

HOPE VALLEY – WATTLEUP REDEVELOPMENT AMENDMENT BILL 2010

Introduction and First Reading

Bill introduced, on motion by **Mr J.H.D. Day (Minister for Planning)**, and read a first time.

Explanatory memorandum presented by the minister.

Second Reading

MR J.H.D. DAY (Kalamunda — Minister for Planning) [3.28 pm]: I move —

That the bill be now read a second time.

Mr J.H.D. DAY: The purpose of this Bill is to amend the Hope Valley – Wattleup Redevelopment Act 2000, which I will refer to as the act, and provides for the development and redevelopment of certain land within the latitude 32 industry zone. The latitude 32 industry zone, also commonly referred to as the latitude 32 area or the Hope Valley – Wattleup area, is located between Fremantle and Rockingham, which is one of Perth’s rapidly expanding south western corridors. The project is one of the largest industrial redevelopments ever undertaken in Australia, comprising more than 1 400 hectares. Similar to a number of other special redevelopment acts, Parliament introduced the bill in 2000 to facilitate planning, development control and other functions of land in this area.

The proposed legislative amendments are part of a wider series of changes to planning, environmental, mining and other legislation, which have been steered by the Premier’s Ministerial Taskforce on Approvals, Development and Sustainability. Together with the state’s undertaking to the Council of Australian Governments, this government aims to ensure that economic growth and activity in Western Australia are not unduly hindered by unwieldy or unresponsive approvals processes. To this end, the bill forms an additional component within a long-term planning reform agenda. This bill is consistent with a number of other recent measures, including the Approvals and Related Reforms (No. 4) (Planning) Act 2010, which made significant changes to the Planning and Development Act 2005, and the successful introduction of Directions 2031, which sets the direction towards shaping the future of the Perth and Peel areas.

The bill will facilitate the next stage of strategic planning and development within the latitude 32 area, and has four key objectives.

Firstly, it deletes references to the Fremantle–Rockingham Industrial Area Regional Strategy—also known as the FRIARS document. The FRIARS policy document was intended to inform government of the future land use direction for the Fremantle–Rockingham region. However, given all land within the latitude 32 area is now subject to the master plan, and given that sections 10(1)(b) and 28(1)(b) of the act make it clear that the FRIARS policy document only applies to land not yet subject to the master plan, the FRIARS document no longer has any legislative effect. The bill makes a number of minor changes to delete these references.

Secondly, the bill provides further clarity about the legal status of the Hope Valley master plan. Part 3 of the act establishes a master plan that effectively operates as a local planning scheme and replaces the schemes over certain land in the local government districts of the City of Cockburn and Town of Kwinana. LandCorp, as the authority responsible for planning and developing the area, noted that there is some confusion as to the legal status of the master plan. Continued uncertainty impacts the successful operation of the project, such as confidence in the ability to enforce development contribution plans under the master plan.

To put the issue beyond any doubt, the bill inserts a new section 22A into the act, which confirms that the master plan has legislative effect, with the legal status of subsidiary legislation as defined in the Interpretation Act 1984. This amendment effectively confirms the master plan has the same status as other planning schemes under the Planning and Development Act 2005.

Thirdly, the bill provides a specific and unambiguous penalty for contravening the master plan. The bill inserts a new section 22B into the act, which confirms that the person who contravenes the master plan is liable to a penalty of \$50 000 and a daily penalty of \$5 000. This will again improve clarity and ensure consistency with other similar penalty provisions in the act.

Finally, the bill provides retrospective application and transitional arrangements. The bill inserts a new section 37 into the act, which confirms the validity of the master plan, together with any past acts or omissions done under the master plan, before its legal effect and status as subsidiary legislation was clarified by these amendments.

I therefore seek the house’s support for the bill, which amends the Hope Valley – Wattleup Redevelopment Act 2000, and I commend the bill to the house.

Debate adjourned, on motion by **Mr D.A. Templeman**.