



*Environmental Protection Act 1986*

Section 65

**ENVIRONMENTAL PROTECTION NOTICE  
AMENDMENT 1 Dated 15 May 2020**

Reference No: DWERDG401/19

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

**Westpork Pty Ltd**, ACN 009 148 789

In its capacity as Occupier and Owner of Lot 502 on Plan 54832  
Unit 1, 7 Foundry Street  
MAYLANDS WA 6051

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

502 Sutters Lane  
WEST PINJARRA WA 6208

described as:

Lot 502 on Plan 54832, Certificate of Title Volume 2677 Folio 599

**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 from the Premises and the emissions have caused or are likely to cause pollution, being a direct alteration of the environment to its detriment.

In particular:

- a) The premises is operating with 7,980 Standard Pig Units (SPU), in exceedance of the licence design capacity of 3,121 SPU.
- b) The wastewater treatment system is currently significantly overloaded due to the accumulation of sludge, with insufficient capacity to treat the effluent effectively.
- c) The volume of sludge in the Primary Anaerobic Pond is sufficient that sludge is exposed above the surface of the Primary Anaerobic Pond, resulting in a significant risk of odour emissions.
- d) Between 1 January 2019 and 10 July 2019, the Department of Water and Environmental Regulation (DWER) received 70 complaints of odour and noise impacting the amenity of members of the community neighbouring the premises.
- e) The odour emissions are having a direct detrimental impact on the neighbouring community causing loss of physical well-being, social interaction and amenity.
- f) The odour emissions are causing pollution.

I am satisfied that because:

- **Westpork Pty Ltd** is the Licensee and Occupier from which the emission emanated;  
and
- **Westpork Pty Ltd** is the 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. By 15 June ~~2020~~ 2021, reduce the number of animals at the premises to not more than 3,121 SPU, unless operation of the premises at a higher number of animal (pigs) is authorised by a licence or works approval issued by DWER.

### Reporting

2. Within 14 days from the day after the completion of the 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  
15 May 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](mailto:primehouse.reception@dwer.wa.gov.au)

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

**'Occupier'** means Westpork Pty Ltd, the holder of prescribed premises licence L9142/2018/1;

**'Owner'** means Westpork Pty Ltd;

**'Premises'** means 502 Sutters Lane, WEST PINJARRA WA 6208 described as Lot 502 on Plan 54832, Certificate of Title Volume 2677 Folio 599;

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

**'Standard Pig Unit (SPU)'** as defined in the current version of the National Environmental Guidelines for Piggeries.