in accordance with Part 8.3 of the Scheme.

The Master Plan shows how future development adjacent to Verdun Street will be planned and designed to minimise any impacts on nearby residents.

In light of the benefits from the adoption of the Master Plan, and in turn, this Scheme Amendment to recognise the Master Plan in the Scheme the amendment should be adopted.

PLANNING AND DEVELOPMENT ACT 2005
RESOLUTION DECIDING TO AMEND A LOCAL PLANNING SCHEME
CITY OF NEDLANDS
PLANNING SCHEME NO. 2
AMENDMENT NO. 198

RESOLVED that the Council, in pursuance of Section 75 of the Planning and Development Act 2005, amend the above local planning scheme by:

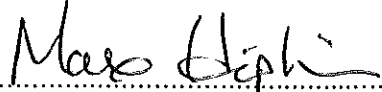
1. Adding an additional provision to Schedule V – Special Use Zone for Pt Loc. 1715 and Pt Loc. 8697 Monash Avenue, Nedlands (Hollywood Private Hospital) by adding a new clause iii) to Column (B) Permitted Uses and Provisions Applying to Special Use Sites as follows:
 - “iii) The development of the site shall be in accordance with the current Master Plan applicable to the Special Use Zone as approved by Council from time to time, following the procedures set out in Clause 8.3 of the Scheme”,

Dated this 17 day of JANUARY 2013

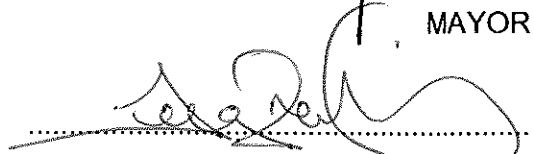

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CHIEF EXECUTIVE OFFICER

ADOPTION

Adopted by resolution of the Council of the City of Nedlands at the Meeting of the Council held on the 11 day of December 2012


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MAYOR


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CHIEF EXECUTIVE OFFICER

FINAL APPROVAL

Adopted for final approval by resolution of the City of Nedlands at the Meeting of the Council held on the day of 201 and the Common Seal of the City of Nedlands was hereunto affixed by the authority of a resolution of the Council in the presence of:

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MAYOR

.....
CHIEF EXECUTIVE OFFICER

Recommended/Submitted for Final Approval

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DELEGATED UNDER S.16 OF
THE PD ACT 2005

DATE.....

Final Approval Granted

.....
MINISTER FOR PLANNING

DATE.....