

## **BELLEVUE HAZARDOUS WASTE FIRE INQUIRY**

### *Report*

**MR McRAE** (Riverton) [11.49 am]: I present for tabling the second report of the Economics and Industry Standing Committee, titled “The Bellevue Hazardous Waste Fire Inquiry: Volume Two”.

[See paper No 1629.]

Mr McRAE: I wish to address the contents of the committee’s inquiry into the incident at Bellevue. I understand that other members of the committee will also speak as part of our report to Parliament. I am pleased to present the committee’s second report. This is the second and final volume based on the committee’s inquiry into the fire that occurred at the Waste Control Pty Ltd hazardous waste and solvent recycling facility in Bulbey Street, Bellevue on 15 February 2001. The first volume of the committee’s report was tabled in this place on 13 December 2001.

Community and industry awareness of the challenges in the effective management of industrial and toxic wastes is higher now than at any other time in our State’s history. The management demands of these hazardous wastes gives rise to dual expectations from within the business sector and the community for an economically efficient system that protects the wellbeing of humans and the environment. Although these competing perspectives often converge on many aspects of waste management, the industry of waste management, particularly solvent waste, has become a highly contested area for policymakers, regulators and managers of the system in recent years. All stakeholders appear to agree that hazardous waste is extremely dangerous for humans and the biosphere and that urgent attention is required to better manage those wastes.

The inquiry, which conducted its investigations over a year and which completes its task today, recognises that many costs have been involved with hazardous waste management that cannot be measured in economic terms. Any proposal that involves the manufacture, construction, transport and use of natural resources accumulates hidden costs or negative externalities, which are inevitably borne by the environment and the community. These social and environmental costs are not easily entered in budgets or on balance sheets. Traditionally, environmental inputs such as clean ground water, soil and air have been regarded as free public goods. Although these inputs cannot be bought and sold in traditional trade mechanisms, they can be used and despoiled, as was the case at Bellevue.

Governments must be able to regulate effectively to ensure public health and safety, while encouraging greater responsibility at the source. Concepts such as cradle-to-grave and polluter-pays principles will inevitably form a greater part of our waste management systems, particularly for hazardous waste, so that the cost of appropriate disposal, reuse and recycling is built in and applies to all stages of the production and consumption processes. Businesses that benefit from activities or products that impact on the natural and social environments will continue to face increased regulatory and social pressure to be more accountable for their activities and for their use of public assets. The financial costs of the Waste Control disaster at Bellevue include the response of the Fire and Emergency Services Authority and the committee’s inquiry. The Government has already allocated \$5.7 million to clean up the site. Other costs include the management and maintenance of the public health register, which was the key recommendation of the committee’s report to Parliament in December last year. Cumulatively, \$6 million is a conservative estimate of the Government’s expenses as a result of the fire at Bellevue last year.

Mr Day: That is not a direct result of the fire.

Mr McRAE: I said cumulatively. Cumulatively, the cost of remediation due to site operations and the fire last year will be well in excess of \$6 million. The likely future cost to the Government of the Waste Control disaster is many millions of dollars more than it would have cost to implement the intervention strategy devised in 1999 by the previous Government. Indeed, it reveals the failure of the policy approaches and strategies of that time and gives rise to many of the recommendations of this committee’s report. The committee focused on identifying the systemic and cumulative causes of the fire that are the result of policy and administrative failures. Most importantly, the committee has considered ways to give guidance and has suggested reforms that will give us the best chance to avoid repeating another incident similar to Bellevue.

There can be no doubt that at no time over at least eight years of its operation did Waste Control Pty Ltd demonstrate that it fully complied with its licence requirements. That is a damning indictment of our regulatory processes and our inability to use the current laws to cause Waste Management to comply with its licence conditions. The situation that developed at Waste Control is evidence of the failure of Waste Management’s operators and Governments to understand the economic, social and environmental values and risks associated with that industry.

In this case, unfettered market systems failed to deliver good outcomes for the community, the industry and the environment. Rather than rid the State of its industrial waste dilemma, the Waste Control incident, and our collective willingness to allow it to continue in its non-compliance mode, has compounded the problems and challenges of the recycling, reuse and disposal of toxic and solvent wastes. The committee that I chair recognises the failure in policy that governs the disposal of hazardous waste. Left to its own devices, the market failed to appropriately deal with hazardous by-products from industrial and commercial uses. Although regulatory agencies shared information, they operated in formal isolation from each other, notwithstanding significant areas of regulatory and/or enforcement responsibility overlaps.

The regulatory agencies - primarily the Department of Environmental Protection and the Department of Mineral and Petroleum Resources, which was then known as the Department of Minerals and Energy - are bound by separate statutory responsibilities, policies and budgets, but have occasional common objectives; for example, the Bellevue site. The DEP was concerned that the poor storage practices of Waste Control could cause hazardous waste to enter the natural environment. The Department of Minerals and Energy was concerned that poor storage practices could create a dangerously explosive environment. FESA was concerned that poor storage practices could constitute a fire hazard that was dangerous to humans and property, and WorkSafe was interested in the protection of the occupational health and safety of the workers employed at the work site.

The situation at Bellevue highlighted a systemic breakdown in the standards and systems that were intended to protect human and environmental safety. The regulatory agencies operated within separate silos of governance, with weak enforcement measures and a serious confusion of government policy and priority. The report of the inquiry confirms that a substantial effort is now required for the development of clear policy guidelines for regulatory agencies as well as lead responsibility and supporting roles for all agencies involved in the hazardous waste industry.

It is appropriate to acknowledge that the DEP operates with a limited budget - as do all government agencies. The crossover in responsibilities of the various agencies and the inherent duplication of expenditure in handling a single operator gives impetus to the concept of lead-agency responsibility. The solutions to the issues and problems raised by the Waste Control failure are neither obvious nor cheap. The committee believes that the Bellevue incident offers a timely catalyst for a whole-of-government approach to the management of hazardous waste and for the better application of resources allocated to that task.

The suburb and the people of Bellevue are no strangers to these problems. The Waste Control Pty Ltd site is but one of the most recently contaminated sites in Western Australia and, indeed, is not the only one of its kind in Bellevue. Historically, Bellevue evolved from its role as a bushland component of the Nyoongah estate into a semi-rural area and, later, to what is now a mix of industrial, commercial and urban uses, skirted by the remnant natural bush of the Helena River valley.

The legacy of the former Omex oil refinery is within a few hundred metres of the Waste Control site. For decades from the 1940s, thick oil waste was dumped directly into an on-site open pit as standard practice. Toxic industries such as this have not only impacted on the health of residents and the natural environment, but also created the potential for a toxic ghetto and continued threats to local social and environmental communities.

Government is now faced with the challenge of reconciling the needs of the community with the financial and environmental costs associated with industry. People reasonably expect government to ensure the health and welfare of the community first. When things go drastically wrong, as they have done at the Waste Control site, it is the Government to which people turn in search of answers and assistance.

In consideration of that expectation, the committee has produced a report containing 44 findings on the basis of the evidence and its own inquiry into the material brought to it. The findings cover a range of issues - everything from governance, planning, local government coordination and coordination between the agencies responsible for licensing and compliance enforcement to the role of the fire and emergency services personnel on the night of the incident and of the Departments of Environmental Protection and Mineral and Petroleum Resources in assisting that process.

The committee's findings also deal with a series of elements in the firefighting responses that the committee believes put the community and volunteer firefighters at risk unnecessarily. Some of the causes relate to very poor communication processes, different technologies and systems being applied across the emergency services personnel, and the failure to comply with their own guidelines for practice.

The committee unanimously agreed to 20 recommendations, which are contained in the report. In broad terms, they deal with the Environmental Protection Act and the need for substantial reform in that area. I note that this week the Government has flagged its intention to begin the process of substantial statutory change and reform with the introduction of amendment Bills. I congratulate the Minister for the Environment and Heritage for leading those reforms. They have been a long time coming.

The committee's recommendations also deal with specific changes to planning law and local government law, the creation of buffers around hazardous waste sites, and the identification across the State of a limited number of hazardous waste-handling sites, whether they be simply for storage and repackaging or for recycling and re-use production processes. That must be done on a whole-of-state basis too.

Our recommendations also deal with specific proposals for the development of a memorandum of understanding between all government agencies involved in regulation and enforcement of licensing criteria, so that there will be a lead responsibility. I am also very pleased that the committee has been able to agree that personnel of the Fire and Emergency Services Authority of WA, in responding to major incidents throughout the State, need the assistance of a highly qualified and specifically targeted chemicals and hazardous materials advice unit, which would be able to better analyse the sort of incidents they must confront. Given the experience at Bellevue, that is an essential step in the reform of the management of these issues.

Importantly too, the committee unanimously supports the better development of a state hazardous waste-handling procedure - one that will frame for many years to come the activities of not only government agencies but also industry, which undoubtedly requires good, effective recycling, re-use and disposal services that will protect environmental and human health and also operate in an economically efficient way. There is no point producing a report into an event as serious as that at Bellevue last year without understanding the necessary balance between the competing economic, social and environmental interests.

I am pleased that the committee has been able to produce a report that has been overwhelmingly supported. In fact, it has been signed off by all members. I give thanks to each of those members. I will thank the staff in a minute.

I will take a moment to comment on the attempted intervention in the operations at the site. Evidence was given to the committee that in June 1999 the serious conditions at the Waste Control site at Bellevue were brought to the attention of the then Minister for the Environment. The responsible department prepared, at the minister's instruction, a range of options for the minister's, and ultimately for Cabinet's, consideration. As a result of the preparation of those options, Cabinet approved an option for a \$100 000 loan to Waste Control for the removal of the thousand drums that were posing a serious environmental and human health risk. That intervention strategy was flawed, and it clearly failed. It was flawed because ultimately it was the cheapest option and attempted to quickly remedy the situation. I do not have a problem with attempting to quickly remedy a problem. However, if a looming crisis is to be remedied quickly, the obligation is to understand precisely how the remedy will be delivered. It is clear from the evidence given to the committee that the contract issued for the removal of the thousand drums did not effectively set out objectives for the intervention strategy devised by government, and it did not establish a clear performance standard that the contract was intended to deliver. Those are serious faults, and I hope that they are not repeated. In my view, they clearly contributed to the ultimate serious incident because the systemic failures evident within the waste management system were not rectified.

I understand four other members wish to speak on this matter. In closing, I thank each of the members of the committee: my deputy, the member for Darling Range; my parliamentary Labor colleagues, the members for Eyre and Collie; and the fifth member of the committee, the member for Vasse. They all made valuable, substantial and intelligent contributions. I also thank the staff of the committee, Ms Melina Newnan and Ms Liz Kerr, for their efforts; and, more recently, MsCarolynn Hill, who came to the rescue by providing technical support to make sure that the document stayed together. I commend this report to the House.

**MR DAY** (Darling Range) [12.09 pm]: I am pleased to make a few comments about the presentation of the report of the Economics and Industry Standing Committee. There is no doubt that the fire that occurred in Bellevue on 15 February 2001 was a very serious incident. It posed a major threat to firefighters initially, as well as to residents in the surrounding area and to the environment in the Bellevue area in particular. There are very important concerns about the management of the site since it was approved for chemical processing and related activities in 1988. The process followed by the Economics and Industry Standing Committee was very extensive and thorough. There was ample opportunity for any person or organisation that had concerns about the issues, whether they be related to the fire itself or to the broader issues of the management of the site over the years, to put forward their concerns and have them considered by the committee. The committee bent over backwards to ensure that people had that opportunity. There were two main aspects of the issue. The first is the response to the fire and the aftermath of the fire, and the second is the use and management of the site for waste disposal storage and processing prior to the fire. Two important points need to be made in the consideration of these issues. First, the Economics and Industry Standing Committee has had the benefit of hindsight when looking at these issues. As we all know, it is always possible to look at the issues more clearly with the benefit of hindsight. That is much easier than the position faced by the people who had to manage these complex issues on a day-to-day basis when they were caught up in the thick of events.

Secondly, although there were clear breaches of the Environmental Protection Act and the dangerous goods legislation over the years, some breaches were minor and some were major. There has been no suggestion or evidence that such breaches were responsible for the fire that occurred in February last year. To the contrary, it is almost certainly the case that the fire was deliberately caused by an unknown person or persons, and that is one of the findings of the committee. There is some confusion in the public arena that the fire and its aftermath were directly related to the practices at the site over the years. As we all know, a fire can occur in the best run facilities, so we should not confuse those two issues.

I take some issue with the reference by the chairman of the committee to the \$7 million cost of the clean-up of the site. That is a potential cost of the clean-up, but it will not be as a direct result of the fire. The cost of the clean-up of the Omex Petroleum Pty Ltd site, at which there was no fire, was in the order of \$7 million. That related to the contamination of the site over the years and should not be related directly to this fire.

There is no doubt that the management of the site over the years could have and should have been better. It is also important to appreciate the history of the site. That is well detailed in chapter 4 of the report. Briefly, two companies were established in 1989 or 1990 to process hazardous waste. The Australian Chemical and Solvent Recycling Company was initially established on the Bellevue site. Waste Control Pty Ltd was established about the same time and was located in Welshpool. Subsequently, in 1991, the two companies merged and operations commenced at the Bellevue site. It is important to recognise that although the practices followed at the site could have and should have been better, Waste Control Pty Ltd became involved when the waste processing industry was first being conceived in Western Australia. Western Australia did not have the benefit of either previous history or precedents in regulating and managing that sort of industry at the time. To a large extent, both the company and government agencies have had to learn as they have gone through the process since 1988. Clearly, the company became involved in this industry without the benefit of sufficient or substantial capital. That made it very difficult for it to meet the standards that are now expected by the community. Evidence was given to the committee that the industry that produces waste would not accept higher disposal costs. In particular, the dry-cleaning industry considered that if costs were set at a level that allowed this sort of company to be viable and profitable, that industry would simply return to or continue the practice of illegally dumping dry-cleaning waste. To a large extent, the company was in a catch-22 situation; it felt it could not raise prices to the level that was necessary to become viable and sustainable in the long term, but, as a result, it could not get adequate income to meet adequate standards.

The Department of Environmental Protection and the then Department of Minerals and Energy have been criticised in the public arena and in some of the submissions the committee received. I note that people and organisations have the view that those agencies should have come down harder on the company at an earlier stage. Agencies also had concerns about the potential impact of forcing the company out of business, which they considered might have resulted in a situation in which no company would take this sort of waste. There was also the likelihood of courts not imposing effective penalties for what would have been initially relatively minor breaches. They are the issues that the agencies needed to take into account when they made their decisions about how to manage the issues.

I can understand the somewhat difficult position that the government agencies were in, and the factors that needed to be taken into account by individuals such as the then Chief Executive Officer of the Department of Environmental Protection, Dr Bryan Jenkins, when they had to weigh up all these competing issues. The DEP had both a regulatory and a waste management role - not an ideal situation. I have no doubt that officers such as Fred Tromp and Tim McAuliffe from the Department of Environmental Protection took then, and continue to take, their responsibilities very seriously.

There has been a lot of discussion about the implication of the Palos Verdes case in 1992, and its impact on limiting the effect of section 73 of the Environmental Protection Act. There has been some criticism of the DEP for not taking greater action, but the department had to take into account the legal advice it was given by the Crown Solicitor's Office. I can entirely understand the position it was in. The DEP has made it clear that it has learnt lessons from the management of this site. In particular, there is a need for a viable waste disposal industry in Western Australia, adequate contingency planning and more effective auditing of industries involved in this type of activity. There is a need for legislative change, particularly to the Environmental Protection Act. Yesterday there was great fanfare by the minister about that occurring, but we have not yet seen the Bill. I understand that it is not ready. It is not a pure coincidence that she created that fanfare yesterday in anticipation of the presentation of this report. We need to see that legislation, which has been in preparation for many years. Clearly, there are lessons to be learnt in other respects about the need for an integrated response to planning issues for effective monitoring of industries and so on. These are issues with which the community, as a whole, must be involved.

I thank my fellow members of the committee for their contribution to the consideration of these issues and also the staff, Melina Newnan and Liz Kerr, for their very thorough work on putting together what is a very comprehensive report.

**MR BOWLER** (Eyre) [12.21 pm]: When I was appointed to the Economics and Industry Standing Committee, I thought that the last thing it would be investigating would be a fire. Also, I was probably the only person in Parliament who had never heard of Bellevue or, for that matter, the Omex site, which is nearby. Some may say that it was a disadvantage to come to the inquiry with no prior knowledge or preconceived ideas. However, it helped me in many ways because I knew about the ongoing problems of concern to residents in that area over many years - some of whom are in the public gallery today. Those residents had been trying to get something done about the problem long before the fire happened. As the Minister for Police and Emergency Services said, her office had been inundated for some time with these concerns.

The one word that I think of now, as a result of the committee's investigations, is "hope". When Waste Control was first established, it was hoped that it would make money and also help to improve Western Australia's environment. There was a lot of goodwill towards the owners of the business, because this new type of industry was just emerging in Western Australia and, for the first time, waste would be recycled and dangerous and potentially hazardous substances turned into material that could be re-used. These people set up the business with the best intentions in the world. Sadly, over the following years through the 1990s, their business acumen did not match their hopes and aspirations.

The problems at the site emanated from the fact that the company was buying business. The price that it was paying for the solvent and the dry-cleaning fluid did not match the cost of recycling or disposing of it, and its problems started to build from there. In 1990 when the business started, the owners met Richard Court, who later became Premier of Western Australia. Through the 1990s they were hoping that legislation would be forthcoming from the State Government that would encourage, if not force, the producers of the waste to utilise a company such as Waste Control. Therein the company's problems would have been solved. Its prices could have been increased to a level that would have been profitable and reflected the true cost of recycling or disposing of waste, and Western Australia would have had a viable small business operating at Bellevue that was doing the right thing. In reality, the business was always penny-pinching and going from hand-to-mouth with its economy. In the end, its measures and procedures suffered. Gradually the drums and the waste at the site accumulated and business procedures became lax.

During that period the regulators were the Environmental Protection Authority and the then Department of Minerals and Energy - it has since changed its name. They acted as the watchdog for the community. In hindsight, there is no doubt that both authorities should have come down harder than they did and far sooner. The problem went on for far too long. Yet, year after year, every time the authorities inspected the site and made a recommendation to Waste Control to do something, all it did was the bare minimum to keep the authorities off its back. On each of those occasions - if considered in isolation - the EPA and the Department of Minerals and Energy were fair enough in the action they took. However, they should have adopted an accumulative approach to the problem and considered what had happened over the years. They then would have seen that things were getting worse, not better, and should have taken more decisive action. Eventually, by 1998, the number of drums at the site built up to 2 000. It was totally out of control and by then ministerial action had to be taken. The EPA gave six options and one recommendation to the then Minister for the Environment for consideration. The recommendation was that \$100 000 be spent on removing 1 000 drums, about half the total, which finally ended up in Victoria. Despite all the evidence taken from the officers of the departments involved and the minister, I remain mystified as to why that recommendation was made and I still believe that there was some political influence. I say that because I cannot believe that a recommendation to get rid of half the number of drums, but do nothing about the problem that caused the build-up in the first place, would have resolved the problem. I believe the departments were telling the Government to take the cheap option. Perhaps the bureaucrats were fearful and mindful of the fact that Governments of all persuasions always try to take the cheapest option for the taxpayers in Western Australia, because no-one wants to waste money. Perhaps the bureaucrats thought that if they proposed a cheap option, the minister might think that it was the best and accept it. At the same time though, the minister should have examined the problem more deeply and noticed that this option did not provide a long-term solution. That became evident within the next year or so when the number of drums at the site built up again. Altogether, 1 000 drums were removed and within a relatively short space of time another 1 000 drums were back at the site. I cannot believe that the \$100 000 option became the recommendation.

One option was to do nothing, and that was clearly not an option. However, if the five other options, all of which were more expensive, were considered, at least one of them should have been recommended by the agency. If the agency did not do that, the minister should have investigated the matter further, not accepted the recommendation and opted for a more expensive option. I suppose it is easy for me to say that in hindsight, but it did not happen at the time. The result was that the number of drums at the site again built up to dangerous

levels. People in the community were concerned and the pressure was building. I suppose the matter was solved by the fire that occurred on 15 February last year; suddenly, there were no drums on the site because they had all been burnt.

The committee's first report dealt with the fire and the health concerns and problems that emanated from the fire, which I will not talk about. This report considers the future control of waste in Western Australia and lists 20 recommendations, which will go a long way to preventing the occurrence of another incident like this one at Bellevue. I am sure the departments involved have learnt their lessons and, even without these recommendations, will ensure that another similar situation does not arise again in Western Australia. Despite these 20 recommendations, which will create much hope, Western Australia must be forever vigilant. I do not think the recommendations will solve all this State's waste control problems forever, because it is an ongoing process, and the expectations of Western Australians, as far as environmental control and the control of waste are concerned, are always increasing, and rightly so.

Finally, I commend my fellow members on the investigating committee: the member for Riverton, the chairman; the members for Darling Range and Vasse; and my colleague, the member for Collie. I particularly commend to the House the great work done by the principal research officer, Melina Newnan, and the research officer, Liz Kerr, who worked on this report day and night and did a wonderful job. This report will go a great way towards helping the people of Western Australia, and I look forward to its results.

**MR MASTERS** (Vasse) [12.29 pm]: I take up where the member for Eyre left off by thanking my fellow members of Parliament for helping to put together a comprehensive, insightful and useful report. I also thank the two research officers, Melina Newnan and Liz Kerr, for the many hours - if they were men I would have said "of pulling their hair out" - of dedicated work as a result of the complexities of this inquiry.

The Bellevue fire was both complex and serious. It involved a large number of government agencies as well as private business and industries associated with waste management. Although the consequences of the fire were serious in their own right, it is important to emphasise that if a strong east-north-east wind had not been blowing at the time, the impact of the fire on surrounding residents could have been far more serious. Up to 200 people were evacuated for a short time that night. If not for a little bit of assistance from mother nature, many thousands of people would have been evacuated for a much longer period.

I will not go over the ground that was covered by my fellow committee members; however, I will emphasise a few points. There were many problems with the actions, strategies, policies and equipment of the Fire and Emergency Services Authority. Its officers deserve strong criticism for their lackadaisical attitude in the period leading up to the fire. I believe they assumed that they were the experts and had done all the necessary work and that things would be okay. On the night of the fire, it turned out that the contrary was true. In the same breath, I commend FESA officers for their preparedness to admit their many mistakes and to discuss with the committee the actions we understand they have taken to correct those mistakes.

I also have many problems with the way the Department of Environmental Protection interpreted and then applied the Environmental Protection Act. I do not have enough time this afternoon to go into that further other than to say that the DEP officers, with the support of the Crown Solicitor's Office, relied very strongly on the definition of "pollution" as amended by the 1992 Palos Verdes Estates case. They interpreted the definition in a way that I believe unnecessarily and wrongly tied the department's hands and significantly prevented it from taking appropriate action. I also criticise the DEP for its interpretation of the definition in the Environmental Protection Act of "premises". The department interpreted that part of the Act to mean that the DEP could act on pollution occurring outside premises but could not undertake a remediation action within the boundaries of a licensed premises. Having worked with law enforcement agencies for a number of years, I also have doubts about the DEP's interpretation of what it calls closure powers. The DEP told the committee that it believed it did not have the ability to close down that site. However, my reading of the Environmental Protection Act suggests that the department had the power to close that site and also to take other drastic action to protect human safety and the environment. However, because of a number of factors, it chose to not use those powers.

It was very unfortunate that the advice from the Crown Solicitor's Office was to the effect that the DEP should not bother trying to prosecute a company like Waste Control Pty Ltd over what were called minor breaches. As the member for Eyre said, one of the findings of the committee is that a series of minor breaches can have a serious cumulative impact. As an example, I refer to the ground water pollution that has occurred beneath the Waste Control site at Bellevue over a period of up to 10 years. I believe the Crown Solicitor's Office might have given correct legal advice; however, in environmental issues, people need to go beyond the law and make sure they understand the potential environmental impacts of various activities. I think that because the Crown Solicitor's Office chose at an inappropriate point to not take its understanding of the Waste Control issue any further, it did not take the issue to its logical conclusion; that is, that the department should prosecute for even

minor breaches of the Environmental Protection Act if the cumulative impact of those breaches would be serious.

I understand and accept that the Department of Environmental Protection believed that the continued operation of the Waste Control facility was an imperative. It was understandably fearful that without Waste Control, there would be a very high potential for waste to be deposited into the environment or stored inappropriately in the community.

I did not find the two former operators or directors of Waste Control Pty Ltd to be particularly credible, particularly when they appeared before the standing committee. For example, an article in yesterday's newspaper states -

The operator of a toxic waste dump which caught fire last year has accused the State Government of failing to help him fix environmental problems at the site.

We received very strong evidence to show that the DEP, in particular, bent over backwards to give Waste Control time to fix the environmental problems. However, because of financial constraints, which Waste Control largely brought upon itself, and poor business practices, the company was allowed to get away with things that it should not have been allowed to get away with.

Mr McRae: I support your analysis.

Mr MASTERS: I thank the member. I also direct criticism towards Mr Rodney Mathers, who was a director of Waste Control Pty Ltd. He is quoted in the committee's report as saying that the cost of treating the liquid waste was \$2.50 a litre but that the sale price of that material after it was turned into a recyclable product was 90c a litre. I am absolutely amazed that a business could operate for 10 years without any real potential for profitability. Again, time does not allow me to continue my criticism of Mr Mathers.

One very important issue relates to the safety of the bush fire brigade volunteers. That was covered in the findings of volume 1 of the report. I repeat that the conclusion of the committee is that the health impacts on the bush fire brigade volunteers were temporary. Indeed, the effects should have disappeared by now. I have tried to reassure the members of the brigade, some of whom are in the public gallery, that their health should not in any way suffer as a result of the fire.

I am disappointed - this is a repetition of the comment I made when speaking to volume 1 of the report - with a certain degree of scaremongering by certain activists within the community. For example, evidence to show that PCBs had been on the Waste Control site was never given to the committee. Rather, it was given to the *Four Corners* program, which in turn gave it to the committee. I believe that shows that certain people were deliberately trying to stir up community emotion about the issue. I think that is reprehensible.

The most important lesson we need to learn is that government as a whole needs to look at what is called product stewardship for hazardous waste. A levy should be applied at either the point of sale or manufacture; that is, before the individual user of those hazardous wastes gets his or her hands on them. Hopefully, the scheme that has been recommended by the committee will be the biggest advance in the management of hazardous waste in Western Australia.

**MR MURRAY** (Collie) [12.40 pm]: I support the tabling of the document. I thank the committee staff who worked so hard to meet today's deadline. Melina Newnan and Liz Kerr certainly worked above and beyond the call of duty, especially bearing in mind some of the pedantic material we produced at the last moment. I also thank my fellow committee members, especially the member for Vasse who went into the subject in great detail on many occasions, probably much more than most others would. Knowing his nature, I am sure that he enjoyed doing so.

The report highlights some of society's problems with toxic and other waste and the growing problems of disposing of it. We must take the problem seriously and work hard to ensure that the incident at Bellevue is not repeated. Rules and regulations should be put in place to ensure that sites such as the Bellevue site are not located where they can cause problems for the general community. We were lucky with the circumstances of the fire at Bellevue because the conditions of the night assisted the firefighters and the people who worked to try to contain the fire. I take my hat off to the volunteer firefighters who were first on the scene and who worked very hard to contain the fire then and with professional firefighters when they arrived. I join with the member for Vasse in hoping that no long-term illnesses arise from the mistakes resulting in the fire.

Although spectacular, the fire could have been a major disaster for Perth. The fire put all agencies on notice that they must be diligent in their approach to waste control. We must learn from our mistakes, move on and tighten up the rules and regulations to ensure that the same circumstances do not arise. We must work on the areas of planning, the location of suitable sites, buffer zones and all the other aspects of properly controlled sites. The days of having rubbish dumps spread around urban areas and country towns are well and truly gone. The

location of sites must be planned so that in future people can have confidence. Examples of problems with existing sites have recently been given in the Press and in this House, some of which may be perceived and others of which may be real. We must ensure in the future that we enact recommendations from such reports as the "Bellevue Hazardous Waste Fire Inquiry Volume Two". I have seen many examples over the years of reports being presented to shire councils and other bodies that have not been acted on. I was fearful that the same may happen here, but I take my hat off to the Minister for the Environment and Heritage who has already taken a step forward in some of these areas. I will keep my fingers crossed and hope that this Parliament will be diligent in ensuring that there is a positive outcome. The paper trail to get us this far has been huge, and we must certainly act on the recommendations of the report.

A communications problem arose when the call went out to the fire brigades and other agencies. The two-way radios of different agencies had different wavelengths. As a result, mobile phones were used, but the conditions upset their use. The agencies must address those problems to ensure that when a major problem arises they can move in with a fluid and smooth approach to the problems. All too often in hindsight it is possible to say that this or that should have been done. We must be proactive and on the front foot to ensure things will be done. I hope that the agencies will get together, as the report recommends, and work very hard to make sure those problems do not arise again.

I do not single out anyone in particular, but it is not a matter of throwing a few hundred thousand dollars here and there and hoping that the problems will go away. The problems belong to everyone and must be managed. Over the years, if the problems have been out of sight they have been out of mind. For example, chemicals have been found in the Dwellingup area, when 20 years ago circumstances were quite different. I hope that in two or three years time a system will be in place that everyone can be confident in and that will mean we do not have the problems again. However, if there is a major disaster, such as a chemical spill or a fire, I hope that the emergency services will be able to act with confidence and that one emergency service will not be on one wavelength and another emergency service on another. If the recommendations are acted on and we move forward, I am sure that will happen.

The issues of toxic waste must be gone through and thoroughly worked out because people cannot now simply go out and bury toxic waste. The proper disposal of toxic waste must be affordable to prevent people from doing things like putting sludge down drains, as was done in the past. We must bear in mind the cost factor and ensure that businesses are managed under sensible guidelines, to ensure that the general public is able to dispose of waste, such as materials containing polychlorinated biphenyls and other contaminants. We must make sure that the price structure is such that people are not tempted to dump waste in the bush, as has been done in the past. I commend the report to the House.

**MR McRAE** (Riverton) [12.48 pm]: As a concluding process in the tabling of this report, I seek leave to table submissions received in the course of the inquiry. It is not the member for Perth sitting beside me but two boxes containing 43 submissions received during the course of the inquiry! I draw to the attention of the House the fact that one of those submissions in part was agreed to be held in camera by the committee. I put on record that that part of the submission, volume 4 of one of the submissions received from a community group, will not be available for public release but will be held in camera for, as I understand it, 30 years.

Leave granted. [See papers Nos 1630-1635.]