

20 June 2011

ATTN: News Editor/Chief of Staff

For immediate release

Kwinana industry buffer under threat as local council moves to open land to future residents

The Kwinana Industries Council (KIC) has called for the City of Rockingham to withdraw a rezoning proposal that, it says, could open the gates to high rise residential development on the doorstep of Western Australia's premier industrial area, the Kwinana Industrial Area (KIA).

As part of a request to amend the Metropolitan Region Scheme, the City of Rockingham has asked the WA Planning Commission to rezone 20 hectare acres of land between Dixon Road and Patterson Road from its current Light Industrial zone to City Centre, and exclude parts of it from the Kwinana Air Quality Buffer.

Kwinana Industries Council Director Chris Oughton said that should it be approved, the rezoning would allow for developers to build residential housing, including high-rise apartments, close to existing industry and within parts of the Kwinana Air Quality Buffer. The Buffer is there to keep industry and residential communities apart. Look no further than to the issues around Cockburn Cement and the residents there, where the buffer is too small.

Mr Oughton said that any proposal that would allow residential development within the world class buffer zone that currently surrounds Kwinana's core industrial area was not in the best interests of industry or the community.

The buffer zone is important because it separates the various land uses, and it must be retained for the future well-being of industry and the community, it has served the community and industry well over the years.

"We only need to look to the northern end of the KIA to see the potential impacts of residential encroachment toward established industrial zones," Mr Oughton said.

"Cockburn Cement and surrounding Beeliar residents are currently dealing with the fallout of pressure on industry buffers. Surely we should learn from the mistakes of the past, not be setting ourselves up to repeat them."

In response to Council comment that adjustment of buffer boundaries was essential to boost development and allow for growth of the Rockingham City Centre, Mr Oughton said that the KIC had voiced its support for development of commercial retail or office accommodation in the area and that that could be achieved within the current zoning.

"We understand the Council's need to seek greater rate population density but think it can be accommodated with increased commercial and office development in this area rather than at the expense of industry or the community," Mr Oughton said.

Mr Oughton said that the City of Rockingham had not consulted with industry groups about the proposal, and had been unavailable following requests to meet with the KIC.

“An open and transparent process is warranted for such an important issue and I am extremely disappointed that the City has not conducted adequate consultation with the KIC or our members or, as far as we are aware, the local community groups with an interest in this area,” Mr Oughton said.

Whilst Mayor Barry Sammels says that the rezoning request was in accordance with the approved Rockingham City Centre Plan, the fact that significant local stakeholders knew nothing about the process until it was too late, showed the consultation process to be fundamentally flawed.

Mr Oughton said that the KIC’s position was supported by its 11 full members, as well as several government departments and agencies that had either verbalised their opposition or written formally to the City.

Mr Oughton said that the City of Rockingham had refused the KIC’s appeals to withdraw the request to rezone land relating to the buffer.

Media contact: KIC Director Chris Oughton on (08) 9419 1855 or 0488 012 379, or via email at chris.oughton@kic.org.au

Attached:

About the KIC

Letter to the City of Rockingham Mayor (and to all Councillors)

About the KIC

The Kwinana Industries Council (KIC) is an incorporated business association with membership drawn from the Kwinana Industrial Area (KIA). The current KIC membership is 11 full members, who include all the major industries found within the KIA, and 26 associate members covering the support and service sectors. KIC members employ approximately 5,000 workers directly and another 26,000 indirectly, and its economic activity contributes \$1.6 bn annually to the State economy. The KIC was established in 1991 with its primary goals being:

- To promote a positive image of Kwinana industries;
- To work towards the long-term viability of Kwinana industry;
- To coordinate a range of intra-industry activities including water quality, air quality, monitoring and emergency management;
- To highlight the contribution Kwinana industry makes to community; and
- To liaise effectively with local communities, Government and Government agencies.

The KIC is well recognised as being almost unique in Australia for what it represents, how it operates and for what it has achieved. It pursues its goals through a range of formal committees set up to provide input on a range of issues of common interest to the KIC member companies. Committee members are delegates with appropriate experience and authority drawn from the member companies. The output from the various committee activities is then used as the basis for communication to the KIC's stakeholders such that Kwinana industry is seen as speaking with one voice.

The KIC seeks to achieve its goals by focusing on developing and employing leading edge technology; giving workplace health and safety top priority; taking a committed, responsible and pro-active approach to environmental protection; and forging partnerships with the local community and with government.



COPY

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5 May 2011

Mayor Barry Sammels

3 Stokes Street
ROCKINGHAM WA 6168

Dear Mayor Sammels

INDUSTRIAL BUFFER REZONING FROM INDUSTRIAL TO CITY CENTRE - DIXON ROAD

I am writing to express to you the extreme disappointment and dismay felt by the Board and management of Kwinana Industries Council (KIC) in response to the City's application to the Planning Commission to rezone industrial buffer land to enable high rise residential development. KIC has tried in vain to meet with you to discuss this.

KIC learned of the City's application to rezone land zoned industrial within the buffer zone to City Centre only after the application had been submitted to the Planning Commission. The Council administration is aware of KIC's strongest possible opposition to this proposal, and we have previously sought to meet with the Council to discuss these concerns. Any proposal that enables any residential development within the buffer (let alone high rise apartment building development) to be approved is a fundamentally important issue for KIC.

On two occasions now KIC has invited the Mayor and Councillors of the City to meet with members of the KIC Board to discuss the above issue. On both occasions the City has postponed the meeting, deferring to a later date. It was our clear preference to discuss this matter directly with the City's policy makers in the first instance.

The most recent meeting date that was postponed was April 28th, and several senior industry representatives on the KIC Board had rearranged their schedules to enable them to be present. A subsequent new date for this meeting was proposed by the City for late May.

I wish to advise that KIC will not be extending a further invitation to the City to meet to discuss this matter. Due to the level of importance the KIC Board places on this matter, and the urgency with which it wants it dealt with, KIC will now take its case directly to the government.

The City's application to rezone buffer land to City Centre was lodged with the Planning Commission months ago, and that organisation has indicated that it intends to process

the application in June. This therefore creates the urgency, and KIC can no longer wait for the City's elected representatives to meet with us.

KIC has chosen, up until this point, to seek to meet with the City's Elected Members to express our views about the application, and to try to reach a common ground alternative that will see the buffer not being compromised, but enable the objectives of the City Centre Plan to be achieved. We had chosen this strategy because we wanted to take a low profile approach to opposing the proposal, hopefully reaching a workable compromise with the City (a key stakeholder of KIC).

We had suggested high rise office accommodation as an alternative to high rise residential as this is a permitted use in the current industrial zone, and would achieve the densities the Plan requires to make the light rail aspect work.

KIC proposed the office accommodation alternative so that it would enable the City to achieve its objectives without the need to place residential development within the buffer, but any discussion about this was rejected. It was the City's preferred position to allow the rezoning application it previously lodged with the WAPC to proceed, and to run its course.

Because of KIC's fundamental opposition to this aspect of the City Centre Plan, we are unable to accede to the approach suggested by the City where we let the application run its course. Our response is to attempt to have that part of the Plan either withdrawn by the City or rejected outright by the WAPC. The meeting we sought to have with the City was an attempt to explain why KIC feels as it does, and why it is of critical importance to industry that the buffer not be encroached by residential development. At the meeting we proposed, we were going to ask the Councillors to take the reconsideration of this aspect of the City Centre Plan back through the Committee process, at which we would make a submission. This opportunity sadly appears to be now lost.

We now find ourselves in the position where we must inevitably run the matter hard in the government and public arenas, and this involves substantially raising the profile of this issue with all relevant State Ministers, the Premier, the local and State media, and with the various government Directors General and CEOs, and with the local community groups.

It is important for the City to understand that KIC has been left with no alternative but to now take this course of action, and that if this did eventually become our only option, we would have to take it. We are now in this position.

KIC was at no stage consulted about the proposal to rezone industrial land within the buffer zone to City Centre, nor were we advised it was being contemplated. The members of KIC, and several government departments are strongly opposed to the proposal because of the need to keep the buffer intact. There is a growing body of correspondence to support this statement.

For evidence of the community distress that can be created where residential development is allowed to get too close to industry, look no further than the issues to the north of the industrial area where the community is in conflict with Cockburn Cement. We are already seeing the negative impact of residential encroachment to the north of the industrial area, with the current conflict that has arisen between Beeliar residents and Cockburn Cement. We are keen to avoid any such repeat of a conflict which places undue pressure on the buffer and which frustrates current and future industry from operating legitimately within a designated industrial zone. The Parliamentary Enquiry which is currently underway will, I am hopeful, unearth how it came to be that

the local and State planning allowed residential development so close to existing industry.

The Kwinana Air Quality Buffer is there to protect industry from urban encroachment whilst protecting the local community from processes inevitably associated with industry. The buffer was never intended to be a precise line along which the air quality would be consistent and stable. However, as a planning tool it has been used to great effect in preventing the encroachment of sensitive land uses (including residential) and to manage the residual effects of industrial emissions.

It is imperative that the mistakes made to the north of the Buffer are not knowingly repeated to the south of the Buffer by policy makers and planners. KIC's Board has instructed that this matter now be driven hard and publicly with the aim of at least having that part of the City's City Centre Plan which impacts on the Buffer rejected outright. If at some time there is peer reviewed scientific evidence that the buffer can be moved, and that residential development will not be impacted by legitimately zoned industry, then KIC may be supportive of such a proposal.

I wish also to advise that early next week KIC will take the unprecedented step of converting the content of this letter to the basis of a letter to the Premier, Ministers for Environment, Health, State Development, Transport, and others, as well as their Directors General and CEOs (Landcorp, Fremantle Ports, Water Corporation), and will be reworked into a press release for broad distribution, with an offer to be involved in interviews.

KIC continues to remain ready and willing to enter meaningful but urgent discussion with the Council until such time as the communications referred to above will be sent next week.

It is sincerely hoped that the City will reconsider its position on this aspect of the City Centre Plan and take the aspect which is the source of this conflict out of its application currently before the Planning Commission. It is also sincerely hoped that the excellent relationship developed over the years between KIC and the City will not suffer because of this dispute.

If any Councillors would like to talk with me on the phone or meet with me to discuss this matter, I would be pleased to make myself available to do so. I can be contacted on my mobile 0488 012 379 or on email at chris.oughton@kic.org.au

Yours sincerely



Chris Oughton
DIRECTOR

cc. Eric Lumsden – Dept of Planning
Hon Phil Edman MLC - Member for South Metropolitan Region
Gary Pratley – WA Planning Commission
Andrew Hammond – City of Rockingham