

LEGISLATIVE COUNCIL Question On Notice

Tuesday, 2 April 2019

2039. Hon Robin Chapple to the Minister for Environment

I refer to the Cockburn Cement Ltd (CCL) facility on Russel Road in Munster (premises), and the odour neutralisation trial for the facilities operations, and ask:

- (a) did the Department of Water and Environmental Regulation:
- (i) receive a written complaint from a Beelias resident on 15 December 2018 that a strange/different odour (new odour) had been detected downwind of the premises;
 - (ii) receive new odour complaints subsequently and, if yes, when and how many;
 - (iii) contact CCL about any new odour complaint;
 - (iv) if yes to (a)(iii), by what means;
 - (v) tell CCL that the complainant(s) had a suspicion that the Odour Neutralisation System (ONS) proposed by CCL was already installed at the premises and was being used by CCL for short periods on some days;
 - (vi) send inspectors to attend the premises within 24 hours of receiving each new odour complaint to investigate each such complaint; and
 - (vii) if no to (a)(vi), why not;
- (b) when did the Department of Water and Environmental Regulation give its approval to works approval W6167/2018/1;
- (c) is it an offence under the *Environmental Protection Act 1986* to construct or install any equipment for the control of odour at a prescribed premises before obtaining a works approval;
- (d) on what date or dates did inspectors attend at the facility in relation to the odour neutralisation system, and what were the findings of that inspection;
- (e) has the department concluded its investigation of the new odour complaints;
- (f) if no to (e), when will it be concluded;
- (g) will the department inform the complainants in writing of the results of its investigation into the new odour complaints and table the findings; and
- (h) if no to (g), why not?
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Answer

- (a) (i) Yes
- (ii) Between 21 December 2018 and 3 March 2019, the Department of Water and Environmental Regulation (Department) received six additional complaints describing a new odour from Cockburn Cement Limited's (CCL) Munster facility. Four were from the same complainant and two from separate complainants.
- (iii) Yes

(iv) On 10 January 2019, the Department contacted CCL via telephone and email in relation to the new odour complaints.

(v) Yes

(vi) No

(vii) The Department determines its response to complaints in accordance with its Compliance and Enforcement Policy (Interim). Based on the nature of the reported complaints and consideration of the risk posed to public health and the environment, it was determined that immediate attendance was not warranted.

(b) On 25 January 2019, the Department issued works approval W6167/2018/1 for the CCL Munster facility. The works approval authorised commencement of works associated with the odour neutralisation trial and applied from the date of issue.

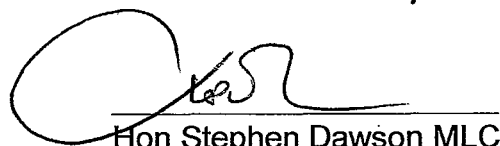
(c) It is an offence under the *Environmental Protection Act 1986* to construct, install or alter any equipment that controls odours, or the transmission of odour, into the environment from a prescribed premises unless it is subject to a works approval or a licence, or, subject to a closure notice or Environmental Protection Notice.

(d) The Department of Water and Environmental Regulation carried out compliance inspections on 30 and 31 January 2019. The inspections found that the odour neutralising system was not yet operational.

(e) Yes, enquires made by the Department established that the neutralising agent was not being used at the time of the complaints and prior to the granting of the works approval.

(f) Not applicable

(g)-(h) Following receipt of a complaint and/or at the conclusion of enquiries the Department endeavours to respond to all complainants either in writing or via telephone. For these reported complaints one complainant was informed by telephone and the other complainants received an email concerning the receipt and assessment of their complaints. In addition, the Department has a community updates page on its website and is holding regular community briefings to keep the community informed about odour and air quality in the Cockburn area.



Hon Stephen Dawson MLC
**MINISTER FOR ENVIRONMENT;
DISABILITY SERVICES; ELECTORAL AFFAIRS**