



Statutory Planning Committee Minutes

Meeting No. 7638
Tuesday, 14 July, 2020

- Members:** Paddi Creevey - Nominee of the Regional Minister
Vaughan Davies - Nominee of the Director General
Kym Davis - Community Representative
Nina Lyhne - WAPC Appointee
Marion Thompson - Professions Representative
Ross Thornton - WAPC Appointee (Presiding Member)
- Apologies:** David Caddy - Chairman WAPC
Megan Adair - WAPC Appointee
Lino Iacomella - WAPC Appointee
Leonard Kosova - Local Government Representative
- Others present:** Mario Carbone - Senior Planning Officer, Metro North
Andrew Cook - Planning Manager, Metro North
Sam Fagan - Manager, Commission Business
Stephen Ferguson - Director Legal Services, Strategy and Engagement
Lisa Johnson - Communications Coordinator, Strategy and Engagement
Georgina Lockhart - Commission Support Officer
Jaime Lundberg - A/Manager, Officer of the Director General
Michelle Matthewman - Senior Commission Support Officer
Mathew Selby - Planning Director, Metro North
David Saunders - Assistant Director General, Land Use Planning
Aamon Zothner - Planning Officer, Metro North

1. Declaration of opening

In accordance with the motion by the Statutory Planning Committee on 30 June 2020, Mr Ross Thornton will preside over this meeting in the absence of the Chairman.

The Presiding Member declared the meeting open at 9:25am, acknowledged the Whadjuk people of the Noongar nation as the traditional owners and custodians of the land on which the meeting is taking place and welcomed members.

2. Apologies

Ms Megan Adair - WAPC Appointee

3. Members on leave of absence and applications for leave of absence

Mr David Caddy - Chairman, WAPC

Mr Lenard Kosova - Local Government Representative

Mr Lino Iacomella - WAPC Appointee

4. Disclosure of interests

Mr Caddy declared an Impartiality Interest on Item 7.1 – Proposed North Stoneville Structure Plan 34. Mr Caddy stated that he is associated with the Anglican Church, who are the landowners within the Structure Plan area. Mr Caddy stated that he sits on the Anglican Church architectural advisory committee and that his wife is a member of an Anglican organisation.

Mr Kosova declared an Actual Indirect Pecuniary Interest on Item 7.1 – Proposed North Stoneville Structure Plan 34. Mr Kosova stated that the proponent, Satterley Property Group, is currently a client of his private consultancy, LK Advisory on an unrelated matter.

5. Declaration of due consideration

All members indicated that they had received and considered the agenda items prior to the Statutory Planning Committee meeting.

6. Deputations and presentations

6.1 Proposed North Stoneville Structure Plan 34

Presenter: Stuart Guthrie – Private Member of the Anglican Church Rockingham Parish

Mr Guthrie presented to the Statutory Planning Committee as a member of the St Nicholas's Rockingham Parish of the Anglican Church and discussed why the proposed structure plan conflicts with the Five Marks of Mission. Mr Guthrie stated that the five marks are to;

- Proclaim the good news of the kingdom;
- Teach, baptise and nurture new believers;
- Respond to human need by loving service;
- Transform unjust structures of society, to challenge violence of every kind and pursue peace and reconciliation; and
- Strive to safeguard the integrity of creation, and sustain and renew life of the earth.

Mr Guthrie stated his concern that the proposal stands in direct opposition to the final three marks and that the Anglican Diocese of Perth has not considered commitment to the core values as well as implications of this proposal. Mr Guthrie discussed the Aboriginal heritage and sacredness of the land and the historical and cultural significance of the site. Mr Guthrie stated that the Mulka Story warrants further investigation by Satterley and the Anglican Diocese. Mr Guthrie discussed the connection to land and the need to preserve pre-colonial history.

Mr Guthrie discussed how the site was previously used as a boy's home in 1946 for agricultural training for indigenous boys from Swan homes, after which the site was used a reform school called Hillston for stolen generation of wards of the State. Mr Guthrie discussed the treatment of the wards and queried the recognition of this historical site. Mr Guthrie stated that the Snappy Gums report gives an incomplete history of the site which the Noongar Elders have raised concerns with.

Mr Guthrie stated that when the original structure plan was approved in 1998 the Minister for Aboriginal Affairs requested protection of the water course, management of architectural material, and that some land be returned to Aboriginal landowners and outlined that these requests have been ignored. Mr Guthrie requested that the land be rezoned to Rural.

6.2 Proposed North Stoneville Structure Plan 34

Presenter: Jeremy Hurst – Quenda Guesthouse

Mr Hurst presented to the Statutory Planning Committee as the owner and operator of Quenda Guesthouse in Hovea. Mr Hurst stated that the proposed structure plan is a threat to Perth hills tourism, and that investment in tourism would be better served in the Shire of Mundaring than urbanisation. Mr Hurst discussed the State Government intentions for tourism growth highlighting that this proposal conflicts with this intent. Mr Hurst stated that 80% of guests are from Perth looking to escape city life and recharge; the Quenda guesthouse is set in nature close to John Forrest National Park and 100 metres from Falls Park. Mr Hurst discussed the increase in traffic and that a green light approval would give rise to infill development in the North Parkerville Townsite.

Mr Hurst discussed that tourism has always operated in the background within the Shire of Mundaring with a history of arts, culture, food and fun with family. Mr Hurst discussed the opportunities to celebrate indigenous history and culture and that tourism is a tool to protect the natural environment. Mr Hurst discussed how the North Stoneville site takes up an area larger than King's Park and the communities concerns with infill, traffic noise, light pollution and bushfire evacuation. Mr Hurst discussed the positive short-term influence on the Western Australian economy if the proposal were to go ahead but that it would not be a long-lasting generation of revenue like tourism. Mr Hurst discussed how tourism would create revenue for the Local Government and local businesses, and the addition of urban development will ruin the rural nature which tourists love.

Mr Hurst discussed that Perth's isolated location which was once a negative is now why it's loved and represents nature, open space, fresh air and safety. Mr Hurst stated that the Shire of Mundaring abolished the tourism fee in place to promote the natural amenity of the region. Mr Hurst stated that the site should be rezoned back to Rural because once it's gone, it's gone.

Members queried how many tourism operations were in the area and Mr Hurst stated that he did not know the exact number but that it was a growing industry and that new and existing bed and breakfasts generate a sense that the area is a getaway region. Mr Hurst gave examples of a blueberry farm, e-bike mountain biking and conscious food consumer businesses in the area.

6.3 Proposed North Stoneville Structure Plan 34

Presenter: Dwayne Scook – Adjacent neighbour, City of Swan, Friends of Blue Wren Reserve

Mr Scook presented to the Statutory Planning Committee to discuss the assessment undertaken by Dr Robert Humphries of Strategic Environmental Services in relation to the site's geology, risk factors, soil cap, sustainability and long-term risks of salinization. Mr Scook raised concerns with how a privately-owned facility and its operation in the hilly terrain and risk corporate failure without Local Government financial support.

Mr Scook discussed how section 4.3 of the Better Urban Water Management guidelines (BUWM) requires a holistic approach with specific site relevant issues to be investigated and addressed in line with the Local Planning Strategy and the Department of Water and Environmental Regulation (DWER) guidelines for non-drinking water systems for urban developments.

Mr Scook discussed that Water West has an existing Environmental Protection Authority approval for another site. Mr Scook stated that Water West has no additional data and process to protect long term costs, that feasibility has not been adequately addressed and that there is no demonstration that water resource values will not be adversely affected. Mr Scook discussed the lack of detailed knowledge of local soils and geology. Mr Scook stated that natural run off leaves the site at multiple points and noted that his property is the first entry from the holding dam and has a culvert running through it.

Mr Scook discussed the shortfalls as per section 4.3 of the BUWM on impacts of surface and ground water, biodiversity and the cumulative impacts and expectation to address significant issues that should not be left to the subdivision stage.

Members queried that the assessment found that the private facility has not met the criteria of the BUWM and that pharmaceuticals and heavy metals have not been addressed. Mr Scook stated that his assessment is in line with BUWM and DWER guidelines, and that Water West did not foresee any need to monitor heavy metals as that is only dealt with in domesticated waste water. Members queried if Mr Scook's property sits on laterite and it was stated that it was deeper down and that one issue with Water West's assessment is that it was not known if water was sinking into the ground and that a recharge site has not been located. Members queried the use of Aerobic Treatment Units (ATUs) and septic tanks and Mr Scook stated that he uses a composting toilet system.

6.6 Proposed North Stoneville Structure Plan 34

Presenter: Greg Rankin – Volunteer Firefighter

Mr Rankin presented to the Statutory Planning Committee as a resident of Stoneville and volunteer firefighter. Mr Rankin stated that he is not speaking on behalf of his brigade but from his own experience. Mr Rankin stated that spotting and ember attack can travel ahead of a main fire for up to 25 kilometres and that radiant heat allows the fire to spread quicker. Mr Rankin stated that the proposed North Stoneville townsite is located within an extreme fire danger zone, surrounded by bushland and national parks. Mr Rankin stated that there are only two main access roads. Mr Rankin discussed the scenarios of severe ember attack and outlined that John Forrest National Park is a catalyst which would fuel fire by winds pushing it up the valley which the development would be in the direct path of.

Mr Rankin discussed potential evacuation scenarios and concerns with roads being blocked and compromised by fire. Mr Rankin stated that the roads within the structure plan are small and winding and could cause confusion for those evacuating a fire.

Mr Rankin discussed his own experience with the Stoneville fire in 2008 and the dangers his wife encountered when evacuating such as low vision, smoke inhalation, frightened children and panic. Mr Rankin discussed the fires in Victoria and the impact of radiant heat on cars. Mr Rankin stated that during the Stoneville fire there was traffic chaos due to people trying to get out creating an issue for fire crews trying to get in. Mr Rankin stated that decisions on the development need to be made under informed fire management experience and requested that the land be rezoned Rural.

Members queried what would need to occur to the current road network to make evacuation safe and whether it is possible to make exit routes safe in ember attack. Mr Rankin stated that roads could be better engineered but queried who would pay for upgrades, and questioned at what cost. Members queried the concern around the bushfire management plan and whether it reflects the danger, Mr Rankin stated that Satterley had come to his house and stated that the development would be safe.

Members queried if firefighters could bring 2.4 metre wide trucks down Roland Road which is a strategic fire break and whether it would be defensible given vegetation around the road. Mr Rankin stated that based on what he knows of the area and the pockets of bush, full of twenty years of fuel loading, that the area is not safe. Mr Rankin stated that there are only 26 fire trucks in the Shire of Mundaring.

6.4 Proposed North Stoneville Structure Plan 34

Presenter: Cleo Williams – Member of Horsemen's Pony Club

Ms Williams presented to the Statutory Planning Committee with Ms Bishop and Mr Matthew Hughes MLA present. Ms Williams stated that she is 16 years old and has lived in Stoneville her entire life on the families 5-acre property located 2 kilometres from the proposed townsite. Ms Williams stated that she often rides her horses to Susannah Lakes and discussed how a single new house has been built in the area which has fenced off a fire break that had provided safe access off Stoneville Road; impacting Ms William's safety by forcing her to ride along Stoneville Road. Ms Williams stated that the addition of 1100 new dwellings would make riding to Susannah Lakes impossible.

Ms Williams discussed that she had met with a consultant from Satterley in July to discuss the relocation of the kangaroos, fire risk and evacuation management and that she was not impressed with Satterley's response. Ms Williams stated that in the event of a fire many other horse owners come with horse floats to remove horses from danger. Ms Williams discussed concerns with the green oval safe zone and the visual amenity of the waste water sewerage plant.

Ms Williams discussed the distance of the proposal to the Mundaring district centre and the additional traffic movements. Ms Williams stated that the proposal impacts the lives of horse owners, riding, safety, and future businesses, adding that she has a desire to embark on a business venture in Stoneville in the near future. Ms Williams urged the Committee to refuse the proposal to protect the rural amenity of the Perth hills for future generations.

Members queried why the fire break has been closed off and the number of other horse owners who ride along Stoneville Road. Ms Williams stated that horses travel the road daily and that the land was not private property before but was brought recently and fenced off. Ms Bishop further added that Zia Park Equestrian Centre exits onto Stoneville Road and riders already cross the road to reach Susannah Lakes. Ms Bishop stated that cars travel at 80 kilometres an hour and that an increase in traffic would make horse floats entering and exiting Zia Park impossible.

Mr Hughes MLA was invited by the Presiding Member to provide comment on the proposal and stated that the size of the proposal is inappropriate, has significant environmental impact and would result in the loss of natural bushland. Mr Hughes stated that urban zoning is no longer applicable given what we know of climate change and discussed the opportunity to undo a decision made in the 1990's knowing what we know about the impact of climate change.

6.5 Proposed North Stoneville Structure Plan 34

Presenter: Simon Cherriman – Insight Ornithology/West Australian Parks Foundation

Mr Cherriman presented to the Statutory Planning Committee with his wife Mrs Cherriman to ask that the proposal for North Stoneville be refused. Mr Cherriman stated that he has a Bachelor of Science in Environmental Biology, a Master of Science Communication, PhD Candidate for Ecology and was the 2008 WA Young Person of the Year for environment and the 2010 Australian Geographic Young Conservationist of the Year. Mr Cherriman is a WA Parks Foundation Ambassador and Birdlife Australia Raptor Group WA Executive.

Mr Cherriman discussed the importance of biodiversity and the impact of losing components and ability to function as the natural environment. Mr Cherriman stated that the South West is a unique biodiverse hot spot for plants, animals and fungi and these will suffer an enormous impact if a development in North Stoneville goes ahead. Mr Cherriman stated that North Stoneville is home to more than 300 varieties of plants and 250 vertebrates; outlining that biodiversity is the key to resilience. Mr Cherriman discussed how the loss of biodiversity results in simplifying the natural environment and that conservation cannot occur with increased density.

Mr Cherriman discussed that the 15-football field area that is marked for clearance is not degraded bushland, rather critical woodland, habitat outlining that the system is intact and healthy and can be further healed. Mr Cherriman stated that two Wedgetail Eagles are residents living in the proposed townsite and have done so for 20 years, returning ever year to roost having one chick per year. Mr Cherriman discussed the Black Cockatoo representation; a species protected under federal legislation. Mr Cherriman discussed the danger of the spread of concrete cancer to the natural environment and loss of biodiversity beyond repair.

Members queried if the site was a critical habitat for the Wedgetail Eagles and Mr Cherriman stated that the land is breeding territory, and that Wedgetail Eagles form a permanent territory due to the rich biodiversity of the area. Members queried the separate environmental reports required for approval on Black and Red-tail cockatoo's and Mr Cherriman stated that he has observed nesting sites on the land and that the land was broken into blocks, suggesting they were not represented, however, noted that a federal report will require a survey of the whole site. Mr Cherriman stated that there are nesting trees and the birds feed in the area.

Members queried if Mr Cherriman has had the opportunity to present on these matters at State and Federal levels. Mr Cherriman stated that he has written letters to the Federal Environmental Minister, however, has not received any replies. Mr Cherriman stated that individual structure plans like North Stoneville are weighed up on their own merit and not in context with other proposals, therefore the combined impact of loss of vegetation is not considered. Mr Cherriman stated that

Satterley had been in contact with him early on, and he shared his knowledge but that he has not seen a formal report. Members queried if the understory has been taken out because of grazing and Mr Cherriman stated that the understory is fragmented due to trample from sheep and cows, that there are large Marri trees left and that with no human interaction, plants, shrubs and seedlings would recover quickly. Mr Cherriman stated the importance of protecting valuable green assets and highlighting the Aboriginal history and the length of time in which the trees have been growing on the site.

6.7 Proposed North Stoneville Structure Plan 34

Presenter: David and Claire Palmer - Resident/Volunteer Firefighter

Mr and Mrs Palmer presented to the Statutory Planning Committee and thanked the Committee for the opportunity to object based on bushfire risk as volunteer firefighters. Mr Palmer stated that the area is a known high-risk area, classified as bushfire prone by the Department of Fire and Emergency Services. Mr Palmer discussed two wildfires that took place in the last 12 years which included some of the land of the proposed structure plan. Mr Palmer stated that the fire in January 2003 burnt 300 hectares and destroyed three homes, and the fire in 2014 burnt 386 hectares and destroyed 57 homes.

Mr Palmer discussed the historic challenge of climate change and its effect on the longevity of summer conditions and effect on bushfire behaviour. Mr Palmer stated that in recent years there has been an increase in off season call outs, that people are trying to reduce fuel loads in incorrect conditions and losing control of them. Mr Palmer discussed how the proposal is a threat to people and property and the studies that show increases in density reduces bushfire risk. Mr Palmer discussed the danger of radiant heat in high density housing, and increased vehicles that act as fuel and create hazards.

Mr Palmer stated that the John Forrest National Park is situated 2 kilometres from the proposed site, and that the bushfire management plan did not detail how this risk would be managed. Mr Palmer discussed the threat of spotting from 6 kilometres away and the expected severe fire danger days in the future. Mr Palmer stated that Satterley called the subdivision a safe zone, but discussed concerns it could not be used as a bushfire refuge and noted the lack of understanding and Bushfire Attack Level standards which are not met.

Mr Palmer discussed concerns with the main water supply been shut off, and the pressure and water allocation being reduced in a bushfire event. Mr Palmer stated that resources are allocated to areas of increased population and provided an example of the Yarloop fires in regional Western Australia where water supply ran out and discussed the impacts of fighting fire with low water pressure. Mr Palmer stated that given historical evidence and increased risk he could not see how urban density could be considered safe and that more sustainable planning is required to avoid increasing fire risk to the area.

Members queried the fire risk coming from the south west, and easterly winds in summer. Mr Palmer stated that the winds come from the south west during the day and easterly in the evening and the need to control fires before wind direction change and the danger of fires swinging back to travel to another area.

6.8 Proposed North Stoneville Structure Plan 34

Presenter: Mark Hancock – Susannah Brook Catchment Group

Mr Hancock presented to the Statutory Planning Committee and thanked the Committee for the opportunity to represent the Susannah Brook Catchment Group. Mr Hancock discussed the community concern with the impact of the development on the future ecological health of the area. Mr Hancock discussed initial talks with the developer regarding supporting wildlife and maintaining water systems. Mr Hancock discussed the importance of making the best use of water and diverse ecological areas and developments to not be a drain on existing supplies.

Mr Hancock discussed the limited means of disposing of waste water and the concern with construction of a privately-owned waste water treatment facility. Mr Hancock stated that the Department of Water and Environmental Regulation does not want to be a part of the proposal and the community concern around waste water irrigating public open space.

Mr Hancock discussed how excess waste water would likely seep into water ways and be released which poses concern for biodiversity and streams fed by rain water. Mr Hancock stated that high levels of chemicals and flooring occurs, that the hills do not have a sandy soil base and it will run off into streams. Mr Hancock stated that the size of the blocks in the proposal do not support septic tank systems and that many existing residents rely on water tanks. Mr Hancock stated that the existing population practices water conservation.

Mr Hancock highlighted a high volume of leaf litter, oil, grease, metals and pollution will be directed into Susannah brook and will impact water quality. Mr Hancock stated that the proposal is utilising strategy from decades past and ignoring best practices. Mr Hancock stated that the University of Melbourne is conducting a study on stormwater on how we can use and how we manage this valuable resource. Mr Hancock discussed the need to avoid past mistakes, outlining that Government policy is about safe sustainable development to reduce congestion and travelling by car due to urban sprawl.

Members queried if the issue of soil types and water runoff has been addressed in the proposal and Mr Hancock stated that his property runs onto the area and that in the north-eastern corner during periods of rain there are streams running all over the site to dams and Susannah Brook. Mr Hancock stated that this has not been addressed and that there are large volumes of rock in the hills and that there will be massive destruction of soil.

The Presiding Member declared a brief adjournment at 11:05am.

The meeting was resumed with at 11:12am with all members present.

6.9 Proposed North Stoneville Structure Plan 34

Presenter: Peter Brazier – Mundaring in Transition

Mr and Mrs Brazier presented to the Statutory Planning Committee outlining that they moved from Sydney to Perth in 1991 because of the tranquil natural environment of the Perth Hills. Mr Brazier stated that they lost their home and possessions in the 2014 Stoneville fire. Mr Brazier stated that the fire happened in the heatwave on the hottest night time temperature recorded at 42 degrees. Mr Brazier stated that the fire started in Parkville and that his wife left with their border collies when the Department of Fire and Emergency Services gave warning of a fast approaching bushfire. Mr Brazier stated that he stayed to defend the house and evacuated when they received the final emergency message that they were in danger and needed to leave immediately.

Mr Brazier stated that he arrived at Stoneville Road, however, firefighters advised him to turn back where he safely evacuated via Mount Helena. Mr Brazier stated that the family turned on Channel 9 news and they saw footage of their house burning down. Mr Brazier stated that the family was shocked and when they returned to the house when it was safe to do so there was nothing left but the chimney stack. Mr Brazier recounted the burnt-out cars, ash and rubble. Mr Brazier discussed how his neighbour was saved by a water bomber, and the haunting memories of animals being burnt and killed in the fire.

Mr Brazier discussed how the proposal would introduce 4000 people to the area and three new schools and addressed the impact of increased traffic on the two exit roads. Mr Brazier stated that there have been three major bushfires in the area in 2003, 2008 and 2014 and that the 2008 bushfire started on the site of the proposed townsite. Mr Brazier stated that he met with Premier Mark McGowan and recounted his family's story. Mr Brazier stated that the proposal should be rejected, and steps should be taken to return the land back to Rural to safe guard all residents in the community.

Members thanked Mr Brazier for his family's courage in presenting to the Committee and recounting their experience. Mr Brazier stated that the ember attack came 30 minutes before the fire and was about 2.5 kilometres ahead of the fire. Mr Brazier stated the area has a lot of bushland and is close to the John Forrest National Park, and that in his experience no one is safe in a bushfire situation. Mr Brazier stated that the smoke levels were bad when they escaped the fire and it was heading towards Mount Helena and that their house was the last house on the front edge that was hit. Mr Brazier discussed the unpredictable nature of the winds and discussed how the Hon. Ken Wyatt helped get fire planning and developments in to the Royal Commission and the legitimacy of climate change.

6.10 Proposed North Stoneville Structure Plan 34

Presenters: Jo Sheil and Greg Jones - Stoneville and Parkerville Progress Association

Mr Jones and Mrs Sheil presented to the Statutory Planning Committee as residents of Stoneville for over 30 years, members of the Stoneville volunteer bushfire brigade and Stoneville and Parkerville Progress Association. Mr Jones stated that he spent 12 years as the president of the association and worked with victims of the bushfires in Stoneville. Mr Jones discussed how Helitanks drew water from Sundowner Grove during the fire in 2008 which is located in the middle of the subject site.

Mr Jones discussed how the fire in January 2008 started on a 44-degree day by a tree falling on a powerline on Roland Road in Parkerville, with winds gusting to 33 kilometres an hour with a 9% humidity. Mr Jones recounted that he was in a light tanker at the end of Sundowner Grove and happened upon 12 people standing in the shallow end of the dam to shelter from the fire. Mr Jones stated that after those people could safely leave he went to the corner of Woodlands Road and Stoneville Road where he met Mrs Sheil with two children. Mr Jones discussed how he drove through smoke and fire on both sides of Woodlands Road, that oxygen was depleted and the crew on the tanker feared for their lives. Mr Jones stated that after this the crew helped all those people who were trapped.

Mr Jones stated that the proposed structure plan roads are clusters and end in cul-de-sacs and circular roads and discussed the danger of becoming lost in a bushfire situation whilst trying to evacuate highlighting the increased risk of vehicle accidents.

Mr Jones discussed how the community responded to the impacts of the 2014 bushfire.

Members thanked Mr Jones and Mrs Sheil for presenting their story to the Committee and queried what concerns they have with the Bushfire Management Plan. Mr Jones stated that the 100-metre clearance is not sufficient, that the design of the township is confusing in an evacuation situation and that there are water supply issues. Mr Jones discussed how an urban development requires hydrants every 200-metres outlining that the proposed structure plan would be fed by the same kind of system that failed in the Yarloop bushfires. Mr Jones stated that rural properties self-manage their own properties and that an urban development is a disaster waiting to happen.

Members queried that if a fire was advancing from the John Forrest National Park would it be possible to send a crew down Roland Road knowing what has occurred in the past. Mr Jones stated that protection and the welfare of his crew is first and foremost when making these decisions, and looking at the bushfire management plan as it currently stands he would not put his crew in there due to congestion in the streets, outlining that they could not get in when people are trying to get out. Mr Jones discussed how the addition of 2000 more vehicles

into the area would all act as fuel which adds to the risk of deploying a crew in to the area to preserve life and property.

Members queried where the photos on Mr Jones's presentation were located. Mr Jones stated some were taken from the Black Saturday fires in Canberra and the Stoneville fires. Members queried the use of Zamia tanks in the structure plan. Mr Jones stated that Zamia tanks are not scheme water tanks and are a finite resource which are gravity fed and need booster pumps to maintain water supplies. Mr Jones stated that people will be drawing water to protect their own property and commented that it would be adequate to support a fire in an urban setting but will not be sufficient in a worst-case bushfire scenario.

6.11 Proposed North Stoneville Structure Plan 34

Presenters: Ray Stokes and Brendan Gorringer – Satterley, Darren Walsh – Strategen/JBS&G and Benham Bordbar – Transcore

Mr Stokes introduced himself to the Statutory Planning Committee as the Executive Manager of Planning at Satterley and stated that prior to joining Satterley he worked in the Department of Planning for almost 30 years, and was a previous Member of the Statutory Planning Committee. Mr Stokes introduced Mr Walsh the environment consultant from Strategen and JBS&G, Mr Bordbar the transport consultant from Transcore and Mr Gorringer the general manager of operations with Satterley.

Mr Stokes stated that they were shocked and dismayed to see the report and recommendation of the Department of Planning Lands and Heritage (DPLH) as they firmly believe the structure plan could be approved with any modifications considered necessary, or at the very least should be deferred so deficiencies in the plan can be made clear. Mr Stokes discussed how the structure plan is located between Toodyay Road and Great Eastern Highway which are major primary roads and that Toodyay Road will be replaced by the Perth Adelaide national highway around 2031. Mr Stokes stated that Roland Road and Stoneville Road are second tier roads to carry large volumes of traffic, that priority will be given planned upgrades, improved site access and direct access to Cameron Road.

Mr Stokes stated Satterley entered into a development agreement with the Anglican Diocese and that the proposed structure plan was guided a working group which included the former late Chairman of the Western Australian Planning Commission (WAPC), the DPLH, Shire of Mundaring, Building Codes of Australia (BCA), Main Roads WA and the Department of Fire and Emergency Services (DFES). Mr Stokes outlined that the group has been meeting since December 2017. Mr Stokes stated that it was important to note that the townsite is not a Satterley proposal but was designated by the Shire of Mundaring in the 1990's and its purpose was to consolidate development to avoid wide spread growth of rural residential in the Shire which was seen to be insufficient use of the land and lack of services in the area. Mr Stokes stated that the original structure plan was approved by Council in 1998, and that this proposal is an amendment to an approved structure plan.

Mr Stokes stated that the proposal was incorporated into the Town Planning Scheme in its latest review in 2014, therefore the suggestion that zoning is out of date is false. Mr Stokes stated that Satterley has invested \$2 million dollars in developing the structure plan so far and noted that this has come before the Committee for approval at a time when the State Government is looking at planning reforms to simplify the planning process, reduce red tape and attract investment. Mr Stokes stated that if Satterley had known there were fundamental flaws they would have thoroughly considered these before embarking on this project, however, they were never given that kind of message.

Mr Stokes discussed the effort in developing the concept master plan which they believe is tailor made to the hills lifestyle, with innovation and design ideas being introduced into the plan, which will add much needed variety and choice in the type of housing available which is currently restricted in the hills. Mr Stokes discussed the need to achieve housing targets in the Commission's planning framework, supporting local jobs in the local economy highlighting that the proposal would bring approximately \$550 million in private sector investment, civil works, engineering and housing construction. Mr Stokes discussed how the Shire of Mundaring requires increased investment and local jobs.

Mr Stokes stated that the plan is bushfire resistant, and includes dramatic upgrades to the local road network; suggesting that deficiencies in the local road network could be addressed through the staged approach and will deliver sustainable outcomes. Mr Stokes stated that they have progressed through technical advisory groups resulting from advertising which occurred in 2017, that an engagement program was undertaken, including community forums, open days, they met with individual community groups, the neighbourhoods around the site were contacted and that a website was established to provide updates and frequently asked questions. Mr Stokes stated that Satterley has been transparent, that technical reports have been kept on the public website and the community has full access to information.

Mr Stokes discussed the perceived hostile nature of the Save Perth Hills campaign which was relaunched in 2019, and how the development has been misrepresented through rallies and social media. Mr Stokes stated that Satterley received messages of support for the development through the website, and noted that people feel intimidated to speak out against Save Perth Hills.

Mr Stokes discussed how the initial structure plan and rezoning from rural to urban was considered in the 1990's and at that time there were only 50 submissions, 24 of those were objections. Mr Satterley stated that as far as they were aware there were no objections to the townsite by the Council in 2014 and there were no objections to the local rural strategy and framework plan with the designated townsite. Mr Stokes stated that most objections and concerns the community have raised has been provoked by the way in which Save Perth Hills has run their campaign. Mr Stokes stated that when the proposal went to Council in August 2019, prior to the local government elections, the Shire of

Mundaring officers recommended the proposal be refused and that Council identified issues with transport and could not reach an agreement with Main Roads WA for Great Eastern Highway. Mr Stokes stated that Shire of Mundaring officers were supportive of the objective and professional in the way they dealt with the application, and that it was not surprising that with political pressure most Councillors were swayed to oppose the development. Mr Stokes discussed the difficult nature of the Council meeting, outlining that more than 1000 people attended, and that Satterley had to be escorted from the meeting by security guards for safety reasons.

Mr Stokes stated that the Council was briefed twice before the structure plan was advertised, and that both were constructive with no hint of opposition from the Council. Mr Stokes stated that the impact of Save Perth Hills campaign changed the public sentiment. Mr Stokes discussed that the North-East Planning Framework recently classified the site as urban for development between 2015 – 2031, and that Satterley is implementing State and Local Planning Policy, which complies with all State and Policy Guidelines. Mr Stokes stated that any residual bushfire risk can be managed in the planning process.

Mr Stokes discussed how the DPLH has recommended refusal on grounds of bushfire risk and environmental aspects not addressed. Mr Stokes stated that this is unexpected given the proposal complies with planning framework and was prepared with DPLH and other government agency involvement over two and a half years. Mr Stokes discussed Satterley's concern that they were not given an opportunity or warning to discuss the matter before the recommendation was published on the agenda. Mr Stokes stated that the recommendation is biased towards refusal and there is no discussion on significant benefits of the site, or that refusal of the townsite is based on State and Local Government planning objections. Mr Stokes also noted that the report fails to recognise a recent decision by the Western Australian Planning Commission in January this year to rezone land on Kilburn Road, 300 metres south of the site from rural to urban and that bushfire risk was not seen as a concern in that rezoning.

Mr Stokes stated that reasons for refusal are expressed in vague terms and don't clearly explain how the structure plan fails to comply with policy or what is required to remedy any failures. Mr Stokes stated that Satterley proposed modifications to address concerns of the Department of Fire and Emergency Services and issues raised by the Shire of Mundaring officers. Mr Stokes reiterated that the proposal would provide considerable upgrades to local roads to address inadequacies. Mr Stokes stated that refusal is not justified and that the structure plan can be modified and that at the very least the WAPC should defer the item to enable Satterley to understand and resolve matters identified.

Mr Walsh discussed the bushfire risk, long history of working through the proposal and the collaborative approach with DFES and the Shire of Mundaring to prepare a bushfire management plan. Mr Walsh stated that through that process there have been various amendments to

detailed planning associated with bushfire management. Mr Walsh stated that the bushfire management plan complies with State Planning Policy 3.7, improves emergency access and reduces fuel load for a resilient community.

Mr Walsh discussed that the report does not identify that there have been several modifications to the bushfire management plan through further consultation and as early as April 2020 there was additional information provided and concerns DFES raised over district road networks have been addressed. Mr Walsh stated that in a recent discussion with the head of DFES Rural Bushfire Services did not object or oppose the proposal and that issues identified can be resolved. Mr Walsh discussed the residual issues relating to evacuation management and that a recent independent peer review by a level 3 accredited bushfire practitioner has reaffirmed that the implementation of the bushfire management plan will reduce impact through the area. Mr Walsh discussed that evacuation management can be further enhanced through a collaborative approach.

Mr Walsh stated that the post development bushfire levels of 90% of the site are low, the site has asset protection zones and when compared to other town sites would face lower bushfire threat than others. Mr Walsh stated that the proposal has additional features that many other rural developments do not have.

Mr Walsh discussed the community objections to clear 150 hectares associated with implementing the town site, and that the level of clearing is consistent, that the context and representation of how vegetation being conserved has got lost. Mr Walsh stated that conservation of 100 hectares is consistent with Metropolitan Region Scheme zoning and planning system guidelines. Mr Walsh stated that the reserve would be significant as well as public open space with the retention of trees in the over story. Mr Walsh discussed how the understory has been grazed out and that vegetation has been cleared along with Marri and Jarrah trees.

Mr Walsh discussed how the structure plan complies with advice provided by Environmental Protection Authority (EPA) and Department of Biodiversity, Conservation and Attractions (DBCA). Mr Walsh stated that the approval of the structure plan is not contingent on the *Environment Protection and Biodiversity Conservation Act 1999* (EPBCA Act) approval, and that Commonwealth Approval is being sort. Mr Walsh stated that they are confident approval will follow in due course.

Mr Bordbar stated that he has worked on the proposal for 4 years and in that time, there have been several traffic analyses to address various issues identified and requirements of various agencies. Mr Bordbar discussed the key reason for refusal which states vehicular access in the structure plan and the capacity of the broader road network as reasons to have concerns around bushfire and emergency situations. Mr Bordbar stated that during this timeframe the issue of vehicular access to the structure plan as it relates to bushfires, emergency and

evacuation were identified. Mr Bordbar stated that if they were aware of these concerns they would have dedicated the necessary time and effort to address those issues at that point.

Mr Bordbar stated that there is no explanation to which roads and at what time of the day there may not be capacity. Mr Bordbar discussed road hierarchy and the vehicle capacity of roads during an emergency evacuation. Mr Bordbar discussed how in an emergency evacuation roads would be blocked for incoming traffic by fire and emergency services, therefore both lanes would be available and would have capacity of 1800 vehicles per hour. Mr Bordbar stated that there are 16 roads available near the structure plan, and depending on the direction of a bushfire, different roads may be used therefore capacity is not an issue in a bushfire emergency. Mr Bordbar stated that in the 4-year process they achieved agreements with Main Roads WA relating to road upgrades and that the Shire was consulted on everything that is proposed. Mr Bordbar stated that any issues relating to evacuation and road capacity can be addressed and further investigated.

Mr Stokes stated that Satterley reviewed the State Emergency Management Committee report in relation to the Parkerville fires in which 50 houses were lost outlining that the fire began on a hot day on a rural lot, with strong winds and resources were stretched and that in the report there was no mention of inadequacy of vehicle access. Mr Stokes stated that the only issue identified was the evacuation centre and restrictions on allowing people to return to their properties.

Mr Stokes stated that the structure plan complies with strategy planning, zoning and policy, is a major boost for employment at an estimate of \$550 million of private sector investment. Mr Stokes stated that refusal of the structure plan for reasons given in the report set damaging precedent in terms of certainty to official plans and zoning in future developments. Mr Stokes stated it would also set dangerous precedent in terms of influence of action groups which misinform development. Mr Stokes stated that if the primary concern is with evacuation the structure plan should be approved subject to modifications or conditions, or at the very least deferred so that it can be made clear what is required for evacuation access to achieve compliance.

Mr Gorringer stated that Satterley has been creating master plans for 40 years and that the master plan for North Stoneville will bring many benefits to the hills community and create jobs. Mr Gorringer stated that Satterley is highly reputable and trusted developer who delivers sustainability, which values quality, integrity and community focus. Mr Gorringer stated those values have been incorporated into the North Stoneville structure plan with a great level of collaboration with the community, Shire of Mundaring, DPLH, DFES outlining that Satterley has previously made modifications and amendments as requested in recognition of their desire to deliver a townsite that is empathetic to the hills. Mr Gorringer stated that Satterley and the Anglican Diocese find it difficult to appreciate how the Statutory Planning Committee can make an informed decision based on the report. Mr Gorringer closed by

stating that Satterley and the Anglican Diocese are committed to the Stoneville townsite and continue to receive positive feedback from the community, and continue to work collaboratively with all stakeholders.

Members queried the provision of gravity fed Zamia water tanks which would supply an urban development and the reliability to the development. Mr Gorringer stated that Satterley consulted with the Water Corporation which provided specifications around water and that there are some components to get the main water supply to the site. Mr Gorringer stated that there would be an elevated water tank on site that applies to a portion, but the majority of the development is not reliant on water towers. Mr Gorringer stated what is being proposed meets requirements for bushfire resilience and protections. It was stated that site would have underground power which is a protection mechanism in terms of protecting the power source to the elevated water tower.

Members queried the lack of water absorption due to the amount of laterite on the site and the community concern around the run off, water collection in dams and what happens to the overflow from the waste water treatment facility. Mr Gorringer stated that the level of treatment is high and the level of detail around the expectation of the facility will be addressed through DWER licences and that any water over flow will meet water standards. Mr Stokes stated that the issue was raised by Council and was closely examined and outlined that there will be no discharge of waste water into the stream systems. Mr Gorringer stated that the dams are lined, or are there for stormwater catchment. Members queried if treated water will irrigate public open space and it was stated it would only irrigate linear open space with Satterley outlining that there is a \$28 million landscaping package.

Members queried the proposed road upgrades and Mr Stokes stated that there are proposed upgrades to the intersections of Seaborne Street, Roland Road and Great Eastern Highway and that upgrade measures to Seaborne Street will be implemented early in the structure plan process. Mr Stokes stated that Main Roads WA will need to take the main role, however, Satterley has agreed to contribute as is normal practice. Mr Stokes stated that upgrades have been identified in concept plans and agreements reached with Shire traffic consultant and Main Roads WA. Members queried the indicated upgrades to the standard rural roads and it was stated that normally these details are defined in the detailed design stages, however, the need has already been identified. Mr Gorringer stated that Satterley are willing to upgrade local roads and that these roads can handle increased capacity. Mr Gorringer stated that they recommended an action plan for the Shire in terms of logical steps for regional upgrades and these issues have subsequently been resolved. Mr Bordbar stated that they reviewed the draft District Transport Strategy and it became apparent it was based on incorrect traffic projections, and as a result there are issues with budget at the Shire level and rather than redo the transport strategy it would be peer reviewed. Mr Bordbar stated that this has taken place and the document conclusion shows that the road network is adequate to accommodate additional traffic from the structure plan, and the

Parkerville structure plan is subject to improvement measures which have been identified.

Members discussed that the local structure plan was not presented to the WAPC for endorsement, but was approved by the local authority and subsequently noted by the WAPC in 1999 and since that time State Planning Policy 3.7 has come into effect. Members queried the number of steps in the environmental clearing guidelines and State and Federal consideration. Mr Walsh stated that he feels confident that they will get approval, and the bushfire management plan is premised on approval. Mr Gorringer stated that referral has been made to Commonwealth and the decision has been made to assess preliminary documentation through routine assessment streams. Mr Gorringer stated that the material relating to the habitat values of the site would be published publicly and the proponent would respond to those, and that Commonwealth environmental approval would follow. Mr Gorringer discussed how if there was no certainty of approval then it would not be feasible to proceed with environmental approval, that the proposal could not proceed without Environment Protection and Biodiversity Conservation Approval (EPBC) and that uncertainty applies both ways.

Mr Stokes discussed the original structure plan from 1998 and MRS amendment to rezone the land to urban and that the extent of clearing in the original plan was acceptable and what is been proposed now is less clearing. Mr Stokes discussed the fundamental legal issue with refusal and the need for a valid reason and the effect on industry if a structure plan was made to be contingent on EPBC approval. Mr Stokes discussed the most recent EPBC approval Satterley attained for Upper Swan and the clear environmental analysis regarding black cockatoo habitat.

Members queried that if the structure plan was approved and the bushfire management plan is contingent on 150 hectares to be cleared and the outcome of the EPBC approval does not provide approval for 150 hectares to be cleared how this would be addressed. Mr Stokes stated that if they do not have EPBC approval then the structure plan would have to be amended outlining that the land has been zoned urban for 20 years and has not been developed mainly due to waste water which could not be provided in that time.

Members queried the risk of ember attacks, source of fire and fire risk outside of the structure plan area, and how to reduce risk of fire coming from the John Forrest National Park on a Fremantle Doctor. Mr Walsh stated that assessment has been done in line with Australian Standards and Bushfire Attack Levels (BAL), summarising that the majority of the site does not require BAL12.5 with options for higher than code. Mr Walsh stated that home design and construction would be at the appropriate level aligned with Australian standards for ember attack. Mr Walsh stated that currently the site is inaccessible for fire response and that there is a question of broader resource issues and that an increased population would see the need for expanded resourcing and fire fighters.

The Presiding Member declared a brief adjournment at 1:05pm.

The meeting was resumed with at 1:13pm with all members present.

6.12 Proposed North Stoneville Structure Plan 34

Presenters: Paige McNeil and Debra Bishop – Save Perth Hills

Ms McNeil presented to the Statutory Planning Committee as a resident of Stoneville for 23 years and the Chair of Save Perth Hills with Ms Bishop the communications manager of Save Perth Hills. Ms Williams and Mr Hughes MLA were present during the presentation. Ms McNeil stated that the proposed North Stoneville Structure Plan does not comply with State Planning Policy and has been opposed for the past two and a half years by the community, Department of Fire and Emergency Services (DFES) and political leaders. Ms McNeil discussed the communities fight to protect the safety of families, water sources and the local natural environment.

Ms McNeil stated that Satterley did not meaningfully engage with the community when the structure plan was first advertised at Christmas 2018 and during this advertising they omitted the 2003 and 2008 bushfires. Ms McNeil discussed that the proposal is destructive and dangerous, that the community feels disrespected and that consultation is a tick box exercise. Ms McNeil discussed how North Stoneville does not comply with Perth and Peel framework and the need for dynamic communities in which people live close to where they work and are supported by public transport networks. Ms McNeil stated that the proposal is a stranded development with no public transport, that local employment is limited and has restricted water.

Ms McNeil stated that urbanisation has been fraught with challenges from day one, and that people live within an extreme fire zone. Ms McNeil discussed how the Department of Water and Environmental Regulation (DWER) refused to preside over the waste water treatment facility which is proposed to be privately owned. Ms McNeil stated that in 2016 a change in legislation allowed the waste water treatment plants to be privately owned and operated, and that the WAPC lifted the deferred status to allow 3 urban zones on the site. Ms McNeil stated that this change was not required to be advertised to the public and that for 2 years the community was not aware the land was zoned urban. Ms McNeil discussed the community concern regarding the governance applied to the 2016 decision making process. Ms McNeil stated that residents adjacent to the structure plan will have no buffer between them and the waste water facility and that health impact assessment is not required. Ms McNeil stated that residents asked questions about the modular plans for the facility, but that Water West advised they did not need to provide them at the structure plan stage. Ms McNeil stated that the community cannot risk contamination from ground water runoff.

Ms McNeil discussed the conflicting opinions relating to rural roads, that Transcore's report stated that an additional 11,200 vehicles could be accommodated but that roads are now required to be upgraded.

Ms McNeil queried who would pay for resumption of land and how much vegetation would need to be removed and why it was not included in the 2018 Transcore report. Ms McNeil stated that the traffic study has not been completed in conjunction with the City of Swan. Ms McNeil stated that regardless of how many roads are built into the structure plan traffic exits only exist on Roland and Stoneville Roads. Ms McNeil stated that the Transcore report fails to address the issue of the formally named Cameron Road shared with the City of Swan and that the northern boundary road is separated into two parts by a water course of Aboriginal significance. Ms McNeil stated that in 2019 the road to the west was renamed Hawkstone and to the east renamed Woodhouse Lane. Ms McNeil stated that there is no mention of how this road will be linked, and that it was a requirement from the Shire of Mundaring in 1999. Ms McNeil stated that the City of Swan does not have an appetite to upgrade their portions of the roads and queried who would be responsible for paying for the road linkage, if Aboriginal Elders have been consulted and how the water course will be preserved.

Ms McNeil stated that a scheme amendment was lodged on 29 June 2020 to rezone the site back to rural and asked that the scheme amendment be made a priority to safe guard the community and Perth hills.

Ms Bishop discussed the disconnect between developers and the environmental climate, bushfire risk and the community. Ms Bishop expressed the concerns of Mr Hughes MLA on the development including density, waste water, fire risk and public transport. Ms Bishop stated that the rate of urban sprawl cannot continue with the need to be close to the CBD and public transport and that the proposal is outdated. Ms Bishop discussed the need to listen to the collective wisdom of firefighters, and that the Government would be putting lives at risk if the proposal was approved. Ms Bishop discussed the current climate conditions in Western Australia and the environmental impacts. Ms Bishop stated that the south west of Western Australia is a biodiversity hot spot and that it has already seen a loss of 70% of primary native vegetation. Ms Bishop discussed the extensive excellent to very good vegetation of the site and that the development does not adequately address State Planning Policies 2 and 2.8. Ms Bishop discussed that the Wedgetail Eagles have nested in trees on the Stoneville site for 20 years that one flew to the Kimberley region and returned to North Stoneville and that those trees are marked for felling.

Ms Bishop discussed the mistrust the community has for the proposal and developers and the misunderstanding of the hills lifestyle and environment. Ms Bishop stated that the 2014 Stoneville fire is incorrectly referred to as the 2013 Parkerville fire in the reports prepared by Satterley. Ms Bishop stated that the bushfire hazard does not appear until point 11 of the report, that the blueprint is located on page 13 and does not appear in the frequently asked question brochure until question 15. Ms Bishop stated that information brochure does not refer to bushfire. Ms Bishop discussed interesting fact point 3 relating to the North Stoneville development as being the first

community in the Perth hills to incorporate best practice in bushfire management. Ms Bishop stated that the bushfire risk is well known and has been better managed since the Parkerville fire in 2008 and discussed the work the community puts in to stay alive. Ms Bishop discussed the Satterley Fire Safe Zone and how 226 hectares of the site will be located within 100 metres of unmanaged vegetation, and that residents will be lead to a false sense of security that some areas are not classified bushfire prone.

Ms Bishop discussed the trauma caused by fire and discussed the Australian Natural University study which found recent fires were not halted by clear farm paddocks, which shows that broad scale clearing was not an effective management technique. Ms Bishop stated the Satterley FAQs regarding the North Stoneville site did not classify bushfire prone land and that houses built will not require increased construction standards for radiant heat or ember attack protection. Ms Bishop presented a video of the Sussex Inlet in New South Wales from December 2019 as an example of the 100 metre Fire Safe Zone and a video of the weather effects on bushfire behaviour.

Ms Bishop discussed the human toll following a bushfire event and presented the Committee with a video of Jess's story, a video detailing her story and experience during the bushfire in 2008. Ms Bishop discussed the difficulties and reality the community face after a bushfire and that the community deserves a decision and seek closure to look forward to a safe community in the Perth hills. Ms McNeil asked that the Committee refuse the proposed North Stoneville Structure Plan and act upon the scheme amendment to rezone the land back to rural.

Members thanked Ms McNeil and Ms Bishop for sharing the human impact and social aspects following bushfire events and queried what other main concerns the proposal provides. Ms McNeil discussed concern with the private waste water treatment facility and the lack of technical information in operations, placed on the boarder of the City of Swan, whilst a buffer is imposed to the south of the development site. Ms McNeil stated that there is concern for flood events and overflow and if there would be a liner, seepage through rock. Ms McNeil stated there is ongoing concern that the State will not preside over the operation of the facility and that there is financial risk and that there is restricted portable water.

Members queried what views Save Perth Hills would have if the scheme amendment was approved and what the community envision for the space. Ms McNeil stated that the land would rezoned back to rural and would align to the existing land around the site.

6.13 Proposed North Stoneville Structure Plan 34

Presenters: Cr John Daw, Dr Dog Jeans and Cr Amy Collins - Shire of Mundaring

Cr Collins, Shire President Cr Daw and Cr Jeans presented to the Statutory Planning Committee representing the Shire of Mundaring. Cr Collins stated that she has lived in the Perth hills for the past 5 years

and attended a ratepayer meeting in December 2018 which was around the time that the North Stoneville Structure Plan was uploaded to the Council website. Cr Collins discussed her concerns with the addition of 4000 residents to the area which was more than that population of the district centre of Mundaring. Cr Collins stated that the proposal is out of place, that the scale and density is wrong for the area. Cr Collins stated that she Chaired Save Perth Hills for 5 months before stepping down and was then asked by the community to run for Council due to her sustainable development experience.

Cr Daw discussed how the Council recommended refusal in August 2019, and that the structure plan has been an issue in the background of the Shire of Mundaring for the past 17 years. Cr Daw stated the reasons for refusal were based on concern for road capacity and safety, extreme bushfire risk, environmental aspects, waste water impacts, lack of public transport and cultural heritage values. Cr Daw discussed the destruction of bushland and that the site sits on 550 hectares the majority of which is bushland of good to excellent quality. Cr Daw stated that 150 hectares has been marked for clearing but the Shire of Mundaring Planning Scheme which has been gazetted for some time speaks to the protection of natural bushland, that there are cap rock and with waste water treatment issues. Cr Daw discussed the recent council decision on Climate Emergency Declaration and the impact of climate change. Cr Daw stated that on 8 July 2020 the Council made a unanimous decision to lodge a Metropolitan Region Scheme rezoning application for North Stoneville to rezone the land back to Rural. Cr Daw stated that the previous structure plan was likely supported due to the increased rate payments as a result of the increase in population.

Cr Daw stated that climate change is a big issue, and that the Perth hills is one of the most at-risk areas in Australia. Cr Daw discussed the 957 public submissions received and overwhelming objections by the community. Cr Daw discussed that density should be placed around the Mundaring activity centre and that the proposal derail's what is trying to be achieved in that space. Cr Daw discussed the threat to flora and fauna, lack of consultation and biodiversity loss. Cr Daw stated that the Local Government must follow what the community wants, and the community supports environmental protection.

Cr Collins stated that North Stoneville is located in a dangerous fire zone, that the hills are a valid lifestyle choice and that State Planning Policy frameworks supports having alternate lifestyle choices. Cr Collins discussed the significant fire history of the area and evacuation risks, and outlined fire events in 2003, 2008 and 2014. Cr Collins stated that there was an arsonist lighting fires in Gidgegannup in 2016, in 2017 a fire swept through from Swayers Valley to Mundaring Weir and in 2019 an arsonist set fires in Darlington. Cr Daw stated that every planning decision in the Perth hills must have bushfire risk at the forefront, that drier conditions mean that fires become more frequent. Cr Collins discussed the limited timeframe in which to do reduction burns and controlled burning. Cr Collins discussed the ethical question of clearing bushland to reduce risk.

Cr Collins stated that the increase in population would be irresponsible to burden the volunteer firefighters, that fire risk cannot be addressed as single development and the cumulative population must be considered. Cr Collins discussed the 100-metre safe zone proposed by Satterley and the community concern with radiant heat. Cr Collins stated that the focus of State Planning Policy 3.7 is to avoid risk to life and property, and that the balance between biodiversity and clearing vegetation must be recognised.

Cr Collins discussed the risks associated with a fire event, and risk to life when people become trapped in cars when roads are blocked, that the roads are tree lined and the development has multiple exits to two connector roads. Cr Collins discussed the cost of upgrades to rural roads to resolve congestion issues to adequately evacuate the area.

Cr Collins stated that the hills are serviced by septic water tanks and that current smaller dams still allow discharge into creeks. Cr Collins stated that there were hydrophobic soils, heavy metals, cap rock and that water going into the creeks has ten times the nutrient value. Cr Collins discussed how hills residents rely on ground water, and top up water tanks from bores.

Cr Daw discussed the limited consultation with Whadjuk people on the cultural heritage of the area and the significant vegetation on the site. Cr Daw stated that the community wants to see rezoning and an MRS amendment to zone the land back to rural and that the community would support rural development on the site.

Members asked about the past support by the Shire of Mundaring. It was noted by members that the Shire of Mundaring Officer report was very comprehensive. Cr Daw stated the structure plan was refused based on concerns with traffic and the evacuation risk, which could not be denied.

Members queried the road reserves on Roland Road and Stoneville Road and the potential land acquisition to widen roads. Cr Collins stated that some roads are curved and that there is difficulty seeing over the traffic coming over hills, that a dual lane in both directions would be required to accommodate the amount of traffic on a normal day.

Members queried the historic urban zoning of the development and the contingency of clearing the land. Cr Collins stated that the council does not support urban on the site and that additional rural development would fit with the existing area. Members queried how the economic development in the townsite is currently and it was stated that the commercial area was doing well prior to COVID-19 and that the district has a 20-year plan that includes upgrading the library. Cr Collins stated that all villages are centred around historical townsites and that strengthening the Parkerville townsite could lead to another bus service and would be a sensible place to increase population.

6.14 Proposed North Stoneville Structure Plan 34

Written submissions

The Presiding Member declared a brief adjournment at 2:53pm.

The meeting was resumed with at 3:11pm with all members present.

7. Statutory items for decision

7.1 Proposed North Stoneville Structure Plan 34

Department of Fire and Emergency Services officers Mr Trinh, Mr Parker and Mr deBlank were invited to the discussion on the proposed North Stoneville Structure Plan to comment and give overview to the Statutory Planning Committee on bushfire prone areas, extreme fire zones, ember attacks and evacuation issues.

Mr Parker stated that ember attacks come from land that has bark and leaf hazard, and that embers can travel for several kilometres. Mr Parker stated that bushfire planning is heavily reliant on construction standards and the use of Bushfire Attack Levels (BAL) to identify land. Mr Parker discussed the BAL ratings in relation to construction and that development is not appropriate within a flaming zone. Mr Parker stated that the number and location of ignitions from ember attack cannot be predicted, increased ember density will increase the likelihood of ignition, ember density reduces the further from the source however ignitions can still occur several kilometres away. Mr Parker stated that a fire which starts in the John Forrest National Park on a westerly wind could put embers towards the east, and that fire could therefore ignite on a road verge, reserve or someone's backyard. Mr Parker stated that DFES has calculated the distance for ember attack for similar vegetation to the Stoneville area being Jarrah forest at up to 9 kilometres from the main fire. Mr Parker discussed the difficulty in attacking one main fire and remarked that when there are spot fires the task becomes more difficult. Mr Parker stated the ember attack can often start under a smoke plume, that it is difficult to see, and a Heli tank could not fly under the plume. Mr Parker stated that a fire crew can be directed from the ground, but that safety of the crew is paramount.

Mr Parker discussed the fire events at Waroona in 2016 and the interactions of smoke plumes within the upper atmosphere, like fire tornados and that these kinds of fire events could happen in the Perth hills in the future and that extreme bushfire events need to be considered. Mr Parker stated that fire and emergency services need access to site before, during and after bushfire events. Mr Parker discussed the Stoneville fire that travelled along Riley Road in 2014 which ran for 3-hours and destroyed significant land and property. Mr Parker stated that the fire danger index was in the high 30's and was a typical summer day. Mr Parker stated that emergency services must make a choice between protecting property and putting out the fire when tasking resources. Mr Parker stated that when the separation of development from the bushfire hazard doesn't occur resources bushfire suppression can be lost to property protection.

Mr Parker discussed how developments in extreme bushfire hazard areas often interface State forests, reserves and crown land, and that

the proposed structure plan is interfaced by rural living. Mr Parker stated that most developments are established under older planning that didn't consider bushfire. Mr Parker stated that if a bushfire event were to occur, like in Waroona previously DFES advice would be to leave early. Mr Parker stated that the bushfire in Stoneville was reasonably narrow, and there wasn't a 90-degree wind change, that if conditions were different and resources were not freely available because of another incident the outcome could have been worse. Mr Parker stated that the recent Yanchep fire took three days to extinguish using significant resources from the metropolitan and greater metropolitan area.

Members queried if emergency fire services would go down a strategic break on Roland Road in a fire event. Mr Parker stated that the consideration with fire in a populated area is to evacuate people before thinking about where resources are placed. Mr Parker stated that priority lies in advising people where to go and the location of the fire. Mr Parker stated that people need to take refuge in places that have the ability to cope and provide services such as the Perth metropolitan area and that it is not appropriate for thousands of people to be directed to Mundaring, Mt Helena or Toodyay. Mr Parker discussed the potential for multiple ignitions and that if ignition began on Roland Road that blocked Toodyay Road then people would evacuate through Great Eastern Highway. Mr Parker stated that based on events from the past a portion of the community will evacuate early, and a large portion will wait and see, that those people who stay will be leaving the area at the same time as emergency services are trying to get in. Mr Parker discussed situations where schools operate during a bushfire event and parents want to check on the welfare of children.

Members queried when a Level 3 incident controller would be implemented, and it was stated that they are often brought in when local resources are overwhelmed and that these triggers are based on existing pre-arrangements. Mr Parker stated that there are criteria for incident control handovers, that resource and funding arrangements change depending on the incident level.

Members queried the safe zone proposed and how viable onsite safe zones are in bushfire management plans. Mr Parker stated that when looking at schools, the oval will be nominated as an assembly area, however, in a bushfire there is exposure to toxic smoke, embers that burn the skin and dependant on the location of the fire they can be exposed to radiant heat. Mr Parker stated that public open space is unlikely to have protection from heat or adequate parking. Mr Parker stated that some developments have proposed community refuge buildings, which will need to be registered with the Local Government and subject to audits and have the ability to take the expected portion of the population that could require refuge.

Members discussed concern with spread of fire in the area and that people will come in with horse floats to remove animals from danger. Members discussed the risk of small winding roads and movement of horse floats during a fire emergency. Mr Parker stated that there are

some aspects of design which are good, and some which are not and that DFES has been clear on those. Mr Parker started that there is not sufficient infrastructure in the area to support an additional 4000 people without significant investment.

Members queried if it was possible to build infrastructure to support the structure plan in a major bushfire event. It was stated there will always be significant risk because of rural living, and risk in the landscape. Mr Parker started that until development patterns change there will be significant bushfire risk. Mr deBlank stated that development in bushfire prone areas can reduce risk for broader areas, but in this case the remaining bush and large increase in population does not create a net reduction in risk. Members queried if there was a standard methodology for net reduction risk and it was stated there was and that risk assessment for natural hazards has not been undertaken for this development and that the proponent has been advised that DFES would like to see the evacuation capability for this development.

Members thanked Mr Jackson, Mr Parker and Mr deBlank for addressing the Committee.

Members discussed the early formation of a tag group in which there has been dialogue regarding concerns with the width of roads both internally and externally, conservational areas and vehicle evacuation, but that these issues have not yet been properly resolved. Members discussed concerns raised regarding environmental approval, that Department of Planning, Lands and Heritage officers were advised there would be approval prior to the structure plan being submitted for approval but this has not yet occurred. Members discussed the Shire of Mundaring Council commentary on the Mundaring Activity Centre Plan and development potential of the Mundaring town site; it was noted that the town site only has capacity for an additional 600 people. It was noted that there is limited capacity with water supply and that the Parkerville development proponent would share the North Stoneville waste water facility and is waiting on the decision of this structure plan to proceed.

Members discussed State Planning Policy 3.7 and that the proponents have not provided clearances and the position the Committee is placed in to decide on the proposal given that they do not have all the relevant information and at the same time that the proponent has produced a bushfire management plan contingent on clearing occurring. Members discussed the principals of planning and the regard planning has to other approval regimes and that if approval to clear the vegetation creates a presumption that the structure plan can be implemented. Members discussed the WAPC point of view that the environmental outcomes and land clearing are inconsistent with State Planning Policy 3.7. Members discussed that whether the structure plan is viable if the significant bushland is not approved to be cleared due to the high biodiversity and landscape amenity of the site.

Members discussed that the structure plan adopted by the Local Government in 2014 did not go to the Environmental Protection

Authority (EPA), that the EPA provided advice for the MRS urban lifting in 2016 and subsequent stages. Members discussed the opportunities to pre-sell lots without approval to clear the bushland. Members discussed concerns about the impacts of the clearing of 150ha of vegetation, having regard to the WAPCs policy framework. Members discussed the importance of the consideration of bushfire risk and the bushfire management plan's reliance on the clearance of vegetation and what is defensible.

Members discussed other principal reasons for refusal being the natural environment, it was noted that it is consistent with the policy framework, that the reference to Commonwealth and EPBC Act are a narrow definition that issues could be addressed but that the State agencies may not grant clearing permits. Members discussed the *Squarcini & Milino Pty Ltd v State Planning Commission* case in which the EPA had chosen not to make a submission in relation to a subdivision referred through the Environmental Protection Act. Members noted that the applicant argued that that was the function of the EPA to determine environmental consideration and not that the role of the WAPC.

Members discussed the danger of increased population in an extreme bushfire risk zone and the lack of regard to the intent of State Planning Policy 3.7. Members discussed the community opposition to the proposed structure plan and the uncertainty around regional infrastructure and to support the fragmented townsites.

Members discussed that lack of information relating to sufficient access in an evacuation situation, that DFES and the WAPC requested more information but were not satisfied with the response from the proponent. Members discussed that the structure plan has not demonstrated it will reduce district Sub-regional bushfire risk and agreed that the proposal will result in increased bushfire risk.

Members acknowledged and thanked the Department of Planning, Lands and Heritage officers for their work and noted the history of the matter dating back to 2002 with changing circumstances, including climate change and bushfire risk as current issues, and that the community showed that they are passionate about those issues during their deputations.

Members agreed to endorse a motion which considers all of the matters discussed which was mostly consistent with the recommendation of the Department of Planning, Lands and Heritage. The motion adopted included additional references to bushfire threat and increases to vulnerability contrary to the objectives 5.1 and 5.2 of State Planning Policy 3.7 – Planning in Bushfire Prone Areas and that the bushfire risk arising from the proposal is not acceptable.

Moved by Ms Lyhne
Seconded by Ms Creevey

That the Statutory Planning Committee resolves to refuse the North Stoneville Structure Plan 34 for the following reasons:

1. *The Commission is not satisfied that bushfire risk arising from the proposal is acceptable having regard to the objectives and intent of State Planning Policy 3.7 - Planning in Bushfire Prone Areas and the Guidelines for Planning in Bushfire Prone Areas, as:*
 - a. *the proposal will result in an increase in the bushfire threat to people, property and infrastructure and will increase vulnerability to bushfire contrary to policy objectives 5.1 and 5.2 of the Policy;*
 - b. *the proposal has not demonstrated that vehicular access and egress serving the structure plan will be available and safe during a bushfire event, when consideration is given to the suitability of the broader existing road network in providing for the evacuation of residents and vulnerable members of the community and accommodating emergency service vehicles;*
 - c. *the Bushfire Management Plan supporting the Structure Plan relies on the significant clearing of vegetation of high biodiversity and landscape amenity value within the site. In this regard, the Commission is not satisfied that:*
 - *the proposal achieves an appropriate balance between bushfire risk management measures, biodiversity conservation values, and landscape amenity, with consideration of the potential impacts of climate change as required under policy objective 5.4 of the Policy; and*
 - *there is no certainty that the intended level of bushfire mitigation can be achieved in the absence of Commonwealth approval under the Environment Protection and Biodiversity Conservation Act being given to the clearing of vegetation.*
 - d. *the proposal is not supported by the State authority responsible for emergency services; and*
 - e. *given the uncertainty that bushfire risk can be acceptably reduced or managed, the precautionary principle of clause 6.11 of SPP 3.7 applies.*
2. *As bushfire risk arising from the proposal is not acceptable, the proposal is inconsistent with the stated policy objective 4 of State Planning Policy 3.4 - Natural Hazards and Disasters which seeks to minimise the adverse impact of natural disasters, including bushfires, on communities, the economy and environment.*
3. *The Commission is not satisfied that the proposal appropriately addresses the objectives and policy measures of State Planning Policy 2.0 Environment and Natural Resources and State Planning Policy 2.8 Bushland Policy for the Perth Metropolitan Region given the extent of clearing of vegetation required to facilitate development.*

The motion was put and carried

8. Meeting closure

The next ordinary meeting is scheduled for 9:30am on Tuesday, 21 July 2020.

There being no further business before the Committee, the Chairman thanked members for their attendance and declared the meeting closed at 4:35pm.



CHAIRMAN

19 August 2020

DATE