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City of Rockingham proposal to allow high rise residential apartment buildings to be built in the Kwinana Airshed Buffer Zone

Background

The City of Rockingham has developed a plan to rezone industrial land within the industrial buffer to City Centre Zone. This new zone enables the building of residential high rise apartments within the buffer.

The Kwinana Industrial Area (KIA) is the State's Premier Industrial Area.

Kwinana Industries Council (KIC) is an industry association representing the industries in the KIA. These industries are responsible for the generation of \$16 billion into the State economy, and employ 5,000 workers directly, with another 26,000 indirectly employed.

Located between the core industrial area and the community is a world class buffer zone. The City of Rockingham is threatening the integrity of the Buffer.

Industry is fundamentally opposed to any residential development within the buffer.

Industry has by definition a licence to operate legitimately within the zoned industrial area. The presence of the buffer zone is a key factor in industry being able to continue to operate with certainty. A feature of the buffer zone is that there is supposed to be no residential (urban) presence within it.

When residential development is allowed to get too close to industry, the ability of industry to operate without impacting on the amenity of residents diminishes. In these cases of conflict, investment uncertainty is created, and State development becomes compromised.

KIC has been asking the City to withdraw that part of its rezoning application to the WAPC that relates to the Buffer Zone. The City has refused to do so.

Detail

The City of Rockingham has lodged a planning application to the WAPC (DoP) for a Scheme Amendment to have a part of the buffer, currently zoned as 'industrial', rezoned to 'City Centre'. KIC is fundamentally opposed to this part of the City Centre Plan.

The outcome of a rezoning to City Centre would be that high rise residential apartment buildings would be a permitted use. Under this zoning, a developer could lodge a development application for this purpose, and it would be a conforming use, and thus (probably) approved.

Entities supporting KIC's position are its 11 Full Members, and several government departments that have either verbalised their opposition or written formally to the City.

KIC considers this issue presents a serious threat to the buffer and wants action stepped up to halt it.

The goal of KIC is to have, once and for all, the buffer defined formally under the Metropolitan Region Scheme as an "Industrial Buffer" zone. The only permitted uses within such a buffer zone would be industrial development (heavy through to light), and this would allow for a graduated lightening of industry from the core of the heavy industrial area to the outer edges of the buffer where commercial sales space and office development would be appropriate.

The Buffer Review Committee has been meeting for over 10 years to come up with a definition of the actual buffer zone, and is nearing a completion. This has taken years too long.

The Buffer Review Committee (BRC) has advised it will not consider the matter until the City has carried out a scientific analysis on the need for a buffer in this area. The brief for the technical study is being developed.

The issue is that the WAPC will soon assess the application, which in itself creates a precedent where developers can seek similar treatment with respect to their future proposals to carry out residential developments within the buffer zone.

The issue between Beeliam residents and Cockburn Cement to the north of the Buffer is a good example of what not to do, and why local governments and planners should avoid making the same mistakes again. Cockburn Cement is suffering due to proximity of residential homes both outside the buffer (the buffer is too small) and inside of the buffer itself. The residents are suffering because they are too close to industry.

Pressure from developers to have the City of Cockburn rezone buffer land to allow residential development continues and is being resisted.

Within the last 10 years the homes in the towns of Hope Valley and Wattleup were bought up by Landcorp because they were residential properties located within the buffer. These residents have relocated and their homes have been razed.

KIC has asked the City on two occasions to do a presentation about their plans to the Communities and Industries Forum - a long-standing industry/community/government public forum set up many years ago to provide a bi-monthly forum for discussion and questioning. The invitation has not been taken up.

KIC has invited the City Councillors to meet to discuss the issue, but on two occasions the meeting had to be postponed. It has not been rescheduled.

KIC has communicated a compromise to the City which would see the current zoning (industrial) remain unchanged, and that acceptable uses in this area could be for (for example) commercial retail and office accommodation. The City's planner rejects this, although this position has not, to our knowledge, been presented to the City's councillors.

Key Messages

- **KIC is absolutely opposed to any potential for development of residential living within the City of Rockingham part of the industrial buffer.** The Application sets a precedent for other developers to at least be able to assume that an application will be considered, as opposed to being refused outright. This is the thin end of the wedge.
- **KIC believes that it is not in the interests of the numerous impacted parties if the amendment is approved.** These parties include the State (in terms of state development), the existing industries operating within the KIA, the industries that will come to the State's premier industrial area to operate in the future, the future residents who are likely to be impacted, and the local government and regulatory authorities who will have to manage the inevitable complaints.
- **Industry has a right to expect to be able to operate without being impacted by encroaching residential development.** This is not to say that industry is using this position to justify not expending capital on environmental improvement technology. Quite the opposite, it has a track record of significant environmental improvement over time. Industry wants the certainty that it will be able to continue to operate, within regulatory limits, without pressure from residents to force additional capital improvements before they are due to be made. Ultimately, this sort of pressure could see the premature closure of industries, and potentially the loss of hundreds of jobs as companies choose to relocate existing or locate new operations offshore. Again, one only has to look to the north of the KIA at what is happening to Cockburn Cement.
- KIC supports the Buffer Review Committee in its statement that it will not consider the City's application until after a proper scientific study is completed.
- The current zoning of the buffer land (industrial) is adequate to achieve the City's outcomes and development aspirations if commercial office space is used to achieve the population density.
- Rezoning buffer land to City Centre increases the potential for conflict between future residents and industry
- An open and transparent process is welcomed and warranted
- **KIC seeks to be a part of the process when it comes to decisions about the Buffer Zone**
- KIC was not consulted by the City when it developed its plans, nor were its members, nor were government departments with an interest in the KIA, and nor were community groups known to be active in the area of industry/community relations.

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