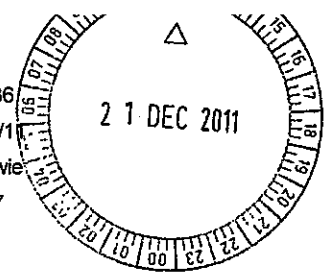




Your ref: Petition 136  
Our ref: CEO1526/11  
Enquiries: Stuart Cowie  
Phone: 6467 5107  
Fax:  
Email:



Hon Brian Ellis MLC  
Chair  
Standing Committee on Environment and Public Affairs  
Parliament House  
PERTH WA 6000

Dear Mr Ellis

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

I refer to your letter dated 24 November 2011 requesting a response from the Department of Environment and Conservation (DEC) to the petition on the Kwinana Air Quality Buffer Zone Extension in Mandogalup.

The State Administrative Tribunal decision [2011] WASAT 160 of 10 October 2011 required a minimum of twelve months monitoring to be conducted in Wattleup by the developer in consultation with relevant Government agencies, including DEC and the Department of Health.

DEC met with the developer for Lots 121, 122 and 801 in Hammond Road, Wattleup on 3 November 2011 to discuss the monitoring plan and attended a subsequent site visit on 9 November to select an appropriate monitoring site. As the monitoring plan requires the developer to liaise with DEC and provide regular reports throughout the monitoring period, DEC does not consider it necessary to conduct independent monitoring.

A response to the points raised in the petition is attached.

I trust this information is of assistance to the Committee.

Yours sincerely

Keiran McNamara  
DIRECTOR GENERAL

20 December 2011

Att

**PUBLIC**

**STANDING COMMITTEE ON ENVIRONMENT AND  
PUBLIC AFFAIRS**

**PETITION No 136 – Kwinana Air Quality Buffer Zone Extension (Mandogalup)**

**Department of Environment and Conservation  
Response to the Petition**

<b>Petitioner's points</b>	<b>Response</b>
<p>The developer for lots 121,122 and 801 Wattleup Road, Hammond Park (Wattleup Road Development Company Pty Ltd) is conducting the 12-month air quality monitoring and assessment of those lots, as suggested by the State Administrative Tribunal? If so, what are the details of this study and was your department consulted beforehand?</p>	<p>In light of the State Administrative Tribunal (SAT) decision, the Department of Environment and Conservation (DEC) met with the developer on 3 November 2011. At that meeting, DEC agreed that the developer will, for a period of no less than 12 months:</p> <ul style="list-style-type: none"> <li>• monitor meteorological information continuously;</li> <li>• monitor fine particles (PM<sub>10</sub> and PM<sub>2.5</sub>) continuously;</li> <li>• collect total suspended particles (TSP) one day in three in summer, and one day in six in winter;</li> <li>• install a dust deposition gauge;</li> <li>• maintain all equipment in accordance with the manufacturer's specification and relevant Australian Standards;</li> <li>• perform chemical analysis of TSP; and</li> <li>• provide DEC with the results of the study.</li> </ul> <p>On 9 November 2011, a DEC officer accompanied the developer to Wattleup and a suitable monitoring site was mutually agreed upon.</p> <p>DEC is currently waiting to receive an acceptable monitoring plan from the developer, incorporating the above monitoring components, for final approval.</p>
<p>Given the decision in the above case, your department will be conducting its own air quality monitoring and assessment of the areas surrounding Alcoa's tailings ponds? If so, please provide the details of such a study. If not, why not?</p>	<p>DEC does not intend to carry out independent monitoring in the area. The onus is on the proponent to conduct any monitoring necessary to demonstrate the suitability of their project.</p>

**PUBLIC**