

**STANDING COMMITTEE ON
ENVIRONMENT AND PUBLIC AFFAIRS**

INQUIRY INTO COCKBURN CEMENT LIMITED, MUNSTER

**TRANSCRIPT OF EVIDENCE
TAKEN AT PERTH
MONDAY, 11 APRIL 2011**

SESSION TWO

Members

**Hon Brian Ellis (Chairman)
Hon Kate Doust (Deputy Chairman)
Hon Phil Edman
Hon Colin Holt
Hon Lynn MacLaren**

Hearing commenced at 10.58 am

HOWLETT, MR LOGAN

Mayor, City of Cockburn, sworn and examined:

JONES, MR NICHOLAS

Manager, Environmental Health Services, City of Cockburn, sworn and examined:

REEVE-FOWKES, MS CAROL,

Councillor, City of Cockburn, sworn and examined:

The CHAIRMAN: I would like to welcome you, gentlemen and lady, to the committee hearing. You are probably all aware that I have to go through a formality to start with. So, on behalf of the committee, once again, I welcome you to the meeting and ask you to take either the oath or the affirmation.

[Witnesses took the oath or affirmation.]

The CHAIRMAN: Can you please state your full names, contact addresses and the capacity in which you are appearing before the committee?

Mr Howlett: Logan Kenneth Howlett, I am the Mayor of the City of Cockburn. Contact address is PO Box 1215, Bibra Lake, 6965.

Mr Jones: I am Nick Jones; I am the manager of environmental health at the City of Cockburn at the same address.

Ms Reeve-Fowkes: I am Carol Reeve-Fowkes and I am a councillor with the City of Cockburn with the same business address.

The CHAIRMAN: Thank you. You will have signed a document entitled “Information for Witnesses”. Have you read and understood that document?

The Witnesses: Yes.

The CHAIRMAN: These proceedings are being recorded by Hansard. A transcript of your evidence will be provided to you. To assist the committee and Hansard, please quote the full title of any document you refer to during the course of this hearing for the record, and please be aware of the microphones and try to speak into them. Ensure that you do not cover them with papers or make noise near them. As there is more than one witness, can you speak one at a time, so that Hansard can understand what you are saying?

I remind you that your transcript will become a matter for public record. If for some reason you wish to make a confidential statement during today’s proceedings, you should request that the evidence be taken in closed session. If the committee grants your request, any public or media in attendance will be excluded from the hearing. Please note that until such time as the transcript of your public evidence is finalised, it should not be made public. I advise you that publication or disclosure of the uncorrected transcript of evidence may constitute contempt of Parliament and may mean that the material published or disclosed is not subject to parliamentary privilege. Before I ask you to make your opening statement, I will just introduce the committee. We have Hon Phil Edman; Hon Lynn MacLaren; myself as Chair; Hon Kate Doust is just out of the room of the moment, she will be back shortly; and we also have Hon Colin Holt.

Welcome once again and I will just hand it over to you to make your opening statement before we ask the questions.

Mr Howlett: Thank you for that and good morning. I thank the members of the Standing Committee on Environment and Public Affairs for the opportunity to address you today on the concerns that our city has with the operations of the Cockburn Cement Ltd plant—herein referred to as Cockburn Cement—with particular reference to personal health, dust, odour and property damage impacts on the residents of Cockburn. As you are aware, the plant is located in the suburb of Munster.

Cockburn Cement has a history of impacting on its neighbouring community. This is evidenced by comments made by former market gardeners who used to work the land in the area before it gradually converted to residential. I am told that a white dust regularly covered their vegetable crops, although with other potential polluters on the Kwinana industrial strip at that time, it is not certain that Cockburn Cement would have been the sole contributor. Nonetheless, emissions have continued to impact the community with dust and odour generating complaints related to the impact on personal health, amenity and property. In particular, the situation has become untenable for many members of the community in the last two to three years with the dust and odour issues generating ongoing complaints.

The excessive dust emissions appear to be linked to trips especially on lime kilns 5 and 6. I had a personal experience of a trip on kiln 6 during a tour of Cockburn Cement on Tuesday, 1 March 2011, arriving at Kiln 6 just as a large plume of dust escaped from the stack. Councillor Carol Reeve-Fowkes, City of Cockburn, had just left the plant minutes before when she telephoned in relation to that trip, having experienced dust raining down on her car. During that particular visit to Cockburn Cement, the city's representatives were shown a PowerPoint presentation that indicated the level of investment being made to address many maintenance issues at the plant and the proposed baghouse filter project for kiln 6. The visual deterioration of various parts of the plant shown on the PowerPoint presentation, together with the actual visual view of some of those pieces of plant, clearly demonstrated in my mind the very nature of the environment, the products produced on-site and the caustic nature of the dust.

Cockburn Cement had allowed the numbers of trips to increase to unacceptable levels. Kiln 6 reported 51 trips in April 2010, and even though improvements have occurred in terms of trip reductions, they appear to be unable to fully control the number of trips with any certainty. No doubt this has influenced their decision that the best option, going forward, is to upgrade the worn equipment and the replacement of the electro-static precipitators on kiln 6 with a baghouse filter.

Our city believes that Cockburn Cement needs to make the investment decision to also fit a baghouse filter to kiln 5, given the dust and odour emanating from it when it is operating.

Moving to matters relating to personal health impacts on our community, I requested a meeting on Tuesday, 22 February 2011 with Mr Martin Matisons, principal toxicologist, Department of Health of Western Australia, to discuss the city's concerns about dust and odour emissions from Cockburn Cement. Ms Mirella Goetzmann, toxicologist, air quality, from the department, also attended. Mr Martin Matisons was the author of a letter dated 22 December 2010 to residents who had agreed to have dust deposition gauges installed at their properties over several months in 2010. The gauges were funded by the City of Cockburn and installed to collect any dust from the atmosphere. The health department of Western Australia had agreed to participate in a study with the City of Cockburn to determine the extent of the dust being emitted from Cockburn Cement and to have any dust collected analysed by the Chemistry Centre of WA. The letter I referred to earlier dated 22 December stated in part —

Since the initial deployment of the dust deposition gauges, a total of 12 samples have been analysed. All of the results indicate high dust deposition rates, elevated pH between 12.2 and 12.4 which appear to be comprised predominantly of calcium oxide or hydroxide which

is consistent with being lime dust. Please find a copy of the analytical reports from the Chemistry Centre of WA, attached.

The letter went on to say that lime dust is a known irritant and to describe the potential health impacts and the actions required if residents were outside and became exposed to the dust. It basically concluded that once residents removed themselves from the dust exposure—that is, going inside—the symptoms would not be expected to leave any lasting effects.

I informed Mr Martin Matisons and Ms Mirella Goetzmann of the health department that in my opinion residents' personal health and the amenity of the location they called home should not be one in which they were continually exposed to lime dust, odour and in some cases noise from a neighbouring cement factory. Since that meeting the health department of Western Australia released its February 2011 report which, in summary, states that the lime dust has an elevated pH and could trigger and possibly exacerbate symptoms in people with pre-existing respiratory conditions; the volume of the dust from trip events is significantly higher than acceptable rates at residences within the Kwinana air buffer, including Britannia Avenue; Cockburn Cement can be a contributor of the dust in some residential areas outside the buffer; given the current levels of complaints, existing conditions are not satisfactory and the health risk increases with increasing trip events; and if emissions continued unabated, the risk of adverse health outcomes in the more susceptible people in the local population—namely, infants, children and older community members—will potentially increase. The health department of WA report provides clear evidence that the community's personal health is being impacted by emissions from Cockburn Cement, a view long held by residents in the affected community.

The city met with representatives from the Department of Environment and Conservation on Thursday, 17 March 2011 to advise its representatives that, from the city's perspective, DEC had not been effectively regulating Cockburn Cement given the ongoing dust and odour emissions occurring and the detrimental impact on the surrounding community. We also stressed that DEC did not appear to have noted the link between increased dust emissions and the increasing number of trips occurring at Cockburn Cement. We further stated at that meeting that DEC had not put significant pressure on Cockburn Cement to carry out this upgrade. Rather, it acknowledged Cockburn Cement's intentions to upgrade and incorporate them into the new Cockburn Cement licence. The city believes that the DEC licence should include a condition requiring similar emission control upgrades to kiln 5 without delay and a condition that requires Cockburn Cement to notify DEC about each trip on each kiln and to explain that the cause of the trip is repaired before DEC gives approval for the kiln to be restarted. This would be an appropriate regulatory scenario in which trips are expected to be a rare event rather than a regular event. The city's position in relation to the emissions from trips is that Cockburn Cement should keep the number down to less than eight trips from kiln 6 per month, otherwise kiln 6 should be shut down until a baghouse is fitted. In addition, there is sufficient evidence to indicate there has recently been an unacceptable number of trips from kiln 5. The city has requested that Cockburn Cement commence the process to install a baghouse on kiln 5 without delay.

The city's position in relation to dust and odour emissions from Cockburn Cement was established in October 2010 in a submission to this inquiry whereby the city indicated that DEC should thoroughly investigate the cause of the trips and if by 1 January 2011 the frequency could not be reduced to less than eight per month, then kiln 6 should be shut down until the baghouse is installed. The city is pleased to note that Cockburn Cement has advised that it has achieved a reduction in the number of trips from kiln 6 to comply with this target. However, the city is waiting for this information to be verified by the Department of Environment and Conservation.

In conclusion, Cockburn Cement needs to be more transparent with the information about dust, odour and noise emissions from its Munster plant, proactively engage the community and ensure it regains the confidence of all stakeholders; that is, it needs to act on the personal health, amenity and

property damage impacts. The two health department of WA reports dated February 2011 and released in March 2011 will provide further guidance to all stakeholders. All reports and information gathered by the health department, DEC and Cockburn Cement must be made available to all stakeholders. Baghouse filters need to be fitted to kilns 5 and 6.

The CHAIRMAN: Thank you for that. We will move into some questions now. The first one I have relates to the Department of Planning submission that advised us that the city is required to make recommendations to the WA Planning Commission on applications for subdivision of land zoned rural under the city's town planning scheme 3. Is this correct; and, if so, where does this requirement to make a recommendation derive from?

Mr Jones: I assume you are talking about the rural land within the buffer.

The CHAIRMAN: I am referring to applications for subdivision of land zoned rural.

Mr Jones: I assume that is within the buffer. The city does not support any subdivision of land within the buffer.

The CHAIRMAN: What about outside the buffer?

Mr Jones: Outside the buffer, the city's position is that the emissions from Cockburn Cement are controllable, should be controlled and in the future will be controlled and there should not be any problems with subdivisions outside the buffer. At the moment the city is not in a position to be able to refuse an application for subdivision outside the buffer.

The CHAIRMAN: I note from your submission that you indicated that it is impossible for the city to refuse subdivision applications for land situated outside the buffer because there is no evidence to indicate that emissions from CCL express the acceptable levels at locations outside the buffer. Why does the city require this sort of evidence before it can refuse to support a subdivision application for land situated outside the zone? Are the complaints about dust and odour emissions from residents living beyond the buffer zone not sufficient for the city to refuse to support any applications?

Mr Jones: There have been complaints. If we look at the evidence that we have, when we put those dust deposition gauges out in the community at the request of the Minister for Health, we found that four dust deposition gauges were installed for about three months towards the end of last year. In two of those occasions in the Mevé estate, in the area north east and east of the plant, none of those dust deposition gauges actually caught any of the trips. The gauges are only there to catch trips from kiln 6 in particular and kiln 5. They were to catch lime dust. There were two dust deposition gauges north of the plant; one was inside the buffer and one was outside the buffer. The one that was inside the buffer was significantly affected—I think at least 12 times—by unacceptable levels of lime dust from the trips. I do not think there is any doubt that it was coming from Cockburn Cement, most likely kiln 6 and possibly kiln 5. The dust deposition gauge that was in the residential area outside the buffer only got affected once in the three months. I do not see that that is necessarily evidence that suggests there is a significant problem there.

The CHAIRMAN: But you have had a lot of complaints, have you not, from the residents outside the buffer?

Mr Jones: It is a little bit awkward really, because there is a very sophisticated complaints procedure that effectively goes to Cockburn Cement and then to the DEC. This is one of those unfortunate situations where the council is not responsible for regulating Cockburn Cement; we are not, and we never will be. The regulator is the DEC. When people complain, the complaints are put through to the DEC. I do not even think that we actually record the complaints. We do not keep a record of the complaints that come to us. When people complain to us, in recent times we have actually been taking them on, and we have been listening to them and we have been advocating on behalf of the complainants, but we do not deal with those complaints. We do not investigate the complaints. Certainly since this has started, since last October, I have had a significant number of

anecdotal complaints. I have to say, I think some of them accurate, and I think there are issues. My answer to those people is that the future is looking good. When the baghouse house is fitted on kiln 6 and, we hope, the baghouse is fitted on kiln 5, the dust from those particular kilns will stop.

Hon PHIL EDMAN: Nick, I have read through this City of Cockburn local structure plan, lot 74, Howe Street, Beeliar, which was done on October 2009. I just wanted to ask a couple of questions on that. The first one is: given the lot's close proximity to Cockburn Cement and the Kwinana air quality buffer, did council seek advice on the amounts of pollution or dust being emitted before approving this lot 74, Howe Street, Beeliar?

Mr Jones: Did council seek advice from whom?

Hon PHIL EDMAN: Did you seek advice on the amounts of pollution or dust being emitted before approving this lot?

Mr Jones: I do not really know who—

Hon PHIL EDMAN: You can take notice and you will give it back to us later on, if you like.

Mr Jones: I do not who we would seek advice from.

Hon PHIL EDMAN: DEC.

Mr Jones: The DEC monitors have been across the metropolitan area, but there are more monitors around the Kwinana industrial area that do not indicate that there are significant issues there.

Hon PHIL EDMAN: On page 3 of this report—and this is council's report—it actually says —

Whilst outside the buffer, it is possible that residents in this area could experience occasional noise, odour or particulate emissions from the plant, depending on wind directions and speed.

That is in your report. According to the local structure plan, council was aware that residents in the area could experience noise, odour and emissions, like you have got here. So what advice did the council receive that ensured that it was safe for this development to occur in the area?

Mr Jones: I am the manager of environmental health, so it will have to take that on notice.

Hon PHIL EDMAN: I am happy for you to take it on notice and bring it back to the committee.

Hon COL HOLT: Just to go back to that monitoring that you talked about, from health. I have got the map from the Department of Health where those are located. You said one of them was inside the buffer?

Mr Jones: Yes.

Hon COL HOLT: I assume it is site B.

Mr Jones: Yes.

Hon COL HOLT: Which looks to me like it is within a subdivision; is it not?

Mr Jones: It is rural land.

Hon COL HOLT: It is rural land?

Mr Jones: Yes, relatively big-block rural land. It has been there—

Hon COL HOLT: That is all rural land, but obviously people live there.

Mr Jones: Yes.

Hon KATE DOUST: It is a big market garden area.

Mr Jones: There are not market gardens. They are rural blocks with individual houses on them. Most of them have been there for many, many, many years.

Hon COL HOLT: I just wanted to know, because I was just going to come back to what you said about, “We do not approve any subdivisions within the buffer”.

Mr Jones: Yes.

Hon COL HOLT: So that happened a long time ago, before—

Mr Jones: Oh yes. We do get pressure to subdivide inside the buffer, and sometimes people would like to build an additional house for a family member. I think we looked at one stage at the possibility of that, but it is not really supported.

The CHAIRMAN: Just on that—the buffer—do you think the buffer should be widened then?

Mr Howlett: In my opinion, the buffer should not be widened. It is up to Cockburn Cement to contain its emissions within its plant and to take appropriate action to ensure that emissions of odour, dust and noise are not impacting on the neighbouring communities. It is incumbent, in my opinion, as a business member in the community, that it has to do that. It should not be emitting and impacting on residents. I understand that there are technologies available to prevent those emissions from occurring. As I said earlier in my opening address, there is a need for major maintenance upgrades on a lot of the equipment and systems that it has, which is occurring now,. Clearly there was evidence that we saw on the PowerPoint presentation and also on our tour, where there was a lot of equipment on the plant that had rusted away, corroded away. It was in appalling conditions. Perhaps while a preventive maintenance program needs to be in place and it needs to be adhered to in that way, in my opinion there would not be the level of trips that are occurring. The company has not been able to identify the reasons, which I find quite amazing. If it cannot identify the reasons for the trips, then it needs to bring in some industry experts to assist them.

The CHAIRMAN: The Department of Health has advised us and recommends that every phase of the planning process should include a potential health impact assessment and that the Department of Health should be involved at the earliest opportunity. Have you a view on this recommendation to us?

Mr Howlett: I fully support that. I believe engaging all relevant stakeholders in that planning process is appropriate. Given the two health department reports that have just recently been released, I think it is now incumbent on our city to take that on board. I would be happy to defer to Mr Jones.

Mr Jones: I health impact assessment is obviously a formal assessment that you would expect to be carried out in a standard environmental impact assessment for any significant changes that are going to happen at the plant. For example, if it wanted to expand or it wanted to build a new kiln, you would expect, in normal circumstances, a health impact assessment to be done anyway. I am not really sure what kind of health impact assessment the health department expects to do, because they are normally only done when you get a development application—when somebody wants to do something else, something new.

Cockburn Cement has just lodged a works approval application for a baghouse on kiln 6. That may be an appropriate time for the health department to carry out a health impact assessment of the effectiveness of that baghouse. But other than that, you would not normally expect to see a health impact assessment of a plant during its normal operation.

Hon LYNN MacLAREN: There have been a couple of amendments to the licence that Cockburn Cement has. They are burning more coal, for instance, than it did, and back in 03 it was talking about burning tyres. I have two questions; one is related to the Department of Health. If Cockburn Cement is going to burn something that is different from its original licence, how do we measure the health impact for residents in the City of Cockburn? Does the Department of Health assist you in measuring those health impacts? Do they wait for you to let them know that there are complaints, or is there some mechanism to be able to monitor proactively whether residents are going to be developing health issues because of industry's change?

Mr Jones: The only approval that would be required for a change in the use of fuel, I would have thought, would be a DEC approval. I do not think they would need planning approval. They may need planning approval from the council, but it would largely be a DEC approval to be able to use—I think they have actually got approval to use oil within their licence.

Hon LYNN MacLAREN: Waste oil.

Mr Jones: They can use waste oil. But before they can actually get the approval to do it, they will need a DEC approval. Everybody in the state is consulted about a works approval or a DEC licence situation. So we all have the opportunity to comment on that, including the health department. We talked about advice earlier on. This is a major industry that is licensed by the DEC. It is the DEC experts that look into all of this. It is not the council's role to determine whether the baghouse is the appropriate emission control equipment. It is not a business that we get into. We have already effectively granted the planning approval, or we have made recommendations to the Western Australia Planning Commission to grant the planning approval for the baghouse to kiln 6, and we are not going to interrogate whether that is the appropriate equipment to use, because it is the DEC experts that do that.

Hon LYNN MacLAREN: What I am interested in is council's role to pass on any health complaints that residents might have to the Department of Health.

Mr Jones: This has been set in stone in the Kwinana area as well—the DEC is the regulator. The health department play a very minor role in the management of emissions from the whole Kwinana industrial area. If the DEC considers that there could be health implications, then it is up to the DEC to bring the health department in. They can do that at any time.

Hon LYNN MacLAREN: Are you saying that council does not have any role —

Mr Jones: No.

Hon LYNN MacLAREN: —in passing on health complaints from residents to the Department of Health.

Mr Jones: We pass them on to the DEC, and then it is up to the DEC to pass them on to the health department. I have actually taken that on board. Whereas I have just outlined to you what the official process should be, I, as the manager or environmental health with some responsibility to the health department as well, have been liaising with the health department and making sure that they are involved. Certainly towards the end of last year we were very, very keen to be involved in the minister's suggestion that we put dust deposition gauges in the residential areas, because it had never been properly done before. I think because of our position to be able to help them, we went out and bought the dust deposition gauges. We installed them; we decided where they should go. We have actually played a role in that.

The CHAIRMAN: Actually that is a bit reassuring, because, like you have been saying, to me it seems that would be your role. If you have taken in the concerns of your residents—and the very fact you are here today expressing your concerns to us about Cockburn Cement—I would have thought you would have been more proactive in taking your concerns of your residents to the relevant departments. You are saying it is not your role; you just pass it on. To me, I think it is your role.

Mr Howlett: If I could say—and I have discussed this with our chief executive officer and with Mr Jones—that our city needs to be more proactive. We need to have a more collaborative approach, particularly with the DEC and with the health department, because, given the reports that have come out, we cannot just stand aside and do nothing, because it is our community, our ratepayers, and we have to respond and respect that they are people living in our community. Where we have got a situation with Cockburn Cement, and I remember raising this towards the latter part of last year, saying that we can no longer sit back and do nothing; we need to be proactive. That is where I have called in the health department regarding that letter of 22 December, saying it is unacceptable

to say that people should just pack up and go inside when they have been affected by odour emissions or dust emissions from Cockburn Cement. For them to have said that, I was somewhat disappointed to hear that and read it in their letter. Also, when we met recently with a DEC, we said that they need to apply more resources to this particular licence and its management. We actually suggested an additional officer above the second one. They had advised us they had put on a junior level officer. I said, "To me that is a good move, but we also need at least a project level officer who is going to receive the data and also analyse it and provide complaints of feedback to all the stakeholders, including the community."

Hon LYNN MacLAREN: We have some questions regarding your views on the amended licence, so you might want to address what your views of the amended licence are. But in relation to that, we have had some submissions from people who think that, even the baghouse filters is not enough and that perhaps we need scrubbers on the least kiln 6 and potentially kiln 5. What is your view of that?

Mr Howlett: I would say from my point of view that Cockburn Cement have gone away; they have announced, through their board, a significant investment of around \$25 million to have a baghouse filter fitted. I would expect that they would have done the appropriate research, involved industry experts in calculating what was needed to be done, but over and above that, if it is found there is a need for additional upgrades—we met with Cockburn Cement and suggested they should upgrade both kilns 5 and 6 at the same time. My experience would say that that would be more cost effective than doing one and waiting two, three or four years and doing the other. That would create ongoing concerns in our community because kiln 5 is also emitting dust and odour. I think that industry itself has to call in the experts. We are not experts in that field. I would expect that they would call in the relevant experts to provide advice, and certainly the board of Adelaide Brighton should be relying on industry experts to guide them if they do not have that in-house knowledge and experience.

Mr Jones: The city's position is that Cockburn Cement should use best available technology, and that Cockburn Cement and the DEC should carry out the best available technology assessment to conclude that baghouses are the best available technology. I do not know whether baghouses or a scrubber system—a wet scrubber or a dry scrubber—is the best technology to use. The city needs to be careful not to get into that level of technical expertise because it is not appropriate. That is what the DEC are there for. They have a whole suite of very highly paid experts who can make that determination. It is very important to realise that the DEC and also the health department shy away from saying, "You shall fit a bag filter." It is up to Cockburn Cement to determine what they consider to be best available technologies. That involves a trip around the world to find out what everybody else is doing; some very high-level technical expertise to decide whether baghouses is best available technology. It is not our position to determine whether it is or not.

The CHAIRMAN: Do you have any views then on the 13 environmental improvement requirements in that new licence? I take your point about the technical sides of some of the recommendations, but what about the environmental improvements required in this new licence?

Hon LYNN MacLAREN: And the standards?

Mr Jones: The 13 reports?

The CHAIRMAN: There were 13 environmental requirements imposed by the amended licence.

Mr Jones: Almost each one of those requires a report. I have seen many, many DEC licences; I have never seen one that requires so many reports. They are certainly under the microscope. The city's position is we want those reports to be made public. One of the most important ones is a report by an independent expert on the cause of the trips, which I believe has to be put out some time in May. We would like to see that. We would like to see the other reports as well; and we may provide comment on them. I believe that the amended licence is significantly improved upon the old one. The old licence did not allow the DEC to deal with the trips. They recognised reasonably early

on that there was a problem caused by the trips. If there was only one trip every six months, I do not think too many people would be too worried, but because there were 51 trips from one kiln last April, there is the problem. The DEC cannot legislate to stop trips from happening because when a trip happens—hopefully they have explained this, or they will explain it to you later at a technical level—they have to allow the kiln to continue to run otherwise it can blow up the electrostatic precipitator. They have to allow it to run for several minutes. For that time, there is no emission control. Everything comes out the top and it all depends which way the wind is blowing. When they fitted the baghouses, they may still have trips. I do not really care after that because that is their problem—but there will be nothing coming out of the stack. They may have problems. It might affect their bottom line, they may lose money, but that is Cockburn Cement's problem. It is not going to cause any problems to the residents because if a baghouse fails, you have to replace it. You cannot turn the thing back on again with a broken baghouse, whereas the electrostatic precipitator, if there is something tripping 51 times from one kiln in April last year, something is broken. I would have thought something needs to be fixed. I think Cockburn Cement has obviously recognised that, and I think the future is looking rosy. The only question is between now and next March, if the number of trips increases to more than eight in a month from kiln 6, we will be writing to the minister saying that it is still broken and you need to close it down. It will be up to DEC to decide what they do with that.

Hon LYNN MacLAREN: One of the questions I have is: how long has the problem occurred? We had evidence about kiln 6 being commissioned in 1996 or something, and, even previous to that, I have heard residents talk about issues with the plant. From the city's point of view, how long has Cockburn Cement's pollution been an issue of some concern for residents in that area? I know there have only been a few residents—Cockburn has grown quite a bit over the past few years—but even the few residents who were there before, did they have complaints?

Mr Jones: I worked with the Town of Kwinana from 1990 until 2007. I was involved in all the industries down there and I was always relatively happy to be looking after the industries in Kwinana and that I was not responsible in any way for Cockburn Cement because Cockburn Cement seemed to me to be a problem. There are more complaints and more problems associated with Cockburn Cement and the emissions from Cockburn Cement than all of those other industries put together. It is not good enough. In my experience emissions from Cockburn Cement have been a problem certainly since 2000, and I think before then. The councillors might add to that in a minute. But the particular problems that we have today, that seem to have driven this, started about two, two and a half to three years ago. I think a lot of people have been putting up with emissions for quite a while. You may have some new residents in there who have strong voices, and I think Cockburn Cement, for the first time, has flushed out this issue with the trips. I think around about 2008, when we could actually start measuring the trips and work out how many there were, and how many there are, that seems to me to be the issue. If they can stop the trips, then hopefully there will not be too many problems. The current problems, I believe, started about two and a half years ago.

Mr Howlett: Could I perhaps add that the city has had representatives on a Cockburn Cement community group probably for at least 10 years, and perhaps Councillor Reeve-Fowkes could add to that.

Ms Reeve-Fowkes: Yes, absolutely. I moved into Yangebup in 1992. I had a young family there. We had consistent problems with dust over the years to the point where we moved out in 2001 to move much further west away from the worst of the plant. We still got occasional problems when the easterlies blew. I got involved at a local community level around about 2001 to 2002, and have been involved with the community reference groups with Cockburn Cement ever since. But I think it is very fair and very reasonable to say that over the last two to two and a half years the trips have got statistically much more frequent, impacting on the local community. Everybody you speak to in the community asks, "What is going on with Cockburn Cement dust? It is getting worse." That is borne out by the data from the trip statistics. We are not going forwards at the moment; we are

going backwards. The plant is 53 years old. I think it is only reasonable to expect that there are going to be problems with something as old as that. That does not mean to say that we should continue to let it impact the community.

Hon PHIL EDMAN: My question relates to some other land parcels that have been developed. You may want to take this one on notice, too. In June 2006 there was another proposed development, which was lots 21 to 25 Lorimer Road and lots 1 to 6 Henderson Road, Munster. Why did council support the development for the large bushland block, which was owned by the Water Corporation, despite half of the bush being inside the Kwinana air quality buffer, which is obviously also there to protect Cockburn Cement? I am happy for you to take that on notice.

Mr Howlett: We will take that on notice, thank you.

The CHAIRMAN: I would like to thank the three of you for coming today and providing very relevant information. Thank you.

Hearing concluded at 11.38 am
