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Published on: 3 September 2015

Statement No. 1016

STATEMENT THAT A PROPOSAL MAY BE IMPLEMENTED (Environmental Protection Act 1986)

KWINANA WASTE TO ENERGY PROJECT

Proposal: To build and operate a waste to energy plant and brick

making facility on Lot 9500 Leath Road, Kwinana in the

Kwinana Industrial Area.

Proponent: Kwinana WTE Project Co Pty Ltd

Australian Company Number 165 661 263

Proponent Address: Lot 9500 Leath Road, Kwinana WA 6167

Assessment Number: 1945

Report of the Environmental Protection Authority: 1538

Pursuant to section 45 of the *Environmental Protection Act 1986* it has been agreed that the proposal described and documented in Table 1 and 2 of Schedule 1 may be implemented and that the implementation of the proposal is subject to the following implementation conditions and procedures:

1 Proposal Implementation

1-1 When implementing the proposal, the proponent shall not exceed the authorised extent of the proposal as defined in Table 2 in Schedule 1, unless amendments to the proposal and the authorised extent of the proposal has been approved under the EP Act.

2 Contact Details

2-1 The proponent shall notify the CEO of any change of its name, physical address or postal address for the serving of notices or other correspondence within twenty eight (28) days of such change. Where the proponent is a corporation or an association of persons, whether incorporated or not, the postal address is that of the principal place of business or of the principal office in the State.

3 Time Limit for Proposal Implementation

3-1 The proponent shall not commence implementation of the proposal after the expiration of five (5) years from the date of this Statement, and any commencement, within this five (5) year period, must be substantial.

3-2 Any commencement of implementation of the proposal, within five (5) years from the date of this Statement, must be demonstrated as substantial by providing the CEO with written evidence, on or before the expiration of five (5) years from the date of this Statement.

4 Compliance Reporting

- 4-1 The proponent shall prepare, submit and maintain a Compliance Assessment Plan to the CEO at least six (6) months prior to the first Compliance Assessment Report required by condition 4-6, or prior to implementation, whichever is sooner.
- 4-2 The Compliance Assessment Plan shall indicate:
 - (1) the frequency of compliance reporting;
 - (2) the approach and timing of compliance assessments;
 - (3) the retention of compliance assessments;
 - (4) the method of reporting of potential non-compliances and corrective actions taken;
 - (5) the table of contents of Compliance Assessment Reports; and
 - (6) public availability of Compliance Assessment Reports.
- 4-3 After receiving notice in writing from the CEO that the Compliance Assessment Plan satisfies the requirements of condition 4-2 the proponent shall assess compliance with conditions in accordance with the Compliance Assessment Plan required by condition 4-1.
- 4-4 The proponent shall retain reports of all compliance assessments described in the Compliance Assessment Plan required by condition 4-1 and shall make those reports available when requested by the CEO.
- 4-5 The proponent shall advise the CEO of any potential non-compliance within seven (7) days of that non-compliance being known.
- 4-6 The proponent shall submit to the CEO the first Compliance Assessment Report fifteen (15) months from the date of issue of this Statement addressing the twelve (12) month period from the date of issue of this Statement and then annually from the date of submission of the first Compliance Assessment Report, or as agreed in writing by the CEO.

The Compliance Assessment Report shall:

- (1) be endorsed by the proponent's Chief Executive Officer or a person delegated to sign on the Chief Executive Officer's behalf;
- (2) include a statement as to whether the proponent has complied with the conditions;
- (3) identify all potential non-compliances and describe corrective and preventative actions taken;
- (4) be made publicly available in accordance with the approved Compliance Assessment Plan; and

(5) indicate any proposed changes to the Compliance Assessment Plan required by condition 4-1.

5 Public Availability of Data

- 5-1 Subject to condition 5-2, within a reasonable time period approved by the CEO of the issue of this Statement and for the remainder of the life of the proposal the proponent shall make publicly available, in a manner approved by the CEO, all validated environmental data (including sampling design, sampling methodologies, empirical data and derived information products (e.g. maps)) relevant to the assessment of this proposal and implementation of this Statement.
- 5-2 If any data referred to in condition 5-1 contains particulars of:
 - (1) a secret formula or process; or
 - (2) confidential commercially sensitive information;

the proponent may submit a request for approval from the CEO to not make this data publicly available. In making such a request the proponent shall provide the CEO with an explanation and reasons why the data should not be made publicly available.

6 Waste Acceptance Monitoring and Management Plan

- 6-1 The proponent shall demonstrate that waste types not permitted for processing, detailed in Table 2 of Schedule 1 are not processed at this facility by implementing conditions 6-2 to 6-8.
- 6-2 Prior to commencement of operations the proponent shall prepare and submit a Waste Acceptance Monitoring and Management Plan to the CEO. The Waste Acceptance Monitoring and Management Plan shall:
 - (1) specify management actions that will be implemented to ensure the management objective in condition 6-1 is achieved;
 - (2) provide a protocol or procedure for the review of the Waste Acceptance Monitoring and Management Plan to ensure that the Waste Acceptance Monitoring and Management Plan is meeting the objective specified in condition 6-1;
 - (3) detail the proposed monitoring methodology to:
 - a. identify the supplier of each waste load;
 - b. record all waste loads received on site;
 - c. describe waste types accepted on site and categorise as householder source separated municipal solid waste, material recovery facility residuals or alternative waste treatment residuals from the processing of municipal solid waste;
 - d. record the amount of waste accepted on site;
 - e. record waste types fed into the combustion chamber; and
 - f. record waste types disposed off-site.

- (4) detail a procedure to summarise the results of monitoring outlined in condition 6-2(3).
- 6-3 After receiving notice in writing from the CEO that the Waste Acceptance Monitoring and Management Plan satisfies the requirements of condition 6-2, the proponent shall:
 - (1) implement the monitoring and management actions in accordance with the requirements of the Waste Acceptance Monitoring and Management Plan; and
 - (2) continue to implement the management actions in accordance with the requirements of the Waste Acceptance Monitoring and Management Plan until the CEO has confirmed by notice in writing that it has been demonstrated that the objective in condition 6-1 has been met and therefore the implementation of the management actions are no longer required.
- 6-4 The proponent shall retain the results of monitoring required by condition 6-3 and shall make those results available when requested by the CEO.
- 6-5 The proponent shall provide the summary of the results of monitoring required by condition 6-3 to the CEO every six months from the date of commencement until the CEO has confirmed by notice in writing that provision of the summary is no longer required.
- 6-6 The proponent may review and revise the Waste Acceptance Monitoring and Management Plan.
- 6-7 The proponent shall review and revise the Waste Acceptance Monitoring and Management Plan as and when directed by the CEO.
- 6-8 The proponent shall implement the latest revision of the Waste Acceptance Monitoring and Management Plan, which the CEO has confirmed by notice in writing, satisfies the requirements of condition 6-2.

7 Ash Characterisation and Reuse

- 7-1 The proponent shall demonstrate that the ash produced by the plant is suitable for reuse to make by-products bricks, pavers and /or construction aggregate, and that the by-products are fit for use by implementing conditions 7-2 to 7-11.
- 7-2 Prior to the commissioning of the brick making facility, the proponent shall prepare and submit an Ash Characterisation Survey Plan to the CEO. The Ash Characterisation Survey Plan shall:
 - (1) when implemented, determine the compositional consistency of the ash and its suitability for reuse in the production of the by-products; and
 - (2) detail the proposed methodology to measure compositional consistency with variations in waste inputs (and over a suitable time period) to demonstrate that the ash is suitable for reuse in the production of byproducts.

- 7-3 After receiving notice in writing from the CEO that the Ash Characterisation Survey Plan satisfies the requirements of condition 7-2, the proponent shall undertake the characterisation of bottom ash and fly ash in accordance with the Ash Characterisation Survey Plan.
- 7-4 On completion of the Ash Characterisation Survey the proponent shall report to the CEO on the following:
 - (1) completion of the Ash Characterisation Survey; and
 - (2) the results of the Ash Characterisation Survey.
- 7-5 Prior to the commissioning of the brick making facility, the proponent shall prepare and submit an Ash Reuse Management Plan. The Ash Reuse Management Plan shall:
 - (1) specify the testing procedure and criteria that will be used to ensure that the by-products are fit for each identified use;
 - (2) detail the batch testing methods and testing frequency for by-products to verify/certify that they meet the criteria identified in condition 7-5(1) above;
 - (3) identify any end of life risks for further reuse or disposal of by-products; and
 - (4) identify disposal options and specify the fate of by-products that fail to meet the criteria specified in condition 7-5(1) when tested in accordance with the methods required by condition 7-5(2).
- 7-6 After receiving notice in writing from the CEO that the Ash Reuse Management Plan satisfies the requirements of condition 7-2, the proponent shall implement the management actions in accordance with the requirements of the Ash Reuse Management Plan.
- 7-7 The proponent shall continue to implement the management actions and monitor in accordance with the requirements of the Ash Reuse Management Plan until the CEO has confirmed by notice in writing that it has been demonstrated that the objective in condition 7-1 is being and will continue to be met and therefore the implementation of the management actions and monitoring is no longer required.
- 7-8 In the event that by-products fail to meet the criteria in the Ash Reuse Management Plan the proponent shall:
 - (1) reprocess the by-products; or
 - (2) dispose of the by-products to an appropriate class landfill.
- 7-9 The proponent may review and revise the Ash Reuse Management Plan.
- 7-10 The proponent shall review and revise the Ash Reuse Management Plan as and when directed by the CEO.

7-11 The proponent shall implement the latest revision of the Ash Reuse Management Plan, which the CEO has confirmed by notice in writing, satisfies the requirements of condition 7-5.

[Signed 3 September 2015]

Albert Jacob MLA MINISTER FOR ENVIRONMENT; HERITAGE

Schedule 1

Table 1: Summary of the Proposal

Proposal Title	Kwinana Waste To Energy Project	
Short Description	This proposal is for a waste to energy plant using Martin Gmbh reverse acting grate combustion technology and brick making plant and associated infrastructure, on Lot 9500 Leath Road, Kwinana, which includes the following: • waste receiving area;	
	 two fully automated furnaces or lines; 	
	 steam system with electricity generation; 	
	 flue gas cleaning Air Pollution control system (one per line); 	
	 two lines, two flues (one per line) and one gas stack. 	
	a brick making facility;	
	a control room;	
	laboratory; and	
	associated infrastructure.	

Table 2: Location and authorised extent of physical and operational elements

Column 1	Column 2	Column 3
Element	Location	Authorised Extent
Waste to energy plant and brick making facility.	Figure 2 and coordinates of the development envelope in schedule 2, table 4.	Clearing of no more than 1 hectare within the development envelope.
Waste receival volume		Up to 400,000 tonnes per annum
Emissions output		Shall not exceed the emissions limits specified in Annex V of the European Union Waste Incineration Directive 2000/76 or its updates.
Waste types permitted to be processed		 householder source separated residual MSW;
		 material recovery facility residuals;
		 alternative waste treatment residuals;
		 residuals from processing of MSW; and
		 refuse collected from small businesses (i.e. rateable

		businesses) where such a collection is carried out in conjunction with local government residual MSW collection.
Waste types not permitted to be processed.	•	Scheduled wastes, as defined by ANZECC for the <i>National</i> Strategy for the Management of Scheduled Waste (1992);
	•	medical waste;
	•	radioactive waste;
	•	asbestos;
	•	liquid and oily wastes;
	•	contaminated soils;
	•	tyres;
	•	animal carcasses;
	•	waste with a halogen content greater than 1%;
	•	highly corrosive or toxic liquids or gases such as strong acids or chlorine or fluorine;
	•	commercial and industrial wastes;
	•	construction and demolition wastes; and
	•	dewatered biosolids/sewage sludge and biomass.

Table 3: Abbreviations and Definitions

Acronym or Abbreviation	Definition or Term
CEO	The Chief Executive Officer of the Department of the Public Service of the State responsible for the administration of section 48 of the <i>Environmental Protection Act 1986</i> , or his delegate.
EPA	Environmental Protection Authority
EP Act	Environmental Protection Act 1986
MSW	municipal solid waste

Figures (attached)

Figure 1 Regional context

Figure 2 Development envelope (This figure is a representation of the coordinates shown in Table 4 of Schedule 2)



Figure 1: Regional context

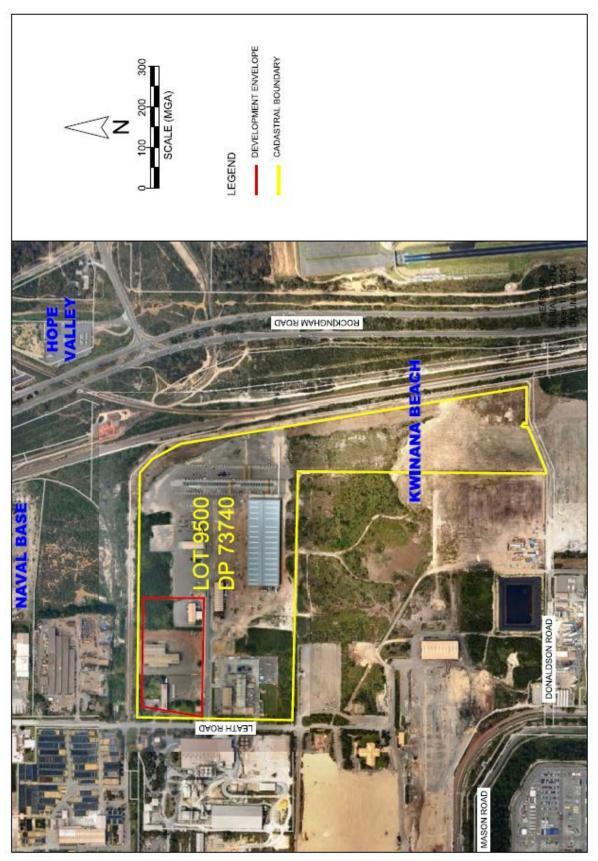


Figure 2: Development envelope

Table 4: Development Envelope Coordinates

Coordinate No	Easting	Northing
1	384720.47	6435668.39
2	384980.06	6435668.44
3	384979.59	6435538.32
4	384704.40	6435538.35

Attachment 1 to Ministerial Statement 1016

Change to proposal approved under section 45C of the Environmental Protection Act 1986

This Attachment replaces Schedule 1 of Ministerial Statement 1016.

Proposal: Kwinana Waste to Energy Project
Proponent: Kwinana WTE Project Co Pty Ltd

Changes:

- amendment to waste types permitted to be processed inclusion of commercial and industrial waste, which incorporates refuse collection from small businesses (i.e. rateable small businesses) where such a collection is carried out in conjunction with local government residual MSW collection; and
- amendment to waste types permitted to be processed inclusion of pre-sorted construction and demolition waste.

Table 1: Summary of the Proposal

Proposal Title	Kwinana Waste To Energy Project	
Short Description This proposal is for a waste to energy plant using Martin reverse acting grate combustion technology and brick plant and associated infrastructure, on Lot 9500 Leath Kwinana, which includes the following:		
	 waste receiving area; two fully automated furnaces or lines; steam system with electricity generation; flue gas cleaning Air Pollution control system (one per line); two lines, two flues (one per line) and one gas stack; a brick making facility; a control room; laboratory; and associated infrastructure. 	

Table 2: Location and authorised extent of physical and operational elements

Element	Location	Previously Authorised Extent	Authorised Extent
Waste to energy plant and brick making facility	Figure 2 and coordinates of the development envelope in schedule 2, table 4.	Clearing of no more than 1 hectare within the development envelope.	Clearing of no more than 1 hectare within the development envelope.
Waste receival volume		Up to 400,000 tonnes per	Up to 400,000 tonnes per annum
Emissions		Shall not exceed the	Shall not exceed the
output		emissions limits specified in Annex V of the	emissions limits specified in Annex V of the European

Element	Location	Previously Authorised Extent	Authorised Extent
		European Union Waste Incineration Directive 2000/76 or its updates.	Union Waste Incineration Directive 2000/76 or its updates.
Waste types permitted to be processed		 householder source separated residual MSW; 	 householder source separated residual MSW;
		material recovery facility residuals;	material recovery facility residuals;
	A ¹	alternative waste treatment residuals;	alternative waste treatment residuals;
		 residuals from processing of MSW; and 	 residuals from processing of MSW;
		 refuse collected from small businesses (i.e. rateable businesses) where such a collection is carried out in conjunction with local government residual MSW collection. 	commercial and industrial waste, defined as wastes generated by businesses and industries (such as shopping centres, restaurants and offices) and institutions (such as schools, hospitals and government offices); and
			• pre-sorted construction and demolition waste resulting from demolition, erection, construction, refurbishment or alteration of buildings or from the construction, repair or alteration of infrastructure-type development (such as roads, bridges, dams, tunnels, railways and airports).
Waste types not permitted to be processed		 scheduled wastes, as defined by ANZECC for the National Strategy for the Management of Scheduled Waste (1992); 	 scheduled wastes, as defined by ANZECC for the National Strategy for the Management of Scheduled Waste (1992);
		medical waste;	medical waste;
		radioactive waste;	radioactive waste;

Element	Location	Previously Authorised Extent	Authorised Extent
	5	asbestos;	asbestos;
		 liquid and oily wastes; 	liquid and oily wastes;
		 contaminated soils; 	 contaminated soils;
		• tyres;	• tyres;
		 animal carcasses; 	animal carcasses;
		waste with a halogen content greater than	waste with a halogen content greater than 1%;
		 1%; highly corrosive or toxic liquids or gases such as strong acids or chlorine or fluorine; 	 highly corrosive or toxic liquids or gases such as strong acids or chlorine or fluorine; and dewatered
		commercial and industrial wastes;	biosolids/sewage sludge and biomass.
		construction and demolition wastes; and	
		dewatered biosolids/sewage sludge and biomass.	

Note: Text in **bold** in Table 2 indicates a change to the proposal.

Table 3: Abbreviations

Acronym or Abbreviation	Definition or Term
CEO	The Chief Executive Officer of the Department of the Public Service of the State responsible for the administration of section 48 of the <i>Environmental Protection Act 1986</i> , or his delegate.
EPA	Environmental Protection Authority
EP Act	Environmental Protection Act 1986
MSW	municipal solid waste

Figures – All previous Figures in Schedule 1 still apply to the proposal.

Dr Tom Hatton CHAIRMAN

Environmental Protection Authority under delegated authority

Approval date: 31 Jan 2017

Attachment 2 to Ministerial Statement 1016

Change to proposal approved under section 45C of the Environmental Protection Act 1986

This Attachment replaces Schedule 1 and Attachment 1 of Ministerial Statement 1016

Proposal: Kwinana Waste to Energy Project
Proponent: Kwinana WTE Project Co Pty Ltd

Changes:

- amendment to Summary of the Proposal to remove the specific named reference to the grate technology provider;
- amendment to Summary of the Proposal to update the Lot number for the location of the proposal;
- addition and definition of the term 'proven grate combustion technology' to Table 3; and
- Figure 1 and 2 replaced to reflect the updated Lot number.

Table 1: Summary of the Proposal

Proposal Title	Kwinana Waste to Energy Project	
Short Description	This proposal is for a waste to energy using Proven Grat Combustion Technology and brick making plant an associated infrastructure, on Lot 9501 Leath Road, Kwinana which includes the following:	
	 waste receiving area; two fully automated furnaces or lines; steam system with electricity generation; flue gas cleaning Air Pollution control system (one per line); two lines, two flues (one per line) and one gas stack; a brick making facility; a control room; laboratory; and associated infrastructure. 	

Note: Text in **bold** in Table 1 indicates a change to the proposal

Table 2: Remains the same as Attachment 1

Table 3: Abbreviations and definitions

Acronym or	Definition or Term
Abbreviation	
CEO	The Chief Executive Officer of the Department of the Public Service of the State responsible for the administration of section 48 of the
	Environmental Protection Act 1986, or his delegate.
EPA	Environmental Protection Authority
EP Act	Environmental Protection Act 1986
Proven	Technology provided by a supplier with a track record in providing
Grate	grate combustion systems to waste to energy resource recovery
Combustion	facilities, which recover energy from municipal solid waste at a
Technology	similar scale to the proposal, and which is consistent with the
	Environmental and Health Performance of Waste to Energy
	Technologies under section 16(e) of the EP Act, April 2013.
MSW	municipal solid waste

Note: Text in **bold** in Table 3 indicates a change to the proposal

Figures – all previous Figures in Schedule 1 are replaced by the following:

Figure 1: Regional Context

Figure 2: Development envelope (This figure is a representation of the coordinates shown in Table 4 of Schedule 2)

[Signed 3 August 2017]

Dr Tom Hatton CHAIRMAN Environmental Protection Authority under delegated authority Approval date:



Figure 1: Regional Context

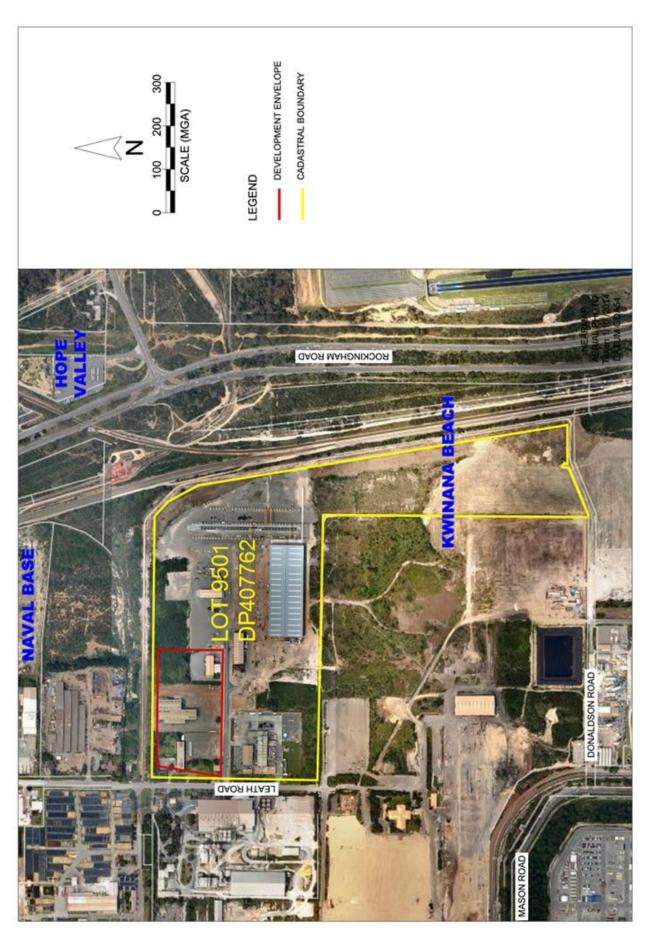


Figure 2: Development envelope

Attachment 3 to Ministerial Statement 1016

Change to proposal approved under section 45C of the Environmental Protection Act 1986

This Attachment replaces Attachment 2 of Ministerial Statement 1016

Proposal: Kwinana Waste to Energy Project
Proponent: Kwinana WTE Project Co Pty Ltd

Changes:

- Change the element description of 'waste receival volume' to 'waste processing volume'.
- Increase the waste processing volume allowance from 400,000 tpa to 460,000 tpa.
- Remove reference to the on-site brick making facility.

Table 1: Summary of the proposal

Proposal title	Kwinana Waste to Energy Project
Short description	This proposal is for a waste to energy plant using Proven Grate Combustion Technology and brick making plant and associated infrastructure, on Lot 9501 Leath Road, Kwinana, which includes the following: • waste receiving area • two fully automated furnaces or lines • steam system with electricity generation • flue gas cleaning air pollution control system (one per line) • two lines, two flues (one per line) and one gas stack • a brick making facility • a control room • laboratory • associated infrastructure.

Table 2: Location and authorised extent of physical and operational elements

Element	Location	Previously Authorised Extent	Authorised Extent
Waste to energy plant and brick making facility	Figure 2 and co-ordinates in this schedule	Clearing of no more than 1 hectare within the development envelope	Clearing of no more than 1 hectare within the development envelope

Element	Location	Previously Authorised Extent	Authorised Extent
Waste receival processing volume		Up to 400,000 tonnes per annum	Up to 460,000 tonnes per annum
Emissions output		Shall not exceed the emissions limits specified in Annex V of the European Union Waste Incineration Directive 2000/76 or its updates	Shall not exceed the emissions limits specified in Annex V of the European Union Waste Incineration Directive 2000/76 or its updates.
Waste types permitted to be processed		 householder source separated residual MSW; 	 householder source separated residual MSW;
		material recovery facility residuals;	 material recovery facility residuals;
		 alternative waste treatment residuals; 	 alternative waste treatment residuals;
		 residuals from processing of MSW; 	 residuals from processing of MSW;
		commercial and industrial waste, defined as wastes generated by businesses and industries (such as shopping centres, restaurants and offices) and institutions (such as schools, hospitals and government offices); and	commercial and industrial waste, defined as wastes generated by businesses and industries (such as shopping centres, restaurants and offices) and institutions (such as schools, hospitals and government offices); and
		 pre-sorted construction and demolition waste resulting from demolition, erection, construction, refurbishment or alteration of buildings or from the construction, repair or alteration of infrastructure-type development (such 	pre-sorted construction and demolition waste resulting from demolition, erection, construction, refurbishment or alteration of buildings or from the construction, repair or alteration of infrastructure-type development (such

Element	Location	Previously Authorised Extent	Authorised Extent
		as roads, bridges, dams, tunnels, railways and airports).	as roads, bridges, dams, tunnels, railways and airports).
Waste types not permitted to be processed		 scheduled wastes, as defined by ANZECC for the National Strategy for the Management of Scheduled Waste (1992); 	 scheduled wastes, as defined by ANZECC for the National Strategy for the Management of Scheduled Waste (1992);
		medical waste;	 medical waste;
		radioactive waste;	 radioactive waste;
		asbestos;	asbestos;
		 liquid and oily wastes; 	 liquid and oily wastes;
		contaminated soils;	 contaminated soils;
		• tyres;	tyres;
		animal carcasses;	 animal carcasses;
		 waste with a halogen content greater than 1% 	 waste with a halogen content greater than 1%
		 highly corrosive or toxic liquids or gases such as strong acids or chlorine or fluorine; and 	 highly corrosive or toxic liquids or gases such as strong acids or chlorine or fluorine; and
		 dewatered biosolids/ sewage sludge and biomass. 	 dewatered biosolids/ sewage sludge and biomass.

Note: Text in **bold** in Table 1 and Table 2 indicates a change to the proposal.

Table 3: Abbreviations

Abbreviation	Term
CEO	The Chief Executive Officer of the Department of the Public Service of the State responsible for the administration of section 48 of the Environmental Protection Act 1986, or his delegate.

Commencement of stable operations	Commencing operation of the plant infrastructure for the proposal post commissioning and start-up of the plant infrastructure.
Proven Grate Combustion Technology	Technology provided by a supplier with a track record in providing grate combustion systems to waste to energy resource recovery facilities, which recover energy from municipal solid waste at a similar scale to the proposal, and which is consistent with the Environmental and Health Performance of Waste to Energy Technologies under section 16(e) of the <i>Environmental Protection Act 1986</i> , April 2013.
MSW	municipal solid waste

Figures (attached) – all previous Figures in Schedule 1 are replaced by the following:

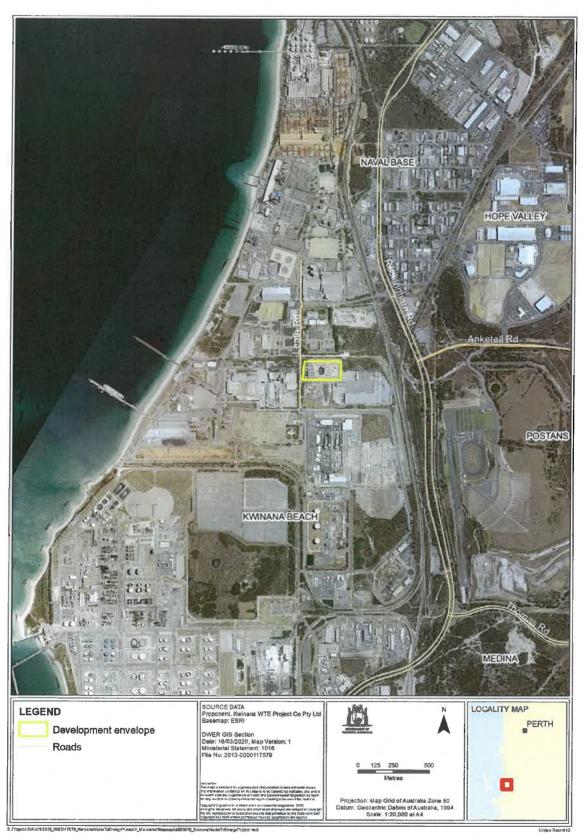


Figure 1: Regional context

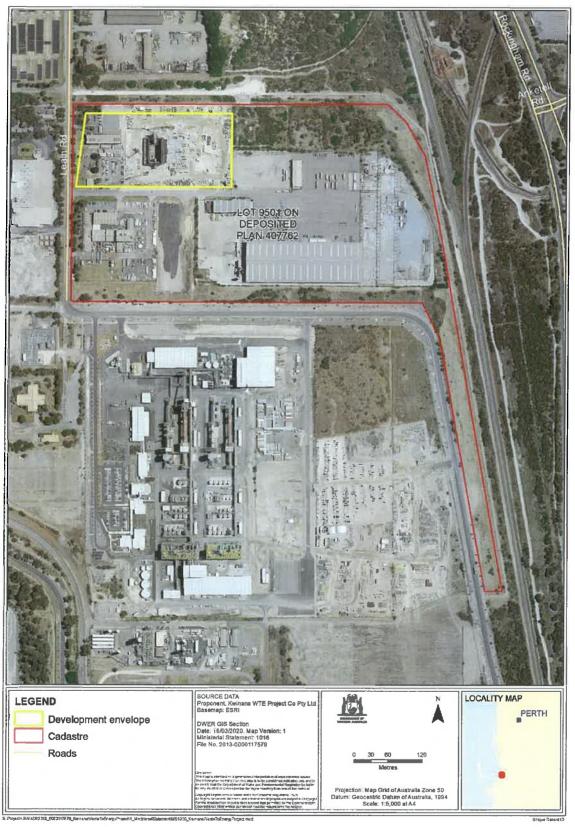


Figure 2: Development envelope

All coordinates are in metres, listed in Map Grid of Australia Zone 50 (MGA Zone 50),

datum of Geocentric Datum of Australia 1994 (GDA94).

Coordinates defining the development envelope are held by the Department of Water and Environmental Regulation, Document Reference Number 2018-1522986492451.

Hon Reece Whitby MLA MINISTER FOR ENVIRONMENT;

CLIMATE ACTION

Approval date: 3//0//2022