

Special Electors Meeting – August 12 2019

Amy Collins (Save Perth Hills Presentation)

Good evening, my name is Amy Collins, I live at Parkerville and I currently provide technical support to Save Perth Hills. Tonight, I will speak briefly for one section of the motions as follows:

That Council recommend the Western Australian Planning Commission refuse Structure Plan 34 because LSIP 265 was not approved by the Western Australian Planning Commission in 1999 as indicated by the proponent, but rather, it was simply used as a guide to rezone the land within the Metropolitan Region Scheme.

In consultation with the WAPC, SPH has become aware that Local Structure and Infrastructure Plan 265 prepared by Koltz Smith & Partners, while approved in 1997 by the Shire of Mundaring, has never been endorsed or approved by the WAPC.

The WAPC has no record on their database of an approved Structure Plan for the proposed townsite at North Stoneville. Recently, upon requesting the archived file for North Stoneville, a WAPC Planner indicated that he could not locate anything indicating an approval or endorsement. Rather, in a letter dated 1999 to the Shire, the WAPC refer to using LSIP265 simply as a 'guide' to the rezoning of the land under the MRS from Rural to Urban Deferred. Again in 2006, in a letter from the Office of the Minister for Infrastructure and Planning, it is stated that the while the MRS amendment was predicated on the two structure plans for North Stoneville and North Parkerville, the WAPC did not endorse these structure plans.

You may ask, why is it important that there is a distinction of the WAPC not having approved or endorsed this plan. Firstly, the Applicants Report submitted in December for the approval before us now, clearly states on page 7 and 21 that LSIP was approved by the WAPC in 1999. So too, in historical updates provided to the community the Shire of Mundaring has referred to LSIP as an approved Structure Plan. The issue with this point of difference is that the community and indeed the Councillors who sit before me have been told repeatedly that SP34 as it is currently before us is simply an update or modifications to an approved plan. This is important, because where approval is suggested, so too a finality of the future of the townsite is suggested. Since December when this development was again put before the Council and Community, Satterley representatives, Councillors and Shire staff have been referring to the development as a foregone conclusion - that SP34 is merely an update. But if there is no approval from state government, I question why the Shire or State Government feel tied to development of this scale at North Stoneville. Most compellingly, the letter from 2006 regarding the proposed development states that **'The WAPC is not committed to the subdivision pattern, the densities or the uses indicated on these structure plans.'** In short, I question whether SP34 is in fact the 'done deal' we have all been told it is. I question whether SP34 should never have been marketed to the community and

Councillors as simply an update or modification to an existing structure plan – when no such approval appears to exist at a State level.

Secondly, with regards to concern expressed by Councillors since December and questions asked of one of our Planning Officers during the Council Meeting to decide SP77 in Mount Helena earlier this year, I thought it was prudent to research the statutory process for Shire recommendations on Structure Plans. The Council has expressed concern that if they recommend a refusal of a structure plan, they will not be able to submit all of their information, suggested modifications or somehow be excluded at the subdivision stage from discussions.

Contact with a WAPC Planning officer on 9 August 2019 to discuss these concerns indicates that the information regarding Council recommendations on Sturcutre Plans is contained in the Planning and Development (Local Planning Schemes) Regulations 2015 – Part 4 Structure Plans. I asked the officer specific questions about an approval or refusal recommendation and the implications for Council at each stage of the process. The response was as follows:

1. If the Council Recommends an approval or refusal – all the same documents are included in the submission to WAPC (Page 118 of the Regulations).
2. The Council is required to submit proposed modifications to the WAPC regardless of their recommendation (Page 118 of the Regulations).
3. That while the subdivision stage is approved at the State level, the WAPC refers the proposed subdivision plans to the Council for comment at the subdivision stage - regardless of their recommendation.

The WAPC Planning officer agreed that in the rare case of a refusal recommendation from Council, the WAPC would very carefully look at the reasons indicated for refusal on balance with the officers report, public submissions and other documents available.

There seems no fear of exclusion from the process in the event of a refusal is warranted, and the information provided to Councillors to date may have been incorrect. Certainly, there is confusion evident within the Council regarding this matter. This confusion is perhaps best indicated by the discussions which occurred during the Regular Council Meeting for the recommendation of SP77 earlier this year.

It is important to the community that the Council make their recommendation to the WAPC based on the depth of information available and the community sentiment as is their role, rather than based on fear from incorrect information about the WAPC decision making process.