

SWAN VALLEY PLANNING BILL 2020

Second Reading

Resumed from an earlier stage of the sitting.

MR R.S. LOVE (Moore — Deputy Leader of the Nationals WA) [2.52 pm]: I will pick up from where I left off. I was discussing the Right to Farm Bill 2019 that was passed by the New South Wales Parliament. I suggest to the minister that the types of matters that are addressed in the Swan Valley Planning Bill and also in the objects of the bill itself should be incorporated into a separate piece of legislation that would guide all planning documents or, potentially, the Planning Commission could give consideration to the very good objectives that are outlined in the bill and be used as a model or guide for other schemes throughout the state that will face similar issues. Peri-urban local governments, for instance, could also include those objects, provided, of course, that they contain areas of high agricultural priority. I remind the minister of the very large amounts of produce and intensive agriculture that occur in some peri-urban areas such as the Shires of Gingin and Chittering in my electorate. There are very, very important agricultural industries in those shires. Some of them are quite intensive. I am talking about chicken farming and the like, but an awful lot of horticulture also takes place. Some processing is beginning to take place in those areas as some of those activities have been squeezed out of Wanneroo and other outer metropolitan areas over time. They are now being established in places such as Chittering.

The objects in the bill are admirable, but New South Wales has taken the time to include similar objects in an act of Parliament that applies to not only one limited area, but also agriculture across the state. As an organisation, and as a party that is deeply supportive of the agricultural industry, we in the Nationals WA believe that that needs to be considered for the whole of the state, not just in the Swan Valley Planning Bill. It is partly the inclusion of those matters in the bill that has drawn the interest of our party because we can see the importance of that for other areas, not just the Swan Valley itself.

I have not seen, and I do not know, whether the minister will explain exactly when the scheme is expected to begin in the Swan Valley following the bill presumably successfully passing this house and the other place. How long will that take to develop? It will be very interesting to see just how the objects in the bill are reflected and just how explicitly they are instructed by the bill in the development of the scheme. Will we see those specific objects reflected in words or are they intended to be reflected in some of the permitted uses and subdivisional aspects of the land itself? Will it be written as a separate text that people can easily grasp or will it just be implicit in the document itself and in the zoning and conditions of land use that are in that scheme when it is finally brought down? It will be interesting to see how that progresses. I suggest that it would be a good idea to, in some way, make a statement that is reflective of the objects in the future act and to make that quite clear in the scheme. That should help guide development, I think, into the future.

Yesterday, we heard the Speaker read a statement from the Governor approving appropriations for the bill. I will seek from the minister in the discussions that take place following the second reading debate, and perhaps during the consideration in detail stage, an understanding of the expected cost of the operation of the statutory planning and the Swan Valley strategic leadership group, and the other aspects of governance that will overlay the Swan Valley.

It is interesting that during the briefing we were told that the City of Swan is, I believe, supportive of this move, which will remove from its control a substantial area of land. I imagine it is a very important area of its rate base and its future development. That will be taken away from the city. The city itself will have only one member on the subcommittee of the Western Australian Planning Commission that will be the statutory planning committee involved in it. The city will, apparently, voluntarily cede its rights over this area. Perhaps that goes to show just how difficult it is to manage conflicting land uses and to make sure that everyone is satisfied with the development that takes place in the Swan Valley. The Swan Valley's strategic leadership group, which we are told will be a new advisory group, will have seven members appointed by the minister to provide advice on and advocate for the region. The bill is pretty explicit about what its powers and functions will be, but I would like to have more discussion about how that will be manifested and how that group will be able to influence the development of future schemes. I do not think it will be involved in the initial scheme, although I could be wrong. Presumably, the future scheme changes that we will see will be as a result of getting advice from this strategic leadership group.

How will we be sure that that group really represents the significant interests of the area? What priority will be placed on the opinions of people who reside in the area over the opinions of those who have business interests in the area or who just have some other dispassionate, technical expertise that they might be contributing to the group? It will be quite interesting to see that alternative community participation—that is, alternative to local government—in the formation of schemes. I understand that it will not be a group involved in deciding development applications et cetera, but more to ensure that the scheme and any policies that might wrap around it are developed in sympathy with the wishes of industry and the residents of the Swan Valley. It is an area of great interest to our party, because—as I said, I keep going back to this—the similarities between the Swan Valley and some of those areas just outside

the metropolitan area that will come under similar pressures in the future. This could be an excellent way to see whether we could better guide the development of other areas of the state and ensure that agriculture remains viable on land that is very precious for its use. They are areas with good land, good climate, access to markets, access to labour and access to water. Hitting all those things is fairly rare. We are seeing difficulties with access to market in some of the more remote areas where fruit and vegetables are grown. Some of the things that have held back development on the Ord for a long time are access to markets, access to labour and access to that undefined element, which is the spirit of enterprise and people wishing to come in and have a go at developing an area. Those issues mean that areas just outside the metropolitan area play a very important role in more intensive types of agriculture and horticulture et cetera. I presume that what happens in the Swan will be a good guide to what happens in other areas.

I will leave the discussion at that point, but we will go through consideration in detail with these measures and I will be picking up some of the issues that are not been addressed in the minister's second reading reply.

DR D.J. HONEY (Cottesloe) [3.02 pm]: I rise to make a small contribution to debate on this Swan Valley Planning Bill 2020. As has been indicated by our lead speaker in this chamber, we support this bill.

The Swan is an area of Perth that I have a great affection for. I spent a significant part of my youth in the Swan Valley. I boarded at Swanleigh Hostel for five years and went to school at Hampton Senior High School in Morley. I can say it was a great place for someone from the bush to come to, because we were surrounded by farming. We could hear the big trucks going up and down Great Northern Highway, which was a great excitement to kids from the bush. We got to play and explore all through that area. One of our favourite places in full flood was Jane Brook. We would wash down in Jane Brook. We were clearly oblivious of the fact that we were imperilling our lives doing it, but it was wonderful fun. We had a scout troop there and we went all through the area. I can understand why the minister has great affection for that area, and I can understand why so many people in the community have such a great affection for it.

Another part of history in that area, which I am sure the minister is aware of and some members may also be, is that it is extremely significant for Aboriginal heritage for the very same reason that it was opened up very early for the early settlers, with early settlement and food production for the growing settlement on the Swan River—that is, the fertility of the soil and the availability of fresh water. That was the very same reason that Aboriginal people lived in the area. It would have been a transition area for Aboriginal people coming down from the wheatbelt to the coastal areas. Swanleigh was on what was the old Middle Swan Road, which is now on the corner of Reid and Great Northern Highways. Just over Great Northern Highway from that area there is quite a historic site that shows Aboriginal settlement in the area going back about 40 000 years. It is quite remarkable to have that record on the Swan coastal plain and the metropolitan area, and that is obviously a protected area. When I was doing my exploration down Jane Brook, at one stage I came across an Aboriginal family living in a completely traditional Aboriginal dwelling. It was a shelter constructed out of the bush, with grass tree matting on the floor. It was in the bush on the corner of Great Northern Highway, on Middle Swan Road. That was the first half of the 1970s, so even at that time there were Aboriginal people living quite a traditional lifestyle in that area, which I thought was absolutely remarkable when I was a boy in the place. As I say, I understand why the minister and the community have a passion about this.

It is really important that we maintain these communities. The comments made by the member for Moore about the preservation of productive agricultural soil resonate with me. Agricultural production depends on a couple of key factors. One is the fertility of the soil, although these days that is mitigated somewhat by the application of fertilisers, but there is no doubt whatsoever that maintaining our most naturally fertile and productive soils significantly reduces the need for the application of fertilisers. The other thing is rainfall. Some members here may be aware of this, but perhaps some are not. Rainfall changes very dramatically once we go over the hills. If we go about two or three kilometres just past the start of the hills, rainfall drops by about 500 millimetres; it is quite profound. The rainfall in the area down there in Middle Swan historically was around 1.2 metres a year, but we do not have to go very far back into the hills and it drops down to 500 or 600 millimetres a year. With the progressive drying of the climate those numbers have reduced a bit, but the effect is still the same. It is a great concern that we are building on our most productive soils, so the comments made by the member for Moore very much resonate with me.

I appreciate that for our cultural history, if you like, for maintaining some aspects of the heritage of white settlement and Aboriginal heritage, we need to protect that area, but it is equally important that we protect that productive agricultural land, especially on the river where there are those fine, productive silty clay soils that are so good for growing grapes, but also good for growing a range of other horticultural products. I hope that this is looked at in more detail. I hear a lot of discussion in this place about what people did or did not do in the past. That is in the past. The only thing we can affect is what happens in the future. I hope that this bill heralds a greater focus by all of us in this place on maintaining that productive agricultural land, as I think it is under considerable threat. There is now almost complete infill of all the productive dairy country to the south of Perth. The area around Serpentine is also under considerable threat. I believe that, collectively, we should look at how the philosophy that the government

and the minister have applied to this bill can be extended to also protect that productive agricultural land. That is particularly important as we get closer to the hills, which have not only better clay soils, but also very high rainfall. That is quite unique in the state, particularly in this southern part of Western Australia. Obviously the government is in power, and it is pretty confident that it will be in power for another four years, but hopefully that will be looked at collectively in the future by whoever is in power.

One aspect of the bill that I also hope will template into other areas is the degree of consultation that has occurred. I will not go through the second reading speech verbatim, obviously, but I note that the minister pointed out in detail the considerable amount of consultation that occurred. The minister said —

We wanted a consultative process to help shape a new reform strategy that considered all industries and aspects of the community.

The minister also said —

Over 700 Swan Valley residents, landowners, businesses and community groups provided feedback about their vision for the future and the identity of the region.

I applaud that consultation. It is important to get a range of views. However, I must say that I hope that will extend to other communities. One of my great concerns about the planning changes that have gone through this Parliament is that the compulsory consultation requirements were removed from the Planning and Development Act. I understand that the government intends to introduce regulations to prescribe how consultation will occur. I am concerned that we have not seen those regulations. I take the minister in good faith that she intends to introduce those regulations. The concept of extensive consultation with communities is very important. I know the politics in this place and that people have their own political agendas. However, I have noted that dorothy dixers are often asked in this place about planning matters in the western suburbs, some of which are in my electorate and some of which are not. The response to those questions has been to humiliate and ridicule the communities and councils that have expressed concern about proposed developments in their area. Consultation is a fundamental principle. I am not trying to cause controversy with those comments. I note and applaud the degree of consultation that has occurred on this bill, and I hope that will continue in other areas, whether that be a historic area like the Swan Valley, for which the minister and I and many people in Perth have a great affection and hope that it is preserved, or other communities in which people are concerned about the impact of proposed developments. I hope this will be a portent for ongoing and broad consultation with the community and for acknowledging the importance of that process.

I said this would be a brief contribution, and it will be. I support the bill. It is a good bill. I will not repeat the comments that have been made by our lead speaker, and by the member for Moore. I certainly hope that my hypothetical grandchildren—I have six kids, so I am hoping for some—will be able to enjoy the same Swan Valley that I enjoyed for five years of my younger life. Thank you.

MS J.J. SHAW (Swan Hills) [3.13 pm]: I rise today to speak in support of the Swan Valley Planning Bill 2020. In doing so, I would like to congratulate the Minister for Planning for her extensive body of work on this bill. The Swan Valley is very close to my heart. Some 30 years ago, my grandparents built their first home in Western Australia on Campersic Road, and I now live around the corner from there. I grew up in New South Wales, and I used to fly to nan and grandad's home for my summer holidays. I remember that when I was running around their place, I would think that when I grew up, I wanted to live there. I feel incredibly privileged that I now live in the Swan Valley. I am particularly privileged to represent that community.

The Swan Hills electorate currently incorporates Red Hill, Brigadoon, Upper Swan and Belhus. Following the redistribution, Middle Swan, Baskerville, Herne Hill and Millendon have come into the electorate. I want to take a bit of time today to explain to those constituents whom I now have the great fortune to represent my views on this bill. I have had a fair bit of outreach from people in the Swan Valley, asking for my thoughts on this bill, and, indeed, about the sorts of approaches that we need to take as a community towards the future of the Swan Valley. As I have said, I have, and will continue to have, an abiding interest in the Swan Valley. Last year, even before these parts of the Swan Valley were within my electorate, I worked with Councillor Charlie Zannino from the City of Swan, who is an outstanding representative of the Swan Valley—Gidgegannup ward, to have a chat about the Hanson Australia rock quarry operation at Swan Hill. We worked in conjunction with the Swan Valley Ratepayers and Residents Association, and I would particularly like to thank Jeff and Caroline Williams, and Bill Macham, for their advocacy on this issue, to reorient the operations of Red Hill quarry so that the quarry face would not break out into the Swan Valley. The risk was that the quarry face would open into this prime tourism and agricultural destination, and that was not appropriate. I was very pleased to work with Councillor Zannino on that issue, and I thank the Swan Valley community for its support. I particularly thank Hanson for being community minded and acting with such goodwill as it engaged with me to completely reorient a major mining project. It was a great outcome.

The Swan Valley is an important part of the world, and this bill reflects that. This bill is a significant reconfiguration of the way in which we currently manage planning in the Swan Valley. The new act will repeal in its entirety the

Swan Valley Planning Act 1995—which really does not work for our community—and replace it with a new act. The new act will provide a clear vision and regulatory mechanism for sensible land use planning consistent with the community in which we live, and a sensible approach towards development in the Swan Valley. It will also clarify the relationships between special legislative requirements applicable to the Swan Valley; establish a new Swan Valley statutory planning committee and a new Swan Valley strategic leadership group; and facilitate the development of a new Swan Valley planning scheme. I will go into those things.

It is important to acknowledge where this legislation has come from. The Swan Valley is obviously a very unique environment. It is based on the city's doorstep. We are very lucky to have so close to our city prime agricultural land, a beautiful tourism destination, and a place in which equestrian sports can be undertaken. We need to recognise and protect this unique rural environment. We also need to acknowledge that a residential area, Herne Hill, already exists in the Swan Valley, and provide for its future development, but in a sensible and measured way that will not encroach on the land uses that are core to making the Swan Valley the wonderful place that it is. The current act is incredibly complicated. It essentially provides for three levels of control. Those levels of control do not necessarily always align. That can make it incredibly difficult for members of the public and property owners in the area to navigate through those processes. Indeed, there are frequent conflicts.

Another thing to acknowledge is that this process has been attempted many times and has been fraught with controversy at times, but I think the process that has been stepped through has been really wonderful and has tried to accommodate the various not necessarily conflicting but competing views on how the Swan Valley should develop. The process commenced, and I would like to acknowledge the significant contribution of the late John Kobelke, who was appointed by the minister to review the proposals. He undertook an extensive consultation process, which other members have alluded to, about what should happen in the Swan Valley. He made a series of key recommendations about the need for a straightforward and streamlined process that cuts out red tape, gets rid of the three layers of planning to initiate a single layer that is easily navigated and understandable, and clarifies a lot of the ambiguous functions carried out by the Swan Valley Planning Committee. At the moment, the committee has a membership but it does not really have any teeth. It can make recommendations that the local government authorities may or may not take heed of and sometimes can confuse planning functions with the broader policy objectives of a strategic vision for the Swan Valley. It is very important to recognise that this bill separates and clarifies those two functions. The new strategic group will focus on important strategic matters for the Swan Valley without making individual planning decisions. I think it is very important that those two functions are separated.

I would like to cover several aspects of the way in which the bill is structured. I will say at the outset that I am going to cover only the issues that are confined to the parts of the Swan Valley that I have accountability for as the member for Swan Hills. I do not purport to comment on the western side of the Swan River. I want to make very clear that there is a very different set of considerations on the west side of the river as opposed to the east side. I will run through the definition of the Swan Valley, which is slightly different from the scope, I suppose, of the Swan Valley that I represent. I will touch on the objectives of the act, the way this scheme is created specific to the Swan Valley, the content of that scheme, the creation of the two groups—the strategic leadership group and the Swan Valley Statutory Planning Committee—and some other relevant matters.

First, under clause 4 of the bill, the Swan Valley is confined under schedule 1 to Middle Swan, Herne Hill, Millendon and Baskerville. Those are the only parts of my electorate in the Swan Valley that are covered by this bill. We are not broadening out into Brigadoon, Belhus or Upper Swan, which are other parts of my constituency. It is important to appreciate that point when we come to discuss what the outcomes of this legislation will mean for the way the Swan Valley will develop.

The objects of the act are to protect the Swan Valley as a productive agricultural area, which is very important; to maintain the rural character and conserve the heritage of the Swan Valley—it is a very rich and diverse community with a very proud migrant history, and it is very, very important that we recognise and acknowledge that—and to ensure that horticulture, viticulture, hobby farming and equestrian activities remain the principal land uses in the Swan Valley. That is so important. That is a deeply felt sentiment that has been expressed to me by my constituents. Another object is to discourage land uses in the Swan Valley that are incompatible with its rural character and ensure that tourism and hospitality conducted there is consistent with those objects. Sometimes proposals are put forward that are just not consistent.

Importantly, other than in the Herne Hill town site—I want to underscore this because it is a contentious issue in my electorate currently—we need to prevent new residential development in the Swan Valley except for single houses on single lots in keeping with the rural character of the Swan Valley. I cannot underscore enough how important that is for the Swan Valley. Another object of the act is to avoid overstocking, clearing of natural vegetation, pollution and degradation. No doubt, my colleague the member for Thornlie will have a bit to say about the environmental stuff, so I may leave that to him today, and touch on other specific planning issues. The objective at clause 5(1)(h) is to protect the natural environment, which, again, I am sure the member for Thornlie will comment on. The objects of the bill then refer to the characteristics of the developments, including appropriate building

setbacks, retention of vegetation, using suitable building materials and boundary fencing, and that if we do have any non-rural development in the Swan Valley, it is designed and located so as to reduce nuisance and other detrimental impacts. I think that is more likely to be in other parts of the Swan Valley as opposed to the eastern sections that I take care of.

Part 2 of the bill creates the Swan Valley planning scheme. Division 1 refers to the nature and effect of the scheme, and states that it is to be prepared and must give effect to the objects of the act. I think it is very important to appreciate that no matter what happens under this regime, everything must always be prepared and decisions taken in accordance with those objects. In particular, it is important that the object at clause 5(1)(f), which I discussed earlier, about the Herne Hill residential precinct, is considered when we are talking about the preparation of the Swan Valley planning scheme. The contents of the scheme must be consistent with the objects of the act. Basically, a plan will be created for the whole of the Swan Valley and then for each planning area. Provisions will be made about whether subdivision will be permitted in the planning areas; and, if it is permitted, a minimum lot size will be set out. Another key consideration is the provisions to ensure non-rural development is designed to minimise impacts from rural land users. When we talk about non-rural development, the definition in the bill is very clear. It means residential development, tourism and hospitality development or any other development that is not related to horticulture, viticulture, hobby farming or equestrian activities. We can look at residential development in the residential areas of Herne Hill, but it is inappropriate to allow non-rural development in the non-residential areas—the agricultural and horticultural areas and where equestrian activities occur.

I want to quickly speak to the establishment of the Swan Valley strategic leadership group. This is an overarching advisory group, if you like, to provide the minister with information on matters pertaining to the Swan Valley. It will have a presiding member and six other members and it will be a requirement that those members have practical knowledge or experience that is relevant to the functions of the Swan Valley strategic leadership group or are otherwise appropriate persons to represent the interests of Swan Valley residents and businesses. It contemplates people with a presence, who live or operate a business, in the Swan Valley. It is important to recognise that because they do not always necessarily correlate. The function of the leadership group is to provide information to the minister on matters relating to the Swan Valley, including how we protect it. That is a core issue that has come through to me from my constituents. How do we protect it as a productive agricultural region within the metropolitan area? How do we promote it? How do we market it? How do we celebrate the diverse range of horticultural operators, our viticulture, tourism, hospitality and hobby farming and equestrian activities? How do we enhance and protect the cultural heritage, built heritage, recreation landscape and values of the Swan Valley? That is quite different from making planning decisions about how land can be used, and I think it is very important to pull those two things apart. We can have a very fierce debate about the broader strategic issues, but in order to have an effectively functioning planning system, they need to be kept separate from the planning decisions that are actually taken. Indeed, clause 29(2) states —

It is not a function of the Swan Valley Strategic Leadership Group to provide advice or comments, or to prepare reports or other documents, in relation to particular applications for approval of subdivision or development in the Swan Valley.

That is entirely appropriate.

I want to flip to part 4, “Swan Valley Statutory Planning Committee”, which is a subcommittee, if you like, of the Western Australian Planning Commission. In the briefing I attended, it was described to me that members would be swapped out from the statutory planning committee for Swan Valley nominees. It will be chaired by someone approved by the minister and appointed under the Planning and Development Act. Five other people who are planning experts will be appointed by the commission. It is very important to emphasise that the planning committee will have planning experts on it. One other person will be appointed by the commission, with the approval of the minister, to represent the Swan Valley local government—at the moment that is the City of Swan—and then two other persons will be appointed by the commission with the approval of the minister to represent the interests of the Swan Valley residents and businesses. Again, people do not have to necessarily be a resident; they can have an interest in business. But the key point is that those people must have practical knowledge or experience relevant to horticulture, viticulture, cultural heritage, landscape protection, tourism, hospitality, hobby farming or equestrian activities in the Swan Valley, or be an otherwise appropriate person. The Swan Valley statutory planning committee will be populated by people who understand the valley and are in a position to make decisions. It will not be a body that sits there and tells the City of Swan what it thinks but at the end of the day is not in a position to make firm decisions or provide certainty. We need the Swan Valley flavour in the decision-making process.

The functions are outlined in clause 34. One of the interesting things to also appreciate with the establishment of the Swan Valley statutory planning committee, as a supplement to the typical statutory planning committee process, is that the existing Swan Valley planning committee and the City of Swan have monthly meeting cycles, which means decisions can often take an incredibly long time to be made. Under this legislation, the new statutory planning committee will have a fortnightly meeting cycle, which can then be followed by a Swan Valley planning committee

meeting at which decisions can be made. One level will make decisions more frequently, which it is hoped will make decisions far more timely and really fast-track processes for people in the Swan Valley, which is absolutely fantastic.

[Member's time extended.]

Ms J.J. SHAW: I want to touch on a few other matters that constituents have raised with me about the Swan Valley Planning Bill. The first issue is what will happen to applications that are currently in the planning system when no decision has been made. Some applications currently in the pipeline for development are not consistent with the land uses that are the objects of this bill. It is very important for me to put on the record that residential developments belong in residential areas, and I fully support the development of facilities that are residential in nature in areas such as Herne Hill. But I, as much as any other member of the McGowan government, think it is very important to protect the Swan Valley and the nature of that region and ensure that decisions that are taken in planning and new developments are consistent with preserving that nature. Clause 46 delivers on that. It provides that if an application has been made but has not been decided, the application is taken to be made and the decision on the application must be made in accordance with the Swan Valley planning scheme, rather than the relevant planning scheme. Anything that is in the pipeline right now will be decided under the provisions of this bill as long as it passes before a final decision is made. That is an important point to make and I wholly support it.

The other point to make is around water. The east side is a lot dryer than the west side and water is a hot topic. I have had all sorts of discussions around water licensing, water hoarding and making sure there is an efficient water market in place while also recognising that water is becoming more scarce. I have taken briefings from the Minister for Water and the Minister for Planning and staff about what arrangements are going to be made for water. A separate water market, if you like, designed for the Swan Valley will recognise the competing uses and the centrality of water to the functions identified in the bill, including horticultural, viticultural and equestrian pursuits. It is also important to acknowledge the functions that are taken up by the state. A lot of my constituents have had monitoring and enforcement issues, and a lot of those functions will not be performed by the City of Swan, but taken up by the state in conjunction with the City of Swan. Nonetheless, they will be taken up by the state and, hopefully, that will deliver my constituents the certainty that they need and give them some comfort that a lot of their issues will be addressed.

In short, this bill will streamline decision-making and considerably improve the planning process for the Swan Valley. It will ensure our local voices are heard and will protect what makes the Swan Valley such a special place to live, its essential nature, and all those activities that make it a beautiful place to live: the horticulture, viticulture and tourism that is consistent with that, hobby farming and equestrian activities. It will control subdivisions, so we will not have 300-square-metre blocks right throughout the valley. It will allow development in the Herne Hill town site where it is appropriate and will prevent residential development where it is not. That is an important point to underscore. It will ensure the protection of our beautiful natural environment, which I know the member for Thornlie will go into, and it is a culmination of a significant piece of work by the Minister for Planning, who, as the member for West Swan, has a considerable history, passion and commitment to this area. She really wants to make sure that our Swan Valley community receives the very best possible outcomes. I want to acknowledge the minister's work and the community members who engaged in such good faith through this process. I know at times it was fraught. There was some conflict and I am sure this will not be the last we hear about the competing issues in the Swan Valley, and the minister and I have had a number of conversations about those. But this gives us certainty, a better process and a better forum to think about those strategic issues that we need to consider as a community. It does not stop appropriate forms of development and allows a planning process to be undertaken. I fully support the bill and congratulate the minister on her excellent work.

MR C.J. TALLENTIRE (Thornlie — Parliamentary Secretary) [3.37 pm]: I am very pleased to talk to the Swan Valley Planning Bill 2020 and offer my full support for it. I also congratulate the minister and government for developing such useful and important legislation. My interest in the Swan Valley Planning Bill 2020 stems from my past connection with the Swan Valley and also my interest in planning processes and how we can make those more open to contributions from community members to make our planning process as accessible as possible and open to the ideas of the community and to good planning decisions at the same time.

My history with the Swan Valley extends to Campersic Road in Herne Hill. I think I heard the member for Swan Hills say that she also had connections with Campersic Road. For me, that was in the 1970s and 1980s when we lived there on what I think was a 30-acre property. We were able to go through a whole range of rural pursuits, much as people still do to this day. I learnt to milk a cow. I learnt all sorts of animal husbandry methods and techniques on cattle, sheep and goats, and with various poultry as well. They were really important formative years. I guess, in many ways, it was an idyllic childhood growing up with an opportunity to appreciate where our food comes from. But there was always that question in my mind about how well we are managing the land around us and how sensible it is for us to bring in things such as fertilisers and put that on a paddock to generate our hay crop, and how useful or viable that production cycle would be in the long term.

I also have fond memories of the Swan Valley when I was grape picking on various properties. I remember working on the Moroni family's property. There was a wonderful Italian atmosphere of grape picking. I think it might have been for the vintage of 1981. I also remember doing some of the paid by the piece-type grape picking, which was incredibly badly paid even by those standards, and very hard work. I have had interesting experiences in the Swan Valley that have really crystallised for me the importance of that area to us.

What do we see today? We can make comparisons with other world-famous grape-growing horticultural regions, especially the viticultural or wine regions. I think it is fair to say that we have struggled to get coherent planning for the Swan Valley that then leads to the aesthetic of the area. I make the comparison with areas closer to my electorate, including Bickley Valley and Pickering Brook, and the south west or even further afield to the Barossa Valley, the McLaren Vale area and the Clare Valley, and even further afield to Bourgogne and the Rhône Valley. There is often coherence in the planning and the aesthetic in those areas. The right decisions have been made so that there is good viable land use and that people do not have the sense that they are momentarily passing a failed enterprise or endeavour. I still see that in the Swan Valley sometimes. People have acquired land because they had an idea about an interesting rural pursuit, but it did not go well, so we see at this time of year a paddock full of weeds, which is a sign of land mismanagement. That paddock full of weeds then becomes a fire risk, and because of the mismanagement, there is also the potential for soil erosion and perhaps overstocking or sometimes even understocking. It is just general mismanagement. This is one of the things that we have to face. When there are relatively small parcels of land, people who have interesting ideas but not necessarily any experience at managing land can make mistakes, and those mistakes can be costly to them. They end up with a property that is not particularly attractive and is hard to sell. There is also the sense of failure of an idea. As a community, we are left with a legacy; we are left with a parcel of land that is degraded and is often quite hard to re-establish as a viable going concern. Sometimes the big out clause that people reach for is to subdivide the land. If there is no potential for a hobby farming pursuit, they will just subdivide the land and take the money and run. This legislation will go a long way to addressing that. I hope that through this legislation, there will be protection from those poor decisions and people will not be able to pressure local councillors or put pressure on the process so that the land can be subdivided and they can get out of a situation that might have gone wrong in specific terms for their property.

As the member for Swan Hills and members opposite have said, we are talking about an area that has a very established tourism value because of its proximity to Perth. It has great aesthetic appeal. Again, I have highlighted some of my worries, but the Swan Valley is an area with great appeal. It is certainly right next to Perth and is very accessible for people. After the COVID era, we will be able to talk about people from overseas visiting the area. The Swan Valley is a nice place to take people. It has easy access and there are plenty of different eating opportunities, different types of wineries, different types of horticultural production and different types of business that add to the character. Again, we need to look at some overseas and interstate examples of coherence between boutique breweries, a chocolate factory, some vineyards and some paddocks. How will all that be managed so that there is financial viability but also a strong aesthetic appeal? That is very important and I hope that is something that the Swan Valley strategic coordination group is able to get its teeth into and it can set a broader vision and then demonstrate to people how a more coherent approach will have benefits for all.

I am interested in the use of the term "right to farm". That is becoming acceptable language. I have a concern that that notion extends from the very American notion of the right to bear arms, so I wonder whether that is the right terminology. I know it is an ideal that people have, but it has to be met with certain controls. I have already touched on the example of land that has been mismanaged because someone has had a great idea but it turned out to be one that was not well advised and was not suitable for the parcel of land that they wanted to undertake the activity on. That is something that I wanted to touch on.

I also pay tribute to the work of the late John Kobelke, who was a mentor to me in my early days in this place. I acknowledge that with his usual rigour, amazing capacity to have a vision and attention to detail, John certainly did some great preparatory work for this legislation. His work is a great foundation for this bill to be built upon.

We often hear about tourists' visits to various wineries in the valley, and they enjoy that and gain a lot from it, but there is a need to make sure that traffic access ways in the valley are worked on in this planning process. At the moment, the area on the eastern side of the river is dominated by two major thoroughfares, Great Northern Highway and West Swan Road. As a tourism area, the idea of riding bikes around the Swan Valley is particularly appealing, but it is not very pleasant for people cycling along those roads, but not so much from a safety point of view, because both roads have reasonable-sized shoulders. Even though road trains and high-speed traffic drive past cyclists, they feel reasonably safe; it is just unpleasant, as they are busy roads that generate a lot of traffic buzz. The east-west roads are pleasant to cycle along. There is a difficulty in making sure that we have very "cyclable" east-west roads.

Mr Z.R.F. Kirkup interjected.

Mr C.J. TALLENTIRE: I think I know exactly where the member is referring to on West Swan Road.

Ms J.J. Shaw: The poles are now painted yellow.

Mr C.J. TALLENTIRE: More can be done to improve them, but we have to do something about the overall relationship between the east–west roads and the north–south roads. That is the key thing. Cycling is a very pleasant way for people to visit the valley and it is certainly consistent with the flavour in other wine regions in the world, including the Barossa Valley, Clare Valley and McLaren Vale. They have managed to embrace it, yet somehow separate those very busy thoroughfares. Perhaps it is by dent of history that Great Northern Highway runs through a key part of the Swan Valley, so we have to deal with that.

I am very pleased to support this legislation. The role of the coordinating group and the statutory planning committee will be important. The legislation will have to work with other important pieces of legislation, including the Environmental Protection Act. Referrals to the Environmental Protection Authority will need to be fully respected when there is a matter of environmental significance, and that is dealt with in clause 26, “Approval of scheme or amendment referred to EPA”. I feel reassured by that, although sometimes matters of great community significance may not necessarily be those that the Environmental Protection Authority sees as particularly major and therefore worthy of a referral. The EPA may say that such matters should be dealt with at the local government level. Those are the sort of cases in which there is a fair degree of community angst because people feel that their referral to the EPA is not properly treated and formally assessed. That is not unique to the Swan Valley; it is across the whole community.

The Swan Valley Planning Bill 2020 will go a long way towards clarity of vision and decision-making for the Swan Valley. The statutory planning committee will make a series of decisions that will add up to a whole, which will lead to an attractive Swan Valley, one that we can all be proud of. In some ways it will deal with the issue of poor land management, which we seek to avoid. A more prosperous and successfully planned Swan Valley will result in better investment and rehabilitation of some of the areas where things have gone wrong. That is a challenge for us, but the leadership group will look at the vision and how investment in the area can be designed to create the coherence that will very much be welcomed by the broader Swan Valley community.

MS R. SAFFIOTI (West Swan — Minister for Planning) [3.51 pm] — in reply: I thank everyone for their support for, and comments on, the Swan Valley Planning Bill 2020. I particularly thank the member for Dawesville as the Liberal Party lead spokesperson, the member for Moore and also my colleagues the members for Swan Hills and Gosnells.

Mr C.J. Tallentire: Thornlie.

Ms R. SAFFIOTI: I keep wanting to say Gosnells.

The SPEAKER: Shame. Fancy forgetting a member’s electorate—like I do every day!

Mr Z.R.F. Kirkup interjected.

Ms R. SAFFIOTI: I always think it is Gosnells. Perhaps it is because I see the member so often in Gosnells. We do not venture into Thornlie much together. The member ventures into Thornlie, but I do not.

I thank members very much for their comments. This issue has been the subject of much discussion and debate for many, many years. The bill provides for a much simpler, but clearer, governance structure, which will result in better planning decisions into the future. There is no doubt that there is a lot of detail in the scheme. We are finalising the final draft of the scheme, which will go out very soon. I do not think it will contain any surprises for anyone in the valley, but it will help everyone understand what will and what will not be permitted in key parts. This bill is about protecting and valuing a beautiful part of Western Australia. Members have already highlighted its proximity to the city centre, its very strong Aboriginal history, its strong history of European settlement and its role in providing grapes, wine and other produce to Western Australians. It is a unique and beautiful place in this world. I recently briefed the Swan Valley and Regional Winemakers Association on the bill and its members seemed to be receptive to its provisions. We have had positive feedback across all elements of the community. The member for Moore talked about the right to farm, which has been of interest to people in the valley and to those in horticulture and agriculture more generally. The bill is an understanding that in some areas, particularly in agricultural areas, certain activity can cause disturbance. Most of us find it quite interesting when someone moves into a longstanding activity, such as an orchard or a farm, and then they become concerned with activities that relate to spraying, tending to the crop, picking, harvesting—those types of activities. For those people who move into this area—this is set out in the scheme—this bill acknowledges that some activities are different from a normal residential subdivision. That is part of living in a rural and farming community. That is a key issue. Another key and constant issue is water management. There are differing levels of water access in different parts of the valley but, again, access to water will be considered as part of the work being done by the Minister for Water. The time frame for finalising that work is mid–next year, understanding that the Swan Valley area is of significant importance in assessing water needs. As I said, there has always been a lot of discussion and debate about this issue. I am very proud to get the bill into this house. Hopefully, we will see a speedy assessment of the bill and hopefully the upper house will consider it in

a quick time frame. We would like this bill passed by the end of this year, ideally in November. We hope the scheme, which is being prepared, will be completed within the same time frame. We believe that it will give great certainty and confidence to people in the area.

The member for Dawesville asked a question about the activities of the leadership group versus the statutory planning committee. Perhaps he will raise it again during the consideration in detail stage. There are always a lot of ideas in the valley. For example, there has been a push by some to have a Swan Valley post code because when people google “Swan Valley” it does not come up with an area. Unlike Margaret River, which is an actual suburb, the Swan Valley is a collection of places—it is an identity rather than a suburb. There has always been a concern that the Swan Valley does not have a true identity and when it is googled, there is no pinpoint that says “Swan Valley”. There are a number of ideas about how to approach that. One is to name a location Swan Valley, whether it be a corner of the area or a particular place. Another has been to rename one of the suburbs—for example, Herne Hill—to Swan Valley. Yet another is that we rename suburbs in the area to include Swan Valley in the name. For example, Caversham, Swan Valley. People have different views and the suggestions are fraught with different problems. That is one of the first tasks and it is a tricky one, but I will ask the leadership group to consider how we can improve the identity of the Swan Valley. A lot of work has been done on other aspects, such as the visitor centre. There is now an agreement to keep the visitor centre in Guildford, because it is a bottom suburb of the valley. There was a lot of talk about potentially moving it and creating a new centre. There has been talk of an Aboriginal cultural centre. These are broader policy decisions about the valley that the leadership group will consider and advise the minister as opposed to planning decisions. As a result, as I said, I will be going into a bit more detail in consideration in detail. I really appreciate all the comments. This is a commitment we gave that I would really like to see done by the end of this year and this term. As I said, I think it will go very much towards protecting the area and supporting the agriculture and viticulture of the area. I thank everyone for their nice comments.

Question put and passed.

Bill read a second time.

Leave denied to proceed forthwith to third reading.