

**METROPOLITAN REDEVELOPMENT AUTHORITY BILL 2011**

*Third Reading*

Resumed from an earlier stage of the sitting.

**MR J.N. HYDE (Perth)** [3.06 pm]: The debate on the Metropolitan Redevelopment Authority Bill 2011 has certainly gone on a lot longer than the government expected.

**Mr R.F. Johnson:** You can say that again!

**Mr J.N. HYDE:** All right; I will. But I am conscious that we on this side want to finish early, so I will not say it again, Leader of the House.

Clearly, the opposition has been saying from the beginning that the bill has been rushed through without proper consultation with local government. The minister and other government members said yes, there was consultation. However, as we have shown during the debate, that is not the case. I will again quote Mayor Troy Pickard, the President of the Western Australian Local Government Association—I am not sure whether he is in the Leader of the House's faction —

**Mr R.F. Johnson:** We don't have factions. We're not like the Labor Party.

**Mr J.N. HYDE:** The Leader of the House's party does not have factions.

**Mr R.F. Johnson:** No. We're all one big happy family.

**Mr J.N. HYDE:** Anyway, Mayor Troy Pickard, in a letter to the Minister for Planning, states —

I am concerned that discussions with individual officers of the Association —

That is, WALGA —

or confidential copies of draft legislation are considered to be consultation with the Local Government sector. This is not the case. The Association expected that there would be further opportunity for consultation directly with Local Governments on the final draft of the Bill, to ensure that all local governments had an opportunity to consider the proposed legislation in detail and provide feedback.

When I contacted directly a number of local councils, I was certainly concerned that they did not know that this bill was being rushed on for debate early last week. I was able to elicit some responses from them, and those are responses that we advocated for very strongly. We were successful in getting through a major amendment to this legislation, which is to stop the minister appointing whoever he prefers as the representative of local government and to go back to what has been the tried and tested way in Western Australia whereby the Western Australian Local Government Association is asked to present three names, and from those three names the minister allocates the local government representative.

Further, Mayor Troy Pickard, the president of WALGA, states —

... it is disappointing that the Department —

That is, the Department of Planning —

did not extend the same opportunity to local government, in particular those local governments that are currently part of a redevelopment area, i.e. Cities of Subiaco, Perth, Armadale and Swan.

During the debate I read out the letters from the City of Perth and other councils that had not been consulted. Clearly, they went back to WALGA and said, "Look, what's all this? The minister"—who is now back in the chamber—"and the government are claiming that they had consulted local governments, but they have certainly not consulted the local councils that are concerned."

Mayor Pickard finishes his letter by saying —

I acknowledge that during Parliamentary debate, amendments to the Bill have been proposed and motions passed. Given this, I respectfully request that further debate on the Bill be deferred until Local Government has had an appropriate opportunity to consider the Bill, the proposed amendments and the framing of Regulations and provide a more comprehensive response.

I am interested in the view of the minister; that is, if he will agree to the request from Mayor Pickard that we now defer this bill so the minister is able to consult him fully. The minister obviously has this letter from 19 August that Mayor Pickard sent him. I do not know whether the minister has a view on that—whether we will defer the bill.

**Mr J.H.D. Day:** We are completing the passage of the bill as reasonably expeditiously as possible. I am always happy to listen to any reasonable points of view.

**Mr J.N. HYDE:** The minister is a very reasonable person!

As well as comments from the City of Perth that I discussed earlier in debate, I also have some comments from the CEO of the City of Subiaco, Stephen Tindale. In writing to the minister and I, he stated —

The City of Subiaco has significant concerns about the lack of consultation that has been undertaken in preparation of the MRA Bill.

That council has also requested an urgent meeting with the minister to discuss critical issues associated with the Metropolitan Redevelopment Authority Bill prior to it proceeding further in state Parliament. I do not know whether the minister has been able to meet with the City of Subiaco.

**Mr J.H.D. Day** interjected.

**Mr J.N. HYDE:** No; the minister is nodding.

We also have a letter from the City of Armadale of 23 August that states —

... neither the City nor any other affected local government was consulted on the preparation of the Metropolitan Redevelopment Authority Bill. No details were provided other than the Government's general intention until the Bill's introduction and second reading in the Legislative Assembly ...

As with the manner in which the legislation was introduced, so with the content of the Bill — the main concerns to local government as a whole are that the legislation tends to undermine the authority of local government and inadequately provides for local government input into the decision making process.

I think there is a lesson in this, with the minister being the great reformer that he has been in conservative local governments. I, of course, remember that before my term in this place I worked on his eighth or ninth version of the prostitution amendment legislation under the previous Liberal government; that was great reformist legislation that was unfortunately nipped in the bud. When we introduce legislation that reforms, consultation is paramount. There is a lesson in this legislation that consultation needs to be undertaken and properly done.

It is pleasing that the government agreed to the amendment proposed by the Labor Party to give direct representation to local government, but we need the government to be very open and transparent now that, with the passage of this bill, it will have the ability to deem a locality, a suburb, a neighbourhood or a whole group of suburbs anywhere in the metropolitan area to be a redevelopment authority area. The government needs to be upfront with local communities, and not, all of a sudden, in a Sunday press release or in a Parliament ministerial statement announce that all of Shenton Park and Cottesloe will suddenly be included in a redevelopment area. That is the lesson to come from this bill. The opposition has proven to be very effective during debate on this legislation.

**Mr J.H.D. Day:** If you are familiar with the bill, you will know that consultation with local governments, as well as the Planning Commission, is required prior to declaring any new redevelopment areas. Therefore, the scenario that you just suggested would not happen.

**Mr J.N. HYDE:** Yes; that is what is stated in the legislation. But as we have seen with the introduction of the bill, and indicated in responses from local councils, the consultation did not happen; therefore, rightly, the councils have concerns about its operation.

**Mr J.H.D. Day:** That requirement for consultation was in the bill when it was first introduced by me.

**Mr J.N. HYDE:** That is right, but it is no good unless the minister actually consults local councils and tells them about the bill. The opposition has done its job by eking that response out of the minister that he will consult councils—that he always intended to, and it is written there in black and white.

**Mr J.H.D. Day:** Exactly, it is there in black and white; it is written in the bill, and anyone who reads the bill can see that for themselves.

**Mr J.N. HYDE:** That is right, but the minister has to tell people that they have to read the bill so that they know what he is doing. That is the whole lesson that has come out of this debate; it is a whole lesson relating to a lot of what we do in modern government: consultation is not just about lip-service; it is about genuine engagement with stakeholders. Local government has asked for that in this legislation.

**DR A.D. BUTI (Armadale)** [3.16 pm]: I just have a few comments to make on the Metropolitan Redevelopment Authority Bill. Overall, as the Minister for Planning will realise, the opposition is supportive of the proposed legislation. Some of our concerns were raised in the second reading debate and in consideration in detail. Some of our amendments were agreed to in some respects, especially in regards to the lawyer expertise aspect. I would prefer the wording to be just “lawyer”, but I understand the qualification that the minister made in regards to planning. I congratulate the minister for the way that the consideration in detail stage was dealt with.

The comments I want to make, which may not surprise the minister, relate to the issue of Armadale and the Armadale Redevelopment Authority. The minister has stated, and I really, dearly hope that this will be the case, that the particular flavour of Armadale and the interests of Armadale will not be lost with the introduction of the Metropolitan Redevelopment Authority. Of course, whenever there is centralisation of functions and focus, often some of those parts that make up that whole may be neglected. As I said, I take the minister at his intention that that will not be the case. It is imperative that a physical local presence remains in Armadale, because that is important for the confidence of investment in Armadale and also for the general day-to-day functioning of the Armadale area. As the minister knows, a number of projects are still on foot with the Armadale Redevelopment Authority, particularly the Wungong urban water project, the Forrestdale Business Park and the Champion Drive schemes. Although they can be administered, and decisions made centrally, with that physical presence out in the Armadale region, one would hope that local parts of those projects will be given greater consideration.

There has been some concern expressed to me in the last couple of days by certain local government authorities that there was an inadequate consultation process. I have no idea whether that is the case, but I relay that information to the minister because, of course, the powers within this legislation are very wide and in many respects override the traditional local government planning capacity or authority. If there was a lack of consultation, it would be of great concern because it has direct impact on local governments. Having been involved in the Armadale Redevelopment Authority for eight years, sometimes it actually is good to be able to override local governments. Sometimes local government planning departments seem to move at a snail's pace and redevelopment authorities seem to have the ability to go to the main focus of the planning issue, and the development takes place a lot more quickly than would otherwise be the case. I will not talk for the sake of talking. It has actually taken a long time to get to this stage. I reiterate that I dearly hope, and I think the minister has basically stated this in his various comments, that Armadale will not be forgotten in this new scheme. I dearly hope that the people who have been working at the Armadale Redevelopment Authority, with great energy and great professionalism, will not be disadvantaged by this new act, and that their expertise and corporate knowledge is utilised for the sake of Armadale.

Question put and passed.

Bill read a third time and transmitted to the Council.