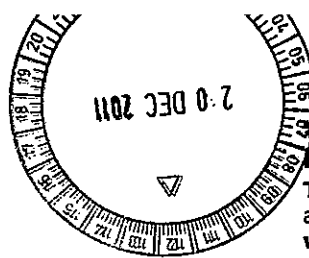


TOWN OF

kwinana



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19 December 2011

Cnr Gilmore Ave & Sulphur Rd
Kwinana WA 6167
PO Box 21, Kwinana WA 6966
Hours Mon-Fri 8am-5pm

Your Ref: Petition 136

Our Ref: D11/93679

Standing Committee on Environment and Public Affairs
Parliament House
PERTH WA 6000

Attn: Hon Brian Ellis MLC

Dear Sir

**PETITION NO. 136 – KWINANA AIR QUALITY BUFFER ZONE EXTENSION
(MANDOGALUP)**

I refer to your letter dated 24 November 2011 with respect to the abovementioned petition tabled in the Legislative Council on 27 September 2011.

On 22 July 2011, the Town of Kwinana received formal correspondence from the Western Australia Planning Commission (WAPC), advising of its resolution dated 24 May 2011 to re-affirm its September 2010 resolution to revise the Kwinana Industrial (including Air Quality) Buffer line to 1km north, north-east and east from the boundary of the Alcoa Residue Disposal Area (RDA) landholdings. In addition to this, the correspondence further advised the July 2011 resolution included an additional 0.5km extension of the buffer as a zone of non-residential transitioning land uses, with a further review of the extent and location of the buffer in five years time.

In response to your queries please note the following:

1. Yes, the Kwinana (including Air Quality) Buffer is reflected in the Town's currently existing draft Local Planning Strategy and draft District Structure Plan (known as ERIC). Both presently identify potential long term urban uses within Mandogalup (but this is subject to pre-requisite actions of finalizing regional studies, including the resolution of the buffer). The Town is currently reviewing its draft Local Planning Strategy (LPS) and will be taking this opportunity to respond further to separation distances required between industry and sensitive uses. Both the draft LPS and draft

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ERIC district structure plan were advertised for public comment and the LPS will be re-advertised for further public comment prior to its adoption.

2. With the exception of an area of urban deferred land in Mandogalup, the revised buffer is not known to have any effect on existing rural zoned town planning land uses within the 1.5km buffer zone. That is, existing zoning controls do not require amending as a result of the buffer. The long-term land use potential of landholdings within the buffer may be revised upon further reviews conducted by state government in respect to the buffer zone. The Town will consider this further at that time. The buffer does not exclude urban zonings from potentially being supported in the future however, the uses permitted under the urban zone are likely to be non-sensitive (i.e. service commercial, light industry, mixed business as opposed to residential) in accordance with the Department of Health advice.
3. The Town has provided the Department of Planning with a list of landowner details and contact information for parcels within and surrounding the buffer in order for communications relating to the May 2011 resolution, including any associated impacts of the buffer, to be sent to affected landowners. This letter was sent by the WAPC (presumably to all affected residents/land owners) on 5 October 2011. The Town of Kwinana was not in a position to directly comment on the expectation of the buffer review as it was not involved in the decision making process. The Town has responded to public enquiries received, prior to the WAPC letter being circulated in October, to the best of its ability given the timeframes of receiving advice and the confidentiality requested for using or circulating information provided (being limited to 'no purposes other than assessing planning matters'). The Town is currently endeavouring to co-ordinate a community forum with affected residents and land owners once availability of state government officials can be confirmed.

Whilst the Town is not the decision making authority with respect to the buffer alignment, it understands the importance and supports ensuring suitably defined separation distances between industry and sensitive land uses being maintained. This not only protects the health of the community, but also protects the important economic role industry plays.

I trust the information provided above suitably responds to the queries raised in your letter.

Yours faithfully



Neil Hartley

Chief Executive Officer

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