



23 November 2010

## **Minister's Appeal Determination Toughens SMRC License**

Dr Mike Nahan, the Member for Riverton welcomed the Minister for the Environment, Hon Donna Faragher's decision on the appeals against the amendment of the SMRC's Licence L7799/2001/5 and its unreasonable odours.

"This has been a long administrative process but it is worth it in the end to ensure that the SMRC's license to operate is Regional Resource Recovery Centre in Canning Vale meets the needs of the community who have been enduring its unreasonable odours for so long," said Dr Nahan.

"I am very pleased to see that the Minister dismissed the SMRC's appeal that "Unreasonable Odour" is contrary to the 1999 Ministerial Statement number 517."

"Six tough new conditions have been introduced to the SMRC's licence for odour control and the most important one for the community is Condition 16, which states that the SMRC shall ensure that odour emitted from the premises does not unreasonably interfere with the health, welfare, convenience, comfort or amenity of any person who is not on the premises."

"While I am aware that members of the community are still enduring odour emissions despite extensive remedial work by the SMRC, this Condition will help the Department of the Environment to ensure that the SMRC's odour emissions do not cause a nuisance to the surrounding land owners."

Dr Nahan said one of the most important appeal findings was that the Minister and the Appeals Convenor did not support the SMRC's view that the 1999 Ministerial Statement authorised them to emit odour emissions of more than 2.5 odour units for 43.8 hours per year.

"The SMRC has used this pretence many times in the past as a flimsy excuse for its emission of these unwanted odours but following this appeal process, that will no longer wash," said Dr Nahan.

Dr Nahan said Conditions 15, 17 and 18 of the Amended Licence compel the SMRC to closely manage the Pollution Control Equipment to ensure that it is operating correctly and to implement prompt management responses in the event of a malfunction or failure.

"There is no doubt that these tougher conditions should have been in place from day one. They are a substantial improvement but they only apply to SMRC's waste composting facility despite its green waste and its materials recycling facilities also producing odours," said Dr Nahan.

"It is hoped that these changes help the SMRC to become a far better corporate citizen within our community."

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