

SOUTHERN RAIL LINK, AMENDMENT TO METROPOLITAN REGION SCHEME

715. Hon. C.L. Edwardes to the Minister for Planning and Infrastructure

I refer to the WA Planning Commission's (WAPC) proposed amendment to the Metropolitan Region Scheme to allow construction of a railway within lands reserved for roads without a requirement for public or Parliamentary approval and ask -

- (a) what action does the Minister propose to ensure that she meets her undertaking to Parliament that all aspects of development of the southern rail link will be brought to Parliament for approval;
- (b) since my question on notice No. 112 of Thursday, 12 September 2002, has the Minister had an opportunity to study the map laid on the table of the House;
- (c) if so, does the Minister now agree that the WAPC amendment would allow the Government to construct railways or light rail along any major arterial road specifically highlighted on this map, without the need for development approval;
- (d) if the Minister has not yet studied the map, why not;
- (e) if the Minister has not yet studied it, will she do so and provide a response;
- (f) does the Minister agree that any declaration of a 'minor' amendment effectively removes any requirement for public and Parliamentary scrutiny;
- (g) if so, how does the Minister reconcile this with the Government's declared policy of community consultation and accountability; and
- (h) if not, what action will the Minister take to ensure that public and Parliamentary scrutiny remain priorities for the Government?

Ms A.J. MacTIERNAN replied:

- (a) All new railways whether in Railways or Road reserves under the Metropolitan Region Scheme will continue to require a Railways Enabling Act. Such legislation is always supported by reports about how the development of the railway is intended to occur and is subject to Parliamentary scrutiny.

Also, all new reserves for Railways and associated infrastructure will be made by way of Major Amendments under Section 33 of the Metropolitan Region Town Planning Scheme Act. The Act requires that these amendments are laid before both Houses of Parliament. Such amendments are always accompanied by explanatory reports on the results of the consultation processes required under the Act.

Revisions to the reserve alignment in the MRS for the South West Metropolitan transit route are currently proceeding by way of a major amendment to the MRS (No. 1032/33).

- (b) Yes (Note: it is assumed that this is a map of Regional Roads in the MRS).
- (c) No. Any new railway would need a Railways Enabling Act which would require Parliamentary approval.

If amendment 1060/33A (which is the amendment referred to in the question) proceeds to finalisation then the approval of the WAPC will not be required for the construction of rail track work and related infrastructure within the Regional Road reservation. Development approval under the Metropolitan Region Scheme has never been a function of Parliament and nothing changes as far as Parliament is concerned with this amendment.

- (d) Refer (b).
- (e) Refer (b)
- (f) No. If the WAPC decides that an amendment to the Metropolitan Region Scheme should proceed by way of the minor process under s33A Metropolitan Region Town Planning Scheme Act, the amendment takes effect following final approval by the Minister. The amendment is not required to be laid before both Houses of Parliament as is the case with a major amendment.

A minor amendment, however, is subject to public scrutiny by way of notification of affected landowners, public advertising and the opportunity to lodge submissions. In order to broaden the opportunities for public consultation and comment, at my request, the Commission is also establishing hearing committees to hear submissions on minor amendments.

- (g) The Government remains committed to maintaining and enhancing public and Parliamentary scrutiny for major rail projects.
- (h) Refer (g).