

Division 49: Western Australian Planning Commission, \$55 291 000 -

Mr D.A. Templeman, Chairman.

Ms A.J. MacTiernan, Minister for Planning and Infrastructure.

Mr J. E. Dawkins, Chairman.

Mr I. Patterson, Secretary.

Mr P. Frewer, Executive Director, Integrated Planning, Department for Planning and Infrastructure.

Mr T. M. Hillyard, Manager, Western Australian Planning Commission Land Asset Management, Department for Planning and Infrastructure.

Mr R. D. Farrell, Principal Policy Officer, Office of the Minister for Planning and Infrastructure.

Mrs C.L. EDWARDES: I refer to the major achievements for 2003-04 on page 826, and in particular the market gardens in east Wanneroo. I know that a number of matters to do with market gardeners are still before the minister. Can the minister give me a time frame for the east Wanneroo land use and water management scheme, and how consultation is progressing? More particularly, can the minister give me a time frame for those market gardeners to have their appeals heard?

Ms A.J. MacTIERNAN: Our approach has been not to just deal with these matters on an ad hoc basis. About eight appeals from the east Wanneroo area were made against rejections of subdivision applications. Although a number of landowners had what seemed to be a fairly cogent argument - that is, they could not get a water allocation so why should they continue to be defined as horticultural or rural users - I thought it was very bad planning to make decisions to fundamentally change the planning for east Wanneroo on the basis of ad hoc appeals, so I set up the east Wanneroo land use and water management strategy, which has been chaired by the local member, Dianne Guise. Dianne has brought together the Department of Agriculture and the Western Australian Planning Commission to look at land capacity, water availability and future plans. This committee has come up with three different concept plans. We have briefed the Wanneroo council on those and shortly we will hold a public forum at which we will go through those various concept plans and get feedback from the affected landowners. We hope that we will have a draft report that will go to the Planning Commission by around June.

Mr J.B. D'ORAZIO: I refer to the third dot point on page 828, which relates to the "Dialogue with the city". What steps are being undertaken to implement a dialogue with the city at a local level? It is great to have these initiatives, but we need to see how they will be effected locally.

Ms A.J. MacTIERNAN: I will be very brief on that matter, because we went through it during the Department for Planning and Infrastructure division. Since the dialogue with the city was held, we have been working with a local government group, comprising some 14 elected officers, to develop a framework for how those broad objectives of dialogue are translated into action on the ground at a local government level. Also, to assist local government, yesterday we announced a \$1.5 million program, \$500 000 of which will be directed towards encouraging or enabling local governments to run their own mini-dialogues so that they can get their communities on board and engaged in this process. An additional \$1 million will be available in the following year to those communities to implement some of the infrastructure works that might be necessary to put those in place. At the moment we are also forming a partnership with the Western Australian Local Government Association.

[12.30 pm]

Mrs C.L. EDWARDES: I refer again to page 826 and to major achievements for 2003-04. Although it is not specifically mentioned, I take it that one of the plans affected by advice and recommendations would be Capricorn Coastal Village in the Yanchep-Two Rocks area, which is owned by the Tokyu Corporation and is part of stage 1 of the St Andrews development. What is the current status of the plans for that coastal village development? Does the current structure plan for the development include retaining the existing Club Capricorn camping and caravanning facilities or does it provide for replacement facilities?

Ms A.J. MacTIERNAN: I have approved a town planning scheme amendment during the past couple of months that would enable them to reconfigure some of that site. They are still in the process of developing the local structure plan for the whole area.

Mrs C.L. EDWARDES: I take it that the minister has not approved anything that incorporates camping or caravanning facilities. What is the current state of the process?

Mr FREWER: The structure plan will need to complete evaluation and approval. Rezoning will flow from the approval of the local structure plan. There is also a district structure plan, which has been required by the City of

Wanneroo to cover the whole of the land holdings of Tokyu. That is still being developed by the proponents in consultation with state and local governments.

Mrs C.L. EDWARDES: Would the minister support any structure plan that did not incorporate caravanning or camping facilities?

Ms A.J. MacTIERNAN: We would certainly be very focused on ensuring the maintenance of those sorts of facilities in the area. One of the things that we have been very conscious of is the loss of caravanning and camping areas. If there were to be any reduction in that area, there would have to be some compensating provision nearby.

Mr J.N. HYDE: I would like to take a regional focus. At the fourth dot point on page 828, one of the regional planning initiatives refers to Carnarvon-Ningaloo. Will the minister explain the current status of the Carnarvon-Ningaloo regional planning process?

Ms A.J. MacTIERNAN: It is now at the stage where it is a draft strategy. The strategy has been drawn up after very extensive public consultation. A series of option papers were developed. They went out to the public for a period of about six months. Active workshops to go through the elements of the option papers took place in all the affected areas. Arising out of the public and professional comment on those option papers, we came up with a strategy. To satisfy the statutory requirements, it had to be produced as a draft strategy. That is now available for consultation over the next few months. I think at the end of May the public consultation period will be complete. We will then prepare a response to it with a view to having that strategy signed off by July 2004. At the same time, work is progressing on a whole range of fronts. Getting the infrastructure right in Coral Bay is of course part of what we are doing. Sewerage works are under construction; drilling and design for water supply is under way; and there are now environmental approvals for the boat ramp, the construction of which will be under way shortly.

Ms K. HODSON-THOMAS: I refer to page 830 and the major achievements for 2003-04. The land acquisition mentioned on that page refers to the southern suburbs railway and the city project, including the underground William Street platforms and the completion of the negotiations of the compensation claims for the new city railway station. Will the minister outline for us what negotiations have been completed to date with property owners and lessees? Have any of those negotiations been settled; and, if not, where do they stand?

Ms A.J. MacTIERNAN: A number of claims have been settled. There has been a final discharge on four of the properties. Some of these relate to businesses.

Ms K. HODSON-THOMAS: Are they lessees?

Ms A.J. MacTIERNAN: Yes. We have so far settled in full \$3.23 million of claims of which \$2.78 million has gone to landowners. We have paid an additional \$2.45 million in advance payments. We anticipate that this year we will be settling an extra \$32.92 million.

Ms K. HODSON-THOMAS: Is it possible to get a breakdown of those figures - the \$3.23 million in claims -

Ms A.J. MacTIERNAN: No, it is not for claims. We will be very candid about this. The amount for claims well exceeds the amount we have budgeted for. The claims amount to \$67 million.

Ms K. HODSON-THOMAS: I understand that. That is why I am asking the minister.

Ms A.J. MacTIERNAN: We think that a large element of those are in pixie land. There is an enormous amount of blue sky in the estimates that have been made by people of their entitlements. However, those are all the claims that we have received. I am happy to give the member a breakdown of the \$3.23 million that we have paid out to date - that is, the settled-in-full payments - and the \$2.45 million in advanced payments that we have made.

Ms K. HODSON-THOMAS: Will the minister provide that by way of supplementary information?

Ms A.J. MacTIERNAN: Yes.

[Supplementary Information No B7.]

Ms K. HODSON-THOMAS: The figures that the minister has provided to date relate to not only property owners but also lessees, do they?

Ms A.J. MacTIERNAN: That is right, although of those that are settled in full, \$2.7 million is for landowners. Therefore the majority has been for landowners, but not exclusively. Some of the businesses that have settlements discharged in full - and I must say I think some are very generous - are Traveller's Club, Student Flights, the Haircut Shop, Soi Duong Footwear Specialist and Mountview Corporation Pty Ltd.

Ms K. HODSON-THOMAS: What about King Kong?

Ms A.J. MacTIERNAN: There is a King Kong. He is a lessee. He is King Kong in the city. He has been made an offer and been paid \$404 000 to date.

Ms K. HODSON-THOMAS: Is that an advanced payment?

Ms A.J. MacTIERNAN: Yes, an advanced payment but not a discharge. Part of the problem with the owner of King Kong Sales is that his analysis of his entitlement under his arrangements with the landlord is very different from the landlord's analysis of his arrangements with the landlord. The landlord has made one set of claims about the nature of the agreement and he has made a contrary set of claims about the nature of their arrangement.

[12.40 pm]

Mrs C.L. EDWARDES: I refer the minister to the major achievements for 2003-04 on page 828 and specifically to the greater Bunbury region scheme. I asked a question on this matter earlier. The *Budget Statements* identify that the scheme is in preparation and should be completed in late 2004. Some very unhappy people will still be caught up in that scheme. Those people believe that their concerns have not been adequately addressed. Those who continue to do the right thing for the conservation and preservation of their properties will be impacted upon more greatly than other landowners who by comparison have not done the right thing. Some would prefer to retain their properties and continue to manage them in an environmentally sensitive way. I understand that the Appeals Convener recently sent two representatives to go onto the land, rather than to do the work on the desktop or by looking over the fence, which occurred last year. I am surprised to find that the listing for this scheme states that it should be completed in late 2004, when a significant number of people are still very unhappy about the process.

Ms A.J. MacTIERNAN: The member would know about such issues from her experience in her electorate with the Zuvela family, who have been unhappy that their property has been characterised as regional open space. Nevertheless, the member valiantly supported the WA Planning Commission and its acquisition of that property, notwithstanding the unhappiness of that group of people.

Mrs C.L. EDWARDES: Although that was done long before I was a member of Parliament. I supported the establishment of Yellagonga Regional Park.

Ms A.J. MacTIERNAN: The member actively prosecuted the case. There are always unhappy people when a regional planning scheme is introduced. We accept that. We will never be able to please all of the people all of the time. However, at the urging of Hon Adele Farina, who brought a group of those landowners from Bunbury to meet with us in February, we went through their concerns. It seemed to me that some alternatives might be available. As a result, more detailed work has been undertaken, which the member acknowledged. The Environmental Protection Authority has gone to the area to do a more detailed assessment. One gentleman in particular - I think it might have been Mr Smith - had some very interesting points to make about his area. The member for Kingsley made a valid point that it is ironic that those people who have acted in a very conservation-minded way and whose land has not been cleared now find themselves in a situation in which that land has become valued. I accept that there is a feeling that that is unfair. We are experiencing extraordinary levels of growth in the south west and we must make accommodation for regional space, including regional space of high conservation value. We stress, and it is important to remember, that this is not a resumptive scheme. Even once this scheme is in place, we will not go around resuming their properties. They can hold onto their properties for as long as they like, but if they want to redevelop that land, that is the point at which our obligations to purchase that land will come into effect. If they want to sell that land at any stage, our obligations will arise. They can keep that land for as long as they like. However, ultimately, they will not be able to develop or clear it.

I point out that the metropolitan region scheme was implemented or gazetted more than 40 years ago. Some areas that were gazetted under the metropolitan region scheme as regional open space are still in private ownership. This does not happen overnight.

Mrs C.L. EDWARDES: I wish to clarify the process. The *Budget Statements* state that the scheme should finally be prepared by late 2004. Does that mean that a major amendment is not likely to come into the Parliament before next year?

Ms A.J. MacTIERNAN: It may do. I will go through the flow chart. We are expecting the Minister for the Environment to finalise the environmental appeals by next month. When that is done the committee will consider the final report on submissions, because the environmental issues must first be cleared. The WA Planning Commission will look at the final report on submissions. In August or, more probably, September, the committee will consider final scheme documentation. Around September-October the WAPC may be able to consider the final report on submissions. That would then come to us and to Cabinet for consideration. That all depends on the timing of the Minister for the Environment and the finalisation of the appeals. It is possible that this could be at least laid on the Table of the Parliament before the end of this year.

Mrs Cheryl Edwardes; Mr John Hyde; Ms Katie Hodson-Thomas; Chairman; Ms Alannah MacTiernan

Mrs C.L. EDWARDES: I refer to the major achievements on page 828. The minister mentioned that over the past 40 years of the metropolitan region scheme, some properties have not yet been resumed.

Ms A.J. MacTIERNAN: I think the word I used was "acquired".

Mrs C.L. EDWARDES: Does the minister know of the properties that were acquired during that period -

Ms A.J. MacTIERNAN: During the past 40 years or so?

Mrs C.L. EDWARDES: Yes. Of those properties, which were subsequently sold by the Government? Has any assessment been done of properties acquired and then subsequently sold, but for which a first option was not given to the original owners?

Ms A.J. MacTIERNAN: What sometimes happens, for example, is that only part of a property might be required for regional open space but the owner wants to sell the entire property. In that instance, the entire property is purchased. The required area is then excised and the bit that is not required is on sold. As I am sure the member would be aware from her time as a minister, it is important to understand that if land is acquired rather than resumed, there is no obligation on the Government to offer it back to the owner when it wants to on sell it. That obligation arises only if property is resumed. There are a number of instances in which land has been acquired for a road and has not all been used when the final road reserve has been developed. The obligation is to offer that land back to the landowner if it was resumed. I imagine that the WA Planning Commission has been abiding by the law and doing that.

Mr HILLYARD: Very diligently.

Ms A.J. MacTIERNAN: It has been diligent. It is important to understand that if it is a negotiated purchase rather than a resumption, it is not necessary to do that.

[12.50 pm]

The CHAIRMAN: I refer to the region scheme planning initiatives and the implementation of the Peel region scheme listed on page 828 of the *Budget Statements*. Is the minister able to provide details of the value of the land that has been acquired to this point since the implementation of the region scheme?

Ms A.J. MacTIERNAN: The Western Australian Planning Commission has purchased about \$3.8 million worth of land just for the Peel deviation. This financial year the Government has spent another \$265 000 on land acquisition. For the coming financial year it is proposed that another \$5 million be spent on land acquisition for the Peel scheme. That will bring the total amount the Government has spent on the Peel scheme to \$8.8 million, which is well in excess of the Government's undertaking to spend \$5 million. That gives lie to the type of nonsense being peddled by Senator Ian Campbell that the State Government is not moving full steam ahead with the facilitation of the scheme. Interestingly, in the Peel region scheme, overall some \$17 million of land has been purchased. They are big acquisitions in the Peel region.

Ms K. HODSON-THOMAS: I have a follow-up question to that asked by the member for Kingsley. So that I can clearly understand this matter, which relates to the Fremantle eastern bypass, will the minister advise whether the properties acquired by the Government for that road reservation were purchased or acquired?

Ms A.J. MacTIERNAN: They were all purchased. No-one was ever going to build it, so they never resumed anything.

Ms K. HODSON-THOMAS: There is no need to make this political. I am trying to get some clarification. In essence, do those properties not have to go back to the original owners?

Ms A.J. MacTIERNAN: That is correct.

The appropriation was recommended.

Sitting suspended from 1.00 to 3.00 pm