



Mr P Plunkett and Ms R Ratcliffe  
Lot 4 Stockyard road  
MERIVALE WA 6450

Dear Sir and Madam

**ENVIRONMENTAL PROTECTION ACT 1986 – ENVIRONMENTAL PROTECTION NOTICE**

**Lot 4 Stockyard Road  
MERIVALE WA 6450**

The Department of Environment and Conservation (DEC) hereby serves an Environmental Protection Notice (EPN) on Lot 4 Stockyard Road, Merivale

A copy of the EPN is attached.

The premises in question is described as:

Lot 4 on Deposited Plan 26721, being the whole of the land contained in the Certificate of Title Volume 2537 Folio 653.

Pursuant to Section 66(1) of the *Environmental Protection Act 1986*, I have delivered copies of this Notice to the Western Australian Planning Commission and the Western Australian Land Information Authority for registration.

If you have any queries regarding the notice, please don't hesitate to contact Caron Goodbourn at DEC South Coast Regional Office.

Yours sincerely

Robert Atkins  
ACTING DIRECTOR GENERAL

11 December 2009

**Environmental Protection Act 1986**

**Section 65**

**ENVIRONMENTAL PROTECTION NOTICE**

**Person to Whom this Notice is Given:**

(being the owner and occupier of the Premises described below)

Paul James PLUNKETT and Rita May RATCLIFFE  
Lot 4 Stockyard Road  
Merivale, WA 6450

**Premises to Which this Notice Relates**

Lot 4 Stockyard Road, Merivale in Western Australia and being more particularly described as:

Lot 4 on Deposited Plan 26721, being the whole of the land contained in the Certificate of Title Volume 2537 Folio 653.

("the Premises")

**Reason for Which this Notice is Served**

This notice is issued because I suspect on reasonable grounds that there is an emission from the Premises, namely the storage of more than 100 tyres on the premises, and the emission has caused pollution.

**Requirements of this Notice**

Each owner and occupier of the Premises who is bound by this Notice is required to do the following:

- 1 Take the following measures, which I consider necessary to prevent, control and abate the emission:
  - 1.1 Prepare a written Waste Tyre Removal Plan by 30 December 2009.
  - 1.2 The plan referred to in paragraph 1.1 of this Notice shall include:
    - 1.2.1 Details of how the tyres are to be transported to and disposed of at a licenced facility(ies) including numbers of tyres, in accordance with the *Environmental Protection (Controlled Waste) Regulations 2004*.

- 1.2.2 Details of companies/individuals to be used to transport the tyres. These details must include Business Name, Business Address and ACN/ABN.
    - 1.2.3 Details of final disposal sites of the tyres and the number of tyres to be directed to each disposal site. These details must include Business Name, Business Address, ACN/ABN and the quantity of tyres to be directed to each site.
  - 1.3. The Plan referred to in Paragraph 1.1 of this Notice must be submitted to the Regional Leader, South Coast Region of the Department of Environment and Conservation, 120 Albany Highway, Albany 6330 by 4pm on 31 December 2009 for approval;
  - 1.4. Implementation of the approved plan, described in paragraph 1.1 of this Notice, must occur by 4pm on a day no more than one week after the Regional Leader advises the Notice bearer that the plan is approved.
  - 1.5. Completion of the works, as stated in the approved plan, described in paragraph 1.1 of this Notice, must occur by 4pm on a day no more than eight weeks after the plan is first implemented.
2. Report to the CEO on the action taken under Paragraph 1 of this Notice and its outcome:
  - 2.1 Provide a written report outlining the progress made in implementing the requirements of Conditions 1.1 to 1.5 of this Notice. This is to be provided to the CEO by 4pm on the last Friday of each calendar month after the service of Notice until all requirements of Conditions 1.1 to 1.5 of this Notice are completed. This report must include full details of where the tyres have been removed and disposed of; the number of tyres removed and disposed of at each location and the date the tyres were removed and disposed of. Copies of all receipts, invoices, orders or any other documentation relating to the removal and disposal of the tyres must be attached to the written report.
  - 2.2 Once all works have been completed a written report confirming all requirements of the Notice have been undertaken must be provided to the CEO by 4pm on a Friday no more than two weeks after the works completion. This report must include full details of where the tyres have been removed and disposed of; the number of tyres removed and disposed of at each location and the date the tyres were removed and disposed of. Copies of all receipts, invoices, orders or any other documentation relating to the removal and disposal of the tyres must be attached to the written report.
- 3 Take the following measures, which I consider necessary to prevent, control and abate the emission and the pollution:

- 3.1 Cease to cause, or allow to be caused, any further waste tyres to be accepted at the Premises.



Robert Atkins  
ACTING DIRECTOR GENERAL

11 December 2009

**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 the 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 the 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 NOTICE CONTINUE TO HAVE EFFECT.**