



## Application for Works Approval Amendment

### Part V Division 3 of the *Environmental Protection Act 1986*

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<b>Works Approval Number</b>	W5911/2015/1
<b>Works Approval Holder</b>	Kwinana WTE Project Pty Ltd
<b>ACN</b>	165 661 263
<b>File Number</b>	DER2015/002147 and APP-0027953
<b>Premises</b>	<p>Kwinana WTE Project</p> <p>Legal description –</p> <p>Part of Lot 2 on Deposited Plan 419343</p> <p>As defined by the plan in Schedule 1 and the coordinates in Schedule 2 of the Revised Works Approval</p>
<b>Date of Report</b>	12 May 2025
<b>Decision</b>	Revised works approval granted

## 1. Decision summary

The Delegated Officer has determined to make amendments to Works Approval W5911/2015/1. The amendments are administrative in nature therefore they do not alter the risk profile of the Premises, providing that activities, emissions and receptors as stated in existing approvals remain unchanged.

This Amendment Report documents the amendments made pursuant to section 59 and 59(B) of the *Environmental Protection Act 1986* (EP Act).

The decision report for the existing works approval will remain on the department's website for future reference and will act as a record of the department's decision making.

## 2. Scope of assessment

### 2.1 Regulatory framework

In amending the works approval the department has considered and given due regard to its Regulatory Framework and relevant policy documents which are available at <https://dwer.wa.gov.au/regulatory-documents>.

### 2.2 Application summary

Works Approval W5911/2015/1 is held by Kwinana WTE Project Pty Ltd (Works Approval Holder) for the Kwinana WTE Project (the Premises), located in Leath Road Kwinana Beach.

The Premises relates to the categories and the assessed production/design capacity under Schedule 1 of the *Environmental Protection Regulations 1987* (EP Regulations) which are defined in existing Works Approval W5911/2015/1.

On 14 March 2025, the Works Approval Holder submitted an application to the department to amend Works Approval W5911/2015/1 under section 59B of the *Environmental Protection Act 1986* (EP Act). The amendment is limited only to extending the works approval expiry date by one year to allow time for Works Approval Holder to commission the plant and conduct time limited operations. The Works Approval Holder has stated in the application that it plans to commission the plant from 12 July 2024 to 31 August 2025 and start time limited operations on 1 September 2025.

## 3. Consultation

The Works Approval Holder was provided with the draft Amendment Report on 16 April 2025. On 9 May 2025 the Works Approval Holder responded and waived the comment period.

## 4. Conclusion

Based on the assessment in this Amendment Report, the Delegated Officer has determined that an amended works approval will be granted, subject to conditions commensurate with the determined controls and necessary for administration and reporting requirements.

## 5. Decision

Section 63 of the EP Act prescribes that a works approval shall continue in force for such period as is specified in the works approval. Works approval W5911/2015/1 is due to expire on 30 June 2025.

The delegated officer has determined that extending the works approval expiry date to 30 June 2026 is appropriate on the basis that it will facilitate the commissioning of all infrastructure while providing sufficient time for time limited operations and subsequent assessment of the expected licence application for the premises.

In determining to extend the duration of the works approval, the following matters were considered:

- the risks posed by emissions and discharges from the premises were assessed for the grant of W5911/2015/1 and operational controls were applied in the works approval based on this assessment;
- an extension to the works approval duration will not change the current risk profile of the premises, or change the risks posed by ongoing emissions from the premises;
- the premises will continue to be subject to the conditions of the works approval;
- the works approval authorises commissioning of the premises and a period of 180 days of time limited operations; and
- in the event that risk issues arise in relation to the premises, the CEO may
  - (a) amend the works approval conditions at any point, and
  - (b) in the event of an alleged offence, exercise enforcement powers under the provisions of the EP Act.

The delegated officer has therefore amended W5911/2015/1 in accordance with section 59(1) of the EP Act by extending the expiry date from 30 June 2025 to 30 June 2026.

### 5.1 Summary of amendments

Table 1 below provides a summary of the amendments and will act as a record of implemented changes. All proposed changes have been incorporated into the amended works approval as part of the amendment process.

**Table 1: Summary of works approval amendments**

Condition no.	Proposed amendments
Duration	Extended to 30/06/2026
Premises Details	Updated to correct typographical error to the premises location plan number