

***Environmental Protection Act 1986***

**Section 45C**

**NOTICE OF DECISION TO CONSENT TO AMEND AN APPROVED PROPOSAL  
WITHOUT INQUIRY**

**PERSON TO WHOM THIS NOTICE IS GIVEN**

Eastern Metropolitan Regional Council

**PROPOSAL TO WHICH THIS NOTICE RELATES**

Resource Recovery Facility, Red Hill, City of Swan

**MINISTERIAL STATEMENT and ANY APPROVED CHANGES**

MS 976 issued 9 July 2014

MS 1092 issued 5 March 2019

MS 1122 issued 20 January 2020

**DECISION**

Pursuant to s. 45C (1) (a) of the *Environmental Protection Act 1986* (EP Act), the Chair acting as delegate for the Minister for Environment gives approval to the following amendments of the approved proposal and implementation conditions:

- Change to proposal:
  - Addition of aerobic composting within the anaerobic digestion option (amend Schedule 1 of Ministerial statement 976).
  - Removal of gasification option (remove Schedule 2 of Ministerial statement 976).
- Change to conditions:
  - Amend Condition 3 of Ministerial Statement 1122: Time Limit of Authorisation.
  - Add 'aerobic composting' in conditions 1, 6, and 7 of Ministerial statement 976.
  - Remove 'gasification technology' from conditions 1 and 6 of Ministerial statement 976.
  - Removal of Ministerial statement 976 condition 1.3 and condition 9 relating to the gasification technology.
  - Remove 'Table 2 of Schedule 2' from condition 11.1 of Ministerial statement 1092.
  - Amend the proposal description in Ministerial statements 976, 1092 and 1122.

The proposal content document is attached.

## SUMMARY OF REASONS

- The original proposal had the option of allowing anaerobic digestion or gasification technologies, but not both, for processing of organic wastes.
- Gasification technology is now not considered an option for the proposal.
- While the original proposal assessed the anaerobic digestion process, which included aerobic composting as a part of the process, the assessment did not consider aerobic composting as the sole technology to be used.
- There are other activities at the Red Hill site such as landfilling operations. This proposal will actively reduce organic wastes going to landfill.
- Impacts to air quality are not expected from the aerobic composting and the implementation timeframe would delay potential impacts to air quality, but not alter them. Existing statement 974 condition to control impacts to air quality (condition 8) would still apply.
- Impacts to social surroundings from odour are expected from the addition of aerobic composting to the proposal. However, there are existing controls on implementation which will provide control of odour impacts. Existing statement 974 conditions to control impacts to social surroundings (conditions 6 and 7) are expected to ensure consistency with the EPA's objectives by requiring:
  - reduction of the cumulative odour levels prior to operation of the proposal
  - a re-run of the odour emissions modelling
  - maximum odour emissions from the facility to be less than 500 odour units
  - an independent peer review of the detailed design of the odour control system
  - submission of the peer review with a works approval application under Part V of the EP Act.
- No amendments to acceptable waste types or processing amounts, or location and disturbance area are proposed.
- Existing Ministerial statement 1092 remains unchanged from this proposed amendment, and the conditions to define waste acceptance and monitoring (as conditions 10 and 11) would still apply.
- If implemented in accordance with the existing conditions, the impacts are not likely to be significant and are likely to be consistent with the EPA factor objectives for air quality and social surroundings (odour).
- There are no new environmental factors likely to be significantly affected as a result of the amendments.

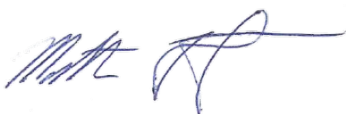
- While there are changes to the technology to be used, there is no significant new or additional information that changes the conclusions reached by the EPA since the proposal was assessed in Report 1487 (July 2013) and Report 1659 (December 2019).
- The amendment would not, if the proposal were already approved, be a significant amendment. In considering this, the effects of the amendment on its own, the effect of the amendment in the context of the existing referred proposal, cumulative and holistic impacts have been considered.
- EMRC is proposing to amend their original proposal to address the Waste Avoidance and Resource Recovery Strategy 2030 municipal solid waste material recovery target of 70% by 2030. This amendment will allow aerobic composting to be commenced prior to the introduction of anaerobic digestion, increasing the States capacity towards achieving the WARR Strategy target.
- The amended proposal will be substantially the same character as the existing referred proposal.

#### **EFFECT OF THIS NOTICE:**

1. The proposal as amended in accordance with this notice is taken to be able to be implemented under s. 45 of the EP Act.

#### **RIGHTS OF APPEAL:**

There are no rights of appeal under the EP Act in respect of this decision.



**Prof. Matthew Tonts**  
**Delegate of the Environmental Protection Authority**  
CHAIR

14 November 2023

**Attachment 1- Proposal content document**