

# Development checklist for referral to the Environment Protection Authority



## Activities of environmental significance

The following general information is required when referring a development application to the Environment Protection Authority (EPA).

Table 1 – required information for all development applications.

Table 2 – required information for certain applications requiring the assessment of site contamination.

Table 3 – common reports that may be required depending on the nature of the activity or site. Contact the EPA to discuss specific information requirements for your application.

**Submitting this information at the time of the referral will streamline the EPA’s response to the relevant authority.**

The EPA focuses on air quality, noise, waste, water quality and site contamination issues when undertaking assessments through the planning system.

It is important that we understand your activities, the potential environmental impacts that may arise and how those impacts would be minimised and managed.

**Table 1 Required information<sup>1</sup>**

<b>1</b>	<p><b>Locality plan (or description of the surrounding area)</b></p> <p>Drawn to an appropriate drafting standard (or description), clearly showing or describing the site context, including:</p> <ul style="list-style-type: none"> <li>• adjoining land uses, and the location and distance to any sensitive land uses<sup>2</sup> on adjoining and nearby sites<sup>3</sup></li> <li>• location of any watercourses (includes a lake, wetland, dam and artificial channel) or marine waters within 500 m.</li> </ul>
<b>2</b>	<p><b>Site plan</b></p> <p>Drawn to an appropriate drafting standard with a scale of not less than 1:500, including (where relevant):</p> <ul style="list-style-type: none"> <li>• location of existing and/or proposed development, clearly identifying where activities<sup>4</sup> would be carried out</li> <li>• location of any existing or proposed wastewater management system connected to an activity (including any on-site septic systems and details of wastewater lagoons)</li> <li>• waste storage, processing or disposal areas</li> <li>• significant topographical and water features (including the levels and slope of the site and any watercourses, dams or bores)</li> <li>• method of drainage and the direction of stormwater flow passing over or leaving the site, all stormwater discharge points, and proposed stormwater infrastructure such as retention basins and irrigation storage ponds</li> <li>• vehicle entry, exit and manoeuvring areas</li> <li>• approximate north point.</li> </ul>

<sup>1</sup> Based on Items 2 and 10 of schedule 8, *Planning, Development and Infrastructure (General) Regulations 2017*

<sup>2</sup> ‘Sensitive land uses’ include caravan parks, childcare centres, community centres, consulting rooms, educational institutions, hospitals, hotels and motels, nursing homes and retirement villages, parklands and recreational areas, residential dwellings, tourism accommodation and residential zones

<sup>3</sup> Located within the recommended evaluation distance for the referable activities. See [Evaluation distances for effective air quality and noise management](#).

<sup>4</sup> Under schedule 9, *Planning, Development and Infrastructure (General) Regulations 2017*

<b>3</b>	<p><b>Statement of environmental impacts</b></p> <p>A detailed description of the activities to be undertaken on site, including (where relevant):</p> <ul style="list-style-type: none"> <li>proposed nature and operational capacity of activities (which may include material storage, processing, production, manufacturing, treatment, preservation, melting, smelting, abrasion, fuel burning, incineration, discharge, dredging, intensive animal keeping or slaughtering, and reception, storage treatment or disposal of waste)</li> <li>predicted human health and environmental impacts from those activities (including noise, odour, dust, toxic or particulate air emissions, and potential impacts to surface, ground or marine waters)</li> <li>proposed environmental management measures to avoid or minimise predicted impacts</li> <li>types and volumes of liquid/solid waste to be received and/or generated on site when operating at full capacity</li> <li>arrangements for the storage and disposal of waste, stormwater, and wastewater (including sewage)</li> <li>type and number of vehicles using the site, traffic movements into, out of and around the site, and the kind of surface on which vehicles will be moving</li> <li>days and hours of operation</li> <li>details on soil erosion, sediment and pollutant generation will be prevented from leaving the site during the land development and building construction stages.</li> </ul>
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**Table 2 Required site contamination information<sup>5</sup>**

<p><b>Site contamination assessment</b></p> <p>An assessment of site contamination is undertaken for certain development applications involving a change in land use to a more sensitive use, or in the case of land division, the application proposes a sensitive land use. Refer to the State Planning Commission <a href="#">Practice Direction 14 (Site Contamination Assessment) 2021</a> for further details.</p>	
<b>4</b>	<p><b>Preliminary site investigation report</b></p> <p>A preliminary site investigation (PSI) report should determine if potentially contaminating land uses or activities occurred on the site and provide a preliminary assessment of whether site contamination exists. A PSI report should:</p> <ul style="list-style-type: none"> <li>identify potential on- and off-site sources of contamination</li> <li>determine potential chemical substances of concern</li> <li>identify areas of potential contamination</li> <li>identify potentially affected media (ie soil, water and vapour).</li> </ul> <p>A PSI report usually includes:</p> <ul style="list-style-type: none"> <li>a desktop study to identify site characteristics – site location, site layout, building construction, geology and hydrogeological setting</li> <li>a site history – identifying historical owners/operators/occupiers, land uses and activities</li> <li>a site inspection – to validate anecdotal evidence or historical information, and to identify additional evidence of potential contamination</li> <li>interviews with site owners, operators and/or occupiers.</li> </ul> <p>A PSI report must be prepared by a site contamination consultant.</p>
<b>5</b>	<p><b>Site contamination declaration form</b></p> <p>Must be provided in the form at Schedule 2 of <i>Practice Direction 14 (Site Contamination Assessment) 2021</i> and prepared by a site contamination consultant.</p>
<b>6</b>	<p><b>Certificate of title</b></p>
<b>7</b>	<p><b>Any site contamination audit report that has been prepared for the site (if applicable)</b></p>

<sup>5</sup> Based on item 2A of schedule 8, *Planning, Development and Infrastructure (General) Regulations 2017*

**Table 3 Additional information (not exhaustive)**

<p><b>Evaluation distances for effective air quality and noise management</b></p> <p>The EPA will require specific evaluation of air and/or noise impacts where a <i>sensitive land use</i> is located within the relevant recommended evaluation distance of the proposed activity boundary<sup>6</sup> (the activity boundary may not necessarily coincide with the property boundary), or where that activity requires an individual assessment of impacts (contact the EPA for specific advice). Proposed residential land divisions located within the relevant evaluation distance of an existing activity will also require specific evaluation of predicted air and/or noise impacts.</p> <p>Refer to the EPA <a href="#">Evaluation distances for effective air quality and noise management</a> for further details.</p>	
<b>8</b>	<p><b>Acoustic report</b></p> <p>Prepared by an acoustic engineer* which demonstrates that noise from the proposed development is predicted to meet the 'relevant indicative noise levels' applicable to the proposed development under clause 20 of the <i>Environment Protection (Noise) Policy 2007</i> (Noise Policy) at all existing or future noise affected premises (including consideration of the application of any penalties for character which may be applicable to the noise). Where the Noise Policy does not apply to the activity/development, the acoustic report should demonstrate noise levels can achieve appropriate alternate noise criteria (such as Australian Standards, or World Health Organization guidelines). The report should include sound power levels for relevant equipment, and detail any noise mitigation measures and/or noise management strategies required to ensure compliance with the relevant 'indicative noise levels' (or other appropriate criteria, if the Noise Policy does not apply).</p> <p>* An acoustic engineer is defined as a person eligible for full member status of both Engineers Australia and the Australian Acoustical Society.</p>
<b>9</b>	<p><b>Air quality assessment</b></p> <p>Prepared by a suitably qualified and experienced air quality assessment practitioner demonstrating (where relevant) that ground level concentrations of pollutants listed in Schedule 2 of <i>Environment Protection (Air Quality) Policy 2016</i> and/or odour level criteria listed in Schedule 3 can be met. This assessment will need to be prepared according to the EPA guidance regarding the <a href="#">preparation of an air quality assessment</a>.</p>
<p><b>Assessing wastewater, stormwater and waste issues</b></p> <p>Reports and plans should be prepared by suitably qualified and experienced practitioners</p>	
<b>10</b>	<p><b>Wastewater report</b></p> <p>Demonstrate how the generation of wastewater would be avoided or minimised, and consideration given to reuse and recycling opportunities. Where a wastewater management system is required, the report must demonstrate compliance with the obligations in the <i>Environment Protection (Water Quality) Policy 2015</i> to prevent the discharge of pollutants into any surface (fresh and marine) or underground waters. Where wastewater is contained in storage lagoons, the wastewater report will need to detail how the storage lagoons will be sited, designed and constructed to comply with the EPA <a href="#">Wastewater lagoon construction guidelines</a>. Where raw or treated wastewater is proposed to be irrigated onto land, a wastewater irrigation management plan prepared according to EPA guidelines on <a href="#">Wastewater irrigation management plan</a>.</p>
<b>11</b>	<p><b>Stormwater management plan</b></p> <p><b>Industrial activities</b></p> <p>Provide a <a href="#">stormwater management plan</a> (SMP) prepared by a suitably qualified stormwater consultant which outlines arrangements for the management of stormwater once the site is fully developed. The SMP must:</p>

<sup>6</sup> An activity boundary encloses all related activities and operations from which residual air or noise emissions may arise. It encloses all sources of potential emissions such as plant and equipment, buildings, stacks, stockpiles and access roads.

	<ul style="list-style-type: none"> <li>• separate the site into areas of potential risk of stormwater pollution with each area to be treated according to the level of risk of pollutants entering the stormwater system and, as a minimum, determine the risk of listed pollutants entering stormwater</li> <li>• outline the water sensitive urban design (WSUD) features proposed for the site</li> <li>• demonstrate how stormwater from bunded areas and all work areas likely to be contaminated with pollutants would be managed as wastewater and prevented from discharging off site.</li> </ul> <p><b>Residential land division</b></p> <p>Detail the arrangements for the management of stormwater once the site is fully developed. The plan must:</p> <ul style="list-style-type: none"> <li>• incorporate water sensitive urban design (WSUD) features</li> <li>• demonstrate, through modelling, that the WSUD features proposed would achieve the following stormwater quality performance objectives: 90% reduction in litter/gross pollutants, 45% reduction in average annual total nitrogen, 60% reduction in average annual total phosphorous, and 80% reduction in average annual total suspended solids when compared to untreated stormwater runoff from the development site</li> </ul> <p>Note: The EPA recommends use of rainfall data from the Bureau of Meteorology 2016 Intensity–Frequency–Duration design rainfall estimates in conjunction with the 2016 <i>Australian Rainfall and Runoff: A Guide to Flood Estimation</i>. Refer to the relevant council requirements for design rainfall. Where no council standard exists adopt a design rainfall of 25% annual exceedence probability. All SMPs must demonstrate that post-development runoff rates would not exceed pre-development levels, prevent flooding to neighbouring properties and minimise impacts to groundwater.</p>
12	<p><b>Waste management plan</b></p> <p>A detailed description of the activities to be undertaken on site, including (where relevant):</p> <ul style="list-style-type: none"> <li>• expanding or new waste depots have appropriate design, construction and operational environmental management measures (and, if required, closure requirements), as required by the relevant guidelines and codes of practice referenced in the <i>Environment Protection (Waste to Resources) Policy 2010 (W2R Policy)</i>.</li> <li>• activities that produce listed wastes have documented management responses for waste storage, transport and disposal (including a detailed description of individual waste streams) and comply with any relevant obligations detailed in the W2R Policy.</li> </ul>
13	<p><b>Bunding details</b></p> <p>Information to demonstrate that proposed (or existing) bunding arrangements are consistent with the guidance contained in the EPA guideline <a href="#">Bunding and spill management</a>.</p>
<p><b>Construction issues</b></p> <p>Reports and plans should be prepared by suitably qualified and experienced practitioners (or site contamination consultant where relevant).</p>	
14	<p><b>Landfill gas risk assessment</b></p> <p>The EPA may require a landfill gas risk assessment where development is proposed within 500 m of a landfill (including a closed landfill), and where the level of risk is not known in accordance with the EPA <a href="#">Landfill gas and development near landfills-advice for planning authorities and developers</a>.</p>
15	<p><b>Construction environmental management plan</b></p> <p>A construction environment management plan (CEMP) may be required when there is a risk that construction activities could cause environmental harm or environmental nuisance. Typical triggers for preparing a plan are outlined in the <a href="#">CEMP Guideline</a>.</p>