

**METROPOLITAN REGION SCHEME AMENDMENT 1019/33 - TOWNSITE DEVELOPMENTS IN
STONEVILLE AND PARKERVILLE**

Motion for Disallowance

Pursuant to Standing Order No 152(b), the following motion by Hon Jim Scott was moved pro forma on 18 December 2002 -

That the Metropolitan Region Scheme Amendment 1019/33 - Townsite Developments in Stoneville and Parkerville published in the Gazette on 5 November 2002 and tabled in the Legislative Council on 6 November 2002 under the Metropolitan Region Town Planning Scheme Act 1959, be and is hereby disallowed.

HON JIM SCOTT (South Metropolitan) [8.19 pm]: This metropolitan region scheme amendment signifies probably all the worst in the planning system and the planning process in this State. First of all, I will describe to members what this proposal is all about. It deals with two discrete areas of land in the Mundaring area. The first proposal covers some 574 hectares of land about 5.5 kilometres north of the Mundaring town site. It is envisaged that this will have about 1 700 residential lots in a range of sizes to support a population of approximately 4 500 people. The second proposal covers about 492 hectares of land five kilometres north of the Parkerville town site, adjacent to the John Forrest National Park.

This MRS amendment was initiated by the Western Australian Planning Commission in November 1999. It advertised for public submissions for the period from July to October 2000. There were many complaints about this process, and I will quote from one complaint in volume 2 of the submissions. The first complaint is from Ross Carson, who states -

These two sites are contained in the NORTH EASTERN HILLS SETTLEMENT PATTERN PLAN which is still in the planning process awaiting the Commission issuing a revised version of the DRAFT PLAN which was due out in the second quarter of 2000 and then community opinion on future development in the Study area through LOCAL AREA MANAGEMENT PROPOSALS subsequently. We are now four days short of the end of the third quarter of 2000 with no word on the revised version of the DRAFT PLAN issue. It is well overdue!!

Hon Derrick Tomlinson: That is the north eastern hills settlement plan.

Hon JIM SCOTT: Yes. The reason that people were concerned was that this process was all back to front. In the same document - that is, the metropolitan region scheme amendment 1019/33 that is before us - is attachment K. It shows how the process is supposed to take place. In the diagram, the state planning strategy is sitting at the top, and that feeds into the north eastern hills settlement pattern plan. That then goes into a number of local area proposals. When these are collated, one comes up with a district structure plan. Local plans come out of the district structure plan, and then the statutory amendments are made, as happened in this situation. However, in this case the process was totally back to front. What happened first was that the shire made the change in its local plan, and there was a reaction to the local plan.

Hon Derrick Tomlinson: You mean town planning scheme approval?

Hon JIM SCOTT: That is right. That is nicely described in comments by Simon Holthouse in the same document. I am not sure what this document from Simon Holthouse is, but it clearly is a foreword on the north eastern hills settlement pattern plan. He states -

The North Eastern Hills boasts a stunning landscape of rolling hills, gurgling brooks, deep river valleys, remnant vegetation and cleared areas for a range of agricultural practices. All of these features combine to provide spectacular views from various points throughout the study area.

Being located just 45 minutes drive from the Perth Central Business District, there is a growing awareness of the great scenic landscape and 'Hills lifestyle' which the North Eastern Hills has to offer.

This sounds a bit like a brochure, does it not?

Hon Derrick Tomlinson: It is very accurate. It is an idyllic place.

Hon JIM SCOTT: Yes. It continues -

This awareness and demand for land is fuelling interest in more intense subdivision to allow for rural-residential development, while proposals have also been received for new settlements to be established.

In response to this pressure, the Western Australian Planning Commission (WAPC) has identified the North Eastern Hills as a core area for future structure planning in the *State Planning Strategy*.

He goes on to say in this foreword that -

... the *State Planning Strategy* indicates that the population of Perth will grow to 2 million people in 2029 which is almost double the current population. Clearly the North Eastern Hills must accommodate some of this growth ...

Sound and proper planning is essential to ensure that this growth occurs in the best manner possible.

That document says to me that the then Chairman of the Western Australian Planning Commission is all about reaction and not planning. He was reacting to two people who went to the local government authority to put forward their planning proposals to develop their block of land. However, instead of looking strategically at what was occurring in the city and deciding the best way to go forward with planning and where the population should be located, in this case the WAPC reacted in response to community pressure.

Where was this pressure coming from? One finds from reading the submissions in the document that when the local government put forward its town planning scheme, there was in fact a great response from the community. I will quote from another submission from Sharon Davies, who is one of the local residents. It states -

According to the 'Schedule of Submissions (10.6.97, Planning, Building and Health Committee Minutes Confirmed 8.7.97; 24.6.97 Council Minutes Confirmed 22.7.97 PD756.97 [4]), there were 97 submissions re: the Hidden Valley proposed subdivision - However, of those 97 submissions, there were four (4) petitions that contained 451 signatures and many of the submissions were from more than one resident of the same dwelling so it would be safe to say that approximately **700 residents submitted concerns re: this development**. Of those approximately 700 submissions, **eight were in favour of the subdivision**.

What was the community concern to which Simon Holthouse was responding?

Hon Graham Giffard: He was responding to population pressure.

Hon JIM SCOTT: No, he was saying -

Hon Graham Giffard: He referred to two million people in Perth.

Hon JIM SCOTT: That was way down the page in his comments. He talked about the beautiful lots that were only a 45-minute drive from Perth in a scenic landscape. He said the awareness and demand for land has been fuelled by more intense subdivision to allow for rural residential development. He was not talking about Perth as a whole, but local pressure.

Hon Graham Giffard: It was in the context that we will have a growing population.

Hon JIM SCOTT: The context of a growing population is certainly a good point to raise. In that regard, why is it that the WA Planning Commission proposed to create these new urbanised areas a significant distance from any other area that contains the basics of life; that is, jobs and the infrastructure required to make such subdivisions work?

Hon Derrick Tomlinson: Some people prefer that lifestyle.

Hon JIM SCOTT: Indeed, but people who prefer that lifestyle are those signing submissions fighting against this development. They are concerned that the lifestyle that attracted them to the area will be impacted upon by urbanising the area. The proposal is about urbanising the community.

Hon Derrick Tomlinson: No, it's not. It's for rural villages.

Hon JIM SCOTT: Right. The designation before us tonight is for it eventually to be urban.

Hon Derrick Tomlinson: The population is to be 4 000 people. Would you call that an urban settlement? I would call it a village; that is, a school and a pub, but not even a railway station.

Hon JIM SCOTT: The member may call it that, but it is certainly not rural or special rural, and it will become urban.

Hon Graham Giffard: It's an issue of density.

Hon JIM SCOTT: Of course it is an issue of density. I refer again to the earlier document I quoted. The WA Planning Commission has not driven or planned this proposal - it has been put upon it. It was not planned as part of its overall plan for the region. This was done first, and the commission must incorporate it into its strategic plan for the north eastern hills.

Hon Derrick Tomlinson: Which was done first?

Hon JIM SCOTT: The TPS.

Hon Derrick Tomlinson: The NSRP or the TPS - which was done first?

Hon JIM SCOTT: The town planning scheme was done first; it was back to front.

Hon Derrick Tomlinson: Do you think so?

Hon JIM SCOTT: Yes. If the member looks at the diagram I showed the House earlier, he will see that this is not the way it is supposed to happen. The sequence should be different. That is supposed to be the last part of the process before it comes to this place - not the first.

Hon Derrick Tomlinson: I agree.

Hon JIM SCOTT: The proposal was driven not by planning, but by development requirements. This is not appropriate.

First, people were not given the proper information in a proper process in order to make their decision. They were not given that information when they made their submissions. Many complaints were made about that aspect in the submissions. Also, concerns were expressed by the Nyungah Circle of Elders about being left out of the consultation process. I now quote a letter to Archbishop Peter Carnley from the Nyungah Circle of Elders, which reads -

During the meeting we held with you on 12 June, 2002, we expressed our concerns that proper consultation and the proper process had not been followed in regards to the protection of the Sacredness of the land that is planned to be developed by you, the Anglican Church, and others. At that meeting you asked what our advice would be. You then agreed that a proper ethnographic and archaeological study would be done and agreement would be reached between yourselves and us, the Nyungah Elders and Native Title Claimants of the Swan River and Swan Coastal Plains.

In a letter from your Secretary/Manager, Rod Cousins, dated 5 July 2002, he states that 'The Trustees are currently checking the processes used by the town planners engaged to facilitate the archaeological and ethnographic surveys. Once that is done I will contact you again.'

He also stated 'please be assured that the Archbishop and the Trustees are empathetic to the Nyungah's request'.

Archbishop, it has been almost a year since we received that letter and answered Rob Cousins's request for the name of a consultant researcher and anthropologist to undertake the ethnographic and archaeological surveys. We have not heard from you, your office or Mr Cousins since then.

Now, it has come to our attention that a motion of disallowance of the re-zoning is being presented to the Upper House on 26 March, 2003 at the request of the residents of the Shire of Mundaring. We fear that both Labor and Liberal Party people who are meant to represent us as well as the white people will combine together against the Disallowance Motion. We know that the Labor Party and the Liberal Party are both in favour of development at any cost, and both Labor Governments and Liberal Governments have proved to us many times that they have no respect for our Culture and Religious Beliefs in the Land.

As Nyungah elders who are responsible for our Culture, Sacredness and the Land, we ask you, as a matter of extreme importance, to request the Government and the Minister for Planning to withdraw the proposed re-zoning of this until all of the proper processes and proper consultations concerning our Sacredness have been properly addressed.

If you allow this development to go through without proper consultation, you are complicit in destroying our Land, Spiritual Beliefs and Culture.

There has been a failure to consult the Aboriginal community on this proposal. A submission by the Aboriginal Affairs Department read -

It is not clear from the documentation included in the Metropolitan Region Scheme: Amendment 1019/33 within the Eastern Districts for Proposal 2 (Transfer of portions of Lot 81 Beacon Road, Parkerville), that the applicant has addressed the provisions of the *Aboriginal Heritage Act 1972* . . .

The Aboriginal Affairs Department submits that the applicant should demonstrate to the Western Australian Planning Commission (WAPC) that he/she has complied with the provisions of the Act (for example in a Local Subdivision & Infrastructure Plan) and/or that the WAPC should make compliance with the Act a condition of its approval. However, it would be preferable if the requirement to abide by the Act was implemented prior to any approval being granted by the WAPC.

We have another little problem with the process of this amendment. Equally important, and some even more important, issues arise. The first of those is the significant threat to the waterways in that area. These areas are adjacent to, and catchments for, the Jane and Susannah Brooks, which feed into our metropolitan area. Those catchments are extremely important to the water quality in this catchment. There has been no certainty about the disposal of waste water from these developments. Initially it was suggested that this could be easily handled. I

wrote a letter to the minister that raised a number of issues about this amendment. In response, the minister said -

A number of submissions raised concerns in relation to the effects of the sewerage treatment plant and waste water storage dam for Proposal 1 and to a lesser degree the feasibility of the treatment facility for Proposal 2. In its submission the Water Corporation also raised questions concerning the feasibility of the two treatment plants as proposed and the desirability of locating the treatment plants in the catchment area of Jane and Susanna Brooks.

As a result of the serious issues raised in regard to the waste water treatment plants the Committee appointed by the Commission to conduct the hearings in relation to the amendment requested the Ministry for Planning to seek more information from the Water Corporation concerning the plants. This has been done and a report is in preparation for the Commission's consideration before a recommendation on the amendment is forwarded for your consideration.

Today I asked some officers of the Water and Rivers Commission about the outcome of that investigation. The result is that the department is extremely concerned about the ability to provide waste water treatment for that area. One of the proposals concerned land owned by the Anglican Church, which had a huge dam. During the wet season the partially treated water is put into a holding area.

Hon Derrick Tomlinson: Secondary treatment.

Hon JIM SCOTT: Yes, secondary treatment ponds. That was right in the catchment area of the brook. The advice I have been given is that that is not satisfactory. At this stage we do not have a workable waste water treatment plant for that type of soil and terrain.

Hon Derrick Tomlinson: We do.

Hon JIM SCOTT: Do we?

Hon Derrick Tomlinson: It is a question of whether that proposal was appropriate for that community.

Hon JIM SCOTT: The indication I have is that we do not have a suitable treatment plant.

Hon Derrick Tomlinson: You should look at the Mundaring facility. There is a problem with it; however, provided the secondary treatment water can be used - and it can - that problem can be eliminated.

Hon JIM SCOTT: As the member knows, the problem with the Mundaring situation is that it has not worked very well. It has an overflow pipe, which runs into Jarrah Creek.

Hon Derrick Tomlinson: That is a serious setback, which can be overcome if a use for the secondary treatment water is found. There is a use for it.

Hon JIM SCOTT: We are talking of something that is much smaller than is envisaged here.

Hon Derrick Tomlinson: That is the key problem.

Hon JIM SCOTT: We are finding significant problems. From my reading of the documents, it seems that this area is outside the purview of the Water and Rivers Commission.

Hon Derrick Tomlinson: It is not outside the purview of the Environmental Protection Authority.

Hon JIM SCOTT: No, but it is outside the purview of the Water and Rivers Commission because it is not a licensed area. Hon Dee Margetts will expand on that later when I have concluded my remarks. The issue of licensed areas is fraught with great difficulty. It is absolutely crazy that in this city and in this State, which is so dependent on ground water, we are not detecting areas because they are outside the purview of the department because they are not in a licensed or proclaimed area.

I am very concerned about this city's water supplies. Another development worries me greatly. In recent weeks I spent time being conducted around the Jandakot area to look at our water supplies there. I was shocked at the developments that have been allowed around that aquifer, at a time when we claim to have extreme water shortages. In order to develop these areas, our water requirements have been thrown overboard. At a time of water shortages, millions of gallons of water are being pumped out of that aquifer into drains that go into the sea.

Hon Derrick Tomlinson: Is that at Jandakot?

Hon JIM SCOTT: Yes. That is driven by development pressures. That development should never have occurred. This development we are debating will result in exactly the same sorts of problems. We must be much more careful. It is not as though we are just about to run out of land. The State has significant areas of land. I refer again to the submission by Sharon Davies -

In the regional context, there is sufficient Urban and Urban Deferred land available in the Metropolitan Region to accommodate an additional 209,300 lots, or a population of 586,000, equivalent to between

21 and 27 years supply . . . This does not take into account the amount of land in rural areas which is zoned for, and capable of, further subdivision. The Shire's concern that there will be a shortage of lots towards and after the TPS review in 1999 is therefore not justified, particularly since the actual annual growth rate in the Shire between 1991 and 1996 was only 1.7%.

Nearly 250 000 lots are ready to use, yet we are thinking of putting these very important catchments at risk. We must be more careful about how we protect those areas. We should not live in hope that technology will fix the problem further down the track. We should not make these amendments at this stage.

Hon Derrick Tomlinson: That is exactly what the Planning Commission said.

Hon JIM SCOTT: Did it? I am glad that it did. I am surprised that this plan is before us in that case, because it is inappropriate. If this amendment gets up tonight - it seems I will not have the numbers to succeed in my motion - we will be putting pressure on people to come up with a solution, which may not be a complete solution, to solve the technical problems of dealing with that waste water and protecting our precious water supplies.

This is poor planning and should not be allowed to go ahead. It is poor planning not merely because of water supplies but because of the other problems that are besetting our city. I had this described to me by a well-known architect in Perth, Mike Ipkendanz who said that the population density in Perth is lower than that in rural Java. That creates a whole lot of problems in a modern city. First, it creates the need for a huge amount of road area to reach anywhere. Secondly, it creates a huge cost for providing infrastructure, such as sewerage. For example, the cost of having deep sewerage in the hills would be massive.

Hon Derrick Tomlinson: It is not feasible.

Hon JIM SCOTT: That is right. It will be very expensive to develop infrastructure in rugged terrain and areas with difficult soils as opposed to the sand plains. The idea that east of the metropolitan area must be developed because it is not getting its share does not necessarily make sense. Rapid urban expansion is using up valuable agricultural and horticultural land.

Hon Derrick Tomlinson: It is in a catchment.

Hon JIM SCOTT: It certainly is. Modern methods of agriculture and horticulture can prevent it from happening, but I believe that not enough of that type of agriculture and horticulture is being done. Developments are putting underneath houses some of our most valuable agricultural and horticultural areas. We need to rethink that.

There is another issue with urban sprawl and the need for more roads. People are aware that a war is going on at the moment. A significant number of people think that war is happening because there is an extreme shortage of oil in the world today and a great desire to control the oilfields in the Middle East because it has the only significant liquid hydrocarbon resources left on the planet that are easily accessible and cheap to extract. The reason that they are so sought after is that an awful lot of liquid hydrocarbon resources have been used up. As time goes on they will become more and more expensive. I would guess that Perth is probably one of the most sprawling and least dense cities in the world. If we allow our city to continue to sprawl, we will become extremely inefficient because of the cost of getting from one side to the other. We will find that the poorer members of the community will live on the outskirts.

Hon Derrick Tomlinson: They are already. They all live in Fremantle!

Hon JIM SCOTT: They do know what they are talking about in Fremantle, unlike some of the people in the East Metropolitan Region.

We need to start planning in a new way. We cannot continue to allow urban expansion. When I first came into this Parliament, the estimated cost of infrastructure required for each urban block in a new area like the one we are discussing was \$53 000. That cost is not met in most cases by the developers or the buyers of the land.

Hon Derrick Tomlinson: Did you say that the cost of the infrastructure was \$53 000?

Hon JIM SCOTT: Per block.

Hon Derrick Tomlinson: Whereabouts?

Hon JIM SCOTT: Every time a development is created outside an existing urban area with its infrastructure, one must create new roads, sewerage and power facilities.

Hon Derrick Tomlinson: Is that beyond the urban fringe?

Hon JIM SCOTT: That is right. It is said that there are 200 000 blocks in the metropolitan area. If those 200 000 blocks were to be provided outside the metropolitan area, one would have to work out \$53 000 times 200 000. Think how much that would cost taxpayers in this State. It would be a huge cost. It makes no sense,

particularly with this development which is too small to be self-sustaining through jobs and amenities provided for the community. People will have to drive, which will cause more pollution and more accidents. It will require more roads to be built. It will be to the detriment of the rest of the city.

Hon Derrick Tomlinson: I think there should be an eastern suburbs railway.

Hon JIM SCOTT: I am quite happy to think about an eastern suburbs railway, but I thought there was one that went all the way to Kalgoorlie.

Hon Derrick Tomlinson: I am thinking of the one that would go to Greenmount, Stoneville and Parkerville and beyond.

Hon JIM SCOTT: Yes.

This proposal should be knocked out. It is a mistake. It fails on every aspect of planning. The only good thing about it is that the development will have nice views. It is not an appropriate way to go. I call upon the Minister for Planning and Infrastructure and the Western Australian Planning Commission to start being a bit more proactive in planning and not sitting back and reacting to ad hoc development proposals that fall outside of and precede any regional plan. One can see it everywhere in the State, even in the very poor area of Fremantle, as Hon Derrick Tomlinson described it.

Hon Derrick Tomlinson: I was being facetious. Fremantle is a delightful area. I wish I lived there now but I cannot afford it.

Hon JIM SCOTT: Developments are being driven not by overall planning but by the requirements of developers. The planning is happening around the developers. It is the wrong way round. The proposal before us tonight is the epitome of development driving planning and not planning driving development. This must change. I am not confident that this motion for disallowance will succeed, but I ask that the minister and/or the Western Australian Planning Commission give ironclad commitments not to allow developments to go ahead without certainty in the proper handling of waste water in that area. Before any consideration of proposals for development, there must be a comprehensive study of the viability of these sorts of developments and their ability to be self-sustaining in the sense that they will not create urban ghettos with no jobs and stagnating communities. We must ensure there is a successful community for people to live in rather than people being dumped on the outskirts of the metropolitan area.

Those issues are extremely important when this matter is being considered. Further to that, I ask that the Western Australian Planning Commission start taking control of planning. Planning occurs before the developers put forward their proposals, not after. Unless we do that we will continue to create urban sprawl and we will continue to see what has happened at Atwell. I blame LandCorp for what has happened at Atwell. It is a real danger to this city at the moment with its avariciousness in the way it is prepared to override every planning principle to make another buck.

Hon Derrick Tomlinson: Surely you make the same criticism about Joondalup.

Hon JIM SCOTT: No, I do not.

Hon Derrick Tomlinson: Why not? It sits on a major water supply.

Hon JIM SCOTT: I do not make the same criticisms as I do about Atwell because, from my understanding, it has not clumped down the water mound in order to sit a development on top of metres of fill because it is actually in wetlands. There is a difference. Atwell is the pits in terms of good planning.

Hon Derrick Tomlinson: I am glad you give that vote of confidence to the residents of Atwell.

Hon JIM SCOTT: It has nothing to do with the residents of Atwell. It is all to do with the poor planning that has occurred. It is not a reflection on the residents of Atwell; it is a reflection on LandCorp, the WAPC and the water authorities at the time, which did not try to prevent homes being built along the bore lines.

Hon Derrick Tomlinson: You should have been in the Parliament in 1990 when we passed the retrospective validation of that development.

Hon JIM SCOTT: Why should I have been here then?

The DEPUTY PRESIDENT (Hon Adele Farina): Members, this is not a general discussion session. Hon Jim Scott has the call.

Hon JIM SCOTT: I will conclude my remarks by saying that this proposal is not supported by the people in that community. They are concerned on a number of levels. Their greatest concern is probably about the sewerage. However, clearly there are great concerns about the traffic movements and the change to the lifestyle of the

community, and that there will be a failure in the planning to provide the proper means of living in that area. It is ad hoc planning at its worst. I certainly want this proposal to be disallowed.

HON DEE MARGETTS (Agricultural) [9.03 pm]: I will not speak on this issue for long. However, as my colleague Hon Jim Scott also said, I want to refer to a brief issue that perhaps is the reason we must deal with this kind of disallowance motion in the first place. As has been mentioned, when dealing with water in an area that is considered to be in an unproclaimed area, there is an apparent large gap within the current legislative framework in this State. I experienced it recently at a substantially attended public meeting at Lower Chittering in relation to Marbling Brook, in which someone is proposing to put a water supply system. The shire can approve only a pump, a bore and a set of pipes, and finds it quite difficult in that process to approve or not approve a water system. The Water and Rivers Commission believes that its discretionary powers do not require or allow it to knock back a proposal unless it can be proved that it has a detrimental effect on the water system, and that means waiting until after it has had a detrimental effect on the water system. The people in that area are not impressed that they will be sitting and watching while their existing water supplies are drained. They may have to buy back the water at commercial rates from someone who does not have to pay for it in the first place, and who not only does not need to get a licence but also is not even required to tell the public, the community or the shire how much water he is getting. That is how ridiculous the situation is with some of the problems being experienced relatively close to Perth. Imagine how it is in areas further from Perth.

A major water summit was held recently, which was supposed to deal with water and water supply issues for the State. Clearly that was not the case. I am trying to point out that there are major gaps within our legislative structure, and those gaps do not protect water catchments or the water quality that we rely on now and definitely will rely on in the future. Members will recall that on a number of occasions I have mentioned the lakes and the quarry at the lakes. Clearly the local people are distressed because someone is putting a quarry through the tributary to a river that is already under stress. The less salty part of the river is already under stress and is being investigated to see how the salinity problem can be dealt with. A quarry is being put through one of the less saline tributaries of that river. In any modern law, a section of government, such as the Water and Rivers Commission, must have the ability to take steps to stop such actions or, if such actions take place, to take proper action in terms of penalties. However, it appears that either that legislation does not exist or the resources are not there, so that the departments that may or may not have the power to take such action are not exercising their discretion to do so.

The Government must look at that legislative deficiency. If it does not, I am sure that others in this place will find ways of presenting models to try to show the Government how to deal with that. It is an ongoing issue. Dealing with water supplies after they have been damaged is an extremely foolish and cost-ineffective way of dealing with the protection of water catchments. I am talking about ground water catchments and all sorts of surface water catchments, including dams and rivers. We should have the intelligence to think ahead about what we will need not only now but also in the future. We supposedly have enough intelligence to think about pipelines and the major costs of desalination but not enough intelligence to work out how we protect our existing and future water supplies on which we depend. There is no life without clean water.

I flag the fact that we should not have to deal with this kind of disallowance motion. It is sad that there may not be support for it. We live in hope. However, we should at least have a legislative structure and the resources to back it up to ensure that when a situation arises such as that which occurred at the Gngangara mound, the legislation shows clear guidelines about what must be done and whose responsibility it is to protect the quality of that water. It is not there yet.

HON DERRICK TOMLINSON (East Metropolitan) [9.08 pm]: At the outset let me say that the Liberal Party Opposition does not support the disallowance. Having said that, I commend both Hon Jim Scott and Hon Dee Margetts for focusing on the critical issue of this proposal; that is, the protection of Perth's water source and the problem of what to do with the waste water from these two proposed villages. That is the critical issue and I will come back to it. One of the vanities we have as members of Parliament is that we think political history began the day we entered this place. As far as I am concerned, political history began on 22 May 1989. As far as Hon Jim Scott is concerned, it began on 22 May 1993 and so on. Stripped of our own vanity, political history is, in fact, much older than we are. When I hear the statement that this proposal began about July to October 2000 I start to wonder. I recently reached into my bookshelf and found a study entitled "Perth's Eastern Corridor - A Study For The Metropolitan Region Planning Authority" of February 1978 by Russell Taylor and William Burrell. The members of the committee comprised the Chairman, Mr M Hawkins, Chairman of the Metropolitan Region Planning Authority; Dr David Carr, the Town Planning Commissioner; Don Aitken, Commissioner for Main Roads; the late Len Marshall, President of the Shire of Swan; Councillor Georgeff, from the Shire of Swan; Councillor Tom Herzfeld, MLA, Shire of Mundaring; Councillor R. Cameron, Shire of Mundaring. Councillor Herzfeld, entered this place about 1977 and was replaced by Gavan Troy in, I think, 1986.

Hon Nick Griffiths: It was 1983.

Hon DERRICK TOMLINSON: Yes, 1983. Gavan Troy was replaced by June van de Klashorst in 2001.

Hon Bruce Donaldson: No - 1993.

Hon DERRICK TOMLINSON: Correct. She was replaced by Jaye Radisich in 2001 and, of course, Jaye Radisich will be replaced by a Liberal candidate in 2005.

Hon Kate Doust: You hope.

Hon DERRICK TOMLINSON: I recounted that to illustrate that this process has had a long gestation. Hon Dee Margetts referred to the proposal as a development proposal. It is a planning proposal that stems from as far back at least as 1978. I was interested in the planning proposal because I thought environmental issues were new. That is not the case at all. The table of contents lists "Population Prospects and Implication for Growth" and it questions where Perth's population will live and work. It refers to historic settlement patterns of the corridor and the villages that grew up along the railway and Great Eastern Highway. In the eastern corridor, which we are discussing, a historical pattern exists of the growth of villages along the railway line at Glen Forrest, Mahogany Creek, Mundaring, Sawyers Valley and Chidlow. Along the old Great Eastern Highway were the villages of Parkerville, Stoneville and Mt Helena with swathes of either forest or agricultural and pastoral land in between. Those issues were discussed in 1978. Characteristics and lifestyles were considered in this report as well as physical setting, geology, geomorphology, climate and natural -

Hon Dee Margetts: Biota?

Hon DERRICK TOMLINSON: I do not think biota is the right word. The report also considered the landscape and natural resources of the study area. It looked at options for the future and questioned where Perth's population would live and work. At that stage the corridor plan did not anticipate an eastern corridor. However, as Hon Jim Scott has very admirably pointed out, the plan could include continuation of the urban ribbon to the north beyond Yanchep and perhaps even as far as Ledge Point.

Hon Paddy Embry interjected.

Hon DERRICK TOMLINSON: Yes, God forbid. We could have the urban ribbon that is now creeping down past Port Kennedy towards Mandurah and beyond Mandurah to Pinjarra; the urban ribbon that goes out past Armadale to Serpentine, Jarrahdale and Pinjarra; and the urban ribbon that was proposed for the Swan Valley - which, fortunately, the Liberal Government saved - to Bullsbrook and beyond. That urban sprawl would have been disastrous. As Hon Jim Scott pointed out, we already have an urban disaster because of the sprawl in the Stephenson corridor plan. The question was asked: should the scarp be the barrier for urban development? Should we continue conurbation from Perth to Bunbury or from Perth to Geraldton? It would have been inefficient planning. The other option, and that which was considered in 1978, was the eastern corridor. In the proposal for the eastern corridor in 1978, taking into account this pattern of historical village development along the railway line and Great Eastern Highway, the planners reached the following decision -

The Urban structure of the Darling Ranges portion of the Eastern Corridor should continue to be that of separated, readily identifiable urban communities with firmly implemented policies for the adjacent lands to prevent continued urban accretion.

I will repeat that because it is critical -

... readily identifiable urban communities with firmly implemented policies for the adjacent lands to prevent continued urban accretion.

For the first time, a proposition was made that, rather than ribbon development, as occurred in the north western, south western and south eastern corridors - not yet in the north eastern corridor - there could be village settlements, reflected in the historical development of the eastern corridor, separated by either forests essential for the protection of the Perth water supply or the existing agricultural and pastoral areas of the area we call the Darling Ranges. It was an admirable concept. Having proposed that the development should have readily identifiable urban communities with firmly implemented policies for the adjacent lands to prevent continued urban accretion, the planners of 1978 - I emphasise the word planners - not the planners of July 2000, recognised that the next stage was to implement a structure plan for the achievement of that set of propositions. Under the very planning model that Hon Jim Scott gave us at the commencement of his address, in our system a structure plan is the responsibility of local government. At that time, the structure plan for the Shire of Mundaring was town planning scheme 1. I do not know what happened to town planning scheme 2, but the structure plan for the implementation of the 1978 Perth eastern corridor proposal became town planning scheme 3. Town planning scheme 3 looked at eight different options. One option was to have urban ribbons that would connect Greenmount with Glen Forrest, Mahogany Creek, Mundaring, Sawyers Valley and Chidlow as one urban accretion - an urban ribbon following the old railway line. Another option was to have an urban accretion that would connect Greenmount, Parkerville, Stoneville, Mt Helena and Chidlow. We could have, for example, the

very expensive proposition of deep sewerage that was gravity-fed down the escarpment. It is feasible. It would solve the water problem, would it not? We would put the sewerage into Swanbourne, and Swanbourne would put the secondary-treated water out to sea. That is the convention in Perth, is it not?

Another option was to have more villages like Chidlow, Sawyers Valley, Mahogany Creek, Parkerville and Stoneville - delightful little villages. We could have another half a dozen of these villages. However, none of them would be self-sustaining. None of them would be able to sustain a village store, other than the sort of store that exists there already. None of them would be able to sustain a school. None of them would be able to generate employment for those who want to be employed. I acknowledge the point made by Hon Jim Scott that we are talking about dormitory suburbs or communities in which most of the population will not work within the community but will move away to work.

Another option was to turn an existing town such as Mundaring into an urban satellite city like Rockingham, or perhaps turn Gidgegannup into an urban satellite city like Rockingham, and to concentrate on population growth in a containable urban city with a high-density development. However, that would clash with the historic lifestyle of the area. It would be totally incompatible with the delightful environment of the locality.

The last option was to develop the existing communities to a size that would make them self-sustaining. In order to meet the demand or the pressure of population - and it is a pressure of population - that the planners were trying to accommodate, other communities would be developed up to a population of 4 000, because all the advice is that a population of 4 000 will provide a self-sustaining community with a school, a commercial centre and the sorts of medical and health facilities that people seek even though they are living in a dormitory suburb. That proposal came out of the public consultation for TPS3. However, it did not get the support of the total community, because we are talking about lifestyle. As Hon Jim Scott correctly argued, people choose a certain lifestyle when they go to those communities and buy their one-acre or 10-acre block, or their four-hectare block or perhaps even their 20-hectare block. I know that lifestyle very well; I chose it once. However, the intrusion of these rural villages would be a disruption of that lifestyle, so there was not universal support for the TPS3 proposal, yet that was the proposal that, through community consultation between 1993 and 1995, the Shire of Mundaring and the residents of the Shire of Mundaring opted for.

At the same time as the Shire of Mundaring was developing its TPS3, the State Planning Commission was looking at the north eastern hills settlement pattern plan and at the other option of a corridor that would follow Toodyay Road up through Gidgegannup. What would we do there? Would we have another urban accretion along Toodyay Road through Gidgegannup? No, of course we would not. The State Planning Commission looked at TPS3 and the proposal for discrete urban villages that would be contained and self-contained and separated by areas of forest and agricultural land. It studied the Mundaring example, and recommended the same model for the development of the north eastern section along Toodyay Road. It came up with two villages, one in O'Brien Road, Gidgegannup, referred to as O'Brien, and the other called Mayo, to the north of Gidgegannup, because that was the most suitable solution. I use the term "most suitable" advisedly, because it does not answer all the questions of lifestyle. It does not answer all the questions of the preservation of the biotic environment. It does not answer all the questions of the protection of water and so on. However, it is the best possible solution given the environmental, geographic and human context that we are planning for.

The two proposals that are the focus of this proposal - the town site developments of Stoneville and Parkerville - are within that planning context. The Stoneville proposal was for 53 rural landscape living lots, 294 residential R5 lots, 243 residential R10 lots and 915 residential R12.5 lots, a total of 1 505 low-density lots; 204 medium-density lots; and a population of about 4 000 people. That piece of land is owned by the Perth diocesan trust. The second proposal is the land that is owned by the Chambers family, with 731 low-density lots, nine medium-density lots and a population of about 4 000 - a self-contained and contained community.

We then get to the critical question; that is, how to, first, deal with waste water and, second, protect the water supplies of the Perth metropolitan area in dealing with that waste water. That is a vexing problem. One of the things that human beings are good at is turning clean water into dirty water, and they do that in many ways. They produce great volumes of dirty water.

Hon Jim Scott: I am glad you got that off your chest.

Hon DERRICK TOMLINSON: Yes. However, the thing about dirty water is that it can be cleaned. Sometimes it is an expensive process. In this proposal there was secondary-treated water. In other words, it is water that can be used for agriculture, but it is not potable water simply because there is not the bacteriological treatment of that water. It is clean water in terms of phosphorus, phosphates and so on, but not in terms of its bacteriological content. It would not be good water to put into the metropolitan water scheme. Some of our enemies might think that is a good idea, but some of our friends would say it is not a good idea.

This became the stumbling block. Hon James Scott described it accurately and cogently. The proposals were for two settlement ponds - one for each of the villages - which threatened, in overflow, the Perth metropolitan water scheme through the Helena catchment and the pipehead dam. It was a serious problem. Hon James Scott gave the example of the Mundaring treatment plant, with secondary-treated water held in a catchment pond. In the wet season, it would overflow into the creek and into the Helena catchment dam. There are two options. First, one can say that the development cannot proceed because the water treatment problem has not been solved, and until the water treatment problem has been solved, the development should not proceed. One looks at the submissions. Apart from those of the Water Corporation, the submissions from the local residents - I think there are about nine - argue that the development should not proceed until such time as a solution is found for the water treatment. The second option is to defer the decision on the development until such time as that problem has been solved. One option is not to proceed until the problem has been solved, and the other is to defer it until the problem has been solved. What is the difference? The difference is that each of these proponents has already spent about \$370 000 on the two proposals. If they are told now that this rezoning from rural to urban will not be allowed until such time as they solve the problem - in other words, if they invest another X number of dollars and X number of years in solving this problem, the rezoning from rural to urban will be reconsidered - I am not sure whether the Anglican Diocese of Perth would be willing to invest in that uncertainty. The penny is dropping. The other option is what the Western Australian Planning Commission said; that is, instead of saying no, it would put in an interim stage. It would rezone it from rural to urban deferred. However, before the urban deferred zoning could be lifted, the proponents must demonstrate that the uncertain water proposal that they had presented could be resolved or they could come up with a better proposal. Hon Dee Margetts pointed out that it is outside the licensed area.

Hon Dee Margetts: The proclaimed area.

Hon DERRICK TOMLINSON: The proclaimed area. Therefore, it is beyond the jurisdiction of the Water Corporation.

Hon Dee Margetts: Or if they choose -

Hon DERRICK TOMLINSON: Yes. However, it is not beyond the jurisdiction of the Environmental Protection Authority. Therefore, before we can proceed to the next stage from urban deferred to urban, it must meet the requirements of the EPA. One of the requirements of the EPA is to have demonstrated to it that the problem of waste water treatment and waste water use - I emphasise "use" because that is the way we must start thinking - has been resolved. In Western Australia we use our water once. I think Hon James Scott pointed out that in London the same glass of water is used eight times. It passes through the human body eight times, and thank God I am not drinking the eighth glass of water! Therefore, we must start thinking in that way. There was the solution.

To demonstrate that I am not telling fairy stories, I will quote from page 19 of the "Metropolitan Region Scheme Amendment No. 1019/33: Townsite Developments in Stoneville & Parkerville: Volume 1: Report on Submissions: Shire of Mundaring" from the Western Australian Planning Commission in September 2001 -

The question raised by the Water Corporation concerning the desirability of relocating the waste water treatment plant to the western end of Lot 84 and using that location to site a plant to service both developments proposed in this amendment needs to be addressed.

Following the close of the Hearings the Hearings Committee requested that a formal request be sent and discussions held with the Water Corporation to clarify the Corporation's position and to provide advice on the feasibility of the proposed treatment plant and holding dam. Discussions were held with the Water Corporation and a formal response was received. The Corporation has advised that the disposal of treated effluent by direct infiltration/percolation as proposed in the LSIP is not considered a viable option particularly given the recent and ongoing problems experienced in relation to the Mundaring waste water treatment plant and that the soil types found in the area are likely to make this disposal method an unreliable solution.

That is exactly what Hon James Scott said, although he said it much more eloquently.

Having recognised that and having looked at such things as lifestyle and all the other questions for which there is not an absolute solution but the best solution possible, the Planning Commission said this -

The question of sewerage and waste water treatment is more vexing. There is no opportunity to connect the Water Corporation's reticulated sewer system and the area is outside the Water Corporation's licence area. Given the residential densities proposed in the LSIP for the area, the soil types and the environmental sensitivity, there is no opportunity to use conventional septic tank systems. The waste water treatment system proposed in the LSIP has been subject to criticism on technical, environmental

and amenity grounds. The provision of basic infrastructure is fundamental to the Commission's decision to bring land into the Urban zone of the MRS.

That is the very issue on which Hon James Scott focused. The difference is the solution. The member's solution is that nothing should be done. The Planning Commission's solution is that this problem may be overcome and it will give the proponents the incentive to overcome it. It will give it urban deferred status. However, before urban deferred status can be lifted, they must demonstrate a solution to the waste water treatment problem. Now we have a different proposition. Rather than the Anglican Diocese of Perth stating it will invest another \$320 000 in the hope that it will go from rural to urban, it is a case of investing another \$375 000 and five years in the expectation that it can demonstrate that it is viable to proceed from urban deferred to urban? That is the difference between the two solutions. One is to say no, the other is to give incentives to committed human beings to solve a very real problem.

The Chambers family and the Anglican Diocese of Perth are willing to accept that challenge because they say we need five years to develop the proposal. They are prepared to invest five years to solve the water treatment problem. I suggest that the Western Australian Planning Commission, faced with a vexed problem, has come up with the best possible solution. It would be presumptuous of this House to turn around and say that the best possible solution is not good enough, and disallow this amendment. The best possible solution is one that should be encouraged; therefore, the Liberal Party does not support the disallowance of this amendment.

HON GRAHAM GIFFARD (North Metropolitan - Parliamentary Secretary) [9.42 pm]: First, I refer to the issues Hon Derrick Tomlinson canvassed towards the end of his contribution. He put the situation fairly in relation to the two possible courses of action available to the WA Planning Commission. When the commission embarked on this process, the two choices available to it were not as clear as they became towards the end of the process. The Planning Commission stated that in its original submission, the Water Corporation's opinion on the adequacy of the waste water treatment measures involved was not clear. Therefore, the Planning Commission went back to the Water Corporation to obtain a clear statement. Of course, that process led to the conclusion of urban deferred rather than a simple urban zoning. In fairness to the commission, the question of the adequacy of the waste water treatment measures might not have been the issue it is now, as all parties involved in this MRS amendment are well aware.

I certainly do not have the longevity in this place of Hon Derrick Tomlinson; I do not go back to 1989.

Hon Derrick Tomlinson: I don't go back to 1974 either.

Hon GRAHAM GIFFARD: No. I was aware that the Shire of Mundaring had for a good 10 years identified this area in its town planning scheme for potential development. From the Government's point of view, that does not represent back-to-front planning. Development-driven planning was not followed in the early 1990s, and, as members have indicated tonight, well before then. These areas were identified for development in a planned and reasonable manner.

I will not go through the details of how many hectares etc are involved because previous speakers have made that reference. Nevertheless, it is important to think about the size of the development. Hon Derrick Tomlinson made reference to the fact that we need to give consideration to the critical size of these townships to support the necessary infrastructure and facilities that people expect in metropolitan Perth, notwithstanding that this involves the hills. We must think about the size of these communities to support the infrastructure needed. In that context, the dilemma for many people is the size of the footprint in this area. One could look at much lower densities and larger areas in order to support the necessary infrastructure. Members who object to these developments refer to densities and the concentration of housing. To my mind, that is preferable to reasonably defined townships that are ever expanding. One may want the size of the blocks to be a certain size.

A number of issues were raised in the submissions, and, as previous speakers noted, two issues emerged. One was the impact on what is called a "hills lifestyle", and the other was the environmental impact, particularly relating to waste water treatment options. A number of the submissions to the Planning Commission concerning hills lifestyles raised rural amenity afforded by the existing large lots; namely, remaining farms in the district, low population density and large tracts of natural vegetation. These were generally characteristics ascribed to what is called a hills lifestyle. The people who live the hills lifestyle are opposed to these developments. I live in the hills. The point I made about the size of the footprint is a critical issue. The point raised earlier in the debate about the pressure on the growing population of Perth and how the hills area will need to accommodate that expansion is valid in that context. Frankly, it is unrealistic of people to think that there will not be continuing development in identified areas in the hills. Clearly there is a demand for people from Perth wanting to live in those areas and there is an expectation that some areas will be opened up for development. Hon Derrick Tomlinson also mentioned that issue when he talked about ribbons of suburban lines going out into the hills and everywhere else. The point is that there will be pressure to allow continued rural-residential development, which would potentially have a greater impact on the environment than the current proposal.

I am conscious of the time. Another important issue, which at the end of the day is the issue that must be resolved, is the matter of waste water treatment. As Hon Derrick Tomlinson said, this is a matter of urban deferred development. The submissions from the Planning Commission raise the problems associated with the waste water treatment facility. In its submission, the Water Corporation also raised questions concerning the feasibility of the two proposed treatment plants and the desirability of locating the treatment plants in the catchment areas of the Jane and Susannah Brooks.

The DEPUTY PRESIDENT (Hon Adele Farina): Members, there is too much audible background noise in the Chamber. Members can leave the Chamber if they want to have private conversations. The noise is making it very difficult for the Hansard reporter to hear.

Hon GRAHAM GIFFARD: The report on the amendment from the Planning Commission acknowledges - this is the critical question of the whole development - that the provision of a satisfactory waste water treatment service is a major constraint to the development of the land for urban purposes and is one of the fundamental reasons that the commission recommends the zoning be changed to urban deferred. As the previous speaker went into some detail about that matter, I will not keep talking about it. I am advised that the minister has noted that situation and has requested that the Planning Commission seek advice from the Water and Rivers Commission, the Water Corporation and further advice, which will be required anyway, from the Environmental Protection Authority before consideration is given to lifting the urban deferred status. Throughout this process, the Planning Commission received reports from people opposed to the development. On the basis of its own investigation of the adequacy of the proposal and its own interrogation - for want of a better word - of the Water Corporation's view on it, the commission has come up with the best solution to this dilemma. I agree with the commission and Hon Derrick Tomlinson that the best solution is to zone the land as urban deferred. The Planning Commission has given a commitment that these areas will remain urban deferred until the problems of the waste water treatment have been resolved. That seems to the Government to be the most satisfactory and appropriate way to proceed. For those reasons, we will not support this disallowance motion.

HON JIM SCOTT (South Metropolitan) [9.55 pm]: I listened to members with interest. I do not have time to be very thorough in my reply. The flaw in Hon Derrick Tomlinson's and Hon Graham Giffard's arguments is that there is an uncontrolled urban sprawl in Perth. Huge areas of land within the existing metropolitan area must be developed and redeveloped to contain our population. When the planning process is allowed to go backwards and people expend money to put up a proposition, it puts pressure on the Planning Commission and other bodies to approve the projects down the track before all the conditions have been properly met. Although members may disagree with that, they should look at the amount of times we have seen the various authorities - not just the Planning Commission - approve projects because financial expenditures have been made. That includes the Environmental Protection Authority and a raft of government agencies. Today we have learned that the Windarling project has been approved despite not meeting environmental objectives. That is a large project and there is a lot of money at stake. If a planning process is done the right way and the Planning Commission lays out its structural plan for a whole area rather than being driven by town planning schemes and local decisions, money would never have to be expended in the first place. Therefore, those pressures would not be applied. The motion should be supported.

Question put and a division taken with the following result -

Ayes (5)

Hon Dee Margetts	Hon Christine Sharp	Hon Giz Watson	Hon Robin Chapple (<i>Teller</i>)
Hon Jim Scott			

Noes (26)

Hon George Cash	Hon Adele Farina	Hon Barry House	Hon Tom Stephens
Hon Kim Chance	Hon Jon Ford	Hon Robyn McSweeney	Hon Bill Stretch
Hon Murray Criddle	Hon Peter Foss	Hon Norman Moore	Hon Derrick Tomlinson
Hon Bruce Donaldson	Hon Graham Giffard	Hon Simon O'Brien	Hon Ken Travers
Hon Kate Doust	Hon Nick Griffiths	Hon Louise Pratt	Hon Ed Dermer (<i>Teller</i>)
Hon Sue Ellery	Hon Ray Halligan	Hon Ljiljanna Ravlich	
Hon Paddy Embry	Hon Frank Hough	Hon Barbara Scott	

Question thus negatived.

House adjourned at 10.05 pm
