

My Place - Stoneville

September will be a critical month in the battle to halt a plan to bulldoze 60,000 healthy trees for an urban development in an extreme bushfire zone. It's the State's longest community v developer saga and this month a judge in the State Administrative Tribunal (SAT) will open an appeal hearing that will determine the fate of the land Save Perth Hills has campaigned to save for more than three decades.

The battleground is a 535-hectare swathe of land given by Queen Victoria to the fledgling Anglican Church in colonial Perth. Surrounded by a picturesque patchwork of forest and bushland, hobby farms and horse paddocks, it's close to the forested expanse of John Forrest National Park. This bitterly contested land is still owned by the Anglican Church that is partnering with Australia's biggest privately-owned developer, the Satterley Property Group, in the 'North Stoneville' development.

Opponents say that, in best practice planning in a changing climate, building a township for 3,000 in an extreme bushfire zone – far from jobs, infrastructure and public transport – should have been halted at the start given the now acknowledged costs (to taxpayers and ratepayers) of developing such sites, plus the negatives of urban sprawl and daily emissions of 11,000 additional car movements.

Essentially, this community battle is being fought on two fronts: to avoid putting 3,000 residents in harm's way because of woefully inadequate bushfire evacuation options, and to prevent an unconscionable level of environmental destruction in jarrah and marri forest known for its endangered cockatoo nesting sites. Non-compliance with four State Planning policies, including Bushfire Evacuation and Environment, has seen the plan twice rejected by the WA Planning Commission, Mundaring Shire, the City of Swan and the Department of Fire and Emergency Services.

In the vanguard of this David and Goliath battle is Save Perth Hills, a community group that has gathered support, strength and respect over decades that have witnessed an unprecedented increase in the scale and destruction of bushfires. The life-changing impacts of escaping catastrophic fires have fuelled the community group's fierce opposition to the Satterley plan and their astonishment that the developer's amended bushfire plan suggests residents of its township could 'shelter in place'.

"We're appalled that after eight years of Satterley's bushfire plans focussing on 'early evacuation', this amended plan now considers that 'sheltering in place' – staying home as a fire approaches – is an option," says Acting SPH Chair, Deb Bishop. "This approach clearly doesn't consider ember attack risks from John Forrest



Rally at Parliament House in 2023

National Park, nor radiant heat and smoke inhalation. It also heightens the risk of people panicking and attempting to flee at the last moment..."

Little wonder former fire chief Wayne Gregson has warned: "Populating hazardous regions to this scale is venturing into uncharted territory and I implore decision-makers to listen to the experts ..."

Those at the helm of SPH juggle jobs and family with campaign work that, for some, has almost become a full-time commitment. They've appealed to the Anglican Archbishop, held rallies, fund-raised to pay lawyers (and funds are urgently needed now). They've lived through triumphs – the string of rejections, record public submissions and politicians across major parties speaking out against the proposal. And they've endured setbacks, like the Federal Minister for the Environment rubber stamping Satterley's plan to offset its environmental destruction of 60,000 Stoneville trees by plantings in the Wheatbelt. The World Wildlife Fund says in areas of the Wheatbelt, the endangered Carnaby cockatoo is already extinct; and Trillion Trees warns that when housing estates go in, old trees with nesting hollows that have taken 150 to 200 years to form are often lost.

While State Administrative Tribunal (SAT) hearings usually last a few days, Satterley's appeal could run into November but the decision may not be known until next year. The Satterley Property Group's lawyers, Lavan, will mount the appeal, the WA Planning Commission will be represented by State Solicitor's Office lawyers and SPH will be represented by its community lawyer Merinda Logie of Logie Legal and barrister Ben Tomasi.

What is particularly notable about the hearing is that, for the first time in the history of WA's Development and Planning Act, a community group (SPH) is being permitted to be an official 'intervenor' (with full rights of a party) to the SAT proceedings, its participation limited to the bushfire issues. The group will present witnesses who have endured bushfire evacuations and will call on Dr Ken Strahan, an acknowledged expert in human behaviour in bushfire evacuation.

“The Deputy President of SAT, Judge Henry Jackson’s decision to allow intervention by SPH is important,” says Merinda Logie. “It acknowledged that this plan is extraordinary in its scale and that SPH has an especially close relationship to the subject of the hearing. And it notes that bushfire policy in WA remains relatively unexamined.

“SAT’s job is to arrive at the correct and preferable decision, taking into account all of the relevant planning considerations. We think that SPH and its witnesses are making an important contribution, to assist the Tribunal in its determination and, at the end of the day, it is the existing and proposed residents who will be most affected by the outcome.”

There are solutions that would put an end to this protracted saga.

Much of the Anglican Church’s Stoneville land has been subdivided and sold as ‘farmlets’ – five acre lots and larger. “Had the Anglican Church continued in its long-established practice of dividing its Stoneville land into rural residential lots, it’s likely that development would now be built, with acceptance of the local community,” says Deb Bishop.

“The Anglican Church could easily follow the example of ‘North Parkerville’ opposite proposed ‘North Stoneville’. Its developers listened to community concerns and radically reduced the proposed density from 730 lots to 62 lots – from almost 2000 to around 200 people.”

Save Perth Hills says the WA Planning Commission is sitting on applications by both SPH and the Shire of Mundaring to rezone ‘North Stoneville’ from Urban to Rural, to reflect the semi-rural nature of Stoneville. “These applications have received feedback from all relevant State Government departments and agencies (Water, Education, Health, Environment etc) and none has objected to the Rural rezoning. The Anglican Archbishop herself

could give the green light to progress the rezone and end this unprecedented community campaign that’s run for 34 years,” says Deb Bishop.

Check the timeline on the SPH website that highlights the innumerable requests for delays and behind-closed-door mediation with government planners/lawyers made by the Satterley Property Group since the WAPC’s first rejection in 2020 – delays and costs to taxpayers that SAT itself has queried.

So, the question must be asked, how many chances does Australia’s biggest developer get to tweak a plan so relentlessly opposed by the community and so consistently and comprehensively rejected by government bodies?

It has long been acknowledged that those who battle inappropriate developments in WA face an uphill battle in a State that has no third-party appeal in planning matters and that makes it difficult for communities and local governments to have input into local planning matters.

Despite Satterley’s lawyers objecting to SPH’s formal presence at SAT, Judge Henry Jackson, acknowledged the group as a “long-standing organisation with members who have taken significant and sustained action over many years regarding the strategic planning of North Stoneville ... I am satisfied that those actions ... have been motivated by its members’ experience of several significant bushfires in the vicinity of the subject land which have threatened their lives and property and their fear that the development will exacerbate the risk of bushfires.”

A glimmer of hope perhaps? Judge Jackson will preside over the SAT hearing that opens on September 15.

On the SPH website you’ll find details of how to donate to cover legal fees and to sign a petition to the Anglican Archbishop to save those 60,000 trees.



Lawyer Merinda Logie says this case connects a number of dots for her. “My great grandparents bought a block in Darlington, so we grew up loving the hills. Of course we need to house people, but Perth also needs to grapple with its urban sprawl, its loss of native trees and the impacts of climate change”.



Former DFES Commissioner Wayne Gregson has warned: “Populating hazardous regions to this scale is venturing into uncharted territory and I implore decision-makers to listen to the experts ... The risk of bushfire catastrophe must be considered highly likely...”



In permitting Save Perth Hills to a party to the SAT appeal, Judge Henry Jackson acknowledged the community group as a “long-standing organisation with members who have taken significant and sustained action over many years regarding the strategic planning of North Stoneville ...”