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	L9089/2017/1
Licence Holder	Opalvale Pty Ltd
ACN	106 512 896
Application number	APP-0031310
Premises	Salt Valley Road Class II Landfill Chitty Road, HODDYS WELL WA 6566 Legal description Part of Lot 11 on Deposited Plan 34937 Certificate of Title Volume 2535 Folio 391 As defined by the coordinates in Schedule 1 of the revised licence
Date of Report	21 January 2026
Decision	Revised licence granted

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1. Decision summary

This amendment report documents the assessment of potential risks to the environment and public health from proposed changes to the emissions and discharges during the operation of the premises.

The delegated officer has granted revised licence L9089/2017/1.

Previous decision or amendment reports relating to the licence will remain on the Department of Water and Environmental Regulation (the department) website for future reference and will act as a record of the delegated officer's decision making.

2. Scope of assessment

2.1 Regulatory framework

In amending the licence, 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

Licence L9089/2017/1 is held by Opalvale Pty Ltd (licence holder) for the Salt Valley Road Class II Landfill (the premises), located at Chitty Road, Hoddys Well. The premises relates to the category and the assessed design capacity under Schedule 1 of the *Environmental Protection Regulations 1987* (EP Regulations) which are defined in licence L9089/2017/1.

On 22 September 2025 the licence holder applied to amend licence L9089/2017/1 under section 59B of the *Environmental Protection Act 1986* (EP Act). The amendment is in relation to the authorisation to operate cells 5 and 6 which were constructed under works approval W2814/2024/1 to class II standard. Cells 1, 2, 3 and 4 are reaching their maximum operating height and the construction/operation of Cells 5 and 6 are required to facilitate the progression of the landfill in accordance with the landfill's Closer and Post-Closure Management Plan (Talis 2021).

The licence holder has also taken this opportunity to request a number of corrections to licence conditions. These alterations are administrative in nature, so do not require risk assessment.

This amendment maintains the previously assessed design capacity which continues to apply under the revised licence for category 64 without any changes. Table 1 below outlines the approved design capacity.

Table 1: Approved premises design capacity

Prescribed premises category description	Approved design capacity
Category 64: Class II or III putrescible landfill site: premises (other than clean fill premises) on which waste of a type permitted for disposal for this category of prescribed premises, in accordance with the Landfill Waste Classification and Waste Definitions 1996, is accepted for burial.	150,000 tonnes per annum

2.3 Critical containment infrastructure

Works approval W2814/2024/1 approves the construction and time limited operation of landfill cells 5 and 6. A Critical Containment Infrastructure Report (CCIR) was submitted by the licence holder on 1 July 2025 to demonstrate compliance with the conditions of the works approval.

Works approval W2814/2024/1 required the licence holder to provide compliance certification and critical containment infrastructure reporting from a suitably qualified civil engineer, confirming each item of infrastructure or component of infrastructure had been constructed in accordance with the requirements specified within the works approval, specifically:

- construction of cells 5 and 6 in accordance with the details contained in Figure 2, Figure 3, Figure 4, Figure 5 and Figure 6 of the works approval;
- specifications for site preparation and subgrade, the engineered fill layer, the geosynthetic clay liner, the geomembrane liner, the cushion or protection geotextile layer, the leachate collection layer and the separation geotextile layer.
- construction quality assurance requirements for the geosynthetic clay liner, geomembrane liner, the cushion or protection geotextile layer and the separation geotextile layer.

The department sought additional information from the licence holder to support the CCIR, which was provided on 23 July 2025.

The department reviewed the CCIR and determined on 31 July 2025 that the provided information met the construction requirements for cells 5 and 6 and confirmed compliance with conditions of the works approval W2814/2024/1.

3. 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.

3.1 Source-pathways and receptors

3.1.1 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. The control measures the licence holder has proposed to assist in controlling these emissions, where necessary are also detailed in Table 2.

Table 2: Proposed licence holder controls

Sources	Emission	Potential pathways	Proposed controls
Operation			
Waste acceptance and handling, disposal of waste, decomposition of wastes, tipping, application of landfill cover and vehicle movements	Dust	Air / windborne pathway	• Vehicle to comply with a maximum speed limit of 40 km/hr • Road surfacing to minimise dust generation • Wetting down access roads • Wetting of the active tip face in accordance with the site licence • Restricted activities during certain weather conditions (strong winds) • Application of dust suppressant chemicals • Use of a water cart as necessary • Covering of waste during transport • Appropriate handling and unloading of waste to minimise dust generation
	Noise	Air / windborne pathway	• The facility's operating hours are 7:00am to 6:00pm Monday to Saturday (excluding public holidays) • All mobile machinery is fitted with low frequency reversing alarms • Regular maintenance of equipment • Complaints management system
	Odour	Air / windborne pathway	• Installation of landfill gas management post-closure • Consideration of meteorological conditions during material handling and leachate recirculation • Regular maintenance and monitoring of leachate treatment system • Rejection of excessively odourous waste streams • Covering waste during transport • Management of tip face size in accordance with the site licence • Daily cover and compaction of waste • Immediate burial of highly odorous wastes • Odour complaint system and follow-up investigations/actions
	Asbestos fibres	Air / windborne pathway	• All asbestos material received must be appropriately wrapped and sealed in plastic • Substandard asbestos material identified is appropriately securely wrapped on site • Asbestos is buried in a dedicated disposal area

Sources	Emission	Potential pathways	Proposed controls
			• Asbestos is not to be disposed of within 2 m of the final landfill surface • Asbestos is placed and covered as soon as practicable or by the end of the working day after unloading • Disposal activities are recorded in the asbestos disposal register • An Asbestos Management Plan has been implemented at the site

Waste acceptance and handling, disposal of waste, decomposition of wastes, tipping, application of landfill cover and vehicle movements	Unauthorised fire – smoke and fire spread	Air / windborne pathway	• All waste is accepted in accordance with DWER waste acceptance criteria and the sites licence conditions
			• Waste is properly compacted and covered
			• Litter is regularly cleared from around the litter fence
			• Avoid piling up of significant amounts of flammable material in one spot
			• Flammable materials such as plastics and tyres are evenly distributed throughout the waste mass
			• The site is kept secure and locked outside operating hours;
			• Maintain appropriate firefighting equipment on site including:
			  ○ A waste cart
			  ○ Sufficient cover material is store nearby the active tipping area
			  ○ At least 50 kL of water stored on site in a storage dam
			  ○ Adequate staff training

	Landfill gas	Air / windborne pathway Lateral migration through soil Dissolution into groundwater	• Landfill gas extraction wells to be installed following the progressive closure of cells • Landfill gas will be removed and transferred to a flare for combustion • Management in accordance with the landfill gas management plan • Monitoring of landfill gas • Undertaking contingency actions when required in accordance with the landfill gas management plan
	Leachate and contaminated surface water	Subsurface seepage	• Leachate will be collected in the leachate collection system designed for each landfill cell • A 300 mm fine grained protection layer will be placed on the side batters extending beyond the leachate collection aggregate • Leachate will be pumped from sumps via

Sources	Emission	Potential pathways	Proposed controls
			automatic pneumatic pumps with the ability to activate manually if required • Leachate extraction points are checked on a daily basis • Leachate will be transferred to the existing leachate evaporation ponds • Regular inspections of pumps and pipework • Monitoring leachate levels • Groundwater monitoring
Waste acceptance and handling, disposal of waste, decomposition of wastes, tipping, application of landfill cover and vehicle movements	Windblown wastes	Air / windborne pathway	• Waste delivery vehicles are covered or tarped • Utilisation of 2 m high temporary or mobile litter panels around the active landfill tipping area • Regular removal of litter from litter screens and fences as soon as possible, but at least every two days • Collecting litter blown beyond the active landfill as soon as possible, but at least on a weekly basis • Collecting any litter blown beyond the property boundary on a weekly basis at a minimum; • Daily inspections of the active landfill tipping area and weekly inspections of the greater landfill site
	Pests / vermin	Biological pathway	• Regular pushing up and compaction of waste • Application of adequate cover material • Progressive closure of compacted landfill areas • Monthly inspections by operational staff to identify any vermin presence on or around the landfill • Use of a 2 m high chain link fence with a 400 mm wire mesh skirt around the landfill cell disposal area • Electrification of landfill area fence using two hotwire lines • Placement of motion sensor infrared cameras to monitor landfill area and detect feral animal activity • Vermin control such as baiting and trapping when required

3.1.2 Receptors

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

Potential human and environmental receptors that may be impacted as a result of activities upon, or emissions and discharges from the prescribed premises are identified in Table 3 and Figure 1, in accordance with the *Guideline: Environmental siting* (DWER 2020).

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

Human receptors	**Distance from prescribed activity**
Privately owned farmland	Immediately adjacent to the east and west of the premises
Residential premises	Internal farmhouse approximately 400 m south-west of premises (Note: farmhouse has previously been excluded as a receptor on written consent from landowner)
	Two properties approximately 1,100 m north-east of the premises
	Approximately 70 houses within a 1-5km radius of the premises, predominately to the north and south
Environmental receptors	**Distance from prescribed activity**
Department of Biodiversity, Conservation and Attractions managed lands and waters	Clackline nature reserve approximately 2.3 km south-east Nanamoolan Nature Reserve 2.3 km east and north-east
Threatened and priority fauna[1]	One vulnerable mammal species and one endangered bird species have been located within 1 km of the premises boundary.
Waterways Conservation areas	The premises is within the Avon River Management Area.
Rights in Water and Irrigation Act 1914	The premises is within the Avon River Management Area proclaimed surface water area
Underlying groundwater	270 – 271.9 m AHD Low permeability fractured rock aquifer (confined) potentially suitable for domestic and non-potable use as well as stock watering. No registered users within 5 km of premises.
Aboriginal heritage	The premises is located on Ballardong country and lies within the Ballardong People Indigenous Land Use Agreement Area. The Avon River heritage site ACH-00015979 is located approximately 700 m south west of the premises boundary.

Note 1: Data obtained from the Department of Biodiversity, Conservation and Attractions database search on 15/12/2025.

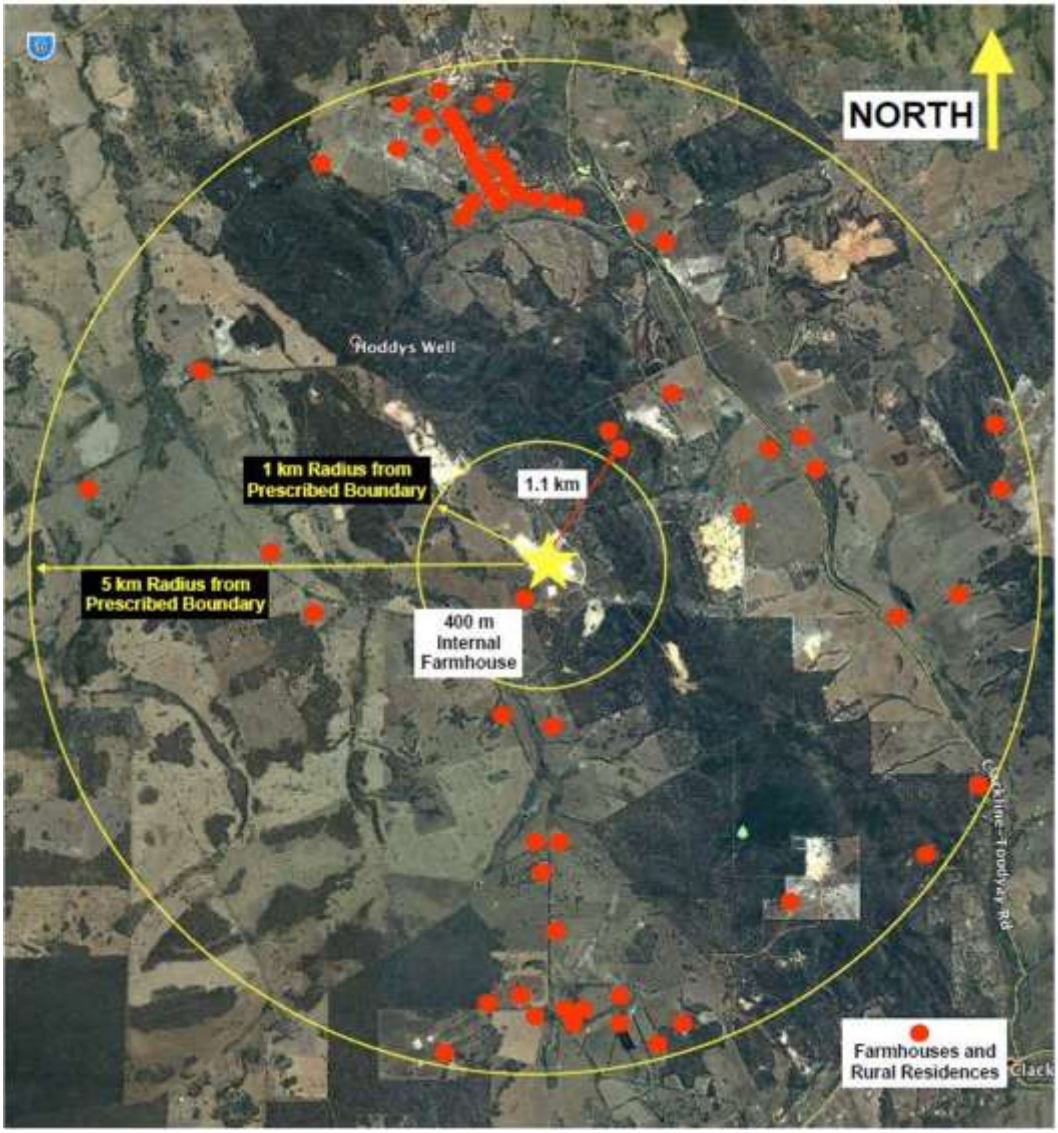

Figure 1: Distance to residential receptors

3.2 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 considers potential source-pathway and receptor linkages as identified in Section 3.1. Where linkages are in-complete they have not been considered further in the risk assessment.

Where the licence holder has proposed mitigation measures/controls (as detailed in Section 3.1), 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 L9089/2017/1 that accompanies this amendment report authorises emissions associated with the operation of the premises. 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 events					Risk rating[1] C = consequence L = likelihood	Licence holder's controls sufficient?	Conditions[2] of licence	Justification for regulatory controls
Sources / activities	**Potential emissions**	**Potential pathways and impact**	**Receptors**	**Licence holder's controls**				
Operation (including time-limited-operations operations)								
Waste acceptance and handling, disposal of waste, decomposition of wastes, tipping, application of landfill cover and vehicle movements	Dust	**Pathway:** Air/windborne **Impact:** Health and amenity	Adjacent privately owned farmland Residents within 1.1 km of premises Recreational users of Clackline Nature Reserve and Nanmoolan Nature Reserve	Refer to Section 3.1	C = Minor L = Possible **Medium Risk**	Yes	Conditions 9, 10, 22 and 38	The delegated officer considers the controls proposed by the applicant are sufficient to mitigate the risk of dust under most circumstances. Any residual risk relating to the unauthorised discharge of dust emissions will be regulated under the general provisions of the EP Act.
	Noise	**Pathway:** Air/windborne **Impact:** Health and amenity		Refer to Section 3.1	C = Minor L = Possible **Medium Risk**	Yes	Condition 5 and 38	The delegated officer considers the controls proposed by the applicant are sufficient to mitigate the risk of noise under most circumstances. Any residual risk relating to the unauthorised discharge of noise emissions will be regulated under the *Environmental Protection (Noise) Regulations 1997*.
	Odour	**Pathway:** Air/windborne **Impact:** Health and amenity	Adjacent privately owned farmland Residents within 1.1 km of premises Recreational users of Clackline Nature Reserve and Nanmoolan Nature Reserve	Refer to Section 3.1	C = Minor L = Unlikely **Medium Risk**	Yes	Conditions 7, 9, 10, 11, 19 and 38	The delegated officer considers the controls proposed by the applicant are sufficient to mitigate the risk of odour emissions under most circumstances. Any residual risk relating odour emissions will be regulated under the general provisions of the EP Act.
	Asbestos fibres	**Pathway:** Air/windborne **Impact:** Health and amenity	Adjacent privately owned farmland Residents within 1 km of premises	Refer to Section 3.1	C = Major L = Unlikely **Medium Risk**	Yes	Conditions 7 and 18	The delegated officer considers the controls proposed by the applicant are sufficient to mitigate the risk of asbestos fibre emissions under most circumstances. Existing conditions of the operating licence L9089/2017/1 will adequately regulate emissions of asbestos fibres.
	Unauthorised fires – smoke and fire spread	**Pathway:** Air/windborne **Impact:** Health and amenity and protected vegetation	Adjacent privately owned farmland Residents within 1.1 km of premises Clackline Nature Reserve and Nanmoolan Nature Reserve	Refer to Section 3.1	C = Severe L = Unlikely **High Risk**	Yes	Conditions 5, 20, 38 and 42	The delegated officer considers the controls proposed by the applicant are sufficient to mitigate the risk of unauthorised fires under most circumstances. Existing conditions of the operating licence L9089/2017/1 will adequately regulate the incidence of unauthorised fires.
	Landfill gas	**Pathway:** Lateral migration through soil, groundwater and venting to air **Impact:** Health and amenity and	Adjacent privately owned farmland Residents within 1.1 km of premises	Refer to Section 3.1	C = Major L = Unlikely **Medium Risk**	Yes	Conditions 23, 24, 25, 26, 27, 28, 37 and 44	Landfill gas will be generated from the decomposition of wastes over the operational lifespan of cells 5 and 6 which will passively vent over time. The delegated officer considers there to be a medium risk of impacts from the emissions of landfill gases during operational

Risk events					Risk rating[1] C = consequence L = likelihood	Licence holder's controls sufficient?	Conditions[2] of licence	Justification for regulatory controls
Sources / activities	**Potential emissions**	**Potential pathways and impact**	**Receptors**	**Licence holder's controls**				
		groundwater sources						activities. The delegated officer considers the controls proposed by the applicant are sufficient to mitigate the risk of landfill gas emissions under most circumstances. Upon reaching the end of the lifespan of cells 5 and 6, a landfill gas management infrastructure network will be constructed and operated to remove landfill gas from the landfill cell and transfer it to the flare for destruction. Construction of the landfill gas monitoring wells for installation across all cells 1 to 6 was assessed under a separate application to amend the premises operating licence L9089/2017/1, which was granted on 24 June 2021. Existing conditions of the operating licence L9089/2017/1 will adequately regulate this construction.
Waste acceptance and handling, disposal of waste, decomposition of wastes, tipping, application of landfill cover and vehicle movements	Leachate and contaminated surface water	**Pathway:** Subsurface seepage **Impact:** Groundwater sources	Avon River catchment Adjacent privately owned farmland Underlying groundwater	Refer to Section 3.1	C = Moderate L = Unlikely **Medium Risk**	No	Conditions 1, 2, 3, 4, 7, 8, 15, 16, 17,23, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 44 and 45 **<u>Conditions 5 and 6</u>**	The delegated officer notes that the applicant has proposed to install a 300 mm fine grained protection layer on the side batters beyond where the leachate collection aggregate is installed to protect the underlying liner system. The delegated officer considers that this fine grained protection layer may reduce the efficiency of leachate movement vertically through the closed system. Conditions 5 and 6 have been included to specify the minimum material requirements of the fine grained protection layer to ensure the efficiency of the system.
	Windblown waste	**Pathway:** Air/windborne **Impact:** Health and amenity	Adjacent privately owned farmland Clackline Nature Reserve and Nanmoolan Nature Reserve Threatened/priority fauna	Refer to Section 3.1	C = Slight L = Possible **Low Risk**	Yes	Conditions 7, 9, 10, 11, 13 and 38	The delegated officer considers the controls proposed by the applicant are sufficient to mitigate the risk of windblown wastes under most circumstances. Existing conditions of the operating licence L9089/2017/1 will adequately regulate windblown wastes.
	Pest / vermin	**Pathway:** Air/windborne or biological transfer **Impact:** Health and amenity	Adjacent privately owned farmland Residents within 1.1 km of premises Clackline Nature Reserve and Nanmoolan Nature Reserve Threatened/priority fauna	Refer to Section 3.1	C = Minor L = Unlikely **Medium Risk**	Yes	Conditions 7, 9, 10, 11, 14, 19 and 38	The delegated officer considers the controls proposed by the applicant are sufficient to mitigate the risk of pests and vermin under most circumstances. Existing conditions of the operating licence L9089/2017/1 will adequately regulate pests and vermin.

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. **<u>Bold and underline text</u>** depicts additional regulatory controls imposed by department.

4. Consultation

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

Table 5: Consultation

Consultation method	Comments received	Department response
Licence holder was provided with draft documents on 05/01/2026.	The licence holder provided comments on 08/01/2026. See Appendix 1	See Appendix 1

5. Conclusion

Based on the assessment in this amendment report, the delegated officer has determined that a revised licence L9089/2017/1 will be granted, subject to conditions commensurate with the determined controls and necessary for administration and reporting requirements.

5.1 Summary of amendments

Table 6 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

Condition	Previous condition	Amendments
N/A	Condition 1 Table 2	Redundant condition. Deleted from licence.
Condition 1 Table 1	Condition 2 Table 3	New numbering.
Condition 2	Condition 3	Revised to current licensing format.
Condition 3 Table 2	Condition 4	New numbering.
Condition 4	Condition 5 Table 4	Row 1 of Table 2 revised to current licensing format and to specify all cells 1 to 6. Row 2 of Table 2 updated to add leachate from cells 5 and 6
Condition 5 Table 3	Condition 6 Table 5	Weighbridge information incorporated into Table 4 from Schedule 2, Table 19. Row 4 added to Table 2 for the management of the fine grained sand protection layer within cell 5 and 6.
Condition 6 Table 4	N/A	Condition added for the analysis of the fine grained sand protection layer.
Condition 7 Table 5	Condition 7 Condition 8 Table 6	Typographical error where one condition was split across two being condition 7 and condition 8. Corrected and combined into condition 7.

Condition	Previous condition	Amendments
		Row 1 of Table 5 updated to add cells 5 and 6 for disposal of all waste types by landfilling.
Condition 8	Condition 18	Redundant phrase 'clean any spills of', revised to current licensing format 'recover, or remove and dispose of spills of'.
Condition 9	Condition 9	No change
Condition 10 Table 6	Condition 10 Table 7	Table 5 updated to current licensing format.
Condition 11	Condition 11	No change
Condition 12	Condition 12	Redundant phrase 'erect' removed from condition 11(a) and (d). Fencing to continue to be maintained.
Condition 13	Condition 13	Redundant phrase 'take all practical measures to' removed from condition 13. Redundant phrase 'installation' removed from condition 13(b), replaced with 'maintain…litter panels'.
Condition 14	Condition 14	Redundant phrase 'install' removed from condition 14(b), replaced with 'maintain….wire mesh skirt/apron'. Redundant phrase 'the installation of' removed from condition 14(c). Two electrified hotwire lines to be maintained. Redundant phrase 'place four motion sensors' removed from condition 14(e), replaced with 'maintain four motion sensors'.
Condition 15 Table 7	Condition 15 Table 8	Redundant phrase 'take all practical measures to' removed from condition 15. Rows added to Table 8 for PC6 and PC7 with associated operational levels for the leachate head.
Condition 16 Table 8	Condition 16 Table 9	Table 8 amended to add cells 5 and 6.
Condition 17	Condition 17	Condition 17 amended to add cells 5 and 6.
Condition 18	Condition 19	No change
Condition 19	Condition 20	No change
Condition 20	Condition 21	No change
Condition 21	Condition 22	No change
Condition 22	Condition 23	No change
Condition 23 Table 9	Condition 24 Table 10	No change
Condition 24	Condition 24	No change

Condition	Previous condition	Amendments
Table 10	Table 11	
Condition 25	Condition 25	No change
Condition 26	Condition 26	No change
Condition 27	Condition 27	No change
Condition 28	Condition 29	No change
Condition 29 Table 11	Condition 28 Table 12	No change
Condition 30	Condition 30	Condition 30 separated into condition 30 and condition 31, with no change.
Condition 31 Table 12	Condition 30 Table 11	Row 1 of Table 12 updated to add two new locations for leachate sump 3 within cell 5 and leachate sump 4 within cell 6.
Condition 32 Table 13	Condition 31 Table 12	Row 1 and row 2 of Table 13 updated to add two new reference points for PM3 and PM4 and to add the leachate sump 3 within cell 5 and leachate sump 4 within cell 6 to the process descriptions.
Condition 33 Table 14	Condition 32 Table 13	No change
Condition 34 Table 15	Condition 32 Table 14	New condition 34 inserted to apply to existing Table 15. Row 1 of Table 15 updated to delete reference point C1 and add C11.
Condition 35	Condition 33	No change
Condition 36	Condition 34	No change
Condition 37 Table 16	Condition 35 Table 17	No change
N/A	Condition 36	Condition deleted, requirements adequately regulated by existing condition 27(e).
Condition 38	Condition 38	No change
Condition 39	Condition 37	Condition 37 separated into condition 38 and condition 39. Condition 37(h) material change is a redundant condition, deleted.
Condition 40	Condition 37	No change
Condition 41	Condition 41	No change
Condition 42	Condition 39	No change
Condition 43	Condition 40	No change

Condition	Previous condition	Amendments
Condition 44 Table 17	Condition 42 Table 15	No change
Condition 45 Table 18	Condition 43 Table 16	Table 17 fourth column 'Format or form' and Note 2 deleted, due to deletion of Form N1 from Schedule 6.
Definitions Table 19	Definitions Table 1	Definitions moved to Table 19. Redundant conditions deleted: implementation agreement or decision, material change, primary activities, reportable event, serious environmental harm, unreasonable emission.
Schedule 1 Figure S1-1 Figure S1-2 Figure S1-3 Figure S1-4 Figure S1-5 Figure S1-6	Schedule 1 Figure S1-1 Figure S1-2 Figure S1-3 Figure S1-4 Figure S1-5	Figure S1-1, S1-5 and S1-6 replaced with updated maps.
	Schedule 3 Figure S3-1	Monitoring location map moved to Schedule 1 as Figure S1-6.
Schedule 2 Table 20	Schedule 1 Table 17	Premises boundary coordinates table moved to Schedule 2 and zone information added.
N/A	Schedule 2 Table 18 Table 19	Table 18 primary activities incorporated into licence front page. Table 19 infrastructure and equipment redundant, information sufficiently regulated by condition 5 Table 4. Weighbridge information incorporated into Table 4.
Schedule 3 Table 21	Schedule 4	No change
Schedule 4 Table 22	Schedule 5	No change
N/A	Schedule 6	Form N1 redundant. Schedule deleted.

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 draft amendment

Condition or section	Summary of licence holder's comment	Department's response
Licence		
Condition 6	DWER's concerns regarding the protection layer potentially reducing the performance of the leachate aggregate in the long term is acknowledged and the additional material requirements added in Condition 5 is deemed to be acceptable. However, under Condition 6, the frequency of testing this material is considered to be excessive. It is assumed that the high frequency is designed to manage variability in the source or switching sources. Similar to the leachate drainage aggregate, which is a screened product from a single source, the fine-grained protection layer is also a screened product from a single recycled source. Therefore, the risk of variability is considered to be very low. For Cells 5 and 6, a total of 15 tests would be required at the proposed "per 100m^3" frequency when in the DWER approved Technical Specification, the leachate drainage aggregate only needs 2 tests at a "per 5,000m^3" frequency. Therefore, it is requested that the frequency is amended to "1 test per 1,000m^3 with a minimum of 2 tests per material source" which for Cells 5 and 6 equates to 2 tests same as the leachate drainage aggregate that will be installed in these cells. This nominated frequency still manages the risk of any 'random' material being incorporated within that layer and it is a manageable 2-3 tests per cell or pair of cells.	This application implements the operational requirements of W2814/2024/1. The delegated officer considers the testing requirements specified in condition 6 remain applicable to mitigate the risk of impacts to the cushion geotextile and ensure homogeneity of the fine grained protection layer. The testing rate of 1 sample per 100 m^3 is one quarter of the minimum number of samples recommended for initial assessment of stockpile contamination in Schedule B2 of the *National Environment Protection (Assessment of Site Contamination) Measure 1999* (as amended 2013). The request to alter the testing rate to "1 sample per 1,000m^3 with a minimum of 2 samples per material source" would be 40 times less intensive than the testing for 100 m^3. The delegated officer considers this testing rate is not sufficiently representative to ensure homogeneity of the fine grained protection layer. The delegated officer has reconsidered the testing rate and altered it to be 1 sample per 150 m^3, plus the phrase "or part thereof" to capture any volumes less than 150 m^3. This will provide sufficient samples to ensure homogeneity of the fine grained protection layer, while providing a reduced sampling rate to the licence holder.