

COCKBURN CEMENT LTD — MUNSTER — ODOURS

Grievance

MR D.A.E. SCAIFE (Cockburn) [9.59 am]: My grievance today is to the Minister for Environment. I thank the minister for taking my grievance. In his valedictory speech, my predecessor, Hon Fran Logan, spoke about the various odours that used to plague the residents of Cockburn. Thanks to Fran’s work, most of those odours have been eliminated. However, one odour remains a problem, and that is the odour from Cockburn Cement’s Munster facility that is caused by its lime manufacturing operations. As a former resident of Yangebup and a current resident of Beelihar who lives less than two kilometres from the facility, I am all too familiar with the smell. On many days over spring and summer and even some days in the winter when a south westerly is blowing, I smell it inside and outside my own home. It is a strong and unpleasant sulphurous odour. I liken it to having 10 000 matches struck in my house. It prevents people from using their outdoor areas, it can permeate homes and clothes, and it lowers the amenity of what are otherwise great suburbs to live in.

I would like to give the Minister for Environment an idea of what it is like living with the smell by quoting from some of the complaints that have been sent to my office, and I get many complaints on this issue. One resident says —

“The odour from Cockburn Cement is so strong this afternoon. I have stepped outside just now and for the first time ever had a coughing fit from the air. The air filter inside our home has auto tuned to the highest processing level.”

Another resident says —

“I currently can’t sit outside my home as the smell of the cement works is extreme, it’s the worst I have smelt in years. I sat out there for 15 minutes and have a burning sensation in the back of my throat”.

Yet another resident says —

“Another afternoon ruined by —

Cockburn Cement —

... with your toxic stench in the air ... we need change and change now not tomorrow!”

My office is often inundated with calls and emails in similar terms to these examples, many of which also complain about dust. As the minister can tell, there is anger and frustration with Cockburn Cement within my community. Residents have had more than enough. The reason that the residents have had enough is that Cockburn Cement has had more than enough time to clean up its act. The odour is not a new issue. Residents have been lodging complaints directly with Cockburn Cement and the Western Australian government about odour and dust for many, many years. Thanks to the work of Fran, my predecessor, a community campaign was undertaken just over 10 years ago that resulted in bag filters being applied to that facility. That certainly improved, particularly the dust issue, and had some impact the odour issue, but, unfortunately, it has not been enough. We know that steps can be taken by Cockburn Cement to improve this issue, because it has done it before.

The view of many residents in my electorate is that the Munster facility is no longer an appropriate location for lime manufacturing. Although Cockburn Cement has been operating at the Munster site for many years, residential developments have now encroached on its doorstep, including my own home, and community expectations have also changed. In saying all this, I want to be clear that I have no gripe with Cockburn Cement maintaining its lime manufacturing operations in Western Australia. Lime is essential to many of our industries, including gold and alumina. My objection is not to lime manufacturing in Western Australia; it is to lime manufacturing at that Munster facility. Equally, and perhaps most importantly, I want to be very clear that I have no gripe with any of the workers at Cockburn Cement. They are just trying to do their jobs and they want fair pay and conditions for the important work they do. I certainly want to see jobs preserved. My gripe is not with the workers; it is with the senior management and the directors of Cockburn Cement and its owner, Adbri, who have refused to do the right thing either by moving the lime manufacturing operations to its Kwinana facility or at least making the investments necessary to eliminate the odour coming from the Munster facility.

We know that it is possible for Cockburn Cement to move its operations because just earlier this year the company completed an upgrade of its Kwinana facility. That upgrade enabled cement production that once took place at Munster to move to Kwinana. Cockburn Cement can do the same for its lime manufacturing operations. In fact, the Munster facility, which was once used for all stages of the cement manufacturing process, whether that was cement grinding or lime manufacturing, is now solely used for lime manufacturing in kiln 6 and occasionally kiln 5.

Since being elected in March 2021, I have raised this issue with the minister and his office on an almost monthly basis and sometimes on a weekly basis. I see that the former Minister for Environment is also in the chamber and I did the same to her. I do not apologise for being dogged on this issue and I appreciate the understanding of the

current minister and the former minister, both of whom have been forthcoming in recognising that this issue is of serious concern to the residents in my community and a concern to hundreds, if not thousands, of people across a couple of suburbs in my community. I know also that the Department of Water and Environmental Regulation takes very seriously the concerns that my constituents have about Cockburn Cement and I am grateful for their efforts to date. I would also like to acknowledge the efforts of the many residents who have led the advocacy on this issue in our community. I particularly acknowledge Greg Hocking, who has run the Cockburn Pollution Stoppers group for several years and has been a steadfast voice for change in our community. He, along with many other residents, put themselves and their complaints forward and have called for change. I would also like to acknowledge the officers in the department and the minister's office, particularly Sherrie Wilson, Klasey Hirst, Magdalena Celeski and Marina Juesten for their ongoing attention to this issue, which is greatly appreciated.

In closing, I again thank the minister for taking my grievance and look forward to hearing from him on the measures being taken to hold Cockburn Cement to account and to address the odours experienced by the residents of Yangebup and Beeliar.

MR R.R. WHITBY (Baldivis — Minister for Environment) [10.06 am]: I thank the member for Cockburn for raising this issue. I am very aware—all too aware!—that it is an enormous issue for him and his constituents and that has been for some time. The member is right; we do hear from him a lot because the member is like a dog with a bone on this issue. Indeed, one of my officers the member mentioned is in the gallery today. I think there is a permanent hotline between the member's office and her desk. I know that will continue. I know that the former member, Hon Fran Logan, was also dedicated to addressing this issue. The member brings a personal insight to it, obviously, being a local resident of Beeliar. He is within the sniff zone, if I can put it that way.

Mr D.A.E. Scaife: Well and truly.

Mr R.R. WHITBY: Well and truly.

As I said, I have met the member too many times! That is something I embrace. It is part of the member's responsibility and it is mine to respond. Cockburn Cement has had a long history of complaints relating to odour, and the Department of Water and Environmental Regulation has expended significant resources over many years. In July 2020, the department commenced a prosecution of Cockburn Cement in relation to 13 charges of causing an unreasonable emission during 2019, and on 1 December 2022, Cockburn Cement was found guilty of six of those 13 charges and fined \$290 000. Cockburn Cement initiated appeal proceedings in the Supreme Court against both the conviction and the sentence imposed, and the appeal decision was handed down on 8 September this year. The conviction stood but the fine was reduced from \$290 000 to \$245 000. Cockburn Cement has confirmed since then that it will not appeal that decision. This is the first successful prosecution of Cockburn Cement on this matter.

In July 2022, the department commenced a second prosecution of Cockburn Cement on a further six charges of causing an unreasonable emission, and that matter remains before the courts. Regardless of the legal action, the department's objective remains focused on ensuring that Cockburn Cement appropriately manages its emissions and that residents in the area are not impacted by unreasonable emissions. In August 2021, the department granted Cockburn Cement a works approval to undertake an alternative shell sand feed trial for kiln 6, which was proposed to reduce odour emissions. Cockburn Cement completed the trial over the summer of 2022–23, and undertook surveys during the trial to determine its effectiveness. On 30 May this year, Cockburn Cement submitted a commissioning report to the department, which included trial and survey results and data obtained during the trial. The data that was provided is very complex. It is so complex, in fact, that to ensure the data and the odour survey results are accurate and reliable, the department engaged an international expert in cement and lime manufacturing to review and report on the data. This is an example of how far the department is prepared to go to get this right. The department received advice from the international expert on 9 November, and is currently considering this advice. Although Cockburn Cement has publicly stated that it considers the trial to have been successful, both the department and the international expert have identified areas of concern about the reliability of some data and whether the results of the trial are representative of what would happen under normal operating conditions.

The department requires time to fully consider the advice and data provided, to ensure appropriate processes and consultation are undertaken and to allow for procedural fairness. Most importantly, this includes ensuring that the interests of the community and environment are appropriately considered and protected. But the issue of odour continues. The department has received complaints related to odour from the surrounding areas. During the 2023–24 summer period, which is upon us, the department will be undertaking both proactive and reactive odour patrols when complaints traditionally increase. Cockburn Cement has indicated that it will phase out the use of coal by the end of 2024. Although the burning of coal at the site is not considered a significant contributor to odour, we certainly welcome the fact that Cockburn Cement is working towards improving its emissions and its impact on the local community from burning that coal.

I want to acknowledge the work of the department in making substantial progress on the issue of odour emissions. It remains absolutely focused on implementing a long-term regulatory solution that will resolve the ongoing and

unacceptable emission of odour. This includes a wide range of options that are under active consideration. The outcomes of the recent odour trial are being given fair and reasonable consideration as part of that decision-making process. As someone who also represents an outer southern suburb community down in Baldivis, I understand the importance of ensuring that we have the right regulatory settings to make sure —

The ACTING SPEAKER (Ms M.M. Quirk): There is a bit of chitchat there. I am interested in what the minister has to say.

Mr R.R. WHITBY: I am very keen to ensure that communities nearby industry are looked after and that they have high-quality amenity and comfortable conditions. What is going on in Cockburn is unacceptable. It has been a long battle. As I have said, we are working towards finding a solution. The member can rest assured that I will personally be keeping an eye on developments in this matter. I look forward to coming to Cockburn in the new year to meet with the member and residents in Yangebup and Beeliar to hear directly about their concerns. I again thank the member for raising this grievance and for his tireless advocacy on this issue.