

GREATER BUNBURY REGION SCHEME

Motion

DR S.C. THOMAS (Capel) [4.22 pm]: I move -

That this house recognises the shortcomings of the greater Bunbury region scheme as tabled in October 2007, and calls on the government to -

- (1) provide adequate resources as a matter of urgency to update the scheme;
- (2) provide additional adequate resources to manage the current and additional lands acquired or listed as regional open space;
- (3) extend the scheme to include the Shires of Collie and Donnybrook-Balingup; and
- (4) address the concerns of private property owners more adequately.

The greater Bunbury region scheme has been a long time in the making. Its first incarnation was, I think, close to 20 years ago because of the recognition of a need to more adequately and better plan for the growth and development of that south west corner of the state that surrounds the Bunbury area. The Liberal Party supports a statutory planning scheme for that region. It supports better planning and better outcomes for the greater Bunbury region and the south west. For that reason, we have not as a matter of course moved a disallowance motion, which we could have done to this piece of planning that was tabled in this house early in October. We would like to try to get better outcomes for the south west without necessarily blocking the entire scheme in one hit. The reason for that is this: this plan has taken an enormous amount of time to get to this stage. A disallowance motion passed by this house would, I suspect, put the planning for that south west region and the greater Bunbury region back a further year or years, and that is not the intent of the Liberal Party and those members who represent people in the south west corner of the state. Our intention is to get a better outcome, not a worse outcome, for the people who live in that area. To do that, we need a statutory planning scheme.

Members might be aware that historically the metropolitan region scheme covers the greater metropolitan region. The second scheme that was developed was the Peel region scheme, which extended to the bottom of the Shire of Waroona. The proposed greater Bunbury region scheme will extend from the bottom of that shire, contiguous with the shire boundaries of Waroona and Harvey, and down through the southern end of the Shire of Capel. It is a good idea for a statutory planning scheme to support growth in that region, but there are some problems with this scheme as presented by the minister. The greatest problem is that it is already out of date before it has even started. For that reason, this plan will not promote development initially for the south west region. It does not identify growth patterns, nor will it achieve a better outcome. It does not identify where new industry will go. It only identifies where residential development will go, because it is out of date. It is out of date because it has taken such a long time to get to this stage.

The greater Bunbury region scheme will, hopefully, replace the plan before it, which was the Bunbury-Wellington region plan. That was the precursor for the greater Bunbury region scheme. It tried to allow for the rapid development that is occurring in that south west corner. I note that in the newspaper articles you might have seen this week, Madam Acting Speaker (Mrs J. Hughes), the Australian Bureau of Statistics has reviewed the growth of local government authorities, because it says that the figures that it has been using to date have been slightly flawed. We have had a debate with members who represent the areas around Mandurah, who have claimed the greatest growth in Western Australia and, in some cases, the greatest growth in Australia. The Australian Bureau of Statistics has changed the way it has measured that growth. In its latest figures, the greater Bunbury region is ahead of Mandurah and is the third fastest growing region in the country. I think that Harvey Bay in Queensland still leads the way, but Mandurah has been dropped down the list. I can see the member for Mandurah jumping in to defend his territory, but Mandurah has been dropped from number one to number 10. The greater Bunbury region has advanced and is now at number three. That is not to denigrate Mandurah, which is a lovely place and which we all think is very nice, but it is just not growing quite as fast as the greater Bunbury region.

Mr D.A. Templeman: Are you talking about Bunbury or the greater Bunbury region?

Dr S.C. THOMAS: The local government area of Bunbury is not the fastest growing area in that region; in fact, the member for Mandurah might be pleased to know that the Shire of Capel is the fastest growing local government area in that region.

Ms A.J.G. MacTiernan: Are you talking about percentage growth or growth in real terms, because I think if you are talking about growth in real numbers -

Dr S.C. THOMAS: Sorry, I am talking about percentage growth. The minister is quite right.

Ms A.J.G. MacTiernan: If it is measured in real numbers, it is still the City of Wanneroo, and if you are talking about percentage growth, I think it might be the City of Perth.

Dr S.C. THOMAS: The figures for the City of Perth were very high but they were not quite as high. I am talking about percentage growth. The greater Bunbury region is a rapidly growing area and we need to plan for its future because we need to know where development will occur and how it can occur in an environmentally and ecologically sustainable manner. We need to know where industrial, commercial and residential development will occur so that we can plan for the development of the state.

The first problem is that the greater Bunbury region scheme plan that has been deposited on the table of the house is already out of date. A large proportion of the urban deferred land, which comprises those areas which will be providing the future residential growth for that south west region, is already in fact on the market. I give the example of Dalyellup Beach, which has the biggest number of lots in the urban deferred region and is already being developed. I went there for the launch of the auction of the Telethon house. The house is very nice, and I thank WA Country Builders Pty Ltd and Satterley Property Group, Dalyellup which donated those facilities. That area is apparently urban deferred under the greater Bunbury region scheme. This is not the only place where it has occurred. South Australind is another place where urban deferred land is being developed. This is an indication that the greater Bunbury region scheme needs an immediate update because it was out of date as soon as it was presented. There are two ways we can deal with that. We can move a disallowance motion and ask that the scheme be updated and presented in a different form, which would potentially put the plan back 12 months. The other way is for the opposition to give the government the opportunity to commit to remedying the issues that we have raised so that a disallowance motion will not be necessary. A disallowance motion will not pass through this house; however, one may be moved in the Legislative Council. In order to get planning underway in the south west, it would be good if the government gave a commitment to fix the problems so that the scheme can deliver the necessary outcomes. The government should not hold up the process.

The first point is that the scheme is out of date. Management of the scheme requires resources. Similar to the amendments that are made to the metropolitan region scheme, the greater Bunbury region scheme will require a number of amendments. Those amendments will be urgent. The metropolitan region scheme has a metropolitan region improvement tax that derives an income. That tax allows for all sorts of things and is the driver of the scheme. No such tax is attached to the greater Bunbury region scheme. It is reliant upon the largesse of the Treasurer for funding for its management and processes. It is not a case of gradually updating the scheme to bring it into line with 2007, because we are starting with a scheme that is dated 2004. The scheme requires an immediate upgrade. It is three years behind even as it opens its doors. The government must provide an immediate commitment of resources to bring the scheme up to scratch. This is an opportunity for the government to commit those resources and to allow the plan to deliver the sorts of things that it needs to deliver.

The second paragraph of the motion calls on the government to provide adequate resources to manage additional lands. I am glad that the Minister for the Environment is in the chamber because, as I have said on a number of occasions, it falls under the purview of the Department of Environment and Conservation to manage many of the lands that will be delivered as regional open space. Much regional open space is already under DEC control. I refer, for example, to Tuart Forest National Park. Additional land will be placed under the control of the Department of Environment and Conservation. Where are its additional resources? The Department of Environment and Conservation does not have adequate resources to manage the lands in the south west for which it is currently responsible. Every year photographs are taken of weeds, long grass and pests in national parks. I have not sent the Minister for the Environment a bunch of arum lilies. I might have to free some so that they come out for his birthday in November.

Mr D.A. Templeman: It is today!

Dr S.C. THOMAS: Happy Birthday to the Minister for the Environment. He has done well - he does not look a day over 72!

The Department of Environment and Conservation does not have the resources to manage the land currently under its responsibility. The difficulty with the greater Bunbury region scheme is that it will add to that estate. Again, we are being asked to accept the government's promise that funding will be available for the proper management of those lands. There are a couple of issues involved. Let us look at the additional lands that will be applied to the conservation estate. I refer to riverbank land. Riverbank land that is being declared regional open space is not necessarily land that is attached to land already held by the Department of Environment and Conservation. It is not land located in pristine river areas further upstream that is protecting riverbanks. Regional open space along the rivers in the greater Bunbury region scheme - there are some very good examples in the Preston and Capel Rivers - is in the urban centres. Effectively, they are the most degraded areas of riverbank. That is not a strong environmental outcome. It is about amenity for the community, which is reasonable. I will not say that that should not be done. There are probably some cases in which it is not being

managed properly, but there are some cases in which it is. We are talking about areas that will go into the conservation estate or that will have to be managed by local government without local government being allocated any additional resources. The Department of Environment and Conservation struggles to manage those present lands with its current budget, and it will struggle to manage those additional lands. In some of the riverbank areas, particularly where the rivers curve through the towns - the Preston and Capel in particular - the land attached to the rivers are small blocks or parcels of land that have been removed from greater titles. There is an acre here and an acre there, little patches and blocks of land, that are in some sort of pattern. However, they are isolated. Those isolated blocks will have to be managed. If the government resumes land that to a large degree is grazed or managed or mowed by private landowners, the government has an obligation to ensure that the same management occurs. It cannot simply be left to local government to pick up the pieces to make sure that there is no increased risk of fire or pests. Those are the issues that we face. The greater Bunbury region scheme requires additional resources to manage all the issues that relate to the acquisition of land. The Department of Environment and Conservation has said that those negotiations are taking place. That is very good. I am glad they are taking place, because they may mean additional resources will be provided. However, if negotiations with Treasury go badly, there might not be any additional resources. The opposition wants a commitment from the government that those resources will be made available so that the lands can be managed in the appropriate manner. I want a commitment from the government that all the land in the south west corner will be managed properly. However, I suspect that the Minister for the Environment's pull on the Treasurer is not that powerful. It would be good to see the proper management of the lands in the estate of the Department of Environment and Conservation, which is simply starved of resources and cannot do its job properly. That is the second major problem with the greater Bunbury region scheme as presented thus far.

The third paragraph in the motion refers to the fact that the scheme falls short of the geography of the south west. The Shires of Collie and Donnybrook-Balingup should be included in the greater Bunbury region scheme. The greater Bunbury region scheme has a long history. The Bunbury-Wellington region plan, which preceded the greater Bunbury region scheme, included the Shires of Donnybrook-Balingup and Collie. The Bunbury-Wellington economic alliance area is the area covered by the greater Bunbury region scheme as it has been presented, plus the Shires of Collie and Donnybrook-Balingup. It is an industrial and commercial zone that is widely recognised. Why were the Shires of Collie and Donnybrook-Balingup removed from the scheme? The scheme was designed to fix a short-term problem of urban and residential land development but it failed to take into account the areas of industry and commercial farming that are important centres in the south west. That occurred, I am happy to acknowledge, under a Liberal government. The idea to exclude the Shires of Donnybrook-Balingup and Collie from the greater Bunbury region scheme occurred in 1996. Having said that, and without trying to apportion political blame for this process, it is my strong belief that there must be a commitment to include the Shires of Collie and Donnybrook-Balingup in the greater Bunbury region scheme. As the shadow Minister for Planning and Infrastructure, I commit that as soon as the opposition gets into government, we will eventually bring those shires back into the greater Bunbury region scheme. Why is that necessary? It is necessary for a couple of reasons. It is necessary because the Shire of Collie, in particular, is the industrial centre of the south west; that is the case now and it will be in the decades to come. It is a key and pivotal point in the development of industry in the south west. The industrial area of Kemerton, which the Department of Industry and Resources is trying to push, is a great white elephant, partly thanks to the lack of development that has occurred under this government. It is experiencing enormous problems. There are issues with groundwater and a lack of water supply. It does not have services. Kemerton industrial park will not develop as the heavy industry hub of the south west without major investment, and that will not be forthcoming. There are two potential heavy industrial areas in the Shire of Collie. Shotts industrial park has some environmental problems in relation to heavy industry. It is my opinion that Shotts will struggle to be the epicentre for heavy industry in the south west. Coolangatta industrial estate will probably be the centre for heavy industry for Collie and the entire south west region and will develop as a centre for industry. The greater Bunbury region scheme needs to involve Collie, because to not involve Collie and the Coolangatta industrial estate in the scheme would be the equivalent of not including Kwinana in the metropolitan region scheme. It is of vital importance to include those areas in the greater Bunbury region scheme.

The scheme itself has been squared off. If we look at maps of the scheme, as I do at my office in Capel, we can see that the metropolitan region scheme and the Peel region scheme are nice and square, they extend over the escarpment and they deal with all the issues relating to development in those areas. They extend over native forest and they deal with water supplies. All of those things are in those planning schemes. The greater Bunbury region scheme stops and fails. Other regional schemes have square edges, but the Bunbury region scheme is sucked in, because back in 1996 people anticipated urban development, perhaps because of a lack of resources. Perhaps they said, "All we're really worried about in this massively growing area is getting houses and people in place. We're going to pull out industry and commercial areas and concentrate on urban growth." That might have been the reason given at the time for the shrinking of the greater Bunbury region scheme from

the Bunbury-Wellington regional plan, but it is no longer applicable. The government has resources to put into this scheme. It is important for the growth of the region to acknowledge timber, heavy industry and power, because Collie is the power source for the greater Bunbury area and the entire south west. It is important for heavy industry to be improved.

Mr M.P. Murray interjected.

Dr S.C. THOMAS: I am sorry; I did not hear the member.

There is a second reason to include the Shires of Collie and Donnybrook-Balingup in the greater Bunbury region scheme. The first is for the scheme itself; the second is for the shires. A properly resourced regional plan for the greater Bunbury region will deliver sustained and planned growth throughout the regions for which it is developed. If it is adequately resourced, it will be a good thing for those regions. The opposition accepts that. The metropolitan region plan is a good instrument. It helps to drive the growth of the Perth region. The greater Bunbury region scheme, if properly managed, will be a good instrument that will drive the growth of that area. I expect the government to say that this is a good plan; if so, it should not be too good for the Shires of Collie and Donnybrook-Balingup. It is important for the growth of those shires to be included in the planning scheme for the south west. They are both integral parts of the south west and they are being strangled. The Shire of Donnybrook-Balingup cannot expand because it cannot get infrastructure such as sewerage in place. It cannot increase the density of its blocks, and it is being strangled.

A statutory scheme will help drive the infrastructure requirements of the area. Collie will need to expand its industrial area and it will require infrastructure, power upgrades and all of the things that go with that. A statutory greater Bunbury region plan, if properly resourced, will also drive the development of Collie. Both the Shire of Collie and the Shire of Donnybrook-Balingup will benefit from this scheme if it is properly managed. That is a great failing at the moment; I acknowledge that it is a historical failing. Disallowance of the scheme is not necessarily the right remedy. The opposition seeks an acknowledgement from the government that these issues need to be addressed.

My fourth concern about the greater Bunbury region scheme relates to private property owners. Much has been said about the need to adequately address the issue of property ownership under a statutory scheme, particularly in situations in which changes have been made. A number of people have been impacted by this scheme. It has been reduced to some degree, but there are still many people whose private property has been affected by regional open space in a manner that they feel impacts upon their private property rights. In some of these cases that is certainly true. Some people are concerned about their right to develop being impinged upon. It is interesting because in my opinion the right to develop some of those areas was probably never there in the first place because environmental legislation would have prevented it from occurring. However, there are certainly some areas in which it is not about the right to develop or about an ambit claim, but about the removal of land from private ownership into regional open space, despite the fact that the owners did not want to change anything, were not looking to develop the property and simply wanted to be left alone. Under those circumstances, many private property owners are rightly aggrieved.

I have spent many years on the greater Bunbury region scheme; I attended the public consultation process. Private property owners who were aggrieved by this process took a very flawed strategy to the dialogue, which was the pinnacle of the public consultation process. For some reason, the organisers got it into their heads that although their greatest concern was about regional open space being applied to private property, the best strategy to adopt was to attend the dialogue and not mention their concerns, so that the government would not be able to apply the process and it would not happen. That was their strategy. It was a flawed strategy, and I could not believe it. I did not realise until three-quarters of the way through the dialogue that this was what was happening. I said at the time that it was a flawed strategy. There were people in attendance who were greatly concerned about regional open space being applied to private property, but they kept quiet. When the dialogue summary came out, it basically said that no-one was concerned about regional open space on private property and concluded that since nobody cared about it, it was not an issue. However, it is still an issue. The strategy put together by the property owners was flawed, but it remains an issue.

I acknowledge that the Department for Planning and Infrastructure has in many ways gone to great lengths to communicate and negotiate with private landowners, and there have been some reasonably good outcomes. Not everything in this process is a horror story. There are speculators who are waiting for better outcomes and who will not get them; we accept that. However, some genuine landowners just want to get on with the job of looking after the land they have looked after, in some cases, for 150 years. These are the people Parliament is obliged to for the work they have done. Some of those landholders have managed land taken from them as regional open space more satisfactorily than the government has managed adjacent publicly held land. That is not an uncommon occurrence. My point about resources being applied to the management of the land is therefore very important. In some of these cases, the land will get the best care, suffer the least damage and enjoy the best environmental outcomes under the management of the current private owners. To be honest, I

think the government will struggle to oppose the issues raised in paragraphs (1) and (2) of the motion. In the first paragraph we call on the government to provide adequate resources because the plan is out of date. When Liberal Party members met with local governments in the Shire of Collie, which hosted us, and with the local governments affected by the greater Bunbury region scheme, we put forward these four precise problems with the plan. Apart from the fourth problem, we had universal agreement from the local governments. We did not have opposition from the Department for Planning and Infrastructure, which recognised the importance of those issues.

The third paragraph refers to the extent to which the Shires of Collie and Donnybrook-Balingup should be involved. The argument will be about when that might occur, but I think the government will struggle to say that what the opposition has proposed will result in a bad outcome. Where we will differ along divergent philosophical lines is on the issue of private property ownership. It is my expectation that the government will give little ground on the issue of private property ownership. I acknowledge the ground that has already been given on the issue. However, there is a difference between what we propose is a fair and just outcome for private property owners and what the government proposes is a fair and just outcome for them. I refer members to the words “fair and just”. There is probably nothing more important to a large number of people than the land they own. They have a very strong link to it, and a link that goes back numerous generations is difficult to describe. Their land has great meaning to them. The Liberal Party recognises and accepts that view. A report tabled in the Legislative Council in 2004 by Hon Barry House referred to the resumption of land and the application of fair and just compensation. We will work to implement many of the recommendations of that report so that fair and just compensation is an integral part of the decision by a Liberal government to take private property, which is not always the case under the Labor government.

The second point is that I remain extremely concerned about taking private property that will effectively be unmanaged. I believe that, in many cases, the best people to manage those areas of regional open space are the private property owners. They are the best people to look after the environment and the future of that land. It is incumbent upon us to make that happen. It is my intention, should I get the opportunity as planning minister, to give back to private property holders as much of that land as is feasibly possible. They will not get back all that land.

Ms A.J.G. MacTiernan: Could you give us some idea of which areas you would give back and which areas you would not include in the regional open space?

Dr S.C. THOMAS: Absolutely. In the area to the west, south west of Peppermint Grove Beach - I have discussed this with the minister's staff - the owner has a Queen Victoria title, which gives him title to land down to the high-water mark.

Ms A.J.G. MacTiernan: So you would allow private ownership of the beach?

Dr S.C. THOMAS: No. I sat down with the owners and said that I thought that the government would come back and take the beach, plus two and a half sand dunes, and push their ownership back to this level. My undertaking is to say, “You are not going to keep hold of the beach.” I have told the owners that and they recognise that view. They said that they think a fair outcome would be for them to maintain some of the sand dunes and to negotiate an outcome in the middle that would be fair to them as the landholders and would also meet the government's requirements.

Ms A.J.G. MacTiernan: So the sand dunes would go back to private ownership?

Dr S.C. THOMAS: Yes, some of them would. That would be my commitment. Those sand dunes would be managed by the current owner. I can almost guarantee that those sand dunes will be unmanaged by the government, through the Department of Environment and Conservation. For that reason, it would be a good environmental outcome to return some of that land to the private property owner. There are other examples of land on which that could occur.

Mr G. Snook: It is also cost-effective for taxpayers.

Dr S.C. THOMAS: It is also cost-effective for taxpayers.

Ms A.J.G. MacTiernan: Is that the same principle you have about beaches in Perth? Do you think we should give the sand dunes back to private owners?

Dr S.C. THOMAS: No. We have a truncated time for private members' business, and I would be happy to discuss with the minister the issues in metropolitan Perth at another time.

In that example, the beach would remain in public ownership and we would give back as much of those sand dunes as is practicable. I do not have a map with me so that I can point out exactly where that would be, but if I had the opportunity, I would give an undertaking that I would return some of that land. I think that is also applicable to other pieces of land.

Mr M.P. Murray: Where would your cut-off line be if you had the opportunity?

Dr S.C. THOMAS: I would have to go through it case by case with the member.

Mr M.P. Murray: It could be exactly the same as it is today.

Dr S.C. THOMAS: No, it will not be the same as it is today under the greater Bunbury region scheme. There is a middle ground that the department has failed to reach. I think that is based on the philosophical and ideological view that we would find a point in the middle. I have sat down with one of the minister's staffers and discussed a couple of cases. During the dialogue on the greater Bunbury region scheme in 2005, I said that I thought the land should go further this way and that the line should be drawn here. I was told that maybe there was a bit of flexibility to do that. On one or two occasions, I think some of the lines were moved. I am not saying that it has not occurred, because it has, but it needs to occur on a much greater basis. This is the ideological difference between the Liberal Party's preference, which is for private ownership if that is necessary because it can be managed better, and the government's proposal, which is that it is best to maximise the amount of land in the government estate. That is the key difference between the two parties.

Unfortunately, we do not have a lot of time left to debate private members' business. A number of members would like to contribute to this debate, so I will summarise my four key points on the greater Bunbury region scheme. It is necessary to have a statutory planning scheme. It is good for the development of the south west region and it is good for the environment. However, this scheme is out of date. Other members will probably say that it would be better just to throw out this scheme and commit some resources to bringing it up to date over the next year. The cynics among us would suggest that if we wait for the government to amend the greater Bunbury region scheme, it will never happen. I have no doubt someone will raise that point. A commitment is needed urgently to update the scheme. A commitment needs to be made to manage the land that will be absorbed into the national estate. A commitment needs to be made at some point to have a south west plan that includes the Shires of Donnybrook-Balingup and Collie. It is a failure of the south west plan not to include those two local government authorities. It is a failure to address the best way to put additional land into regional open space or to leave land that needs to be managed in private ownership. There are a number of ways that that can be done. Land can be managed with covenants. The regional open space component will prevent inappropriate development. It is not the greater Bunbury region scheme that will prevent inappropriate development; it is the Environmental Protection Act and the actions of the Department of Environment and Conservation, the Environmental Protection Authority, the Department for Planning and Infrastructure and local governments that will prevent inappropriate development.

I will finish on this point: I have said publicly that these are my concerns about the greater Bunbury region scheme. Any fair-minded person, even on the government side, would agree with my concerns, with the exception of the issue referred to in paragraph (4). I received a phone call from a person who was somewhat outraged that we had concerns about the greater Bunbury region scheme. This person is a constituent of mine and asked me, "What are you doing? How dare you oppose the greater Bunbury region scheme? I want to develop land in north Boyanup, and the greater Bunbury region scheme will allow me to develop it." I pulled out the maps and I said, "No, it won't. The greater Bunbury region scheme lists your land as rural. It was always rural. You want it listed urban deferred and then urban so that you can develop it. The greater Bunbury region scheme hasn't delivered to you what you want, which is additional development. You won't be able to subdivide your block any easier tomorrow after the scheme has been gazetted than you were able to do yesterday or will be able to do today." People do not recognise that. People think that this scheme will be driving development in the south west. A proper planning scheme that is up to date and fully funded and resourced will do that. At the moment, the greater Bunbury region scheme does not deliver that. That is why we are calling for a commitment from the government to bring that scheme up to scratch and to give the south west community a first-rate scheme, not a second-rate scheme. The south west community deserves a first-rate planning scheme, not an out-of-date, second-rate planning scheme.

MR G.M. CASTRILLI (Bunbury) [5.00 pm]: Like the member for Capel, I believe absolutely in long-term strategic planning that provides the community with a vision for the future, and that gives investors and developers some certainty that their investments can be realised in the long term. That long-term planning should clearly outline where the urban areas, the heavy and light industrial areas, and the infrastructure for health, education, sport etc will be located. That long-term planning should also provide the framework that will make it possible to achieve those objectives on an on-time and as-needed basis. I believe the greater Bunbury region scheme will not achieve that goal and deliver the objectives that I have outlined. In fact, it may even hold up some development.

I want to make a few points about the greater Bunbury region scheme. As the member for Capel has pointed out, the genesis of that scheme was in about 1989, when some planning policies were put forward. Different studies were then carried out, which culminated in the Bunbury-Wellington region plan. As the member for Capel has

also said, the plan at that time included the Shires of Collie and Donnybrook-Balingup. That region plan was ticked off in 1995. However, it was never given any statutory powers; it was just a guiding tool. The greater Bunbury region scheme is supposed to be an update of that scheme, with the addition of statutory powers. However, the greater Bunbury region scheme still falls a long way short of what is required for the greater Bunbury area.

The greater Bunbury region scheme contains three policies: the strategic minerals and basic raw materials resource policy 2005, the flood plains management policy 2005 and the strategic agricultural resource policy 2005. However, a few policies are missing. There is no policy on demographics and economic drivers. That is the first policy that should have been included in the greater Bunbury region scheme. The Western Australian Planning Commission produces population projection reports titled "Western Australia Tomorrow". In the 2001 report, the population projection for Bunbury was 30 000. In the 2006 report, the population projection for Bunbury was 31 700. However, according to the Australian Bureau of Statistics, the actual population of Bunbury in 2006 was 32 499. That is a variance of 8.3 per cent from the 2001 projection, and of 2.5 per cent from the 2006 projection. In fact, the projections were out by 2 500 people, or 8.3 per cent, over that five-year period, and by nearly 800 people, or 2.5 per cent, in 2006. According to the ABS, in 2006 Bunbury had already reached the population figure that had been projected for 2011 by the WA Planning Commission and the Department for Planning and Infrastructure.

In the 2000 report, the population projection for the south west in 2006 was 142 000. In the 2005 report, the population projection for the south west in 2006 was 141 200. The ABS population projection for the south west in 2006 was 145 308. Therefore, the projections in those reports were out by 2.2 per cent and 2.9 per cent respectively. I cannot work out why the Western Australian Planning Commission reduced the population projection between 2001 and 2006 from 142 000 to 141 200, particularly considering all the economic activity that is taking place in the south west, and the population increases, the skills shortages, the staff shortages in the hospitality and service industries, and the housing crisis. When errors such as these are made and are trended out, they have a compounding effect. By 2021, that compounding effect will be huge. The government is supposed to be planning for 12 to 15 years out. These errors in the population projections will have a huge impact on planning for major infrastructure such as public housing, hospitals and schools.

Another shortfall in the greater Bunbury region scheme is that there is no infrastructure policy. I may have missed it somewhere, but, as far as I can see, the scheme contains only one paragraph on Bunbury port. Bunbury port is one of the most critical drivers for the south west economy. However, there is no strategic plan for Bunbury port. Bunbury port is currently preparing its structure plan. However, the greater Bunbury region scheme contains no major statement about Bunbury port.

Another problem is that the greater Bunbury region scheme is in conflict with the planning of Main Roads Western Australia. I am referring in particular to the port access road. In the greater Bunbury region scheme, the port access road is in the service corridor. According to the latest plan from Main Roads, the service corridor goes through Glen Iris. On Monday, I had a briefing from WAPC. WAPC was not even aware of the difference between these two plans. However, if this scheme is adopted, it will be in conflict with what Main Roads is planning. Construction of the port access road is supposed to commence in 2008 and be completed in 12 months. That simply will not happen, because major amendments will need to be made to the plan. If WAPC does not know what is going on with regional planning, and if it does not know what Main Roads is putting on the ground, how good is that planning, and how good is the coordination between our agencies? That begs the question: has Main Roads taken a shortcut for political expediency? That is certainly a question we need to ask.

Another shortfall in the scheme is that there is no housing and urban growth strategy. There is no forward planning on that matter. Such a strategy should include policies on affordable housing and public housing. The member for Capel touched on this matter. As far as I can see, there is nothing in the greater Bunbury region scheme about the provision of any new urban deferred land. All we get in the scheme is a statement about the urban deferred land that is already there and that we have known about for years. There is no long-term vision, as I have said. Another shortfall in the scheme is that there is no commercial centres policy. We need to identify, in a regional sense, district, neighbourhood and local centres. There is also no industrial lands strategy. The 2030 policy, which shows the future Preston industrial area, was produced many years ago. I am not sure exactly when that plan was produced, but it was a helluva long time ago. That plan is also not a statutory plan, but it has been relied upon as a guiding document. However, it has gone nowhere, because the land behind the CSBP facility is still shown as rural land, and the Preston industrial area, which is shown in the 2030 policy, is nowhere to be seen. Things that we have been talking about for 20-plus years have not gone anywhere, and no progress has been made. There is no social services policy for health, education and disability services. Importantly, another policy is missing, and that is an environmental and natural resource strategy. We should have a complete and comprehensive review of environmental approvals for that whole area, so that people know

exactly where they are going, what is a no-go area, what can be touched and what cannot be touched. People would then not have to wait for years for assessments and approvals, and then have the situation change by the minute.

Another very important policy that I believe we should have is an Aboriginal heritage policy. It is very important that such a policy be completed, so that we can protect what needs to be protected and so that we know exactly what is going on. As I said, it is similar to the situation with the environmental and natural resource strategy. We should not spend years assessing all these things. It is very important that we get it right.

There are regional open space areas in the scheme. If this scheme is adopted, we could be holding up developments in Bunbury. I refer to the Bunbury waterfront project. The area earmarked for the waterfront development is still coloured green on the greater Bunbury region scheme and is shown as regional open space. I think the minister has said previously that if that project is to proceed, the zoning needs to be changed, which requires the approval of both houses of Parliament. That is a lengthy and bureaucratic process that must be gone through. Why would it not be right on the maps? Why would unnecessary obstacles be put in our path? Surely, we all know what the intent is for that whole area regarding the developments that will take place and so on. If people do not know, they suspect what is going on. It just does not make sense to me. Why would anyone want to approve a scheme that could hold up development? There are other anomalies in the scheme.

I want to assist in getting the scheme right, so that we can encourage development and encourage progress. I do not want that stifled. I sincerely want to assist in coming up with a scheme that gets it right for all of us, so that we can demonstrate that we have a long-term vision and a long-term strategy for that greater Bunbury area. I would like the minister to consider a number of issues. I am not sure whether this would be possible, but it is a matter that I want to put to the minister. I would like to have the scheme text approved, which sets out the overriding principles and gives power to the Western Australian Planning Commission to control development under the greater Bunbury region scheme. However, the scheme maps would be excluded. As an interim measure, the government could use the existing town planning schemes as the basis for what it is doing. As I see it, the advantage of adopting the scheme text, would be to give the WAPC all the powers that it needs to get on with the job and do it properly. The WAPC could then complete all the policies that are necessary, some of which I have mentioned. The big difference, as I see it, is that it would give the WAPC discretionary power over all planning approval processes.

There are implications. I mentioned the commercial centres policy before. At the moment, I do not think the WAPC has any power over local government town planning schemes when it comes to commercial centres; that is, what is district, what is local and that sort of thing. It is in an absolute mess at the moment, and that allows ad hoc planning to take place. It would also allow the WAPC, if it chose, to add other shires, as the member for Capel said, such as Collie and Donnybrook, which were originally in the scheme. If the WAPC so chose, it would have the power to bring those shires back into the scheme, as was the case with the Bunbury-Wellington region plan.

I believe in long-term strategic planning. With the greater Bunbury area growing at such an enormous rate - we all know that - we need to get this right. I cannot stress that enough. I certainly want to be in a position to offer whatever support I can to make sure that we get it right. This scheme is more than 10 years old. As I said, its genesis was some 18 years ago. There are conflicts in the scheme, and I have mentioned a couple. The scheme shows conflicts with what is going on, what is intended to go on, what is proposed by Main Roads and what is shown on the maps of the greater Bunbury region scheme. One agency does not even talk to another agency. As I said, as late as Monday when I had the briefing, the WAPC was shocked. I had to pull out the map from Main Roads to show the people from the WAPC exactly where the alignment was. They said, "Gee, we'd better go and see Main Roads." I do not say that in a frivolous way; I am saying that because I am very concerned and I want to get this right.

There is no future vision in the scheme. It is just a statement of what is there, which we have known about for years. As I said, I am happy to support the government in any way that I can to try to get the scheme right in the terms put forward by the member for Capel. Failure to get it right, especially the demographic projections that I outlined before, will have enormous consequences. If members want to, they can check the WAPC projections in *The West Australian* tomorrow. When we talk about planning our total infrastructure for the future - that is, for health, education and so on - we should start planning 12 to 15 years out, as government departments do. If we are working on a basis that is incorrect, and that compounds in the next 12 to 15 years, we could make mistakes in projecting population increases; we could be out by 40 000 to 50 000 people. What sort of plan are we talking about? It does not make sense. It will be made on a false basis and, therefore, all the infrastructure that is absolutely necessary will not be supplied on time and on an as-needed basis.

I encourage the minister to look at the proposition that I have put. I do not know whether it will be possible to accept it. I believe that the scheme text should be approved without the scheme maps. Initially, local

government town planning schemes should be relied upon. By doing it that way - to my mind, anyway, and I might be wrong - the WAPC and the Department for Planning and Infrastructure would be given the power and the authority to control developments in the area, and they would be able to get on with all the plans and all the policies up-front. Once that was done, they could bring back the scheme. What they need to do - I would vote for it tomorrow morning - is dedicate all the necessary resources and manpower, whatever they want to do with the money, to getting it right. They should get a commitment from the government that it will do it as quickly as possible.

MR D.F. BARRON-SULLIVAN (Leschenault) [5.18 pm]: For a number of years I have observed the greater Bunbury region scheme process with a great deal of interest. Over that time, a number of people have essentially told me that they think the process is a farce and that there are far better ways in which we could encourage development and provide for all the social and environmental benefits and planning requirements that most people would support. I have to say that I am inclined to agree with them. I will certainly support this motion today. However, I think this process has knobs on it. I will give a couple of examples. The first relates to property rights. If ever there were a matter that demonstrated the need for a major political party and for the Parliament to embrace the concept of property rights and champion the cause, this is it. I put this to members: how would a member in the metropolitan area feel if a government department said, "You can't do anything with your house. You can live in it, but you can't modify it and you can't sell it"? I would think that was daft, because I might want to build a carport or a second storey so that I had ocean views. I might want to sell it and move somewhere else. Crikey, I might be preselected for another electorate and have to move there and, as a result, need to sell my house. However, I could not do anything with that asset. That is essentially what has happened to a lot of people in the south west region during a process that has taken well in excess of a decade. People own land who can in no way whatsoever add value to that land and, for all intents and purposes, cannot sell it. If they did sell it, they would be selling it for a helluva reduced market price. In addition, when the government - I use the all-inclusive term - has sought to resume land as part of the planning process in the south west, quite frankly, some terrible instances have occurred in which people have been really badly treated. I will touch on a couple in a moment. Surely, fundamental to our whole train of thinking should be the notion of property rights. In other words, when people have worked hard and bought land or property, or have inherited it - it might have been in the family for generations - or whatever the circumstances, the government of the day should acknowledge and support the rights of those people to own and hold on to that property, to increase its value and to use it as efficiently as possible. However, for year after year there has been a draft region scheme planning process. Time and gain, people in the south west have been unable to develop their land and have been reluctant to sell it because they know that the land has been earmarked under this draft scheme, perhaps for conservation use or whatever. Consequently, that has, in effect, reduced the value of the land.

I will not dwell on this too much, but part of the planning process in the south west includes the Kemerton industrial zone. Some time ago, the authorities decided they would increase the buffer area around there and, as part of that process, they would not allow anyone to live in the buffer zone. Consequently, the authorities went about buying people out of the zone. Established in the zone was a very successful wildflower and protea farm owned by Angie and Burt Milne, who had built the business from scratch. They had managed to develop a niche market in Japan. It was one helluva business; it was booming. As part of this overall planning process, the government said that people could not live on the land, and because the Milnes had to live right next to the farm, the government would not allow them to continue to operate the farm. As part of that process, the government had to buy the land. That process took years. Mr Milne's health was severely affected and, in the end, I believe they left that farm and did not achieve the sort of revenue for it they should have. Setting aside the individual effect on that family, we must wonder why, as part of any planning scheme that is meant to promote economic development in a region, we would curtail the development of a very successful export business. That is exactly what happened in that case, all because someone made an arbitrary decision that people could not live in a house in a buffer zone around an industrial area that does not have much heavy industry in it at the moment, and I will touch also on that later.

I understand that, fortunately, a compromise may have been reached for the very well-known Smith family who run the Parkfield farm immediately to the north of the Leschenault estuary. However, for many years before this Bunbury region scheme was conceived, and certainly before the first draft was prepared, people in the region expected development to occur around the industry and that that particular farm, which is in an excellent location near the highway and the estuary, would be subject to development at some stage. In other words, the family who owned it had a realistic expectation that some time in the future their land would contribute towards the economic and social development of the whole region. Of course, this plan has put the kibosh on that; it has killed off any suggestion of development. If ever there was a case of putting too much green on the map, this is it. It is not the only example, but I single that one out as a piece of farming land, with a water channel running through it that flows into the north end of the estuary, that for some reason or other must be set aside for regional open space. I know the land very well; I fly over it regularly. It can be seen in the context of its surrounds. The

irony is that immediately to the south of it is a very successful, very nice residential development that is adding to the economic prosperity of the region. However, for some reason, as part of this process, this particular piece of land will not be developed. It raises a number of points. Firstly, if the government does buy this land and at any stage the family moves and does not farm the land, what will be done with it? Will someone take over all these fields that are currently kept in good order and use it for grazing? Will someone ensure that the weeds and so on do not infest the water channel or, worse still, that any sort of effluent will not get into the north end of the estuary, which is the breeding area for many fish for the whole of the Leschenault estuary region? In other words, who will manage it? I have read every single word in this document and it has no answer to that question. There is no management plan for land like that. In fact, there is no management plan and there is no money for managing any of the regional open space provided for in here. I have illustrated that not only does it make sense to protect property rights, and it is morally the thing to do, but also, economically and from a planning management point of view, it is a damn good principle to uphold. I suggest the Smiths' farm is a very good example of that, as is the Milne's business that was next to Kemerton. Properties could have been established there that could have contributed to the economic development of the region. Instead, there is now a big question mark at best about what will happen to those two areas of land.

At the end of the day, the only way we will resolve this is, frankly, for property rights to be entrenched in a new Western Australian Constitution. As members know, there is not one Constitution document. It was suggested by the Commission on Government that a Constitution should be drafted and ultimately put to the people in a referendum. If that happened, I think there would be overwhelming support for the notion of ensuring that property rights were spelt out very clearly in a Constitution that could not be tinkered with by Parliament and that would require perhaps a referendum of the people to change.

Mr C.J. Barnett: It is a better idea than a bill of rights.

Mr D.F. BARRON-SULLIVAN: It is a far better idea than a bill of rights. That is an excellent point. If people were asked how much they valued property rights and it was explained to them that those rights relate not only to a farmer but also to individuals who have properties next to a river, that they mean any sort of property acquisition whatsoever, those people would say they agree unequivocally with such rights. I do not want my property interfered with unnecessarily by the government. I do not want my property rights trampled on, so why should other people have their rights trampled on in that way. I will not suggest the detail of what should go into such a safeguard; nevertheless, it is needed. We need an automatic, an immediate and a full compensation process so that if an overriding public interest requirement means that land must be acquired, the owners of that land will know where they stand. They will be compensated immediately, for not only the capital value of the land, but also any recurrent losses; in other words, for any income that they might reasonably expect to have earned in the future.

The other very important thing is that if the government changes its mind, the owners of the property should have the first right of refusal to the land. Legislation is in place at the moment that is supposed to provide for that. However, the Labor Party has trampled on the notion of property rights by introducing into Parliament a bill specifically to take away the property rights of a property owner in Yallingup. I am sure that the idea of safeguarding property rights in a Constitution document is not the sort of thing the Labor Party will support.

A number of people have a major concern with a provision that is not in this scheme but in the metropolitan region scheme. If somebody owns a piece of land in Perth, the chances are he will be paying a tax on the unimproved value of that land. That tax is called the metropolitan region improvement tax. I think it raised a little over \$70 million in the past financial year and is currently charged at the rate of 0.18c per \$250 000 unimproved value of the land. This tax is used in the metropolitan area for a number of purposes. It is used for the construction of roads, park improvements, purchasing public open space and a range of public facilities. It is essentially for projects that are required for the planning and development of the metropolitan region, and it is governed by the Planning and Development Act. Who will fund all that when the greater Bunbury region scheme is in place? The member for Collie-Wellington raised this point earlier on, and it is one of the most fundamental and important questions that must be raised. I have pointed to a couple of pieces of land, although I could point to a range of land and infrastructure projects, such as the bridge over Eaton Drive, which will ultimately end up as a \$28 million project. It will probably cost half that amount to start with and then end up as a \$28 million or \$30 million project. There is a range of other projects like that. Who will end up funding them? Who will buy back the land? Who will pay for the management of this land?

Some beautiful tracts of land that run along the river are classed as regional open space under this scheme. At the moment nobody is charged with the responsibility of looking after them, nobody is given any money to look after them and there is no management plan. Where have we heard this story before? What happens is that the poor old local shires must pick up the tab. I am an avid off-road motorcyclist, but I must say that people hoon around places where they should not and do a lot of damage. The rangers have to try to keep those people away. The local authorities have to get together with water catchment groups and others to try to scrounge funding.

They have to go to private companies and others to raise money for paths and other facilities next to the river, because there is no money in the kitty. I would love to hear from the minister how much money will be in the kitty to buy back all this regional open space, build roads, provide the infrastructure and provide for recurrent needs such as the management of regional open space in accordance with this scheme. I would love to hear much will be available annually for capital purposes. I would love to hear what the recurrent figure will be.

Dr S.C. Thomas: A commitment from the Treasurer?

Mr D.F. BARRON-SULLIVAN: I would love to hear a commitment from the Treasurer, but even then I am not sure that I would believe it. I bet there are probably no figures because they do not exist. However, they might, and this is what worries not only me but the many people I speak to. The WA Planning Commission's submission to the review of state taxes in April of this year, which is a very recent document, states that it supports the notion of a state improvement tax, not just a metropolitan region improvement tax. The planning commission says that step one to improving that should be - guess what? - to extend the metropolitan region improvement tax to cover the Peel and greater Bunbury regions. In other words, blind Freddy could see what we are being lined up for. We will get legislation in place saying that there will be a greater Bunbury region scheme. People will start saying that they want roads, bridges and parks looked after and that they want regional open space and other facilities. They will then be hit with a tax. I can see that is exactly what the Labor Party would be planning with this. I would like to see something in this legislation that says that it will not be funded by any specific state improvement tax and that the Treasurer will have to go and do his sums to provide the money without imposing another tax burden on the people of this state, and particularly on the people in the region I represent.

The member for Bunbury was intimating that the minister should guarantee that there will never be such a thing as a state improvement tax, but the minister cannot do that because she is not the Treasurer and she will not be the Treasurer of the next Labor government. One day a Labor government will impose a state improvement tax on the people in the south west. It does not matter what the minister says now, that is how it will happen. Otherwise, the minister can give us her financial plan for how all this will be provided without imposing an additional cash burden on people in the south west region.

The unfunded liability that is referred to in the planning commission's report, which I mentioned earlier, begs the question of what will be the unfunded liability of all this. I think that people will realise within a couple of years that many millions of dollars will be required in upfront funding, as well as a very significant budget allocation for recurrent management purposes.

[Member's time extended.]

Mr D.F. BARRON-SULLIVAN: This structural scheme has many problems, but one I want to touch on, which affects a number of small businesses in my electorate, is colloquially known as the Picton deviation. Essentially, it is a proposal to put a bypass around an industrial area in Picton. Anyone who drives along South Western Highway from the direction of Harvey or Collie and arrives at Picton will realise that, to be honest, it is a pretty shabby looking industrial area. What landscaping there is is overgrown and not very well kept. I do not think that too much has been spent on the roads there because, as the member for Bunbury alluded to earlier, Main Roads has plans for the area. I guess, in fairness to Main Roads, it is not going to spend a huge amount of money until it knows where on earth it is going to build the roads.

Over 10 years ago, the planning authority and Main Roads wanted to put in this bypass. The local businesses at the time were obviously very upset because, as one can imagine, all the businesses face onto South Western Highway and pick up a lot of their trade from the highway and a lot of the value of their businesses is associated with the fact that they abut South Western Highway. Suddenly, someone came along and said that the road would be at the back of the industrial estate, well away from their businesses, and that they would not have direct access to the highway. There would be one turn-off into the estate, which would become a secluded industrial estate similar to Halifax industrial estate and others. That would be okay if people were starting from scratch by buying land there and building businesses. However, they are established businesses, many of which have been there for decades. This is a classic case of the planning authority drawing a line on a plan without realising or taking into account the economic and social impact it will have on all the small businesses concerned, and then saying that it looks nice on the plan.

A lot of work went into this over 10 years ago. It was determined that if a rail reserve next to CSBP could be freed up and if certain commitments could be made and certain planning arrangements could be achieved, there would be no need for the bypass, because if there was ever a need to expand South Western Highway from the current two lanes to four lanes, it could be achieved along the existing route. Indeed, two ministers were involved, the then Minister for Planning and the Minister for Transport; a range of government departments; Westrail, as it was then; and the Department of Main Roads, as it was then. Eventually, everyone agreed all this was achievable and, consequently, the Picton deviation was taken off all the plans and it seemed everyone would

live happily ever after, until recently when suddenly, as the member for Bunbury said, it came back. Someone in the planning department and someone in Main Roads have decided that this statutory region scheme is a great opportunity to sneak this ruddy bypass back onto the plan. That is exactly what they have done.

Bear in mind that the principal local planning authority is called the City of Bunbury and is Bunbury council. Bunbury council has a resolution on its books, which I do not think anyone spoke against, but I may be wrong, to oppose the Picton deviation. I have found out that officers of the City of Bunbury, officers of Main Roads and officers from the planning authorities have all been in cahoots. We can bet our bottom dollar that now it is back on the plan, in a couple of weeks' time they will be putting a proposal to the City of Bunbury, saying that it should have the bypass on the plan. Imagine being a councillor on the City of Bunbury - in effect, that is like being on the board of management of that organisation - and finding out that subterfuge has been going on behind the scenes for a number of years in an attempt to override a previous board decision without the matter first going to the Bunbury council and that a statutory region scheme that is in place includes that plan. What would that councillor do? Would he suddenly tell the Western Australia Planning Commission that the council does not support the proposal? On the one hand, the Bunbury council is desperately keen to get the greater Bunbury region scheme in place - I do not agree with its reasons, but I understand them - to make its job of planning and so on easier. On the other hand, it does not agree with one particular aspect of it. It will probably put up with the fact that the scheme is in place, but there will be a big bunfight over whether the council supports it. At the end of the process, many small businesses in Picton could end up suffering quite considerably. It is not only those small businesses that could suffer, because much of the land that is proposed to be used for the bypass reserve extension is greenfield land. A number of owners who own land abutting that land have wanted to develop their land. They have been told that they can develop near it but that they cannot develop the reserve because there needs to be a buffer. The council has held back the development of industrial and residential land in the Picton and Glen Iris areas. Instead of having a process that encourages development, assists small business and provides for residential improvements, for over 10 years the council has held back development. To this day, that has created a huge problem for the businesses in that area. Members should try to imagine what it would be like to own a business on South Western Highway after the scheme goes through and the City of the Bunbury has been influenced to the point that it has no choice but to support the Picton deviation. An owner of a business on South Western Highway would be prompted to ask when the bypass will be built. Guess what? It may never be built. Main Roads Western Australia has said that it may never be needed. A two-lane road already runs to a set of traffic lights in Picton. The plan is to extend that two-lane road into a four-lane road that runs into the same set of traffic lights. A lot of people have said that that proposal will create a bigger bottleneck at the traffic lights. Main Roads wants that on the plan just in case it is needed. There is no firm plan, no time frame and no funding. At one stage a Main Roads representative said that the bypass might be 50 years away. The problem is that the impact of that plan on small businesses will be more immediate. If a person running a business on the South Western Highway decides to sell his business after the scheme goes ahead, a person who is interested in the businesses and who finds out about the plan will do one of two things. He will buy a business elsewhere or he will ask the small business owner to halve his asking price. In other words, the value of businesses on the South Western Highway will be affected immediately. This goes back to what I was saying earlier about property rights. No legislation in this state, country or universe provides any mechanism to pay small businesses even one cent of compensation for the economic impact on their business. There is not one single provision and yet every person I have spoken to in real estate and business has said that if this bypass is on the plan, it will affect the value of those businesses. A lunch-bar owner in Picton depends on passing trade on the South Western Highway and a plan for a bypass - which may happen in one, five, 10 or 50 years - will directly affect the value of his business. Unfortunately, there is no mechanism for compensation. Although section 5 of the scheme states that the scheme provides a mechanism for landowners to be compensated in a fair and equitable manner where land is reserved for a public purpose, that provision does not apply in this instance. All the businesspeople will be affected. The people who own land in that area will receive compensation if it is necessary for the road reserve to go through their land. However, they will achieve the same yield that could be achieved if their land was sold as industrial or commercial land. Those are examples of how this plan will have a detrimental economic and social impact on people in the south west.

I will briefly touch on a matter that I consider to be one of the most appalling aspects of this process. As I said earlier, the plan has too much green on it. I am sure that many people in the community would say that certain chunks of private land should not be bought back with taxpayers' money. I provided an example earlier. I refer to one area of land that, from a social and environmental point of view, is very special; namely, Twin Rivers. It is called that because it is the area to the east of Barnes Avenue. The Collie River runs right up the elbow and the Brunswick River runs from that elbow northwards. It is a beautiful spot about which there has been a bit of controversy, which is putting it mildly. That land was supposed to be assessed as part of the greater Bunbury region scheme process. On 26 March 2002, which is five and a half years ago, a former Minister for the Environment, the member for Maylands, committed to an Environmental Protection Authority assessment as part

of the greater Bunbury region scheme process. The clear implication was that she would abide by the advice of the Environmental Protection Authority on this matter and follow its recommendations and that it would be dealt with as part of the greater Bunbury region scheme. The Environmental Protection Authority issued bulletin 1108 and stated that the land had iconic status. It does not say that about too many pieces of land. It stated that it was similar to Kings Park and Mt Henry land and recommended that all the land be reserved for conservation purposes. Everyone in the community assumed that that land would be a big piece of green on the plan that we are considering today, because it was dealt with as part of the greater Bunbury region scheme. A couple of months ago my phone rang hot because bulldozers were pouring onto that land. We subsequently discovered that the EPA's advice had been appealed in secret. The then minister, the member for Maylands, upheld the appeal and never told the public that she had done so. The Labor government has never given any reasons for upholding that appeal; indeed, it has kept quiet about it. The government issued a media release on 7 December 2004, only a few weeks before an election, which is a bit suss. If one reads the media reports of that release, one would think that the Labor Party had saved that land. In fact, many people were fooled. The then Greens (WA) member for the south west, Hon Christine Sharp, issued a press release in which she stated that she was delighted that the Twin Rivers site would be protected. Boy were we conned because, in actual fact, the government has allowed development on that site, which shows that the whole planning process is a movable feast. I agree with some of the comments made earlier that there are many inadequacies in the scheme. There is no provision for any recreational facilities, no overall industry plan, no one town planning scheme in the greater Bunbury area, no provision for adequate residential development and no provision for the development of the outlying town despite the fact that planning authorities are working on a plan to that effect. Quite frankly, it is time to make some sensible decisions and to put resources into sensible planning. Perhaps time limits should be imposed on planning decisions. This issue demonstrates that we need property rights entrenched in our Constitution.

MR M.P. MURRAY (Collie-Wellington - Parliamentary Secretary) [5.49 pm]: I rise to speak against the motion as put. The last points made by the member for Leschenault prove why the plan should go ahead almost immediately. Problems are being reported because the plan is not in place. My interest in this issue came about after I talked to a local government shire councillor and a chief executive officer. One was from Harvey and the other was from Bunbury. They indicated that they were keen to get the greater Bunbury region scheme up and running. This was a surprise to me; I thought it was one of those matters that had been put away and that the four councils were not interested in moving it on. There was a subsequent meeting at the shire offices in Bunbury between the representatives of the three shires and one council. It was attended by those shire presidents and chief executive officers who were available at the time. They were very keen to make sure that this plan was moved forward. The issues discussed were the same as have been discussed by members opposite: funding, whether there can be alterations in future, and public open space. They were all nevertheless still very keen to make sure that the plan went ahead almost immediately. They believed that the areas that have been developed are being stretched to the limit under the existing plan and that the draft plan that is in place is used at times to say, "No, you can't do this" or "You can do that." These problems are very real. We are talking about the greatest growth areas in Australia and the pressure that is being put on those councils and shires.

I spoke to the minister about that and the issue began moving again. There had been some thought that perhaps it should fade away, or be restructured and put back, but that is certainly not the case for the local government authorities in that area. Again, I have spoken to them since it has been announced that it will go forward, and they are still very keen. It surprises me that the member for Capel is trying to extend the process without putting the plan in place. I can assure the member that that is not the way forward. I understand that the member is under pressure from some private landowners in his electorate. There are also some people in my electorate towards the Wellesley area in the Shire of Harvey who are applying pressure. There are buffer zone issues with Kemerton in that area. There are many issues, but in the first instance, the plan must go through so that we can work from there.

Dr S.C. Thomas interjected.

Mr M.P. MURRAY: No, I only have a short time.

The other issue was about bringing the Shires of Collie and Donnybrook-Balingup into the greater Bunbury region scheme. Although there is some merit in the idea, I do not at this stage see any need to delay the greater Bunbury region scheme on that point. The Shire of Collie has just signed off on its local shire plan, and there is a greater Collie basin region plan, which examines air sheds and the potential impacts of future industrial expansion. The shire has certainly not indicated to me that there is any great urgency for it to be included in the greater Bunbury region scheme. As a matter of fact, it is quite happy with the way things are moving in the Collie area, as it has recently signed off on the -

Dr S.C. Thomas: The town plan?

Mr M.P. MURRAY: The local amended town plan.

Dr S.C. Thomas: That's not a statutory plan.

Mr M.P. MURRAY: I understand that, but part of the planning is still included in it. The draft Collie River valley plan is part of the bigger picture. Collie does not need to be held up; in fact, it is very keen not to be amalgamated into the greater Bunbury region scheme for that reason. Collie does not have the time to stand back and wait another year, as other areas may or may not have. The member for Capel mentioned that Bunbury does not have time to waste, either.

We have heard about how the three rivers area was cleared. I have had numerous complaints from that area, even though it is not in my electorate, about that tract of bushland having been cleared. People have complained loudly to me from the day the first bulldozer moved in. I do not know how that was allowed to happen. I know that for each case an application can be made which is then assessed. It is a shame to see areas of land being cleared. I am sure that the people of the south west do not want to see door-to-door housing as exists between Perth and Mandurah, and from Mandurah halfway down the coast to Bunbury, because there is no public open space.

Some other planning issues have arisen, and the Dalyellup subdivision is a case in point. There is no oval in the planning scheme. Land was scheduled to be set aside as public open space on the sides of roads, along the creek and around the dam. Future playing space for children was not thought about because it did not meet the criteria that were set out. We must assess that. The same thing happened in the Dardanup shire. It was proposed to convert the Hough homestead area into playing fields, but it became very clear that the land was a flood mitigation area that would certainly not allow for the building of major structures; that has been confirmed over the past few weeks. The Environmental Protection Authority said that the plan could not go ahead because it would not be possible to build substantial buildings there unless they were raised a couple of metres to allow any water to run underneath. We all know how much that would cost. It also meant that the area could not be fenced, because the fence would become congested with rubbish during floods and cause problems upstream.

There is a lot to be done and the plan should go ahead quickly. The mayor of Bunbury has been on my back over the past few weeks to get the plan moving. I spoke to the chief executive officer of the Shire of Capel, who said that he was concerned - as the members for Capel and Leschenault have pointed out - about future funding for the plan. The shires and councils are aware of the problems, warts and all, and are still keen to ensure that the scheme is passed through Parliament very quickly. I am sure that if problems arise from the floor, or disallowance motions are moved, the local authorities will not be happy at all. Considering some of the letters I have received, especially from the Shire of Capel, there could possibly be some political ramifications.

I am not sure whether the minister wishes to speak for a minute or two; there is not much time left. The major issue is delay. We all know that the existing plan has gone beyond its use-by date. People are waiting to subdivide and cannot. The digging of sand is another issue under the planning scheme. We have talked about roads and the bypass -

Ms A.J.G. MacTiernan: Member for Collie-Wellington, don't you find it somewhat hypocritical that members opposite are complaining about delays when they have been running a campaign against the greater Bunbury region scheme for the past six years, notwithstanding the fact that it was their idea when they were in government?

Several members interjected.

The ACTING SPEAKER (Mr P.B. Watson): Members! Member for Capel!

Mr M.P. MURRAY: I certainly concur with the minister's thoughts. The criticisms levelled against the government for not getting on with the job need to be seen in the context of how far back this issue goes. I attended the forum held at Bunbury for the planning of overlays; we must build on that. To do that will only enhance the area around Bunbury. To complicate matters by bringing the Shires of Donnybrook-Balingup and Collie into the scheme will not help anyone at all; it certainly will not help Donnybrook-Balingup, Collie or Bunbury at this stage. I understand the sewerage issues in Balingup, but that is not a planning problem; it is an infrastructure problem and it is in a different area. I beg those opposite not to delay the scheme -

Dr S.C. Thomas: We're not delaying it at all.

Mr M.P. MURRAY: That is what the member goes around the south west saying. I particularly enjoyed the member for Capel's comment to the effect that if he was pre-selected, if he was elected, and if he was made Minister for Planning and Infrastructure, he would look after his electorate. That is a lot of ifs before anything can get done. That was one of the greatest bits of hoo-ha I have seen in the press for a long time. "If me uncle was me aunty, she might be something else"! There has been so much rubbish put in the way of this plan!

Debate interrupted, pursuant to standing orders.

Extract from *Hansard*

[ASSEMBLY — Wednesday, 21 November 2007]

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Dr Steve Thomas; Mr John Castrilli; Mr Dan Barron-Sullivan; Mr Mick Murray

Sitting suspended from 6.00 to 7.00 pm