



PERTH MODERN SCHOOL  
PARENTS & CITIZENS' ASSOCIATION

Hon Peter Foster MLC  
Chairman Standing Committee on Environmental and Public Affairs  
Parliament House  
Perth Western Australia 6000  
Ref: Petition No. 035

Dear Mr Foster and Members of the Standing Committee

**Petition No. 035 – East Subiaco A-Class Reserve**

We would like you to consider our views on petition number 35.

In summary:

1. Our school community has been excluded from workshops or groups with no opportunity for our care givers or students to engage in accessible and genuine consultation.
2. The Subiaco East Master Plan does not address current and easily foreseeable safety concerns.
3. The Subiaco East Master Plan does not meet Western Australia Planning Commission policy on Planning for School Sites.
4. Motions at the August 2021 Annual Conference of at the Western Australian Council of State School Organisations (WACSSO) were overwhelming endorsed by hundreds of delegates in attendance. Massive changes to school planning without consultation and endorsement by public schools within WA were held in disdain.

Each of these points is expanded on below.

**Failure to Consult Perth Modern School Parents & Citizens' Association**

We can confirm that our Executive Committee or Members were not invited by the authorities to participate in any consultation as a school stakeholder in any of the planning or design stages for Subiaco East. We understand Development WA's Subiaco East Community Reference Group had no School Parent and Citizen representative invited nor included in its membership. This group was consulted and tasked with providing input into the design of the Subiaco East Master Plan. As far as we are aware Development WA nor any other relevant authority consulted with any School Parent and Citizens' Associations located in the catchment area on the Subiaco East redevelopment.

There will be over 3,400 students educated in Subiaco East annually. Parents, caregivers, and student voices have not been heard or represented in genuine consultation resulting in what we believe is a significantly flawed outcome. As a result, the safety, security, privacy and wellbeing of students and their families attending the two high schools in this education precinct is compromised.

We also understand when Subiaco Oval and the public realm was considered by Development WA, persons unknown decided to exclude the adjacent school site from the scope. Given the precedents being set around what is now a school oval edge and that our students may also access Subiaco Oval for their recreational needs, this limited scope produces an outcome which is untested, questionable and does not protect and take into account significant school users.

Our P&C did provide comment on the master plan and Subiaco Oval and Railway design guidelines. Providing a comment is not consultation. We believe development WA's were presented as a fait accompli with little opportunity or consideration given for revision.

## Student and Resident Safety, Security, Privacy and Wellbeing Compromised

In August 2020, Education Minister Honourable Sue Ellery confirmed Subiaco East creates a WA first for school planning when she wrote;

*“....there are no public school ovals with multi-storey residential buildings on the periphery”.*

Given the Minister has confirmed this is a “WA First” we strongly support and believe genuine and full consultation with ourselves and all other parent and citizens’ association is required. Precedents being set have the potential to not only affect our school but any school in WA.

In addition, Minister Ellery does not support overlooking of students or residents in an article in the Post Newspapers in May 2021 stating;

*“.....But the way I’ve seen it work in other schools is for example, you can put up panelling around the external bits that students have access to, so that they are not looking into people’s backyards and equally people sitting on their balconies aren’t looking into the school.”*<sup>1</sup>

We fully support the Minister’s statements and the importance the Minister places on the privacy, security, safety and wellbeing of our students. However the Subiaco East Master Plan and the Design Guidelines contains no mechanism to prohibit clear sight lines over school spaces. Ample opportunity is given for visitors, guests or residents to watch, surveil, photograph, film or exchange with each other. For example, under 2.4.3 and 2.4.5 of the design guidelines it states:

*“Development sites which front onto Subiaco Oval are responsive to the heritage significance of the place through the introduction of a **spectator experience** along the oval edge...” and “Building façades shall contribute to streetscape vibrancy through articulation which breaks up massing, visually linking the public and private realm and providing means to **passively surveil the public realm.**”*<sup>2</sup> (emphasis added)

Please also consider very significant and urgent safety concerns, made worse by the current scale of the proposed redevelopment at Subiaco East. We have written to the Hon Paul Papalia CSC MLA and a Pedestrian Safety Workshop process commenced late last year with relevant stakeholders, including ourselves. Unfortunately, we see no evidence of sufficient risk assessment or satisfactory infrastructure planning incorporated into the Subiaco East Master Plan. We remain concerned that one or more students will be seriously or fatally injured if the Subiaco East Master Plan goes ahead as is.

## Plan does not meet WA Planning Commission Planning for School Sites Policy

Section 3.6 of the WAPC policy states:

*“**Common boundaries of school sites with residential uses should be avoided whenever possible ... Land uses such as ... restricted premises, licensed premises such as taverns, small bars and liquor stores, consulting rooms ... are considered undesirable next to school sites and have **real and perceived impacts on health, amenity and safety.****”*<sup>3</sup> (emphasis added)

Development WA’s master plan and design guidelines allows 6 to 30 storey skyscrapers of more than 100 metres in height. Hotels, transient or short-term accommodation, apartments, shops, bars and consulting rooms on the edge or next to or within close vicinity of public school sites have been allowed for the first time in WA.<sup>4</sup> Skyscrapers with incompatible uses such as these can be avoided and are not necessary to meet infill requirements in Subiaco East. Overlooking and common boundaries of our school spaces can be eliminated. There is a better way to deliver infill in Subiaco East that ensures student security, privacy, safety and wellbeing in paramount is this education precinct.

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<sup>1</sup> The Post Newspapers, Prying eyes could look out over Subi Oval, by Lloyd Gorman, May 8 2021. Page 9 & 101

<sup>2</sup> Development WA Subiaco Oval and Railway Precinct Design Guidelines October 2021 page 21

<sup>3</sup> West Australian Planning Commission Draft Operational Policy 2.4 - Planning for School Sites. August 2020

<sup>4</sup> Development WA Subiaco Oval and Railway Precinct Design Guidelines October 2021 f

## **WA Council of State School Organisations Inc. Annual Conference August 2021**

WASCCO are the peak body who represents approximately 650 public schools. At the annual conference in August 2021 hundreds of delegates overwhelmingly supported our motions which included the call for:

*“...an urgent review of master plan and design guidelines in Subiaco East ... including the removal of “WA Firsts”.<sup>5</sup>*

We believe WACSSO are well placed to lead and facilitate consultation with public schools throughout Western Australia to gain and develop an agreed position based on full consultation with all parent and citizens’ associations. Sadly, robust and genuine consultation with any Parents and Citizens’ Association has not occurred to date. We are feeling ignored by relevant parties and fear that many parents and caregivers have little idea of the massive changes to school planning proposed in Subiaco East which don’t comply with WAPC policy.

### **Summary**

This submission is supportive of the views expressed in petition number 35 and assert that development higher than 4 storeys on the periphery or adjacent to our schools is unnecessary and can be avoided in the delivery of required infill in the Subiaco East redevelopment.

If the current master plan and design guidelines are not revised we believe our students’ safety, security, privacy will be compromised.

I hope this Committee concludes that an Inquiry is justified.

Yours Faithfully

Phil Marshall  
President Perth Modern School P & C  
February 2022

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<sup>5</sup> WACSSO Annual Conference, August 2021. <https://www.wacssso.wa.edu.au/events/wacssso-conference/>

## Attachment: Perth Modern School P&C Motions Carried at WACSSO Annual Conference 2021

### Motion 1:

That the WACSSO President writes to the Director General of Education and the Minister for Education and Training advising the views of parents in Western Australia that no public school in Western Australia will have their staff and student privacy, safety, security, amenity and wellbeing compromised by new physical developments on the edge, periphery or within close vicinity of their school unless supported by school stakeholders including Parents & Citizens associations.

The following points should be included:

- i. Public schools must not have developments overlooking/overshadowing students and staff on the edge of their school ovals or school buildings without sufficient safeguards to ensure students' safety, security and privacy.
- ii. Explicit and firm maximum heights with appropriate design requirements should be defined to apply around school ovals and buildings to prevent overlooking/overshadowing via any future residential and/or non-residential developments.
- iii. All non-residential developments must comply with land uses that are compatible to Government and Western Australian Planning Commission school site planning policy.
- iv. Any new "WA first" that could potentially impact a public school in WA must include strong consultation with all WACSSO affiliated Parents & Citizens Associations to gain a consensus position on acceptable physical site planning outcomes for public schools in Western Australia. This outcome must be achieved with consideration to available resources of all stakeholders. This may include the employment of independent survey and research consultants to be funded by the proponents.

### Motion 2:

That the WACSSO President writes to the Director General of Education and Education Minister reflecting the views of Parents & Citizens Associations are not supportive of the school planning "WA firsts" adopted by Subiaco East that set unnecessary precedents potentially affecting all public schools within Western Australia. Specifically:

- i. The "WA First" in Subiaco East of allowing high rise towers of more than four (4) storeys on school oval and school building edges and periphery is not supported and will compromise staff & student safety, security, privacy, amenity and wellbeing.
- ii. The "WA first" in Subiaco East of allowing land uses on the edge and periphery of schools including 30 plus storey hotels, bars, flats and transient accommodation is not supported, particularly those uses considered undesirable as per the West Australian Planning Commission (WAPC) Draft Organisational 2.4 Policy Planning for school sites with real impacts on health, amenity and safety.
- iii. No Parents & Citizens Associations were specifically consulted nor invited to represent their members in the Subi East Community Reference Group by the state developer or any other authority. The Subi East Community Reference Group was task with providing input to the design of Subi East Master Plan as an advisory group.
- iv. As a result, an urgent review of the master plan and design guidelines in Subiaco East is required including the removal of "WA Firsts" until items in Motion 1 have been completed.