

HOPE VALLEY-WATTLEUP REDEVELOPMENT BILL 2000

Second Reading

Resumed from 17 August.

HON J.A. COWDELL (South West) [7.44 pm]: How appropriate that we have reached here already and are now dealing with an item that until recently was Order of the Day No 28 on the Notice Paper and, more recently, was Order of the Day No 14.

Hon Ken Travers: Time flies when you are having fun.

Hon J.A. COWDELL: Does it not?

I rise on behalf of the Australian Labor Party to oppose the second reading of this Bill. The Labor Party has been consistent in its opposition to this legislation. We opposed it in the Legislative Assembly and we will continue to oppose it in this place. We have not changed our opinion of the worth or, more particularly, the deficiencies of this legislation. This evening I shall refer to a number of matters and, in particular, key issues at hand in respect of the basis of the Bill. They include the minister's second reading speech and the arguments that were advanced in it, the counter-arguments put by the minister in addressing some concerns, and Labor's policy should this particular Bill go beyond the second reading stage and be enacted.

The Labor Party finds this Bill unacceptable for a number of reasons. First, the Bill, if it were enacted, would lead to the destruction of the Hope Valley and Wattleup town sites. We want these town sites to be specifically excluded from the redevelopment. They comprise somewhat less than one-quarter of the area of development and take up about 200 hectares. In the early 1980s the town site at Kwinana Beach was closed for the Wesfarmers CSBP Ltd expansion. I remember it well, as the site was closed down progressively over a number of years. Subsequently, the Naval Base town site was closed for the establishment or expansion of Alcoa of Australia Ltd. In fact, some of the residents of the Naval Base town site were relocated in the area of Hope Valley that is now under consideration for redevelopment, so it is a progression.

The two urban communities of Hope Valley and Wattleup have told the Labor Party loudly and clearly that they have a strong attachment to the area. They have built their lives there. There is no overwhelming reason for these residents to be denied the right to continue to live in their communities. The Government is proposing to take the homes of 700 Western Australians. I state very clearly that the Government needs overwhelmingly strong grounds to do it. The Opposition does not believe that health or amenity reasons justify this action. These residents are our traditional constituency and we intend to fight for our constituency. The Opposition believes that an enormous amount can be done to provide the town sites of Hope Valley and Wattleup with improved community infrastructure by surrounding them with a mixture of zonings of commercial, rural and conservation buffers. In that way, those town sites will become attractive and secure for those small communities. The first reason we oppose this Bill is that we oppose the destruction of these towns.

The second reason is that the Bill penalises local residents specifically. In our view, the Bill makes no provision for fair rates of compensation. When a block is resumed in a legal sense as opposed to the practical sense that is occurring now, a person is entitled to compensation at a rate as though the property were not affected by the purpose for which it is to be resumed. Although land values in Wattleup have been increasing of late, they are below those in adjoining suburbs, obviously because industry has developed around Wattleup, and because the numerous studies that have accrued over the years have meant that the future of Wattleup has always been in question. This undoubtedly has had an impact on land values in that town. Normally when a property is resumed and people are forced out of their homes - a process that is facilitated, although not required, by this Bill - owners are entitled not only to the unaffected value of their property but also to a 10 per cent solatium to compensate for inconvenience. These people are entitled to at least that level of compensation, but such a level of compensation is not provided for in this Bill.

We are told that the State needs the town sites of Wattleup and Hope Valley for industrial land; it is for the greater good of the State. However, the problem we have with this legislation is that those people who must make the sacrifice for the greater good of the State will not, in our opinion, be given adequate consideration. This Bill will put LandCorp in charge of this process. No specific redevelopment authority will be created along the lines of the authorities that have been created for Subiaco, Midland and East Perth. LandCorp has considerable speciality in industrial estates, rather than in adopting a community planning approach. It sets out to maximise the return to government. In my area, its aim with regard to the Mandurah marina is to maximise the return to government. LandCorp is probably doing a good job in a direct commercial sense, but in this case we are referring to communities, and it is not just a matter of maximising the return to government.

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Once this process starts, infrastructure will start to deteriorate in these towns long before all the houses are bought out under the Government's 20-year scheme. Two important elements of infrastructure that will go in Hope Valley and Wattleup are the two schools, and the question is: At what stage will they go, and how will this impact on the remaining families? There will be a gradual decline. As the Government points out with regard to the legislation, it is not formally compulsory acquisition. It is a buyout over time. Therefore, of course the amenity will, or may, deteriorate over that time, without people being bought out. A serious problem with this Bill is that it will result in the slow and gradual death of these communities.

We are told that this Bill must be passed in order to meet the industrial requirements of the State. The Opposition recognises the need for broadacre general industrial land. We are told there is an immediate need for about 800 or 1 000 hectares of industrial land. We do not believe there is an immediate need for this amount of land at this time, particularly given the under-utilisation of the current industrial area. Canning Vale at around 628 hectares took 25 to 29 years to fill. Many manufacturing processes now require smaller rather than larger areas of land. Those businesses that are land-hungry, such as direct mail or Internet shopping businesses that require large warehouse sites, are not necessarily incompatible with nearby population centres and do not necessarily need to be areas that are cleared of housing. Not all industry, certainly from the arguments that are put to us by government, is Dickensian, being heavy smokestack-style industry. Indeed, the minister has said that much of the industrial area will effectively be devoted to commercial use which would not be incompatible with nearby residential areas.

The Opposition convened a community forum at which business and community groups were represented. The message that came through was that industry was not arguing that we should get rid of these town sites. The Minister believes that heavy industry wants to relocate further to the east. That is not our experience. Of course the Minister for Energy, as opposed to the Minister for Planning, indicated recently that the days of the Kwinana power station being part coal-fired are numbered, as I am well aware from my constituents in Collie, who tell me that they look at the coal mounting in that area and the fact that it will not be shipped to Kwinana for too much longer. Therefore, there will be an improvement, rather than a deterioration, in the air quality in this area. Another environmental consideration is that it appears that the only reason that Hope Valley comes under threat is the view that heavy industry should be located in that area. We are opposed to this heavy industrial estate, for very good and obvious planning reasons. Once the heavier industrial estate starts moving eastwards, the air quality buffer zone could be potentially moved with it or eaten up by it. Once people are moved out of the locality, in a residential sense, the argument for high levels of environmental protection may be weakened.

The Opposition believes that modern planning procedures do not require the overwhelming single-use estate. This legislation does not constitute good or modern planning procedure. The Australian Labor Party has rejected the blanket industrial zone. As it has previously stated in the public arena, its members would like to see mosaic planning that accommodates conservation areas, rural uses and industrial developments. Rather than a big slab of industrial land, a more complex configuration should be planned, which includes a mixture of conservation around the town sites interspersed with rural and general industrial allotments.

We must have new planning concepts. People must live closer to their place of work. Workers should live close to their place of production because the luxury of relatively cheap transport that we have today will not always be available. Enormous zones that are effectively monocultures requiring massive transportation infrastructure both in and out of them are not desirable.

For those key reasons, the Opposition cannot support the second reading of this Bill. It does not concur with the destruction of the town sites of Hope Valley and Wattleup. The Opposition believes that the regime proposed in this Bill does not provide an appropriate level of compensation, even if this development were to proceed. There is certainly no immediate relief for those who may want to leave the area. Some residents may be stuck there for 20 years. The Opposition cannot see an overwhelming argument in support of the immediate needs of industry. Industry could be accommodated by a more modest expansion of the Kwinana industrial area. We are certainly not convinced of the need to expand the heavy industry component of the strip. We are concerned about environmental considerations and the monoculture planning procedures that seem to be embodied in this legislation.

In his second reading speech, the minister announced that the area had been blighted by many years of inaction, when a clear view of land-use change, backed by clear decisions by government, was missing. One can admit that to be the case. The minister said that the metropolitan area was facing a shortage of industrial land. One can admit that without coming to the conclusion that approximately 1 000 hectares must be resumed in the immediate future. The minister made some startling claims that the passage of this Bill would yield environmental benefits, including a positive contribution to cleaning up Cockburn Sound. I cannot see that immediate argument being applied in support of this legislation! The minister further stated -

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the plan provides for a wide range of planning benefits, including more than 12 000 jobs located close to where people will be living, the establishment of a wide range of industries that will meet world's best practice . . .

I do not know whether the 12 000 jobs are a 20-year projection. However, the proposal is to move many of the workers away from the immediate vicinity of these jobs.

The minister pointed out that an intensive consultative campaign had been engaged in with the local community over the past 12 months. That is true. The community was consulted and has expressed its opinion. It continued, and continues, to be consulted until they will come up with an alternative and acceptable view. I have offered my commiserations to those staff at "Fort Planning of the Bronx" down there who face the local constituents.

The minister referred to the need for 100 hectares of heavy industrial land in Hope Valley. The Labor Party does not concur with that view. The minister said that the Government is aware of the differing aspirations of the community in the affected area and is sensitive to these aspirations. He claimed that the plan would provide choice as some people will want to leave the area sooner than others. That is the element of choice - leave now or in 20 years' time. The Government commended the legislation as expediting traditional planning procedures. The minister argued that it was to be commended.

The minister referred in his second reading speech to clause 34 of the Bill as setting out compensation mechanisms, which will -

. . . enable landowners to make claims for compensation for injurious affection as if the area were subject to a town planning scheme.

Again, the Opposition has some considerable concern about the adequacy of the compensation provisions in this Bill. The Minister for Planning argued his case, claiming that the Bill did not specifically allow for closure of the town sites. No. It only effectively allows for the closure of the town sites.

Hon J.A. Scott: There is nothing about compulsory acquisition, either.

Hon J.A. COWDELL: That is right. The minister claimed that the other broad issue raised is that the current heavy industry land provision is inadequate for the future. The Labor Party rejects that view. That is a difference of opinion between the Government and the Opposition. The minister took a strong line on the necessity for the concentration of industry in one area. He argued that 600 hectares or 800 hectares is not sufficient, but the 628 hectares in Canning Vale was sufficient to meet the immediate needs of industry. However, he presented no evidence of the immediate necessity in the area other than a vague letter from the Chamber of Commerce and Industry of Western Australia.

The minister argued very strongly that it was essential to close down the town sites. It was also necessary that market gardens move out of the area, because increased mechanisation required that they have larger areas, and they were no longer viable in this area. The Opposition does not believe that these points carry the minister's case. The minister put up an argument in favour of the expertise of LandCorp, and indeed it is expert at maximising returns to the Government, but not necessarily the ideal instrumentality for developing a community plan. The minister said that the Bill provides a well-trying compensation procedure and the basis for compulsory acquisition that is used by most government agencies. It may be well tried, but we do not believe that it is adequate in this case. We oppose this second reading because we find the minister's argument unconvincing in many respects and the Bill deficient in major areas.

I conclude with Labor's pledge and policy on this matter. If this Bill were to be carried at its second reading, and go beyond that stage, members will see that pledge addressed through the amendments that stand in my name on the Supplementary Notice Paper. The specific pledges are to try to remove the town sites of Wattleup and Hope Valley from the effects of the Bill.

Hon J.A. Scott: If you get into government next time.

Hon J.A. COWDELL: No, this is the proposal now. This is not dependent on post-Act; this is post-second reading. I will come to post-Act after that. The legislation needs a significant overhaul, which cannot be achieved through amendments. Therefore, it should be defeated at the second reading stage. If the Bill is not defeated at the second reading stage, we propose that the Committee of the Whole should consider the exclusion of the town sites, oppose classification of Hope Valley as a heavy industrial area and insist that the master plan includes a provision for better planning practice than is contained in the vague wording of that plan as it stands. Amendments to the compensation procedures are necessary, as is an opportunity for parliamentary scrutiny of the master plan. There would thus be a recourse mechanism and some protections would be provided by Parliament. That is the situation in which the Labor Party would attempt to amend the Bill.

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It is appropriate to say at this stage that I will attempt to refer this Bill after the second reading - if it is carried at the second reading. Such a referral will enhance the chance of some amendments being carried, particularly those relating to compensation. I hope those amendments will be enhanced and gain greater support.

Compensation provisions are a complex area in which to propose amendments. I do not claim that I have the appropriate amendments for urban lot holders. Of course, beyond that, the problem of rural landowners is not addressed. We may well have a 20-year squeeze in which there may be no market for that land, rising rates because of the change in land use and closure of roads and other facilities. There may be an eventual return to the landowners 20 years down the track, but that is not much consolation if they do not have a viable business in the intervening 20 years.

No assurance has been given that cleared land will be the first land developed within this area. It is anticipated that landowners will obtain finance and develop the land themselves. Given the number of vacant premises in Henderson and other areas, I do not expect speedy development in this area.

The Kwinana area buffer zone group has obtained legal opinions, which indicate the level of concern about aspects of this legislation that should be brought to the attention of the House. I will summarise the problems facing these people. Landowners are, in effect, locked into the redevelopment area by the very limited compensation and/or purchasing provisions in the legislation. In practical terms, it would be a rare occurrence for the implementing agency - I understand it is LandCorp - to be forced to purchase any resident's land. Although a purchase could be triggered by development refusal, in most instances any such purchase would be at the discretion of the implementing agency. Purchases by the implementing agency would be made, at best, at market value, which would ignore the substantial relocation costs of most owners and their families. Difficulty or uncertainty would be experienced by all landowners when redeveloping their properties. It is clear that, under the current framework, such redevelopment would add little or no value. Owners would be forced into the invidious position of either not carrying out improvements or redevelopment or, alternatively, carrying them out knowing full well that they might never be compensated properly for those improvements.

Current compulsory acquisition-type compensation is payable only when the implementing agency requires land for its own purposes. The compensation provisions of the Bill should be expanded to allow for compensation to be payable when an owner has been injuriously affected by any proposed development. The type of instances that we have in mind here is where for instance the Implementing Agency causes roads to be shut or diverted thereby adversely affecting the commercial rights of businesses within the area, or alternatively, where industrial development occurs (ie: a concrete batching factory or similar) next door to a residential area and it can be said that an injurious affect has taken place. In such circumstances owners must have the right to seek at the very least purchase of their properties but moreover provision for compensation by way of resumption of their land. With respect to owners the report states that owners who remain in the redevelopment area for an extended period should not be disadvantaged by having to pay higher industrial land rates. Statutory provisions must be introduced to maintain the existing basis for rating. In addition, owners whose land is injuriously affected by developments within the Friars redevelopment area ought to be able to apply for rate relief pending relocation or sale of their properties.

Hon Derrick Tomlinson: I heard the member say there was a legal opinion, but I did not hear it identified. I apologise if it was.

Hon J.A. COWDELL: The legal opinion was from two sources. I identified it as legal opinion to the Kwinana air buffer zone steering committee, and it was from a Mr Mony de Kerloy with advice provided by Ian Viner QC. There were two sets of advice in this regard, but they raised similar questions in that this legislation appears to contain very inadequate compensation provisions as to the concerns of the landowners, not only the urban owners, who do not want to go anyway -

Hon J.A. Scott: According to Hon Mark Nevill, the views of Ian Viner QC are a pile of nonsense.

Hon J.A. COWDELL: Of course, people must judge that for themselves, but there are real concerns. However, protection is not provided by this piece of legislation - it may be provided by administrative means but it is not provided here - and considerable doubt must exist, given the tenacity with which the compensation clauses are being fought about the extended generosity, in an administrative sense, beyond the minimums that are provided for in this Act.

Hon Derrick Tomlinson: Did either of the persons offer an alternative basis for a compensation regime?

Hon J.A. COWDELL: There were proposals. This takes me back to the point I was making about a committee. I commenced by saying that in the normal course of events, if the second reading were passed, I would have moved for the referral to a committee of that aspect dealing with compensation, on the basis that it would have

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been entirely worthwhile for us to have in the local group, their legal advisers and the Government's statutory corporation advisers.

Hon Derrick Tomlinson: By "us" the member means the Standing Committee on Legislation, of course?

Hon J.A. COWDELL: Yes. The Attorney General often refers to the brilliance of the Standing Committee on Legislation, referring mainly to the period during which he was on the committee. It has dimmed slightly since, I believe, despite the fact that one brilliant light, Hon Derrick Tomlinson, has been there from beginning to end -

Hon Derrick Tomlinson: And continues to shine.

Hon J.A. COWDELL: The alpha and the omega; the sunrise and the sunset - as we near the sunset.

Hon Simon O'Brien: Why have you not referred it to the Legislation Committee?

Hon J.A. COWDELL: I believe the delay in bringing the Bill on makes that impractical at this stage. If we were to move to refer it to the committee now, it would get to the committee next week. Parliament is due to finish next week, so the committee could not possibly do its work and have the Bill back here for consideration by Parliament.

Hon Simon O'Brien: Is it not the Opposition's position, which Hon John Cowdell has just stated, that it wants to frustrate the Bill?

Hon J.A. COWDELL: The Opposition will oppose the Bill. However, I will not move to refer it to a committee on the basis that at this stage it would not be realistic to expect the committee to come back with a better compensation provision. That is not a possibility any more. At this stage, given that the Bill has been brought on so late, the House would view that as a defeat of the Bill, because it would refer it to a committee and it would not come back to this Parliament. I do not propose to move that, because the committee no longer has the time to do the work that is necessary to contribute to this Bill. It would be an effective defeat. We will vote on the Bill, and pass or defeat it. I would have referred it to the committee if it could have done something constructive with the compensation clauses. I do not believe that is the case now.

Hon Derrick Tomlinson: We have seven days; we could rest on the seventh.

Hon J.A. COWDELL: If Hon Derrick Tomlinson will vote with me to refer it to the committee, I will revise my opinion of the opportunities for doing that.

Hon Derrick Tomlinson: I bow to your superior judgment.

Hon J.A. COWDELL: I recognise from discussing this with members of the Chamber that we do not have the numbers on the floor to carry a referral. A referral now would be an effective shelving and defeat of the Bill. People have told me that we should have a straight vote, and we will pass it or defeat it. That will achieve the same effect as sending it to the committee. If it had been brought on earlier, it would not have had the same effect as sending it to a committee, but that is probably the case now.

The Opposition will oppose the second reading of this Bill. If it is carried, I will move amendments to try to fix some of the inequities in this legislation. I had hoped there would be an opportunity for committee referral, which would have improved the quality of amendments, but that is now no longer a possibility. If this Bill goes through without the amendments that we deem to be the minimum acceptable, we will go to the people with a pledge that we will honour, if elected to government; that is, we will not extend heavy industry into Hope Valley or set the same rigid regime as the Government. We would look for a master plan that would be nearer a mosaic proposal in terms of a mix of rural living, conservation and industry. The Australian Labor Party would not approve a monolith-style master plan. We would hope to roll back the coverage of the Hope Valley and Wattleup town sites, although we recognise that the remaining residents of those two town sites should be consulted on a decent compensation proposal. If the residents choose to stay, we would make efforts in that regard; if they choose to go, we would make sure adequate compensation and a solatium were paid. We would certainly commit ourselves to more stringent requirements for the Kwinana air buffer zone.

The ALP therefore opposes this legislation as it is inadequate. If it passes the second reading, we will try to improve it by amendment. If we fail to improve it by amendment, the Australian Labor Party pledges, if it is the Government of the State next year, that it will try to improve it by including the initiatives I have just indicated.

Hon J.A. Scott: Is that a core pledge?

Hon J.A. COWDELL: It is a pledge. We do not differentiate between core and non-core, as the Prime Minister would. Mr President, I therefore oppose the second reading of the Bill.

HON DERRICK TOMLINSON (East Metropolitan) [8.31 pm]: Hon John Cowdell referred to legal opinions by a Mr Mony de Kerloy and a Mr Viner. May I request that the opinions be tabled?

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The PRESIDENT: Members, under Standing Order No 48 the document quoted by the member must be identified. It was identified and a member is entitled to request it. Those two documents shall be tabled and returned to the member in 72 hours.

The documents were tabled. [See paper No 522.]

HON J.A. SCOTT (South Metropolitan) [8.32 pm]: I shall start by quoting a speech by a member of the other House, but not a speech given in the other House. It reads -

As far back as the 70's the Liberal govt. earmarked Bunbury as the next area of industrial development because we knew Kwinana was becoming unacceptable for further heavy industrial development. We had the port facilities built and insisted on Worsleys activities being sited there. So the Liberals began a 'Better Future for Kwinana' some years ago. Under eight years of Labour we have seen a number of new industries being developed in Kwinana not the least being the sodium cyanide plant with another one proposed and the LPG industry? Next we can talk about the now famous Kwinana petro-chemical plant which the Liberals insisted should go to the Pilbara. Even though the Government had made an incredible financial blunder through its PICL plans we can all breathe a sigh of relief that Kwinana will not suffer the environmental consequences of such an industry.

Our energy discussion paper Green Paper no 2 states very clearly that we envisage the Pilbara as the site of WA's next phase of heavy industry.

So what do the Liberals want for a 'Better Future for Kwinana'? There is a time limit to the number of heavy industries that Kwinana can support. It is upwind of the Metropolitan area and extreme care must be taken . . .

Our policy includes -

insistence that existing industries become cleaner, and that stricter environmental standards be enforced support for the beautification of the coastal strip and here special mention must be made of the Kwinana Town Council careful planning of any projects with utmost care and consideration given to any impact a project has on the environment. There is room for new industries in Kwinana but they must be cleaner, smarter industries such as defense related industries. We want to involve local govt. in local decision making.

It also states -

Kwinanas problems will not be overcome overnight. I am not an environmental expert who can stand up here today and say 'we will do this to fix that problem'. What I can do is assure you that we know Kwinana is in a mess. We know it is imperative that future development be carefully controlled and monitored. We will let the experts research the problems and find solutions. What I can say is that those experts, local governments and local people will be listened to and not ignored. We will take seriously any concerns from environmental groups that live in the area and make it their concern to know exactly what is going on.

To conclude I will say this. It is all very well for Governments to tell private industries that they must clean up and to impose strict and sometimes costly environmental controls but government must take note of what it says. The Kwinana power station is now burning more coal - and its stocks are out in the open. Don't you think it is incumbent upon the government to at least keep those coal stacks under cover?

It continues in much the same vein. That, of course, was stated by Hon Graham Kierath, the Minister for Planning. He seems to have changed his tune in government. As Hon John Cowdell pointed out, despite the bitter submissions in response to the proposals put forward in the Fremantle Rockingham Industrial Area Regional Strategy paper - most of those submissions opposed the particular path that was taken - the Minister for Planning seems to take the most extreme industrialisation point of view.

What is the driving force for all of this? The area suffered from land-use conflicts, and it needed some planning improvements. However, the resultant Bill that has been introduced is a gross breach of the rights of the citizens living in that area. According to one of the documents I have just read, 3 600 people live in the area of that air buffer zone. It is one thing to put a road through an area from which 10, 20, 30 or maybe even 50 people will be moved. However, when the removal of over 3 000 people from an area is being enforced, that is going too far, and that is not looking after the interests of the community.

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The other claims made by the minister about the extensive consultation that took place are a nonsense. As I have already pointed out, we know that not a jot of notice was taken, not only of the communities in that area, but also of the local governments. The City of Rockingham has opposed what has been put in place. Of course, the Cockburn City Council was removed, very conveniently, at an opportune time. Cockburn City Council will have the greatest amount of rateable property taken out of its control. It was very convenient that the council had been removed at that time.

Another matter is that the grandiose plans of this Government so far have all been gross failures. It cannot get anyone to go to Oakajee. Despite all the incentives it offers, nobody wants to relocate to Oakajee. What happened with Jervoise Bay? I was told by the Attorney General that I was some sort of idiot because I had discussed a paper that pointed out that that project was not economically viable.

Hon Peter Foss: Did I call you an idiot over that one?

Hon J.A. SCOTT: Yes.

Hon Peter Foss: I am sure I did not.

Hon J.A. SCOTT: The Attorney General said that the researcher was not highly enough qualified, but he did not go so far as to say where he was wrong, because he could not; he had no idea.

Hon Peter Foss: When did we talk about Jervoise Bay?

Hon J.A. SCOTT: A disallowance motion was moved in this place. The reality is that that researcher was right and the Attorney General and the Government were wrong.

Hon Norm Kelly: Did he give you an apology for that?

Hon J.A. SCOTT: No, he would not give an apology for that. He is not the sort of person who apologises.

Hon Peter Foss: Neither are you when you lie about national parks.

The PRESIDENT: Order! Hon Jim Scott should direct his comments to me.

Hon J.A. SCOTT: The grandiose plans of this Government all seem to fall on their face. They are gross exaggerations of what is needed, and this is no exception.

The Cockburn City Council conducted a study on the land requirements for industry in the Hope Valley-Wattleup area, the results of which it submitted to the authors of the Fremantle Rockingham Industrial Area Regional Strategy report. It states -

Only 54% of the MRS Industrial Zoned land in Cockburn has been developed . . .

There appears to be a low corelationship between industrial development and local employment.

The land area projections and take-up rates for industrial land in the south-west sector are not substantiated, and difficult to follow . . .

Based on historical trends, the population projection contained in the FRIARS for the South-West Corridor are considered to be optimistic.

The stated need for 1461 of additional General Industrial land is unsubstantiated and considered excessive.

An assessment by Council officers of the General Industrial land needs for the Fremantle Rockingham area for the next 25 years has shown the following:-

- the gross area of land required is 510 ha.
- allowing for the stated desired 30% vacancy rate, there is some 387 ha of industrial land available within the City of Cockburn without any rezoning or development at Wattleup or Hope Valley.

What is this huge push for land? Why is the Government seeking almost 1 500 hectares? The paper continues -

- the additional 123 ha . . . of General Industrial land required to meet the projected demand can be satisfied by partially developing land within the Kwinana Air Quality Buffer area or development of a new estate in a location such as Oldbury . . .

Canning Vale primarily draws its workforce from the South-East Corridor. Accordingly the imminent completion of Canning Vale has major implications of employment for the South-East Corridor and that

urgent attention needs to be given to identify further suitable sites for industrial development that are well located to that area.

Government should commission a detailed study to determine the underlying reasons for the high unemployment in Kwinana/Rockingham and develop a comprehensive strategy, rather than relying on the provision of a greater area for industrial development, when the area already has the highest amount of vacant industrial floor space and vacant industrial land of the Metropolitan Area.

This is a total indictment of the whole proposal. It is saying that there is already a huge amount of unused industrial land. Nowhere in the metropolitan area is there more vacant industrial land. What is the crying need for this land? The paper states -

The provision of additional land for heavy industry is not currently warranted or justified and is environmentally unsustainable.

The economic analysis does not acknowledge the economic importance of existing commercial agricultural activities in the area, or the local employment that will be displaced by the industrial option promoted in FRIARS.

The economic analysis in the FRIARS report does not adequately address the concerns of residents about land and property values nor the method of implementation.

The next document I refer to is the "Towards Optimising Kwinana Report", which we know was produced some time before the FRIARS study. I believe it was the impetus for the FRIARS study. I will read the foreword of the report. I presume the quote is from Noel Ashcroft, because his picture is underneath it and he was then the chairman of the Kwinana Industries Coordinating Committee. At one point it reads -

What is needed now is a new era of economic growth - growth that is forceful and at the same time socially and environmentally sustainable.

The interesting thing about the Towards Optimising Kwinana Interim Report is that it seems to be concerned with ensuring that the community was taken along with that report, totally unlike the FRIARS study undertaken by Mr Kierath. The critical issues in this document are the studies of the land needs for the expansion in Kwinana. Within the central industrial area, FRIARS identified 234 hectares of vacant land among the industry in Kwinana. On top of that was 29 hectares of industries that were not area-related; they did not need to be there and would be better off somewhere else. One of the aspects about this vacant land noted in the report was that there was a large problem with the Kwinana industrial strip. The silly agreement Acts that had been signed in the past meant that excessive land had been given to a number of industries, usually on pretty good deals, despite their not all being great contributors to the local economy. When this report examined why all this vacant land was tied up with these agreement Acts, all the companies said they might need this land at some time in the future and that they felt they could expand into those areas. When the report examined how many companies had concrete plans to do that, it was found that only three had plans for expansion. The industries were holding on to the land in some vague hope that they might use it in the future - not in every case, but in most cases. For that reason, people have been thrown out of their homes in Wattleup and Hope Valley. A media release issued by the Minister for Planning on 16 August states -

"People are not being forced to sell. If they want to stay in the area, then they will be able to do that," he said.

"However, if they want to sell their homes, then the Government is guaranteeing they will purchase their properties at a fair and reasonable market price.

This is very kind of Mr Kierath. He also stated that there was nothing in the Act that compelled people to move. He obviously has not read his own Act because specific clauses do exactly that. I am hoping that he does not want that compulsion in the Act. I intend to move some amendments to take away the compulsive force that the minister says he does not want. I cannot see any reason that the Government would not agree to that.

The minister had a survey undertaken by The Boshe Group, which came up with some wonderful data to show that people could not wait to get out of the place. It found that 11 per cent of the residents surveyed had previously considered selling their property. I wonder how many people in this Chamber have considered selling their property. I certainly have; I have sold at least one property since I have been a member. Overall, 74 per cent of respondents would consider selling over the next 20 years. That would be the case in any suburb in any part of the city. The big finding of the survey was that 65 per cent of the residents were willing to sell now or had already sold to Government. When a person is told that it is compulsory that his home be acquired, he has no option but to sell. In that context, it is nonsense to put up those stupid statistics and pretend they mean something.

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Forty-six per cent of industrial land in the area is unused - the largest percentage in the metropolitan area. The FRIARS report - disgracefully - did not consider the social impacts of this plan on the people in the area. We are told that all these things will come later. Social impact studies will be completed when those people are thrown out - when those complete communities are shifted - and those communities no longer exist. That is great organisation by this Government. Furthermore, no social impact study will be done of those who remain in the region. Where are the studies looking at the need for coastal recreation in the area? There is nothing - not a word, not a consideration. Only one group is being considered - Kwinana Industries Council, which is driving the Government's planning in this region.

The southern metropolitan coastal waters study identified that there should be no more inputs into Cockburn Sound. The Department of Environmental Protection, even though it may be a toothless tiger, recognised that the impacts on Cockburn Sound were already too great. Those inputs must be drawn back. However, this Government is not concerned about that. All it seems to want to do is to whack more industry on the coastline and raise the number of licences to dump in Cockburn Sound, as has happened already this year. After Wesfarmers CSBP Ltd accidentally dumped arsenic in Cockburn Sound from its not so state-of-the-art plant, the Government gave it a licence to dump arsenic in Cockburn Sound. That will solve the problem! The Government is not concerned about the people or the environmental impacts.

The minister has oft repeated that there is no intention to compulsorily move people out of the area. I plan to move an amendment to help the minister out - to make sure that those people have some certainty. Sinclair Knight Merz Pty Ltd did a buffer zone review on that area. I know that Hon Mark Nevill, who will vote with the Government on this Bill, is a great friend of industry, particularly the mining industry. He is concerned about the people in Wattleup and Hope Valley and believes that they should be moved for their own good - even though they do not agree with him - because the pollution levels in the area will not be good for them. The buffer zone review recommended that the buffer zone be altered to allow a reduction in the southern area of the buffer and to incorporate a separate buffer around the inappropriately located Cockburn cement facility. The term "inappropriately located" is mine. The report indicated that the townships were not at risk from current or predicted sulfur levels. The study did not agree with Hon Mark Nevill. I think that is interesting, given Hon Mark Nevill's concerns. When one looks at his electorate of Kalgoorlie - where there are some of the world's worst sulfur levels - it is interesting that he has been remarkably quiet about moving people from Kalgoorlie-Boulder. He must think that people there have better lungs than those in Wattleup and Hope Valley and in the south-west corridor of the metropolitan area. I do not care if he is not in the Chamber. I think it is disgraceful. This Bill is a disgrace and anybody who has any concerns for people's rights should think so. I used to think that the Liberal Party stood up for individual's rights.

Hon Ken Travers: Private property rights!

Hon J.A. SCOTT: Yes - every man's home is his castle. They have changed their tune when it comes to helping out the Kwinana Industries Council. What about other impacts? There will be a loss of revenue to the City of Cockburn. LandCorp will take over a huge area of the rateable land in the City of Cockburn. We know that LandCorp does not pay rates. If it pays any rates, they go into the consolidated fund. The City of Cockburn will have a rates impost on it. There will be a heavy social impact on the residents of Hope Valley and Wattleup and on most of Perth. As Mr Kierath pointed out in the speech he made prior to coming into government - when he was so concerned about the environment and social aspects - Kwinana is not located in the right place. It is in the worst possible place in the metropolitan area because of prevailing winds. This has been known for a long time. Any planning that had any environmental consideration or social consideration would not put more polluting industry into the south-west corridor. It is absolute lunacy.

Nearby suburbs, such as Rockingham to the south, do not get prevailing winds, but they certainly get the noise. Noise levels recorded in Rockingham already exceed acceptable levels. Major efforts have been made to try to reduce the noise emitted from some of the industries that are close to Rockingham. Mr Kierath and the Leader of the House have combined to establish the motorplex facility in the middle of an industrial area where there is a supposed shortage of industrial land. They are so short of industrial land that they placed the huge motorplex complex there! It will make more than three times the level of allowable noise; yet it got a tick from the Minister for the Environment. It will take up a huge amount of industrial land and be a hazard for anyone who uses the venue. We know full well that the individual risk assessments have shown that the risks cannot be managed. I know that a somewhat dodgy report has now been signed off. There was reluctance from the Department of Environmental Protection to sign off the report. It commissioned a review by the top people in risk assessment in Australia.

It was carried out by Det Norske Veritas, which said that the individual risk assessment that was given the okay is a pile of old rubbish. The criteria used do not comply with any of the Australian Standards, and the report is shonky by any definition. The Government is prepared to allow three times the safe noise levels to be

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experienced in Medina, Rockingham, Yangebup and Orelia, and I dare say it will penetrate through to Thompsons Lake. It even goes out to Garden Island at excessive levels.

This Government is worried about not having enough industrial land, yet it slaps an inappropriate development that takes up huge amounts of land in the middle of the industrial area. Is that not good planning? It is fantastic! This is a disgraceful piece of work. It has no decent planning basis and tramples on the aspirations and rights of people to live where they want.

The Attorney General claimed in the second reading speech that the proposal includes a positive contribution to cleaning up Cockburn Sound. I want him to tell us how that will happen. I can see no way of it happening. In fact, the proposal will definitely have a positive detriment to Cockburn Sound. How on earth does the Attorney General think he will achieve that aim with extra shipping movements with loads of live sheep and other items planned for this area to be shipped out of an enclosed area such as Cockburn Sound? Material will find its way into the waterways. The Government continues to allow increased dumping levels, so how will it lead to a cleaner environment? The Attorney General must be kidding, or he is not very truthful. I believe it is the latter. No-one believes him. He says that the metropolitan area is facing a shortage of industrial land. However, a document came to me from Professor Phil Jennings which outlines that there is no justification for the amount of land to be set aside for industrial development. It states that recent reports indicate that there is enough allocated industrial land in the metropolitan area for the next 10 or 20 years. Therefore, the claim by the Government about the need for industrial land is not true. Even the Cockburn City Council's report indicates a huge area of land is untaken in the area now. In fact, more land of this type is available in Cockburn than found anywhere else in the metropolitan area. The Government is not telling the truth; it is blatantly misleading the House with this statement. The Attorney General has made this speech, which reads -

... the plan provides the context within which ambivalence to further development has been removed and there is a clear notion of future land use for the area;

What a lot of nonsense! It has created more uncertainty than that imposed by the establishment of the buffer zone. We now have the ability for more areas to be added to this development zone within the focus area. It could go on ad nauseam - it certainly does. The second reading speech continues -

... the plan provides for a wide range of planning benefits, including over 12 000 jobs located close to where people will be living ...

Not too many people want to live next door to a giant smokestack area, as the Government proposes. When the people to the north east of that area find out just what the Government is creating in this environmental disaster, they will not be at all happy. One of the rising concerns in the community is the lack of confidence in government agencies. So far, the agencies that are supposed to protect the people of Medina, Yangebup and all the areas surrounding this huge industrial area are hell-bent on obeying their political masters. They are prepared to conceal any document from the community to keep the truth hidden. That occurred with the motorplex, which has had horrendous effects on the community. When the Government set that up, it formed a committee, and members of the Kwinana council who took part in the committee were told that they had to agree not to reveal anything they heard in the committee.

Hon Ken Travers: Sounds like the Buckeridge group of companies did the job.

Hon J.A. SCOTT: No, it just sounds like lack of accountability, and people doing things they know will not be popular.

Hon Ken Travers: Thuggish behaviour.

Hon J.A. SCOTT: Thuggish behaviour indeed. The motorplex, the Jervoise Bay project, and possibly the James Point port were not included in the overall planning when the FRIARS study was done. How can a proper plan be done without considering those major infrastructure projects in the focus area? It is slack planning, to say the least. There is a perception that the people in the town of Wattleup are pleased for the chance to sell their houses and get out. Hon Simon O'Brien will recall attending a meeting at Cockburn town hall when this Bill was first tabled in the lower House and became a public document. He was one of a number of people who addressed the meeting, and the gist of what he was saying was that the people of Cockburn should not be so churlish and be happy to hand their homes over to industry.

Hon Simon O'Brien: I absolutely reject any claim that I used such terms as those, and I will respond when I speak on the Bill.

Hon J.A. SCOTT: The way I understood it, Hon Simon O'Brien was questioning the right of people to complain, and insisting that they should be happy with this deal. The Government was doing them all a favour.

Hon Simon O'Brien: I said no such thing, and Hon Jim Scott is misleading the House by saying that.

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Hon J.A. SCOTT: That is the perception. I cannot remember the member's precise words.

Hon Simon O'Brien: Your perception is flawed in this as well as in other things.

Hon J.A. SCOTT: I do know that Hon Simon O'Brien was given a hot reception and that people wanted to discuss the issue with him. They stood at the front of the hall, but he slipped out the back door. He did not come out the front door while I was there.

Hon Simon O'Brien: That is absolute rubbish!

Hon J.A. SCOTT: By which route did the member leave?

Hon Simon O'Brien: I remained in the hall and spoke to people for a long time. Do you want the names of the people to whom I spoke? I can provide them and those people can verify what I am saying. You should not suggest I slipped out the back.

Hon Peter Foss: He is always inventing.

The DEPUTY PRESIDENT (Hon Derrick Tomlinson): Order! If Hon Simon O'Brien wishes to reply, he will have the opportunity at the appropriate time. In the meantime, Hon Jim Scott will address the Chair.

Hon J.A. SCOTT: I was told that Hon Simon O'Brien had left by the back door. We had been waiting at the front of the hall to speak to him.

Hon Simon O'Brien: Who told you that?

Hon J.A. SCOTT: The people to whom I was speaking.

Hon Peter Foss: They were out the front.

Hon J.A. SCOTT: Some of them said that there was no point waiting for Hon Simon O'Brien because he had slipped out the back door.

Several members interjected.

The DEPUTY PRESIDENT: I have just suggested to Hon Jim Scott that he address the Chair. I also suggest that he address the issue of the debate.

Hon J.A. SCOTT: Who on earth wants this legislation? The people who live there do not want it; the councils do not want it; the planning profession thinks it is a terrible move -

Hon Norm Kelly: LandCorp wants it.

Hon J.A. SCOTT: It will certainly make a great deal of money out of it. Professor Peter Newman of Murdoch University has published a document entitled "A giant leap into the 60s: A response to the FRIARS report".

Hon Ken Travers: They are moving on from the 1950s.

Hon J.A. SCOTT: That is correct. The paper states -

The Kwinana heavy industry strip was a result of 60's economic planning. There is a global economic trend to create wealth and employment in different ways to the approaches that worked in the 60's. This can best be understood by seeing that economic cycles have gone in board patterns based on particular key or generic technologies.

I cannot think of anyone, apart from Hon Mark Nevill, who agrees with the Government's approach to this development. I am sure that some members of the Kwinana Industry Council agree with it - they would. Many of them are sitting on excess land that they are not prepared to hand over to be used effectively. Of course, they do not mind being relieved of their responsibility to develop cleaner industries.

I will support the motion for this legislation to be referred to a committee for consideration. I disagree with Hon John Cowdell. This is such an important issue that it will not matter if we return to this place prior to Christmas to deal with the Bill after community input. So far the community has had no real input. Everything put forward has been rejected. It is vitally important for our democracy that these people have that input and that amendments are made to make this plan realistic, economically feasible and just.

We have been presented with a shoddy document that is simply aimed at lining the pockets of LandCorp. It will not create the certainty that it is supposed to create. I do not dispute that planning changes need be made in that area - an area in which there is a significant argument in relation to land use. The Government has forgotten the basic principles of not only planning but also justice, and its inability to consult with people in this day and age is a disgrace. It is as though the Government is dealing with the greenfields area in which nobody has ever lived before; it ties in with some of the road systems that will cause damage because they will service this area. A lot

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of people in the metropolitan area need to understand that this development will affect them, and other people are standing by in the northern suburbs because they know similar industrial areas will be pushed their way. People from areas near Bullsbrook are concerned about what is going on there.

Hon Ken Travers interjected.

Hon J.A. SCOTT: No, Bullsbrook; inland from there. The highway will be bent around to the east to service this area. It is not right on the coast; it is inland from there.

Many road systems are 1960 designs, such as the western suburbs highway, which the department keeps extending to service this industrial area. It was interesting to note a report in the *Fremantle News* on an interview with the designer of that road, in which he admitted that there was no concern about the environment in those days, and he did not mind putting roads through urban areas although putting them through the wetlands was better. He also stated that that road had originally been planned to go through Sir Charles Court's house, and Sir Charles Court suddenly did not like the road and had it diverted to Fremantle instead. That is how the planning was done in those days; obviously the Court Government today is no better and is just as politically motivated as to where it puts these dirty industries in relation to people in the south-west corridor. This is not doing those people any good, although it is certainly not affecting the Liberal electorates in the northern suburbs or further east. That is also a mistake, because they will get a lot of the pollution from this area.

HON NORM KELLY (East Metropolitan) [9.18 pm]: It is interesting to note how the Government has pushed this legislation up the Notice Paper in the past few days. I received a facsimile from the office of the Leader of the House last week indicating those Bills that would be progressed this year, and this Bill was not on that list. One wonders whether the Government has been able to find an additional vote to progress this legislation past the second reading stage. The Australian Democrats will oppose this Bill at the second reading stage. We will support amendments on the Supplementary Notice Paper if the Bill passes the second reading stage. However, we believe that not only is this flawed legislation, but also it ignores proper planning practices and the genuine concerns of the local communities in Wattleup and Hope Valley. If the Government has been able to gain that critical extra vote, it may come from one of the Independent Labor members in the Mining and Pastoral Region. If that is the case, I would like the member to tell me how he justifies his representation of the Mining and Pastoral Region by supporting this legislation.

The indications are that that member believes it is better to have such industrial development in the metropolitan area and keep his own region free of it. The Australian Democrats have many concerns with this legislation, one of which is the role of the ministers involved in it. There is too great an emphasis on the role of the Minister for Lands over that of the Minister for Planning, who would normally be the responsible minister. There is too much emphasis on the role of LandCorp, as the developer of this land, and its responsibility for planning decisions on this land. LandCorp is an experienced developer in this State. However, it is not an experienced planner. The Western Australian Planning Commission is the prime planning body on those matters. The Democrats believe the Planning Commission should have the greatest responsibility for the future of this area.

It is interesting that on other occasions development authorities have been established to handle such massive rezoning and redevelopment of areas. The most recent of these was the establishment last year of the Midland Redevelopment Authority, which received unanimous support from members in this House. Although the authority's membership is dominated by ministerial appointees, including the chairman who is a former Liberal member of Parliament, at least it has a degree of community input through two local City of Swan councillors who are members of the authority. The Subiaco and East Perth Redevelopment Authorities were established to handle the plethora of issues involved in redeveloping areas in which significant numbers of people still live. However, on this occasion, the Government has responded negatively to all the community's concerns, and it is in the process of buying properties even before this legislation has been passed by Parliament. By doing so, the Government, by default, is imposing this legislation on the people of Wattleup and Hope Valley.

The compensation requirements laid out in the Bill are insufficient to allow for the appropriate re-establishment of residences in reasonably comparable circumstances. It would be difficult to exactly replicate in another area the size of people's blocks, the type and style of homes and the lifestyles they have. However, the Government could do far better than it has done so far in this legislation to understand the need for better compensation for those people. Perhaps greater consideration should be given to the value of the length of ownership and residency of some of the residents who will be forced out of their homes and into other areas. I will in due course refer to the recent survey conducted of Wattleup residents on that matter. It is a requirement that owners of land that is compulsorily acquired be compensated at the rate of the current zoning of that land. There is no requirement or ability to recompense the current landowners for the profits to be derived by the rezoning of that land for industrial use at a later date. It is clear that LandCorp will make a healthy profit for the State if it is able to buy up urban land with the ability to rezone it and sell it off as industrial land, although it may take longer

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than the Government estimates to sell that land. It is clear that the demand for industrial land is not as high as the Government anticipates in its assertion that it requires to excise the land for industrial use. Not only does the demand not exist, but also alternative sites could be and should be developed to reduce the pressure on the Kwinana strip.

In August this year, a survey was conducted of residents of the Wattleup town site. The Government used that survey, to which Hon Jim Scott referred earlier, as an indication that people want to get out of those areas. Given all the signals that the residents have received from the Government, it is little wonder that many of them are getting out now. I know "draconian" is a hackneyed word but it is apt to describe this legislation. The residents can see in this legislation a lack of a future for those who want to stay in the area. In a statement in August 1999, the Attorney General said -

Already Government has purchased 49 homes in the area with a further 231 in private ownership.

Subsequent to that statement, I asked further questions and the answer to my most recent question indicated that the Government had purchased about 89 homes in the area. That represents more than a third of the previously privately-owned residences in the Wattleup town site.

Another point on that issue relates to the way in which the Government is funding this huge purchasing program. In other questions I asked in this House, I discovered that the Government is using the metropolitan region improvement fund to purchase the land for future industrial use. The MRIF has traditionally been used for acquiring land for public purposes, such as parks and recreational areas, or for developing existing available land to promote better public use. However, a significant portion - \$10m - of the \$30m of funds gained each year by the fund is being channelled into this industrial development. This Government is entering into an entrepreneurial industrial development scheme with the ability to write its own legislation to ensure a profit at a future date. The Attorney General's statement continues -

Most significantly it was established that a clear majority of 57 per cent of private homeowners were willing to sell to Government now.

As I said, it is little wonder that people are willing to sell because they are seeing their community and town die around them. It is a case of being concerned that they will be the last to leave. The Attorney General further says -

As anticipated by the Government, the majority of home owners want to be able to sell their homes for a fair price and to move from the area.

That is a startling revelation. It is stating the obvious. There is nothing of substance in what the Attorney General said in that statement.

However, if members choose to go through the research that was done by Mark Jessop of the Boshe Group, they will find something of more interest regarding what the Wattleup community is all about. The initial part of the survey, in the project summary, states -

- It would appear that some 65% of residents were probably willing to sell now, or have already sold to government.
- If residents did sell most would move away, with 19% taking up an option to stay and rent.

Basically, it was trying to paint a picture that people were not really concerned about destroying the community and moving on. The most compelling piece of information that I found in this survey is on page 6, under a heading "Factors Influencing Sale Decision". In this section it states -

Families with primary school children were more likely not to want to sell. Clearly the existence of a local primary school would be a big incentive for some people not to move. Should this school close it could be assumed there people would be more likely to move.

Of all people with primary school aged children, some 62% did not see that they would be moving in the next twenty years. This compared to only 16% of people across the total sample who had the same view.

That is compelling information. A healthy majority of people with primary school-aged children did not intend to move in the next 20 years. They have established their roots in this community, and they want to continue living there. They will be the genesis of the future of the Wattleup community, because they are people with primary school-aged children who will grow and develop in that area. However, the Government has said that it does not care about what the local community thinks; it will destroy the sense of community that exists in Wattleup and move those people anyway. It has already bought a number of houses, and it will continue to do so until only a shell of a community is left there. The Government does not care about that community.

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The Australian Democrats are encouraged by the fact that the Australian Labor Party's policy is to maintain the Wattleup town site, as well as the Hope Valley town site, I believe. However, we are concerned about what will be left of those town sites in the event that the ALP comes into power in the near future.

We believe that other industrial areas should be pursued as options, rather than placing heavier stresses and strains on the Kwinana strip. A submission from the City of Cockburn identifies land to the east of the area that the Bill will affect, as well as the Oldbury site, which is further east again. The Oldbury site is centrally located for industrial purposes. For future planning purposes, it appears to be a good area for potential industrial development. I will enjoy listening to the Attorney General's response about why that area has not been further considered as an alternative to the Government's proposal, which obviously lacks any real sense of support. Apart from a number of government members and a number of people with industrial interests, it seems clear that there is a large amount of opposition to this proposal proceeding.

Some correspondence which the City of Cockburn sent to me refers to a council meeting on 18 April this year. As an aside, it is interesting to note that this process was going through while the City of Cockburn residents did not have a democratically elected council making decisions for them.

The DEPUTY PRESIDENT (Hon Derrick Tomlinson): Order! I am sorry to interrupt Hon Norm Kelly but the level of conversation around the Chamber is getting above the permissible level. If members wish to have a conversation, will they please converse elsewhere?

Hon NORM KELLY: Thank you, Mr Deputy President. At that meeting of 18 April it was resolved -

the Council's preference for a Development Authority to implement the FRIARS recommendations is subject to:-

1. Any new industrial zoned land created under FRIARS should remain within the affected local government districts and not become a separate authority.
2. The local government should retain the ability to levy rates from land within the control of any Development Authority.
3. The local government should retain the delegated authority to issue planning consents and building licences within any area controlled by a Development Authority, together with the ability to make recommendations in relation to scheme amendments, subdivision and to manage health matters.

The meeting made six points. It also stated -

4. The affected local governments being represented on any Development Authority.
5. The Development Authority being established to be the "project manager" to plan the area, co-ordinate the provision of infrastructure, amalgamate and subdivide the land, to fund the works, acquire and sell the land and to promote and market the estate.
6. The Development Authority to be abolished at the conclusion of its role as project manager and the respective local governments to assume responsibility for the on-going development control and management of the area under the Councils' Town Planning Schemes.

That may all sound reasonably familiar because it is very similar to what happened when the Government chose to establish the Midland Redevelopment Authority and the East Perth Redevelopment Authority. As I said earlier, the Government has chosen to do away with that proven process of redevelopment, and come up with this autocratic style of redevelopment on this occasion.

I have found over the past few years that the planning people at the City of Cockburn have had a very good handle on the proper planning practices which should be employed. They have provided me with good information showing that the supposed demand for industrial land in the area does not exist. The cells that are to be developed into industrial land do not form a contiguous series of developments, but seem to strategically target the more easily developed land, such as market garden and horticultural land, which can be more readily converted to industrial land use. At the same time, subdivisions are destroying a horticultural industry in this area which is very significant on a state basis. A public submission put forward by the council for the agricultural and rural land use planning policy of January 2000, stated -

That the proposed policy SBP No 11 appendix 3 identifies six areas of agricultural priority management areas in the Perth metropolitan area. This is based on the State planning strategy published in December 1997.

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The submission lists the six sites, including Wanneroo, Swan Valley, Gidgegannup, Pickering Brook, and the final two of Wattleup-Hope Valley and Baldivis. The submission goes on to show that, in the combined areas of Cockburn and Kwinana, the horticultural industry represents 12 per cent of the gross value of production of garden horticulture in the State; it is a significant and necessary industry. I will be interested to hear the Attorney General's response as to which growth areas for horticultural areas will replace the loss of these profitable lands.

The submission states that it is noteworthy that, although the Swan Valley is only eighth in the top nine horticultural, viticulture, GVP producers, the Swan Valley has been protected by its own Act. The Swan Valley is promoted and preserved for tourism and lifestyle reasons rather than the growth value of its output. Although I agree that the Swan Valley should have such protection, it is interesting to see how the different policies of Governments over various times are reflected in the legislation that comes before Parliament. One could be cynical and look at the demographics of the area, and at the types of state lower House seats in the area. A cynical person would probably say that of course the Government does not mind having this developed in an industrial area, because it will not lose any seats. I try not to be cynical, but I also question whether the Government would take this same course of action in an area covered by marginal seats or even coalition-held seats.

The Bill does away with the role of local government in the planning processes. The Bill will allow LandCorp to make road closures and the like and to ignore the detailed provisions in the Local Government Act concerning road closures. The Local Government Act, which was enacted in the mid 1990s, was significantly revised two years ago. I recall significant additional provisions to tighten the requirements for local road closures. It has been suggested, somewhat cheekily, that the local government authorities involved will still have the power to close roads that enter into the area that it is proposed will come under the control of LandCorp. If there is any antagonism between LandCorp and the local government authorities, extremely bad decisions could result from frustration or vindictiveness. If this Bill becomes law, I hope that will not occur.

Hon John Cowdell referred to a couple of legal opinions commenting on the lack of stronger compensation provisions in the Bill. I am glad that these legal opinions have been tabled, because they are something that members who have an interest in this Bill should read and take on board when considering further amendments to the Bill. I refer firstly to the legal opinion received from Mony De Kerloy. I point out that it is important for members to read the full text of his correspondence. He states -

... the compensation provisions of the Bill do not, in our opinion, address the major impacts this piece of legislation shall have.

Unfortunately the compensation aspects of the legislation have not been prepared with regard to problems facing owners or with sufficient care to enable the problems confronting owners to be addressed.

Apart from the references in the final report to the provision of payments for consequential loss and solatium, (matters which Mr Viner has commented upon), there are also references to the incorporation of statutory provisions "to maintain the existing basis for rating until such time as land is redeveloped for industrial use."

I imagine that that is one of the provisions that allows for the compulsory acquisition of that land at current zoning prices. Mr De Kerloy goes on to state -

... this Bill should be postponed until such time as a parliamentary draftsman can prepare a proper compensation provision which addresses the full impact of this legislation as well as the type of matters referred to in the FRIARS final report and give the land owners, through your committee an opportunity to comment.

That statement refers to the Kwinana Air Buffer Zone Committee. It is an important point. The compensation provisions in this Bill must be improved. I appreciate that Hon John Cowdell has placed amendments to that effect on the Notice Paper. However, considering that the Government is proposing to allow industrial development for the next 20 years, it is proper that further study be done on those provisions, preferably by a committee. I realise the difficulty or the impossibility of that occurring prior to the State election. However, there is nothing to stop a committee self-initiating an inquiry to provide research into better drafted provisions that take into account the impact such acquisitions will have on the local community. We must bear in mind why the Government is choosing to ram this legislation through this House in the few days before it rises prior to the State election. It is something that affects many people and for which the supposed benefit is the industrial development projected over the next 20 years. I know that the residents and landowners of the Hope Valley and Wattleup districts want some degree of certainty about their future. A delay of a few months only means that

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uncertainty will continue; however, I believe that the benefits, by way of better drafting and better provisions for compensation, are a few months well spent.

Some members of this place attended a meeting at the Cockburn Civic Centre in April this year. It is not a small civic centre and it was packed with people who wanted to hear from various government and community people about the future of those communities. Even if members did not agree with all the opinions, the concern and passion of the numerous local residents who spoke at that community meeting would have impressed them. I spoke at that meeting but, as with a lot of meetings I attend, I believed that the value came from listening to others speak and taking on board the concerns, views and issues raised on that night. This legislation shows that the Government has not equally listened to, and taken into consideration, the views of the local community. Some of the community groups put together a flyer for that meeting. As well as providing good information, it was an indication of the professionalism of the volunteer groups in that area, who research and do their homework on planning issues. Unfortunately, this is because they have confronted a succession of planning issues, with the development of the Kwinana strip, the various harbours, and development right to the foreshore. They have become well-organised experts in voicing their concerns and opinions about government planning decisions. I applaud those groups and individuals for their continued commitment to representing the concerns of their communities.

At the meeting in April the flyers that were handed out addressed specific concerns about the Bill. These included concerns about clause 7, which relates to the compulsory acquisition of land. LandCorp can acquire land, compulsorily if necessary, in order to implement the master plan. Clause 8 refers to the power of the Governor to direct a transfer to the authority; clause 10 refers to the permanent closure of streets. Clause 13 refers to the proposed master plan, and subclause (4) reads -

The Commission may -

- (a) consent or refuse to consent to the public notification of a proposed master plan . . .

It is an amazing provision if one accepts the Government's claim that it is involved in genuine community consultation. I talked before about hackneyed phrases. "Community consultation" has become a hackneyed phrase. The Government is informing communities and holding local forums. I appreciate that community consultation has improved over recent years. However, the Government falls down when it attempts to engage in community negotiation when a community is vehemently opposed to a proposal and when it is obliged to seek a solution or compromise. What is happening in Hope Valley and Wattleup can be seen in its efforts with the Pyrtton prison site, the redevelopment of the Scarborough Senior High School site and other planning battles that are springing up like spot fires around the Perth metropolitan area. It is about time that the Government engaged in genuine community negotiation when looking at these issues and addressing the social implications of these planning decisions.

I want to refer to the second legal opinion. It was provided by Mr Viner.

Hon N.D. Griffiths: The Hon R.I. Viner, QC.

Hon NORM KELLY: Yes. In the opinion he states -

In contrast to the FRIARS Final Report and its preferred options and recommendations, the Bill:

- (a) does not establish a specific Implementing Agency dedicated to the FRIARS region.

That highlights the lack of a specific redevelopment authority to address the issues directly related to the Wattleup-Hope Valley area. He continues -

LandCorp is not such a specific Implementing Agency as is recommended in paragraph 6.2.2.

- (b) does not set out compensation entitlements within the legislation itself which would necessarily have been the approach had the preferred option and recommendations been adopted.

The recommendations relate to the development authority, the preferred approach, and the management of social impacts on community concerns and property-purchase provisions. If LandCorp is to be in charge of this development, along with all the other developments with which it is involved, it can be said that it does not have a specific interest or reason to be involved with the geographical location of Wattleup-Hope Valley. LandCorp's interests are manifold. If it wanted to develop an industrial area with noxious industries and it had a choice of location, it might be in its interests to put it in Hope Valley rather than in Bunbury or the like.

We heard Hon Jim Scott refer to Hon Graham Kierath's vision in 1990 of how the Kwinana strip should be protected from such impost. Clearly, he has done a 180-degree turn in the past 10 years.

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The final paragraph in R.I. Viner's opinion states -

In summary, after reading the FRIARS final report and comparing it to the Bill, it is my opinion that the Bill does not satisfy the legitimate interests of the landowners and that the compensation provisions of the Bill should be withdrawn and completely rewritten to accord with the express recommendations of the Final Report.

It is good to see such clear legal advice.

Hon Simon O'Brien interjected.

Hon NORM KELLY: I will be interested to listen to the legal opinions that Hon Simon O'Brien relies upon if he has no faith or confidence in the legal opinion to which I refer.

Given all the evidence and information, it is clear that a degree of certainty and surety is needed for the future of the communities of Hope Valley and Wattleup. We should not unnecessarily delay the decision that needs to be made about those areas. However, to rush this Bill through Parliament in the next week or so would be a travesty of justice for those communities. It would be far better for all concerned to allow the extra few months' consideration. If such development is to proceed in the area, get those compensation requirements to properly reflect the impact that this development will have on the communities. As I said at the beginning of my speech, the residents and landowners will not share the profit to be gained by purchasing urban land and reselling it as industrial land. It is important to be compensated to a greater degree than the Bill allows.

If in the next few days we can make proper changes to the Bill - they would have to be substantial - the Democrats would entertain supporting its second reading. However, the Bill currently does not reflect the interests of the community, and it is better for the Bill to be defeated at this stage. The Government should genuinely engage the local community in proper negotiation regarding how legislation can be better formatted, and how the future of these areas can be better determined. We should then come back with a coalition Government or a new Government in the new year to support a far greater degree of not only certainty for the communities, but also justice and social equity for Hope Valley and Wattleup residents. The Democrats will vote against the second reading of the Bill.

HON SIMON O'BRIEN (South Metropolitan) [9.59 pm]: We are considering the Hope Valley-Wattleup Redevelopment Bill 2000. My contribution to this debate will not range over the very many complex issues involved with this Bill - namely, from where it has come and to where it may go - but I will deal with a number of important matters.

If ever members wanted a Bill that challenges a government member as it relates to his region, this is a very good example. A daughter of a friend of mine lives in Wattleup. My friend is a man of quite mature years, and his daughter is an adult. She contacted me by email - I had never met her before - and gave me the most heart-rending plea. She wanted to know why the Government wanted to do all these shocking things to her place of residence. She mentioned a number of things in this email, the sorts of things that cannot easily be answered in a response to an email. I did give some response at the time, as I have given to many people who contacted me, and I did have the opportunity to speak to her in person a bit later on. That is an example of the real, personal, "in-your-face" problems that characterise this kind of Bill for a local member.

I wish to structure my remarks around that theme, by way of adding something further to the debate, and I will leave the minister to respond to other matters. My colleague Hon Barbara Scott will also make a contribution. Both of us have taken a keen interest in this Bill, and have attempted to find solutions to the problems of the various interests involved. People in this House need to understand that this is a very complex issue, and there is a divergence of views about what should happen. It is not simply a dichotomy of views. There are a large number of varying views, some of them partially reconcilable, others completely antagonistic.

When I first became a member in May 1997, and shortly after I took my seat in the first session, I was introduced by my colleague Hon Barbara Scott to some people from one of the townships. I will not mention names. We had a meeting in a room in Parliament House. They told me about the many problems confronting them, living in one of these town sites. They told me about the uncertainty facing them and their neighbours. They did not know what the future held, and they were feeling a range of pressures from a variety of sources. I heard of people who have had "for sale" signs in front of their houses for years, and have never had a nibble of interest. There are many examples of people who bought decent-sized blocks in one or another of the town sites, or in the surrounding semi-rural areas, and then wished to subdivide those blocks in later years, perhaps to pay for their retirement, or as a gift to a child. They find that they are prevented from having those subdivisions due to a variety of planning issues, such as being in the proximity of air buffer zones. People build a second house on their semi-rural property for members of the next generation of the family to live in. Then, when the time comes for the family, either in whole or in part, to move on, and they want to liquidate part of those assets, again

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they cannot subdivide to sell. They find they have over-capitalised their property by effectively having two houses on a single residential block. Nobody wants to buy a block with two houses on it, especially in an area still to this very day racked by so much planning uncertainty.

The spokesman and coordinator of that group said to me that he knew there was a limit to what I could do about this. He said they have real problems, and they know there is no solution for many of them. However, they want some certainty and they want to know where they stand. If they must go, they need to know that, but either way they need to know. It is an incredible problem. I admit that I did not have and I do not have the skill or experience to answer those questions or to deal with those problems. I am not afraid to say that, because I know that no-one else they have approached has had the experience or skill to deal with those problems. That was the impact of my first contact with the residents of one of the town sites.

As new members of this place do, I contacted the councils in my electorate, including the City of Cockburn and the Town of Kwinana, and established avenues of communication. When I was first elected I put in place an arrangement with the City of Cockburn whereby every couple of months, as a matter of routine, I meet with the chief executive officer, the mayor - when we have one - the planner and other senior officers to talk about the issues affecting the area. Much good has come out of those meetings; we have managed to get things done. I have been able to make representations on behalf of the city following those meetings, and I have achieved changes for the council and the people whom the council and I represent. As every member knows, it is good to be able to do something on behalf of constituents, particularly if they have tried in the past to achieve something but have failed.

The City of Cockburn and other councils affected by this proposal said at the beginning of this process that they had a problem with the Fremantle Rockingham Industrial Area Regional Strategy and they spoke about uncertainty. They asked me in 1997 to find out when the FRIARS report would be released, so that they could move ahead. That reinforced for me the uncertainty in planning in that part of the world. It was clear that that was a blight on the lives of many people who had to live there, and on those who had moved there some time ago and now wished to move on but were finding it difficult to do so.

This is not a black and white issue; it is not a question of one answer being totally right and any other answer being totally wrong. It is not correct that if one does not subscribe to a view one is misinformed or deliberately obstructive. As Hon Norm Kelly indicated, when people hold divergent views, they express them in different ways and in different forums. When people who are affected by a proposal support the Government's plans, they tend to speak about it to government members. When people are opposed to a government proposal, in the first instance they tend to gravitate towards opposition members. Different sides line up and different members are subjected to different representations. As a government member, I have also had representations from people who are strongly opposed to this proposal. I started my remarks tonight by referring to my friend's daughter who approached me. After a period, when the opposition to a proposal such as that contained within the FRIARS report becomes a bit more organised, we get a flood of communications from people saying they oppose this view. Some might be in the form of photocopied statements to which a member's name has simply been added at the top, and they may not even be signed by the author. Other submissions come from people who have gone to a lot of trouble to write to me, as did my friend's daughter, and tell me about their personal situation, why they are upset and why they want to ask some questions. I have attempted to respond to people who have communicated with me in all those cases. In some instances I had names but no addresses, but I have tried to respond to people, and once those replies are sent they are in the public domain.

I tell those who have an active interest in this debate that I have always understood that some people in these town sites and in the area covered by this legislation are stuck between a rock and a hard place. There are so many shades of grey, and no one solution fits all. I have said in my communications with these people, whether face to face or by email, that I acknowledge and understand their uncertainty about the future and their concern about what someone might have told them will happen. A lot of unfortunate remarks have been spread around the community. I have also sometimes told people that I wish I had some sort of magic wand to make all of this go away, but I do not. I do not have the luxury of being in opposition or being a member of a minor party that will never have the responsibility of forming a government and dealing with these sorts of issues. I do not have the luxury of being able to tell people that it is a shocking situation; I am on their side; there will be an election soon; the local candidate supports them; and we should get rid of this Government.

Hon Norm Kelly: I hope the member gets on to the 65 per cent of small children -

Hon SIMON O'BRIEN: Just hang on! I receive approaches from people about the sorts of matters Hon Norm Kelly raises in this interjection. I am not deaf to these matters. In so many cases, such as the one to which he alluded by interjection, one cannot help but feel sympathy for the predicament in which people find themselves.

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As I say to people in correspondence, I really wish I had some way of making all this go away, but I do not; I have to wear it.

I have also received representations which contain unbelievable suggestions. I do not know how many I have received, because I receive stacks and stacks of this correspondence, but I most definitely replied to one person who said that when this Bill is passed birds will fall dead from the sky and people will drop dead in the street. I do not know where he got that idea. I was able to reassure that person that I did not think that would be an outcome, but they are the sort of scare tactics being employed.

Hon Mark Nevill: Probably a Democrat voter!

Hon SIMON O'BRIEN: Possibly. I indicated that I have no hope of canvassing all the issues that have arisen, so I will refer to some selected items. In relation to the remarks made by Hon Jim Scott, I particularly want to say something on a personal level. I am glad he has just returned from urgent parliamentary business elsewhere. Hon Jim Scott fails to understand, when he talks about the extra industrial land available in Cockburn and other places, that this is not what this legislation is all about. The whole Fremantle Rockingham Industrial Area Regional Strategy, and to a large extent this Bill, is about planning for the future, so that people will have some certainty in the generations ahead. It is true that this week industrial land is available elsewhere in areas which are earmarked by the Western Australian Planning Commission to be rezoned. In the fullness of time the amount of available industrial land will be exhausted, and more will be required for our city and infrastructure. I do not know how many years down the track that will be. However, the time to plan for that is now.

As a government member I could really do without this Bill at this time. However, the Bill is being introduced at this time because the minister is biting the bullet and making some tough decisions. These decisions would need to be made at some time, and they should have been made well before now. Many of these problems would not have arisen if some different planning decisions had been made in the past. That was not the case, and if no action is taken the problems will get worse. Hon Jim Scott and I might need to agree to disagree on this, as well as on other items of policy.

I take issue with remarks made by Hon Jim Scott about a public meeting in April in the Cockburn Civic Centre. He said that I had called parts of the audience churlish, or words to that effect. I did no such thing.

Hon J.A. Scott interjected

Hon SIMON O'BRIEN: The member is changing his tune now. Hon Jim Scott also claimed that I said people should consider themselves lucky this was happening. I do not want to argue about this with the member, but I absolutely refute that. That is not the case and, at the very least, all I can say is that Hon Jim Scott has selective hearing. What does offend me about what was said about the meeting - I challenge Hon Jim Scott on this - is his suggestion that I was not prepared to face people and I slipped out the back. They were the member's words. I received very little notice that the meeting was to be held, and the person who invited me apologised for the lateness of the notice. The organiser invited me to attend this public meeting because people would want to hear what the different representatives had to say. I had a previous engagement which prevented me from being there at the start of the meeting. I rushed down but I was a few minutes late, so I missed some opening remarks, and that always puts one at a disadvantage.

I asked my colleagues whether they would be attending the meeting. Hon Barbara Scott was not able to attend because she had another engagement. I also asked Mr Kierath, the Minister for Planning, if he or a representative would attend, and I was told that a delegate could not be organised at such short notice. They said I should go along if I wanted to, but I would be given a hiding for nothing, because it would be the sort of meeting at which people would be a bit hot under the collar. However, because I am the elected representative of those people, and it is my job, I went to the meeting. It was jolly uncomfortable. There was a large group of people there. Not many members have to face a crowd of between 500 and 600 people, as the sole representative of the government side of politics, which is regarded as the ogre. It is an uncomfortable situation to be in, but I went to that meeting. My presence was noted, I was called up to the microphone and I did address people. I said that I was not there as a representative of the minister but as a private member. I explained who were the members from the upper House, and, from memory, I gave an undertaking that if they had questions I would get answers to them. They had some questions displayed on an overhead transparency and I said that if they had trouble getting answers from the minister I would take away the questions and get answers to them in due course, which I did. I did not have an opportunity to say much else, Mr President, but I absolutely deny -

Hon J.A. Scott interjected.

Hon SIMON O'BRIEN: Shut up! I am addressing the Chair.

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The PRESIDENT: Order! Hon Simon O'Brien will come to order. I have not heard Hon Simon O'Brien use that unparliamentary language before and I certainly do not want to hear it again. From time to time interjections are made and, depending on the tone of the debate, the Chair allows those interjections. However, members certainly should not resort to that sort of language.

Hon SIMON O'BRIEN: Mr President, I did address the crowd and there were sections of the crowd who were downright hostile. I could not even start to say anything without one chap or another - there are always a few - who wanted to shout me down. I persevered and finished and that was the end of it. However, a number of people approached me who said they were in favour of the proposals reflected in this Bill going ahead because they wanted to be bought out, and I observed that a number of others had the opposite view. I said that earlier in my remarks, and I believe every member agreed there is a divergence of views in the community. How one measures those views depends on one's experiences of speaking to people about how they have gone about gathering their information.

However, Mr President, I most certainly did not say anything that could have been construed as saying, "You should be happy with what you are getting." I did not say that. I said what I have just said I said. When I was doing that, I noticed in this large crowd - as one does when one is standing up at a lectern and everyone else is sitting down - a number of people who were not participating in the rowdiness which sometimes occurs at emotionally-charged public meetings. Instead, I could see them sitting there nodding along with me. These were not people who were proposing a view against this Bill but, rather, people who were in favour of it. That reinforced the reports I had been receiving in conversations with people at the planning office and in correspondence I have received from a variety of sources.

Another assertion made by Hon Jim Scott that I absolutely and totally reject and that makes me angry is that I would not face people at that meeting. I have just told the House that I did go along and see people. It was a little uncomfortable, but that is the sort of thing one must do. Life is not a bed of roses. At the conclusion of the meeting, although I did not leave in a hurry, I did not slip out anywhere and I did not refuse to see anybody. I remained in the main body of the hall. Chairs were rapidly being put away around us so that there was a big expanse of floor. I stayed there in the middle of that floor where I was approached by a number of people. Some were angry with me and some wanted to give me cards because they wanted further contact. An associate professor of something who had been at the top table gave me a list of 17 questions and said, "There you are; get Kierath to answer that." Other people said, "Can you help us with this?" or, "Good on you", and a bloke I just happened to know came up to me and said, "How are you going?"

I had a number of conversations. At one stage people were queuing to talk to me, and I stayed there until that queue had gone. As a courtesy, I said goodbye to chairman of commissioners Donaldson, who chaired the meeting. I also said goodbye to Allen Blood, the senior officer who was present. I said hello to, and had brief conversations with, a number of people. Believe me, by that stage the hall was empty and people had gone to their homes. Therefore, I reject absolutely the accusation of cowardice hurled at me, by implication or explicitly, by Hon Jim Scott during his remarks. I am interested to know whether he would repeat those allegations outside the Chamber.

I turn to Hon John Cowdell's remarks. As usual, he put forward his contribution in a well-constructed way. I enjoy listening to the way he develops an argument.

Hon N.F. Moore: Even if he comes to the wrong conclusion.

Hon SIMON O'BRIEN: Precisely. It is the paradox at the end for which one always waits. It must have been an interesting debate in the Labor caucus when it considered this Bill. I believe that the Labor Party split on this matter in its caucus room, to the extent that the decision almost went the other way. A number of Labor people have been conspicuous by their low profile, or lack of profile, in parts of this debate. It is interesting that the likes of Dr Carmen Lawrence and a Labor candidate from that area have been largely involved in the carriage of this matter.

Hon Mark Nevill: Do you mean that proponent of Jervoise Bay a few years ago?

Hon SIMON O'BRIEN: I would like to hear more about that on another occasion. However, at present I have limited time and members want me to conclude.

I indicated earlier, and I say again to Hon John Cowdell, that the argument that there is not an immediate need for this land is not what has been suggested by the proponents of the Bill. There is an immediate need to plan for future land use. There is a distinction. It is not that large parts of this earmarked industrial land will be taken up tomorrow or next week. I make that distinction and move on from there.

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Another matter is that the town sites of Wattleup and Hope Valley are not needed for industrial land. I point that out for the benefit of Hon John Cowdell. Members can quote me on that anywhere they like. It is my assessment that those town sites are not needed for industrial land - not now and not in 30 years. They are not needed. The debate will be interesting when we deal with Hon John Cowdell's amendment about excising the town sites of Wattleup and Hope Valley. That would cut them off from every aspect of this redevelopment and would mean that \$50m, or whatever is the ultimate figure, will not be available to enable people wishing to leave those town sites to do so. How the heck that improves the lot of the residents of Wattleup or Hope Valley, I do not know. I am sure that will be explained during the committee stage. However, that is the short answer.

Hon J.A. Scott: Don't you believe in choice?

Hon SIMON O'BRIEN: Yes, I do. People can choose to stay. The fact of the matter is that they have a situation which has grown up around them and which must be dealt with. As I have said twice before in this speech, I wish I had a magic wand. Someone, who sounded like a young person, asked me whether I could make all this nightmare go away. I said that I wished I had a way to make it go away, but I did not, and we must work through it as best we can.

If this Bill is defeated or gutted by the amendments of the Labor Party, the losers will be the residents, not of the whole area, but of the town sites. People with "for sale" signs outside their houses have not had a nibble in years. The Government is proposing to buy certain properties. It has bought a huge amount, and the number is obviously increasing. I understand that it has bought 46 per cent of the houses at Wattleup so far. I am advised that the median price of houses in Wattleup at June last year was \$86 000. In June this year, the median price was \$103 500, which represents a 22 per cent increase. On top of that, we must consider that a direct sale saves the vendors the normal costs of real estate agents. In the range of house prices in Wattleup, it would mean a saving between \$5 000 and \$15 000. Assuming it is \$5 000, that amount applied to the median house price I mentioned would mean a 29 per cent increase in the price people receive for their houses in Wattleup. That area has been a static market for donkeys years, when people could not sell their properties anyway.

With the purpose in mind of securing guaranteed prices, I approached the office of the Minister for Planning. I had regard to the sort of compensation proposals which are loosely contained in the Supplementary Notice Paper. When we debate that, I shall have a fair bit to say about compensation. I have not met anybody in this exercise who has suggested that the residents of Wattleup and Hope Valley who, by circumstances if not desire, feel compelled to move, should not get as much compensation as they possibly can. I want that to be guaranteed. I want to make sure that the compensation is not capped at a lousy 10 per cent - the crumb that the Australian Labor Party seems to want to offer to its so-called natural constituency.

I have indicated a number of different issues in my approach to this debate, and I wanted to place a few matters on record. I say to those people who, through *Hansard*, discover the contents of everyone's remarks in this place, that if they want to speak to me at any time they should please get in touch, and they may do so. If they simply want to give me a blast, they may do that as well although it is not very constructive. I do not slip out of back doors; I do at least face difficult situations. Even though it might make me unpopular in some quarters, some things one must do. I will not be accused of cowardice by the likes of Hon Jim Scott, who has given us a pack of fictional stories. If he is prepared to say that about me to this Parliament, some people in his electorate might like to consider what they are being told by the Greens (WA) with their economical use of the truth.

HON MARK NEVILL (Mining and Pastoral) [10.34 pm]: I will support the Hope Valley-Wattleup Redevelopment Bill at its second reading. I am supporting the FRIARS concept because it will meet the increasing shortfall in the availability of general industrial land in the metropolitan area.

I do not accept the arguments put by the Australian Democrats and Greens (WA) that the supply of industrial land is adequate. That may be the case for the next few years, but there certainly will be a shortage over the next 30 years. Whether debating this or any other Bill, Hon Jim Scott is always consistent: He opposes any Bill in this House that involves jobs - it does not matter where it is. He expressed that view when he was opposed to Jervoise Bay and the Oakajee site. Oakajee has operated for about 15 months and because it is not full of factories he says it is a failure. Members must look ahead 30 years when considering industrial sites. When Julian Grill was the Minister for Economic Development he set aside places like Mungari near Kalgoorlie, a site near Cape Lambert and the Oakajee industrial estate and others so that we would not have constant wars with people like Hon Jim Scott who is opposed to any economic development when somebody wants to set aside land for industrial use. We can all lament the lack of planning. There is no plan to have an underground rail system in Perth. In recent months we have been planning the southern rail corridor. Hon Jim Scott is advocating the coastal route from Fremantle which has a catchment of about 50 000 people.

Hon Jim Scott interjected.

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Hon MARK NEVILL: Yes, the member was; he should not backtrack. There is another proposal from Fremantle across to the freeway which would achieve a catchment of about 120 000 people. If it went down from Cannington, it would have a catchment of about 175 000 people, and would be a shorter, quicker route. Hon Jim Scott sings the praises of the Cockburn Shire Council, but it does not support the member on that proposal. The member is not always right; nor am I. One thing about which the member is consistent is that he opposes anything to do with jobs, whether it is this Bill or any other. I cannot differentiate between the Greens (WA) or the Australian Democrats on the issue of jobs, which is the best form of welfare for anyone in our community.

This Bill will establish a major general industrial zone in the area. There will be strong demand for that land. If it is not all used and the take-up is nowhere near as rapid as people expect, perhaps some of the areas that are zoned rural could then be changed to residential. It is important to at least plan ahead. The area is very attractive as an industrial estate. It is close to infrastructure, rail, good road routes, the port, light industrial facilities that can support that area and also a skilled work force. The people who will unfortunately be displaced from this area, presumably, will live in surrounding areas. Their property values will appreciate more than other areas, but that is gazing into a crystal ball, and we cannot do that.

Hon J.A. Scott: What about the air pollution?

Hon MARK NEVILL: If the member wants to talk about the air pollution, there is a need to consolidate the buffer zone in that area. There is no doubt that industry has improved over the past 20 years. The community expectation, which increases every year, must be dealt with; I have seen that happen in Kalgoorlie. I do not see anything wrong with that. Increased community expectations in air quality means that consolidating these buffer areas is even more important. The area must be consolidated to get away from the problems of conflicting land use.

Hon Jim Scott interjected.

The PRESIDENT: Order!

Hon MARK NEVILL: I will respond to Hon Jim Scott's questions. If the national environmental protection measures for air quality are incorporated under the environmental protection policy regime that currently exists, it will make it more difficult for industry should residents be allowed to live within that buffer zone.

The Australian Labor Party has spoken about a mosaic development. I do not think that would work. There are always running conflicts with those sorts of issues. The value of rural land will stagnate, whereas those who fortuitously have their land rezoned to industrial use will benefit from increasing values. There will be all of those sorts of tensions. I do not support maintaining the Hope Valley or Wattleup town sites for those reasons. This situation needs to be finalised. The problem with politics these days is that politicians do not like to examine the facts, reach their own conclusions, and make a decision. Governments leave people in limbo for 10 or 20 years, which does more damage to people's health than anything else. One of the important things that this House must do is make decisions on the best information available and to the best of its ability. It must then take the action rather than hang around listening to Hon Jim Scott's continual complaints that there is not enough consultation.

Hon Jim Scott interjected.

Hon MARK NEVILL: It does not matter how much consultation there is, Hon Jim Scott will always include a set part in his speech about the lack of consultation. It is irrelevant.

Hon J.A. Scott: It is not irrelevant; it is important.

Hon MARK NEVILL: The people who continue to live in that area will be subject to increasing noise, odour and traffic because of that industrial area.

Hon J.A. Scott: They are nowhere near the -

The PRESIDENT: Order! Hon Jim Scott, Hon Mark Nevill does not appear to be picking up the interjections. Let us hear from Hon Mark Nevill.

Hon MARK NEVILL: I thought I responded at great length to Hon Jim Scott's interjection about air quality. The member was not happy to hear that answer and interjected another half dozen times. Mr President, if you want to throw Hon Jim Scott out, I am happy to give you all the support I can muster!

I have had many calls on this issue. I have the biggest electorate in the State, and an onerous travel schedule to get through. Last week, I drove 2 400 kilometres through the Murchison, and visited the Gascoyne for three days and the Kimberley for two days. As such, I do not get a lot of time to devote to legislation; yet I must, in order to serve my electorate and because of the election campaign. This issue has generated an immense amount

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of work for me. I tried to return most of the telephone calls, but I regret that I have not been able to return all of them. I have spoken to some people at great length. Interestingly enough, I have had more calls opposing the project than supporting it. However, I have also had many calls and letters from people living in the area who have asked me to support it. I hear mixed views on this issue. I do not suggest that the people supporting this proposal are in the majority. It is one of those unfortunate things that happen from time to time, in which people are forced to do things that they do not want to do, ostensibly for the greater public good. Others may see it differently.

A couple of members have mentioned the poll that was taken. I do not see any point in labouring that matter. The Government already owns a number of properties in Wattleup and Hope Valley. The area has been depressed for years. As the last speaker said, there has been a rather sharp increase in values in the past 18 months. That is only because the Government is in the market. From what I can garner, the surveys suggest that more than half of the remaining residents would be happy to move out of the area. The survey was conducted only in Wattleup.

Before I became sidetracked I was talking about planning for the future. I mentioned the southern rail line. One of the problems of politics is the very short time lines. Most members think only to the next election, and what can be done in the short term to overcome a problem. They are not prepared to put their head in the block in order to plan for 30 years hence. That is what we are doing here. An industrial area should be set aside west of Mundijong; on the western side of the South West Highway. The area could service the population in the corridor that runs along the foothills. It has access to gas, rail and road. That is the sort of thing that we should be doing now - not when the place is half-developed, with depressed property values, and the amenity of the area has deteriorated while politicians cannot make decisions.

Hon J.A. Scott: I do not want to see people moved for the sake of industry.

Hon MARK NEVILL: I do not think it makes any difference. People's houses are demolished to make way for roads and railways. Would the member demolish houses to make way for a railway system in the metropolitan area?

Hon J.A. Scott: I would opt for an underground system.

Hon MARK NEVILL: Yes; at about 10 times the cost.

Hon J.A. Scott: And 10 times the passengers.

Hon MARK NEVILL: The member is a dreamer. The number of passengers depends on the catchment. The member was bleating about the Northbridge tunnel and what would happen if a truck caught fire or a car crashed, yet it is quite okay to have underground rail systems and things like that. The member's arguments are always very convenient. An underground rail system running along the coast would cost about \$1b for 20 kilometres. How would the member pay for that - out of an eco-tax? The member is opposed to the mining industry and everything that creates jobs and wealth in this State, yet he wants an underground rail system, and not even a surface one!

Hon J.A. Scott: Only where there are lots of houses.

Hon MARK NEVILL: The housing density in Perth is not all that great. It is inevitable that Perth will have only a surface railway. This is all just a semantic argument, so that the member can avoid answering the question about the need to demolish houses for the public good. The member never accepts those situations. Someone might get a job out of it - how terrible!

I do not support the comments of Hon John Cowdell about keeping the Wattleup and Hope Valley town sites. It will only continue the trauma for the residents in those areas. We should make it clear once and for all to those people that we will do it now. We should not say, "No; we will do it in four or five years' time because an election is coming up. We will give someone else the problem." The honourable thing is to state what we will do in the long term and let those people know where they stand.

I do not support the proposition floated in a previous amendment and discussed tonight by Hon Norm Kelly about a redevelopment authority. He talked about the benefit of those redevelopment authorities. Good argument can probably be made for redevelopment authorities applied to run-down old industrial land, such as that in Subiaco and East Perth. A redevelopment authority would not add much to the Fremantle Rockingham Industrial Area Regional Strategy area. Before a door is opened, redevelopment authorities, such as Subiaco and East Perth, cost about \$1m a year. I would prefer that people in the town sites receive the benefit of that money rather than have 10 people driving around in cars generally annoying people and not adding much value to the process.

Hon J.A. Cowdell: One cannot move amendments along those lines as they would require an appropriation.

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Hon MARK NEVILL: Yes. I saw an amendment in the other place in that regard, and Hon Norm Kelly mentioned the benefits of redevelopment authorities in such situations. I would rather see the people receive that money.

I will not support the ALP amendment to disallow the master plan. I also do not support the amendment on the Supplementary Notice Paper relating to compensation. People in Hope Valley, as a result of the higher values, will be able to secure a reasonably good property in the area if they are bought out. The main people to suffer will be those in Wattleup because of the lower property values. They will need to take out a mortgage to move into another area. How would we justify an amendment by which people would get a place in Spearwood similar to the one they leave? On my understanding of median values, that would represent \$35 000 over the market value in Wattleup, plus another 10 per cent. It would hardly be fair to people who sold out in recent times to apply that compensation to other people. Perhaps more assistance is needed for people in the township of Wattleup. Those who own rural land in the area will do well out of this rezoning. The most vulnerable people are those in the Wattleup town site. They are my major concern.

Hon J.A. Scott: Are you aware that the values have been largely depressed because the buffer zone has extended around the town?

Hon MARK NEVILL: All sorts of reasons can be found for values being depressed. In fact, they have been depressed for 15 or 20 years, and they have increased 22 per cent in the past 18 months because the Government is standing in the market as a buyer. Ultimately, it is a question of how much compensation these people can receive. I am not interested in the bells, whistles and frills.

Hon J.A. Scott: What if the industry buffer zone pulls down the value of the houses?

Hon MARK NEVILL: That is an assumption.

Hon J.A. Scott: It's a pretty good one.

Hon MARK NEVILL: Is the member suggesting that the current industry buffer zone should be removed?

Hon J.A. Scott: I am not.

Hon MARK NEVILL: It is in there. It is a nonsense proposition!

Hon J.A. Scott: It is not entirely nonsense. The buffer zone study said it should be reduced.

Hon MARK NEVILL: If it were reduced, the first person to say it should be extended would be Hon Jim Scott.

Hon J.A. Scott: No, I would not.

Hon MARK NEVILL: Hon Jim Scott would say that it is a threat to people's health, and that the cats were not eating their tucker the way they used to when the zone was further out. That is his *modus operandi*. Hon Jim Scott and I have contributed enough in the course of my speech and I will leave any further comments to the committee stage. I could touch on many issues, but they are not central to this Bill and they can be discussed in committee. I will reiterate my stance, that I am supporting this Bill. I am not enamoured by any of the amendments on the Supplementary Notice Paper, and I cannot see myself supporting any of those in their present form. The people I am most concerned about in terms of compensation are those in the Wattleup township. I would like to see a situation in which the Government makes an offer to all the people in the township, up front and within a certain period, so those people at least have a chance to move out and get into another area. They will find that the property values in other areas will certainly appreciate more than they will in the Wattleup and Hope Valley town sites, particularly if the Government moves out of the market for any period.

Debate adjourned, on motion by Hon B.M. Scott.