



Environmental Protection Act 1986

Section 65

ENVIRONMENTAL PROTECTION NOTICE
AMENDMENT 1 dated 9 June 2020

Reference No: DWERDG454/19

PERSON TO WHOM THIS NOTICE IS ISSUED:

Westpork Pty Ltd, ACN 009 148 789
In its capacity as Occupier and Owner of Lot 10 on Plan 23562
Unit 1, 7 Foundry Street
MAYLANDS WA 6051

PREMISES TO WHICH THIS NOTICE RELATES (the Premises)

30 Crapella Road
BOSCABEL WA 6394

described as:

Lot 10 on Plan 23562, as shown on Certificate of Title Volume 2173 Folio 889

REASONS FOR WHICH THIS NOTICE IS ISSUED

This Notice is given to Westpork Pty Ltd because I suspect on reasonable grounds that there are emissions of odours and nutrients to groundwater from the Premises and the emissions have caused or are likely to cause pollution, being a direct alteration of the environment to its detriment.

DWER officers have inspected the premises on multiple occasions during 2018 and 2019 and identified that odour emissions were originating from the:

- (a) unauthorised operation of intensive weaner and finisher sheds;
- (b) inadequate treatment of effluent from piggery operations; and
- (c) non-enclosed collection sumps.

Furthermore:

- (d) The odour emissions are having a direct detrimental impact on the neighbouring community causing loss of amenity.
- (e) The odour emissions have caused pollution.

DWER officers have inspected the premises on multiple occasions during 2018 and 2019 and identified that the following practises may be contributing to groundwater emissions:

- (f) inadequate treatment of effluent from piggery operations;
- (g) the effluent ponds may contain significant loadings of solid waste matter, due to the lack of treatment prior to discharge; and

- (h) unknown permeability of the stormwater basins and effluent ponds within the Premises, with no evidence of an impermeable lining having been installed bale to be provided.

Furthermore:

- (i) The potential groundwater emissions from the stormwater basins and effluent ponds are likely to have a direct detrimental impact on the surrounding environment including the immediate aquifer.
- (j) The potential groundwater emissions are likely to cause pollution.

I am satisfied that because **Westpork Pty Ltd** is the Occupier and Owner of the Premises from which the emission emanated; that you are the persons causing the emission and you are the appropriate persons to whom to give this Notice.

REQUIREMENTS OF THIS NOTICE

The requirements of this notice are amended by the removal of words with a strikethrough and the insertion of that underlined.

Requirement 1


1. The Occupier must take such measures that will ensure by 15 ~~June~~ December 2020 and thereafter that the number of animals (pigs) at the Premises is less than 500 in total, in accordance with Schedule 1 of the *Environmental Protection Regulations 1987*, unless operation of the premises at a higher number of animal (pigs) is approved under Part V, Division 3 of the *Environmental Protection Act 1986*.

Reporting

2. Within 14 days from the day after the completion of Requirement 1, the Occupier must provide a written notification to the CEO confirming animal numbers on the Premises.

Mike Rowe
Chief Executive Officer
Department of Water and Environmental Regulation

— July 2019


Stuart Cowie
Executive Director Compliance and Enforcement (Delegation No. 143)
Department of Water and Environmental Regulation
Officer delegated under Section 20 of the Environmental Protection Act 1986

9 June 2020

**IMPORTANT
NOTES**

A PERSON WHO IS BOUND BY THIS NOTICE AND WHO DOES NOT COMPLY WITH THIS NOTICE COMMITS AN OFFENCE.

A person who is aggrieved by a requirement contained in this 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.

Any other person who disagrees with a requirement contained in this 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 for that appeal.

PENDING THE DETERMINATION OF AN APPEAL REFERRED TO ABOVE THE RELEVANT REQUIREMENTS CONTAINED IN THIS 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);

'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
Fax: (08) 6364 7001
Email: primehouse.reception@dwer.wa.gov.au

'DWER' means Department of Water and Environmental Regulation;

'Occupier' means Westpork Pty Ltd, the holder of Works Approval W5865/2015/1;

'Owner' means Westpork Pty Ltd;

'Premises' means 30 Crapella Road, BOSCABEL WA 6394 described as Lot 10 on Plan 23562, as shown on Certificate of Title Volume 2173 Folio 889;

'Provide in writing' includes by email with an authorised signature;

'Untreated effluent' means effluent which has not been processed through the Waste Treatment Plant.