



Section 73A  
*Environmental Protection Act 1986.*

## PREVENTION NOTICE

Reference No: REG202601

### **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 (as amended on 30 March 2026) 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 3 April 2026 until 2359 hours on 30 April 2026, the person to which this **Notice** is given must not:
  - (a) use shell sand in any kilns engaged in lime manufacturing operations at the **Premises** during the dates and corresponding periods listed in Table 1 below.

**Table 1 – Shell sand prohibition**

Day	Date	Prohibition period
Friday	3-Apr 2026	0600hrs to 2000hrs
Sunday	5-Apr 2026	0600hrs to 2000hrs
Saturday	11-Apr 2026	1200hrs to 2400hrs
Sunday	12-Apr 2026	0000hrs to 2000hrs
Saturday	18-Apr 2026	1200hrs to 2400hrs
Sunday	19-Apr 2026	0000hrs to 2000hrs
Saturday	25-Apr 2026	1200hrs to 2400hrs
Sunday	26-Apr 2026	0000hrs to 2000hrs

**Reporting requirements**

2. The person to whom this notice is given must notify the **CEO** within 24 hours of identifying a non-compliance with condition 1. The notification must include the information required about the non-compliance listed in Table 2 below.

**Table 2 – Non-compliance reporting**

Information required	Contact details
1) Time and date the non-compliance occurred; 2) Measures taken to return to compliance; and 3) Preliminary cause of the non-compliance	<a href="mailto:Compliance@dwer.wa.gov.au">Compliance@dwer.wa.gov.au</a>  <a href="mailto:Environmentwatch@dwer.wa.gov.au">Environmentwatch@dwer.wa.gov.au</a>  Ph: 1300 784 782


3. The person to whom this Notice is given must provide to the CEO, by no later than 1700hrs every Wednesday (first report due 8 April 2026), for the duration of this notice (commencing and including 3 April 2026), a report meeting the following parameters:

- a) covers the date and time periods listed in Table 3;
- 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) kiln status, for each kiln i.e. kiln heating, kiln off, kiln operating and kiln temperature (hourly average)
- e) the number of blockages experienced in each kiln including a date and timestamp for each event;
- f) contain a date, timestamp and kiln number for each hourly rate listed
- g) be presented in chronological order;
- h) be presented in a tabulated Excel (.xlsx) spreadsheet format;
- i) display kiln 5 and kiln 6 information on separate tabs in the spreadsheet; and
- j) emailed to [compliance@dwer.wa.gov.au](mailto:compliance@dwer.wa.gov.au);

**Table 3 – Reporting periods**

Day	Date	Time period
Friday	3-Apr 2026	0400hrs to 2400hrs
Sunday	5-Apr 2026	0000hrs to 2400hrs
Saturday	11-Apr 2026	0000hrs to 2400hrs
Sunday	12-Apr 2026	0000hrs to 2400hrs
Saturday	18-Apr 2026	0000hrs to 2400hrs
Sunday	19-Apr 2026	0000hrs to 2400hrs
Saturday	25-Apr 2026	0000hrs to 2400hrs
Sunday	26-Apr 2026	0000hrs to 2400hrs

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

02 April 2026

**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](mailto: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)

**‘Notify’** means contacting DWER either by email and phone using the contact details listed in Table 2.

**‘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 of 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.