

# Port Hedland Dust Management Taskforce Report to Government

## Public Submission

From: Name Withheld

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Document: Letter attached to email

### **PUBLIC SUBMISSION - PORT HEDLAND DUST MANAGEMENT TASKFORCE REPORT 2016**

Dear Sir,

I have lived and owned a business in Hedland for the last 7 years and in response to the request for public comment reference the above listed report, I wish to formally advise that as part of a group of owners who have purchased an ocean front house in [REDACTED], I totally oppose the proposed "Special Control Area" rezoning.

I also believe a change in zoning would be detrimental to the town and life style of persons who have chosen to make Port Hedland their home.

And, due to their blatant misuse of statistics (which will be shown later), it is obvious that the Task Force is NOT an independent body and should be replaced by an independent body that takes responsibility but with no industry representation. The current body (Port Hedland Industries Council) is backed by the industry that wields extreme influence of political and monetary resources, as was witnessed in the last state election.

It is understood that Port Hedland properties are subject to boom and bust cycles, however blocking development in the West End has never been part of the equation and puts us and our neighbours in a position of substantial loss should the proposal of be approved. Today they are asking for the West End to be rezoned BUT looking at the statistics available, we can see ultimately, they will change the boundary to the Redbank Bridge.

It is also of concern that the report informs that ourselves and all the residents of the West End have possibly been exposed to airborne heavy metal contamination they has been polluting for years – it is only recently that BHP has been trying to mitigate the damage.

The Task Force, further showing its lack of independence, states that "acceptable risk is based on population size" and it's ok to contaminate a few but not a lot to please industry. Is that the same strategy companies' use regarding safety and the 'Duty of Care' (enforceable law) responsibilities that a few employees can be damaged but not a lot?

BHP were to use this strategy in the **workplace** they would be in front of the courts in no time.

But, because they are working under the 1969 agreement (vs FMG and Roy Hill 1986 Enviro amendment), they do NOT have to be good Corporate Citizens and upgrade their existing plant, they have found a loop hole by which – rather than re-locate their stockpile yards to Boodarrie as per the outer harbour scheme, they can stay in Hedland with no improvement on the environmental side – just have the residents removed.

It can be seen by the biased report that its ok to contaminate a town by one particular polluter as opposed to making the polluter comply to the current EPA regulations and take responsibility for their inactions with in the community in which they operate.

## Manipulated Statistics

In the report results presented, it is noted that the Kingsmill St monitor (immediately west of the spoil bank) has values FIVE times that of Taplin St (immediately east of the spoil bank) and of the actual port monitor on Richardson St. Normally, when you have such a wild discrepancy, that statistic is isolated until the reason is determined.

The drastic reduction in concentration between 2013 and 2014 is obvious over all sites – including those well away from the port such as Yule River to South Hedland. It would appear that there was a natural event which exacerbated the situation in 2013. However, if we exclude Kingsmill Street result until we ascertain why it is three to five times higher than the majority of the monitors, then the only real “Fail” is that at Neptune Place – the most eastern monitoring location.

But, is this even mentioned by the supposedly independent Task Force. NO! In fact the inclusion of the spoil bank reading is used to bolster their argument how dangerous the West End is.

It is also noted that the WA Government’s Dept of Environment also had LIDAR images available on their web site showing dust concentrations which were horrendous – but it has been mysteriously removed prior to this report being released.

Surely, if the Task Force were an honest and Independent organisation and did not have an agenda to pursue, they would have to be contemplating the restrictions to the east of Taplin if the health threat was that serious – or is that the long term goal.

## Recommendations

If it were not serious, these would be farcical in their biased position

Lets go through the recommendations

1. *1 Acceptable Level* They have chosen 10 incidents of 70 µg/m<sup>3</sup> – why not World Health Organisation recommendation of 50 µg/m<sup>3</sup> – because BHP cannot achieve 50 µg/m<sup>3</sup> without improving its enviro standard beyond 1969.
2. *The Port Hedland Industries Council continue operating and maintaining its air quality network* - please – it should be an independent operator supplying info to the DER – otherwise be like putting a gambling addict in charge of finances!
3. *All of these reviews* – but what happens when they are breached – nothing, no enforcement – but it looks like the Task Force are doing something.
4. *Noise* - this has not been an issue for me.
5. *Dust limitations* Seriously – they must think people are stupid
  1. The dust goes beyond Taplin
  2. So, miraculously, the dust stops within 200 m of a primary school and aboriginal housing estate
  3. Again – the “hurt some” is OK
  4. It is not the council’s responsibility to enforce DER requirements – unless it is tied into the rumour of 300 plus million that BHP is meant to offer the council to re-zone. Hang on – isn’t the council meant to be independent of business and hmm – glad only a rumour.
6. Again here we go
  1. The spoil bank was created by BHP building and protecting its channel but now it is the councils problem (hence rate payers)

2. The Pilbara Port Authority have done an excellent job and should continue doing good work – BUT the main user of the road to the port is the port – asphalt the road (noise), kerb it (prevents trucks driving on the gravel – dust) and manage your infrastructure. Sealing unsealed roads and road sweeping – put the cost on the rate payers rather than the actual cause of the problem
3. Again put the cost on the rate payers rather than the actual cause of the problem
4. Again put the cost on the rate payers rather than the actual cause of the problem
7. The taskforce should be dismantled and an INDEPENDENT body be made accountable.

We believe that BHP make annual “compensation payments” to Dampier Salt for contaminating their salt stockpiles and have done so for many years costing tens to hundreds of millions of dollars. It can only be assumed that these payments would not be made unless BHP were guilty?

Would it not be inappropriate to compensate industry but not the community under the same circumstances (or could it have something to do with the depth of pocket and legal clout that one has).

BHP’s offer of monies to the shire for the rezoning should not be seen as a gift because, as per the ‘State Agreement 1969’ requirement’s, they are legally compelled to make annual payments of 1% of their pre-tax profit to the “host communities” where they operate.

### **Inadequacies in the Report**

I find it disappointing but not surprising that the Dust Management task force makes no mention about the damage to Port Hedland’s natural fauna, flora and waterways being destroyed by dust contamination of heavy metals.

Nor does it set a comparison with other “residential” ports such as Esperance, Geraldton, Bunbury and Fremantle.

Are the windborne dust mitigation measures employed by BHP world class?

In the report findings, they only mention airborne contamination generated around Port Hedland (immediately adjacent Finucane Island and Nelson Point) with no obvious measurements taken or mention of Anderson Point and Roy Hill. Thus it would appear to be obvious that those companies are ahead of the game.

### **Summary**

So it is for the above reasoning that I do not believe the area should be re-zoned, that the report is far from independent and narrowly targets only areas that it wants to.

**\*Please do not publish my name or address on the web responses.**