



*Section 73A
Environmental Protection Act 1986.*

PREVENTION NOTICE

Reference No: 202506

Person to whom this prevention notice is issued:

COCKBURN CEMENT LIMITED (ACN 008 673 470)

Level 4, 151 Pirie Street
ADELAIDE, SA 5000

In its capacity as the occupier of the **Premises** and holder of Licence L4533/1967/15
(**Licence Holder**)

Premises to which this notice relates (the Premises):

The premises the subject of the Prevention Notice (Notice) is situated on:

- (a) Lot 450 on Deposited Plan 249735 as shown on Certificate of Title Volume 2045 Folio 99;
- (b) Lot 50 on Diagram 6065 as shown on Certificate of Title Volume 1417 Folio 148;
- (c) Lot 88 on Deposited Plan 22127 as shown on Certificate of Title Volume 2115 Folio 676;
- (d) Lot 246 on Deposited Plan 226117 as shown on Certificate of Title Volume 1417 Folio 148;
- (e) Lot 4 on Diagram 18525 as shown on Certificate of Title Volume 1174 Folio 541;
- (f) Lot 5 on Diagram 18525 as shown on Certificate of Title Volume 1258 Folio 508;
and
- (g) Lot 311 on Deposited Plan 300770 as shown on Certificate of Title Volume 1149 Folio 888, known as 242 Russel Road East, MUNSTER 6166

Reasons for which this notice is issued:

This **Notice** is given to the **Occupier** being **Cockburn Cement Limited** under section 73A(1)(b) of the *Environmental Protection Act 1986* (WA) (the **Act**) because I have reasonable grounds to suspect a condition of pollution is likely to arise or has arisen.

The nature of the suspected pollution is:

I have reason to believe that a condition of pollution has arisen, or is likely to arise, through the direct or indirect alteration of the environment to the detriment of an environmental value, namely a beneficial use, that involves an emission. This is due to the emission of unreasonable odour into the atmosphere from **kiln stacks 5 and 6** at the **premises**,

caused by waste gases released during the heating of shell sand in the lime manufacturing process.

Therefore, this notice has been given to require the **Occupier** to take measures to prevent, control and abate the condition of pollution.

I am satisfied that because **Cockburn Cement Limited** is the **Occupier** of the **Premises** from which the odour emissions have emanated and the **Occupier** upon whom the requirements of **Licence** L4533/1967/15 issued on 6 December 2021 are binding, you are the appropriate person to whom to give this **Notice**.

Requirements of this Notice:

Immediate Requirements

1. Between the period 0000 hours on 1 January 2026 until 2359 hours on 30 April 2026, the person to which this Notice is given must not:

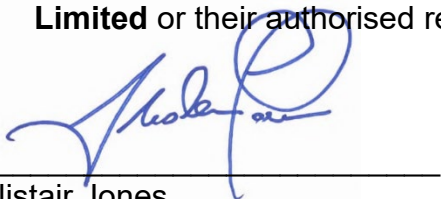
- (a) exceed a combined total throughput rate of 160 dry tonnes per hour of shell sand during lime manufacturing operations at the **Premises**.

Reporting

2. The person to whom this Notice is given must provide to the **CEO**, by no later than 1700hrs every Wednesday (commencing and including 7 January 2026), a report covering the previous 7-day time period as listed in requirement 2(a) and meeting the following parameters:

- (a) covers the time period commencing 0000 hours every Monday until 2359 hours the following Sunday;
- (b) contain hourly average throughput rates of shell sand for kiln 5;
- (c) contain hourly average throughput rates of shell sand for kiln 6;
- (d) contain a date, timestamp and kiln number for each hourly rate listed
- (e) be presented in chronological order;
- (f) be presented in a tabulated Excel (.xlsx) spreadsheet format;
- (g) display kiln 5 and kiln 6 information on separate tabs in the spreadsheet
- (h) emailed to compliance@dwer.wa.gov.au; and
- (i) if a kiln has not been used to produce any lime during the whole time period covered by requirement 2(a), requirement 2 does not apply in respect of that time period.

The requirements and timeframes stipulated in this Notice may be amended by an **Inspector or Authorised Person** in writing, on application by **Cockburn Cement Limited** or their authorised representative, with reasonable justification.



Alistair Jones
Chief Executive Officer
Department of Water and Environmental Regulation

23 December 2025

Important Information:

A PERSON WHO IS BOUND BY THIS PREVENTION NOTICE AND WHO DOES NOT COMPLY WITH THIS NOTICE COMMITS AN OFFENCE UNDER THE *ENVIRONMENTAL PROTECTION ACT 1986*.

Under section 103 of the *Environmental Protection Act 1986*:

- a person who is aggrieved by a requirement contained in this prevention notice may within 21 days of being given this notice lodge with the Minister for Environment an appeal in writing setting out the grounds of that appeal; and
- any other person who disagrees with a requirement contained in this prevention notice may within 21 days of the making of that requirement lodge with the Minister for Environment an appeal in writing setting out the grounds of that appeal.

PENDING THE DETERMINATION OF AN APPEAL REFERRED TO ABOVE, THE RELEVANT REQUIREMENTS CONTAINED IN THIS PREVENTION NOTICE CONTINUE TO HAVE EFFECT.

Note that under section 118 of the *Environmental Protection Act 1986* that each person who is a director or who is concerned in the management of the body corporate may be taken to have also committed the same offence.

APPENDIX 1:

DEFINITIONS

In this Notice, unless the contrary intention appears –

‘Act’ means the *Environmental Protection Act 1986* (WA);

‘Authorised person’ means a person or member of a class of persons appointed under section 87(1) of the *Environmental Protection Act 1986*

‘CEO’ means Chief Executive Officer, Department of Water and Environmental Regulation;

‘CEO’ for the purposes of correspondence means;

Chief Executive Officer
Department of Water and Environmental Regulation
Locked Bag 10
JOONDALUP DC WA 6919
Telephone: (08) 6364 7000
Email: compliance@dwer.wa.gov.au

‘DWER’ means Department of Water and Environmental Regulation.

‘Inspector’ means a person appointed to be an inspector under section 88 of the *Environmental Protection Act 1986*

‘Kiln 5’ means kiln 5 located at the **premises**

‘Kiln 6’ means kiln 6 located at the **premises**

‘Kiln Stacks 5 and 6’ means Kiln 5 stack and Kiln 6 stack as identified in table 2 and illustrated in Schedule 1: Premises Plan D of the **licence**

‘Licence’ means the licence L4533/1967/15 issued by DWER under Part V of the Act

‘Licence holder’ means Cockburn Cement Limited (ACN 008 673 470)

‘Occupier’ means Cockburn Cement Limited (ACN 008 673 470)

‘Premises’ means Lot 450 on Deposited Plan 249735 as shown on Certificate of Title Volume 2045 Folio 99, Lot 50 on Diagram 6065 as shown on Certificate of Title Volume 1417 Folio 148, Lot 88 on Deposited Plan 22127 as shown on Certificate of Title Volume 2115 Folio 676, Lot 246 on Deposited Plan 226117 as shown on Certificate of Title Volume 1417 Folio 148, Lot 4 on Diagram 18525 as shown on Certificate of Title Volume 1174 Folio 541, Lot 5 on Diagram 18525 as shown on Certificate of Title Volume 1258 Folio 508, and Lot 311 on Deposited Plan 300770 as shown on Certificate of Title 1149 Folio 888, known as 242 Russel Road East, MUNSTER 6166.

‘Shell sand’ means sand extracted from the marine environment and contains but not limited to sand, shells, shell fragments and a proportion of organic matter.