Government of Western Australia
Department of Water and Environmental Regulation

Amendment Report

Application for Licence Amendment

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

Licence Number	L9261/2020/1
Licence Holder	Mid West Remediation Services Pty Ltd
ACN	642 636 477
Registered business address	Unit 1, 25 Foss Street, PALMYRA WA 6157 PO Box 89, MELVILLE WA 6956
File Number	DER2020/000358
Premises	Mid West Remediation Services 353 Pye Road, Mt Adams WA Part of Lot 4 on Plan 13178 Certificate of Title Volume 1560 Folio 863 As defined by the coordinates in Schedule 1
Date of Report	30 October 2025
Decision	Revised licence granted

Table of Contents

1. Decision summary

Licence L9261/2020/1 is held by Mid-West Remediation Services Pty Ltd (Licence Holder) for the Mid-West Remediation Services (the Premises), located at 353 Pye Road, within part of Lot 4 on Plan 13178, Mt Adams WA 6526.

The Delegated Officer has determined to make amendments to Licence L9261/2020/1. The amendments outlined within this amendment report do not alter the risk profile of the Premises. As a result of this assessment, Revised Licence L9261/2020/1 has been granted.

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

2. Scope of assessment

2.1 Regulatory framework

In completing the assessment documented in this Amendment Report, 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 Amendment summary

On 11 June 2025, the Licence Holder submitted an application to the department to amend Licence L9261/2020/1 under section 59 and 59B of the *Environmental Protection Act 1986* (EP Act). The Licence Holder is seeking approval to:

- Increase the total design capacity of the landfill component to 40,000 tonnes (25,000 m^3);
- Allow for the disposal of concrete rubble (inert waste type 1) at the landfill
- Change how the landfill is operated and managed by:
  - amending the landfill infrastructure and operational requirements;
  - allowing water carts to be only present when the landfill is in operation during summer months;
  - allowing Type 1 Inert Waste capping within 12 months (currently 6 months) of the cessation of landfilling operations;
  - allowing the capping of Type 1, inert waste at a minimum gradient of 2% (currently 5%); and
  - allowing the final clean fill soil overburden to be applied only during the decommissioning phase, rather than immediately following the compacted gravel capping phase.

No other changes to the aspects of the Existing Licence relating to Categories 61A and 63 has been requested by the Licence Holder. Table 1 below outlines the current approved production capacity for the Premises.

Table 1: Approved design capacity

Category	Approved design capacity
Category 61A: Solid Waste Facility	8,000 tonnes per annum
Category 63: Class I inert landfill site	16,000 tonnes per annum

3. Overview of premises

3.1 Premises operations

The following information has been summarised from supporting documentation provided with the application.

Operational aspects

The Premises has operated since 2020 as a bioremediation facility (Category 61A), licenced to accept Class 2 and 3 petroleum hydrocarbon impacted soils, and an inert landfill facility (Category 63), licenced to receive Inert Waste Type 1 (stabilised waste drilling mud) and Inert Waste Type 2 (plastic liners).

Waste delivered to the site is inspected to confirm its category, recorded and directed to its designated area for either further processing or disposal. Individual waste streams are stored in designated storage areas including.

Bioremediation Pad (Bio-Pad) and Retention Pond

The bio-pad component of the facility is designed to accept contaminated solid waste that meets Class 2 or Class 3 acceptance criteria outlined in the DWER *Landfill Waste Classification and Waste Definitions* (2019). The land farming process is intended for solid material that is contaminated with petroleum hydrocarbons. The chemicals of potential concern (CoPC) associated with such contamination include:

- benzene, toluene, ethylbenzene, xylenes and napthalene (BTEXN);
- total petroleum hydrocarbons (TPH), or total recoverable hydrocarbons (TRH);
- polycyclic aromatic hydrocarbons (PAHs); and
- phenolic compounds (phenols).

The bio-pad is constructed in the area of the existing Hovea-02 gravel hardstand wellpad. The pad is surrounded by 500 mm high bunding that directs all stormwater toward the retention pond.

Drainage surrounding all up-gradient extents of the bio-pad and retention pond ensure that a minimum 500 mm high freeboard exists around the up-gradient perimeter of each area, preventing any run-on of stormwater into the bio-pad and retention pond.

Rock pitching has been installed at the entry of the retention pond, overlying the compacted pond layer. The pitching acts to dissipate stormwater as it enters the pond (from the adjacent bio-pad), therefore mitigating erosion effects and maintaining the integrity of the retention pond.

Based on BoM data (2025), a 1 in 20-year ARI critical rainfall event for the facility location is estimated as 119 mm rain. This corresponds to a total volume of 450 m^3 of rain falling across the combined bio-pad and retention pond area of 3,800 m^2. Gravel compaction testing conducted on the bio-pad floor (8 tests), the surrounding bund (2) and the retention pond (2) yielded average dry density ratios of 101.5%, 99.75% and 98.75% respectively – sufficient to achieve permeabilities of no greater than 1 x 10^{-9} m/s.

Inert Landfill

Inert Waste Type 1 and Type 2 materials are landfilled and capped within an existing depression resulting from historical sand extraction activities at the site. Beneath the base of the landfill exist historical drilling mud waste volumes, interred prior to the establishment of the facility.

Inert Waste Type 1 is predominantly composed of bentonite clay, plant cellulose and various salts (including barium and carbonates) with a very low leachability and mobility, and its high

alkalinity limits dissolution of metals from the material. To ensure the drilling mud and cuttings material is spadeable for transportation and landfill, the material is allowed to dry at the originating gas wellsite, usually for a period of at least two years, and subsequently mixed with adjacent site derived soils prior to transport – usually at a ratio of between 1:1 and 1:2 (mud and cuttings : site derived soil).

Plastic pond liners are also received at the landfill as Inert Waste Type 2 material. These are sourced from gas wellsite, drilling mud retention ponds and turkey's nests. According to the licence holder, interment of the plastic liners further reduces the already negligible exposure risks associated with the Inert Waste Type 1, given that they retard rainfall infiltration into the underlying soil profile. The liners are interred upon receipt (within the same day) beneath at least 150 mm of fill (clean fill or Inert Waste Type 1), mitigating any risk of fire.

Estimated design capacity and landfill methodology

The landfill facility has received a total of 15,329 tonnes (approximately 9,581 m^3) of Inert Waste Type 1 over a period of 4.5 years of operation, with the largest volume of waste mud received during the first year of operation (10,307 tonnes).

On 1 March 2022 the total remaining capacity of the landfill facility was surveyed to be 13,250 m^3 in the existing landfill area, and a further 1,615 m^3 between the bio-pad and the existing landfill area. These volumes were measured up to a level 72.5 metres Australian Height Datum (AHD), allowing for 0.2 m gravel capping and more than one metre of fill sands to blend into the surrounding pasture at approximately 74 m AHD.

A domed final cap gradient of 2% over the area of the landfill allows for an additional 2,600 m^3 above the 72.5 m level. The volume survey was undertaken by HTD Surveyors & Planners.

This allows for an additional 24,720 tonnes (15,450 m^3) to be landfilled at the site to reach the capacity level of 72.5 m AHD, plus an additional 2% gradient beneath a domed cap. The total capacity at the time of commencement of the facility is therefore estimated to be 40,000 tonnes (25,000 m^3).

A basic summary of the proposed method of landfilling for Inert Waste Type 1 (waste drilling mud mostly) is as follows:

- Deposit each volume of Inert Waste Type 1 material within the landfill void, directly adjacent either of the existing northern or southern capped edges (Figure 3).
- Within 12 months of deposition, apply and compact 0.2 m of gravel capping to the upper surface of the deposited material, continuing from the existing caps. The leading edges therefore represent benched caps with an open face beneath them. This incremental capping of the waste progresses toward the centre of the former sand quarry depression until it has reached capacity. Caps are to be installed with a minimum 3% gradient directed away from the landfill.
- Prior to decommissioning the landfill site, reinstate ~1 m of cut-back soil as the final overburden above the compacted gravel layer, and establish level surface contours appropriate for future pasture use. It is not considered necessary to reinstate the overburden prior to the decommissioning phase as it does not measurably alter the exposure risk associated with the landfill.

The above landfilling methodology differs from that proposed in the Works Approval and licence document (explained further in section 3.2 below).

3.2 Compliance inspection

The licence holder initially proposed to operate five inert landfill cells for the disposal of drilling muds. However, on 9 October 2024 Environmental Compliance Officers from DWER undertook a compliance inspection of the Premises. During this inspection it was identified that the

Premises had a single inert landfill cell which did not reflect the five inert landfill cells in Figure 2 of the Licence and it was identified as non-compliant with the licence condition. The single landfill cell was noted to be capped inward from both the southern and northern extents.

According to the licence holder five inert landfill cells were originally proposed for each volume of mud waste, however only a single cell was constructed since the operational methodology was found to be unpractical. It was determined that the exposure risk was slightly high when compared to the current and proposed methodology.

The current progressive capping methodology, being of different shape and size to the originally proposed cells, ensures that it does not result in an increased risk of exposure to any surrounding receptors, and is therefore considered acceptable by the licence holder due to the following reasons:

- The main barrier between the waste material and surface receptors is still applied (compacted gravel capping not less than 0.2 m in thickness). This barrier also mitigates the already negligible likelihood of leachate generation, as it retards rainfall infiltration and directs it away from the underlying waste.
- Additional barriers underlying the waste material, where plastic liners have been interred as Inert Waste Type 2, and historical mud waste beneath the existing landfill.
- The nature of the material (low leachability, high moisture retention, alkaline), the low annual rainfall, high annual evaporation and depth to groundwater (approximately 60 mbgl).

Given that the change did not increase risks to surrounding receptors, the Department requested the licence holder to submit a licence amendment application to formally reflect the current landfill operations. The amendment will ensure the landfill's operational status is prescribed accurately, maintaining compliance with environmental protection standards while acknowledging the licence holders updated waste management practices.

3.3 Contaminated sites

Several historical gas wellsites have existed within the premises, from which several drilling mud sumps have been consolidated and buried in the past. During a 2012 investigation conducted, soil samples collected from the various muds at the Hovea-02 wellsite and adjacent sand quarry were reported as exceeding ecological investigation levels (EILs) for barium and/or arsenic, however, were compliant with Class 1 landfill criteria. The muds were subsequently interred beneath the base of the sand quarry – at the location of the current facility's landfill site. In 2014, an investigation was carried out into the mud sumps located throughout the area, and Lot 4 was subsequently classified as 'not contaminated – unrestricted use'. The former mud sumps and associated sand quarry on Lot 4 were therefore considered suitable for "General Farming" as per the Shire of Irwin's Local Planning Scheme No. 5, as the drill muds were not considered to pose a risk to either human health or the environment.

4. Risk assessment

The department assesses the risks of emissions from prescribed premises and identifies the potential source, pathway and impact to receptors in accordance with the *Guideline: Risk assessments* (DWER 2020).

To establish a Risk Event there must be an emission, a receptor which may be exposed to that emission through an identified actual or likely pathway, and a potential adverse effect to the receptor from exposure to that emission.

4.1 Source-pathways and receptors

Emissions and controls

The key emissions and associated actual or likely pathways during premises operation which have been considered in this Amendment Report are detailed in Table 2 below. Table 2 also details the proposed control measures the Licence Holder has proposed to assist in controlling these emissions, where necessary.

Table 2: Licence Holder controls

Emission	Sources	Potential pathways	Proposed controls
Dust	Operation of the single inert landfill cell with the design capacity of 40,000 tonnes - Waste disposal and Vehicle movement	Air/windborne pathway	No change to existing controls for managing discharge. Waste materials are also assessed on a case-by-case basis to determine whether the application of moisture is considered necessary to mitigate dust generation during tipping. If required, moisture will be applied via water carts, and loading works will be limited during extreme wind events. The Delegated Officer is also aware that the provisions of section 49 of the EP Act is sufficient to regulate odour during operation.
Noise		Air/windborne pathway	No change to existing controls for managing discharge. Conducting earthworks during daylight hours. The Delegated Officer is also aware that the provisions of the Environmental Protection (Noise) Regulations 1997 apply.
Fire/smoke-(abnormal operation)	Operation of the Inert Waste Type 2 Landfill cell – receipt, storage and disposal of plastic liners	Air/windborne pathway	No change to existing controls for managing discharge. The liners are interred upon receipt (within the same day) beneath at least 150 mm of fill (clean fill or Inert Waste Type 1), mitigating any risk of fire. Fire extinguishers are maintained and stored onsite. Water Carts are only available when the landfill is in operation.
Fire water leachates (Abnormal operation)	Release of fire water in the event of fire extinguishing	Discharge to land and infiltration to groundwater	No new controls proposed, operating under licence L9261/2020/1.

Emission	Sources	Potential pathways	Proposed controls
Asbestos fibres	Operation of the Inert Waste Type 1 Landfill cell – receipt, storage and disposal of asbestos contaminated concrete rubbles.	Air/windborne pathway	No controls proposed.

Receptors

In accordance with the *Guideline: Risk assessments* (DWER 2020), the Delegated Officer has excluded employees, visitors and contractors of the Licence Holder's from its assessment. Protection of these parties often involves different exposure risks and prevention strategies, and is provided for under other state legislation.

Table 3 below provides a summary of potential human and environmental receptors that may be impacted as a result of activities upon or emission and discharges from the prescribed premises *(Guideline: Environmental siting* (DWER 2020)).

Table 3: Sensitive human and environmental receptors and distance from prescribed activity

Human receptors	**Distance from prescribed activity**
BRT Camp- currently not in use	Nearest accommodation is approximately 700m south from the proposed facilities within the same lot
Residential premises	Located approximately 2.5km south-west
Environmental receptors	**Distance from prescribed activity**
Ejarno Spring	Approximately 5.1 k m to the east
Yardanogo Nature Reserve	Approximately 1.6 km from the facilities
Groundwater and water sources	**Distance from prescribed activity**
Groundwater	Depth to groundwater encountered at approximately 60m below ground level (based on SWL information from the Hovea Production Facility). Three registered groundwater abstraction bores are located south –southwest of the proposed facilities. Two are known water supply bores for onshore oil and gas operations. The next nearest registered bore is approximately 1.2 km down gradient from the proposed facility.

4.2 Risk ratings

Risk ratings have been assessed in accordance with the *Guideline: Risk Assessments* (DWER 2020) for those emission sources which are proposed to change and takes into account potential source-pathway and receptor linkages as identified in Section 4.1. Where linkages are incomplete they have not been considered further in the risk assessment.

Where the Licence Holder has proposed mitigation measures/controls (as detailed in Section 4.1), these have been considered when determining the final risk rating. Where the Delegated Officer considers the Licence Holder's proposed controls to be critical to maintaining an acceptable level of risk, these will be incorporated into the licence as regulatory controls.

Additional regulatory controls may be imposed where the Licence Holder's controls are not deemed sufficient. Where this is the case the need for additional controls will be documented and justified in Table 4.

The Revised Licence L9261 that accompanies this Amendment Report authorises emissions associated with the operation of the Premises i.e. Category 63 activities.

The conditions in the Revised Licence have been determined in accordance with *Guidance Statement: Setting Conditions* (DER 2015).

Table 4. Risk assessment of potential emissions and discharges from the Premises during operation

Risk Event					Risk rating[1] C = consequence L = likelihood	Licence Holder's controls sufficient?	Conditions[2] of licence	Justification for additional regulatory controls
Source/Activities	**Potential emission**	**Potential pathways and impact**	**Receptors**	**Licence Holder's controls**				
Category 63 Landfill - Operation of the inert landfill cell with the design capacity of 40,000 tonnes - Waste disposal, Vehicle movement, covering and compacting cells when full	Dust	Air/windborne pathway causing impacts to health and amenity	Residential premises is 1.6 km from the facility. BRT Camp located approximately 700m from the facility, currently not in use.	Refer to Section 4.1	C = Moderate L = Unlikely **Medium Risk**	Y	Condition 1 Table 1 row 4 The licence holder has proposed infrastructure controls and new landfilling methodology including operating just a single cell, estimated landfill design capacity, capping requirements, application of clean fill soil during decommissioning phase, maintaining one metre cover over each cell. The Delegated Officer considers the above controls are required to mitigate the increased risk of exposure, therefore has imposed the licence holder's controls as infrastructure requirements in the licence	General provisions in the EP Act apply regarding Pollution and Environmental Harm. Operational and waste acceptance requirements for the inert landfill have been added to mitigate risks associated with emissions and discharges to the receiving environment.
	Noise	Air/windborne pathway causing impacts to health and amenity	Residential premises is 1.6 km from the facility. BRT Camp located approximately 700m from the facility, currently not in use.	Refer to Section 4.1	C = Moderate L = Unlikely **Medium Risk**	N/A	N/A	N/A Provisions of the *Environmental Protection (Noise) Regulations 1997* will apply.
	Asbestos fibres released into the air - the presence of asbestos in concrete rubbles	Air/windborne pathway causing impacts to health and amenity	Residential premises is 1.6 km from the facility. BRT Camp located approximately 700m from the facility, currently not in use.	Refer to Section 4.1	C = Minor L = Unlikely **Medium Risk**	N	**Condition 2 Table 2 Row 1** **Condition 14, 15**	The Delegated Officer is aware that given the widespread use of asbestos in concrete products before additional controls added to ensure appropriate identification and control measures are in place to mitigate the significant risk

Risk Event					Risk rating[1] C = consequence L = likelihood	Licence Holder's controls sufficient?	Conditions[2] of licence	Justification for additional regulatory controls
Source/Activities	**Potential emission**	**Potential pathways and impact**	**Receptors**	**Licence Holder's controls**				
								associated with asbestos contaminated products.
	Fire/smoke- (abnormal operation)	Air / windborne pathway causing impacts to health and amenity	Residential premises is 1.6 km from the facility. BRT Camp located approximately 700m from the facility, currently not in use.	Refer to Section 4.1	C = Moderate L = Unlikely **Medium Risk**	Y	<u>Condition 1 Table 1 row 4</u> Condition 1, table 1, row 5, item 4 amended requiring the water cart to only be available onsite when the facility is in operation during summer months. <u>Condition 16 – Specified actions</u> The delegated officer considers that controls are required to mitigate the increased risk of exposure, therefore has imposed the licence holder's controls as infrastructure requirements in the licence	The Delegated Officer considers that a landfilling and landfill closure management plan will assist in mitigating the risk of fire at the premises and to ensure continued monitoring and management of the landfill after closure Operational and waste acceptance requirements for the inert landfill cell have been added to mitigate risks associated with emissions and discharges to the receiving environment.
	Fire water leachates (Abnormal operation)	Direct discharge to land and potential seepage	Surrounding land, Groundwater – depth approximately 60m and surface water drainage system	Refer to Section 4.1	C = Moderate L = Unlikely **Medium Risk**	Y		
	Landform erosion and stability: • Sediment laden runoff; • Instability of landform	Exposure of waste Direct discharge to land and potential seepage	Surrounding land, Groundwater – depth approximately 60m and surface water drainage system	N/A	C = Major L = Possible **High Risk**	N	**<u>Condition 16 – Specified actions</u>**	The Delegated Officer considers that a landfilling and landfill closure management plan is required to ensure proper landfilling methodology, long term landform stability and erosion control in the landfill. The Delegated Officer considers that a 2% final contour gradient may not be suitable to demonstrate that ongoing integrity and stability of the landfill will be maintained, and a gradient of 3 – 5% is usually considered as industry standard. As such, the

Risk Event					Risk rating[1] C = consequence L = likelihood	Licence Holder's controls sufficient?	Conditions[2] of licence	Justification for additional regulatory controls
Source/Activities	Potential emission	Potential pathways and impact	Receptors	Licence Holder's controls				
								licence holder will need to demonstrate that a 2% gradient can achieve required capping outcomes. The Delegated Officer has included the requirement for a stability assessment to be submitted to support the landfill closure management plan, to demonstrate the suitability of the proposed capping contours. If a 2% gradient can be demonstrated to be sufficient, the licence holder may seek an amendment to condition 6 of the licence to reflect this gradient in capping requirements. Until this is demonstrated, the current 5% gradient requirement will be retained on the Licence.

Note 1: Consequence ratings, likelihood ratings and risk descriptions are detailed in the *Guideline: Risk assessments* (DWER 2020).

Note 2: Proposed Licence Holder's controls are depicted by standard text. **Bold and underline text** depicts additional regulatory controls imposed by department.

5. Consultation

Table 5 provides a summary of the consultation undertaken by the department.

Table 5: Consultation

Consultation method	Comments received	Department response
Shire of Irwin advised of proposal on 18/07/2025.	The Shire of Irwin replied on 5/08/2025 advising, no objection to the proposal.	Noted
Licence Holder was provided with draft amendment on 19/09/2025 and 24/10/2025	Refer to Appendix 1	Refer to Appendix 1

6. Decision

Based on the assessment in this Amendment Report, the Delegated Officer has determined that the requested licence amendment will be granted in part, and a Revised Licence will be issued, subject to conditions commensurate with the determined controls and necessary for administration and reporting requirements.

6.1 Summary of amendments

Table 66 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 Licence as part of the amendment process.

Table 6: Summary of licence amendments

Revised licence condition	Previous licence condition	Amendment notes
Condition 1	Condition 1	Removed any reference to the five inert landfill cell and replaced it with one cell, in order to correctly prescribe the infrastructure on site. Operational and waste acceptance requirements for the inert landfill have been added to formally reflect the current landfill operations. Increased the total design capacity of the landfill component to 40,000 tonnes **Request to increase design capacity of the landfill and alter the landfilling methodology granted**
Condition 2	Condition 2	Table 2 updated as requested. Concrete rubble waste added to the waste acceptance table. New condition added to ensure waste containing asbestos or asbestos containing material is not accepted for disposal. **Request to dispose concrete rubble granted**

Revised licence condition	Previous licence condition	Amendment notes
Condition 6	Condition 6	Condition 6 wording revised to remove the requirement to reinstate cut back soil and complete requirement work within 12 months of the cessation of landfilling as requested. **Request to change minimum gradient from 5% to 2% not accepted – please refer to risk assessment outcomes[1]**
Condition 14 and Condition 15	NA	New numbering. Asbestos management condition added to the licence since concrete rubbles will be accepted for disposal on site.
Condition 16	NA	New numbering. Specified actions added to the licence. A landfill Closure Management Plan is required for the site.
Schedule 1: Maps Figure 3	Schedule 1: Maps Figure 3	New map showing the layout and location of the bioremediation facility and the inert landfill site.

Note 1: Determination updated in line with consultation with licence holder on draft documents – please refer to Appendix 1.

References

1. Department of Environment Regulation (DER) 2015, *Guidance Statement: Setting Conditions*, Perth, Western Australia.
2. Department of Water and Environmental Regulation (DWER) 2020, *Guideline: Environmental Siting*, Perth, Western Australia.
3. DWER 2020, *Guideline: Risk Assessments*, Perth, Western Australia.

Appendix 1: Summary of Licence Holder's comments on risk assessment and draft conditions

Condition	Summary of Licence Holder's comment	Department's response
16	Licence holder provided the following comments We don't consider the requested landfill design consultant to be necessary in order to achieve and demonstrate an appropriate final landform and capping methodology due to the below listed reasons: • We consider the following items to be sufficient, to be overseen by Gemec Environmental Consultants and Mid West Remediation Services (MWRS), for inclusion in the existing facility EMP (essential details are already committed to in the EP and licence amendments) and final decommissioning report: ○ survey (licenced surveyor) of the final gravel cap layer and another survey of the final pasture soil landform to demonstrate compliance with the proposed final gradient of 2% - we can provide a proposed model of the final contours from a licenced surveyor; ○ rehabilitation methodology outline as agreed with the landowner (reestablishing previous pasture vegetation to align with previous pasture condition); and ○ follow up inspection of the pasture for two consecutive years after reinstatement. • The landfilled waste material poses a negligible risk to receptors: ○ Once dry, the stability of the waste acts as a cap in itself due to its bentonite content. I personally have assessed a number of historical sumps, which dry to become very hard. ○ The stabilised mud waste has a very low leachability. ○ >100 historical unlined drilling mud sumps have previously been assessed by DWER's Contaminated Sites branch and were not considered to pose any unacceptable risk to receptors and were therefore not classified. One of the locations of historical mud sump burial was beneath MWRS' current landfill location – so additional interment of	A 2% final contour gradient for a capped landfill may not be suitable to demonstrate that ongoing integrity and stability of the landfill will be maintained. A gradient of 3 – 5% is considered as industry standard. As a 2% final contour is proposed across all supporting documentation to the licence amendment, the licence holder will need to demonstrate that a 2% gradient can achieve required capping outcomes. We have therefore included the requirement for a stability assessment to be submitted to support the landfill closure management plan, to demonstrate the suitability of the proposed capping contours. If a 2% gradient can be demonstrated to be sufficient, the licence holder may seek an amendment to condition 6 of the licence to reflect this gradient in capping requirements. Until this is demonstrated, the current 5% gradient requirement will be retained on the Licence. To make this clearer, the Delegated Officer has decided to change the condition wording to reflect *'A stability assessment demonstrating that, where proposed final contours are less than a 3% gradient, the final landform will be designed to 3%'*. This change will also align better with our risk assessment outcomes and the industry standard requirements. Will amend Condition 16 so that the Landfilling and Landfill Closure Management Plan can be prepared by a 'suitably qualified person' – this should provide flexibility for someone to be able to sign off on the report from within one of your nominated agencies.

Condition	Summary of Licence Holder's comment	Department's response
	stabilised waste mud does not increase the risk profile, which will be further reduced via capping and contouring, along with intermittent impermeable layers where plastic liners have been interred. ○ Average annual rainfall (<400 mm, 30 yrs, Port Denison – lower rainfall at facility site) and average annual evaporation (2000-2400 mm). ○ The depth to groundwater (>60 m bgs). ○ Future land use (pasture).	
	Further conversations were had on the above comments on 27 October 2025 between the Licence Holder and DWER. The following was determined: • The Licence Holder will adhere to a > 3% gradient for the final landform of the capped landfill, in line with industry standards. • As a result, the need for specialised information to be submitted with the Landfill Closure Management plan is not required. • As such, condition 16 will be amended to contain general information requirements to inform the development of a Landfill Closure Management. • Additionally, Condition 6 will e amended to reflect the newly proposed minimum gradient of 3%. The Licence Holder confirmed they were happy with these proposed changes on 29 October 2025.	
	We question as to why the Mine Closure Plan / Mining Tenement conditions / Mining Act 1978 apply to reestablishment of pasture in this instance, given the points made above, in particular regarding the agreed methodology that is to be established with the landowner, and the negligible risk associated with all buried materials within the landfill. Topsoil management, rehabilitation and revegetation are to be undertaken as mentioned above and as agreed with the landowner, to reestablish the previously existing pasture. It should be noted that the pasture condition at the location of the landfill was poor prior to establishment of the landfill.	The condition requests you address any additional requirements for rehabilitation under additional approvals or legislation in the Landfilling and Landfill Closure Management Plan. This is so DWER can avoid any regulatory duplication with other relative approvals relating to rehabilitation. *In line with above comments, this requirement will be removed from condition 16.*