

# **Decision Report**

# **Application for Works Approval**

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

Works Approval Number W6652/2022/1

Applicant	Australasian Sands International Holdings Pty Ltd
ACN	656 090 336
File number	DWER2021/000651
Premises	725 Allanooka Springs Road, WALKAWAY WA 6528
	Lot 68 on Deposited Plan 71382
	Certificate of Title Volume 2793 Folio 100
	As defined by the premises maps attached to the issued works approval.
Date of report	6 October 2022
Decision	Works approval granted

### Samara Rogers A/MANAGER, RESOURCES INDUSTRIES REGULATORY SERVICES

an officer delegated under section 20 of the Environmental Protection Act 1986 (WA)

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## 1. Decision summary

This decision report documents the assessment of potential risks to the environment and public health from emissions and discharges during the construction and time limited operation of the premises. As a result of this assessment, works approval W6652/2022/1 has been granted.

# 2. Scope of assessment

### 2.1 Regulatory framework

In completing the assessment documented in this decision report, the Department of Water and Environmental Regulation (the department; DWER) has considered and given due regard to its regulatory framework and relevant policy documents which are available at <a href="https://dwer.wa.gov.au/regulatory-documents">https://dwer.wa.gov.au/regulatory-documents</a>.

### 2.2 Application summary and overview of premises

On 15 November 2021, Australasian Sands International Holdings Pty Ltd (the applicant) submitted an application for a works approval to the department under section 54 of the *Environmental Protection Act 1986* (EP Act).

The application is to undertake construction works relating to construction and time limited operation of a mobile screening and washing plant at the premises. The premises is approximately 35 km south-east of Geraldton.

Site works will include the construction of access roads and quarry infrastructure including screening plant, portable office, 50,000 litre fuel tank, water ponds and portable toilet. The applicant requested operational hours for excavation and screening to be Monday to Saturday 06:00 to 17:00 (excluding public holidays).

During the operation phase it is expected that approximately 3000 tonnes of sand material will be screened per day over a period of 2 to 4 years. Dry sand material will be fed into a mobile screening plant and then, if necessary, through a mobile wash plant which consists of a wash plant, stirrer tank and process water pond designed to allow settlement of particles. This will be a closed water system.

The premises relates to Category 12 and the assessed design capacity (1,000,000 tonnes per annual period) under Schedule 1 of the *Environmental Protection Regulations 1987* (EP Regulations) which are defined in works approval W6652/2022/1. The infrastructure and equipment relating to the premises category and any associated activities which the department has considered in line with Guideline: Risk Assessments (DWER 2020) are outlined in works approval W6652/2022/1.

This works approval assessment relates only to the construction and operation of the screening plant and associated infrastructure. The sand excavation activities on site are outside the scope of this works approval and are regulated by the City of Greater Geraldton via an Extractive Industry Licence (EIL) which was issued on 26 March 2021.

## 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 pathway during premises construction and time limited operation which have been considered in this decision report are detailed in Table 1 below. Table 1 also details the control measures the applicant has proposed to assist in controlling these emissions, where necessary.

applicant controls
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Emission	Sources	Potential pathways	Proposed controls
Construction			
Dust	Installation of mobile screening and washing plant Construction of process water pond. Vehicle movements	Air / windborne pathway	<ul> <li>Screening plant installed and constructed as per manufacturer's specifications</li> <li>Water truck to be available on site for dust suppression</li> <li>All internal roads have a 10 km/hr speed limit</li> </ul>
Noise	Installation of mobile screening and washing plant Construction process water pond Vehicle movements	Air / windborne pathway	<ul> <li>Screening plant installed and constructed as per manufacturer's specifications</li> </ul>
Operation (inc	luding Time Limited Op	erations)	
Dust	Operation of mobile screening plant	Air / windborne pathway	<ul> <li>All machinery/equipment proposed across the site will be used in accordance with appropriate manufacturer's instructions</li> <li>Cessation of all works when the level of dust or windblown material is over site boundary, or when wind speed exceeds 100 km/hr</li> <li>The provision and operation of water carts in good working condition, sufficient to suppress dust and windblow material</li> <li>10 km/hr speed limit imposed</li> </ul>
Noise	Operation of mobile screening and washing plant	Air / windborne pathway	<ul> <li>throughout the site</li> <li>Location of mobile plant will be in the north eastern corner of the extraction area furthest away from the nearest noise sensitive receptor.</li> <li>All machinery/equipment proposed across the site will be used in</li> </ul>

Emission	Sources	Potential pathways	Proposed controls
Discharge of contaminants	Hydrocarbon storage, refueling activities,	Spills/leaks of hydrocarbons	<ul> <li>accordance with appropriate manufacturer's instructions</li> <li>All machinery/equipment will be kept up to date with service and maintained to ensure no excess noise emissions are received</li> <li>All non-operational personal or stakeholders will be required to undertake a site induction to ensure compliance with the noise management plan</li> <li>Noise management program implemented with management procedure for noise complaints and requirement for investigation and mitigation in event of noise in excess of allowable limit</li> <li>Management procedures based on Australian Standard AS 1940</li> </ul>
to land (e.g. hydrocarbons spills)	spills and leaks from plant		<ul> <li>Fuel storage tank will be self-bunded</li> <li>Above ground pipelines will be double walled with the outer pipe draining back to a contained recover sump</li> <li>During refilling of fuel tank a float valve will shut off supply into the tank and an audible alarm will sound.</li> <li>Mobile equipment refueling and servicing will take place on a hard stand area</li> <li>All waste oils and hydraulic fluids are pumped directly from earthwork machines into reservoirs within purposebuilt service vehicles and removed from site</li> <li>During refuelling of the screening plant a polythene liner will be placed directly beneath the screen fuel tank to capture drips/spills.</li> <li>Spills will be cleaned up with removal of contaminated sand offsite</li> </ul>
Sediment laden stormwater	Stormwater runoff from stockpiles during high rainfall events	Overland runoff	<ul> <li>Bunds will be established to contain run- off, in particular to prevent uncontrolled run-off</li> </ul>
Sediment laden process water	Overtopping of process water pond Leaks from wash plant	Direct discharge and overland flow	None proposed.

Emission	Sources	Potential pathways	Proposed controls
Silica dioxide	Operation of mobile screening plant	Air/windborne pathway causing impacts to health	None proposed.

#### 3.1.2 Receptors

In accordance with the *Guideline: Risk Assessment* (DWER 2020), the Delegated Officer has excluded the applicant's 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.

# Table 2: Sensitive human and environmental receptors and distance from prescribed activity

Human receptors	Distance from prescribed activity		
Residential Property	Dwelling 1 located 1.4 km west of screening plant		
	<ul> <li>Dwelling 2 located 2.1 km south-west of screening plant</li> </ul>		
	Dwelling 3 located 2.2 km south-west of screening plant		
Environmental receptors	Distance from prescribed activity		
RiWI Surface water Area – Greenough River and Tributaries Catchment Area	1.5km north of prescribed activity.		
Gascoyne Groundwater Area	No pathway identified with depth to groundwater 30 to 40 metres		
Native Vegetation	Farmland with remnant native vegetation on perimeter boundaries of prescribed premises.		



Figure 1: Distance to sensitive receptors

Note: The location of the 'processing area' as defined in the above map is not applicable. Please refer to Table 1 and Figure 1 of the works approval instrument for the location of the 'processing area'. Three sensitive receptor locations are shown, however there are two separate properties in one of the receptor locations indicated.

### 3.2 Risk ratings

Risk ratings have been assessed in accordance with the *Guideline: Risk Assessments* (DWER 2020) for each identified emission source and takes into account 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 applicant 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 applicant's proposed controls to be critical to maintaining an acceptable level of risk, these will be incorporated into the works approval as regulatory controls.

Additional regulatory controls may be imposed where the applicant's controls are not deemed sufficient. Where this is the case the need for additional controls will be documented and justified in Table 3.

Works approval W6652/2022/1 that accompanies this decision report authorises construction and time-limited operations. The conditions in the issued works approval, as outlined in Table 3 have been determined in accordance with *Guidance Statement: Setting Conditions* (DER 2015).

A licence is required following the time-limited operational phase authorised under the works approval to authorise emissions associated with the ongoing operation of the premises i.e., screening of sand. A risk assessment for the operational phase has been included in this decision report, however licence conditions will not be finalised until the department assesses the licence application.

Risk events					Risk rating <sup>1</sup>	Applicant	Conditions <sup>2</sup>		
Sources / activities	Potential emission	Potential pathways and impact	Receptors	Applicant controls	C = consequence L = likelihood	controls sufficient?	of works approval	Justification for additional regulatory controls	
Construction	Construction								
Placement of screen and associated equipment, Construction of wash plant	Dust Air / windborne	Residential property/nursery 1400m west, 1 x	Refer to Section 3.1	C = Minor L = Rare Low Risk	Y		No additional regulatory controls		
	Noise	impacts to health and amenity	additional property located at 2.1 km and 2 x additional at 2.2 km	Refer to Section 3.1	C = Minor L = Rare <b>Low Risk</b>	Y	N/A.	required due to low risk.	
Operation (including Time Lin	Operation (including Time Limited Operations)								
Operation of screening plant (including use of wash plant if required) Stockpiling of material	Dust	Air / windborne pathway causing impacts to health and amenity	Residential property/nursery 1400m west, 1 x additional property located at 2.1 km and 2 x additional at 2.2 km	Refer to Section 3.1	C = Moderate L = unlikely <b>Medium Risk</b>	Y	Condition 7 Condition 8 <u>Condition 9</u> <u>Condition 10</u>	In addition to conditioning the Applicant's controls, the department has included additional controls in relation to dust emissions: The applicant must ensure that during time-limited operation, that dust generation is managed at the premises, and if winds exceed 100km/hr, then sand screening and stockpiling operations will cease	

### Table 3: Risk assessment of potential emissions and discharges from the premises during construction and time limited operation

Risk events					Risk rating <sup>1</sup>		<b>a</b>	
Sources / activities	Potential emission	Potential pathways and impact	Receptors	Applicant controls	C = Applicant consequence L = likelihood		of works approval	Justification for additional regulatory controls
	Noise	Air / windborne pathway causing impacts to health and amenity	Residential property/nursery 1400m west, 1 x additional property located at 2.1 km and 2 x additional at 2.2 km	Refer to Section 3.1	C = Moderate L = Possible <b>Medium Risk</b>	N	Condition 1 – plant location <u>Condition 7 –</u> <u>operating</u> <u>hours</u> <u>restricted to</u> <u>'daytime</u> <u>hours'</u> <u>Conditions</u> <u>11-18 – noise</u> <u>monitoring</u> <u>during TLO</u>	Refer to section 3.3
	Silica dioxide	Air / windborne pathway causing impacts to health and amenity	Residential property/nursery 1400m west, 1 x additional property located at 2.1 km and 2 x additional at 2.2 km	No applicant controls were proposed	C = Slight L = Unlikely <b>Low Risk</b>	N	Condition 1: Weather Station Condition 2 Condition 7 Condition 8 Condition 9 Condition 10	The workplace exposure standard in Australia is 0.05 mg/m3 for respirable crystalline silica. Proposed regulatory controls for dust will assist in the reduction of dust generation and respirable silica exposure
	Sediment Laden Stormwater	Overland runoff during high rainfall events potentially causing ecosystem disturbance	Off-site farmland with pockets of native vegetation	Refer to Section 3.1	C = Slight L = Unlikely <b>Low Risk</b>	Y	Condition 8	Applicant's proposed controls will be conditioned within the works approval as per Guideline: Risk Assessments.
	Sediment laden process water	Overtopping of process water pond; and Spills of sediment laden process water from wash plant potentially	Off-site farmland with pockets of native vegetation	Refer to Section 3.1	C= Slight L=Unlikely <b>Low risk</b>	N	Condition 1: Design requirements Condition 8	Additional design requirements for the process water pond have been added to the works approval to ensure the pond is adequately sized to contain a high rain fall event to prevent overtopping.

Risk events				Risk rating <sup>1</sup>	Annlinent	Conditions <sup>2</sup>			
Sources / activities	Potential emission	Potential pathways and impact	Receptors	Applicant controls	C = consequence L = likelihood	controls sufficient?	of works approval	Justification for additional regulatory controls	
		causing ecosystem disturbance							
Refueling of mobile equipment and storage of fuel	Hydrocarbons	Direct discharge to land causing soil contamination	Localised soils.	Refer to Section 3.1	C= Moderate L =Unlikely <b>Medium Risk</b>	Y	Condition 1 Condition 8	Applicant's proposed controls will be conditioned within the works approval as per Guideline: Risk Assessments.	

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

Note 2: Proposed applicant controls are depicted by standard text. Bold and underline text depicts additional regulatory controls imposed by department.

## 3.3 Detailed risk assessment – Noise Emissions

### 3.3.1 Overview of risk event

Herring Storer Acoustics (Herring Storer, 2021) (HSA) prepared an Acoustic Impact Assessment to model the expected noise emission proposed from the site activities licensed under a category 12 prescribed premises and the sand extraction activities at the premises.

The acoustic assessment concluded that noise from sand excavation and screening can be managed to comply with the assigned noise levels, as specified in the *Environmental Protection (Noise) Regulations 1997* (Noise Regulations), at all neighbouring residences without additional mitigation.

The nearest sensitive receptor is a residential property 1400 metres west of the screening plant. The portion of the applicant proposed hours of operation (between 06:00 and 07:00) require assessment against the more conservative nighttime assigned noise levels (35 dB) within the Noise Regulations

After review of the model prepared by HSA, the following limitations of the provided acoustic assessment have been noted:

- in HSA's modelling, the proposed processing area would be located to the far northeast corner of the extraction site - at least 1900 metres away. The screening plant is approximately 1400 metres from the closest residential receptor, and this has the potential to make a difference to outcome of modelling results;
- HSA indicated that these sound power levels were based on the measured sound power levels of similar equipment proposed for use on site, but suitable evidence is not provided.
- the Delegated Officer is not convinced by HSA's claim that noise from the proposed operation is not considered to contain tonal characteristics.

The Delegated Officer is not convinced that:

- the applicant has demonstrated that activities on the proposed prescribed premise can be managed to comply with nighttime assigned noise levels; and
- the sound power levels selected by HSA for the modelling are considered conservative by the Delegated Officer.

### 3.3.2 Decision

The Delegated Officer has determined that additional regulatory controls along with applicant proposed controls will be conditioned with the works approval to manage and monitor noise emissions during time limited operations:

- time limited operations will be restricted to daylight hours (0700 and 1800) (condition 6);
- location of the screening and washing plant will be conditioned within the works approval to be in the northeastern corner of the extraction area (further away from the nearest noise sensitive receptor) (condition 1); and
- the requirement to engage a person competent in noise assessment, complete noise monitoring reporting of noise monitoring results and taking corrective action where noise emissions do not comply with the relevant assigned levels in the Noise Regulations (conditions 10-17).

The results of the verification modelling required by conditions 12-18 will be considered when setting licence conditions for the site, including whether there is a requirement for ongoing monitoring of noise emissions, additional noise mitigation requirements and the suitability of the site for nighttime operation (prior to 7am).

## 4. Consultation

Table 4 provides a summary of the consultation undertaken by the department.

#### Table 4: Consultation

Consultation method	Comments received	Department response
Application advertised in the West Australian newspaper on 25 April 2022	No comments received.	N/A
Consultation letter – nearby resident 1 on 19 April 2022	<ul> <li>Comments have been summarised below:</li> <li>The location of the extraction and screening site is 650 metres away but several environmental factors (land contours, limited vegetation, prevailing wind conditions) make the property particular sensitive to activities at the site. Business activities at the residents property (nursery) will be negatively impacted.</li> <li>Noise modelling does not consider truck traffic for transporting sand. Breaking and accelerating of vehicles will occur along Allanooka Springs Road, with the entrance to the premises approximately 650 metres from residential property.</li> <li>Proposed dust suppression measures are insufficient. Existing degraded site conditions have resulted in high dust levels with impacts to residents health, and the residents business (nursery).</li> <li>The resident has anecdotally noted a drying summer climate and recent trend to wetter winters, with concerns that these will lead to topsoil lost through summer wind erosion and winter run off.</li> <li>Resident raised concerns over equitable use of groundwater reserve stating that mining activities provide little benefit for the community.</li> <li>Resident raised concerns that flora and fauna studies had not been undertaken at the site. The resident has provided a report documenting species known to occur in the region.</li> </ul>	<ul> <li>DWER regulates emissions and discharges to the environment through a works approval and licensing process, under Part V of the Environmental Protection Act 1986 (EP Act).</li> <li>Several issues raised by the applicant are outside of the scope of a prescribed premise works approval application.</li> <li>In consideration of the issues that are within scope, DWER have assessed emissions expected from the screening operations and have as a result conditioned the applicant's proposed controls in accordance with DWER's <i>Guideline: Risk assessments</i>.</li> <li>Additional regulatory controls have also been added to the instrument to manage and monitor noise emissions during time limited operations.</li> <li>Please see sections 3.2 and 3.3 of this decision report for more detail.</li> <li>Issues raised out of scope include:</li> <li>Traffic noise on nearby public road</li> <li>Equitable use of groundwater</li> <li>Management of sand extraction activities onsite</li> <li>These issues are considered during separate planning approval processes managed by the City of Geraldton.</li> </ul>
Consultation letter nearby resident 1 on 26 July 2022	<ul> <li>Additional comments to DWER summarised as:</li> <li>The property is now listed on the Humane Society International Wildlife Land Trust (WLT). WLT is a voluntary society, with eligibility requirements</li> </ul>	In undertaking a risk assessment of prescribed premises operations, DWER are required to identify environmental receptors. In order to do this, DWER rely on an evidenced based approach, including use of existing government

	<ul> <li>being 1-acre minimum land area and a commitment to conservation.</li> <li>The resident has raised concerns of impact of silicosis from sand mining to all living beings, particularly in the context of strong winds and sand drifts.</li> </ul>	databases developed from flora and fauna surveys to identify conservation significant areas. DWER does not consider the registration of a property to WLT to provide conservation in perpetuity.
		Safe work Australia (SWA) has identified that about 2 % of silica (crystalline form of silicon dioxide) is contained in limestone material and the workplace exposure standard in Australia is 0.05 mg/m3 for respirable crystalline silica (SWA 2022).
		Proposed regulatory controls for dust will assist in the reduction of dust generation and respirable silica exposure.
Local Government Authority advised of proposal on 19 April 2022	The City of Geraldton replied on 28 April 2022 stating conditional approval had previously been granted and that there was no objection to the proposal.	Noted. An EIL for the site was granted by the City of Geraldton on 26 March 2021.
Applicant was provided with draft documents on 17/6/2022	See Appendix 1	See Appendix 1 Applicant advised on 28 September 2022 that they had no further comments and requested the works approval be issued
And again on 13 September 2022.		

# 5. Conclusion

Based on the assessment in this decision report, the delegated officer has determined that a works approval will be granted, subject to conditions commensurate with the determined controls and necessary for administration and reporting requirements.

## References

- 1. Department of Environment Regulation (DER) 2015, *Guidance Statement: Setting Conditions*, Perth, Western Australia.
- 2. Department of Water and Environmental Regulation,2020, *Guideline: Environmental Siting*, Perth, Western Australia.
- 3. Department of Water and Environmental Regulation, 2020, *Guideline: Risk Assessments*, Perth, Western Australia.
- 4. Herring Storer Acoustics, 2021, Sand Extraction Operations Lot 68 Allanooka Springs Road, Environmental Acoustic Impact Assessment, Perth, Western Australia
- 5. RPS Group, 2021, Environmental Supplementary Report (Works approval Lot 68 Allanooka Springs Road, Mount Hill), Perth, Western Australia

# Appendix 1: Summary of applicant's comments on risk assessment and draft conditions

Condition	Summary of applicant's comment	Department's response
Cover page	Applicant confirmed registered business.	Noted.
Schedule 1 Maps	Applicant confirmed that location of screening area is correctly delineated.	Noted.

# Appendix 2: Application validation summary

SECTION 1: APPLICATION SUMMARY (as updated from validation checklist)					
Application type					
Works approval	$\boxtimes$				
Date application received		16/11/2021			
Applicant and premises details					
Applicant name/s (full legal name/s)		Australasian Sands International Pty Ltd			
Premises name		N/A			
Premises location		Lot 68 on Plan 71382, Mount Hill 2793/100 725 Allanooka Springs Road, Mount Hill			
Local Government Authority		City of Greater Geraldtor	1		
Application documents					
HPCM file reference number:		DER2021/000651			
Key application documents (additional to application form):		- Environmental supplementary report			
Scope of application/assessment					
Summary of proposed activities or changes to existing operations.		<i>Works approval</i> Construction of mobile screening plant for screening up to 1,000,000 tonnes per annual period.			
Category number/s (activities that cause the premises to become prescribed premises) Table 1: Prescribed premises categories					
Prescribed premises category and description		Production/design capacity			
Category 12: Screening etc. of material		1,000,000 tonnes per annual period			
Legislative context and other approvals					
Has the applicant referred, or do the intend to refer, their proposal to the under Part IV of the EP Act as a significant proposal?	ey EPA	Yes □ No ⊠	Referral decision No: Managed under Part V □ Assessed under Part IV □		
Does the applicant hold any existing IV Ministerial Statements relevant to application?	g Part o the	Yes □ No ⊠	Ministerial statement No: EPA Report No:		
Has the proposal been referred and/or assessed under the EPBC Act?		Yes 🗆 No 🖂	Reference No:		

SECTION 1: APPLICATION SUMMARY (as updated from validation checklist)					
Has the applicant demonstrated occupancy (proof of occupier status)?	Yes 🛛 No 🗆	Certificate of title ⊠ General lease □ Expiry: Mining lease / tenement □ Expiry: Other evidence □ Expiry:			
Has the applicant obtained all relevant planning approvals?	Yes ⊠ No □ N/A □	Approval: Development Approval Expiry date: 23/3/2023 (if development not substantially commenced)			
Has the applicant applied for, or have an existing EP Act clearing permit in relation to this proposal?	Yes 🗆 No 🛛	CPS No: N/A No clearing is proposed.			
Has the applicant applied for, or have an existing CAWS Act clearing licence in relation to this proposal?	Yes 🗆 No 🖂	Application reference No: N/A Licence/permit No: N/A No clearing is proposed.			
Has the applicant applied for, or have an existing RIWI Act licence or permit in relation to this proposal?	Yes 🗆 No 🖂	Application reference No: Licence/permit No: Licence / permit not required.			
Does the proposal involve a discharge of waste into a designated area (as defined in section 57 of the EP Act)?	Yes □ No ⊠	Name: N/A Type: Has Regulatory Services (Water) been consulted? Yes □ No □ N/A ⊠ Regional office:			
Is the Premises situated in a Public Drinking Water Source Area (PDWSA)?	Yes □ No ⊠	Name: N/A Priority: / N/A Are the proposed activities/ landuse compatible with the PDWSA (refer to <u>WQPN 25</u> )? Yes □ No □ N/A ⊠			
Is the Premises subject to any other Acts or subsidiary regulations (e.g. Dangerous Goods Safety Act 2004, Environmental Protection (Controlled Waste) Regulations 2004, State Agreement Act xxxx)	Yes □ No ⊠				

SECTION 1: APPLICATION SUMMARY (as updated from validation checklist)					
Is the Premises within an Environmental Protection Policy (EPP) Area?	Yes □ No ⊠				
Is the Premises subject to any EPP requirements?	Yes □ No ⊠				
Is the Premises a known or suspected contaminated site under the <i>Contaminated Sites Act 2003</i> ?	Yes □ No ⊠	Classification: N/A Date of classification: N/A			