

PLANNING AND DEVELOPMENT AMENDMENT BILL 2020

Committee

Resumed from an earlier stage of the sitting. The Deputy Chair of Committees (Hon Martin Aldridge) in the chair; Hon Stephen Dawson (Minister for Environment) in charge of the bill.

Clause 4: Parts 17 and 18 inserted —

Committee was interrupted after the amendment moved by Hon Rick Mazza had been amended.

The DEPUTY CHAIR: The question before the Chair is that the words to be deleted be deleted. To refresh members' memories, we are dealing with amendment 46/4 on supplementary notice paper 192, issue 5.

Hon COLIN de GRUSSA: Before the break, I was commenting on the amendment. I see where Hon Rick Mazza wants to go with this and I think that what he is trying to do is right—he is trying to incentivise and encourage development in regional areas. He proposes to remove aspects of the bill that refer to dwelling numbers and lot sizes and so on, and to change the dollar amount by including a separate amount for regional and metropolitan developments. In proposing those changes, the member is going down a path of encouraging such development. I am concerned about that. I know that he has made the case that these figures are not arbitrary and that they have come from research that he has done; however, the geography of Western Australia, the sheer scale of the place and the varied nature of our local governments right across this state, mean that a set figure—in this case \$5 million—will be arbitrary. In some cases, that will do nothing to incentivise development; in other cases, it may result in a lot of development. What may actually happen as a result of this is that we would to some extent remove local decision-making because we are lowering the bar so that these developments could happen. Perhaps the minister can confirm whether that is the case. But also, we may end up with the perverse outcome that developers will obviously look at the economics behind the projects and end up doing all the projects—perhaps a large chunk of the 26 that the minister talked about earlier—in the greater Bunbury area or Busselton. Then other areas of the state might miss out on some of that development that they would otherwise have had the opportunity to be a part of had we not introduced that figure of \$5 million. Can the minister provide some confirmation that there is a way for the government to ensure a relatively equitable distribution of those developments? On the other hand, if this amendment is passed, is it not possible to do that or is that ability reduced?

Hon STEPHEN DAWSON: It is important to stress that part 17 is not mandatory; it is discretionary. For example, if the City of Karratha is doing a good job, developers will not seek to go down this new pathway. Many of these applications are already with development assessment panels. The opt-in is set at only \$2 million. The member asked earlier about how many of the 60-odd projects in 2019 were in regional Western Australia. I am advised that 11 were.

Division

Amendment (deletion of words), as amended, put and a division taken, the Deputy Chair (Hon Martin Aldridge) casting his vote with the noes, with the following result —

Ayes (24)

Hon Ken Baston	Hon Donna Faragher	Hon Simon O'Brien	Hon Aaron Stonehouse
Hon Jim Chown	Hon Nick Goiran	Hon Martin Pritchard	Hon Matthew Swinbourn
Hon Alanna Clohesy	Hon Laurie Graham	Hon Samantha Rowe	Hon Dr Steve Thomas
Hon Peter Collier	Hon Alannah MacTiernan	Hon Robin Scott	Hon Colin Tincknell
Hon Stephen Dawson	Hon Rick Mazza	Hon Tjorn Sibma	Hon Darren West
Hon Sue Ellery	Hon Michael Mischin	Hon Charles Smith	Hon Pierre Yang

Noes (7)

Hon Martin Aldridge	Hon Robin Chapple	Hon Colin de Grussa	Hon Alison Xamon
Hon Jacqui Boydell	Hon Tim Clifford	Hon Diane Evers	

Pair

Hon Dr Sally Talbot

Hon Colin Holt

Amendment (deletion of words), as amended, thus passed.

The DEPUTY CHAIR: The question now is that the words, as amended, be inserted.

Hon AARON STONEHOUSE: I indicate my support for the amended form of words to be inserted. Most members have recognised that if the bill is to function appropriately, which is to provide a streamlined process for approvals, there cannot be too high a hurdle for developments to clear. The original threshold of \$30 million and 100 dwellings was too high and it would have created the risk of perverse incentives for developers to try to amend their plans and bump up projects by squeezing in dwellings when they were not needed just to reach the threshold and gain access

to the streamlined process. The new threshold of \$20 million is much more appropriate. I would have been happier with a lower threshold, but this strikes a pretty happy middle ground. It removes some of the perverse incentives and ensures that vital development to this state can gain access to the streamlined process. I very much endorse the amendment.

Amendment, as amended, put and passed.

Hon ALISON XAMON: I will move to delete lines 22 to 25 on page 6.

The DEPUTY CHAIR: Hon Alison Xamon, it has been brought to my attention that the chamber has made the decision to delete line 22, so you may want to consider that matter and move at page 6, lines 23 to 25, to delete the lines.

Hon ALISON XAMON: Thank you, Mr Deputy Chair. Can I please get your guidance on the best way to do that? Do I need to write anything down to effect that change, because clearly the purpose of my amendment still stands and the issue is subject to debate?

The DEPUTY CHAIR: Hon Alison Xamon, if it is acceptable to you, you could simply cross out “22” on the supplementary notice paper and substitute “23” and sign it. If you move that accordingly, that will be the question that I will put.

Hon ALISON XAMON: I move —

Page 6, lines 23 to 25 — To delete the lines.

This amendment seeks to remove the ability for the term “significant development” to be later defined in the regulations. The definition as it is prescribed in the bill is already sufficient to meet what I will remind members is meant to be the short-term focus of part 2 of the bill. The advice that I received during my briefing on the bill is that the department has no plans to create regulations on this matter, and that an alternative way of requesting access to this pathway via the Minister for Planning already exists. I understand that the purpose is to futureproof, which is an avenue I am not supportive of.

Progress reported and leave granted to sit again, pursuant to standing orders.