

APPROVALS AND RELATED REFORMS (NO. 4) (PLANNING) BILL 2009

Third Reading

MR J.H.D. DAY (Kalamunda — Minister for Planning) [9.42 pm]: I move —

That the bill be now read a third time.

MR C.J. TALLENTIRE (Gosnells) [9.43 pm]: I rise to add some comments to this debate following the consideration in detail stage of this legislation. I believe that this legislation will improve the planning process in Western Australia. I saw some external commentary on our debate as we went through the second reading stage and consideration in detail. There is a view in some local government areas that this legislation could lead to excessive lobbying of local government members on the development assessment panels and of the expert people who would also be appointed to the DAPs. That is a concern that some local governments, mostly western suburbs local governments, have but I do not think it is a well-founded concern. The reality is that our present planning process is just as vulnerable to the lobbying that the mayors of the Town of Cottesloe and the Town of Claremont have been putting forward. The fact is that local government presently has a process that requires that declarations are made. I am sure that the same process will be followed when it comes to dealing with the DAPs in the future. There will be a clear need for either the experts or the councillors appointed to the DAPs to make declarations about the sorts of lobbying representations they receive. I hope that the experts will be very careful and very circumspect about the sorts of people they meet when it comes to hearing about developments that they may be considering.

I think we will see an improvement in the present situation because we are talking about heightening the level of professionalism. If this legislation is properly implemented, it will result in a better planning process. It will have a degree of streamlining associated with it, but we will have a high degree of professionalism. That is not a slight on those who are engaged in the present process but a recognition of the reality. Local government in Western Australia today is staffed at officer level. It is represented at the elected councillor level by people who are very well intentioned. They are committed to delivering the best possible outcomes for their communities but they are already overstretched. Councillors at that elected councillor level do their very best but they are generally not in full-time positions; they have to hold down other jobs. It is unreasonable to expect them to grapple with the complexities that go with some of these very complex developments that come before them—developments so major that they really will shape the way our state looks in the future. It is vital that we have an increasing level of professionalism. I urge those local governments that have raised doubts about this legislation to seriously consider where the present situation has got us. It could be greatly improved. Our present planning system has let us down from time to time. This is an opportunity for dramatic improvement.

When we are dealing with \$7 million and \$15 million projects and beyond—big scale developments that will capture the public's imagination; projects that the community will expect to have input into—that is a good thing. With an increased level of professionalism, we will be able to see a greater level of community input. I mentioned in my speech on the second reading —

Mr R.F. Johnson: This is not a third reading speech. You realise that, don't you? It is more like another second reading speech.

Mr C.J. TALLENTIRE: I am just going over some of the ground that we have touched on. I have made the point that we have seen some external commentary since we debated the issue and I think it is important that that be part of our discussions in this place.

Mr R.F. Johnson: It's supposed to be in relation to consideration in detail.

Mr C.J. TALLENTIRE: As far as the consideration in detail debate is concerned, we have made some suggestions and changes. One of the points that I really wanted to get to was the role of state planning policies and how they are a check in the system that enables us to ensure that the views of people are properly considered; I refer to not only those who live in a particular geographic area, but those people across the state who can contribute to a state planning policy. That is important. We saw an amendment go through in consideration in detail that means if the minister decides for some reason to not respect the terms of a Western Australian Planning Commission – developed state planning policy, the reasons why the minister has decided not to respect that policy will be published. We have seen an improvement in this legislation during consideration in detail. In my short time in this place I have not seen that happen enough—that is, instances in which ministers have taken on board some of the comments, suggestions and amendments that have been put forward. As a result of doing it with this legislation, we have improved the legislation. I hope other ministers take note. As a result, we will have much better legislation.

The substance of state planning policies means that they are very powerful documents. I think we need further development of state planning policies in a range of other areas to make sure we are covering all sorts of other

Mr John Day; Mr Chris Tallentire; Dr Janet Woollard; Mr Mark McGowan; Mr Peter Tinley; Mr John McGrath

concerns. The member for Alfred Cove moved amendments to provide height restrictions. Perhaps in some areas that is something that could be looked at through state planning policies. That is a very powerful mechanism through which to do things. The ideal for many would be an obligation on people to respect the terms of the state planning policy. A development assessment panel would have to heed, not just have due regard for, the content of a state planning policy. However, I think the accountability mechanisms adopted through the amendment process will provide greater clarity. If the terms of the state planning policy are not respected, the reasons will be publicised and, ultimately, those who do not respect the terms will be held to account through the democratic process. I see this legislation as a means of increasing the democratisation of our planning process. I do not go along with those who believe it could expose the system to greater lobbying efforts. I can understand that that could be a concern to people, but I think those concerns are not well founded. I support this legislation.

DR J.M. WOOLLARD (Alfred Cove) [9.51 pm]: I think this is the worst piece of planning legislation to have been introduced into this house during my term as a member of this Parliament. As I have said before, the unintended consequences of this legislation could be the destruction of my area and the areas of many other members. If there were more Independent members in this house they would be standing up opposing this legislation because they would be acknowledging that their community wants to have a say about the way developments occur within their areas. This bill will take away the capacity for the local community to be involved. As I have said before, this bill will allow the WA Planning Commission to go to the minister and for the minister to say, "Go ahead, develop a scheme." The minister might seek feedback from the Environmental Protection Authority, the Swan River Trust and whatever else, but the WAPC does not have to act on submissions from those bodies. In fact, another bill that will be introduced here soon will take away the right of appeal to the EPA so the situation will be even worse. This is not good legislation.

The government could have agreed to my amendment. It was not a major amendment; it was a minor amendment that sought to have a proposal of more than 36 metres or 12 storeys sit on the table of both houses so that the community would know about it. The community could have let their local members know what they thought of proposed planning schemes. I am sure people like to think they have an opportunity through their local members to oppose developments they believe will destroy the amenity of their area. As members of this place we are meant to represent our communities.

Mr M. McGowan: Hear, hear!

Dr J.M. WOOLLARD: The member for Gosnells expressed concern for the western suburbs and referred to WA Inc revisited. It is not just the western suburbs that are fund raising because of this legislation. My constituents and those in South Perth are also fund raising and hoping that, although the government did not accept my amendment in this house, through continued lobbying it might be accepted by the government in the upper house. Without that amendment, the people at the WAPC, who believe they know best, could make decisions that destroy the amenity of areas around Perth. I showed members diagrams of what is proposed in my area. Developments in Applecross – Mt Pleasant could be as high as 30 storeys. In briefings with the minister's staff they said they thought the limit would be only 20 storeys. But I gather from the project team that if a certain number of floors accommodate community facilities the height could be greater. Rather than a building being 20 storeys it could be 25 or 30 storeys high. My community members do not want that; they want an opportunity to say to this Parliament that they disagree with a scheme that has been proposed by the WAPC. My community wants that opportunity through me as their local member and through the member for South Perth. At the moment, under that scheme, only 10 storeys are proposed for his area next to the river. I must admit that I am disappointed that the member for South Perth did not support my amendment. I am sure some of his constituents will be disappointed too.

This is not good legislation. There are no checks and balances on the provisions in this legislation. The government has sat in this house and complained about the federal government's grab for this state's share of the GST. What will this legislation do? It will take away the right of the average person who lives next door to each of us to have a say on what developments happen in their area. We are being told that they do not have a right to have a say because Perth's population is increasing. We are being told that this legislation is necessary due to transport-oriented development. As I showed members that very first day we debated the second reading, transport oriented development is meant to be up to 800 metres from the station; it should not comprise 20 or 30-storey buildings more than one kilometre away from the station.

The other nonsense raised by members opposite was that this legislation will provide accommodation for students. I do not know where members opposite are coming from; no student will be able to afford an apartment in a 20 to 25-storey block. Think what the price will be. As I said, I know the minister does not intend the devastating consequences that this legislation will cause. People are saying to me that they cannot believe that a Liberal minister introduced this legislation. They said that they might have expected it from the member for Armadale, had she still occupied that portfolio. They are asking why on earth the Liberal government did not

Mr John Day; Mr Chris Tallentire; Dr Janet Woollard; Mr Mark McGowan; Mr Peter Tinley; Mr John McGrath

knock this legislation on the head or modify it when it came into power. It will not affect just my electorate. I referred in the house to the Canning Bridge precinct vision. The minister sat at the table and said there was no guarantee there would not be a scheme for my area. If he cannot guarantee that a scheme will not be developed in my area, as I said before, he cannot guarantee there will not be a scheme for Cottesloe, Peppermint Grove, Claremont, Nedlands and Mosman Park. I will put the names of those suburbs on the table.

Members opposite may be unhappy because property prices might be a bit higher in those areas. I have had people come into my office to tell me how they have saved up, retired and bought property in what they thought was a beautiful green area near the river. Now they have the fear of 20 and 30-storey concrete buildings being built next to them.

Mr M. McGowan: Maybe 40 storeys.

Dr J.M. WOOLLARD: What a joke the member for Rockingham's comments were. He said that this is good legislation. He said that in his electorate there are 12-storey developments near the foreshore. He said that has done wonders. What would his constituents say if on the table was the Rockingham precinct vision with 30-storey skyscrapers along the foreshore?

This legislation is very disappointing. The community is now starting to lobby upper house members. It has not yet given up hope on this government. I have not yet given up hope on this government. I know that there are members on this side of the house who agree with me about this legislation and who believe that there should be checks and balances and that we should not just allow the Western Australian Planning Commission to do this. One day the pendulum is going to swing. This government will not be sitting on this side of the house. It will not be able to stop what is being put forward now as transport-oriented development, which will affect those western suburbs and is the reason this "Draft Canning Bridge Precinct Vision" is on the table for my area. It is transport-oriented development. The member for Gosnells—what a joke—said that we should have more state planning policies. The "State Planning Policy" states, I think, that because of the increase in Perth's density, and maybe in metropolitan areas—I do not have the legislation with me—there can be an increase in density of up to R30. The increase in density that is being put forward for my area, I think, takes the density to R60 or R100. It does not fit with the "State Planning Policy".

Comments such as "We can develop state planning policies and we could have policies to protect areas," are garbage. We know that a lot of the policies that are put out by government departments are not worth the paper they are written on. They may be worth the paper they are written on only for the objectives of the government of the day. Again, I take members back to development of the apartment block at the Raffles. The Swan River Trust policy at that time was that there should be no development six metres from the river's edge, yet we have a 17-storey tower within those boundaries, so that policy was just ignored. It is no good saying that we will develop policies and we will make sure that the community has some say on those policies. This is legislation, and it is what we are meant to be here for. We are meant to be here acting in the best interests —

Mr P.B. Watson: Of everybody.

Dr J.M. WOOLLARD: — of everybody. We are not put here as gods. This legislation takes all the power away from the community. The community will have no say in planning developments when this legislation passes through Parliament, because we know that WAPC has ignored community comments in the past. I certainly have no faith in its doing an about-turn and listening to what the community has to say.

Mr R.F. Johnson: We have absolute faith in the minister.

Dr J.M. WOOLLARD: How long is he going to be the minister for? How long will it be before the pendulum swings and he is going to be back on the other side of the house? Those people in Mosman Park, Cottesloe and Claremont will then be exposed to the same thing that my residents are being exposed to now, which is transport-oriented development of 20 and 30 storeys.

This is a sad day —

Mr D.A. Templeman: A dark day.

Dr J.M. WOOLLARD: It is a dark day for this Parliament. It is a dark day for the Liberal Party. How many times did I tell the Minister for Police when he was on the other side of the house that as an Independent Liberal I believe that I adhere more to the true Liberal values than do many members of the Liberal Party. This bill shows just that. What is the philosophy of the Liberal Party? The philosophy is about people's rights and freedoms. The government is just taking them away. Members of both parties laugh because they like the idea. Labor Party members love the idea because they know that one day the pendulum is going to swing, and when it does, they will have power with this legislation. They know what they could not get through previously because the community would be up in arms about developments. It does not matter what the community thinks now because the community will not have a say. This legislation is taking power away from local communities. This

Mr John Day; Mr Chris Tallentire; Dr Janet Woollard; Mr Mark McGowan; Mr Peter Tinley; Mr John McGrath

is a dark day. What was the Labor Party philosophy? It was local decisions and local leaders. Labor members do not want local decisions. This bill does not allow for local decisions. It does not allow for local input. The only thing this bill does is state that a few people who sit on the WAPC can go to the minister of the day and say that they would like to develop a planning scheme for an area. They can give the minister of the day a reason. For my area it is transport-oriented development, but they will have other reasons for other areas. They will have the reasons they will need to develop a beach or a national park. The Planning Commission will put up lots of reasons for developments. I am disappointed with the member for Gosnells because I have argued on behalf of my area. Here sits the ex-president of the Conservation Council. I had a briefing with representatives of the council yesterday and they were horrified. I said they needed to go and see the member for Gosnells. I cannot believe that he came from a body like that. It is a bit like the federal Minister for Environment Protection, Heritage and the Arts. Before he became a federal minister, he had been the federal president of the Conservation Council. All of a sudden the member for Gosnells joins a party and runs with the party line. He forgets about the principles that he held in his former life. Members have forgotten where they have come from. They have forgotten why they are here, with this legislation. Who was it who just mentioned democracy? What a joke! This legislation is not about democracy. This is not about giving anything to the people —

Mr R.F. Johnson: I think it is about democracy. The majority of the house supports it.

Dr J.M. WOOLLARD: The majority of the house is ignoring it. This will not go away. Minister for Police, people will remember when these developments —

Mr E.S. Ripper: How can the member support a government that brings in a piece of legislation like this! You should think about joining another political party!

Dr J.M. WOOLLARD: Minister for Police, people will remember that it was a Liberal government that put this legislation on the table. People will remember that it was a Liberal government that allowed this to happen; that allowed the Western Australian Planning Commission to take over the planning and development of Perth and to take over the destruction of beautiful suburbs. My electorate contains beautiful suburbs. I have a wonderful community and beautiful suburbs, the amenity of which could be destroyed. Maybe not—I have confidence in this minister. I do not think he is out to destroy the amenity of my area —

Mr M. McGowan: Look at him—he is an evil genius!

Dr J.M. WOOLLARD: Although I do not believe that the Minister for Planning wants to destroy my area, putting this bill on the table will allow destruction in the future based on this silly notion of transport-oriented development. Elderly people cannot walk across Canning Bridge to get to that train station. When the temperature is 35 to 40 degrees and I am carrying a computer and a bag of books, it is difficult to walk over the Canning Bridge to get to the train station. We should not support legislation that takes power away from local communities because residents in local communities have a say when it is local councils.

Mr C.C. Porter interjected.

Dr J.M. WOOLLARD: I do not need a bigger local community. I have a wonderful local community as it is.

Going back to my area, do members know what the biggest problem is in my area? It is traffic. It banks up to North Lake Road. The Canning Bridge precinct vision does not even address the traffic problems. I will be interested to see what is in the budget this year. Maybe I will be surprised and there will be money in the budget for a tunnel from Sleat Road onto the freeway and over to South Perth. The number one problem in my area is traffic congestion. Maybe the minister, knowing that this is a problem, has been in discussions with the Treasurer. Maybe we are going to see that funding.

I will not support this legislation. I am very hopeful that members have listened carefully, particularly the member for South Perth —

Several members interjected.

Dr J.M. WOOLLARD: I will call a division on this bill because it is so important.

Mr M. McGowan: Have we got the numbers, boys?

Dr J.M. WOOLLARD: I am not sure if the member for Fremantle is still here at the moment. If she was here, I know it would be the two of us as Independents on one side. We believe our communities should come first and that we should be listening to community opinions. It will be a sad day for this government and this Parliament if this legislation goes through. As I said, it may be five years, it may be 10 years, but this legislation will come back to bite members on this side.

MR M. McGOWAN (Rockingham) [10.14 pm]: The opposition, as the member for Gosnells indicated, will support this legislation. But, having heard the oratory of the member for Alfred Cove, I am now wavering. I have listened to the arguments in favour of the Woollard way from Sleat Road through to —

Mr John Day; Mr Chris Tallentire; Dr Janet Woollard; Mr Mark McGowan; Mr Peter Tinley; Mr John McGrath

Dr J.M. Woollard: The community way!

Mr M. McGOWAN: The force and power of the oratory is starting to make people on all sides waver on this important issue. The other thing I note is how appallingly badly the member for Alfred Cove's colleagues on that side treat her. It is shocking to watch.

Dr J.M. Woollard: I am an Independent.

Mr M. McGOWAN: They laugh when she speaks. They make fun, with wisecracks around the chamber.

Mr R.F. Johnson: What were you doing?

Mr M. McGOWAN: They mock. They are things we would never do!

Dr J.M. Woollard: What a joke!

Mr M. McGOWAN: We treat the member for Alfred Cove with the utmost respect in this place. We consult, listen and vote, when possible, in relation to how she would like us to vote. All I hear from the Liberal Party is scorn and derision, particularly from the member for South Perth. He treats the member for Alfred Cove like rubbish in this place. I am, for one, appalled. I hope other members are. I seek some support here from other members about how appalled they are about the way she is treated.

Mr D.A. Templeman: Appalled! It is a dark day.

Mr M. McGOWAN: Whilst the member's speech was extraordinary, the best suggestion I heard was from the member for Mandurah when he said that the member for Alfred Cove should put it to the Premier that she become the new Treasurer of Western Australia! I know the Premier is handing over the portfolio at Christmastime. He said that on radio the other morning. The member just needs to put her case. I think the member for Alfred Cove is the one! She could very well be the dark horse in relation to this issue. The member kept saying it was a dark day—I think she is the dark horse when it comes to the next Treasurer. No wonder the member for Bateman has left the chamber—he is upset that his prospects of becoming the new Treasurer of Western Australia are now somewhat under a cloud because of the prospect that the member for Alfred Cove will come through the middle and assume the Treasury!

Having listened to the member for Alfred Cove's oratory, and the force and power of her arguments that Alfred Cove will be turned into a wasteland under the evil genius over here, the member for Darling Range, whilst I am wavering, I am still not convinced. I cannot see Alfred Cove turning into a wasteland despite the powerful imagery the member put into my mind that this legislation would cause Alfred Cove to become a wasteland. What was a beautiful, green area alongside the river will become a cement-covered 30-storey-high ghetto under the administration of the Minister for Planning. Whilst some people might have those thoughts in their heads, I do not think that is going to happen. What I can say is this: we support this legislation for a few reasons—one is we think the planning processes need to be streamlined. We think the processes need to be quickened and improved. We acknowledge that there has been an enormous amount of development in the city. The sprawl has gone on and on. We went through that in the second reading debate. It has gone on and on. There has to be an increased effort to provide higher density living in proximity to where people work and where transport options are. The principal reason we support this legislation is that we see the need for that style of development here in Perth, Western Australia. I read the statistics somewhere that Perth is the most spread-out city in the world. The size and geography of the city is somewhere in the vicinity of London, which is a city up to 15 times the population of Perth. Something needs to be done about that. The former Minister for Planning and Infrastructure did a lot about that. The Member for Armadale had a genuine commitment to providing higher density developments around public transport options, which was a good thing. This legislation might improve the prospect of that happening in the future, and therefore it has an environmental aspect. Anyone who has been to Europe or the United States of America will know that the natural environment will suffer if cities continue to sprawl and expand. The other day I saw a story on the effect that urban development is having on the Peel-Harvey estuary. That development will sprawl because of the landholdings there. We need to improve it at some level in whatever way we can.

Another point that we made initially in the briefings and in our public statements was that changes needed to be made to the development assessment panels because the amount involved with the developments at which it kicked in was too low. I am pleased that the minister has agreed that that is appropriate and has lifted the amounts at which the development assessment panels will kick in. We suggested that the cost needed to be borne by the state, or at least not by local government, and that has happened. We also wanted to remove the prospect of the resurrection or reinstatement of the ministerial appeals process, and that has happened under the legislation. They were the principal changes to the legislation that we suggested. To his credit, the minister listened to what we said and has made the appropriate changes. When we make demands about the way in which

Mr John Day; Mr Chris Tallentire; Dr Janet Woollard; Mr Mark McGowan; Mr Peter Tinley; Mr John McGrath

legislation should be changed, and those demands are met, we can hardly say that we will not support the legislation.

We appreciate what the minister has done. He is a decent fellow. We gave him a hard time last Thursday afternoon but he took it in relatively good spirits, although he was somewhat comatose and kept talking about his dentistry practice. I wonder whether he has some happy gas in his office to keep him in the good manner in which he conducts himself in this place! We could probably attach some to the door; we would all enjoy ourselves a lot more! The chamber is sealed these days. It would be quite an enjoyable and interesting experience during debates. I appreciate that the minister made the changes that we suggested.

The member for Alfred Cove said that there would be no community input. Local government councillors sit on the development assessment panels. They may not be in the majority but they nearly are. They also will be from the relevant local government in which the development will take place. To say that there is no local input does not recognise that reality. I know that the member is a forceful, logical, considered and reasonable advocate but there will be local input by elected people on the development assessment panels. That will ameliorate some of the concerns about the level of local input. I accept some concerns about the Western Australian Planning Commission, but I had them already. In my only experience with the WAPC, it did exactly what my community and I did not want. I was a minister at that time and the WAPC allowed the approval of an electrical substation on a piece of land that I did not want it on. The WAPC could have put it elsewhere, which is what I understood was going to happen, but the commission held a meeting and decided to put it there.

Dr J.M. Woollard: Now you are giving it the power to do whatever it wants.

Mr M. McGOWAN: It has done things of that nature before and perhaps it does need to listen more to the views of the community. I do not believe that this legislation will make it any more or less likely that the WAPC will do that. In any event, we support improving and streamlining the planning approvals process so that hopefully we can stop the endless sprawl of Perth and make it easier for applicants, particularly homeowners or builders and people who want to create economic activity, to get things done, and we can reduce the costs for the ordinary, good citizens in Alfred Cove and in Duncraig Road, Applecross, who want to build their houses. We want to achieve more certainty about the process and perhaps a less expensive outcome. They are the reasons why the opposition supports the government's legislation.

MR P.C. TINLEY (Willagee) [10.25 pm]: I will make a short contribution to the debate because I could not let the opportunity go past. As has already been mentioned, this side of the house will support the Approvals and Related Reforms (No. 4) (Planning) Bill 2009. From a personal perspective, I believe that this bill is long overdue. I will present to the house an example of why a greater hand in planning is absolutely needed, particularly for urban design. The short title of this bill could have been renamed the "Fremantle Amendment". Since 1987, the City of Fremantle has been in terminal decline and in the grip of fundamentalist nay-sayers and people who will not allow the city to grow. That underscores the need for this sort of plan. There is no more evidence for that than the Mayor of Fremantle's own statement in which he said that because of the neglect of Fremantle and its commercial space, Fremantle is now 120 000 square metres short of the required demand. I note from the second reading speech that by 2031 there will be 556 000 new residents in the southern corridor. It would be intolerable if there was not a commercial centre from which businesses could launch themselves in support of not only the residents in that corridor, but also the greater needs of the state in creating a visionary and contemporary city in the City of Fremantle.

We have seen in Fremantle fundamentalist nay-sayers who will stop any attempt by the business community in particular to establish a commercial centre that supports their businesses. A good case in point was the Alcoa headquarters.

Mr T.R. Buswell: What about live sheep exports?

Mr P.C. TINLEY: The exporting live sheep is always an issue down there. There are sheep everywhere.

Alcoa headquarters put its hands up in the air because of a dispute over one storey and it headed to Garden City where it set up its major headquarters. That was a loss to Fremantle. The fact that Fremantle is not the commercial centre for the whole southern corridor is a very good example of why this legislation is required.

I could not let the member for Alfred Cove get away scot-free.

Mr T.R. Buswell: What is your view on the exporting of live sheep?

Mr P.C. TINLEY: I like sheep but I am not a Kiwi!

The member for Alfred Cove has been running what I can only describe as a woolly sham of a campaign in her own little patch in Alfred Cove. What she has perpetrated on her own constituents is a very shallow attempt to ingratiate herself in her own electorate for her own electoral gain. I am talking specifically about how she created her own vision for Alfred Cove, which she calls the "Vision for Canning Bridge". It was presented by her and

Mr John Day; Mr Chris Tallentire; Dr Janet Woollard; Mr Mark McGowan; Mr Peter Tinley; Mr John McGrath

was advertised at great length at every and any possible opportunity. She states that the sun will be blocked out and that the entire foreshore will be in continual shade. That would worry the member for Alfred Cove, I am sure. She said there will be 20-plus storey towers wherever one turns. She says that the density created would be so great that there would not be any room for streets. She made no allocation for roads in her vision. She is also saying that in this 20-storey jungle there will be no opportunity for additional road leverage; that is, road easement. That, in itself, is completely refuted by the council and the hard-put-upon mayor and chief executive officer of the City of Melville who are at their wits' end with their local member and the lack of support they get out of her.

Dr J.M. Woollard interjected.

Mr P.C. TINLEY: There are guidelines set down by the Melville council that will be taken into consideration by this legislation to ensure the protection of view corridors, plot ratios and solar orientation. I therefore do not know how that all gets sorted out in the concrete mass that the member for Alfred Cove would have us believe in. Her vision also shows 20 storeys sitting on a single lot. There is not a planning scheme out there that allows for that to occur in Alfred Cove.

Dr J.M. Woollard interjected.

Mr P.C. TINLEY: Please, in the future, the member for Alfred Cove should just stick up for her constituents and look after them with a little bit of honesty and a little bit of tact, and not just look after her own self-serving needs.

MR J.E. McGRATH (South Perth) [10.30 pm]: I did not intend to speak in this third reading debate, as I have spoken before, but the opposition is doing its best to wedge me and the member for Alfred Cove. Alfred Cove is my neighbouring constituency and I have to say that as my electorate borders one side of Canning Bridge and the member for Alfred Cove's constituency is on the other side, I think I have more knowledge of what happens at Canning Bridge than any other member, including the member for, is it Thornlie?

Mr C.J. Tallentire: Gosnells.

Mr J.E. McGRATH: The member for Gosnells. I support this legislation.

Mr M. McGowan: Can you walk across the bridge, or is it too hot?

Mr J.E. McGRATH: I have spent a great deal of time at Canning Bridge with elderly constituents in my electorate who complain to me regularly about the dangers of trying to get to the station across five and six lanes of traffic. They have complained to me so much so that I met the Minister for Transport and members of the City of South Perth at Canning Bridge on Friday afternoon a few weeks ago where we spent an hour and a half. To whoever put a bus station at Canning Bridge, which I think happened under a previous coalition government: it is the worst bit of planning I have ever seen. After that was built, the previous government put a train station there. The train station is working for commuters going to Curtin University of Technology —

Mr M. McGowan: At the demand of your predecessor.

Mr J.E. McGRATH: My predecessor did not want the train line to go along the freeway.

Mr M. McGowan: No, but he demanded a station.

Mr J.E. McGRATH: Yes, he wanted a station at South Perth, not at Canning Bridge, but that is history. There is an interesting story in *The West Australian* this week.

Mr M. McGowan: He wanted the whole project.

Mr J.E. McGRATH: That was not such a crazy idea. If the member for Rockingham went to Sydney, he would see that the government there has actually tunnelled under Sydney Harbour.

Mr M. McGowan: That was about 25 years ago. Sydney Harbour Tunnel was opened in 1988.

Mr J.E. McGRATH: The member for Rockingham is saying we cannot tunnel. Phil Pandal was a visionary.

I am saying that I understand what the planners of Perth are trying to do with transport-orientated development. It makes sense to have people living alongside stations, but not at a station such as the one at Canning Bridge where there is a river, a freeway, many lanes of interconnecting traffic and a crazy system where people cannot even get onto the freeway going south. At Manning Road people have to go to Canning Bridge, turn around and go back again. It is chaotic. What we are trying to do is put high-rise development around this transport node. There was a story in *The West Australian* this week, and that is why I am very reassured by my very good friend the Minister for Planning who says that this is only an idea. It is something that the department is looking at, but it will have to go through all the proper processes of consultation with people in both my electorate and the electorate of the member for Alfred Cove. A person called David Dale, a former planner, wrote a piece in *The*

Mr John Day; Mr Chris Tallentire; Dr Janet Woollard; Mr Mark McGowan; Mr Peter Tinley; Mr John McGrath

West Australian this week saying that Canning Bridge is not the ideal place for this type of development. He said that the development should be at Burswood, which I think makes a lot of sense. Why are we not packing more people into a place like Burswood, where there is much easier access and we do not have the difficulties —

Mr M. McGowan: We are!

Mr J.E. McGRATH: We are packing them in around a racecourse.

Mr E.S. Ripper: We might need to do both.

Mr J.E. McGRATH: We probably will one day, but we are saying, “Let’s fix the transport situation at Canning Bridge first; let’s sort out what we want to do there.” The member for Alfred Cove has mentioned tunnelling; one day we might need some sort of a tunnel at Canning Bridge, because there is so much traffic. People who go south of the river to Rockingham jump on the freeway and whiz straight through. People who live around that area understand that there is a lot of traffic around Canning Bridge. I am not against high-rise developments in the right places, and I think we do need consultation. I support this legislation because I think we also need to streamline the planning process. If we are going to have a future planned vision for Perth, we need to do things like this. But we need to look at it properly, and we need to give the residents some say in the consultation process. Why, for instance, are we not putting more high-rise buildings in Northbridge? The member for Willagee complains that we cannot get any planning approval processes in Fremantle. Who is going to complain about a 30-storey apartment block in Fremantle? No-one. But if you go to an area like South Perth, Como or Applecross —

Mr M. McGowan: Are you serious? Good luck! Are you saying that people won’t complain about a 30-storey apartment block in Fremantle?

Mr J.E. McGRATH: I am saying that it is a lot easier to construct a high-rise development in a built-up area —

Mr E.S. Ripper: Not in Freo, mate!

Mr J.E. McGRATH: — than in a place like Applecross or Como, which are leafy residential areas where people have been living for a long time; people have bought properties with a view of the Canning River or the Swan River. It is different from East Perth, as I said before, which was a degraded part of Perth. It was very easy to do a redevelopment there, or in Subiaco, where they knocked down old factories. That was a lot easier. We are looking at a place where people have very expensive properties. I do not think the member for Alfred Cove has anything to worry about because I do not think that this will happen. I think that commonsense will win the day. I would have no objection to high-rise developments along Canning Highway on your side of the river—sorry, on my side of the river!

Several members interjected.

Mr J.E. McGRATH: I do not really have a problem with high-rise developments, provided they are in the right place. I would not mind if there were a hotel like the Raffles over on my side of the river, because I actually think the Raffles is a pretty good place to go. I support the member’s right to support her constituents in having a say in the process. I have confidence in the Minister for Planning, and I think we need to fix the planning system; we need to streamline it more. I do not think that any government would ride roughshod over a community that was so against something it was trying to put through. For instance, why do we not have more high-rise developments in Scarborough? It is because the residents fought against it. Why do we not have more high-rise developments in Cottesloe? It is because the residents said they did not want it. These are commonsense decisions made by governments. Although I understand the need for people to live around train stations, I think a lot of work needs to be done at Canning Bridge before we will even see the first shovel of soil turned. The member for Alfred Cove can relax, listen to me, and we will keep moving forward.

MR J.H.D. DAY (Kalamunda — Minister for Planning) [10.39 pm]: — in reply: I thank members for their contribution to this debate, not only during the third reading stage but also previously. It has been wonderful to see some of the passion and enthusiasm displayed by members about planning law in this state and the quite significant amendments that are being made primarily to the Planning and Development Act 2005. A good collaborative and cooperative approach has been evident between government and opposition members for most of the debate, and, as I have said previously, I welcome the support of the opposition for this Approvals and Related Reforms (No. 4) (Planning) Bill 2009. It will give the state greater ability to act in relation to the growth pressures in the state. It will put in place a better system than we have at the moment so that we can respond to the community’s genuine needs to strike an appropriate balance between catering for growth in population and economic growth in our state on the one hand, and providing for sustainable development and environmental protection, in which I am sure all members, including the member for Alfred Cove, are interested.

Mr John Day; Mr Chris Tallentire; Dr Janet Woollard; Mr Mark McGowan; Mr Peter Tinley; Mr John McGrath

I will not go through all issues raised because extensive debate took place during the second reading and consideration in detail stages, but I reiterate that there were some quite significant amendments moved by me pro forma prior to consideration in detail that addressed some of the issues raised by the opposition, as mentioned by the member for Rockingham, and other issues identified by the government that needed to be incorporated into the bill.

During consideration in detail, there were two opposition amendments, the intent of which I supported—one from the member for Gosnells and one from the member for Nollamara. I thought they were worthy of support and they have been incorporated into the bill. The member for Gosnells' amendment required that if a recommendation for a state planning policy to be adopted is rejected by the minister or by the government, the reasons for that decision need to be laid before both houses of Parliament. The member for Nollamara's amendment was to ensure that members of development assessment panels will be paid for the time they are engaged in training to be members of those panels.

Once again, I thank members, and also observe the fact that there has been quite a bit of debate in relation to the Canning Bridge precinct. I reiterate that there is a long way to go before the finalisation of plans for the precinct around Canning Bridge. There will be a lot more community discussion and opportunity for members of the local community, and indeed the wider community, to make submissions on the vision that has been put out there so far. It will be necessary to do a lot more work around the development of the plan for that area, not the least being traffic studies, and, as I think was pointed out to the member for Alfred Cove in a briefing we provided, the assessment of traffic management issues will be one of the next major stages to be undertaken. These issues will certainly not be ignored, and I am sure there will be a consultative but also a professional planning process undertaken by the Department of Planning and the WA Planning Commission in relation to the Canning Bridge precinct.

Once again, I thank the clear majority of members of this house who showed their support for this bill.

Question put and a division taken with the following result —

Ayes (46)

Mr P. Abetz	Dr K.D. Hames	Mr W.R. Marmion	Mr T.G. Stephens
Mr F.A. Alban	Mrs L.M. Harvey	Mrs C.A. Martin	Mr M.W. Sutherland
Ms L.L. Baker	Mr J.N. Hyde	Mr P.T. Miles	Mr C.J. Tallentire
Mr C.J. Barnett	Mr A.P. Jacob	Ms A.R. Mitchell	Mr P.C. Tinley
Mr I.C. Blayney	Dr G.G. Jacobs	Mr M.P. Murray	Mr A.J. Waddell
Mr T.R. Buswell	Mr R.F. Johnson	Dr M.D. Nahan	Mr T.K. Waldron
Mr G.M. Castrilli	Mr W.J. Johnston	Mr P. Papalia	Mr P.B. Watson
Dr E. Constable	Mr A. Krsticevic	Mr C.C. Porter	Mr M.P. Whitely
Mr R.H. Cook	Mr F.M. Logan	Mr J.R. Quigley	Mr B.S. Wyatt
Mr M.J. Cowper	Ms A.J.G. MacTiernan	Mr D.T. Redman	Mr D.A. Templeman (<i>Teller</i>)
Mr J.H.D. Day	Mr M. McGowan	Mr E.S. Ripper	
Mr B.J. Grylls	Mr J.E. McGrath	Mr A.J. Simpson	

Noes (2)

Dr J.M. Woollard

Ms A.S. Carles (*Teller*)

Question thus passed.

Bill read a third time and transmitted to the Council.