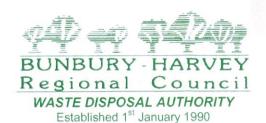
Our Ref Nr: Your Ref Nr:

Enquiries: (08) 9792 7311

Email: tbattersby@bunbury.wa.gov.au



9<sup>th</sup> June 2015



Chief Executive Officer Shire of Dardanup PO Box 7016 EATON WA 6232

RE: BREACH OF COVENANT AND DEFAULT BY LESSEE OF LEASE BETWEEN THE SHIRE OF DARDANUP AND BUNBURY-HARVEY REGIONAL COUNCIL

Dear Mark Chester,

This letter is to formally notify the Shire of Dardanup of the rectification works and operational changes that have been implemented in regards to the Notice served on the Bunbury-Harvey Regional Council, resolution 150/15.

Council resolution that the odours being emitted from the Bunbury Wellington Group of Councils Organics Waste Facility located on Lot 1, Banksia Road Dardanup are deemed to be a "nuisance" pursuant to Clause 5.9.1 of the "lease document dated May 2014 between the Shire of Dardanup and Bunbury Harvey Regional Council" (lease).

- The offending source of the odour being curds waste accepted at the organics facility from Harvey Fresh has not been accepted at the site since the 19<sup>th</sup> March 2015.
- Additional odour neutralizer has been utilized at the site to mitigate the offending residue odour.
- A Professional Weather Station has been installed at the site to record wind speed, wind gust and wind direction etc. The weather station will enable the BHRC in the event of any odour complaints to determine wind direction and speed at the time of the incident.
- An open invitation is offered to all local or interested parties to a tour of the Organics Facility at any time.
- Turning of the organic windrow stockpiles (monthly basis) will be monitored to determine whether there is an odour concern while this operation is taking place. If there is an odour concern while turning of the windrows an operational change will be implemented to only turn the stockpile when prevailing winds are in the direction away from neighboring residents.

I trust the outlined changes in the operations of the Organics Facility will satisfy your concerns, the Dardanup Council concerns and your residents' concerns in regards to any odour problems emitted from the site.

Yours sincerely

Y903-[3

**Tony Battersby**Chief Executive Officer