



Application for Works Approval Amendment

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

Works Approval Number	W6196/2018/1
Works Approval Holder	East Rockingham RRF Project Co Pty Ltd
ACN	623 495 278
File Number	DER2018/001625
Premises	East Rockingham Waste to Energy Facility 26 Office Road, EAST ROCKINGHAM Legal description – Lot 1 on Diagram 62220 Certificate of Title Volume 1608 Folio 741
Date of Report	24 November 2023
Decision	Revised works approval granted

1. Decision summary

The Delegated Officer has determined to make amendments to works approval W6196/2018/1. 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 of Water and Environmental Regulation (department) has considered and given due regard to its Regulatory Framework and relevant policy documents which are available at [DWER Regulatory documents | Western Australian Government \(www.wa.gov.au\)](https://www.wa.gov.au/government/regulatory-documents).

2.2 Application summary

Works Approval W6196/2018/1 is held by East Rockingham RRF Project Co Pty Ltd (works approval holder) for the East Rockingham Waste to Energy Facility (the premises), located in East Rockingham.

The premises relates to the categories and the assessed design capacity under Schedule 1 of the Environmental Protection Regulations 1987 (EP Regulations) which are defined in existing works approval W6196/2018/1.

On 21 August 2023, the works approval holder submitted an application to the department to amend Works Approval W6196/2018/1 under section 59B of the EP Act for the purposes of extending the works approval expiry date from July 2024 to July 2025. This extension has become necessary due to critical construction challenges such as skill shortages and delays in the importation of essential plant infrastructure. Consequently, these issues have led to delays in the construction timeline, pushing the anticipated construction completion date from late 2022 to late 2023.

As per the current plan, hot commissioning is scheduled to commence in the second quarter of 2024, with practical completion anticipated in late 2024. Following this, the works approval holder intends to apply for a licence for ongoing operations. The proposed time extension will not impact any required reporting obligations of the works approval or the period of time limited operations. Additionally, the registered business address of the works approval holder and premises name were updated to ensure administrative accuracy.

3. Consultation

Consultation Method	Comments Received
Works Approval Holder was provided with draft amendment on 16 November 2023	The Works Approval Holder responded on the same date and waived the comment period with no requested changes.

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 W6196/2018/1 is due to expire on 22 July 2024.

The delegated officer has determined that extending the works approval expiry date to 22 July 2025 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:

- 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 risks posed by emissions and discharges from the premises were assessed for the grant of W6196/2018/1 and operational controls were applied in the works approval based on this assessment;
- the premises will continue to be subject to the conditions of the works approval;
- the works approval authorises time limited operation of the premises for 180 days or until a licence for the premises is granted, subject to the submission of an environmental commissioning report;
- 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 W6196/2018/1 in accordance with section 59(1) of the EP Act by extending the expiry date from 22 July 2024 to 22 July 2025.

5.1 Summary of amendments

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

Table 1: Summary of works approval amendments

Condition no.	Proposed amendments
Cover page	Updated registered business address and premises name
Duration	Extended to 22/07/2025