

# **Decision Report**

## **Application for Works Approval**

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

Works Approval Number W6795/2023/1

**Applicant** Talison Lithium Australia Pty Ltd

**ACN** 139 401 308

File number DER2023/000262

**Premises** Greenbushes Lithium Operations

Maranup Ford Road

Part of mine tenement M01/3

As defined by the premises map attached to the issued works

approval

Date of report 28 June 2023

**Decision** Works approval granted

A/Manager, Resource 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 operation of the premises. As a result of this assessment, works approval W6795/2023/1 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 11 April 2023, 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 raising the embankment of the Cowan Brook Dam at the premises. The premises is located immediately to the southern boundary of the Town of Greenbushes, approximately 250 km south of Perth, Western Australia.

Water is required for mining and processing and is captured and stored in a series of dams which is managed as part of a mine water circuit (MWC). The MWC provides processing water, retains water and allows for water quality treatment to remove lithium and arsenic. A revision of water balance modelling has determined there is insufficient operational storage capacity to contain all inflows into the MWC during wet years. It also identified that during dry years, there is generally insufficient storage capacity to continue to supply the lithium processing facilities with water to meet the targeted processing volumes.

Runoff from the western catchment area of the Premises is currently directed into various storage facilities and recirculated where possible. The main elements of the circuit capture decant water from the tailings storage facility (TSF), directing it to the Clear Water Dam (CWD), which provides process water. Another series of dams, Austins, Southampton and the Cowan Brook Dam (CBD), supplements the premises water supply and prevents contaminated water leaving the site.

The applicant is therefore, seeking approval to raise the height of the dam embankment wall of the CBD to increase water storage. Figure's 1 and 2 shows maps of key water storage across the site, including the location of the CBD and the CBD raise work area.

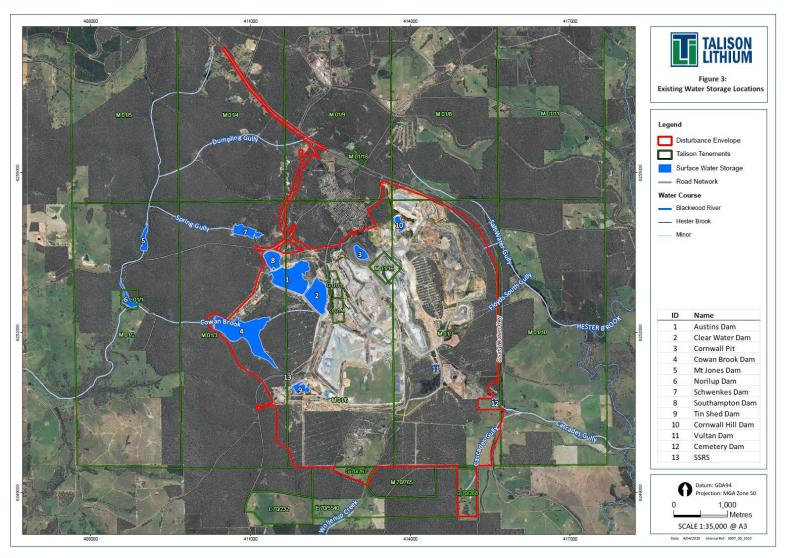


Figure 1: Depiction of water storage ponds within the premises

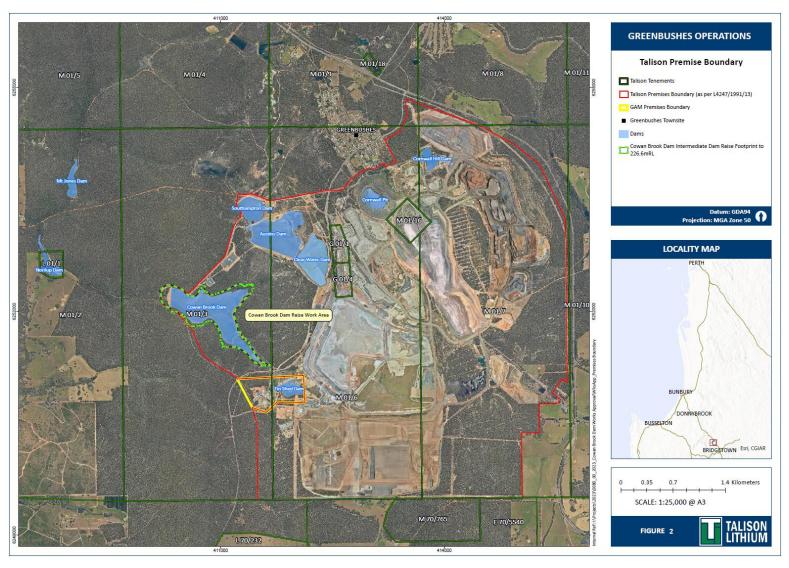


Figure 2: Location of Cowan Brook Dam Embankment Raise area

Austins, Southampton and CBD all provide water storage capacity within the MWC. The circuit is set up so that overflow from CWD is directed to Austins Dam, from which overflow is directed to CBD. The Works Approval Holder has stated that no changes to input and outputs due to the embankment raise will occur. Table 1 shows a summary of the inputs and outputs:

**Table 1: Cowan Brook Dam Inputs and Outputs** 

Input	Output	Source/Destination
Cowan Brook Catchment	-	CBD receives natural runoff from the catchment
Norilup Dam	-	CBD receives water from Norilup Dam if additional water is required in the Mine Water Circuit
Treatment Plant (WTP)	-	CBD receives permeate (treated water) from the WTP
-	Southampton Dam	Southampton Dam receives water from CBD

Transfers between the various dams are undertaken to:

- Maintain water levels within appropriate operating ranges (not too high or low);
- Manage water quality; and
- Ensure water is available where required for operational and maintenance reasons.

CBD water levels are maintained below Freeboard Levels to allow for a 1% annual exceedance probability 72 hour event.

A stability review, including geotechnical investigations, was completed by GHD in 2022 and resulted with the following design parameters for the embankment raise:

**Table 2: Cowan Brook Dam Embankment Raise Parameters** 

Parameter	Value
Raise type	Downstream
Max crest elevation	RL 1229 m
Full supply level	RL 1228 m (future) RL 1225.2 (interim)
Construction material	Onsite materials (or brought to site)  Low permeability clay
Embankment crest width	6 m
Downstream slope of the raise	1V:3H
Upstream slope	1V:3H
Design storm event	1:10,000 AEP 12-hour (ANCOLD, 2000)

The premises relates to the category and assessed production / design capacity under Schedule 1 of the *Environmental Protection Regulations 1987* (EP Regulations) which are defined in works approval W6795/2023/1. 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 W6795/2023/1.

#### 2.3 Part IV of the EP Act

A current Ministerial Statement (MS 1111) exists for the expansion of the Talison Lithium Operations, after being referred to the Environmental Protection Authority (EPA) in June 2018. The EPA report was published on 8 May 2019 (report number 1635). Under the MS, the applicant can clear no more than 350 hectares (ha) of native vegetation within a development envelope (DE) of 1,989 ha.

MS1111 was amended under section 45c (s45c) of the EP Act on 6 April 2020, which was for slight changes to the DE but no changes to overall clearing or DE size.

MS1111 was further amended under the s45C of the EP Act on 15 May 2023. The changes include:

- A revised Mine Access Road design;
- Construction of a worker accommodation village;
- Relocation of the rehabilitation material stockpiles; and
- Other changes to the development envelope to include:
  - o A noise bund;
  - A gate;
  - A vegetation screen;
  - Excision of the cemetery and mine lookout; and
  - Access tracks for Cowan Brook Dam
  - Increasing the DE to 2,207 ha

Clearing associated with the CBD raise is authorised through MS1111 and is therefore outside the scope of this assessment.

## **2.4** Mining Act 1978

Approval is currently pending under the *Mining Act 1978* for the Cowan Brood Dam raise. The applicant is required to comply with the requirements of all applicable legislation that relates to this proposal.

#### 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 / operation which have been considered in this decision report are detailed in Table 3 below. Table 3 also details the control measures the applicant has proposed to assist in controlling these emissions, where necessary.

**Table 3: Proposed applicant controls** 

Emission	Sources	Potential pathways	Proposed controls					
Construction								
Dust	Mobile earthmoving equipment over unconsolidated soil, excavation, compaction, wind erosion	Air / windborne pathway	The applicant does not expect the embankment raise to change the dust emission profile. Dust generation occurring from existing mining activities will continue to be controlled through the implementation of approved control measures. These are implemented under the Dust Management Plan and include:					
			<ul> <li>Application of dust stabilisers on cleared open areas that are likely to be significant emitters in high wind conditions.</li> </ul>					
			<ul> <li>Sheeting of unsealed roads with coarse materials.</li> </ul>					
			<ul> <li>Application of water to bare and traffic areas</li> </ul>					
			<ul> <li>Use of onsite dust risk prediction, meteorological and dust monitoring systems to plan addition dust controls and monitor ambient air quality.</li> </ul>					
			<ul> <li>Workforce education and internal dust emission reporting.</li> </ul>					
			<ul> <li>Avoid dust creating activities on days with extreme dust risk.</li> </ul>					
			<ul> <li>Implementing a 30 km/h speed limit along haul roads and reducing vehicle speed limits of areas of unconsolidated soil.</li> </ul>					
			<ul> <li>Application of mulch, wet tails, water and other types of dust suppression to non-trafficked areas; and</li> </ul>					
			<ul> <li>Active re-seeding of rehabilitation material stockpiles if they do not self seed within 18 months of placement.</li> </ul>					
Noise	Mobile earthmoving equipment over unconsolidated soil, excavation, compaction		Noise emissions and impacts on human receptors are regulated under a Regulation 17 exemption under the <i>Environmental Protection</i> (Noise) Regulations 1997 and are not further assessed in this report.					
Operation	1	1	<u>'</u>					

Emission	Sources	Potential pathways	Proposed controls
Seepage	Water stored in CBD with potential contaminants, in particular arsenic and lithium.	Seepage to soil and groundwater via infiltration	<ul> <li>Key design elements of the embankment design to provide seepage control includes:         <ul> <li>Provision of downstream buttress providing stability under extreme liquefaction conditions:</li> <li>Filter blanket and chimney filter drainage system to control phreatic surface; and</li> <li>Instrumental for ongoing monitoring of performance.</li> </ul> </li> <li>Additional controls include:         <ul> <li>Compliance with the Licence, including implementation of the Water Management Plan; and</li> <li>Implementation of the Operating Manual for Water Dams</li> </ul> </li> </ul>
Surface water discharge	Water stored in CBD with potential contaminants, in particular arsenic and lithium.	Overtopping	A spillway will be installed on the crest of the embankment to manage critical overflow events. Sizing of the spillway was designed based on flood routing analysis.  Further controls include:  • Monitoring of water dams (levels), undertaken via remote monitoring, with regular visual inspections.  • Water dam annual audit and inspections, undertaken based on ANCOLD¹ recommendations.  • Contingency pumping in response to rising water levels in CBD.  • Emergency Response Plan for Water Dams to be implemented in event of dam failure (plan includes different alert levels and corresponding actions)

#### 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 4, Figure 2 above and Figure 3 below provides a summary of potential human and environmental receptors that may be impacted as a result of activities upon or emission and

<sup>&</sup>lt;sup>1</sup> The Australian National Committee on Large Dams Incorporated (ANCOLD Inc) is an incorporated voluntary association of organisations and individual professionals with an interest in dams in Australia.

discharges from the prescribed premises (Guideline: Environmental Siting (DWER 2020)).

Table 4: Sensitive human and environmental receptors and distance from prescribed activity

Human receptors	Distance from prescribed activity		
Town of Greenbushes	Premises immediately south of the town		
Closest residential receptor within town of Greenbushes	80 m north of the premises boundary and approximately 2 km from the CBD		
Greenbushes Primary School	Approximately 3 km from the CBD		
Environmental receptors	Distance from prescribed activity		
Surface water with freshwater ecosystems, all flow into the Blackwood River (largest catchment in SW of WA and an aboriginal heritage site):  Norilup Brook Cowan Brook Norilup Dam	At the western edge of the premises boundary (offsite).  Seepage from Cowan Brook Dam flows into Cowan Brook and into Norilup Dam		
Groundwater is hosted within shallow and deep aquifers on-site.  Local groundwater and surface water flows toward the south-west and south-east. Streams radiate out from the drainage divide and report to the Blackwood River located 5-10 km south of the premises.	Shallow and deep aquifer below and around the Cowan Brook Dam footprint.  Surface water – groundwater interaction across site.		
Department of Biodiversity, Conservation and Attractions Legislated Tenure  Greenbushes State Forest	Immediately surrounding the premises. This has been assessed and addressed in the EPA report and is regulated under Part IV. Therefore these environmental receptors will not be further assessed in this works approval.		
Threatened/priority flora and fauna	Surrounding premises. This has been assessed and addressed in the EPA report and is regulated under Part IV. Therefore these environmental receptors will not be further assessed in this works approval.		

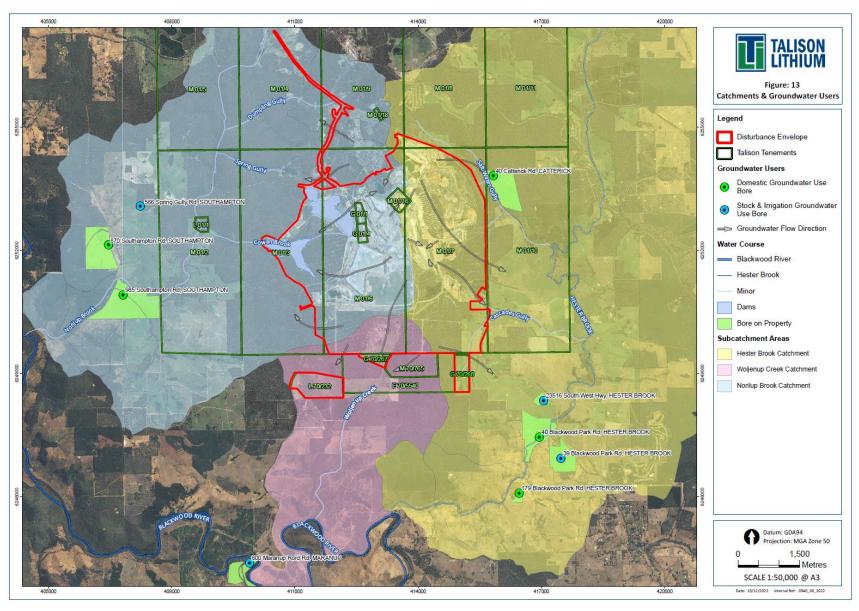


Figure 3: Map showing catchments and groundwater users

## 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 5.

Works approval W6795/2023/1 that accompanies this decision report authorises construction. The conditions in the issued works approval, as outlined in Table 5 have been determined in accordance with *Guidance Statement: Setting Conditions* (DER 2015).

A licence is required to authorise emissions associated with the ongoing operation of the premises i.e. use of Cowan Brook Dam. 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.

Table 5: Risk assessment of potential emissions and discharges from the premises during construction and operation

	sk events		Risk rating <sup>1</sup>	Applicant		Justification for		
Sources / activities	Potential emission	Potential pathways and impact	Receptors	Applicant controls	C = consequence L = likelihood	controls sufficient?	Conditions <sup>2</sup> of works approval / licence	additional regulatory controls
Construction					1			
Mobile earthmoving equipment over	Dust	Air / windborne pathway causing	Closest resident is approximately 2 km north of the CBD	Refer to Section 3.1	C = Moderate L = Unlikely Medium Risk	Y	Condition 1	Works approval conditions have been included to ensure design and construction requirements are met, including submission of compliance documents.
unconsolidated soil, excavation, compaction, wind erosion	Noise	impacts to health and amenity		Refer to Section 3.1	C = Minor L = Unlikely <b>Medium Risk</b>	Y	N/A	N/A

		Risk rating <sup>1</sup>	Applicant		Justification for			
Sources / activities	Potential emission	Potential pathways and impact	Receptors	Applicant controls	C = consequence L = likelihood	controls sufficient?	Conditions <sup>2</sup> of works approval / licence	additional regulatory controls
Water stored in CBD with	Treated process water	Contamination of soil via infiltration through soil to groundwater	Water quality and ecology of creeklines and surface water bodies (tributaries of Blackwood River)	Refer to Section 3.1	C = Minor L = Unlikely <b>Medium Risk</b>	Y	Works Approval: Condition 1 Condition 2 Condition 3 Licence: Condition 3.3.1 Condition 3.3.2	Works approval conditions have been included to ensure design and construction requirements are met, including submission of compliance documents.  The existing licence (L4247/1991/13) also includes controls for water and effluent management.  No additional regulatory controls for the works approval or licence are required
potential contaminants, in particular arsenic and lithium.		Contamination of surrounding soil and vegetation via overtopping		Refer to Section 3.1	C = Moderate L = Unlikely <b>Medium Risk</b>	Y	Works Approval: Condition 1 Condition 2 Condition 3 Licence: Condition 1.3.1 – the current licence condition states that from 1 January 2024 a freeboard requirement of 0.5 m plus additional freeboards to allow for a 1% annual exceedance probability 72-hour rainfall event Condition 3.3.1 Condition 3.3.2	Works approval condition 1 included to ensure design and construction requirements are met, including submission of compliance documents.  No additional conditions for the licence are required

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.

#### 4. Consultation

Table 6 provides a summary of the consultation undertaken by the department.

**Table 6: Consultation** 

Consultation method	Comments received	Department response
Application advertised on the department's website on 8 May 2023	No comments received	N/A
Local Government Authority advised of proposal on 3 May 2023	No comments received	N/A
Department of Mines, Industry Regulation and Safety (DMIRS) advised of proposal 3 May 2023	Comments received 12 May 2023:  DMIRS confirmed the Cowan Brook Dam Raise is currently being assessed under the <i>Mining Act 1978</i> and that it is Talison's responsibility to ensure that all mining operations are conducted in accordance with any approvals under this Act and tenement conditions.	Noted
Applicant was provided with draft documents on 24 May 2023	Refer to Appendix 1	Refer to Appendix 1

### 5. Conclusion

Based on the assessment in this decision report, the delegated officer intends that a works approval will be granted, subject to conditions commensurate with the determined controls and necessary for administration and reporting requirements, and subject to other relevant approvals under the *Mining Act 1978* and Part IV of the EP Act.

#### 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 applicant's comments on risk assessment and draft conditions

Works Approval/Decision Report section	Summary of applicant's comment	Department's response						
Works Approval	Works Approval							
Condition 1, Table 1 – Seepage collection to be split into two zones and directed to two V-notch weirs for	It is likely that the final design configuration will include more than two V-notch weirs. Talison proposed wording changed to:  Seepage collection to be split into two zones and directed to at least two	Noted and change accepted to ensure accurate description						
measurement.	V-notch weirs for measurement.	Noted and accepted						
Definition	Talison has requested the 'annual period' be defined the same as the Licence, which is 'the inclusive period from 1 July until 30 June in the following year'	Noted and accepted						
Decision Report								
Section 3.1.1 – Table 3. Proposed controls for surface water discharge	Talison has provided details of their Emergency Response Plan for Water Dams in response to DWER request	Emergency Response Plan reviewed and acknowledged						
Section 2.2 – The circuit is set up so that overflow from CWD is directed to Austin Dam, from which overflow is	Talison has commented that Austins Dam overflows into CBD. Excess water in Southampton Dam is pumped into CBD if the water quality is suitable or to prevent Southampton overflowing off-premises. Talison is proposing wording changed to:	Noted and change accepted to ensure accurate description						
directed to Southampton Dam, which in turn overflows to CBD.	The circuit is set up so that overflow from CWD is directed to Austins Dam, from which overflow is directed to CBD.							
Table 1 – CBD receives water from Norilup Dam to ensure maintenance of Norilup Dam water levels below OHL (applicant to define)	Talison has defined OHL as operating high level. Further comments to say that CBD receives water inputs from Norilup Dam if water is required for processing. Norilup Dam is not maintained at a target level or range of levels. There is no OHL as such for Norilup Dam as it is a flow through dam (i.e. the OHL is equivalent to the full supply level (FSL)/spillway/height.	Noted and change accepted to ensure accurate description						

Works Approval/Decision Report section	Summary of applicant's comment	Department's response
	Talison proposes the following wording:	
	CBD receives water from Norilup Dam if additional water is required in the Mine Water Circuit.	
Table 1 – Reverse Osmosis Water Treatment Plant (ROWTP) – CBD receives permeate (treated water) from the ROWTP	Talison has clarified that the Water Treatment Plant (WTP) utilises treatment processes in addition to reverse osmosis. Talison has suggested that the plant is referred to as the Water Treatment Plant (WTP) in this and future documents.	Noted and change accepted.
Table 1 – Southampton Dam receives water from CBD to ensure maintenance of CBD water levels below OHL	Talison has stated the operating high level (OHL) for CBD is the same as defined by Table 1.3.1 of L4247. Specifically, CBD OHL is freeboard to allow for a 1% annual exceedance probability 72 hr event. From 1 January 2024, this is increased by 0.5 m.	Noted and wording change accepted.
(applicant to define)	Transfers between the various Dams are undertaken to:	
	Maintain water levels within appropriate operating ranges (not too high or low)	
	Manage water quality; and	
	<ul> <li>Ensure water is available where required for operational and maintenance reasons.</li> </ul>	
	Talison suggests the wording is changed to:	
	Southampton Dam receives water form CBD.	
	CBD water levels are maintained below Freeboard Levels to allow for a 1% annual exceedance probability 72 hr event.	

# **Appendix 2: Application validation summary**

SECTION 1: APPLICATION SUMMARY (as updated from validation checklist)							
Application type							
Works approval	$\boxtimes$						
Date application received		11 April 2023					
Applicant and premises details							
Applicant name/s (full legal name/s)		Talison Lithium Australia Pt	y Ltd				
Premises name		Talison Lithium Mine					
Premises location		M01/3 Maranup Ford Road	GREENBUSHES				
Local Government Authority		Shire of Bridgetown-Greent	oushes				
Application documents							
HPCM file reference number:		DER2018/001042-9~14					
Key application documents (additional application form):	al to	Talison Lithium operations - Brook Dam Embankment R	– Part V Works Approval, Cowan aise, 11 April 2023.				
Scope of application/assessment							
Summary of proposed activities or changes to existing operations.		Construction of embankme increase water storage cap	ent raise of the Cowan Brook Dam to acity.				
Category number/s (activities that ca Table 1: Prescribed premises catego		e premises to become prescr	ibed premises)				
Prescribed premises category and description		sessed production or sign capacity	Proposed changes to the production or design capacity (amendments only)				
Category 5: processing o beneficiation of ore	r 5,00	00,000 tonnes	N/A				
Legislative context and other appr	ovals						
Has the applicant referred, or do they intend to refer, their proposal to the EPA under Part IV of the EP Act as a significant proposal?  Does the applicant hold any existing Part IV Ministerial Statements relevant to the application?  Has the proposal been referred and/or assessed under the EPBC Act?		Yes ⊠ No □	Referral decision No: Currently under assessment  Managed under Part V   Assessed under Part IV				
		Yes ⊠ No □	Ministerial statement No: MS 1111 EPA Report No: 1653				
		Yes □ No ⊠	Reference No: N/A				
Has the applicant demonstrated occupancy (proof of occupier status)?		Yes ⊠ No □	Mining lease / tenement ⊠ Expiry:27/12/2026				
Has the applicant obtained all relevant planning approvals?	ant	Yes □ No □ N/A ⊠	Mining tenure – no panning approval required				

SECTION 1: APPLICATION SUMMARY (as updated from validation checklist)		
Has the applicant applied for, or have an existing EP Act clearing permit in relation to this proposal?	Yes □ No ⊠	CPS No: N/A  Exemption applies as clearing approved under MS 1111
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
Has the applicant applied for, or have an existing RIWI Act licence or permit in relation to this proposal?	Yes □ 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
Is the Premises situated in a Public Drinking Water Source Area (PDWSA)?	Yes □ No ⊠	N/A
Is the Premises subject to any other Acts or subsidiary regulations?		Mining Act 1978
		EPBC Act 1999
	Yes ⊠ No □	Part IV of the EP Act (MS 1111)
		Aboriginal Cultural Hertiage Act 2021
		Biodiversity Conservation Act 2016
		Conservation and Land Management Act 1984
		Contaminated Sites Act 2003
Is the Premises within an Environmental Protection Policy (EPP) Area?	Yes □ No ⊠	N/A
Is the Premises subject to any EPP requirements?	Yes □ No ⊠	N/A
Is the Premises a known or suspected contaminated site under the Contaminated Sites Act 2003?	Yes ⊠ No □	Classification: Contaminated – restricted use (C–RU)
		Date of classification: June 2007 and classified again October 2020