



*Environmental Protection Act 1986*

Section 65

**ENVIRONMENTAL PROTECTION NOTICE**

Reference No: CEO222/18

**PERSON TO WHOM THIS NOTICE IS ISSUED:**

**TO: FARFIELD HOLDINGS PTY LTD, ACN 104 086 320**  
In its capacity as the occupier of the Premises  
Registered Address for Service for Farfield Holdings Pty Ltd  
C/- ASPEN CORPORATE PTY LTD  
Level 2, 102 Beaufort Street  
PERTH WA 6000

And

**TO: AIRPORT PROPERTY HOLDING PTY LTD, ACN 147 675 018**  
**In its capacity as the owner of the Premises**  
Registered Address for Service  
C/- ASPEN CORPORATE PTY LTD  
Level 2, 102 Beaufort Street  
PERTH WA 6000

**PREMISES TO WHICH THIS NOTICE RELATES (the Premises)**

35 Briggs Street, WELSHPOOL WA 6106  
described as Lot 851 on Deposited Plan 48964, as shown on Certificate of Title  
Volume 2621, Folio 20; and 39 Briggs Street, WELSHPOOL WA 6106  
described as Lot 2 on Deposited Plan 404784, as shown on Certificate of Title Volume  
2872, Folio 285

**REASONS FOR WHICH THIS NOTICE IS ISSUED**

This Notice is served because I reasonably suspect that there are, or are likely to be, an emissions from the Premises, and the emission have caused or are likely to cause pollution.

- Between 29 September 2017 and 5 February 2018, the Department of Water and Environmental Regulation (DWER) received 10 complaints relating to dust emissions impacting the amenity of members of the community neighbouring the premises.
- DWER officers inspected the premises and identified the following activities to have the potential for dust emissions to cause pollution:
  - stockpiling of waste and product material in excess of the height limits for these stockpiles as required by licence L8860/2014/1
- Further, DWER officers identified that product (processed waste) is not separated into separate stockpiles of products tested for ACM and products awaiting testing for ACM.

This practice increases the potential for dust emissions containing asbestos through the use of this product by third party customers.

- The dust emissions are having a direct detrimental impact on the neighbouring community causing loss of amenity.
- The dust emissions have caused pollution.

I am satisfied that because you:

- Farfield Holdings Pty Ltd are the occupier of the Premises from which the emissions have been emitted; and
- Airport Property Holdings Pty Ltd as the owner of the premises;
- are the persons who caused the emissions,

you are the appropriate persons to whom to give this Notice.

## REQUIREMENTS OF THIS NOTICE

1. On the date this Notice is served CEASE acceptance of all waste to the premises until such time that:
  - a. all stockpiles of waste do not exceed 4 metres in height at any point from the base of the stockpile, whereby the base of the stockpile is defined as 26.44m on the Australian Height Datum (AHD); and
  - b. all stockpiles of product do not exceed 10 metres in height at any point from the base of the stockpile, whereby the base of the stockpile is defined as 15.72m AHD; and
  - c. permanent certified visual height markers are installed to ascertain waste and product stockpile heights maximum heights; and
  - d. The height markers are to clearly show the relevant numerical limit for the stock piles i.e. 4metres for stockpiles of waste and 10 metres for stockpiles of product; and
  - e. These height markers are to be installed by a Licensed Surveyor and must be made to be visible by the public and by workers on the site to assist in compliance with the height limits imposed in Requirements 3 and 4 above; and
  - f. Provide written certification to the CEO from the Licensed Surveyor certifying the height markers have been installed in accordance with the requirements of this Notice and provide a certified plan showing the installation of the height markers;
  - g. Provide written certification to the CEO from the Licensed Surveyor certifying that all stockpile heights are compliant with the height limits imposed by Requirements 3 and 4 of this Notice; and
  - h. The CEO has written to you to confirm you have complied with 1(a)-(g) to the satisfaction of the department.
2. ENSURE that waste materials and products moved under requirement 1(a) and requirement 1(b) are wetted down prior to movements taking place.
3. FOLLOWING completion of requirement 1, stockpiles of waste shall not exceed 4 metres in height at any point from the base of the stockpile, whereby the base of the stockpile is defined as 26.44m AHD.
4. FOLLOWING completion of requirement 1 and within 30 days of the receipt of this notice, stockpiles of product shall not exceed 10 metres in height at any point from the base of the stockpile, whereby the base of the stockpile is defined as 15.72m AHD.

5. WITHIN SEVEN days after the date of receipt of this notice, the separation distance between the base of all stockpiles of waste and the premises boundary must be a minimum of 1.5 metres.
6. WITHIN THIRTY days after the date of receipt of this notice, stockpiles of product tested for ACM and stockpiles of products awaiting testing for ACM shall be separated by permanent impermeable concrete barriers.



Mike Rowe

Chief Executive Officer (CEO)  
Department of Water and Environmental Regulation

2 March 2018

**IMPORTANT  
NOTE**

**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.**

## APPENDIX 1

### DEFINITIONS

**In this Notice, unless the contrary intention appears –**

**'ACM'** means Asbestos containing material and has the meaning defined in the *Guidelines for Assessment, Remediation and Management of Asbestos Contaminated Sites, Western Australia*, (DOH, 2009);

**'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 33  
CLOISTERS SQUARE WA 6650  
Telephone: (08) 6364 7000  
Fax: (08) 6364 7001  
Email: [atrium.reception@dwer.wa.gov.au](mailto:atrium.reception@dwer.wa.gov.au)

**'DWER'** means Department of Water and Environmental Regulation;

**'Occupier'** means Farfield Holdings Pty Ltd, the holder of prescribed premises licence L8860/2014/1;

**'Premises'** means Lot 851 on Deposited Plan 48964, as shown on Certificate of Title Volume 2621, Folio 20 and Lot 2 on Deposited Plan 404784, as shown on Certificate of Title Volume 2872, Folio 285

**'Provide in writing'** includes by email with an authorised signature.