

Hon Matthew Swinbourn MLC  
Chair, Environment and Public Affairs Committee  
Parliament House  
2 Harvest Terrace  
West Perth WA 6005

Dear Chair, *Matthew*

**Re: Petition 100 – 3 Oceans Development Scarborough**

Thank you for the opportunity to provide a submission regarding this petition.

Constituents have raised a number of issues with me regarding the Metropolitan Redevelopment Authority's (MRA) decision to approve the 3 Oceans development in Scarborough.

The first and most pressing of the concerns is that the height of the approved towers is so far beyond not only the zoned 12 storeys, but the 'extraordinary public benefit' height of 18 storeys.

Building height has consistently been a matter of major concern to the Western Australian community. Specifically there are long-standing concerns and substantial opposition to high-rise near the beach. As such, it is difficult to understand how such a substantial deviation from the standards agreed with the community could happen.

The discussion with the public had already created a provision for additional height should a project provide outstanding community benefit. The community had already agreed to the height limits under the scheme – or at least had certainty about what could and should be happening at Scarborough. The approval of the towers is an outcome that once again lowers trust in the planning system.

It is particularly concerning that the MRA was required to seriously entertain a proposal so far outside of the community license granted through the deep public engagement that had previously taken place.

Another concern that has been raised with me is that membership of the MRA Board is open to people who have recently been members of advocacy groups. In other states of Australia, a minimum of two years is required between being an office-bearer in an advocacy organisation and taking up a decision-making role.

Management of Conflict of Interest is particularly important for bodies such as the MRA that have such a significant impact on the community. The MRA frequently has control over areas of strategic importance to the community – and there are no avenues for the community to appeal against the decisions made by this body. The community must be able to trust the people and processes of the MRA.

It is essential to closely manage conflict of interest concerns in a body such as the MRA that has a longstanding 'culture of secrecy', as identified by the new MRA Chairman in March 2018.

Concerns have also been raised with me regarding the developer's participation in the "Leaders' Forum" events, which necessitated a \$25,000 fee to be paid to meet with Labor party senior figures. Once again, there is an appearance of failure to adequately address conflict of interest. The government's strong support in the media for this development has not lessened the impression in the community that conflict of interest has not been managed.

The planning system needs an overhaul to make it clearer for both the community and the developers. Great public consultation such as that which resulted in the Scarborough Master Plan should not then be set aside. The community needs to have certainty around the elements that it considers most important – building height is one of the those essential elements. In the *Modernising Western Australia's Planning System* green paper, Evan Jones also identified the need to create some constraints in the planning schemes. Building height was identified as one of the issues of most concern to the community and where certainty around the scheme was most desired.

Transparency of MRA processes needs to be a priority and a robust approach to conflict of interest needs to be undertaken. The work of the MRA is too important for a lack of trust in the processes of this body to be fostered in the community.

This is particularly important in relation to the upcoming merger of the MRA with Landcorp. This combined body will have a great deal of power over the shape of Perth into the future. It is essential that the processes of this body will properly consider and weight public consultation, and also provide certainty that the schemes and plans agreed with the community are what will actually be built.

I am deeply concerned about the break in public trust that has occurred with the Three Towers Development and I encourage the Committee to assess the ways in which the planning system can be supported to provide hard limits to building, precinct and neighbourhood designs that are clearly understood by both the community and developers.

Yours sincerely,



Hon Alison Xamon MLC  
Member for North Metropolitan

09 January 2018