

PLANNING AND DEVELOPMENT AMENDMENT BILL 2023

Second Reading

Resumed from 18 October.

MS J.J. SHAW (Swan Hills — Parliamentary Secretary) [10.21 am]: I rise to make a contribution to the second reading debate on the Planning and Development Amendment Bill 2023. I acknowledge that this is part of a six-year process of significant reforms to the planning system. I will not talk about all of the changes today; I will focus on a couple of them that are very material to my electorate. However, I acknowledge that the intent of these planning reforms is to bolster housing supply. We are all very aware that there is a critical housing shortage in Western Australia and, indeed, across the country right now, so anything that can help bring on new developments in appropriate areas is certainly to be welcomed.

In my electorate, there is the North Ellenbrook proposal, the West Ellenbrook proposal, mid-Bullsbrook, the Clementine Estate and a lot of other potential new housing stock being brought into the market. Hopefully, these reforms will help to considerably expedite those developments. However, there is one part of my electorate where adding housing to an existing housing area would not be appropriate. I will go into that. I hope that the reforms in this legislation, particularly those relating to the ways in which development assessment panels operate, will help us. Our most recent lived experience with DAPs gave us considerable cause for positive thoughts on that.

I want to talk about two of the five key initiatives the minister outlined in his second reading speech. The first is the reforms to the DAPs, which include reducing the number of panels from five to three to improve consistency in decision-making; appointing full-time, fixed-term specialist members; and retaining a pool of sessional members. I think that will considerably reduce perceptions of conflicts of interest. We will have professional, full-time development assessment panels, particularly in outer metro areas, of which my electorate is one.

There will also be reforms to decision-making in local government to try to streamline processes. This will enable councils to focus on strategic planning for their communities to ensure that the local planning framework strategy schemes and policies are contemporary and fit for purpose. It is very important when planning proposals go through the DAP process, and when functions are being performed by local government administrative officers, that the framing documents are clear and are actually used. In particular, it is important that decision-makers refer to environmental considerations. An example is the City of Swan's biodiversity policy. When it makes assessments and recommendations, it must make sure that those documents are thoroughly considered.

As I said, I would like to focus on two very significant aspects of the reforms we are discussing today. They are likely to become more material to my constituents in the coming years. A project I would like to talk about today is the proposed redevelopment of The Vines Resort. The Vines is a beautiful area. My dad actually built my great-aunt and uncle's home at The Vines when it was first established. My uncle is a member of The Vines Golf Club, and I have a lot of friends who live in The Vines. It is a beautiful part of the world.

A lot of fabulous, very passionate people have moved to that area for the lifestyle and amenity it offers and for the beauty of the area. When those people bought their homes, they did so on the promise of golf course views that could never be interrupted. They had to pay a premium for blocks located on the golf course and paid extra to build their houses. When the houses were built on that golf course, both the front and back of the properties had to be beautiful because the back fences are all open to the golf course. The club wanted an international standard facility that would be a pleasant experience for golfers. People in good faith bought blocks, built their houses and made their lives there, and it is indeed a very beautiful place to call home.

In June 2021, the management of The Vines Resort released a proposal for the redevelopment of the back nine holes of the Ellenbrook golf course for housing. It proposed to build houses on the golf course where a lot of people very recently paid a premium for their blocks and incurred considerable additional costs to build. The proposal included reconfiguring the golf course, building an over-55s retirement village on the existing driving range and building a double-storey driving range. The proposal was for a massive project to completely change The Vines.

Unsurprisingly, the proposal received severe backlash from residents, golfers and the broader community. In December 2021, I doorknocked the area at length. I raised with The Vines management the concerns that had been expressed to me about the proposal. People's concerns included bushfire safety, with particular regard to access and egress in cases of emergency; environmental impacts, including on flora, fauna and waterways; the capacity for road and community infrastructure to accommodate hundreds of new homes; the effect on the amenity and value of homes adjoining the golf course and throughout the local area; whether the proponents would keep faith with representations made at the time that residents purchased their properties and recognise the costs associated with developing and maintaining homes to the resort's requirements; reduced green space and obstruction of the views across the resort to the hills that residents were promised would never be built out; access to the resort for existing

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golf club members and the local community; future conditions and costs of membership of the golf club; the resort's existing condition; previous investments; and whether the proposal would genuinely lead to facility improvements and upgrades.

I personally kept engaging with The Vines Resort and Country Club representative around these issues. At one stage, there was a rumour that there was potentially a buyer. We ran that process down; it proved not to be real. Nonetheless, we continued to engage and communicate the community's deep dissatisfaction with this proposal.

In early 2023, the City of Swan published a development application. The development application did not in any way reference anything other than a double-storey driving range on the old driving range site. If someone had looked at it objectively, they might have thought, "What's the drama there? You're putting a driving range on a golf course—nothing to see here", but that was manifestly not the case. It was disingenuously presented. Frankly, in my view, it was gaming the planning system. It was like a Trojan horse. If that double-storey golf driving range had gone ahead, it would have precipitated all the other changes. It would have been impossible to operate the golf course in a workable way. They would have gone ahead with all the other developments—the subdivisions of the course and the creation of an over-55s village—as it would have been the thin end of the wedge. We could all very transparently see through that. As I said, my community was absolutely incensed about the way this was proposed as merely some sort of innocent double-storey driving range proposal.

I worked with The Vines Residents and Ratepayers Association. I acknowledge the chairperson, Mark Church; the vice-chairperson, Dixon Lowe; the secretary, Wendy Manners; Gavan Troy, a former member for Swan Hills who lives in The Vines and has certainly given me his thoughts on this issue on a number of occasions; and all the other members of The Vines Residents and Ratepayers Association who fought so hard for this. I particularly acknowledge Councillor Aaron Bowman from the City of the Swan who really drove this at the local government level. I also acknowledge a couple of members of the golf club—Garry Platt, Brian Callendar, Teresa Clarke, Justin Purslowe and David Manners, all of whom have been advocating to me on this issue.

The Planning and Development Amendment Bill 2023 contains reforms to the way that development assessment panels operate and seeks to reduce the number of panels and improve the consistency in decision-making. The experience for many communities is that DAPs tend to side with developers—the statistics are really quite blown out—but that was not our experience at all. In fact, I was not expecting the outcome that we got. Having observed how the DAP process ran, listened to the comments made by DAP members and considered their final decision, it was really underscored to me the importance of having development assessment panels that genuinely listen to the community and consider the contexts within which their decisions are made.

That is very important. If we streamline these processes and continue to have DAPs, the conduct that I saw with respect to The Vines decision-making process would indicate that this will not only streamline decision-making processes and develop housing in areas where it is appropriate to do so, but also that DAPs will give due consideration to the community's views in areas like The Vines, where I would advocate and hold the view that putting intense development in an area that a community has built itself around for 30 years is wholly inappropriate.

I want to acknowledge the deputations that were made during the DAP process. Breda McCarren gave a fantastic presentation on the community perspective and addressed lifestyle and amenity impacts. Gavan Troy gave his recollections as a cabinet minister when The Vines project was proposed and under development. He highlighted the significant \$20 million investment that the state government made at the time to get water to the area so that there could be a golf course and a tourism facility that would attract people to the Swan Valley and promote the accompanying tourism jobs and economic development. Catherine Tauss gave a great deputation that focused on environmental impacts. She raised a heap of issues that needed to be given far more consideration. Councillor Aaron Bowman also provided a deputation. David Manners made a deputation about the impact on golf club members. All the deputations highlighted the inappropriateness of this development.

I also made a deputation. When we were working out the speaking order, I was asked to kick things off and give a framing deputation. Although I did that in the joint development assessment panel process, I want to bring it to the Parliament's attention. I particularly want to bring it to the minister's attention because this community's voice deserves to be heard. If and when a decision is presented through the process for the minister to make a decision—for example, a proposed zoning change for parts of the resort from special purpose to urban—I want to put on the record the concerns of my community. If and when any other development application is made outside Parliament, I will continue to advocate to the minister on behalf of my community.

One of the key points that I made in my deputation was that it is very easy in a planning process—as indeed it was in this instance—for a vanilla planning proposal to be put forward. It was like a tiny little box: "All this is is a driving range proposal on a golf course—nothing to see here." Certainly, the proponents encouraged the decision-makers to think inside that little box. I argued that looking at the proposal in such a limited way would fundamentally fail the community and would have delivered outcomes overwhelmingly detrimental to my constituents. I highlighted

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that the little driving range proposal was part of a much wider development vision, but that was not referenced once in the proponents' application in the planning process. It was really just this tiny little box with no reference at all to a process that had been going on for years. It had been shouted from the rooftops with flyers, plans and posters everywhere. But there was no reference at all to the broader changes that the development would have precipitated that would have fundamentally changed the nature of The Vines and affected my community's way of life. It also totally ignored all the community outrage directed at the broader vision. I argued that even taken alone, the driving range proposal was completely inappropriate—which it was. But when it was considered as part of a broader vision for The Vines, it was wholly inappropriate and should have been rejected outright.

One of the key themes we talked about in our deputations was the environmental considerations.

[Member's time extended.]

Ms J.J. SHAW: The Vines golf course is situated on the Ellen Brook. It is a very beautiful part of the world with a fragile environmental ecosystem. The Ellen Brook is the last environment in which the critically endangered western swamp tortoise naturally occurs. There is only one place on the planet where Australia's most critically endangered —

[Interruption.]

Ms J.J. SHAW: I have been heckled before, but not quite in that way!

Mr J.N. Carey: A bottle of wine!

Ms J.J. SHAW: Yes, that is a bottle of wine. Thank you, member for Carine!

The Ellen Brook is the last place on the planet where Australia's most critically endangered reptile naturally occurs. It also has tuart trees and bandicoots and possums. It is not just a golf course; it is surrounded by a considerable green belt. We were very concerned that the environmental considerations had not been given the attention they deserved in the original process. This development, both the driving range proposal and the broader vision, would have had a significant impact on the living patterns of the native fauna in the area and particularly the fauna that is not used to living with unnatural and glaring light and the destruction of their habitat. It was not an appropriate development.

We also talked about local amenity. The double-storey golf course was going to be built with bright light towers that would have had a significant impact on the constituents living adjacent to the site. The broader impact of that vision would have considerably impacted the amenity of the hundreds of people who, in good faith, built and bought their homes on the back nine of the Ellenbrook golf course. It was a very unsuitable development. The golfers using the current facilities said that the proposed driving range was inadequate and that the way the course would have been reconfigured would have made it a really bad place for them to play. It used to be an international championship golf course but it has dropped off that level over the years. These changes would have made that situation even worse. The golf club players in particular were worried that shoving them into a smaller golf course would have meant the golf course would have been heavily congested and they would not be able to get a game in. The facility was built as not only a tourism facility and, obviously, to operate as a golf course and country club, but also as a community facility, and the local community members would not have had access to that facility. Gavan Troy's deputation to the joint development assessment panel process pointed out that that was a big part of the state government's considerable investment into this asset. It was not to be used just as a private facility but as something that the whole community could enjoy. It is very important that we keep that in mind.

Mr P.J. Rundle: There are still a few of my golf balls out in the bush there somewhere.

Ms J.J. SHAW: I do not doubt that for a minute.

I made the point in my deputation that many home owners invested their life savings in their homes and they rightfully expect to enjoy their properties in peace and quiet. They have every right to expect that the goodwill with which they made those investments and the promises that were made by the developers at the time would be fulfilled. This proposal was a sign of much grander plans. There was a much larger story at play. The double-storey golf driving range only ever made sense as part of the much more comprehensive and disruptive development process. We argued that was the thin end of the wedge. It was the first stage in the complete transformation of The Vines and we fought it very hard. I want to acknowledge all the people who made a deputation. They were passionate and very emotional. They raised concerns about bushfire safety, environmental impacts, infrastructure capacity, the effects on amenity and home values, about keeping faith with the representations that were made when people purchased their properties, the reduction of green space, the access to the resort for existing members of the local community, the future conditions and costs of membership and the resort's existing conditions. They were all very well articulated by my constituents through the DAP process and in their ongoing advocacy. I acknowledge The Vines Residents and Ratepayers Association and all the folk in The Vines who got behind that advocacy. I have rarely seen such a well organised and effective community campaign on an issue. It was really very well done.

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We all made our deputations and, on 28 April, the Metro Outer JDAP surprisingly refused the planning application for the proposed driving range at The Vines golf course on the basis that it was considered to be inconsistent with the approved outlined development plan and the amenity of The Vines estate. I will read the reasons JDAP gave because if JDAPs continue to make decisions in the way this DAP did, we can have real optimism about the proposed reforms that we are considering today. I quote —

The Panel considered that The Vines is a unique environment and is highly regarded by its residents and the proposal therefore should be considered in the broader context of overall future development within the Planning Framework of the Vines Outline Development Plan No. 37E (Vines ODP), to avoid assessing development applications in a piecemeal fashion. The Panel was made aware, through submissions in opposition that there are other longer term plans for developing the Vines that should be the subject of a comprehensive planning review.

The application for a proposed driving range and associated amenities is a significant element and a departure from the adopted Vines ODP. The impact on the course layout will be major yet the proponents did not present how this will be reflected in future plans for the Vines.

The submissions presented by residents and other concerned parties reflected the significant opposition to the proposal.

I want to put on the record my thanks to that JDAP for listening to my community. I know that there are some concerns in the broader community about the way these reforms will ensure that communities are adequately consulted. My lived experience, along with that of my constituents, is that that was not the case. The JDAP listened to us. Through its planning reforms, the government has made improvements to the community consultation requirements. There are mandated minimum advertising periods of 28 days for complex applications and requirements that a sign be erected on site. In addition, a radius model requires letters to be sent to all landowners and occupiers within 200 metres of a site. Previously, only next-door neighbours were notified. Now we have made it almost like a blast radius of community members who could potentially be affected. The reforms have also increased the minimum public advertising period for structure plans from 28 days to 42 days, and the government has prepared and published a planning engagement toolkit that provides state government agencies, local governments, planning engagement professionals and applicants with clear and consistent principles, guidance and tools for designing and delivering best-practice consultation and engagement. It can also be used by the community to help better understand and participate in the consultation and engagement process in the planning stages. Consultation is still a key process of the DAPs and significant assessment pathways. The proposed amendments will not change the proportion of local government members on the DAPs. That is important. The assessment time frames for the same public consultation requirements that are applied today will remain in place, and there will be public meetings, with agendas and minutes and opportunities for community members to make deputations to a DAP. As we have seen in this particular circumstance, the DAP really listened to my community when those deputations were made.

Another concern that has been expressed to me by my constituents—it is important to put this on the record as well—is about the due consideration given to environmental issues. These processes require that environmental considerations be taken into account. That must happen at the local government level. When the local government has a biodiversity strategy, for example, its officers should have due regard to it and, in my view, when local governments provide their recommendation reports, they should expressly refer to it. I think we need to make sure that if we are to make these processes more streamlined and they include environmental assessment processes, the environmental assessment processes should be properly undertaken because, as I said, in a place like The Vines, which is located adjacent to such an environmentally sensitive part of the world and is the last habitat on the planet where Australia's most critically endangered reptile naturally is, we need to ensure that environmental values are considered. I again thank The Vines Residents and Ratepayers Association for its advocacy on those issues.

I also want to acknowledge the private legal actions. I genuinely feel for all those people who bought their properties in good faith. I know some of them are exploring their private legal options about things that were said and representations that were made when they purchased their blocks. Some things were shouted from the rooftops to justify why people should buy and build there. I feel for these people, and I strongly encourage them to keep up that fight. As a local member, I cannot intervene, but I encourage them to keep fighting. On the planning stuff, I will certainly be fighting along with them. I thank The Vines Residents and Ratepayers Association for its incredible advocacy.

As these planning arrangements affect my electorate, I will briefly touch on the Swan Valley Planning Act for the Swan Hills electorate. It has its own little planning world that applies around it. Those amendments were also quite a considerable process, championed by the member for West Swan when she was the Minister for Planning. My understanding is that the Swan Valley Planning Act provisions will work very well in conjunction with these proposed amendments. Given that I do not have much time left to go into that, if any of my constituents have an interest in how

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the SVPA interacts with the proposed amendments to the Planning and Development Act, I would be very happy to provide that information and answer any more detailed questions they may have through the Minister for Planning. I congratulate Minister Carey for bringing these reforms before Parliament. The development assessment panel process that we have gone through gives us faith, but it is only when communities work together that we can achieve these sorts of outcomes. We need great community leaders. I thank The Vines residents' association for being very steadfast, passionate and committed, and working with me very collaboratively. We will keep up the fight together.

MS H.M. BEAZLEY (Victoria Park — Parliamentary Secretary) [10.51 am]: I rise to speak on the Planning and Development Amendment Bill 2023. Our government is determined to find ways to create new opportunities for more development and more housing throughout Western Australia. As the Parliamentary Secretary to the Minister for Planning; Lands; Homelessness, Hon John Carey, I have seen firsthand his personal and professional commitment to creating housing and sustainable development in Western Australia. When the minister was introducing the bill, he said our government has made a record investment of \$2.6 billion into social housing and homelessness measures that will see the delivery of 4 000 homes. We are on track to deliver those 4 000 homes, with more than 1 600 already delivered and a further 1 000 under contract or construction. We have sped up our delivery of social housing through a diversified range of innovative programs, including the timber frame program, the modular housing program and continuing our highly successful spot purchasing program. These measures boost housing in Western Australia, and this bill will add to that work. We are working rigorously to streamline planning processes to meet our share of the one million homes target under the National Housing Accord, removing barriers to development approvals for housing.

Delivering quality density and housing choice requires collaboration between the government, developers and the community. The goal is to have not only more homes for our growing population but also a better choice of homes in the right places. National cabinet recently agreed to the national planning reform blueprint that set the policy approach and measures to accelerate housing supply around the nation. Under the blueprint, each state and territory has agreed to review its planning system to achieve streamlined planning and zoning processes to meet its share of the one-million-home target under the National Housing Accord and to remove barriers to development approvals to accelerate housing, including bolstering medium and higher density housing and accelerated delivery of social and affordable housing.

The bill before Parliament today aligns with the blueprint objectives. The most applicable to WA are streamlining approval pathways and prioritising planning amendments to support diverse housing across a range of areas; promoting medium and high-density housing in well-located areas close to existing public transport connections, amenities and employment; reforms to support the rapid delivery of social and affordable housing; and reforms to address barriers to the timely issuing of development approvals. These reforms are incredibly necessary. It is something that I hear needs work every day I deal with community and developers trying to build fantastic housing in WA.

It is important to stress that WA is already a national leader in planning reform. Our deemed provisions for local planning schemes mean that critical matters can be put into schemes quickly with no administrative burden on local government. Our R-codes have provided consistent statewide standards for residential development since the 1980s, and our centralised strategic planning system overseen by the independent Western Australian Planning Commission enables our state to benefit through coordinated long-term planning. Other states are only now catching up to WA. An example of WA leading the country is exemptions for single houses. Victoria announced on 20 September this year new exemptions for certain single dwellings. WA exempted most single dwellings statewide back in 2015. Reforms in this bill will ensure that remaining single dwellings will be approved by technical local government staff, not councillors. As such, we are making it easier for all Western Australians to build their new home, extend or alter their existing house or complete smaller residential projects such as patio, carport or fence projects. Our reforms cut red tape for simple residential projects by ensuring that these applications can be determined only by the chief executive officer or planning staff of local governments and cannot be referred to or "called in" by full council for determination except when a property is on a local or state heritage list or in a designated heritage area. This reform also has the benefit of encouraging councils to focus on strategic planning for their communities to ensure that the local planning frameworks—strategies, schemes and policies—are contemporary and fit for purpose. My feedback from the community is that they certainly want that to be the local council's focus.

At the core of the amendment bill is, firstly, the delivery of housing, necessary infrastructure, amenities and services to support the growth of livable communities in our regions, towns and cities; and, secondly, the creation of a pipeline of big development projects, sustainable jobs and long-term economic investment in Western Australia. We are streamlining existing planning processes by establishing three clear pathways for planning applications in Western Australia. These are, first, the significant development pathway; second, the development assessment panel or DAP pathway; and, third, the local government pathway.

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The DAP pathway reforms include threshold changes to provide for a wholly opt-in DAP system for non-excluded developments with a value of \$2 million or more, multiple dwelling developments of any number to be able to opt in to be assessed by a DAP if they are valued at \$2 million or more—the current DAP system excludes proposals of fewer than 10 multiple dwellings—and any community housing project by a community housing provider will be able to opt in. This is a completely amazing reform and I hope we will see a lot more community housing in our state. Our reforms will offer proponents the flexibility to choose the pathway that they believe is most appropriate to their project, ensuring that the most efficient and coordinated assessment process is utilised to deliver more housing—and faster.

Our reforms of the DAP pathway will drive greater consistency and transparency in decision-making, which is critical to providing certainty for project delivery and building trust within the community. In a nutshell, the changes we are making to development assessment panels will reduce their number from five to three and will reduce the potential for conflicts of interest and the turnover of technical experts on each panel. There will be one panel each for metro inner and metro outer and regional areas. We are creating a new position that reports to the director general of the Department of Planning, Lands and Heritage that will oversee the governance and administration of the DAP pathway.

What is not changing in the DAP system is the proportion of elected local government members on development assessment panels; the assessment time frames of 60 to 90 days—the same public consultation requirements that apply today; the requirements for public meetings, agendas and minutes; and the opportunity for community members to make deputations to a DAP. Applications in the significant development pathway will still be advertised, allowing the community to make submissions. Public meetings, agendas and minutes and the opportunity for community members to make deputations will also remain.

This bill is not about removing the opportunities for the community to have its say on other proposals in its area, such as proposed changes to the metropolitan region scheme or local planning schemes and strategies, local planning policies and structure plans. There has been some conjecture from the opposition that these reforms remove public consultation. This is not correct. This government has made improvements to community consultation requirements through our previous legislative reform, such as mandating a minimum advertising period of 28 days for complex applications, requiring a sign to be erected on site and the radius model requiring letters to be sent to all landowners and occupiers within 200 metres of the site. Our reforms to date have also increased the minimum public advertising period for structure plans from 28 to 42 days. We have also prepared and published a planning engagement toolkit that provides state government agencies, local governments, planning and engagement professionals and applicants with clear and consistent principles, guidance and tools for designing and delivering best practice consultation and engagement. It can also be used by the community to help better understand consultation and engagement in the planning process and how to participate.

Consultation remains a key component of the development assessment panel and significant assessment pathways. Our state is growing fast. We must ensure that our planning system is agile and effective so we can plan for future generations and do our part to meet a nationwide boosting of housing supply. This Planning and Development Amendment Bill 2023 will support and exemplify our government's commitment to boost housing supply, reduce red tape and offer flexibility and common sense in the system. It gives me great pleasure to support it in this house.

DR D.J. HONEY (Cottesloe) [11.01 am]: I also wish to contribute to debate on the Planning and Development Amendment Bill 2023 and indicate at the outset that I oppose it. I also indicate that I am not the lead speaker for the opposition on this bill. The Leader of the Liberal Party, the member for Vasse, will be the lead speaker for the opposition on this bill.

Before I get into the substance of my contribution, I want to touch on some comments that were made in private members' business yesterday by the Minister for Planning.

Point of Order

Ms C.M. ROWE: This is not relevant to the current debate.

The ACTING SPEAKER (Ms M.M. Quirk): I think it is probably a bit premature to say what is and is not relevant, so I will let the member proceed, but I am mindful and will call him to order if that is a problem.

Debate Resumed

Dr D.J. HONEY: The debate yesterday was about the planning bill, so it is entirely relevant. The first issue that was raised by the Minister for Planning —

Several members interjected.

The ACTING SPEAKER: Members, you will just encourage him. Member for Cottesloe.

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Dr D.J. HONEY: The first issue that was raised by the Minister for Planning yesterday was that he was concerned about my concerns about the influence of property developers on our processes, and in particular our planning processes. I want to make it very clear that I am under no illusion. I am certain that the Minister for Planning is not in some way receiving some direct remuneration from the planners.

Ms C.M. Rowe interjected.

The ACTING SPEAKER: Member for Belmont! I counsel the member for Cottesloe that imputations against other members in this place are disorderly. If it is by way of a personal explanation, there are other means of doing it.

Dr D.J. HONEY: If the member listened to what I was saying, she would know that I am not saying —

Ms C.M. Rowe: I listened very clearly yesterday.

Dr D.J. HONEY: For goodness sake, please, Acting Speaker, and please, member, if you listened to what I am saying, I am saying he is not doing that; okay? I am saying that he is not. I am under no illusion about that. I do not believe —

Ms C.M. Rowe interjected.

Dr D.J. HONEY: Acting Speaker, can I please have some protection from the chair on this?

The ACTING SPEAKER: Member for Belmont, just let him dig a bigger hole.

Withdrawal of Remark

Dr D.J. HONEY: I think those comments were unnecessary.

The ACTING SPEAKER (Ms M.M. Quirk): Yes, I withdraw them. I should not have made them.

Dr D.J. HONEY: Exactly.

Debate Resumed

Dr D.J. HONEY: I am not saying that. I am not alluding to the fact that I think that he is in any way behaving improperly personally in relation to that matter. It is quite the opposite. I have some regard for the Minister for Planning.

Point of Order

Mrs J.M.C. STOJKOVSKI: His personal explanation is not relevant to the current discussion.

The ACTING SPEAKER (Ms M.M. Quirk): I do not think it is an issue of relevance, and I permit the member to go on at this stage.

Debate Resumed

Dr D.J. HONEY: Thank you very much, Acting Speaker. This will be a very long contribution at this rate.

The ACTING SPEAKER: Can I just counsel you, member, if you are saying you are not saying something, do not say it at all.

Dr D.J. HONEY: I did not say it. I said I was not saying it.

I will be very clear about this matter and this bill: I believe that developers have been a pervading influence on this government in the formulation of this bill. Part of the influence that those developers exercise is through the donations that they make to political parties. That affects both sides of politics. Property developers are very, very active in influencing political parties, and they are very, very active in the way that they direct their donations to the parties.

The minister said he had sleepless nights over the medium-density code, and I am certain that the minister did have sleepless nights over the medium-density code, but not more so than the communities that are being affected by these planning changes. I want to talk about high-rise economics in relation to this bill and the comments made yesterday. The comment was made by the minister that the only reason we are seeing high rise primarily in the western suburbs, and in the wealthy areas in this state, is that they are the only places where they are economic. I am dumbfounded that the minister said that densification and high-rise development will occur anywhere else. If those economics apply now, those economics will apply in the future. I suggest an alternative view; that is, the reason those developers develop in my area and in suburbs around it in particular is that they can make the greatest profit in those areas, as long as the government's planning laws allow that. As long as the government's planning laws allow excessive high-rise development in those areas, we will not see high-rise development in areas where we need affordable houses. The government cannot have it both ways. The government cannot say that they are there because it is the only place that is economic, but it will increase density with high-rise development in suburbs in other areas. Either it can occur or it cannot occur. If it can occur in those other areas, government policy should be driving it to happen.

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I also highlight the problem we have in our construction sector. We have an enormous problem in our construction sector. Our builders are under enormous pressure. The people who are not under enormous pressure are the land developers, and there is a strict dichotomy. The government should be doing everything it can to facilitate the construction sector. The development sector is very profitable in our economy.

I was fascinated by the argument about private property rights that I heard in relation to this debate. We apparently now have laissez faire Labor. Whatever someone wants to do on their property, they can. However, the member for West Swan was not so keen on the property rights of people who bought properties and wanted to build churches and other facilities in the area. In fact, this government passed a law to stop it. I have noted the comments, and I will not comment on whether I think that is a good thing or a bad thing, but the government is not shy about affecting property rights of people who rent properties out for Airbnb. In fact, property rights are a balance for the collective good. They are a balance of collective good. They are a balance of the rights of the property owner and the rights of the broader community.

I turn to the development assessment panel reforms. I welcome some of the DAP reforms that the minister has made. The proposal in this bill to have permanent members is a positive reflection. But those reforms make no difference if the DAPs and those other bodies consistently ignore the community. I will leave it there. The member for Kingsley has been interjecting and making some comments, but I will not reflect on those at this stage.

I want to make it unequivocally clear that I understand and support the need for development of new housing in Perth and regional areas. I understand that part of the solution is a requirement for greater density in appropriate areas. I have supported and will continue to support appropriate higher density developments in my community. However, this bill will do nothing meaningful to improve the stock of housing in Western Australia. It will do nothing to significantly improve our planning system. It is simply about totally removing local communities and their local elected representatives from decisions that affect the amenity and character of their neighbourhoods. It is all about delivering a planning system to suit a small group of developers at the expense of those communities. It is about entrenching Labor's new planning philosophy: whatever the developers want, the developers get. Most egregiously, this bill is based on Labor's lie that local governments are inefficient and the mythology of nimby councils. I will go through that in factual detail rather than nasty assertions from the other side. My electorate is often targeted with the myth of being a nimby area despite the fact that nearly half the people in my electorate live in medium and high-density housing already, not single-residence dwellings. That is, 48 per cent of my electorate is already medium and high-density housing, which is more than almost every other electorate represented in this chamber. As with war, truth was the first casualty of Labor's planning reforms.

There will be many changes under the bill and, for the sake of brevity, I will not go through all of them. Members should know what they are if they have gone through the bill. Changes are aimed at cutting red tape and streamlining planning processes, including the introduction of planning codes and changes to the status of our planning policies. I am going to focus on the broad purpose and agenda behind this bill. This bill is the culmination of an ongoing agenda to usurp the historic role of local government and local communities in determining the character and amenity of their community. In simplest terms, the government's reforms are continuing its agenda of removing local voices and their elected local councillors from planning and development decision-making processes. As we have already seen, communities can have no certainty whatsoever about the outcomes of decisions made by faceless bureaucrats. We have already seen approvals given to projects that were vehemently and justifiably opposed by the community. The hypocrisy of the approach that the Labor Party is taking is utterly brazen. This is the Labor Party that drives the political system to give power to the voices of its political allies such as unions and left-wing special interest groups, but the same Labor Party is changing the planning system to silence the voices of ordinary, non-political citizens who simply want some rightful control over the character and amenity of their community. It is a local community that lives with the consequences of planning and development decisions, not those other bodies, and that is why local voices should be heard on local planning and development matters. Our elected local councillors are being sidelined to the point of not having a say, even on matters as modest as a single housing development. The Planning Commission's enthusiasm for this radical break from history appears to be driven by two readily identifiable factors. One factor is the commission's belief that its views and those of its fellow bureaucrats are the only views that should count. They regard councils and councillors as ignorant barriers to their superior view. This professional elitism is reflected in part 8 of the bill, which lists across three pages the commission's functions, including planning for transport and other infrastructure to support development. The Planning Commission now wants to control other areas of state government, which are staffed by knowledgeable people who know how to do their own job better than any of the planners. That brings me to the second driving factor of the commission's enthusiasm for these reforms—that is, simply, empire building. The Planning Commission will grow significantly under these reforms. I already noted significant growth in the Planning Commission. There was an 80 per cent increase in the budget last year, staffing numbers have already increased by 24 per cent and there are further budgeted increases in spending. I do not know whether these budgeted changes reflect this bill or whether the department

will in fact increase. We will have a duplication of planning services that exist in local councils and we will have massive growth particularly in the WA Planning Commission and those associated bodies.

I want to touch on local government performance, because the core justification given by the Labor Party for this bill is that local government was holding up planning approvals. That is the core argument that justifies the changes to local government under the bill. I will go through the detail. It is absolute mythology on the part of the Labor Party—an unjustifiable excuse used for these reforms. The Western Australian Local Government Association compiled an annual performance monitoring report that provides data on various aspects, including timeliness of approvals. Local government participation in the annual survey covers more than 80 per cent of the population. I am happy to show any member the reports. The 2019–20 report from WALGA covers the period before major planning changes were implemented by this government under the guise of the COVID crisis. Page 17 of the report has a graph informing us that it takes an average of 20.8 months to finalise a scheme amendment. Interestingly, half of that time is the time it takes for the government to approve it. All the work that goes into it involves only around half the time for planning scheme amendments. There is no evidence in the report for the state government to defame local governments and claim that they are too slow.

On page 20, we are informed that 93 per cent of all building, subdivision and development applications are approved within statutory time frames. The graph informs us that over four years to 2019–20, between 99 per cent and 100 per cent of building applications were approved within the time line, between 76 per cent and 83 per cent of subdivision applications were approved and between 81 per cent and 87 per cent development applications were approved. Councils consider only a few subdivision applications and these are usually more complex, which is one of the factors that adds to reduced performance in that area. Also, smaller councils significantly distort the approval times. That is almost certainly due to the fact they have limited resources. The graph on page 21 shows that most councils deal with more than 90 per cent of applications within the statutory time lines and all achieve better than 80 per cent. Page 22 contains a graph of the rate of approval for development applications. It shows that the overall approval rate is 98 per cent, with the range across councils being 96 per cent to 100 per cent. Page 23 of the report shows that 97 per cent of development applications are dealt with by the administrators under delegated authority. Any contention that the changes the government is making under this bill will make a substantial difference by removing any right for councils to have a say is completely and utterly false. The report shows that 97 per cent of those applications are delegated already. However, importantly, on those applications that are contentious, the councillors have a right to a say, and that is what the government is removing. It will make no material difference whatsoever to the supply of housing in Western Australia. We heard about a case today from the member for West Swan in which the community was very concerned about a planning decision, in this case by a development assessment panel. This bill will completely remove that democratic right for the people to have direct input to the representatives who are making the decisions.

WALGA undertakes a survey every year and the key findings from the 2022 survey are in line with previous surveys I have just mentioned. It found that 89 per cent of all applications were completed within the statutory time frame; 99 per cent of all development applications were approved; 98 per cent of all development applications were determined by officials under delegated authority; and 67 scheme amendments were finalised in 2022, taking an average 20 months to complete, with state government approval—that is not the hard work—taking 47 per cent of that time. There is simply no objective evidence to support the government’s claim that local council approvals are the cause of the current housing shortage or that the changes under the bill will make any material difference to the pace or extent of approvals in the future.

The government’s claims are either profoundly ignorant or a deliberate lie to achieve another purpose. The nasty name-calling by the minister and developers’ supporters, calling councils nimbys, is simply a slur intended to hide the real motives behind the bill. The government should be focused on fixing the problems under its own control rather than usurping democratic powers from local communities and their ability to influence decisions about the character and amenity of their community—problems like the 12-month delay in power connections from Synergy and obfuscation and delays by Main Roads Western Australia and other departments. Let us go to the solution that the government wants for this—that is, the performance of development assessment panels. In response to local government objections to the DAPs, WALGA undertook a review of the DAPs in 2016 and a further analysis of their performance over a decade, from 2011 to 2020.

[Member’s time extended.]

Dr D.J. HONEY: DAPs were initially focused on specific development zones where a substantial development was planned and there was a requirement for considerable state government involvement with infrastructure and transport issues—a smoother, simpler planning assessment process for significant development proposals that fit within the state planning framework while better balancing professional advice with community representation. The WALGA report substantially, and I think comprehensively, challenges the view that centralised decision-making

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through development assessment panels is anywhere near as efficient as local councils in dealing with planning matters. The key findings of that review were that the development application determination time had blown out —

... to 147 days, up 37% since the 2015/16 report,

- The average processing time for all forms of decisions by a DAP now stands at 145 days,

That is compared with the over 90 per cent of applications that were dealt with in 60 days by local government. DAP determinations on amendments to development applications are taking an average —

... 94 days, up 51% since the 2015/16 report, , and

- In 2019/20 the proportion of DAs that take more than 90 days to determine was 68%, while 41% of DAs now take more than 120 days.

The rate of refusal by DAPs sits in the 11 to 13 per cent range, which is noticeably higher than the one per cent rejection of development applications by local governments. I hope those figures are sinking in, members. The proportion of strategic and significant development proposals assessed has decreased by 25 per cent of all development application determinations in the \$2 million to \$3 million bracket. Only 32 per cent of applications were dealt with in a timely manner by DAPs, against 93 per cent of applications dealt with in a timely manner by local government. That is in the most recent survey.

DAPs were established to deal with the planning and approval for large multi-development zones, not to interfere with local government decision-making over every development proposal. WALGA's report exposes the myth of Labor's claim that the state government provides a more streamlined, efficient approval system. The data shows quite the opposite outcome. COVID created the opportunity for Labor to foist on the community a centralised development-friendly system that is free of those pesky community voices. I might say it is interesting to reflect on the comments that were made when the first planning changes were brought in during the COVID period. I will just read a quote from the Minister for Planning at the time, Rita Saffioti. She said in Parliament on 20 May 2020 —

This legislation has been brought forward now to help Western Australia's economic recovery from the COVID-19 pandemic. The pandemic has created an economic shock that will be with us for a long time to come.

The minister was reflecting the COVID fear that was still gripping the state, but the economic shock was minimal in WA and did not continue into 2022, let alone 2023. The minister also said —

There is an economic crisis. ... We set out a plan of direct government investment in infrastructure and facilitating private investment, and this legislation is a key part of it. Why is it urgent? It is urgent because we are in the middle of an economic crisis. That is why we have brought it in. ... We are here today to talk about this bill because of COVID-19.

I want members to note these words —

If it were not for COVID-19, we would not be here today talking about it ...

Let me repeat those words —

If it were not for COVID-19, we would not be here today talking about it ...

It has become very clear that those changes were never about COVID. It was an agenda to change our planning system to appease a few people at the expense of the broader community. I covered yesterday, and I will cover in a little while, that the reality is that any impediments to developers are swiftly removed. I remind members of the speed with which the Minister for Housing ditched the proposed open space policy change to give greater emphasis to amenity of the area when developments are being assessed. A policy developed over three years, which is ample time for anyone, including property developers, to have their input into that bill was dumped around a couple of weeks before it was planned to be implemented because there was an outcry from a handful of developers.

I can say the minister folded without a fight. I know the minister has some passion for this space. Nevertheless, he folded without a fight on that matter. As the *Post* reported on 19 August with the headline "Carey freezes out better housing" —

The state government has put on ice new planning laws it trumpeted previously to increase tree canopy and lift the standard of housing and neighbourhoods.

WA Local Government Association (WALGA) president Karen Chappel said the abrupt decision, only 20 days out from implementation, was short-sighted and would lead to poor design outcomes with infill developments.

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“Removing these lots from the code gives the green light to development that results in more tree canopy loss and squeezes small groups of houses and long driveways onto blocks, with little regard for local character, attractive streetscapes, energy efficiency or lifestyle,” ...

That article continues. That sudden backflip was not the first example of sacrificing the community, as I said, for imploring a handful of property developers. I will not go through it in detail, but it is not the first backflip we have seen from this government when there is pressure. I remind members of Labor’s disgraceful rewrite of the state’s longstanding schools planning policy. The government policy used to be that common boundaries of school sites with residential uses should be avoided whenever possible, yet what do we see in the Subi East development? Apartment towers are to be built on the edge of school playing fields. We see Labor’s disregard of a longstanding and very clear policy to keep commercial development away from schools to a policy of “do as you please because we can be flexible”.

Labor’s new policy puts developers’ interests ahead of a school’s needs and the students’ need for privacy and security. The government’s willingness to obey the developers’ demands to change or dump policies at the last minute reflects Labor’s policy on planning, which is “whatever the developers want, the developers get”. When the government changed its open space policy, the response from the Property Council, the developers’ representative, reported in the *Post* article I already referenced, seemed deliberately cruel. The response was that the Property Council welcomed the decision because the proposed new rules would “mitigate against affordable housing”. That is a simple joke and it is a cruel joke from the people who have been building anything but affordable housing. Where are the affordable apartments in the western suburbs or around the river? They do not exist because these are high-priced areas where the developers can inflate their profits by hundreds and thousands for each apartment.

The government talks a lot about affordable housing. I do not object to people building housing for people in my area and to building high-density housing. There is an excellent development going on at 120 Marine Parade right at this moment. The five-storey apartment block complies with the local planning scheme and will provide very high quality housing for people. I do not object to that. It is not a solution for affordable housing in the City of Perth. Given the pressure on our housing, there have to be better policies from this government that direct those developers to areas where affordable housing is needed. I will dwell on this point for a moment. I heard members in this place say not to worry because that is increasing the stock of housing and it will provide more housing in other areas. There is a finite limit for the high-cost housing that is being built in and near my communities. I refer to the Blackburne development in Karrinyup; a single bedroom apartment starts at \$600 000 and a two-bedroom apartment starts at \$1.1 million. They are the starting prices for these units. We can do that only for a certain time. The first movers of those high-quality apartments get all the customers and then that will stop. At some stage, the government has to have proper policies that drive development in areas where it is most needed, which is in the space of affordable housing.

I will not cover Brownlie Towers in detail, because I do not have the detail, but four years after Brownlie Towers was demolished, we have piece of land that is overwhelmingly controlled by the state government—I think 22 hectares—and other private land that is associated with that development. We heard from the minister that it has been held up by contamination on the site. I am fascinated to hear what that is. I will pursue that with questions on notice, but if the minister could enlighten me in this debate, I would be interested to know what that is. The reality is that unless it is substantial chemical contamination on that site, there is no reason that site should not have been developed, but this government has failed to do that. That would have provided thousands of residences for those who can least afford housing.

We saw a massive rise in homelessness in 2019. I appreciated the minister’s contribution on what the government has done in the space for people who are homeless or living rough and I think that there have been some good moves there, but still far too many people are in that position.

Did I ask for an extension?

The ACTING SPEAKER: Yes.

Dr D.J. HONEY: I have already had one. There is so much to cover!

What I do want to cover is the lack of land. What principally drives housing affordability in our state is the price of land, which is driven by the supply of land. The minister boasted in his second reading speech about resolving 15 planning investigation areas, and that those areas will result in 6 400 hectares of land becoming available for housing, enabling the construction of 85 000 dwellings. *Perth and Peel@3.5 million* says that by 2050, we expect to have 3.5 million people living in the Perth and Peel region. The minister stated that around 85 000 dwellings will be built. On average, there are 2.5 people per dwelling in the Perth metropolitan area. By 2050, we will need 600 000 new dwellings to accommodate the rise in population by 1.5 million people, not the 85 000 announced by the minister. The number the minister announced will be a drop in the bucket in terms of the land we will need for

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future planning in this state. The minister needs to come clean and say where that will occur. Land affordability is driven by land availability across the state.

I heard the comments of the member for West Swan about the experience she had with her dad. I do not have time to go through in detail the issue with the Chellingworth site, but what happens in this process is that only the developers can appeal, and they do. The Chellingworth site went through four separate stages of development assessment panel approvals. What happened in the end? The first proposal was knocked back because it was deemed by the DAP to be inappropriate. After going through four stages of that process, do members know what is now being developed on that site? This project will in fact now be larger than the original proposal. That is what happens under the DAP process.

Unfortunately, I do not have time to go through all my intended contribution today. The Minister for Planning envisages a utopia, but nothing in this bill will do anything to change the current situation with the supply of housing. Overwhelmingly, local councils handle planning in a timely and effective manner. This bill will not change that. In fact, I think the objective evidence is that it will become worse. This is a distraction from the real problems—that is, government department delays and the lack of suitable development land. The claim that local communities will have a say through the development of local planning schemes is nonsense. The DAPs and the Western Australian Planning Commission have consistently shown that they totally disregard them.

MRS J.M.C. STOJKOVSKI (Kingsley — Parliamentary Secretary) [11.32 am]: I rise today to make a contribution to the second reading debate on the Planning and Development Amendment Bill 2023. The member for Cottesloe and others have continually said in this house that the government has listened to only a handful of developers. The member for Cottesloe uses that slur against the minister to imply that the minister acts in a manner not befitting his role. I find that personally offensive, as does the minister. We take our roles and responsibilities very seriously. The slurs that the members for Cottesloe and Vasse often throw at the minister are uncalled for and border on unparliamentary, in my opinion.

I will tell members what we have done in terms of engagement with the community. In my capacity as parliamentary secretary to the former Minister for Planning, I undertook engagement for the second phase of planning reform. Given how much we did consult, to say that we consulted with only a handful of people is laughable—much like the Liberal Party itself. I undertook 16 community information sessions and six stakeholder workshops. The department undertook 14 shopping centre pop-ups—I did not get to all of them; I got to about 10 of them. I was also involved in 12 local government briefings. This engagement happened not purely in the metropolitan area. As we know, the Labor Party is the party for the regions—we have the most regional members of any party in this Parliament—so this engagement took me to Bunbury, Albany, Port Hedland, Karratha, Broome, Geraldton, Jurien Bay, Bridgetown and Mandurah for face-to-face meetings. In the metropolitan area, we went to Joondalup, Scarborough and South Perth. I have put Mandurah again! Is Mandurah in the metro area?

The ACTING SPEAKER (Mrs L.A. Munday): There are two of us.

Mrs J.M.C. STOJKOVSKI: There are two. We also went to Bateman and Kalamunda, amongst others. We also did shopping centre pop-ups in Victoria Park—I remember seeing the member for Victoria Park there—Warwick in my community, Kingsley, Kalamunda and Floreat, where I saw the hardworking member for Churchlands. We literally went everywhere to consult on this bill. To say that the government consults with only a handful of developers is plainly false.

Mr J.N. Carey: It's shameful. And they should name them.

Mrs J.M.C. STOJKOVSKI: Yes. Which developers do we only consult with? I can tell members that at the 16 community information sessions, 14 shopping centre pop-ups, 12 local government briefings and six stakeholder workshops, I did not speak with a single developer. I spoke with community members. I spoke with local government representatives, such as administration and technical and planning staff. I spoke with local government elected members. I spoke with community groups. I did not speak to a single developer about this. Notwithstanding that, I understand that some stakeholder engagement was conducted with developers, but I was not personally involved with any of that; I was involved in the community consultation, of which there was a lot. That community consultation process identified additional reforms that we might need to create a better planning system. The key themes that emerged from this consultation were the need for consistency and transparency across the planning framework, to streamline some key services and to improve strategic planning across all levels of government. This is so important. I do not think we can underestimate how important strategic planning is across government, and I am not saying that just because I was a strategic planner, although that gives me unique insight into the impacts of strategic planning. Other themes were that we need to retain local character with good design and increase density and infill development. So many people spoke to me about that. We just heard the member for Cottesloe say that we need to free up and release more land. We are doing that.

Mr J.N. Carey: He is ignorant.

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Mrs J.M.C. STOJKOVSKI: He is ignorant, minister, because he fails to understand that we can free up land within the metropolitan area. If Perth continues to sprawl, it will create more problems. If we extend urban development, it will take natural habitat away from a lot of our fauna and increase the heat island. We need to consolidate and infill our current footprint. That was raised with me time and again. People understand, much better than the Liberal Party, that we need to consolidate and infill our current urban footprint.

One thing that I did not mention was that I came out to the member for Kalgoorlie's electorate and met with representatives from not only Kalgoorlie but also GVROC—is that correct?

Ms A.E. Kent: Yes, the Goldfields Voluntary Regional Organisation of Councils.

Mrs J.M.C. STOJKOVSKI: They were very gracious and came in to Kalgoorlie to meet me, for which I was so thankful because I would have had a lot of driving to do otherwise! We had some great discussions. They said to me that they want infill in their urban footprints in regional areas. It was the same in Geraldton. Many people said that they want to build in Geraldton and that they do not want Geraldton to sprawl further. They want to consolidate growth around services. It is great to say, "Let's just keep growing", but we cannot service those areas if we keep growing. As it is, our government is undertaking a massive investment in Metronet infrastructure because Perth is so big. We need to ensure that people who live in Mandurah can get into the city to work, and that people who live in Yanchep and Ellenbrook can get to their workplaces and schools and to places of relaxation and recreation. If we did what the member for Cottesloe wants us to do and released more land, the only place to release that land would be further out than what we already have in our urban footprint. If we did that, how would we service it? It would cost more to provide roads, public transport, schools and hospitals. Would it not be better to upgrade and consolidate what we have here? That makes good financial sense and good community sense. When people travel overseas, where do they go? They go to Paris, New York and London, and they love it. What do they love about it? The vibrancy; the vibrancy is amazing in these places. The way to create vibrancy is to have people in the places where services are. This government has the vision to actually create livable, vibrant places for people.

The member for Cottesloe has touted the myth that the government has consulted only with a handful of developers, and that is clearly untrue. I spent months consulting with people. I would like to see how many people he has talked to, because I am guessing it would not be as many people as I talked to.

Mr J.N. Carey: He doesn't doorknock his electorate; we know that.

Mrs J.M.C. STOJKOVSKI: He certainly does not, and actually, minister, I had to laugh when he claimed that he was standing up for people in his electorate and his community. I know for a fact that a group in his electorate repeatedly asked to meet with him and he refused, so they went to the member for Nedlands. The member for Nedlands came to me as the Parliamentary Secretary to the Minister for Planning and we took to that minister an issue about the Christ Church Grammar School playing fields. The member for Cottesloe, who says that he stands up for his community, refused to meet with that group. The group was forced out of their own community to approach the very hardworking Labor member for Nedlands, who took their concerns and issues on and brought them to me, and I took the matter to the minister. Through the advocacy of the member for Nedlands, we actually listened to their concerns and made a decision that benefited the community of the member for Cottesloe—the community that he refused to meet.

The interdependent complexities of the planning system are huge and impact on everything in our state. I said this yesterday, but it is very relevant so I will bring it up again: it is like a project management triangle. There are costs, scope and time lines. If one of those elements is impacted, the others change. I find it incredibly frustrating that the Leader of the Liberal Party does not seem to grasp that. In fact, that is true of the entire Liberal Party, but specifically the Leader of the Liberal Party. It was also very concerning that she arrogantly stood up at her party's state conference and flew in the face of our electoral democracy by claiming that she would be Premier in 400-something days! She should be ashamed of herself. She should not take the voting public for granted like that; none of the rest of us do. I represent what looks like, on paper, a fairly safe Labor seat with a 16 per cent margin, but I still doorknock my electorate regularly. I do not take my constituents for granted, unlike the Leader of the Liberal Party. She should be ashamed of herself. That is disgusting behaviour—to claim that she is going to be Premier, like it is a foregone conclusion. How dare she! She should be ashamed of her attitude. As I said yesterday, she could not manage her way out of a paper bag, so I do not know how she is going to manage the economy or the delicate balance of decision-making for parts of the community, given the hypocrisy of the opposition. The Leader of the Liberal Party sits there, sniping at members and interjecting.

Ms L. Mettam interjected.

Mrs J.M.C. STOJKOVSKI: I am not sitting here, sniping; I am directly telling the member she should be ashamed. I am not sitting in my seat —

[Interruption from the gallery.]

The ACTING SPEAKER (Mrs L.A. Munday): Member for Kingsley, can you sit down for a second?

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Excuse me, sir—you have to sit down there; you cannot stand up. Thank you.

Mrs J.M.C. STOJKOVSKI: I am not sniping from my seat, trying to get on record plain untruths and incorrect misinformation. When the minister highlights that the member has no understanding of the planning system he is right, but, worse than that, she does not want to understand it. She is a soundbite. She just wants to get out there and get on the news with her little soundbite and puppeteering by The Clan in the Liberal Party. It is true that she does not understand the planning system. She simpers about being abused by the minister because she does not understand what he is saying. Honestly, her responses are pathetic. She has a glass jaw. She always likes to dole it out, but she can never take it from anyone. She gets upset when we point out truths to her and then just goes out to deliver soundbites because she thinks that is what people want to hear. She is not across the detail and she does not understand things. If she is asked to provide more information, she cannot do it. She is not fit to be a minister, let alone Premier. To claim that that is what she is going to be in 400 days is shameful.

The Cook Labor government understands the complexity of the planning system and understands the impact that the planning system has on all aspects of life. That is why we are making these changes. We understand that housing affordability in Western Australia is impacted by the planning system, but it is not only the planning system. Members will have noticed that the Premier and the minister went out yesterday to make an announcement on the cost of living, which also impacts on housing and homelessness. We have introduced a rent relief program, and I was so proud to be the member who asked the Premier about this program yesterday because it is at the core of what we do.

The Labor Party wants to look after the most vulnerable people in our community; we do not want to see them falling through the cracks, being unable to pay their rent and ending up homeless, on a social housing list or living in cars. This \$24.4 million program will help provide rental relief for private tenants who are at risk of falling behind on their rent, so that they will not face eviction and can live with dignity through this tough time. For some people this is a tough time, but this program will give people some dignity and enable them to get through these tough times, get on with living and get on with working to improve their situation.

More than 13 000 Western Australians are expected to benefit from this program, which will provide low-income earners with direct cost-of-living assistance. This is a fabulous announcement, but did we hear any congratulations from across the chamber? Of course not. Like I said, members opposite live in a world of “no”. It is just, “No, no, no, no, no.” Anything we try to do is met with “No”. This policy will protect the most vulnerable people in our community, but we had crickets from the opposition. We actually had a cricket in the Speaker’s gallery yesterday. Did any other members hear it? It was driving me crazy, but I actually thought I should maybe bring it into the chamber and put it on the opposition benches, because that is all we heard from that side on this amazing policy.

However, it is characteristic of the Liberal Party to be wilfully ignorant of the planning system in Western Australia. Members opposite do not know how it works, and they do not want to learn. The member for Cottesloe is happy to have medium to high-density housing built; he just does not want it in his electorate. He does not want it right next to him.

Dr D.J. Honey: That’s untrue.

Mrs J.M.C. STOJKOVSKI: That is not untrue, and I stopped —

Dr D.J. Honey: It’s untrue!

Mrs J.M.C. STOJKOVSKI: I am not taking interjections, Acting Speaker.

Dr D.J. Honey: You’re telling fibs.

Withdrawal of Remark

Mr W.J. JOHNSTON: The member for Cottesloe just spoke words that implied unparliamentary behaviour by the member for Kingsley; he should apologise and withdraw.

The ACTING SPEAKER (Mrs L.A. Munday): Sorry, member for Cottesloe; I did not quite hear what you said.

Dr D.J. HONEY: I said she is telling fibs.

The ACTING SPEAKER: Okay. Could you withdraw that, please?

Dr D.J. HONEY: I withdraw.

The ACTING SPEAKER: Thank you very much.

Mr W.J. JOHNSTON: No, he has to do it properly. He has to stand and do it.

The ACTING SPEAKER: Member for Cottesloe, could you please stand and withdraw?

Dr D.J. HONEY: I withdraw that comment.

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The ACTING SPEAKER: Thank you.

Debate Resumed

Mrs J.M.C. STOJKOVSKI: If there is one thing my colleagues know about me, it is that I do not fib, especially when it comes to planning, because it is something that I hold really close to my heart.

[Member's time extended.]

Mrs J.M.C. STOJKOVSKI: I want to quickly touch on the development assessment panels. This is something that was brought up continually with me throughout the consultation. There are a lot of misunderstandings about the DAPs and the government has to take that on board. We have worked to help local governments and local communities understand DAPs. The main issue that came out about DAPs was conflict of interest; that is something we have clearly identified. Local community members have pointed out that someone can be a member of a DAP as a technical expert in the morning and then present to the DAP on behalf of a proponent in the afternoon. They felt that that was a conflict of interest. We have taken that information on board; indeed, it is one of the reasons that we are changing the development assessment panel system by making DAP members full-time members. That will mean that people cannot be a DAP member and a proponent, which will remove any conflict of interest and provide consistency across the DAPs. Another issue raised with me was the lack of training for local government members. We have to understand that, like members in this Parliament, we do not all come from a planning background or have planning training, although some of us think that we should. Local government elected members are exactly the same; they do not have planning training. That is through no fault of their own. In fact, although I jest that we should all have planning training, the diversity of governments, whether they be federal, state or local, is the strength of democratically elected members. It is essential that those who are elected to local government, with all their variety of experience, receive some training in planning, particularly on the role of DAPs. Although that is not provided for in the Planning and Development Amendment Bill 2023, I know that the department has been working on taking DAP training to the regions. I know for a fact that a lot of training has been happening in the last few weeks since the local government elections, with many new councillors, shire presidents and mayors moving into roles that require them to make planning decisions.

The bill will streamline the number of DAPs from five to three—a north metro, a south metro and a regional DAP—which will provide consistency. It will also remove mandatory thresholds and provide an opt-in pathway for developments over \$2 million. This will allow local governments to do what they are designed to do, which is to focus on strategic planning and guidance, such as district planning schemes. So many frustrated community members have come to my office waving around a local planning policy, slammed it on my desk and said, “It’s in the local planning policy. Why isn’t being enforced?” There is a lack of understanding among community members—through no fault of their own—that policies are not enforceable. This highlights the fact that if local governments want something to be enforceable, they need to put it in their schemes. These changes will allow local governments to be more strategic in nature.

I know that a lot of members here sit on their local school boards. Those who do will understand that the role of the local school board is not to dictate operational matters to the school; rather, it is to provide strategic guidance. The same can be said for local government elected members. They are not there to get involved in the intricate minutia of individual development applications. They are there to provide strategic direction to the local government administration. Too many councils in WA do not undertake the essential role of reviewing their strategic planning documents to allow them to be nimble and responsive to modern living. We cannot say that the Perth of today is the same Perth of 30 years ago. We cannot claim that a strategic planning document written 30 years ago can respond to modern-day pressures and changes. Now more than ever we are seeing disruptive technologies and industries. When I worked at a local council, one of the projects that I loved working on was to encourage food trucks into the local council area. It is a disruptive industry. People said that food trucks were a trend but they seem to have stuck around for a while. Our planning scheme was not able to deal with food trucks. Food truck owners had to get a development application if they were trading for more than 24 hours in a 12-month period at the same location. That is not how we lived in 2016 when I was at the council and it is not how we live now. We want to be flexible. We want to be able to move around our communities. We do not want to be locked into doing the same thing all the time. That is a very simple and small example of how we need to ensure that our strategic planning documents are nimble and live documents. These changes will allow local governments to focus on reviewing their strategic planning documents and making them nimble and responsive to change so that they can adapt to this fast-paced world.

As the Minister for Planning said—I agree with him on this point—Western Australia already has a very effective land zoning process. It will likely remain best practice. We are ahead of the nation; we lead the nation with our planning system. Part 4 of the bill will reduce unnecessary red tape by reviewing decision-making for single homes and ancillary developments across local governments. We live in a community in which people hold dear their property rights. They should be able to, within the strategic framework provided by local government, make changes

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on their property that do not contravene district planning schemes or structure plans. Extensions, patios and fences should not be called in by the council when a councillor's neighbour wants to extend their house et cetera. That is not how the planning system should work. The changes that will ensure that these types of decisions can be determined only by the CEO or technical staff are really good.

I am going to skip forward. Believe it or not, I listened to the member for Cottesloe's contribution. He read out multiple numbers from a Western Australian Local Government Association report —

Mr J.N. Carey Wrong data—and old.

Mrs J.M.C. STOJKOVSKI: I am going to give him the benefit of the doubt, minister, because he said 96 per cent of local government approvals were done within a good time frame. They were done under delegated authority, which is exactly what the government is proposing.

Mr J.N. Carey: They weren't big developments.

Mrs J.M.C. STOJKOVSKI: They were not big developments; they were single houses.

Mr J.N. Carey: He was not comparing like for like.

Mrs J.M.C. STOJKOVSKI: No, he was not, but he never does, so please do not take it to heart, minister.

What he failed to realise was that he was making our case for us, because if 96 per cent of applications under delegated authority are done in a timely manner, why would we not want to ensure that that continues? If we allow the technical experts to undertake this decision-making within the framework set by local government elected members, that can only be a good thing for developments and housing stock. This will enable elected members to focus on council business and strategic planning matters for their local area. I also heard the member for Cottesloe bemoan the fact that these developments impact on amenity. What he fails to grasp is that an individual DA is not the point at which the local amenity is affected. Rather, it is affected in structure plans and the district planning scheme. It is the larger planning instruments that impact amenity. The stage at which we ensure the character of something or the size of a development in an area for amenity is not the DA stage. That is done at the district planning or structured planning stage. That is what we want local governments to focus on. That is where their focus needs to be.

I am aware that I have only a few minutes left. I want to highlight to my community and other communities that the myth that because we are looking at DAPs and significant pathways, we will cut out the voices of local communities is false. They will be required to have the same consultation they would if they went through a local government process. The DAP pathway will maintain the same number of local government representatives that we have currently. DAPs will still comprise three technical experts and two local government members. The key point is that they will make decisions based on the strategic planning documents that the local members themselves approve. It is very hard for a local government member to justify not agreeing to a development if the development complies with the local planning scheme. This is putting local governments on notice that if they do not want something to happen in their council, it needs to be specified in the local planning scheme. In my electorate, for example, we are having issues with childcare centres. A local government will not be able to complain if a childcare centre is built on commercial land if they are allowable in commercial areas. If it is allowable, it is allowable. If people do not want it, there is a process to go through.

The main message I want to drive home about these changes is that we are trying to ensure we will deliver what the community is asking for, which is strategically led and focused local governments and an efficient and effective planning system that allows technical experts to make decisions within the planning framework and allows developers who want to develop a particular product to have an option if the local government is difficult to deal with. When I consulted in regional areas, I found that the local governments said that some proponents wanted to go through the local government because the proponents deal with the local governments on a day-to-day basis and can help them. That is great. It is an option to opt in; it will not be mandatory. If a local government is effective and efficient, they will not have a problem. Proponents will not go through the DAP system if they can deal with a rational local government.

I commend the bill to the house and commend the minister. I know how hard he works on planning and that, like me, he holds planning dear to his heart because he understands the impact it has on people.

MR D.A.E. SCAIFE (Cockburn) [12.02 pm]: The Planning and Development Amendment Bill 2023 is part of the government's agenda to streamline our planning and development processes to make it quicker and easier to build housing and, ultimately, to get more people into homes. We face an unprecedented supply challenge in the WA housing market. We simply do not have housing of any type to meet the demand. We do not have enough rentals or housing for retirees and workers. We do not have enough four-by-twos, three-by-ones or one-by-ones. We simply do not have enough housing of any sort. That lack of supply is compounded by the skills shortage. We simply do not have the skills available in our economy and our labour force to build housing quickly enough to make up

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for that shortfall in supply. This government has been focused on addressing those challenges and doing whatever it can to speed up the delivery of housing, whether that is by encouraging alternative building methods such as timber builds and modular housing, administering our infrastructure development fund to subsidise the cost of resolving infrastructure services for apartment blocks for Western Power and the Water Corporation, or delivering on our housing diversity pipeline to activate surplus government land for social housing.

This bill is another policy and another response that we need to speed up approvals to ensure that infill and increased density are prioritised. This bill is also needed to ensure that some of the bizarre criticisms that are made about infill and high and medium-density living are neutralised. The focus of my comments today will be on those bizarre criticisms, most of which have been made inside and outside of this chamber by the member for Cottesloe. I have to say that the more I hear the member for Cottesloe talk on planning and development, the more I am convinced that he does not understand the basics of housing policy or economics. For example, the member makes great hay out of the fact that most high-density developments are happening in what he referred to yesterday during private members' business as the expensive areas of Perth. Member, that is how the market works. Apartment blocks are expensive to build, particularly in the current market, and they have become more expensive as we have grappled with the construction inflation. Developers go to areas where they can still get a return on their investment, which is in areas close to the city that tend to be more affluent and where there is demand for a product at a higher price. It is quite simple. It is not a surprise. It is not a conspiracy. It is just the way the property market works. Yet a member of the supposed party of the free market opposes that. He wants the government to intervene and somehow direct developers to build apartments in areas where they will make a loss. It is fantasy economics. It is not just fantasy economics; it is economics that is ill-befitting of the Liberal Party.

The member also cannot understand that bringing in greater housing diversity, even in the more affluent suburbs, is part of the solution. The populations there are more established and they are ageing populations. They have fast-growing cohorts of couples or singles in their 60s, 70s and 80s who are still living in large three or four-bedroom homes. I have spoken about this before, but perhaps on this occasion the member for Cottesloe will hear me. One of the barriers to people downsizing is that they want to do so in their own communities, where they have established relationships, friendships and routines. Without that option, what do those residents do? They continue to live in properties that they are underutilising because they do not have an option. Building apartments in Mount Pleasant—even expensive apartments—would allow those people to downsize, which will open up the housing stock in those suburbs that is better suited for families, who, in turn, may vacate a property in a more affordable area, opening that up for someone else. That is the basic economics of how the property market works. The bottom line is that we need more housing of any type. In the absence of the type of full-blown communist intervention that the member for Cottesloe wants in the property market, where the housing goes is largely going to be a matter for the market to determine.

Mr S.A. Millman: The comrade from Cottesloe!

Mr D.A.E. SCAIFE: The comrade from Cottesloe wants us to tell developers to go to suburbs and build developments where they cannot possibly get a return on their investment. How are we supposed to do that? Is the state government supposed to underwrite the losses? That makes me think of the Goldmaster debacle under the former government. I welcome apartments in my electorate and there are apartments around Cockburn Central, but there is also a lot of vacant land because Goldmaster went bust and that land has not been able to be used for apartments because it simply is not commercially viable to do so. What ended up happening there? The state government and the taxpayers of Western Australia were left carrying the can. That is the legacy of the Liberal Party and that is what the member for Cottesloe wants us to do.

The state can adjust levers like introducing the planning reforms in this bill to make developments easier and more attractive and to encourage more infill. It is not true to say that the market will remain in the state it is in now into the future. The reality is that as costs stabilise and as the median house price increases, we will open up the market again for those more affordable apartment options.

It is a shame that the member for Cottesloe has left the chamber because, to finish off, I have brought him a present. I am displaying the book titled *Economics for Dummies*, which I got the member for Cottesloe as a gift because it is clear to me that he does not understand the basics of supply and demand or the basics of inflation and prices and how that influences supply and demand.

Mr J.N. Carey: What is it called?

Mr D.A.E. SCAIFE: It is called *Economics for Dummies*. He is not here, but he can pick it up from me later or maybe the Leader of the Liberal Party can pick it up because she probably needs it as well.

I now turn to the member for Cottesloe's comments on apartments. In order to deliver greater infill and density, we need more apartments. I lived in an apartment for most of my young adult years. I lived in apartments in South Perth, Mosman Park and in Maylands. It is no surprise that those types of suburbs are attractive for apartment living. They

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are close to the city, close to universities, close to public transport and desirable in their proximity to cafes and bars. Instead of embracing apartment living, the member Cottesloe has repeatedly made insinuations against people who live in apartments. As someone who has lived in an apartment, including in the member for Cottesloe's electorate, I take offence at those comments. I hope the Leader of the Liberal Party is listening to this because these comments need to be brought into line. If the member for Cottesloe will not do it, the Leader of the Liberal Party needs to.

I will give some examples of the member for Cottesloe's comments. In November 2021, the member for Cottesloe asked a question of the then Minister for Planning about the Subi East redevelopment. Rather than focusing on problems like overcrowding or problems with amenities in the area or congestion, the member's criticism of the development implicit in the question focused on him asking whether there were any examples of a high-rise apartment building being constructed immediately adjacent to a public school and its oval. The imputation in that question was clear to me and other members. The member was implying that people who live in apartments must be undesirable, that they would be leering at schoolchildren and that they would pose some kind of safety risk to those children. I thought that imputation was despicable. Before I go on further, I want to answer the question the member asked in 2021. He asked for examples of high-rise apartment buildings being constructed adjacent to a public school. Here are three examples I found with very little effort. My first example is Spruce Street School in New York City, an elementary school at the base of a 76-storey skyscraper and surrounded by apartments. I am showing the street-view image looking up at the 76 —

Mr J.N. Carey: Shame on Subiaco East, shame!

Mr D.A.E. SCAIFE: Shame; that is right.

There is a 76-storey skyscraper here—no density there! Closer to home, we have Docklands Primary School in Melbourne, which opened very recently. As members can see, it is a great looking school and it has apartments and office buildings on at least two sides. Finally, we have Ultimo Public School in Sydney, which is proudly described by the architects who designed it as nestled on an inner-city site between multistorey apartment buildings, warehouses and arterial road and parklands. The question asked by the member for Cottesloe was strange. It was a nasty imputation to make about people who live in apartments, but it was also an unnecessary question because as those examples I have given show, the member did not need question time to get an answer; he just needed to use Google.

If members in the chamber wanted to give the member for Cottesloe the benefit of the doubt over his question, he let the mask slip entirely last week in his *WA This Week with Dr David Honey MLA* show, which I also call "The David Honey in the Prepper Bunker Show".

Mr J.N. Carey: With 30 views!

Mr D.A.E. SCAIFE: And I think a couple of those views might be from the minister, the Deputy Premier and, as it turns out, from me!

Mr J.N. Carey: Certainly not from his colleagues, based on the number of views!

Mr D.A.E. SCAIFE: I would say that is true.

In that show, the member spoke about this bill, and I quote from a transcript of that show; he said —

And it means that someone wants to build a five story block immediately with all the windows looking in your backyard, so that you will have no privacy whatsoever, so that you didn't let your children out there lest someone's observing them. You will have no say whatsoever, no recourse to anyone whatsoever.

There we have it plain as day. One of the main reasons that the member for Cottesloe opposes density and opposes apartment blocks is that residents could be spending all their time looking out the window leering at children. He ineffectively insinuates that apartment residents are paedophiles. They are disgraceful comments. It is a disgraceful insinuation. They are comments that cheapen the debate over these planning reforms. They trivialise the issue of child sexual abuse. They are an insult to residents of apartments, and I challenge the member for Cottesloe in the future to disavow those comments. If the member for Cottesloe will not disavow his comments about people who live in apartments, the Leader of the Liberal Party should do so.

Mr J.N. Carey: She will not, because he dictates the whole policy position.

Mr D.A.E. SCAIFE: In that case, it will be a test of her leadership whether she will continue to take instructions —

Mr J.N. Carey: It's Nick Goiran and David Honey who dictate policy.

Mr D.A.E. SCAIFE: The Leader of the Liberal Party can show the chamber whether she is still taking her instructions from the member for Cottesloe and "The Clan" or whether she is prepared to pull the member for Cottesloe into line, because those comments, those insinuations, are not acceptable.

I turn now to the member for Cottesloe's other views on apartments that are not only bizarre but also inconsistent. They are not just limited to insinuations about the character of people who live in apartments; he also holds deeply

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inconsistent, even disingenuous, views about developments. In his “bunker” program last week, the member for Cottesloe was at pains to say that he was pro-development when he said the following —

... there’s appropriate development and there are some great developments in Perth. The Subiaco ONE development in Subiaco, centre of town, nice high rise apartment, doesn’t impact on other people, but puts people right next to a railway station and shops.

The member for Cottesloe is very clear here: appropriate developments are developments that are in the centre of town that put people right next to railway stations and put them right next to shops.

Mr J.N. Carey: That was approved by a DAP with 33 per cent discretion. So he says that that project is fine with that discretion, but he says other projects with discretion are wrong.

Mr D.A.E. SCAIFE: Right; this is some of the inconsistency we are getting to. I will give another example of that. On 22 June this year, the member for Cottesloe used a 90-second statement to criticise a Western Australian Planning Commission’s approval of the development at 22 St Quentin Avenue, Claremont. In that statement he said —

I rise to inform Parliament that this government is creating dismay and outright anger in the community over its disdain for the community on planning matters—in particular, the approval of high-rise developments in inappropriate locations such as quiet residential streets.

It is very clear from those words, and I am quoting from *Hansard*, that the member objects here to developments in inappropriate locations, and particularly to high-rise apartments on quiet residential streets. He immediately followed that sentence with the following —

The latest incident involves the Claremont council’s bewilderment at being completely sidelined in a process that resulted in a 19-storey tower being approved for St Quentin Avenue.

Based on what the member for Cottesloe said in that statement, any reasonable person would assume that St Quentin Avenue was a quiet residential street, but, of course, anyone who knows the Claremont town centre will know that it is not. In fact, it could not be any further from a quiet residential street. St Quentin Avenue in Claremont is a street, parallel to Stirling Highway, that runs immediately in front of Claremont Quarter shopping centre. It is a thoroughfare for pedestrians and cars around Claremont Quarter. It has retail shopfronts along it. It leads into public and private car parks. Also, there are already apartments along St Quentin Avenue. St Quentin Avenue in Claremont could not be further from a quiet residential street, yet that did not stop the member for Cottesloe from disingenuously implying that it was in order to attack the construction of apartments.

Dr D.J. Honey: Where in Claremont?

Mr D.A.E. SCAIFE: I have just quoted the member for Cottesloe. He said it this year. I will read it out again for him —

I rise to inform Parliament that this government is creating dismay and outright anger in the community over its disdain for the community on planning matters—in particular, the approval of high-rise developments in inappropriate locations such as quiet residential streets. The latest incident involves the Claremont council’s bewilderment at being completely sidelined in a process that resulted in a 19-storey tower being approved for St Quentin Avenue.

That is disingenuous.

Mr J.N. Carey interjected.

The DEPUTY SPEAKER: Minister!

Mr D.A.E. SCAIFE: The real question for the member for Cottesloe is why —

Several members interjected.

The DEPUTY SPEAKER: Members, enough!

Mr J.N. Carey interjected.

The DEPUTY SPEAKER: Minister!

Mr J.N. Carey interjected.

The DEPUTY SPEAKER: Minister, when I am talking, you do not. Carry on, member.

[Member’s time extended.]

Mr D.A.E. SCAIFE: The question I am putting squarely to the member for Cottesloe is: why did he imply in that statement that the development on St Quentin Avenue was the latest incident of apartments being built on quiet residential streets? That is what he said.

Dr D.J. Honey: It is most of the time.

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Mr D.A.E. SCAIFE: This is just not true.

Dr D.J. Honey: I opposed the process.

Mr D.A.E. SCAIFE: I am sorry, but this is just not true. I have already set out information about St Quentin Avenue in Claremont and how busy it is and where it is. It is literally located in front of a major shopping centre with retail outlets along it. It is completely disingenuous for the member for Cottesloe to suggest that it is a quiet residential street and to do so in this chamber. In fact, not only is it not a quiet residential street, St Quentin Avenue is located in exactly the type of area that the member for Cottesloe has previously said on his show is an appropriate location for high-rise apartments.

Mr J.N. Carey: How can you support the Subiaco ONE development, but oppose the other, when both have discretion?

Mr D.A.E. SCAIFE: That is the point. They both have discretion, but also, the St Quentin Avenue development is in the Claremont town centre. It is less than 400 metres from the Claremont train station!

Dr D.J. Honey: I supported the development in the town centre.

Several members interjected.

Mr D.A.E. SCAIFE: It is less than 100 metres from a bus stop on Stirling Highway. It is located in a busy shopping precinct.

Several members interjected.

The DEPUTY SPEAKER: Member for Cockburn, just wait. Members, have you finished? This is not the place just for a bit of general debate across the floor, or a bit of chitchat while the member is making a contribution. Carry on, member for Cockburn.

Mr D.A.E. SCAIFE: Thank you, Deputy Speaker. I would take the member for Cottesloe's interjection if he were actually engaging with the material, but he is not. The reason he is not engaging with the material is that his interjections are not logical or consistent. The St Quentin development is in the Claremont town centre. It is 400 metres from the Claremont train station, less than 100 metres from a bus stop on Stirling Highway, and is located in a busy shopping precinct. The member for Cottesloe went on his little blog thing last week and said that all those things are reasons for appropriate locations for apartments. It ticks all of his own self-appointed criteria, yet he opposes it for what could basically be only cynical, political purposes. The question in my mind, as the minister has adverted to, is why the member for Cottesloe favours the Subiaco ONE development but opposes the St Quentin Avenue development, despite both developments fulfilling his criteria. The most obvious explanation for that is that the member opposes infill in his electorate, but not when it happens in other electorates, like the member for Nedlands' electorate. That squares with the fact that the member is always going on about a housing crisis and the need for action, but seems to oppose any projects that would actually help. In this respect, I will talk about the difference between the electorates of Cottesloe and Nedlands. That is because some quite odd comments were made recently in the context of the Voice campaign, but which might explain why there are differences between the Cottesloe and Nedlands electorates. I am quoting here from the *Post* on 21 October. In that article, Ian Warner, president of the Liberal Party's Dalkeith branch and a former state president, explained the different result in Dalkeith versus Cottesloe versus Peppermint Grove when he said that voters in his suburb were "more realistic" than those in other blue-ribbon areas because they were "self-made people". He went on to say —

"People in Peppermint Grove inherited their money two or three generations before," ...

"The doctors' wives tend to think they are as smart as their husbands.

"The hardworking housewives in Dalkeith, and there are plenty of them, they're just normal—they can see through it."

There members have it. That is from Ian Warner, president of the Liberal Party's Dalkeith branch and a former state president, explaining the difference between the areas of Nedlands and Dalkeith. The housewives, he says, of Dalkeith are sensible people, whereas the doctors' wives of Peppermint Grove think they know better.

Ms H.M. Beazley: Do they also do ironing at the same time?

Mr D.A.E. SCAIFE: Well, they are doing ironing, but they also obviously think they know more than others.

That is the attitude of the Liberal Party and perhaps that is the reason the member for Cottesloe thinks that infill is appropriate in Nedlands, but not in Cottesloe.

My next topic is the main way that the member for Cottesloe expresses his opposition to developments, which is by insisting that they should be subject to more red tape at the local government level. In private members' business yesterday, the member decried our reforms for development assessment panels set out in this bill. He did the same thing in his "bunker" show last week when he said the bill would completely remove any planning authority from

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local councillors. He said the CEO of each council was going to be the king, and that people's councillors would be completely removed from the process. This is the member for Cottesloe's end game. He wants to strengthen the control that councillors have over development approvals, because he knows that is a more complicated system. He knows it is a more difficult system to progress infill and that it means more red tape, inconsistencies and conflict in communities.

Let us take a look at some of the people the member for Cottesloe wants to put in charge of planning and infill decisions at a time when the housing market has serious challenges. Until recently, we had Councillor Rod Bradley from the Town of Cambridge. At an online council meeting in early 2022, he engaged in a tirade because he believed he had not been given information with sufficient time before a meeting. He banged the desk and flipped his light on and off, yelling, "I will turn the light on and off a few times. How does that feel?" When told by the mayor that he was acting like a child, he said, "No I am acting like a bloody cross councillor, that is what it is. I am really cross with you, mayor; this sort of thing is absolutely stupid."

That is absolutely ridiculous behaviour. It is childish without a doubt. I agree with Keri Shannon in this case, and that does not happen very often. This is who the member for Cottesloe wants to put in charge of solving our housing supply issues. Of course, we should not forget, in the context of planning matters, the antics of the City of Nedlands in opposing the children's hospice. In seeking to deny terminally ill children a state-of-the-art facility, councillor Andrew Mangano said it would be at risk of attack in a foreign invasion. He said —

"Because of the site's proximity to the army base, if that base gets attacked, guess what? This site will also suffer damage," ...

"From the air, how much different does it look ... It's a target."

Another councillor, Rebecca Coghlan, said that the hospice would be the coastal arm of Perth Children's Hospital and referred to the seven-bed facility as a travesty.

The minister called out these comments at the time and he was right to do so. Although I give the member for Cottesloe some credit for supporting the construction of the hospice, I do not believe he ever objected to the absurd comments from those Nedlands councillors. I know that the member for Nedlands did and I know that the minister did.

Despite the many examples in which councillors have resisted expert advice, behaved like children and opposed sensible development, he still wants them to have the final say in meeting the housing needs of the entire state over the next 30 years. It is simply breathtaking!

The member for Cottesloe's advocacy for more local government red tape also conflicts with the position expressed by his alliance partners, the Nationals WA. On 22 March this year, the member for Roe stated —

What I have seen lately from some city councils is red tape. I talk to a range of people in meetings and the like who are slightly exasperated at different times by their dealings over a property development, rezoning or whatever it might be. There is a certain level of exasperation about all the layers that sit below the actual councillors and the CEO and about how hard it is to cut through, I suppose you could say. I think that sometimes wears down people and sometimes it shuts down development. People can sustain it for a few months, 12 months or 18 months, but after a couple of years they just cannot handle it anymore and they say, "Oh well, I'll go off and spend my money somewhere else. I'll go and buy some shares or do something where I just have to bank the dividend cheque rather than do a development that might actually help out the community." From that perspective, I think it is important that the minister, the department and everyone involved is always keeping their eye on the red-tape scenario.

The member for Roe is right. There is too much red tape at the local government level for effective decision-making about development. There are too many layers of bureaucracy and too many conflicts, and there is not enough expertise amongst the councillors. If the member for Roe sees it, why can the member for Cottesloe not? It is simply because the member for Cottesloe wants more red tape. He wants to oppose infill and density, but he wants to do it in a way that he can still maintain his attacks on the government for allegedly not doing enough. It is worth noting that this bill will not eliminate local governments from the development assessment process. Local councillors will continue to be represented on DAPs. However, the DAPs will be reformed to be simpler and more streamlined.

The final issue that I want to touch on is the member for Cottesloe's obtuse views on homelessness, and particularly on the potential use of the quarantine facility in Bullsbrook that was delivered too late by the Morrison Liberal government. On 15 August 2022, on his "bunker" podcast, the member said —

... we've got over 500 rough sleepers, homeless people, in the metropolitan area of Perth at the moment. Those people are having to live through, you know, a really wintry, cold winter. I mean, this has been the rainiest, coldest winter I can remember for some time. And yet, those people, many of them sleeping,

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you know, out in shop eavesways, they're finding whatever nook and cranny they can to get out of this horrendous weather ...

We said to the Premier, 'Premier, why don't you use this facility to house those people? I mean, essentially all of those people could be housed in a beautiful setting for them compared to what they have to tolerate.

It is a simply preposterous proposal to suggest that homeless people could be housed in that Bullsbrook facility. It is essentially a proposal from the member for Cottesloe to round up all of Perth's homeless people and confine them to a quarantine facility kilometres from any services or support. There are no health, education or training facilities. There are no recreation facilities. There is no reliable transport to and from the facility and major population centres. How would people leave the facility? How would they get back to it? Would the member for Cottesloe go and round people up again if they shifted back into the metropolitan area and cart them back out to Bullsbrook? Would they be detained at the facility under the member for Cottesloe's proposal? That is what it was built for—to hold people for a mandatory period of quarantine in a peri-urban location during a pandemic. It is the ultimate paternalistic proposal from the member for Cottesloe. Do not ask people experiencing homelessness what they each want. Do not provide them with support services and opportunities to improve their lives. Instead, treat them as a collective problem to be solved by pushing them out to a quarantine facility that is not fit for purpose—out of sight, out of mind.

This points to the way these opposition members function. They want to govern by thought bubble. It would be the people experiencing homelessness who suffer the consequences of this poor approach to public management if he was in charge of anything in government. In contrast, this government and this minister have clear strategies. We are supporting established organisations like St Patrick's Community Support Centre and newer, innovative programs like Boorloo Bidee Mia, run by Wungening Aboriginal Corporation. These reforms will bring on more supply. It will get more people into housing. It might not fix the problem overnight but these are important reforms that will deliver housing supply relief over the long term for the people of Western Australia. I thank the Minister for Planning; Housing, for his innovative and energetic approach to these issues. Conditions in the housing market are challenging, but we are getting on with it.

MS L. METTAM (Vasse — Leader of the Liberal Party) [12.32 pm]: I rise as the opposition's lead speaker in the Legislative Assembly for debate on the Planning and Development Amendment Bill 2023. I recognise that the shadow Minister for Planning, Hon Neil Thomson, is in the other place. We will not be opposing this bill. The opposition alliance supports good strategic planning and efficient urban and regional planning that involves the community at the earliest stages of their design.

Mr J.N. Carey: The member for Cottesloe said he is opposing the bill.

Ms L. METTAM: I accept that the member for Cottesloe will be opposing this bill. I am explaining the opposition alliance position. Efficient urban and regional planning involves the community at the earliest stages of design; it is transparent and predictable, and has density in appropriate areas. We support elements of the bill but we have some concerns with other aspects. We will underline the fact that this government has failed to deliver coordinated infrastructure that is affordable across our state. It has failed to deliver affordable land for urban and regional housing, and industrial land, which continues to be an ongoing issue. We also call for a better coordination of state agencies.

The structure of our planning system and, most importantly, the strategic leadership of the state, have been built over a considerable amount of time when it comes to planning and it must continue to evolve. One of the failures under the Cook Labor government and the Minister for Planning is their neglect of their important, fundamental infrastructure coordination role. We have seen a decline in the standing of the Western Australian Planning Commission under the McGowan and Cook governments. It appears that the directors general do not even bother anymore to attend the meetings of the WAPC when infrastructure coordination is the most important issue facing urban planning today. The latest annual report of the WAPC is telling, showing that directors general did not attend more than three of the 20 meetings held by the commission in the 12 months to 30 June 2023. Non-attendance is not a good excuse for removing them from the commission, as this bill is proposing. This legislation will not only remove voting rights, but also reduce the directors general role to that of observers, as they will be allowed to attend meetings only as observers.

This is one of the changes proposed in this legislation that is not acceptable, as the coordination of our infrastructure and the timely provision of water, power, sewerage, telecommunications and transport access is both complex and essential for the future development of Perth and all our regional centres. It continues to be a significant issue. The Labor government recognises that headworks are an issue on one hand and it has introduced the headworks infrastructure fund, but this change to the legislation proves it is not really serious about it. Changing the deckchairs, or more accurately, removing some of the chairs, will do nothing to facilitate improvements to headworks provisions, which are as critical as a barrier to housing delivery. This has been raised again and again. Delays in this area are creating havoc across the state. Rental vacancy rates have hovered below one per cent for much of the term

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of the McGowan–Cook government, with a low point of just 0.6 per cent in December 2022, which is a 42-year low. The Real Estate Institute of Western Australia says a balanced rental market is between 2.5 and 3.5 per cent, and we have not seen a rate close to that for about four years. This bill does not address the real issues and continues to emphasise that the Cook Labor government has failed to deliver due to poor management rather than these additional legislative barriers.

The minister needs to listen to those in the industry. The Planning Institute of Australia recently expressed its concern that there had been insufficient emphasis on strategic planning and referred to the “plan-making process”. These reforms will not address that issue. That is a matter of the priorities and properly resourcing our agencies to do so. The Urban Development Institute of Australia has an advocacy agenda that the minister seems to be ignoring or has not read. This is about making sensible recommendations and what the UDIA has outlined includes re-establishing the Department of Planning, Lands and Heritage’s leadership role in coordinating the development outcomes across different government agencies, which it refers to as —

Integrate a strategic referrals coordination function into the assessment process, where officers are empowered to balance inputs from referral agencies and resolve conflict in deciding on structure plans and subdivisions.

Instead, we are seeing the removal of agencies heads from the WAPC. The UDIA also calls for government to —

Investigate and implement a range of incentives and tax discounts to support the supply of new homes across the housing continuum ...

We urge the Cook Labor government to look at this but we hear nothing from the government on the proposals that it has outlined. This includes removing the foreign buyers surcharge and providing real incentives for investors who buy and rent out newly constructed homes. The UDIA also asks that Western Australia —

Works with industry to prepare a State Infrastructure Program to improve the approach to infrastructure coordination to support a development ready supply pipeline, as well as to increase WA’s share of Federal infrastructure spending.

But instead we hear that Minister Catherine King is planning to cut funding to the states. What does the minister say in response to this? It is that the Property Council looks to improve the delivery of the built environment by advocating for efficient, timely and environmental assessments and approvals.

This is also an administrative role of government. It is noteworthy that the director general of the Department of Water and Environmental Regulation attended only three of the 20 meetings of the WA Planning Commission in the 12 months to 30 June 2023. State government agencies apply conditions based on their requirements and this can lead to conflicting conditions. Negotiating and then clearing conditions is one of the most time-consuming components of development, and we are seeing increasing division among cabinet ministers and their portfolios, which is leading to real consequences for home owners. A good example of the failure in this area is the important work to create density around Metronet stations. I take one example to highlight the point. Yesterday, the housing crisis was the focus of the MPI debate and the Minister for Housing talked about how he wants density at Metronet train stations, in the CBD and right across the city. But he also acknowledged just because he wants something, does not mean it will happen. That is very clear. The minister and his cabinet colleagues have much work to do in this space and on the density that has been promised, particularly around those Metronet hubs.

We hear of a number of concerns relating to state agencies being too slow to act in undertaking their role and providing a timely response for sensible development in this state. We know that agencies have statutory responsibilities and their own preferences and concerns, but in some examples we see state agencies are late with submissions to hardworking local governments. They constantly put up roadblocks for sensible density in urban renewal projects, which becomes an ongoing issue. The Minister for Water, the Minister for Emergency Services, the Minister for Transport and the Minister for Environment need to work better together to ensure there is better coordination of these matters. As has been raised with my office, there have been a number of issues with the Kelmscott station and the Kelmscott district centre precinct structure plan because submissions from key state agencies have been provided late. There needs to be better coordination. We need the Planning Commission to include heads of agencies to ensure that we get the best possible outcomes.

In terms of what this bill represents, at the heart of our position is the belief that planning laws and regulations should be designed in a predictable way that allows for community engagement in the very early stages of planning. Western Australia has a long history of support for consultation at the beginning of the planning process. We need to ensure there is independence at the development level of decision-making, and that is why the Liberal–National government introduced the development assessment panels. We need to ensure developers can deliver an affordable product and have efficient systems to work within. Although we support many of the proposed reforms contained

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within this bill, we cannot fully endorse some aspects due to the uncertainty of their impacts. As such, we urge the government to carefully consider the potential consequences of such measures before implementing them.

Laws should be transparent, easy to understand and accessible to all members of our society. By making sure they are we can ensure our communities remain vibrant, sustainable and prosperous for generations to come. Planning rules should also be crafted with proper reference to the community. The longstanding approach in Western Australia that has received bipartisan support is that urban planning should involve the community at the early stages of design. That is why until now we have relied upon local authorities, under the guidance of the Western Australian Planning Commission, to develop local planning schemes and engage with developers in the development of our structure plans.

We see that at times the government does not demonstrate respect for the role of local governments in this process and our position on the ongoing erosion of the role of local government has and continues to be clear. We believe in supporting local authorities as they are best placed to engage with their local communities within the broader strategic framework established by the state. The opposition supports many of the changes to the development assessment panels contained within the bill. This includes —

- transition specialist DAP members to fixed-term, full-time members, together with a pool of technical experts from specialised fields;
- remove mandatory thresholds, providing proponents with the choice of opting into the DAP pathway or seeking approval from the local government;
- provide a completely opt-in pathway over a prescribed threshold (likely to be \$2 million, excluding single houses and ancillary structures, public works, and development on a region scheme reserve);
- remove current exclusions for 10 grouped dwellings and 10 multiple dwellings, warehouses, and applications by responsible authorities; and
- permit any community housing project to opt-into the DAP system, regardless of financial threshold.

Part 9 will update the PD act to reflect the shift from a paper-based to digital environment. The question is: why in this digital age has this taken so long?

These are modest and sensible changes. However, we have outstanding concerns about the changes to the significant development pathway as the government is yet to make the case that this pathway will provide additional sufficiency. The main concerns about the special development pathway are that it involves the Planning Commission outside what should be its core business, which is providing strategic leadership over urban planning. The proposal that there will be an automatic delegation to local government CEOs to approve single dwellings and patios when there is a planning requirement—noting that some schemes require planning approval—is likewise supported, as are the changes for planning codes and the subdivision of strata titles. I am advised by industry that its concern is that without a strategic focus, the WAPC will increasingly enmesh itself in specific approvals, which is likely to disenfranchise local communities and create bottlenecks for approvals.

The housing crisis affecting Western Australia is a complex issue that requires a multifaceted approach. Streamlining the planning and development processes is essential. It is equally important to address the underlying problems that have led to the current situation as well. These include issues such as land availability, affordability and access to finance. As I previously raised, significant constraints also exist in the provision of headworks and other services, which are a state responsibility. These are essential services that support a community, such as water, sewerage, electricity and transport. The lack of coordination in the provision of these services has led to delays, cost overruns and poor-quality outcomes for many projects. I am aware that in the worst-case scenario some projects have not even commenced due to services being unable to be provided in a timely manner, which is a completely unacceptable outcome. Coordination will probably be reduced if we remove the Department of Water and Environmental Regulation, Department of Communities, Department of Jobs, Tourism, Science and Innovation and Department of Transport from the Western Australian Planning Commission. That is our concern.

The failure of the Labor government to provide affordable housing, crucial social housing and rental affordability is disheartening. It is disappointing to witness a government that prides itself on being for the people fall short of meeting those basic needs in our community. The lack of affordable housing has been a persistent problem in recent years in Western Australia.

Debate interrupted, pursuant to standing orders.

[Continued on page 6165.]