

WESTERN AUSTRALIAN PLANNING COMMISSION AMENDMENT BILL 2003

Second Reading

Resumed from 27 August.

MRS C.L. EDWARDES (Kingsley) [7.00 pm]: The Opposition proposes to support this legislation. It is a very simple Bill that establishes a fifth standing committee of the Western Australian Planning Commission, which is the Coastal Planning and Coordination Council. It replaces the non-statutory body, the Coastal Zone Council. However, there are some concerns about the establishment of the council. One is that it establishes a further body. Whether or not it is a standing committee of the Western Australian Planning Commission, it is known as such like the other standing committees. The concern is that it will create a further layer of bureaucracy for development applications that are considered by the Planning Commission. Officers advise me that it will be more interested in broad strategic policy development. I would like the minister to confirm that advice and that the new council will not be one by which the Planning Commission stops an application before it to seek advice from the council. The president of the new council will also be a member of the Western Australian Planning Commission. Any work the council is engaged in will be considered through the processes of the Planning Commission. In some respects it might provide for a greater level of coordination and consistency in the development of coastal planning. I am sure that is one of the reasons behind the establishment of this council. The concern of the building industry and landowners is that it will create another layer of bureaucratic process and further delay planning. The minister made a statement earlier today, and we thank her for that. Irrespective of what she said, planning delays are still one of the major concerns of industry. They are second only to taxes. Planning delays cost money and increase the price of land. As such, they are of grave concern for the industry, landowners and those who wish to purchase homes and land. Those people are experiencing difficulty in doing so.

The other concern is resources. If this body is to be effective and achieve greater levels of planning coordination and consistency in advice for coastal planning, the council must be given enough resources. There are concerns about this. We do not want the process to be stopped when an issue concerning coastal planning arises so that the issue can be diverted to the standing committee. If that is the case, no applications will come forward and investment will dry up very quickly. Some people who live on the coast and who have an interest in those areas may think that is a good thing. It will certainly not be a good thing to Western Australia.

Another issue is representation. The representation of the council is outlined in proposed section 19(1ga). The presiding member is also a member of the commission. At least two persons appointed by the commission are to have practical knowledge of, and experience in, one or more of the fields of urban and regional planning, property development etc. A concern of industry is the absence of an industry representative or a property owner representative. I ask the minister to respond to the concern and outline the range of people she would consider under proposed section 19(1ga)(a)(x). The third issue is diversion; that is, the potential for delays. I would like the minister to address the matter in her response and give some comfort to those in the industry and those with an interest in coastal planning. It would be appreciated.

MR R.A. AINSWORTH (Roe) [7.07 pm]: I support this legislation. I will make a few comments about coastal planning. We have all seen recent and not-so-recent examples of the lack of appropriate coastal planning and the problems that arise from poor planning. I see Mr Acting Speaker (Mr A.D. McRae) nodding his head in agreement; some of this has not escaped his attention. That will be a special focus within the Western Australian Planning Commission through the Coastal Planning and Coordination Council as a prescribed standing committee. The Bill will put in place a specialist group, the sole reason for which is to monitor and coordinate the coastal planning process across a range of government departments and agencies. It will include community groups, industry and non-government organisations. Having been involved with a group that looks at not coastal planning per se, but slightly beyond that to the marine environment adjacent to the coast, and having worked with other groups whose role is to offer advice and monitor coastal planning, I can see the need for this integrated process. I can only hope that there will not be the delays alluded to in the previous member's speech and that the process will be quick - although perhaps quick is not the right word because these things should not be rushed through -

Mrs C.L. Edwardes: Timely.

Mr R.A. AINSWORTH: Yes, timely is more appropriate, I thank the member for Kingsley. Timely decision making on the coastal planning process is important. However, equally important is a close regard to not only the environmental aspects of coastal planning but also the aesthetics of coastal planning. I remember the first time I travelled to Queensland and saw what I consider to be the abominable lack of planning on the Gold Coast. I could not imagine why anybody would want to go there because the aesthetic values that might have once been there have certainly long since disappeared. Multistorey monstrosities have been built right on the foreshore and

many of them have been given names that would be better placed on a similar establishment based in the United States. It did nothing for me and I suspect a lot of other people feel the same way.

This State has something of great value; that is, the biggest area of unspoilt natural coastline in Australia and some of the world's best coastline - certainly I would consider the coastline in my electorate to be in that category. That is a view shared by many people who visit the area and not just the view of a parochial local member. An important function of the council will be to ensure that any man-made developments that occur in close proximity to the coast are planned and constructed in such a way that enhances the man-made attractions of the area without detracting from the natural attractions. My hope is that the council is not in any way swayed by some of the rhetoric or commercial pressures that come from people with a monetary interest in planning certain establishments along the coast and that it looks at it from a more holistic point of view. This includes maintaining the aesthetic and environmental values that I mentioned, and, therefore, protecting what is a very valuable asset for the Western Australian community; that is, the highly desirable and pristine condition of this State's coastline that we can enjoy and add to without damaging if we plan properly.

On behalf of the National Party I support this Bill because it is important that all of those things I mentioned happen in that way. We are keen to see this legislation passed and the council undertake its activities in such a way that the protection about which I have talked actually occurs.

MS A.J. MacTIERNAN (Armadale - Minister for Planning and Infrastructure) [7.13 pm]: I thank the representatives of the Opposition and the National Party for their support for this legislation. The bipartisan nature of the support indicates the importance that the community places on this State's coast. Members raised a number of questions. The member for Kingsley was concerned that this new council of the Western Australian Planning Commission may cause further delays in planning. We have already experienced very lengthy delays in getting planning under way in coastal areas. There has been enormous controversy and litigation going on with regard to applications for development on the coast because we do not have the structures, the community input or the long-term strategic planning right. A number of areas in which there were inordinate planning delays under the previous Government include Gantheaume Point, Leighton Beach, Gnarabup and Smiths Beach - all areas that were surrounded by a great deal of controversy because, arguably, we did not have policy settings right.

The new Coastal Planning and Coordination Council is being established in an attempt to get all sides of the debate together so there is greater consensus on those policy settings and more chance of coming up with proposals that will be acceptable to the general community. This will then protect, as the member for Roe said, those landscape values that are very important to the community while, at the same time, at appropriate and strategic points, allow for some development. We must recognise that fundamentally we are a pluralist society with different desires and aspirations.

The length of WA's coastline varies between 17 000 and 27 000 kilometres depending on whether the coast is measured at close range or roughly around the perimeter -

Mr R.A. Ainsworth: Is this the coast or the railway we are talking about here?

Ms A.J. MacTIERNAN: It is quite an interesting point in terms of measurement.

Mrs C.L. Edwardes: Which one is the 27 000 kilometres because that is the figure I used to use -

Ms A.J. MacTIERNAN: The reported length of this State's coastline varies enormously depending on the scale of abstraction under which the measurement is made. The higher the level the calculation, the smaller the figure. The lower the scale of resolution, the more indentations occur, and, therefore, the greater the length of the coastline that is recorded. The same issue occurs with the debates on the length of rivers around the world. It all depends on closeness to the terrestrial landscape when the measurement is made.

The point is that we have a big coastline and a diversity of aspirations for our coast. The challenge for all involved in the process of government is allowing for a proper accommodation of those diverse aspirations. I agree with the member for Roe; there is not a great deal of support in Western Australia for anything that looks like a Noosa Heads or a Gold Coast development - although, interestingly enough, they seem to pull in the numbers over there. However, there is not a great desire for that type of development in Western Australia. All the surveys of beach goers are now demonstrating that the average beach goer spends half an hour on the beach and then a couple of hours recreating by the beach. People want to have activities in which they can engage - entertainment and recreational activities - by the beach, not necessarily on the beach. However, we must be strategic about this.

I give the previous Government credit for the concept behind the Leeuwin-Naturaliste Ridge statement of planning policy - it was a very good one. The idea was to identify an area in which there will be nodes of development, what the scale of that development should be and what the general overall planning framework for

an entire segment of the coast should be. The only problem with the way in which that was progressed was that at the last minute, after the end of the public consultation phase, some key changes were made to a couple of those centres, which caused the process to go off the rails. Some pre-existing planning decisions had also been made that were not overturned by the new policy. However, that style of statement of planning policy is something that we should do more of. That sort of strategic planning and development of broad consensus about where we should be preserving the natural landscape values and allowing some nodes of development will, in my view, facilitate rather than act against the formation of sensible planning policies. I can see my colleagues are deeply engaged on planning policy. It must involve some factional machinations!

We need to take a far more strategic approach to our coast. One of the first things I will talk to the new Coastal Planning and Coordination Council about is instituting a policy similar to a statement of planning policy for the metropolitan area, so that there can be some strategic thinking about where development is wanted and the scale of that development in terms of shoreline activity such as marinas, so that we can go forward with some confidence. At the moment blues are occurring up and down the coast as local councils try to come to terms with development applications that are often generated on an ad hoc basis by particular development interests. The coast is such a precious and important asset to the community that we need to be more strategic about its development. This is not about being anti-development but about recognising that some certainty is needed about where development will occur and natural landscape values will be preserved. We need some consensus on the scale and dimension of development.

The member for Roe spoke about the great beauty of the coastline in his area. The quality of the water around Esperance is truly amazing and I can understand his commitment to it. There is a translucent quality to that coastline. Although it may not be the most dramatic coastline in some respects, the water and sand have an extraordinary quality. If the member for Vasse were here, he would perhaps be able to provide a geological explanation for that. It is a truly exceptional area.

Mrs C.L. Edwardes: I think you are sounding very poetic.

Ms A.J. MacTIERNAN: I was seeking a rational explanation for the observation.

Mr R.A. Ainsworth: I can give you an explanation. In part it is because of the low nutrient levels in the water. The water is quite low in nutrients. That allows the light to go through the water much more easily, as you would understand. That and the white sand is a great combination.

Ms A.J. MacTIERNAN: That is very interesting. I first went to Esperance with a committee of the Parliament when I was a member of the Legislative Council. The committee was there to report on a petition that had been lodged with the Legislative Council protesting against the porting of iron ore through Esperance. The concern was that this would contaminate the white beaches. Obviously, visions of Port Hedland had been raised in the minds of the local community. When I saw the extraordinary white sand and the translucence of the water in that area I was able to understand that level of concern. Happily, with the sorts of measures that were put in place by the Esperance port, it is fair to say that none of the concerns of the community actually came about. The fantastic quality of the water and sand in that area has been maintained at the same time as a booming iron ore export industry has been developed.

Mr R.A. Ainsworth: To the point that the port has now won a national award against all other comers, as the minister would know. It was named the Port of the Year in Australia.

Ms A.J. MacTIERNAN: I was about to mention that. They have done an exceptionally good job at the port. I commend its Chairman, Richard Nulsen, its Chief Executive Officer, Colin Stewart, and all board members for their exceptional work.

Far from creating delay, the establishment of a body that would focus on getting the strategic planning for our coast right would facilitate the proper progress of planning approvals. At the same time, it would ensure the conservation of the natural landscape values that are very important to our community.

The member for Kingsley also expressed concern about whether the development industry would be properly represented on the committee. The terms of the Bill make it very clear that there will be a proper balance between conservation and development interests. The appointment of community members, as we call them, is based upon those members having knowledge or experience in one or more of the fields of urban and regional planning, property development, engineering, heritage, community affairs, environmental conservation, indigenous affairs, natural resources management, tourism, coastal planning, urban design, commerce and industry, or the provision of coastal infrastructure. Woven deeply into the fabric of the legislation is that balance between development and conservation interests. The Government is very interested in achieving consensus. As it has done with all its community participation forums and representative bodies, it wants genuine representation of the opinion of both industry and the conservation movement. It is only by developing consensus and understanding between those groups that we will be able to move forward. Otherwise, there will

be blockages or paralysis within the system and there will be no capacity to take matters forward. It is the Government's intention to ensure that a representative of industry and an appropriate representative of community conservation interests are on the Coastal Planning and Coordination Council. There is no point in setting up a sham committee. The Government wants to set up a committee that truly reflects the diversity of views, because that is the only way to move forward with a plan that will get broad community acceptance.

I once again thank members for their support for this legislation. I guess that reflects what is very much a community consensus - that we need to protect this valuable asset of our magnificent coastline.

Question put and passed.

Bill read a second time, proceeded through remaining stages without debate and transmitted to the Council.