



The Planning Inspectorate

Application by **WTI/EFW Holdings Ltd** for the **Wheelabrator Kemsley Generating Station (K3) and Wheelabrator Kemsley North (WKN) Waste to Energy Facility**

Schedule of ExA's preferred changes to the Applicant's draft DCO, Doc 2.1, [REP6-003](#)¹.

Issued on 15 July 2020

Ref	ExA's suggested changes	ExA's comments
Title and Contents		
Articles		
Article 16	After 16(l) insert "(m) draft ecological management and enhancement plan"	Improve drafting
Schedules/Requirements		
Requirement 15(1)	Delete "commissioned" and replace with "commenced"	To reflect need to have landscaping scheme approved in a timely fashion.
Requirement 22(2)(a)	Delete 22(2)(a) and replace with "be in accordance with the draft ecological management and enhancement plan certified by the Secretary of State under article 16"	Improve drafting
Requirement 25(1)	Delete "commissioned" and replace with "commenced"	To reflect need to have operational traffic routing and management plan approved in a timely fashion.

¹ [https://infrastructure.planninginspectorate.gov.uk/wp-content/ipc/uploads/projects/EN010083/EN010083-000533-Kemsley%20K3%20-%20Examination%20Library%20\(pdf%20version\).pdf](https://infrastructure.planninginspectorate.gov.uk/wp-content/ipc/uploads/projects/EN010083/EN010083-000533-Kemsley%20K3%20-%20Examination%20Library%20(pdf%20version).pdf)

Explanatory Note		
2 nd paragraph	Delete "for" before "authorised development"	Improve drafting

Schedule of ExA's changes reflected in draft DCO (K3), [PD-017], issued on 15 July 2020

Ref	ExA's suggested changes	ExA's comments
Title and Contents		
Title	Change title of Order to "The Wheelabrator Kemsley K3 Generating Station Order 20[]"	Amendment specific to K3 only
Contents, Schedules, Schedule 2, Part 1	Delete "GENERAL"	Amendment specific to K3 only
Contents, Schedules, Schedule 2, Part 2	Delete "PROJECT K3 REQUIREMENTS" and insert "K3 GENERATING STATION APPROVED PLANS AND DOCUMENTS"	Amendment specific to K3 only
Contents, Schedules, Schedule 2	Delete PART 3 and PART 4	Amendment specific to K3 only
Articles		
Article 1	Delete "and (WKN Waste-to-Energy Facility)"	Amendment specific to K3 only
Article 2 "commissioning"	Delete "each of" and "and Work No 2"	Amendment specific to K3 only
Article 2 "K3 Generating Station"	Delete "Part 4" and insert "Part 2"	Amendment specific to K3 only

Article 2 "operational use"	Where "development" first occurs, replace with "developments", and delete "they are" and replace with "it is"	Amendment specific to K3 only
Article 2 "Project K3"	Delete this definition	Amendment specific to K3 only
Article 2 "Project WKN"	Delete this definition	Amendment specific to K3 only
Article 2 "WKN Waste-to-Energy Facility"	Delete this definition	Amendment specific to K3 only
Article 2(3)	Delete ", save in respect of the parameters referred to in Requirement 14 (Detailed Design Approval) of Schedule 2"	Amendment specific to K3 only
Article 7(4)(a)	Delete "in the case of Project K3" and after "(Company number 09240062);" insert "or"	Amendment specific to K3 only
Article 7(4)(b)	Delete "in the case of Project WKN the transfer or grant is made to Kemsley North Limited (Company number 11699563); or"	Amendment specific to K3 only
Article 7(4)(c)	Delete.	Amendment specific to K3 only
Article 16(a)	Delete "October 2019" and insert date as appropriate	Amendment specific to K3 only
Article 16(b)	Delete "9812-0057-006 " and "October 2019" and drawing no and date as appropriate	Amendment specific to K3 only
Article 16(c)	Replace "plans" with "plan" and "numbers" with "number" and delete "and 9812-0060-007"	Amendment specific to K3 only

Article 16 (g) to (k)	Delete sub-paragraphs (g) to (k) inclusive and (m) and add: “(g) the Design and Access Statement dated September 2019”	Amendment specific to K3 only
Schedules/Requirements		
Schedule 1	After “in the County of Kent-” delete “Project K3”	Amendment specific to K3 only
Schedule 1	After “water outfall for Work No 1.” Delete the rest of Schedule 1	Amendment specific to K3 only
Schedule 2, Paragraph 1 “approved Landscape Masterplan”	Delete “4” and insert” 2”	Amendment specific to K3 only
Schedule 2, Paragraph 1 “approved plans”	Delete “4” and insert” 2”	Amendment specific to K3 only
Schedule 2, Paragraph 1 “permitted preliminary works”	Delete “works within Work Nos 4, 5 and 6,” and delete “, subject to compliance with Requirement 20(1) of this Order,”	Amendment specific to K3 only
Schedule 2, Paragraph 1 “rail and water transportation strategy”	Delete “relevant”	Amendment specific to K3 only
Schedule 2, Paragraph 1 “WKN parameter plan”	Delete definition	Amendment specific to K3 only
Schedule 2, PART 1, title	Delete “GENERAL”	Amendment specific to K3 only
Schedule 2, paragraph 2 (R2)	Delete “Each of Project K3 and Project WKN”	Amendment specific to K3 only

Schedule 2, paragraph 3 (R3)	In both sub-paragraphs (1) and (2) delete "each of" and "and Work No 2"	Amendment specific to K3 only
Schedule 2, paragraph 4 (R4)	In sub-paragraph (1) delete "either" and delete "or the WKN Waste-to-Energy Facility"	Amendment specific to K3 only
Schedule 2, paragraph 6 (R6)	Delete "and the WKN Waste-to-Energy Facility" and delete "for that project"	Amendment specific to K3 only
Schedule 2, PART 2, title	Delete "PART 2 PROJECT K3 REQUIREMENTS"	Amendment specific to K3 only
Schedule 2, paragraph 9 (R9)	Delete "Project K3", and delete "4" and insert "2"	Amendment specific to K3 only
Schedule 2, paragraph 12 (R12)	Delete "Project K3"	Amendment specific to K3 only
Schedule 2, PART 3, title and Part 3	Delete "PART 1 PROJECT WKN REQUIREMENTS" and everything that follows to the end of Part 3	Amendment specific to K3 only
Schedule 2, Part 4, title	Delete "4" and insert "2"	Amendment specific to K3 only
Explanatory Note		
1 st paragraph	Delete ", and to construct, operate and maintain the WKN Waste-to-Energy Facility with a gross installed capacity of up to 42MW"	Amendment specific to K3 only
2 nd paragraph	Delete "for" before "authorised development"	Improve drafting