

## **Submission in relation to Petition No. 065 –**

### **Preservation of Mount Claremont Fields for recreational purposes**

**Petition No. 065** reflects the scope of public opposition to the rezoning of parkland/playing fields, being Lot 2 McClemans Road, Mt Claremont (**Land**), sought by Christ Church Grammar School (**School**) and made by request to the Minister for Planning (**Minister**). The Land is located in the Town of Cambridge (**Town**), which previously rejected the School's application for a scheme amendment to the Land. Rezoning the Land is not in the interests of proper and orderly planning or in the public interest.

### **Change of zoning not in the interests of proper and orderly planning**

On 25 February 2022, the Council of the Town unanimously (8-0) resolved to reject the School's request to initiate an amendment to the Town's Local Planning Scheme (**LPS**) to rezone the Land. The Council found that the School's request was not consistent with proper and orderly planning. (The LPS does not, however, restrict the School's disposition of the Land with its current zoning intact if, as the School states, the Land is surplus to its requirements.)

Subsequently, in May 2022, the School made a confidential request to the Minister under Section 76 (**s76**) of the *Planning and Development Act 2005* to override the Council's decision. What s76 provides is that, if the Minister is satisfied on any representation that Council has "failed to take the requisite steps" for having a local planning scheme amended, then the Minister may order the Council to adopt or approve the amendment.

The guidelines issued by the Minister for s76 state: "[I]f a landowner/proponent's proposed scheme or amendment effectively amounts to a spot rezoning, a [s76] order would generally not be supported or issued, as it sets an undesirable precedent for fragmented development of an area. Spot rezoning is an application to rezone land in the absence of a comprehensive and coordinated strategic plan for the area."

The Town's LPS has already identified and *fully met* the state government's quota for infill and residential development. Now the School is seeking to wrench a single lot from its environment and give it a new rating, without the holistic consideration such a zoning would have in relation to the LPS approved by the Council, the Western Australian Planning Commission and the Minister *only last year*.

The School's proposal is the antithesis of planned zoning. To date the School has not advanced, even arguably, a *single benefit* to the community if the Land were to be rezoned. The Land sits within a neighbourhood characterised by quarter-acre or larger housing blocks, steep and narrow streets (some without footpaths), minimal traffic and limited access to public transport. Should the School's application succeed, the tenor of the locality will be disrupted because the School's development scheme, far from being related to the general plan for the community as a whole, is primarily in the private interests of the School.

The School's rezoning application followed the state government's allocation to it of other land *in secret* for, I understand, a token sum. Why the state government elected to provide such a benefit to the wealthiest school in Western Australia, despite a widely acknowledged shortage of playing fields (especially for women's sport), has never been stated.

## **The Land is of outstanding environmental and community value**

In 1994, the Environmental Protection Authority (EPA) stated that the Land should *never* be the subject of development. The EPA Land Use Strategy for Bold Park and Environs (Bulletin 744, June 1994) *identified Lot 2 McClemons Road and land to the south of Fortview Road [as] being retained under the MRS Urban zoning.* It opposed any development of the Land: see Recommendation 2 on page 19 and the map, on page 33, of land area M47 considered by the EPA. The map does not identify the playing fields as being in any way an exception to the 'Primary Land Uses' supported for the area – that is, Conservation, Landscape Protection, Scientific & Educational, and Passive Recreation. Recommendation 2 lists a number of detailed guidelines for an Environmental Management Programme for the entirety of area M47.

A key interest for the EPA was the need for a plan that addressed “other impacts from any adjacent residential development.” This concern is addressed more fully in the report when it describes the conservation value of the Land and areas adjacent to it. Of all the options for residential development, the *only* one supported – and here *only for extremely low-density development* – was the area on the south side of Fortview Road (Recommendation 2), *which area does not include the Christ Church Playing Fields [the Land]* (emphases added).

From an environmental perspective, the Land is outstanding. Comprising three tiers of generously treed green space, it is an area of outstanding natural beauty that:

- abuts on two sides, and effectively forms part of, the Bold Park bushland, itself a biodiversity hotspot;
- helps maintain urban ecosystems, being frequented by many species;
- aids cooling and energy efficiency by mitigating the heat island effect;
- improves air quality by reducing the effects of pollution;
- lies partly within an extreme bushfire zone and so acts as a firebreak for surrounding areas, as illustrated during the 2012 Bold Park bushfire (infill housing would exacerbate the fire risk for new residents, as well as for locals and the wider community);
- offers greater opportunities for girls' sport in particular, at time when there is a shortage of same, and
- is conducive to public mental health (as exemplified by the recent Covid restrictions).

Easily accessed on foot or by car, with ample free parking, the Land is available to all for recreational purposes. For the past 60 years it has been a hub of social interaction for people of every age, including many with disabilities (and their dogs) – not just those from the immediate area but also far beyond.

A windfall profit to the School as a result of rezoning the Land should not be permitted to override, and trump, the significant public benefits of retaining the existing zoning. The need for the Land to remain as parkland and playing fields is more urgent than ever. Once the Land is lost for these purposes, it is lost forever.

Yours sincerely,  
Josephine Norman