

**STANDING COMMITTEE ON ESTIMATES AND
FINANCIAL OPERATIONS**

2016–17 BUDGET ESTIMATES HEARINGS

**TRANSCRIPT OF EVIDENCE
TAKEN AT PERTH
TUESDAY, 14 JUNE 2016**

**SESSION FIVE
DEPARTMENT OF PLANNING
AND WESTERN AUSTRALIAN PLANNING COMMISSION**

Members

**Hon Ken Travers (Chair)
Hon Peter Katsambanis (Deputy Chair)
Hon Alanna Clohesy
Hon Rick Mazza
Hon Helen Morton**

Hearing commenced at 7.00 pm

Hon DONNA FARAGHER
Minister for Planning, examined:

Ms GAIL McGOWAN
Director General, Department of Planning, examined:

Mr TIMOTHY HILLYARD
Chief Property Officer, Department of Planning, examined:

Mr JOHN DEERY
Chief Finance Officer, Department of Planning, examined:

Mr ERIC LUMSDEN
Chairman, Western Australian Planning Commission, examined:

The ACTING CHAIR: On behalf of the Legislative Council Standing Committee on Estimates and Financial Operations, I would like to welcome you to today's hearing. Can the witnesses confirm that they have read, understood and signed a document headed "Information for Witnesses"?

The Witnesses: Yes.

The ACTING CHAIR: It is essential that all your testimony before the committee is complete and truthful to the best of your knowledge. This hearing is being recorded by Hansard and a transcript of your evidence will be provided to you. It is also being broadcast live on the Parliament's website. The hearing is being held in public, although there is discretion available to the committee to hear evidence in private. If for some reason you wish to make a confidential statement during today's proceedings, you should request that the evidence be taken in closed session before answering the question. Agencies and departments have an important role and duty in assisting the committee to scrutinise the budget papers and the committee values your assistance with this.

Minister, do you have an opening statement?

Hon DONNA FARAGHER: No, we can just get on with it.

The ACTING CHAIR: Can I have an indication of which members want to ask questions?
Hon Sue Ellery has the call.

Hon SUE ELLERY: I begin with the Planning Commission. You very kindly answered a question that I lodged prior to these estimates hearings in relation to MRS amendment 1210/41, and I thank you for the answer. I ask for some additional information with respect to that. Can you provide me with a list of the street numbers and street names of the properties in Claremont and Cottesloe where the reservation has been partially reduced as a result of the proposed amendments? I appreciate you will not have that list here with you now.

Hon DONNA FARAGHER: We will take that on notice, Madam Acting Chair.

[Supplementary Information No E1.]

Hon SUE ELLERY: I go to the Department of Planning. Page 812 of the budget papers talks about the strategic assessment of the Perth and Peel regions, known as the green growth plan. I have a few

questions about that. What is the total cost of implementing the plan and what is the expected annual cost of the plan?

Hon DONNA FARAGHER: We can provide some general advice, but the member will appreciate that the work being done as part of the green growth plan involves three main agencies, if I can put it that way—the Department of the Premier and Cabinet, the Department of Planning and the Department of Environment Regulation—but we can provide some information to you.

Ms McGowan: It is certainly not an annual breakdown because that level of detail has not been worked through. We estimate in the vicinity of \$2 billion over 30 years. I have to get the exact figure, because I have lost it for the moment, but I can get back to you.

Hon SUE ELLERY: Can I ask you to lean a bit forward as I am struggling to hear.

Ms McGowan: Okay. For the strategic assessment for Perth and Peel, the full funding has not been determined yet, because until we know the extent of the conservation reserve and the other elements, we will not be able to quantify to that degree. The total cost is anticipated to be over 30 years. I have just lost my piece of paper, but I think it is \$2 billion over about 30 years, but I will double-check that for you.

Mr Deery: They will be estimates only, but it is around \$2 billion, as the DG has said. There are annual recurrent costs, but we only have funding for one year, 2016–17. We only have funding from Treasury for one of those years of \$1.7 million, and the full cost over 30 years, I think, is still being worked through.

Hon SUE ELLERY: The 2015–16 midyear review—you will forgive me; I did not bring the document in here, with me but if you can take me on trust—document said that the funding for the plan would be in the state budget this year. Are you able to comment about that?

Ms McGowan: We certainly have funding to get the documents prepared to submit to the commonwealth, so the Department of Planning has been allocated \$1.7 million for this current financial year—the 2016–17 financial year. Of that, about \$1.2 million will be salaries, which will allow us to maintain a staffing complement of about 10 people, but there is obviously extra input across the rest of the department, and probably about \$500 000 for some of the studies we are doing. To give you an example of the sorts of studies, we have had a significant number of submissions over some of the mapping. There is obviously a bit of a crossover between the work we have done on the subregional planning frameworks for Perth and Peel@3.5million and the green growth plan, because the footprint of the green growth plan comes from our planned use planning documents. Where we have had, I suppose, contestation over the environmental attributes et cetera of some of the land areas we might have identified to either be potentially earmarked for development or for conservation, we have been doing some peer review work on some of that as well as some of the mapping. That is the broad work we have been doing there.

Hon SUE ELLERY: On the same green growth plan for Perth and Peel, I ask for some population forecasts. What are the current population forecasts? I wonder if this should go to the Planning Commission. Let me ask the question and you can figure out who is best able to answer this. What are the current population forecasts that the Planning Commission is using for Perth and Peel and what is the current population that you rely on for Perth and Peel?

Mr Lumsden: The population forecast we are working on through the department's demographers is 3.5 million, which we anticipate to be somewhere around 2050. It could be earlier, it could be later, depending on the growth of the state, but we believe that the population growth will be consistently around 2.1 per cent per annum.

Hon SUE ELLERY: Can you break down your forecast between now and 2050 in—what is a reasonable chunk?—say, five year periods? Are you able to give me those numbers?

Mr Lumsden: I will have to take them on notice, but I could be able to give them. I think we could do those projections for you if we took them on notice.

Hon SUE ELLERY: That is for Perth and Peel. I am not looking for the whole of the state; I am looking for Perth and Peel.

Mr Lumsden: Perth and Peel, yes.

[*Supplementary Information No E2.*]

Hon DONNA FARAGHER: Can I also indicate that in Directions 2031, I think it was around 2.7 million at that point, but we can provide you with some additional information as well.

[7.10 pm]

Hon SUE ELLERY: Commissioner, did you give me the current population for Perth and Peel?

Mr Lumsden: No, I did not. It is around 2.4 million.

Hon SUE ELLERY: Page 814 of the budget papers refers to infill targets. I wanted to ask about those targets and how they are being met. So, if the infill target is 47 per cent, where are we now? Is it still 28 per cent, which I think is the figure that has been referred to?

Hon DONNA FARAGHER: I will ask the director general to answer that.

Ms McGowan: The current rate is around the 32 per cent mark. In terms of the available lots, and some of the information we have, lots with current conditional approval are still tracking at their highest since 2003 and we have in the vicinity of 63 309 lots. In a general sense, we are obviously focusing on major transport corridors, major road routes and activity centres for infill. We are working quite closely with local governments, particularly the central region. The subregional planning framework that we have done is identifying areas that are conducive to infill.

Hon SUE ELLERY: I guess my second question was: what strategies are you using to reach your targets? I think you have answered that a bit. Are you able to walk me through those strategies in a bit more detail? Have you set yourself targets that you want to reach within certain periods of time? You do not want to get to a point where you go, “Well, our target was 47 per cent and we are so far off it now that it will take us another 50 years to get there.” Can you walk me through the time line of your strategies?

Ms McGowan: We have to remember that the target of 47 per cent is a long-term target anyway. Over the past 12 months, the indicators are lag indicators, so one of our strategies is looking to obtain better lead indicators as well because that has been quite difficult because that information does not flow through to us, so we are working with local government on that. In the broader strategic sense, we obviously have activity centre developments and structure plans for activity centres that we are working through with local governments. To a degree, we have to be very cognisant of the market conditions at any point in time. There are various debates over the number of apartments et cetera. We are generally of the view that there is a capacity to absorb most of that extra growth along those major transport corridors—around activity centres et cetera—without impacting too much on the broader urban fabric. One of the strategies is also that the minister and the parliamentary secretary are currently meeting with the local governments as well to work more closely with the local governments in the areas that they see as being suitable for infill. Each local government under our Directions 2031 document has infill targets because we believe that local governments are best placed to determine the broad areas. We are certainly looking to work more actively with those local governments that are embracing the idea of working to encourage appropriate density in the right places.

There is another thing that we are doing that I think is a really important part of this equation because I think we need to make sure that the design elements are taken into account in order to bring the community along with us in terms of the need for and the desirability of infill and the

benefits of infill in terms of the amenity. We have a suite of measures under the auspices of the commission working with the state government architect and other agencies on a state planning policy for design. That design is both the external look and feel and also the liveability, desirability, air flow, ventilation, overshadowing et cetera and guidelines for a state design advisory committee to get some greater consistency across there. The chairman may wish to add a little bit to that in terms of the commission's strategies as well.

Mr Lumsden: In extension to what the director general has said, firstly, it is intended to review our strategies every five years as well as appropriate policy documents. The other issue is, as the director general has outlined, current infill housing statistics is a lag indicator and probably two years behind. What is occurring quite significantly—I have been touring the suburbs, if I could use that expression—is that significant infill is continuing to occur in Belmont, Victoria Park, the City of Swan and also around the key strategic areas. Where it has not occurred to the greatest degree at the moment, it has certainly been pursued by local governments in their housing strategies, namely, the City of Joondalup. Most recently the City of Cockburn has done significant work in the Cockburn area. That is around Cockburn Central. There have also been substantial development applications coming through, which include infill housing around such strategic centres such as not only Cockburn Central, but also Garden City and the like.

The other issue which I think is driving this is not only the need for a choice of housing, which is an important factor, but also to changing demographics. We are now moving from a population of baby boomers like myself with far more demand occurring from two spectrums of the demographic cohort, firstly, the younger demographic, especially in the 24-year-olds to 35-year-olds looking for choice of housing and in closer proximity to public transport and the strategic centres, as well as the baby boomers like myself who wish to downsize. That momentum, which has probably started to manifest itself over the last five years, will increase with the changes in the demographics coming through. We now have a very different demographic population in age but also in terms of multicultural makeup than we did in the late 1960s, 70s and 80s and that will continue to drive infill, which I think is a good thing because rather than trying to force infill, the demand will be increasing. I have that comment reflected to me by relevant city planners and local governments.

Hon SUE ELLERY: With the transport plans that are going to be released soon, I just wonder whether there has been any dialogue between you. I take up the point about the design issues that the DG was referring to around enhancement of existing train stations to improve the stations to add to the whole general ambience, I guess, and trying to encourage more infill around train stations.

Ms McGowan: We are working quite closely with the Department of Transport. Both the chairman and I have been sitting on steering committees for the transport plan for Perth and Peel@3.5million. Equally, the head of the Department of Transport—the director general and the Commissioner for Main Roads and public transport—is on our planning commission. I am aware that the Department of Transport has been looking specifically around train stations. We are doing a lot of work with particular local governments around areas like Bayswater, for example. While the City of Bayswater is doing some broad area structure planning around the train station, one of our senior staff is working quite closely with them to assist in that regard. Probably the other notable ones as well as the existing train stations are the opportunities being provided by the new airport west or Belmont station and the work being done out at Forrestfield. We again have planning control areas over both Forrestfield and Belmont. Belmont in itself down Brearley Avenue presents an opportunity for a managed regeneration and something that is within about nine kilometres of the city. We have been supporting the local government with their work in that regard and also doing some broad planning ourselves and working on the steering committee for the Forrestfield–Airport Link. A number of other ones in terms of some of the heritage lines and some of the other councils, we are very actively working on.

Hon SUE ELLERY: Can I ask you specifically about Bayswater, given that you raised it? I am sorry if I am going to have to keep jumping between you. I guess I ask this of the commissioner. Does the commission support developing a new structure plan for Bayswater?

[7.20 pm]

Mr Lumsden: Yes.

Hon DONNA FARAGHER: Sorry; could I just reiterate because I know well, in terms of the City of Bayswater, there is obviously a great deal of interest in terms of particular groups and residents in that area who would like to see development and good development occur in and around the train station. As the director general has indicated, and I have made this point to the director general and it has been taken up, they are keen obviously to do the work with respect to the structure plan. As a result of that, we have got a senior planner who is providing some advice and support to them to enable the work to be done, and to be done well.

Hon SUE ELLERY: One of the elements that are being discussed is the possible sinking of the rail line through Bayswater to activate a transport-oriented development. What is the government's position on that?

Ms McGowan: We have not done any specific work on that. I think that would be something that would come out of the structure plan but it is certainly not something we have been actively pursuing. With the Perth Forrestfield–Airport Link, the primary focus has been on the two stations at Forrestfield and at Belmont or airport west because they are actually part of that line. Any work around Bayswater would be a separate body of work around structure planning, not linked to the airport project.

Hon DONNA FARAGHER: That would obviously be the key responsibility of the Department of Transport.

Hon SUE ELLERY: Sure, but just to be clear, the Department of Planning has not done any work or analysis on that as an option?

Ms McGowan: No, not at this stage.

Hon SUE ELLERY: Thank you. Can I move to one other area where the commissioner was referring to the changing demographic? I have raised this issue before, so I am sorry if this is going to bore you, but part of the area that —

Hon KEN TRAVERS: It always excites me.

Hon SUE ELLERY: That is good, Ken. Part of the issue that is of some frustration in suburbs that are not used to infill—for example, my electorate office is in the seat of Riverton. Willetton–Riverton suburbs are around there. There is a new development that is going ahead—units, apartments—and some of them will have three and four bedrooms, so they will be suitable for families. That is one of the areas where the schools are so great that we have this thing called rental fraud where people will look for an address in that area so that they can enrol their kids in the local schools. The local schools are at capacity so the notion of infill which is in the form of apartments in an area where the schools are already under pressure is causing locals and the school community some concern. I wonder how you manage those things. Are you of the view that the dialogue between yourself and the planning people in the Department of Education is as strong as it needs to be?

Mr Lumsden: First of all, let me answer this way: I think with the development of our planning frameworks, we have had strong dialogue with the Department of Education. In terms of those specifics, I would make two points. Firstly, if that is an issue, then I would like the Department of Education to have further contact with me, but, equally, I would like them, and I would hope that the City of Melville in developing its local housing strategy, is having that dialogue —

Hon SUE ELLERY: I think that bit is actually in the City of Canning.

Mr Lumsden: It is all City of Canning, then; sorry. You said Riverton; I beg your pardon. The City of Canning is having the appropriate dialogue in terms of their local housing strategy with the Department of Education. I would expect that. If it is not occurring, then I will follow it up personally.

Hon SUE ELLERY: Thank you.

Hon DONNA FARAGHER: I think it might be useful if Mr Hillyard might be able to also elaborate further.

Mr Hillyard: I think I can demonstrate how the department and Education are working very closely in that we met only yesterday. It is an issue that has been coming out through the reformed Infrastructure Coordinating Committee, where we are developing a whole series of datasets so that we can make sure that all the departments—this is across government—are using the same data —

Hon SUE ELLERY: What a radical notion!

Mr Hillyard: Because some of the datasets do not match because, for instance, they do not align with school catchment areas versus some of the local government catchment information, the datasets are being modified so that they can be provided to Education from Planning and then they can provide their advice back to the department as part of the planning that we are doing through our structure plans et cetera, and also through the ICC to identify what will be the priorities for the short, medium and long-term acquisition of land for schools, particularly high schools. There has been a realignment and that has probably only been in the last 12 months where we have brought the agencies much closer together.

The ACTING CHAIR: We might move on.

Hon KEN TRAVERS: Can I just follow up on that?

The ACTING CHAIR: Just a quick one on that.

Hon KEN TRAVERS: When will we know how many schools we need to meet the infill that is occurring and where they need to be? We were told about the change in the datasets but when are we actually going to know that we will need X number of schools in an area, so many in the Canning area and so many in the Joondalup area, and where they need to be?

Hon DONNA FARAGHER: I will ask the director general to respond to that question.

Ms McGowan: Mr Hillyard was referring to some of the work we have been doing with the Infrastructure Coordinating Committee. What has enabled us to do a lot of that work has been the development of the subregional planning frameworks where we have identified where employment centres, population growth and various corridors are likely to be and where we see the additional work. A direct consequence of that is the datasets that Tim is now talking about. We are not there yet. I think the first real iteration will be over the next few months where we have, as part of developing the subregional planning frameworks, had all agencies identify their particular infrastructure plans and needs to us. We are starting a process of spatially mapping a lot of that work now. There will be at least an annual gathering, for want of a better descriptor, of the agencies, particularly those that are responsible for either providing infrastructure or the likes of the Education and Health people where we will actually map out all of that information, working from that one set of demographic data that both Treasury and the Department of Planning demographers are working on together. That will come up through the ICC and the Planning Commission process and enable a much more transparent and formalised process of being able to see how many schools —

Hon KEN TRAVERS: I understand that is what you are doing. My question was: when are you going to be able to land with an answer to how many schools are we going to need and where they are going to need to be?

Ms McGowan: We expect the first real iteration of that will be after we have finalised the subregional planning frameworks, which will be during the third quarter of this year. I would expect by early next year we will have the first run-through of this population in this area is going to require these sorts of facilities—schools, medical facilities et cetera. We have already broadly identified that on our subregional planning frameworks. This actually adds the granular level of detail. Tim, is there any more you would add?

Mr Hillyard: The director general is correct in terms of the advice will come through on an annual basis, but we are also looking, as part of that work, to the infill information to come back from the education department, because it appears that the calculations that Education has undertaken versus the projections that have been undertaken by the Department of Planning demographers have not quite matched. We are now making sure that we are using the same information again in terms of what the household sizes are and their breakdown et cetera to better understand what the requirements will be in the inner areas, including, for instance, the city—what the population growth for the city will be.

Hon KEN TRAVERS: Is their modelling showing a fewer number of schools needed than your modelling or is it the other way around?

Mr Hillyard: I am not sure that it shows anything in terms of number of school requirements at this stage—that we have got any great difference. It is a question of how the existing schools are being utilised et cetera for the projected population. Some of that information has not been clear from the advice that we received from Education first of all, and from the meeting that was undertaken yesterday, we have been able to clarify some of that information. Also, we are going to have a GI system which links directly over to Education and they can introduce it into their GI system for better information sharing and calculation.

[7.30 pm]

Hon PETER KATSAMBANIS: My initial questions are to the department, starting off with page 812 of budget paper No 2 under the heading “Affordable Housing Strategy—Implementation of Phase Two Action Plan”. It is stated there that the Housing Authority released this phase two plan and that of the 34 actions, eight were tasked to the department and/or the Office of Land and Housing Supply. Four of those eight actions are spelt out there on page 812. My question is: is there a time frame for the actioning of these eight tasks?

Ms McGowan: Generally, the time frame is not set. What we have is an Office of Land and Housing Supply that is jointly funded by the Housing Authority and ourselves, where we work through those strategies. I would have to get some more information to you separately in terms of the actual level of detail on them.

[*Supplementary Information No E3.*]

Hon PETER KATSAMBANIS: In that, if you could identify which tasks are actually tasked to the department and which to the Office of Land and Housing Supply, that would be helpful. Are you able to describe how these particular tasks will actually lead to more affordable housing and, in particular, a reduction in homelessness?

Ms McGowan: In a general sense, with the design guidelines for multiunit development, that work is going on at this particular point in time, and I would anticipate that to be finished in the next few months. There are, of course, some provisions within a number of the government-controlled developments where there is a requirement for a 15 per cent affordable housing provision, either in that direct development or offset in some way. Some of the work we are doing in terms of identifying options to address infill impediments is looking at a number of things, including

whether there are various policy settings that mitigate against infill and whether there are issues. One example that springs to mind from some discussions we continue to have with the development industry is even whether our training system and our workforce capability is able to effectively construct anything—we are moving from an industry dominated by double brick and tile to different forms of construction. We have not yet got the numbers to be able to have sufficient people trained in some of those areas. We have not got the luxury, in one sense, of having the mobility between states that some of the other jurisdictions have, so that is one of the other issues. The other bit of work is on re-purposing existing houses. The chairman mentioned some of the changing demographics. One of the things we have actually been looking at is intergenerational housing—I sometimes refer to it as “piano accordion” housing—where the kids move in, the kids move out; the parents move in, the parents move out et cetera. Half of our strategy about having a choice and diversity of housing topologies is also about saying we actually have a significant supply of large houses with a diminishing number of people in those households; how can we actually solve or address some of the infill issues with some better use of existing housing?

The other bit of work that we are doing there is actually looking at some of the cost factors in terms of actual subdivision of existing lots et cetera, and what the cost factors are there. But probably a really important one that we think has helped in the affordable housing market and will continue to play a significant role is the changes the government made in terms of the provision of ancillary dwellings or the granny flat changes. There were very tight restrictions on the ancillary dwelling component; that has actually opened up a fair bit to allow a broader range of people to access that in a broader range of situations where granny flats can be provided. I do not know if I have forgotten something there that the chair might like to add to—no?

Hon PETER KATSAMBANIS: Just on that, have you done any work or do you have any input into the specification? You spoke about the double brick and tile, but do you have any input into the specification of some of the 15 per cent of affordable housing? Obviously that would impact on the cost and therefore the affordability of such housing.

Ms McGowan: We actually, through the Office of Land and Housing Supply, are looking at those sorts of issues as well. We have instituted also regular meetings with the Housing Industry Association, Master Builders Western Australia, and both greenfields and infill developers—the latter two particularly through the commission process—where we are discussing with them where the market is going. Certainly, some of our work on liveable neighbourhoods promotes different housing typologies. We have done some diverse-city-by-design packages so we are promoting some of those newer types of buildings. I think it is probably fair to say that, as a community, particularly in the metropolitan area, there is still a sense that nothing beats a four-by-two in double brick and tile, which just is not the case in the other jurisdictions and is not the case when you go outside the metropolitan area, quite often—so changing that mindset to demonstrate that some of those other types of building form and material can actually have advantages both in energy efficiency and the sort of work that is being done by LandCorp at White Gum Valley in joint ventures. When we launched the Perth and Peel@3.5 million, I think it was the Knutsford precinct down in Fremantle that was doing quite different sort of work, so it is happening, and I think the market is starting to dictate it, but it has been a slow take-up.

Hon PETER KATSAMBANIS: Okay. My other question is specific to the department; perhaps I will come back later to the commission. I refer to page 816 and the heading “Land Accessibility Planning and Policy Development”. The efficiency indicators listed in the table include “Town Planning Scheme Amendments (for Final Approval) Processed within Non-Statutory Timeframes”. I notice there was quite a jump in those that were processed in non-statutory time frames. There is a note at the bottom of the page to explain that it is ongoing and it is being refined and that the differences are as a result of the continuation of high numbers of complex local planning scheme amendments, which take longer to process. Is that not expected? Are all planning scheme amendments not at least complex if not really complex?

Ms McGowan: Having been the director general for two years, sometimes trying to understand the planning system is one of the challenges of the job, I think!

Hon PETER KATSAMBANIS: When you work it out, can you let every single other person know!

Ms McGowan: I am still at 101, I think!

Yes, our processing times have been lower than I would like and that I would accept. One of the significant changes that was brought in with some of the planning reforms that came in in the middle of October last year was a significant streamlining of the processing for scheme amendments. I accept that there will always be some very complex amendments that are contentious and, of course, it is a matter of getting that balance right between providing opportunities for community input and public input and actually then making sure that things are consistent with what we refer to as the model scheme text, but the broad framework will be a challenge. There are two really significant things as part of those. One was the introduction of categorisation of amendments as basic, standard or complex, along with the introduction of time frames for dealing with those amendments. Even our processing times within the department have still not been fantastic. We have been running at about 150-odd scheme amendments in train at any one time. That has gone down to about 109, which is now down to about 60, because we have a maximum of 90 days without seeking an extension from the minister to process those.

[7.40 pm]

Part of that is also a cultural change that I need to continue to work on in the department. What we are trying to establish is how much of our work is actually duplicating work that has been done by the councils that we do not need to double-check so that we can go through it. Certainly the basic amendments now can be processed very quickly. We also now have cut out some of the double approval processes through some of those planning reforms, where the commission now becomes the determiner rather than going through the council process, plus the commission as well. We are working on it.

Hon PETER KATSAMBANIS: So, you are working on it. Do you think you have the appropriate resources to be able to achieve what—based on the performance of the last couple of years—would probably be best called aspirational targets?

Ms McGowan: In answer to your question, yes, I do believe we have the resources, but it is a two-pronged process. The first is trying to change some of the practices to make sure that we focus on what is strategically important in the department, and leave what can be best left to local government to be done by local government. The second is making sure that we are conforming to those time frames. The other component of that, which I think we are improving on and we need to do more on, is being very clear about making sure local governments are left in no doubt as to what is required. We are encouraging and I think having quite good impact in engaging early with local governments about what they are proposing to do and what outcomes they are seeking to achieve so that we can smooth that process through. I think we are actually getting some good results and I would be very confident that by this time next year we will be able to achieve that. That is why I have not been prepared to change those targets because I think they should not be aspirational; they should be expected.

Hon PETER KATSAMBANIS: In relation to local government cooperation and local governments being clear on what is expected of them, do you keep a scorecard or a tally or a table, or whatever you want to call it? I know that across all departments in Western Australia, keeping a table or a list causes people to take great fright. But if you are trying to take a horse to water and it is not drinking, is that something that you have considered doing?

Ms McGowan: I think we have a very good relationship with most of the local governments and with the Local Government Association, and we are working hard on that. We have in the past

reported on the achievements by local government area in terms of those infill targets for Directions 2031 and other things. We would prefer in most instances to just work directly with the planners and the councils and through WALGA to effect that change because we think that is probably going to be the most effective mechanism for improving that performance. From time to time, some of the councils that believe they are, I suppose, more progressive or more in tune with the broad strategic direction for the need to promote a compact and connected city, which is the sort of city fabric that we are trying to promote with Perth and Peel @3.5 million, say that we should be more active in encouraging or incentivising those councils that are achieving those targets to a greater degree. We are actively looking at the moment as to whether we can do that, and certainly some of the mayors have said in public forums things like why would we not give priority to scheme amendments that are much in sync with the broad strategic direction of government over ones that are like drawing teeth, and that is something that we are looking at.

Hon PETER KATSAMBANIS: We probably have a lot of other questions on that, but we will not drill down on that now. We will come back to that later, perhaps.

Hon LIZ BEHJAT: Director general, when you were talking about infill earlier, I was really pleased to hear that comment about the need to bring the community along with us, and I know that is what you try to do in everything that we are doing in planning. I want to go to an area in Carine. It is the old Carine TAFE site, more particular at Silica Road–Emerald Way, Carine, which is part of the north metro area, and also an area that my very good friend and colleague from the other place Tony Krsticevic has a very vested interest in.

Hon KEN TRAVERS: He'll charge you for advert fees!

Hon LIZ BEHJAT: He will charge me for advert fees! Whatever! I give credit where it is due, Hon Ken Travers, and it is certainly due here. I have been working with him on this project for a number of years. We have worked very hard with the community on the sale of the Carine TAFE. In August 2012, we finally agreed to a local structure plan as to the use for that area, and it is now going to be residential aged care. It did create a lot of angst in the community at that time. The director general may remember what was happening at that time. There was definitely no objection by the community to that use of the land. However, I am going to talk about trees again, minister, which is quite interesting from the last session. There was an agreement that a 120 high-care aged bed facility would be built along Silica Road. There is a stand of tuart trees and landscaping in Silica Road, and there was a lot of angst that these trees would be gotten rid of. However, it was finally agreed that those trees would remain with the landscaping to diminish the outward look of the building to fit in with the local area.

The government then sold that site to St Ives Group. That gives the background of what I am specifically talking about. That structure plan was put in place, and everyone was happy. St Ives, as was its right, then on-sold that land 50–50 to Cedar Woods and RAC, and eventually the land passed in 100 per cent ownership to Cedar Woods or RAC. That land has now been resold to Opal Aged Care, and here is where the problem starts to arise. Opal is now planning to put in another 49 high-care beds. That in itself is not a problem, if that was to be done on the existing footprint that was agreed to under that Carine vision local structure plan. However, what has happened is that the footprint has changed markedly and the stand of tuart trees is planned to be removed, so there is now only a three-metre setback from Silica Road. The plan is the subject of a JDAP at the moment to the City of Stirling. I know that the purpose of the JDAP is that the minister cannot intervene in these matters and that the only right that people have is to go to SAT if they do not like what happens. I guess if the minister wants to refer it back to the budget papers, we can take it back to strategic planning and key effectiveness indicators.

What concerns me is that this was all done in good faith, and we took the community along with us in the negotiation process that this is how it would look. However, now all of a sudden we find that because of the on-selling of the land to different developers, that can now change. What concerns

me then is how can we go back to the community and say, “This is what we did agree back in 2012, after a number of years of negotiation to get it to that point, and now that is not going to happen”? Also, if the JDAP goes through, which is quite likely, what happens then? How do we address these issues? Does not a structure plan perhaps create a caveatable interest on that land that would then have to be subject to claim for ongoing things? Is that a way in which we could deal with these things in the future? There are now angry residents, and again it is going to reflect on us as to what we had previously promised.

Hon DONNA FARAGHER: I will ask the director general to respond.

[7.50 pm]

Ms McGowan: First of all, I will just mention that with the development assessment panels or the joint development assessment panels it is really important to understand, because I think this gets lost in translation sometimes, the development assessment panel stands in the shoes of the decision-maker—in this case the local government—and they can only apply the rules, as it were, in the same way as the local government can apply them. In the case of Carine, my understanding of where it is at at the moment—so it is probably more a matter of stepping through the processes to where the community has and can be involved. I understand that the City of Stirling is currently assessing a new proposal or an application, which is the one you have obviously spoken about with the Opal site, and it is proposing a two-storey residential facility for 149 beds. The information I have—and this is where, obviously, the issue will come in—is that it is generally in accordance with the “Carine Vision Local Structure Plan” and detailed area plan because the original approval talked about accommodating in the order of 120 beds. The determining factor will be whether the extra 29 beds, as I understand it, is significant, but I think you were talking in particular about the footprint, and I think the application proposes some variations to the setbacks. Again, the information I have is that it is not proposing, and this would need to be checked, the removal of any of the trees identified for retention in the local structure plan or detailed area plan. They have just had a public comment period, or it has been advertised for public consultation, and the advertising concluded on 9 June, so I expect that people would have responded to that. The officers of the City of Stirling will now have to prepare a responsible authority report that will be considered by the Metro North–West Joint Development Assessment Panel, and I think that is likely to be in mid-July. As you said, any member or any person who wishes to can actually seek the approval of the presiding member of the JDAP to make a deputation at that consideration as well. I think there have been the two points of further consultation. I cannot speculate on how the JDAP might determine something, but they have to look at the proposal on planning grounds and take into account the operation of the scheme and the local planning policies et cetera.

Hon LIZ BEHJAT: You say that under that your understanding is—and you might want to take this on notice—that those trees are not affected. but I have, and I am happy to table it for you, a diagram of what is proposed. There are no trees in the diagram on Silica Road, which would mean that they are to be removed.

Ms McGowan: And that would be something that the JDAP would have to take into account in terms of the footprint and what was agreed and what was detailed in the documents that have been agreed to at local council level, and really set the rule book.

Hon LIZ BEHJAT: One would hope that the JDAP will knock it back for that reason and the community will remain happy, but do you see my point about what happens when we go through a lot of this trouble to put a local structure plan in place with the community, and, minister, I realise that that is probably a policy matter for a future time. But surely some protection could be put in place because if that is what is agreed to, then that is what is agreed, and then we do not have to go backwards and forwards through this sort of negotiation process and JDAP.

Hon DONNA FARAGHER: I will get Mr Lumsden to respond.

Mr Lumsden: I want to add a bit to what the director general said, which I think needs to be fully understood. Firstly, whether or not this application goes to JDAP or in the traditional sense went to a council, I would expect that any report to either the JDAP, or, for that matter, the council, would include reference to that structure plan, and that the officers would analyse very carefully not only what the scheme says, but also how the structure plan has been reflected in their relevant policies, as the director general has said, and enunciate very clearly in the report to the JDAP what the issues are and the juxtaposition in terms of the development application to the structure plan. The structure plan is a guidance document. The application for a development approval is a separate approval under the act and, as the director general said, under the scheme. Whether it is the council or JDAP, the decision-making body has the opportunity to exercise discretion. To what degree that discretion is exercised on a particular application in respect of the structure plan that has been endorsed by council would need to be very clearly articulated so that any discretion takes full account of that. The other issue, of course, which I am sure you will appreciate, notwithstanding whether it is a council or a JDAP, is that if the application is refused, the applicant has a right of appeal to the SAT, and the tribunal has to do exactly as the director general said—stand in the shoes of the decision-maker. It really gets back to not only the decision of the structure plan, but also how that has been articulated in terms of the policy documents of the council. Is it clear? Is it very finite? Is it quite specific in terms of the trees, and if there was to be any discretion in relation to trees, how that discretion should be exercised. I do not know the detail, but now I think the challenge for local governments is to ensure that their scheme is appropriately structured, and when there are complementary documents such as structure plans available, that the scheme in its content clearly reflects on how perhaps those structure plans ought to be considered. Often, unfortunately, local government schemes are silent, and therein lies part of the problem.

Hon KEN TRAVERS: I just want to clarify something. As far as I understand it, with the structure plan, if the land has a title in private ownership, you can identify that there is an area that you think has nice trees in it, but unless you make it part of parks and recreation, there is absolutely no guarantee—through the planning process there might be environmental rules and regulations under which you can protect those trees. Is that correct?

Mr Lumsden: There are a number of ways you can do it by the local government designating it as a local government reserve.

Hon KEN TRAVERS: So you need to have it in some form of public ownership. Once you sell the land, it is private ownership.

Mr Lumsden: That is the ultimate process, but if you do not want to do that because that has implications of maintenance for the local government —

Hon KEN TRAVERS: If there had been a negotiated agreement to protect those trees, the best thing to have done would have been at the time of the sale to put a caveat or memorial over that land that prevented any owner of that land—I know we have properties in rural areas where they are not allowed to clear it. When the government originally sold that land, could it not have put some sort of caveat over that land to say that those trees cannot be cleared?

Mr Lumsden: That would have been an option. Whether or not the government exercised that option would be up to them.

Hon KEN TRAVERS: Once you are selling that land, you are potentially losing control of any decision about—other than through land clearing or other —

Mr Lumsden: You are losing control except of what control you can exercise within the proper realm of decision-making through the development application approval process, yes.

Hon KEN TRAVERS: And you can give discretionary consideration to whether you think the trees are worth protecting or not, but there is no legal requirement for that if it is not written into —

Hon SUE ELLERY: It should have been done at the beginning.

Hon KEN TRAVERS: Yes.

Mr Lumsden: If you want an ultimate sanction, yes.

Hon KEN TRAVERS: If the trees were of high value when the government sold it, it should have put a caveat on the title to keep those trees currently cleared, and then the developers would always have to develop around those trees or put it into the public realm in some way, but then we would have picked up the maintenance costs.

Mr Lumsden: That would be a decision of government, yes.

Hon DONNA FARAGHER: Or it could be part of the determination of the application that there is a requirement that—but I appreciate that that is post —

Hon KEN TRAVERS: Which I hope they do, but that is still always going to be a discretionary issue to the decision-maker at that time. The only way you could have guaranteed it is through those other two methods—either keeping it in the public realm or making it part of the condition of sale and keeping it on the title.

Hon RICK MAZZA: On page 819, under “Details of Controlled Grants and Subsidies”, there is a line item about a land use planning initiative for bushfire risk mitigation. A small amount was spent last year and there is nothing this year in the forward estimates. Can you give me some commentary or background as to what that is about?

Ms McGowan: Yes. We are not the mitigation agency in that area. What we have set up as part of the work we have done with the Office of Bushfire Risk Management and working with the Building Commission and ourselves is an accreditation system. The moneys identified in 2014–15—I might get Mr Deery to confirm this as well—was the funding available both to set up and run the training for the system of accreditation for accredited bushfire assessors, and also to provide some subsidies for local government members to actually attend and be trained in that area. I will ask Mr Deery to confirm.

[8.00 pm]

Mr Deery: The amount for 2014 was \$126 000, but there is no funding to the department for future work on that.

Hon RICK MAZZA: To clarify, the money was used for the training of people to be able to assess bushfire-risk areas?

Ms McGowan: Yes. So, basically, we now have 30 professionals practising as accredited level 1 BAL assessors in WA. We anticipate that by mid-July there will be between 10 and 20 accredited level 2 and level 3 bushfire planning practitioners. A number of those actually are part of local governments. There is also provision for self-assessment in remote areas so that there is not a cost impost. So, for instance, in areas I think 50 kilometres outside a gazetted town site, there are a whole lot of self-assessment tools. Providing you can demonstrate to the satisfaction of the local government that appropriate mitigations are in place, that will be accepted as a bushfire assessment.

Hon RICK MAZZA: The next line is regarding the Mandurah central revitalisation strategy. As I understand it, the Peel Development Commission has been working on that for well over a decade. There was \$383 000 spent in 2014–15, but nothing since. From memory, they had a very comprehensive concept plan for the CBD of Mandurah. Do you know whether that has been progressed or why there has been no further development on that? Part of that plan was to use the old Mandurah bridge as a market stall area, amongst other things within the CBD area?

Ms McGowan: I think the program had come to a completion, but I will just ask Mr Deery whether he can add anything to that one as well.

Mr Deery: Yes, the recurrent expenditure for that was in 2014–15. We were advised there are a number of costs in 2015–16 and beyond. As far as I am aware, that has now been completed in terms of what the Department of Planning and the Planning Commission were involved in.

Hon RICK MAZZA: Has that strategy plan been completed?

Ms McGowan: From a planning perspective—to enable the work to be done. If I can just add—I have found the appropriate piece of information—that what you had, the carryover in that previous year, was an outstanding title issue on Sutton Street, which was a land acquisition, and the \$383 000 was paid to Mandurah council before June 2015 to allow that one last piece of land acquisition. So, from sort of the planning-ready perspective, which was our involvement, it was developed to the point that the council was then able to implement. I do not know whether Mr Lumsden has anything on that because he knows the area very well.

Mr Lumsden: Yes, the funding was specifically to finalise that strategy that includes the extension of Sutton Street and developing a road reserve through a caravan park in that area. That has, I understand, been fully paid to the City of Mandurah, and they are now completing that strategy.

Hon LYNN MacLAREN: I will begin with the WAPC, and ask about the asset investment program on page 830 of the *Budget Statements*. I was interested to see the \$85 million in the 2019–20 program, which is quite considerably higher than around about the \$30 million in the other years—2016–17 et cetera. I wondered whether you had the details of what that acquisition of land program is intended to purchase.

Mr Lumsden: Could I ask Mr Hillyard to give the details of that, because he can be far more specific.

Mr Hillyard: The provisions for the additional funds in 2019–20 is when it is currently anticipated that the expenditure limits currently placed on the MRIF would be relaxed and we would go back to a more normal acquisition program. That is why it goes up from the \$30 million-odd that is there at the moment. I did not hear the final part of your question.

Hon LYNN MacLAREN: Are you saying that the normal amount is around \$85 million, and it has gone down to \$30 million for those four years in the lead-up to 2019–20?

Mr Hillyard: Yes, essentially. Normally, the acquisition program from the MRIF would be around about that \$85 million to \$90 million, but as a result of the expenditure limits as part of the state's financial situation, that has limited the budget in recent years.

Hon LYNN MacLAREN: Does that acquisition of land include Bush Forever properties if you were purchasing that?

Mr Hillyard: Yes.

Ms McGowan: Certainly in the 2015–16 year—I think you also highlighted the \$87 million or so there.

Hon LYNN MacLAREN: Yes.

Ms McGowan: In particular, there was an arrangement that was valued at about \$50 million, which makes up the difference between the \$30 million and the \$87 million. That did involve land for Bush Forever of about 100 hectares in Alkimos valued at about \$26 million, which was purchased for Bush Forever, about 350 hectares of land in Neerabup at \$13 million, 10 hectares in Southern River for \$2.4 million, and 48 hectares of land in Harrisdale for \$19.75 million. So what we did there, we actually purchased some land in Alkimos and also some land in Eglinton for the northern suburbs railway. We purchased 5.5 hectares of land in Alkimos for the Mitchell Freeway extension, and then that significant area of land in Bush Forever and also public open space. That was, broadly speaking, around about the \$50 million mark. That was something we went

through to the Expenditure Review Committee to seek an increase in the expenditure limit to allow that transaction to occur.

Hon LYNN MacLAREN: Thank you very much. If you needed to acquire land at, for instance, Seabird, where property is continually being shored up because of coastal erosion, is there an amount of money allocated in the budget for such purchases that are as a result of climate change inundation or coastal inundation?

Ms McGowan: No. You certainly would not be able to use the metropolitan region improvement fund, because of course that is not covered there. In terms of coastal erosion management, and particularly Seabird—obviously I noticed some of the questions that have been asked of other agencies leading into these estimates—we actually are chairing a coastal management advisory group for government; I think Transport has identified about 30 hotspots along the coast. We chair a group that is providing technical advice to government. In a general sense, through our coastal management state planning policy, we have had quite an effective arrangement of foreshore reserves and setback arrangements anyway. If there was to be anything such as a managed retreat, which is one of the policy options under the planning policy, there would have to be funds found for that, whether that be by local government, by state government or otherwise. It comes into that question of the obligation for protection of private property, and it seems to be a vexed question worldwide.

Hon LYNN MacLAREN: Also on the theme of land acquisition, there is a proposal before us for a new industrial buffer down at Mandogalup which will change some rural and residential land to industrial buffer. Where is the allocation to purchase or to compensate landholders who are in a position where there is this kind of big-scale planning decision?

[8.10 pm]

Hon DONNA FARAGHER: I will ask the director general to respond.

Ms McGowan: Basically, the proposed Western Trade Coast protection zone will not impact on the existing rights of landowners in that area. They will be able to use their land for any purpose they are currently able to use it for; therefore, there is no compensation payable in that circumstance. The situation there is that there are a couple of areas of land—one in particular—that had been identified as urban deferred land, which does not include some of those landowners. They just have existing rural status and they will be able to continue to use that for any purpose they can legitimately use it for now. The urban deferred and any categorisation—I think there is also a misunderstanding sometimes that any land that is either zoned as urban or urban deferred automatically equates to residential. Urban deferred or urban can have a wide range of uses, including some industrial. The proposal in terms of the legislation that the government has signalled it intends to introduce is to formalise the old air quality buffer, which will take it to 1.5. It does include some of those areas. As I say, they will not have existing rights impacted and there, obviously, then can be conversations about non-sensitive land uses in that area if that was the case.

Hon LYNN MacLAREN: In the event that their usage of the land was impacted, how do they go about seeking compensation?

Ms McGowan: If their usage of the land was impacted, it would be through some form of reservation and, therefore, they would be able to look at compensation, but I think the issue is that none of us has an automatic right to be able to assume we can subdivide our land. It is often one of those challenging areas and, certainly, it crops up in many of, I suppose, the outer areas of the metropolitan area where people are sitting on reasonably large parcels of land either zoned rural or rural residential and they have ambition or hope to be able to subdivide their land and sell it off. Unfortunately, it is not an automatic right in that sort of situation.

Hon LYNN MacLAREN: The strategic assessment for Perth and Peel will make similar decisions about what might potentially be developed and what might not. Have you given some thought to

allocations for either acquisition of land if there are landholders that are not happy with the proposed land use?

Ms McGowan: I suppose it depends. The issue of “are not happy with” and the chairman might want to add something to this as well, it is not a matter of whether they are happy or not. It is if they are unable to use the land for the purpose for which it is zoned. One of the challenges of the subregional planning framework is, of course, we have in equal measure people who would like their land zoned for higher density and people who would like their land left alone or for some other use, and it does not always work out as neatly as everyone would like. In the overall work on the strategic assessment for Perth and Peel and our subregional planning frameworks, yes, there will be some impacts. The reason I said that we have not finally determined the cost at this point in time is that, clearly, when we get to finalising our subregional planning frameworks and we formalise commitments to the commonwealth and to the state government about areas for conservation, we will then be looking at what those impacts might be and who might be affected. There is certainly a proposal to the extent possible to look at land that is in existing government ownership, but then, obviously, there will be some private land impacted and they would be subject to all of the rights, as would anyone else that is impacted by any change to the metropolitan regional scheme. Tim or the chairman might be able to add something to that if people want more detail.

Mr Hillyard: Thank you. The director general is correct there. If property is injuriously affected is where it has its right to compensation and under the Planning and Development Act that involves where the land can be used for no purpose other than a public purpose. Therefore, if you have land that is zoned for a particular use but through some planning mechanism it can only be used for another potential use, as long as it is not restricted that it cannot be used for anything other than the public purpose, then the land can be used for the appropriate zone that is there. If there is an existing use that might still be incompatible with the planning instrument, then it is a non-conforming use and that can continue quite lawfully unless it is brought to a close either by it being compulsorily acquired, because there is a planning conflict. I think that is the actual position.

Mr Lumsden: Just an extension of that, as has been said, if there is no impact on the existing rights of an individual, then there is no compensation. What I think also needs to be understood, putting aside the strategic environmental assessment, which is, obviously, as you would be aware, an outcome of the state working with the commonwealth in terms of addressing environmental biodiversity issues, the same situation applies even now even if you did not have the EPBC act. If a person wanted to carry out certain development which was not an automatic right but required certain approvals, it may be that the proposal would not be acceptable to the Environmental Protection Authority, but there is no compensation in that case. We have got to be clear that we are still dealing with not only the commonwealth legislation, but we still have state legislation to which people need to have regard as well.

Hon LYNN MacLAREN: Of course, the Environmental Protection Authority only makes a recommendation.

Mr Lumsden: Yes, I understand that, but it still has to go through that process.

Hon LYNN MacLAREN: I just had a couple more questions if I could. One is, hopefully, a simple one and it is for the director general, I think. It is on page 814 regarding the average lot size in the Perth metropolitan area. In the 2015–16 budget it was 420 square metres and then the estimated actual is 381 square metres for that year and then the budget target actually goes up to 400 square metres. As we are talking about infill, I was wondering why the lot size is still that high, 400 square metres, when your actuals are actually a little bit smaller than that.

Ms McGowan: What we have found is that the lot size has been progressively going down, and you are absolutely right; it seems to have reached about 387 square metres or thereabouts. We are getting a fair bit of feedback from developers that most people are choosing something around the 400 to 500–square metre mark, so at this point in time that is the point that is appealing most in the

market, so we have left that 400 square metres. There, obviously, are a number of things we are looking at and there is a trial or a proposal in Ellenbrook looking at what is called micro lots, and micro lots are gaining some currency in some of the eastern states where we have had people building on 80 square metres or even less.

Hon SUE ELLERY: You could give them a micro train!

Ms McGowan: Yes. It is something we are monitoring quite closely. Certainly, the commission has taken the view that this is where the impact of design and streetscape and amenity really come into play as well. But, really, because we seem to be settling around that 400-square metre mark, we are not reducing it further at this point in time. It does not mean that we are not approving a lot of lots or there are not lots being approved at that point.

Hon LYNN MacLAREN: That is a median, rather than an average.

Ms McGowan: Yes.

Hon LYNN MacLAREN: My final question is related to the pressures that infill brings, which is to reduce our green infrastructure, our green space and our native vegetation. I noticed that you are working on a lot of design guidelines and I was wondering if you could enlighten us about the design guidelines that actually protect some of the green infrastructure from the pressures of infill and other urban development.

[8.20 pm]

Ms McGowan: An important part of the work we have done with our subregional planning frameworks and also part of the green growth plan work—whether you term it urban forest or making sure that we have tree canopy and looking at heat island effects—and the work we are doing on Liveable Neighbourhoods and the like is very, very aware of the need to maintain sufficient green canopy. We have not moved down the line of any legislative response in that sense, but in terms of good design and good planning that includes liveability in its broad sense. In fact, one of the key outcomes of the strategic assessment for Perth and Peel is the extent of mapping we have done to try to maintain to the degree possible contiguous areas of sufficient green space. We are also working with the Department of Sport and Recreation both on active and passive recreation space. It is very much at the forefront of our thinking. Some concerns that the commission has moved to address—I will ask if the chair wishes to add anything more in a moment—is some outcomes we were getting that were far from satisfactory that were almost horizontal apartments with, basically, garages at the front and no room for a street tree and cars parking over verges. The commission has moved quite actively to change some of the zoning and design guidelines to address that, and I think we have been having some good success. I think there is a place, and we are doing it through Liveable Neighbourhoods and the design work, to really demonstrate what a good outcome is. We actually have lots of examples of really good infill and design; unfortunately, we tend to have a focus on the poor examples. It is a real challenge for us if we are going to have that compact, connected city.

Mr Lumsden: Certainly what the director general has outlined is correct. The commission's statutory planning committee became very concerned following complaints particularly by local governments—namely, the City of Rockingham and the City of Wanneroo. The commission's committee, including myself, inspected those sites. We were concerned about what I will call the cookie-cutter design approach. There were issues not only in terms of the width of the frontage, which was often below 10 metres, that gave not only a very poor design but also the way that the building was put on the property meant minimal setback and minimal private open space at the rear. Equally it highlighted some concerns, which the commission's committee drew attention to in terms of Liveable Neighbourhoods documents. A good example is having very broad footpaths on both sides of a minor road, which consumed valuable potential streetscape land. We have asked the Liveable Neighbourhoods working group to review those aspects, and they have been doing that.

One of the commission's statutory planning committee members is on that working group as well to make sure that those issues we have highlighted and observed in the field, if I can use that expression, are addressed.

Hon LYNN MacLAREN: Does Liveable Neighbourhoods also have energy efficiency guidelines?

Mr Lumsden: That is an aspect that has been looked at not only by Liveable Neighbourhoods but also I understand by the design working party that the director general mentioned. They are all part and parcel of the solution.

Hon KEN TRAVERS: I am taking up that last point first. You have the average across the whole of the metropolitan area, but do you keep averages for subdivisions in the inner city or central zone and what is the average lot size there versus the average lot size in some of the outer greenfield sites? My sense is that we probably have smaller lot sizes on the urban fringe than in many of the subdivisions that are going on in the older suburbs. I own a block in Joondanna that I could subdivide tomorrow and under the R-codes I could do two 430-square metre lots, which would be larger than many of the lots at places like Butler and north of Butler and, clearly, Rockingham as well from what you are saying. If you do, I would like to get them on notice. I am intrigued to know what sort of the statistics you keep regarding the lot sizes and the location of those lot sizes in terms of subdivisions.

Mr Lumsden: We would have to take that on notice because I am not too sure to what degree we have that data. Your general observation is that the development industry in greenfield sites, because they have more design flexibilities, have been doing smaller lots. Part of that is from their own term of investment as well, I might add, compared with the inner-city areas. But, again, that is now being reviewed in terms of the R-codes by local governments who are looking closely at those areas now.

Hon KEN TRAVERS: I am happy for you to take that on notice. I am trying to get a snapshot of not just the average but the number of lots in the outer metropolitan area that are over 400 square metres, under 400 square metres and under 200 square metres. If you have that statistic, I would like a range of how many lots are getting subdivided, what sizes they are and in what locations they are.

Mr Lumsden: We could do that research and take it on notice but to what degree, I could not say.

Hon KEN TRAVERS: Even if you do not do it for me, I would have thought it would be useful to do it for the minister.

[Supplementary Information No E4.]

Hon DONNA FARAGHER: Can I just indicate that we are happy to take it on notice, but there are some publicly available reports and the director general will refer to them, just for your information as well.

Ms McGowan: We do have a demography and indicators program in what we call the Urban Growth Monitor. Quite comprehensive work is put out. We get all the information from developers and others and we also have people going out and doing their own research. I think a question was asked earlier about population forecasts. We have all the WA Tomorrow series of population forecasts. We have what we call the metropolitan land use forecasting system, which produces the small area scale dwelling and employment projections in the Perth metropolitan and Peel regions and the state lot activity, which contains the number of lots and the detail there. Without going back—I am scratching at the memory—I think a lot of that information is in there. But, yes, you are right: there is often reference to the donut effect, where we have smaller lot sizes in some of the new outer suburbs, which is quite often a product of housing affordability combined with that reluctance of some of those inner-ring suburbs to embrace density. The other part of that challenge is making sure that we do not just have battleaxe subdivisions on the Joondanna lots, but that is where the good design comes in as well.

Hon KEN TRAVERS: I do not disagree with that. The director general made a comment earlier that you are working with local governments to ensure densities in the right places. I do not know how you can determine where the right places are until you have a transport plan, because surely the right places are along the transport corridors around the transport stations. Until we have a transport plan, how do we identify the right places for urban infill?

Hon DONNA FARAGHER: That goes back to the earlier question tonight with respect to the involvement of the Department of Planning with Transport. Certainly, from my perspective, it is important that both agencies are aligned.

Hon KEN TRAVERS: I understand that, but the director general said, “We’re working to get them in the right places”, and I am asking: at the moment, how do you find the right place without a transport plan? I understand the desire to have that connection at some point in the future, but how do you do it now when you do not have a transport plan?

Ms McGowan: Because we have been working very closely with the Department of Transport in the formulation of our draft subregional planning frameworks and obviously the draft transport plan as well, so I think the synthesis is there and will continue to get stronger.

Hon KEN TRAVERS: In two of the bigger local governments that I represent, including Joondalup, you have just done the broad brush, where you have rezoned whole suburbs to R30, which is just going to create, in my view, that same problem everywhere else where you will get battleaxe blocks. There is a real question mark about whether or not the transport systems will cope, because unless you have got it linked to a transport plan, you will not get the mode shift from the private vehicle to public transport. If you suddenly have a whole lot of new houses built across Craigie and you do not actually have them down the transport corridor, they are all going to want to have cars and you are going to have the same problems that you have in all those others areas that were subdivided and the streetscape is covered in cars trying to park. When are we going to get that? Why have we rezoned those areas, because it will not be in the right place, will it, if you rezone those to R30 and then you eventually have a transport corridor running down to Hillarys Boat Harbour where you might want to have a higher density along that corridor? I just use that as an example. It may not be a corridor or you would have to do the work to determine it.

[8.30 pm]

Ms McGowan: I will ask the chairman to add a little bit. In terms of the subregional planning frameworks, we have broadly identified areas that we see may be potential areas for growth. We have not actually changed to rezone anything at this particular time, unless that has been a separate process.

Hon KEN TRAVERS: You have done it in the City of Wanneroo around Girrawheen. With a transport plan, you might have had high density around Mirrabooka Avenue.

Ms McGowan: But we are also relying on the local government and working with the local government. I will ask the chair if he would like to add something.

Mr Lumsden: Our existing policy documents for activity centres and for activity corridors do reinforce around, for instance, the railway stations that exist at the moment and also major bus routes such as Stirling Highway and Canning Highway. Where possible, our planning documents, such as the review of the Stirling Highway reservation, have allowed for increased public transport modes down that corridor. The issue of improving the service delivery, whether it is on existing railway stations or on existing activity corridors, is one for the Department of Transport through the government to look at through the funding of public transport. What we have done is put in and articulated very clearly to the Department of Transport our policy documents. They are aware of those. We have done the same in terms of our strategic frameworks. We are continuing to reinforce the development around railway stations. A good example of more recent developments is around the Bassendean railway station.

Hon KEN TRAVERS: I understand that you are doing good work around certain train stations. I am asking about those areas where you have done broadscale rezonings in areas where there is no transport plan. When you increase density around the Maylands train station, that is great, but my concern is in places like Joondalup and Wanneroo, you as a commission have recently rezoned large swathes of that land and all you are going to get is battleaxe blocks redevelopment where people want to keep having their private cars and there is no transport plan to underpin higher density and a mode shift away from private vehicles.

Mr Lumsden: That has been in response to the City of Joondalup. My understanding is that the City of Joondalup is a major strategic metropolitan centre where our policy documents espouse increasing densities, and the City of Wanneroo has responded to that. There is an existing station there. There is also an existing bus station. The bus transits move into that area. That is my understanding. If there needs to be increased public transport activities, such as bus connections, into those areas, which there is not to such a degree at the present time, that is something for the Department of Transport to respond to in terms of their planning. We cannot dictate to the Department of Transport that they will increase bus services in this area. That is their policy decision to make. We have facilitated increased patronage, which can occur if the City of Joondalup, in terms of the strategic regional centre, is increased in density in components.

Hon KEN TRAVERS: The rezoning through Craigie and Heathridge is done on a broad basis. It will still make it very expensive to provide public transport into those areas. It is not along a corridor where you have said, “We are now going to have a transport corridor leading into the train station with high density buses running down that corridor like we are doing up at Alkimos”, and therefore you will have high density on the transport corridor but the rest of the suburb stays the same. What you have approved is more of that broadscale battleaxe block infill development, and the road network struggles to cope now as you get into those congestion points like train stations. I think my colleague avoids the Mitchell Freeway and heads down through Scarborough. He said he sees it every day.

Hon PETER KATSAMBANIS: It depends where I need to go. North Metropolitan is a very large electorate.

Hon KEN TRAVERS: The road system is struggling to cope and you are rezoning land in a way that is just going to add to that problem, not provide a change in mode and density in infill that actually encourages mode changes.

Mr Lumsden: As the director general has reminded me, the council would have done appropriate transport modelling before they would have reflected it in the housing strategy. Having said that, I take your point and I will have a look at it. I am not that convinced, with due respect to the honourable member, that the issue is of as substantial concern as he has indicated, but I will have another look at that area.

Hon KEN TRAVERS: I will take you for a drive up there one weekend. You said that you had been up there during the week.

Mr Lumsden: I have.

Hon KEN TRAVERS: You said you have been doing your tour of the suburbs. I will go and show you. It is one of those ones where I just think there is a real danger. I want to move on.

The ACTING CHAIR: Honourable member, can you think about making that one a short one because your time is getting pretty close to max and then I would like to take an indication of whether members want a stretch break.

Hon KEN TRAVERS: You are the lead agency for the Ocean Reef marina on behalf of the government; is that correct?

Hon DONNA FARAGHER: I will let the director general say a little in a moment. Obviously, we have a role with respect to the MRS amendment but LandCorp has a clear role as well, which obviously falls under the Minister for Lands.

Ms McGowan: Just by way of clarification, there was an MOU with the City of Joondalup. That MOU has expired. There is certainly intent in government to keep working with the City of Joondalup and they wrote to the previous Minister for Planning towards the end of last year seeking that the government take over as proponent. At that point in time, from our perspective—from a land use planning perspective—we have done the substantial part of the land use planning because it is obviously the terrestrial side. The decision on who would take on lead agency coordination status will depend. LandCorp is obviously doing some analysis of the business case that the City of Joondalup has put forward before government makes a decision on whether it will take over as proponent for the environmental approvals for that project. Equally, the other option, of course, is transport because of the marina site.

Hon KEN TRAVERS: I understand all that history. I asked you: are you still the lead agency—yes or no?

Ms McGowan: No.

Hon KEN TRAVERS: Who is now the lead agency?

Ms McGowan: There is not an identified lead agency at this point in time, but LandCorp is doing the work on behalf of the government. In effect, they are the lead agency but there is no MOU in place.

Hon KEN TRAVERS: So there is no formal lead agency of government for the Ocean Reef marina? Is the money that has been allocated, the \$500 000—the reason I am asking this is because I note it is in the LandCorp budget—the money allocated for LandCorp to do its work or is it available to the council to do further planning or is it available to you as the planning agency to do further work on the MRS amendments?

Ms McGowan: The question would have to be directed to the Minister for Lands. I understand that that money is allocated into the LandCorp budget with the intention of it assisting the local government to finalise some of the planning elements of that project. That is my understanding. I think the question would be better directed to the Minister for Lands.

Hon KEN TRAVERS: Nice handball. Why, then, are we continuing to do any work in any agency, including your own, on the Ocean Reef marina if there has not been a decision by government to take over the lead proponent role? Are we not just wasting money until we know whether the government is prepared to take over the role of being the lead proponent? The council has made it clear that it will not take the development through to conclusion. Why would we spend any money, including any of your agency's time and resources, until we have a decision on that key question?

[8.40 pm]

Ms McGowan: Certainly, my understanding is that there is still a broad commitment from government to the Ocean Reef marina project; it remains a priority of government, so we will continue to look at it. Not every project that is done by us or by any other agency of government is done under a lead agency allocation, as such. We continue to sit on and play an active role in the steering committee for the project. We continue to look at some of the land sides of things. In terms of continuing on as lead agency, my general view on that is that we now move more to the regulator side of the equation because of the MRS amendment and the work that is going on. It is more appropriately dealt with through another agency. Because we have done the substantive part of the land use planning, we now move into a regulator role.

The ACTING CHAIR: Questions on this issue?

Hon KEN TRAVERS: No. I have two more questions though.

The ACTING CHAIR: You are now the maximum question asker of all the members here. We will have a little break for five minutes; are you happy with that? A five-minute break until 8.45 pm. Members, we are not sure whether we are still broadcasting from here so if you are having a conversation, I suggest you take it outside.

Proceedings suspended from 8.41 to 8.47 pm

The ACTING CHAIR: Members, are we right to start again?

Hon DONNA FARAGHER: Just before we begin with questions, with respect to probably one of the first questions—I am losing track—about the green growth plan and expected funding, the director general indicated that she estimated it was around \$2 billion over 30 years. In the break, we have had the opportunity to check on that and the director general would just like to correct answer, if I could ask the director general to do so.

Ms McGowan: The estimate is \$1.2 billion over 30 years, but, as I say, it is very much an estimate because we do not know the full extent of the commitments at this point in time.

The ACTING CHAIR: We will start a round.

Hon SUE ELLERY: I have three questions and they go to the WA Planning Commission. On page 826, you talk about land acquisition. There is a dot point about priority being given to finalisation of the passenger railway corridor and it lists a couple of areas there. Is there a list? Have you got particular areas that you are looking to earmark, I guess, for purchase of land this year?

Hon DONNA FARAGHER: I might ask Mr Hillyard to answer that.

Mr Hillyard: Thank you. Yes, it is the final sections of railway right in the very north west part of the north west corridor. As the director general mentioned a little earlier in the dealing with LandCorp, that has completed the land purchases through Alkimos. There are a couple of properties to the north of Alkimos that are proposed to be purchased to complete the railway.

[8.50 pm]

Hon SUE ELLERY: Thank you. I turn to the dot point on that same page with respect to the Swan Valley development plan. How many submissions were received, and when will the final plan actually be finalised? Maybe I will get the answers to those two questions before I ask the next two questions on that issue.

Hon DONNA FARAGHER: What was the second one?

Hon SUE ELLERY: This is in respect to the Swan Valley development plan.

Hon DONNA FARAGHER: I got the first one in terms of the number of submissions.

Hon SUE ELLERY: How many submissions were received, and when will the final plan be finalised?

Hon DONNA FARAGHER: We have had 107 submissions. With respect to the finalisation of the plan, we would expect towards the end of the year.

Hon SUE ELLERY: Is the commission developing new plans for the Herne Hill town centre, given that there was—I do not know if you would call it a backlash or a negative response to the previous plan?

Hon DONNA FARAGHER: It might be that Mr Lumsden can provide some more detail, but that has been part of the development plan that was put out for public comment. I might add it was as a concept only in terms of the actual map. There was never any intention with respect to the removal of existing homes in that regard. I think Mr Lumsden did write to the affected landowners who did raise some concern, and that is certainly accepted. I think the letter was to allay those concerns. Mr Lumsden might be able to elaborate further.

Mr Lumsden: Thank you, minister. Yes, it was a concept plan, and I did write to all landowners, and from what I understand, my correspondence has been received favourably, to clarify the situation. Unfortunately, I think people misconstrued the intent of the concept plan in the document. Certainly, what people do accept is that there is a town site at Herne Hill. It does have some potential for further development, but that would be developed in conjunction with the City of Swan, and obviously with public consultation. Unfortunately, I think in cases such as some aspects of word of mouth in that community, which I know very well, there is often some determination made by individuals as to what has been proposed which has not been proposed. I understand that issue has now been put to bed, to the best of my knowledge.

Hon SUE ELLERY: Is the intention to bring legislation into the Parliament in respect to the development plan in the second half of this year?

Hon DONNA FARAGHER: Yes.

Hon SUE ELLERY: I turn to the Perth Convention and Exhibition Centre master plan on the same page, 826, in the Planning Commission stuff. What is the timing of the completion of the plan, and who has been involved in the plan?

Hon DONNA FARAGHER: I will ask the director general to provide an update on that.

Ms McGowan: Certainly the work we have been doing on the Perth Convention and Exhibition Centre seems to have been quite well received. We are working with the Government Architect and the Central Perth Planning Committee, as well as the Department of Transport, the PTA, the Metropolitan Redevelopment Authority and the Department of Lands, and discussions with the City of Perth as well, and also with Tourism. We have also had some discussions with the Wyllie Group and Brookfield in terms of related development. What we are doing is phase 2 of the convention centre precinct. That is a more detailed master plan and a business case for consideration by government. The sorts of things we are looking at are the overall capacity of the convention centre, the functionality in terms of the interface with Elizabeth Quay and the outlook to the river. They are the technical studies that are underpinning the work that we are doing. It is actually an assessment of the future capacity requirements, confirmation of the future transport requirements, including both where the freeway currently comes off and, as I say, the Elizabeth Quay train station and bus station. We are looking at all the geotechnical work and construction work that has been undertaken and the knowledge we have from all of the activity that has been around that area, the sorts of design and development options for the expansion of the convention centre, and complementary development opportunities. What we are doing at the moment is refining a preferred master plan and potentially looking at a staged approach, because clearly to do all of those things is a long-term proposal rather than something short term. So we would be looking at a three-stage or so process that we would put to government for consideration.

Hon SUE ELLERY: In that three-stage process, have you identified critical time lines that you would want built into it? When does the existing lease expire?

Ms McGowan: There are a number of lease arrangements, and I know I have got them somewhere. There are certainly some with the Wyllie Group and some with Brookfield et cetera.

Hon SUE ELLERY: Maybe you could take that on notice and give me the complete list?

Ms McGowan: Absolutely.

[Supplementary Information No E5.]

Hon SUE ELLERY: What are the critical time lines in respect to your staging process?

Ms McGowan: I think it is probably a little premature. We expect to have the business case completed either late this year or early next year, so we are working on that. That business case will set out some indicative time frames. But it is probably still in the discussion phase of looking at

what would happen in the more immediate five years to 10 years to a bit further out. I will give you as much information as I can when I give you the lease arrangement details.

Hon SUE ELLERY: Thank you. I am done.

Hon HELEN MORTON: I want to ask some questions about the Ascot kilns and Golden Gateway project on page 826. I am very interested to know what some of the suggestions were that were put forward for viable development that preserves the interim heritage listing of the former kilns following that initial community design workshop.

Hon DONNA FARAGHER: I will ask Mr Hillyard to provide some advice on that.

Mr Hillyard: There have been two workshops. The land that the kilns sit on was part of the original Ascot Waters project, and it was land that was designated as community–commercial. At that stage, there was an expectation that the land could be mostly developed for uses that would provide services for the local community that was being established there, so there was an expectation of maybe some form of supermarket or that sort of thing. Coming through the workshops, the community was more of the view that they would prefer a residential-only opportunity. As a result of the workshops, a number of options have now been worked up and put to the community to consider and they did find general favour at this stage. One of the more, let us say, innovative proposals would involve residential accommodation that would actually enclose the kilns themselves in a glass-type feature as a central part of the development so that the kilns and the stacks could mostly be retained. There are at this stage two kilns that are expected to be demolished because they cannot be saved, but otherwise it is expected that nearly the entire assemblage of kilns and stacks can be saved and restored and included in a residential development. We are currently looking at the cost–benefit analysis of the development, with a view to putting it finally to the community for some final comment, and back to government.

Hon HELEN MORTON: What is the time frame for now getting some kind of go-ahead on this?

Mr Hillyard: The kilns are part of the broader Golden Gateway project, which involves a much larger area of land. The kilns component can be reported back to the commission in a shorter time frame but as part of the overall project. There is an expectation that it can be reported back to the commission with a business case for taking the kilns land forward by the end of this year.

[9.00 pm]

Hon HELEN MORTON: You just touched on the Golden Gateway project too. What are all the component parts of the Golden Gateway project and why is it called that?

Mr Hillyard: I cannot answer your question about the name. It is generally the area of land bounded by Great Eastern Highway, Resolution Drive or Raconteur Drive as it used to be, and—I cannot think of the name of the southern road near Parry Field. It is a triangular-shaped area where Kennards and industrial-type uses —

Hon HELEN MORTON: It is just near the racecourse there.

Mr Hillyard: It is and it includes some of the racecourse land as well.

Hon HELEN MORTON: So an overall project is being developed that encompasses all of that land?

Mr Hillyard: The Golden Gateway project is a structure planning exercise to bring about the urban regeneration of that broader area whereas the kilns are quite a discrete project within the broader project area.

Hon LYNN MacLAREN: On page 816, under “Efficiency Indicators”, there is the cost per subdivision and development application processed. I note that the budget target for 2016–17 is \$2.9 million more than the estimated actual for the previous year. I know that quite a bit of planning

effort has been put into streamlining and trying to make things quicker and less costly, so why is the target higher?

Ms McGowan: In almost a perverse way, the calculation is the total cost including overheads of the statutory planning and reporting period divided by the number of applications projected to be determined in the reporting period. We are getting a drop-off in the number of subdivision applications; we have gone from about 4 000 per annum. We are anticipating that will drop by about 400 in the 2016–17 year, but we have not actually reduced the number of staff in processing at this time because of trying to meet that performance indicator of getting the numbers down. That is the explanation there, over the last three years. In 2015–16, we estimated that we would have 4 200; therefore, that cost per subdivision was \$7 295. The estimated actual, instead of 4 200, we are estimating just on 4 000, so that is about 200 down, which brings it to \$7 600. But in the next year we go to 3 600 and our total cost—I do not know if Mr Deery can add anything about all costs going up from \$30.61 million to \$33.93 million. Mr Deery, are you able to add anything there?

Mr Deery: Just a little bit. The director general said we are accruing higher costs. The number of hours as well for consultants has gone down so there is a fixed-cost element. Even when the volume goes down, sometimes the cost does not move in terms of how the volume moves, so the cost will be higher. As the director general said, the cost for a subdivision is being held high at \$9 400 to give time to get subdivisions done but also to get labour costs and all the costs down.

Hon LYNN MacLAREN: I have a related question on this same table about the average cost per policy and planning hour. I know that elsewhere in the budget you have said that that is due to the complexity of consultancy fees and legal and the other policy advice that you have had. I could cite the page, but I was wondering if you could expand on that? Why has the average cost per policy and planning hour gone up?

Ms McGowan: Basically, we have had some higher external costs because of the type of studies we have been doing, and the primary areas have been on transport route planning, state design review studies and some regional open space contaminated sites activities. Sometimes it is the particular work we get done, the technical studies; it depends on the level of expertise we have to buy-in, effectively.

Hon LYNN MacLAREN: Is that detailed anywhere? I know there is that list that lists contaminated sites legal and policy consulting. Can you break that down for me even further as to which of those activities involve costs and what those costs were?

Mr Deery: The time analysis here could certainly be supplied. They are reasonably complex calculations. The details are not actually here, but that detail could be provided.

Hon DONNA FARAGHER: We will take that on notice.

[Supplementary Information No E6.]

Hon LYNN MacLAREN: I referred to page 816 and note 1. I just want a breakdown of those costs.

Hon KEN TRAVERS: Since we last met, have you done any further work in terms of identifying sites for high schools in the inner northern suburbs and western suburbs or have you left that completely to the education department?

Ms McGowan: No; we have done some work with the education department looking at a range of potential sites. We have certainly not settled on any, but we are identifying areas of land that may be able to accommodate a school and then identifying what would need to be done in terms of the planning process there. That certainly covers the western suburbs. For the northern suburbs, I will ask Mr Hillyard to add anything on either score. At a broad level, I know there have been a couple

of discussions on specific areas in newer or proposed subdivisions, but I will ask Mr Hillyard if he has anything to add.

Mr Hillyard: Yes; the director general is correct in that, from the most recent meeting that I mentioned we had yesterday, the education department has started to identify where it believes additional school sites are required and it will feed that back to the department. The department has also identified particular sites in the newer areas as part of the draft planning frameworks that were released. We have commenced some discussion about how the commission may assist in the early acquisition of priority sites.

Hon KEN TRAVERS: When you say “the newer areas”, what do you mean by that?

Mr Hillyard: Where they are identified in the planning frameworks, which are the north west corridor.

Hon KEN TRAVERS: I am talking about the inner northern suburbs, not the outer northern suburbs. There is a fairly standard process for that. I am talking about the retrofitting of high schools into the northern suburbs.

Mr Hillyard: The advice that we received yesterday is that they are looking at each of the different schools and establishing what the opportunities are there for the short, medium and long-term redevelopment growth. They have a particular name that they use for allowing for transitional growth at that school et cetera and where there will be requirement for additional schools in the longer term. Part of the work that we are doing at the moment is to identify exactly what the additional requirements may be if they cannot be accommodated at existing sites.

Hon KEN TRAVERS: So, at the moment the work is focused on just putting more students onto the existing sites. I just want to be clear that I am hearing this right. You have not started to go to the next stage of saying that we need a new site in this general area so let us start to identify where those opportunities are.

[9.10 pm]

Ms McGowan: There are a number of pieces of work we do, and one I mentioned before was about the Infrastructure Coordinating Committee and getting all the agencies together and marrying up the demographic trends and the information that each of the agencies has. The other is looking at some of the work on identified surplus land through the land asset management advisory group, I think, which is run out of the Department of Lands, and that is looking at any areas of land. From a planning perspective we are looking at each of those pieces of land for how they fit with our land use planning framework. In some of those instances we have potentially earmarked land, but obviously we have not gone into the detailed work on whether the site might be a suitable school site or is suitable for some other use, or in fact whether it is what we would consider to be its highest and best use. There has been that work. Part of the discussions we have with Education, and in fact the other agencies, is looking at the range of strategies—what can be accommodated in the existing school or in the growth of that school or where you might have additional sites—but that is something that they have primarily done, and it is something the Minister for Education looks after to a greater degree. We will just be consulted as needs until we get the ICC framework working.

Hon KEN TRAVERS: I still want to get an answer to my question. I understand all the general stuff that is going on and all the processes, but in terms of the inner northern suburbs are we still at the point of trying to determine whether we need another high school site, or have we accepted that we need another high school site and we are now at the point of trying to identify a high school site?

Hon DONNA FARAGHER: Can I just indicate that I think really where you are heading on this is really a matter for the Minister for Education.

Hon KEN TRAVERS: No, I want to know because it is also a planning matter. High school sites are part of the planning scheme in the MRS, so I am asking whether you, as the planning agencies,

are starting to look at the site for a future high school. If you are telling me, minister—I do not want to verbal you on this one; I want to be sure about where we are at—that you have not got to that point and it is still with the education department, that is fine, but let us be clear about where we are at.

Ms McGowan: We have not had specific discussions on a particular site. If you are saying Hamersley or Greenwood or whatever, there has been —

Hon KEN TRAVERS: No, I am talking between Mt Lawley and Churchlands.

Ms McGowan: Okay; yes. That is really where I am trying to get to. We have identified where the potential school sites might be by broadly looking at that area from the central business district out so far as just a bit north of Churchlands and out to the western suburbs. We have shared that information with the Department of Education, and that forms part of our process because if any rezoning is required or any work to be done to acquire land, that would have to come back through the planning process.

Hon KEN TRAVERS: Is that subsequent to the four sites that the minister announced a year ago? The minister identified a site down at City Beach—the City Beach high school site, the Skyline drive-in —

Hon SUE ELLERY: There are two City Beach sites, and then two others not too far away.

Hon KEN TRAVERS: There was the Skyline drive-in, the bit of Bold Park, down Fred Jacoby's, the bit on the City Beach foreshore, and the City Beach high school site. Are you talking about further sites on top of that, or are you talking about those four sites?

Ms McGowan: In a very, very general sense we have identified, through the work that Mr Hillyard does, where we think there may be at least areas that might be worth exploring. One such site is near Challenge Stadium, as an example over and above. Nothing further has been done on progressing that as a site, other than to say it may be worthy of examination.

Hon KEN TRAVERS: Is that additional to the four sites?

Ms McGowan: It is additional to the four sites. One of the things we have done with the four sites that were indicated is at least look at what would need to be changed, whether it was an MRS amendment, whether it was an EPBC act approval or any work in that regard. That is part of the ongoing work we do in working with other agencies to identify and meet those needs. The Minister for Education, I think, has signalled that at this point in time they do not see that the existing sites they have can cope and they have certainly looked at City Beach high school.

Hon KEN TRAVERS: I do not think he has talked to the parent body quite yet; he might change his mind over time.

Ms McGowan: That will be an ongoing discussion, and we will work —

Hon KEN TRAVERS: Would you accept a school of 3 500 students for your children?

Ms McGowan: It is probably a hypothetical that I would prefer not to go into. But we will —

Hon KEN TRAVERS: I am sure the minister would not. It is not a hypothetical actually; it is real. The projections show that there will be 3 500 students at Churchlands.

Ms McGowan: I am past having children of school age.

Hon PETER KATSAMBANIS: You were questioning those projections a while ago.

Hon KEN TRAVERS: When you last came before us, you talked about the Burswood planning study that had been completed and said there is the provision for a bridge between Burswood and East Perth. Who is responsible for funding that bridge? Is it the developers of the land at Burswood, the state government or local government? Who would be responsible for funding it?

Hon DONNA FARAGHER: I will ask Mr Hillyard to respond to that.

Mr Hillyard: It is my understanding that the additional bridge is required specifically for the Burswood development on Belmont Park, so therefore at this stage it would be a developer responsibility to design and fund.

Hon KEN TRAVERS: Excellent; that is what I wanted to hear!

As I understand it, WAPC can do discretionary approvals and approve developments that sit outside of the R-codes in residential areas. Is that something that occurs on a regular basis or is it fairly limited? Where the land might be zoned R25, you allow a subdivision to be approved for that site so on a 700-square-metre block you allow it to be divided into a duplex site. How often do you use your discretionary approval to approve developments that sit outside of what the R-code for that area would normally allow?

Mr Lumsden: There is a section of the act that allows the commission to do that, but it is used very rarely. It is not a responsibility delegated to Department of Planning officers. It has to come to the statutory planning committee with a very strong planning argument for it to occur, and then if the commission is satisfied, it may approve it. But I can only think of, off the top of my head, honourable member, two instances in the last year and a half that that has occurred. It is very rare.

Hon KEN TRAVERS: Is it possible for me to ask you to take on notice the number of times it has occurred, the locations and the reason the discretion was exercised?

Mr Lumsden: Yes.

Hon DONNA FARAGHER: Over what period?

Hon KEN TRAVERS: You said the last —

Mr Lumsden: Can we make it the last 18 months, just to —

Hon KEN TRAVERS: If we can go for the full financial year of 2014–15, and up to the current point of the current financial year.

Hon DONNA FARAGHER: Yes.

[Supplementary Information No E7.]

Hon PETER KATSAMBANIS: I refer to page 829 then on to page 830. There has been a quite a spike in the projected income from asset management from the budgeted figure for the current financial year that is about to end, and the estimated actual. The note suggests that it is due to an increase in the profit on disposal of land mainly from Alkimos. That would indicate that land at Alkimos is selling better than expected, or has there been a particular one-off transaction? What is the situation resulting in better profit than we expected from Alkimos?

Hon DONNA FARAGHER: I might ask Mr Hillyard to answer that question.

[9.20 pm]

Mr Hillyard: It is probably not helpful to just refer to it as the Alkimos sale. In fact, it is part of the deal that we call the Alkimos deal, where the Planning Commission has acquired substantial areas of land from LandCorp, as the director general mentioned earlier. It is actually a part land exchange as well, where the Planning Commission sold land to LandCorp for future development and that includes some industrial land at Port Kennedy, some land on the Cockburn Coast near the South Fremantle power station, a partly completed subdivision in Rockingham, and some surplus land at Redcliffe. So the profit is on the sale of those four WAPC properties which are not at Alkimos.

Hon PETER KATSAMBANIS: I guess what I am getting at is that it is profit obviously, so why did we get more than we thought we would get?

Mr Hillyard: It is because the land is held against its original purchase price and so it shows a profit on that. A number of these properties—for instance, the Redcliffe property was purchased in about 1968, so you would naturally see a substantial profit on that land today.

Hon PETER KATSAMBANIS: So if it is at purchase value, obviously, if the book value was the purchase value back then of course it would be a profit?

Mr Hillyard: Yes.

Hon PETER KATSAMBANIS: That answers that question. I guess I will ask this question: I was expecting for it to be asked. Page 826, “Land Acquisition for Future Road/Rail” with specific reference there to “finalisation of the passenger railway corridor to Yanchep, Mitchell Freeway”, how much more land do we need in those corridors that the commission has not got?

Hon DONNA FARAGHER: I will ask Mr Hillyard to respond to that question as well.

Mr Hillyard: So complete the railway all the way to Yanchep. After 30 June this year there are only three properties left to acquire.

Hon PETER KATSAMBANIS: Which ones are they?

Mr Hillyard: That is a section through Shorehaven, a section at Eglinton, and an additional section at Yanchep, where the rail has changed its alignment.

Hon PETER KATSAMBANIS: Who owns each of those parcels?

Mr Hillyard: One is Peet and Co at Shorehaven, one is Primewest at Yanchep, and the other—I am just trying to think which one it is.

Hon PETER KATSAMBANIS: Eglinton?

Mr Hillyard: The Eglinton one is, in fact, a new purchaser. It was a deceased estate that has recently settled.

Hon PETER KATSAMBANIS: So it is not land owned by LandCorp?

Mr Hillyard: No.

Hon PETER KATSAMBANIS: Mitchell Freeway, where are we at with that? How far away are we from completing that corridor?

Mr Hillyard: Only six properties to acquire to complete the Mitchell Freeway. They are mostly towards the very northern end—I am trying to think. Certainly north of Burns Beach. The last couple of properties are out near Alkimos and one at the very northern end up near Two Rocks Road.

Hon KEN TRAVERS: Are they north of Romeo Road?

Mr Hillyard: Essentially, they are north of Romeo Road. There is one south of Romeo still to go, which is also from the Peet Shorehaven area, so that would be acquired at the same time.

Hon PETER KATSAMBANIS: So that is part of the negotiations that are taking place in relation to that Shorehaven land for Yanchep rail corridor.

Mr Hillyard: There is both road and rail required for Shorehaven and also some open space.

Hon PETER KATSAMBANIS: South of Romeo Road is the only parcel that is required?

Mr Hillyard: Yes.

Hon LYNN MacLAREN: The development assessment panels on page 812 indicate that 1 000 applications were processed up to March 2016 and the projects are estimated to be in excess of \$30 billion. I wondered if you could give us some more detail about how many problems were experienced. I know there was a recent court case involving a development assessment panel decision in South Perth. Is there a cost to the department when a development application is approved by a DAP and then SAT over turns it? Is there any cost involved? Who covers the legal cost of the representatives who then have to defend, I assume, the development application approval?

Ms McGowan: Broadly, it is whoever would seek to appeal and who the costs are awarded to or against, but yes, there is always a cost in terms of the extra administrative component. Your broader question, yes, there have been over 1 000 applications. They are worth more than \$30 billion. In a general sense, around 94 per cent of those development assessment panel decisions are determined in accordance with the officer's recommendations through the responsible authority report. Sometimes there are some changes to the conditions. The issue of complaints has been a difficult one to determine in terms of how many—certainly there have been probably close to now I would say twenty to two dozen that have attracted significant media attention out of the 1 000. It has to be remembered that not every decision that was made by local government prior to the DAP process coming in was unanimously endorsed by the community as well.

If I look at the broad complaints that we have categorised and broadly from two sources because—and it is something that we are improving in terms of our complaints recording process, because sometimes people will complain to the presiding member, sometimes they will go to the minister, sometimes they will come to the department. Broadly speaking, we had up until end of April this year, we had coming into the ministerial office about 82 complaints in total; 60 of those were from members of the public and 44 of those were in relation to one single decision, which was the McDonald's decision in Applecross.

To the department, and this is again since 2011 when DAPs were introduced, we have had a total of 32 complaints of which the public I think had contributed about 23 of those, and they range from the decision, about six; conflict of interest concerns, three; DAP process issues, 11; the time frame it took, three. They are very hard to categorise but we would say that DAPs have been very successful. We certainly have seen about a 30 per cent increase in the number of applicants opting into the DAPs system and one of the issues that was certainly paramount in the parliamentary inquiry into the DAPs system last year was that one of the significant challenges is the outdated nature of many of the local planning schemes because, as I mentioned before, the DAPs can only make decisions standing in the shoes of the decision-maker and obviously applying any discretions that the decision-maker is able to make.

In the South Perth instance it is also noteworthy that the judicial challenge—I think that is one of the few judicial challenges, and there were about 12 grounds, from memory, for the appeal. The two grounds that the court determined that ruled the decision invalid related broadly to the mix of commercial and residential, rather than height, scale et cetera, but one of the things we are very focused on is this work we are doing on design advisory work and design guidance because that again is, we see, a big key to addressing some of those broader concerns.

Hon LYNN MacLAREN: Were there other judicial reviews?

Ms McGowan: Not that I am aware of. There may have been one other—yes, only one.

Hon LYNN MacLAREN: That is the only one so far.

The ACTING CHAIR: In view of the time, that concludes our hearing today.

On behalf of the committee, I thank you for your attendance today. The committee will forward you any additional questions it has to you in writing after Monday, 20 June 2016, together with the transcript of evidence, which includes the questions you have taken on notice highlighted on the transcript. Responses to these questions will be requested within 10 working days of receipt of the questions. Should you be unable to meet this due date, please advise the committee in writing as soon as possible before the due date. The advice is to include specific reasons as to why the due date cannot be met. If members have any asked questions, I ask them to submit these to the committee clerk at the close of the hearing. Once again, I thank you for your attendance. That draws to a close Donna Faragher day!

Hearing concluded at 9.30 pm
