

**From the office of the
Chief Executive Officer**

18 January 2018



Hon Matthew Swinbourn MLC
Legislative Concil Committee Office
Parliament House
4 Harvest Terrace
WEST PERTH WA 6005

Dear Mr Swinbourn

Wilkins Road Scheme Amendment

I refer to your correspondence dated 6 December 2017 seeking comment from the City on the terms of a petition tabled in the Legislative Council on 31 October 2017 regarding the Wilkins Road amendment to facilitate aged care. Please find below a summary of the matter.

1. In December 2012, Council resolved to request that the Western Australian Planning Commission (WAPC) initiate an amendment to the Metropolitan Region Scheme for Lot 59 (No. 40) Wilkins Road, Kalamunda ('the land') from a "Parks and Recreation" reserve to "Urban."
2. In February 2013 on advice from the WAPC the City of Kalamunda resolved to initiate Scheme Amendment No. 55 to rezone the land from "Regional Reserve – Parks and Recreation" to "Special Use (aged Persons Accommodation)."
3. In August 2015 Council resolved to adopt Amendment 55 and forward the amendment to the Minister of Planning.
4. In January 2017 the then Planning Minister Donna Faragher approved the MRS amendment.
5. The City of Kalamunda has spent over \$200,000 preparing the site with the required planning reports on the basis that the former Minister John Day and the Department of Planning had supported the site as being appropriate for aged care.
6. Regarding aboriginal heritage the MRS amendment was referred to both the Department of Aboriginal Affairs (DAA) and the South Western Aboriginal Land and Sea Council (SWALSC) for comment. The DAA submission to the MRS amendment recommended that their Cultural Due Diligence Guidelines be considered, in order to assist in identifying the risk that future activities may have on aboriginal heritage values. SWALSC provided no comment. From the Commissions perspective, the advice provided from the DAA didn't indicate there was any substantive aboriginal heritage issue with the site.

City of Kalamunda

2 Railway Road, Kalamunda WA 6076
PO Box 42, Kalamunda WA 6926
T: (08) 9257 9999 F: (08) 9293 2715
E: enquiries@kalamunda.wa.gov.au
www.kalamunda.wa.gov.au

7. The City has produced a range of environmental impact studies and these indicated that the cockatoo habitat and environmental issues could be managed.
8. A Bushfire Plan was completed which also indicated that bushfire risk could be managed on this site.
9. In June 2017 the City CEO and Mayor met with Minister Saffioti who advised she was reviewing the amendment because she had concerns around aboriginal heritage, environmental impacts, bushfire and viability of the site.
10. In October 2017, the Minister for Planning Rita Saffiotti revoked the decision to approve Wilkins Road site made by former Minister Donna Faragher in January 2017.



**city of
kalamunda**

For your background information please find attached:

1. Ordinary Council Meeting Minutes - 17 December 2012 (resolution)
2. C&C Services Minutes – 10 December (report and attachments)
3. Ordinary Council Meeting Minutes – 25 February 2013 (resolution)
4. C&C Services Minutes – 18 February 2013 (report and attachments)
5. Ordinary Council Meeting Minutes – 24 August 2015 (resolution)
6. D&I Services Minutes – 10 August 2015 (report and attachments)
7. Letter from WAPC re Govenors decision

In conclusion, the City is supportive of the intent of the Petition. The community of Kalamunda has a serious aged care accomodtion deficit and has been advocating, and working toward, decreasing the deficit since 2008. The City has acted in good faith, based on adviced recieved from the former Ministers for Planning, John Day and Donna Faragher, and the Department of Planning and has invested significant funds in preparing this site for aged care.

It is unreasonable, in the view of the Council, for Minister Saffiotti to have made a decision contra to the previous government and overtuned on grounds that do not appear to have any substance to the decision. The issues for overturning the decision have all been dealt with by the City during the Amendment process and it should have been allowed to progress to Parliament for final decision.

The City would like to see the most recent decision reversed.

Yours sincerely,



Rhonda Hardy
Chief Executive Officer

City of Kalamunda

2 Railway Road, Kalamunda WA 6076

PO Box 42, Kalamunda WA 6926

T: (08) 9257 9999 F: (08) 9293 2715

E: enquiries@kalamunda.wa.gov.au

www.kalamunda.wa.gov.au



Our Ref: 809-2-24-6 Pt 1
Your Ref: PG-MRS-019
Enquiries: Mr Anthony Muscara (655 19441)

City of Kalamunda
PO Box 42
KALAMUNDA WA 6926

ATTN: David Tomlinson

Dear Mr Tomlinson

Outcome of Amendment

**Metropolitan Region Scheme Proposed Amendment 1271/41
Lot 59 Wilkins Road, Kalamunda**

In August 2014, the Western Australian Planning Commission (WAPC) wrote to you advising of the above proposed amendment to the Metropolitan Region Scheme. I now write to inform you of the decision on the proposed amendment.

In considering this issue, the Minister for Planning concluded that the Wilkins Road site was not suitable for aged care accommodation given there are other more suitable sites for aged accommodation on Government owned land in the Perth hills

On 9 October 2017, the Governor pursuant to Section 55(2) of the *Planning and Development Act 2005*, revoked her approval of Metropolitan Region Scheme amendment 1271/41 - Lot 59 Wilkins Road, Kalamunda.

This concludes the amendment process with no change to current existing reservation in the Metropolitan Region Scheme.

Should you require further information about this amendment, please contact, Principal Planning Officer, Mr Anthony Muscara on 6551 9441.

Yours sincerely

A handwritten signature in black ink, appearing to read "Kerrine Blenkinsop".

Kerrine Blenkinsop
Secretary
Western Australian Planning Commission

13 October 2017



wa.gov.au

Postal address: Locked Bag 2506 Perth WA Street address: 140 William Street Perth WA 6000
Tel: (08) 655 19000 Fax: (08) 655 19001 info@dplh.wa.gov.au www.planning.wa.gov.au
ABN 35 482 341 493