

Amendment Report

Application for Licence Amendment

Part V Division 3 of the Environmental Protection Act 1986

Licence Number	L8308/2008/2
Licence Holder	CITIC Pacific Mining Management Pty Ltd
ACN	119 578 371
File Number	DER2014/000430-2~11
Premises	Sino Iron Project Mine Site
	Mining Tenements M08/123, M08/124, M08/125, M08/264, M08/265, M08/266, G08/54 and L08/126
	MARDIE WA 6714
Date of Report	29 September 2021
Proposed Decision	Revised licence granted

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

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1. Decision summary

Licence L8308/2008/2 is held by CITIC Pacific Mining Management Pty Ltd (Licence Holder) for the Sino Iron Project Mine Site (the Premises), located at Mining Tenements M08/123, M08/124, M08/125, M08/264, M08/265, M08/266, G08/54 and L08/126, MARDIE WA 6714.

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. As a result of this assessment, Revised Licence L8308/2008/2 has been granted.

2. Scope of assessment

2.1 Regulatory framework

In completing the assessment documented in this Amendment Report, the department has considered and given due regard to its Regulatory Framework and relevant policy documents which are available at https://dwer.wa.gov.au/regulatory-documents.

2.2 Application summary

On 12 May 2021, the Licence Holder submitted an application to the department to amend Licence L8308/2008/2 under section 59 and 59B of the *Environmental Protection Act 1986* (EP Act). The following amendments are being sought:

- Increase in Category 6: Mine dewatering discharge from 8 GL/annum up to 12 GL/annum; and
- Amended tidal based discharge regime by increasing the discharge time by two hours.

This amendment is limited only to changes to Category 6 activities from the Existing Licence. No changes to the aspects of the existing Licence relating to Categories 5, 12, 52, 54, 57, 64 and 73 have been requested by the Licence Holder.

Table 1 below outlines the proposed changes to the existing Licence.

Table 1: Proposed design or throughput capacity changes

Category	Current design throughput capacity	Proposed design throughput capacity	Description of proposed amendment
6	8 GL/annum	12 GL/annum	Increase from 8 GL/annum up to 12 GL/annum

Mine dewatering is conducted to allow mining of ore below the water table. The Licence Holder uses pit sumps and production bores and mining has been able to continue, however, the current volume abstracted and discharged does not allow for mine dewatering to occur in advance of mining and, therefore, mining is often conducted in wet conditions, which is not ideal.

There are limited opportunities to reuse the hypersaline excess pit dewater onsite as it is causing erosion to plant and equipment.

The Licence Holder has, therefore, applied for an increase in the volumes of mine dewatering water to be discharged to the Fortescue River over an extended period.

Refer to Schedule 1: Maps, Premises map of the Licence L8308/2008/2 for all discharge points and monitoring locations.

2.2.1 Monitoring data at 8 GL/annum

Point sources FR2 surface water discharges:

FR2 (Fortescue River discharge location) monitoring results are provided annually in the AER and no limit exceedances were noted during the 2020/2021 annual period.

Mangrove health monitoring has found mangroves to be healthy and no observable changes.

Ambient monitoring at FR1, FR2, FR3, FR4 and FR5:

Ambient monitoring data at these monitoring points are provided annually in the AER.

Ambient surface water monitoring data is demonstrating that the diffuser is diluting the mine dewatering water discharge into the Fortescue River effectively. Samples taken from FR4 and FR5, which are up and downstream of the FR2 discharge point are showing near historic baseline monitoring concentrations during discharge at approximately 8 GL/a.

2.2.2 Modelling data at 12 GL/annum

The Licence Holder has conducted a review of the ambient surface water data collected, environmental quality criteria and inputs that formed the basis of the 2017 modelling to investigate the potential capacity of the Fortescue River estuary to accommodate mine dewatering discharges of 12 GL/annum. The review indicated that, with an increase in discharge rate, the hydrological regime at the mouth of the Fortescue River will not be generally affected by the addition of the discharge water volume because of the comparatively high variability in natural flow volumes driven by the high tidal range.

2.3 Part IV of the EP Act

The Licence Holder originally submitted a section 45C application under Part IV of the *Environmental Protection Act 1986* (EP Act) for Ministerial Statement (MS) 1066 to increase up to 21 GL/annum, however, a revised section 45C application for a lesser increase up to 12 GL/annum was then submitted.

The assessment determined that proposed changes are unlikely to result in significant detrimental effects on the environment in addition to, or different from, the effect of the original proposal. The proposal was approved and the increase from 8 GL/annum up to 12 GL/annum added to MS 1066, for the following reasons (commitments of the Licence Holder):

- Discharge will continue to operate around the outgoing tide at the same rate per hour. The extension of time of about 2 hours per tide will have no significant determinantal effect. The strong tidal flow and shallow nature of the estuary results in a well-mixed water body, with high current speeds and low residence time. Resulting in discharges being quickly diluted and flushed out of the system by the outgoing tide.
- Salinity of the discharge water is capped at 70 ppt (i.e. about twice that of seawater) and the estuary has naturally elevated and variable salinity due to evaporation and flushing. Monitoring of ambient surface water salinity 18 m downstream of the discharge point indicates good dilution of current discharge back to baseline conditions, with no observable change to the overall salinity of the estuary at reference sites. Modelling of the existing discharge during neap tidal cycles predicts an increase of 1 ppt whilst the increase in discharge is predicted to increase salinity levels by 2 ppt above the average of 41 ppt. The predicted increase in salinity is well within the natural variation of the estuary and tolerance levels of flora and fauna which are adapted to high and variable salinity levels.
- Nutrient concentrations in the discharge water are low and will not change due to the proposal. The increase in volume of discharge will however result in a proportional increase in the nutrient load in the estuary, however, continued discharge around the outgoing tide will mitigate any significant impact to the estuary. Monitoring of the current discharge has not observed any eutrophication and none is predicted from the changes.

Technical advice was also sought from the internal Marine Ecosystems Branch as part of the Part IV and Part V of the EP Act assessments. It was advised that the current surface water monitoring programme may require improvements, and it is recommended that this be amended. The Licence Holder has plans to submit a Revised Proposal under Part IV of the EP Act later in 2021 to further increase our pit dewatering and associated discharge to the Fortescue River. As part of the future amendment, the current surface water monitoring programme at the Fortescue River will be revised.

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 operation which have been considered in this Amendment Report are detailed in Table 2 below. Table 2 also details the proposed control measures the Licence Holder has proposed to assist in controlling these emissions, where necessary.

Emission	Sources	Potential pathways	Proposed controls
Hypersaline groundwater from mine dewatering	Mine dewatering storage facilities overtopping	Direct discharge	Condition on the Existing Licence relating to containment requirements for the mine dewatering storage facilities, including maintaining an operational freeboard of 0.5 m and the requirement to monitor the water quality to ensure the dewatered water is of suitable quality, meeting the stipulated limits, prior to discharge to the Fortescue River.
			This infrastructure has previously been assessed, with no modifications required for this amendment and, therefore, have not been further risk assessed in section 3.2.
	Mine dewatering storage facilities seepage through base and embankments	Infiltration	Condition on the Existing Licence for containment requirements for the mine dewatering storage facilities including lined with high density polyethylene HDPE to meet a permeability of <10 ⁻⁹ metres per second.
			The mine dewatering storage facilities are also located within the mining pit dewatering cone of depression capturing seepage.
			This infrastructure has previously been assessed, with no modifications required for

 Table 2: Licence Holder controls

Emission	Sources	Potential pathways	Proposed controls
			this amendment and, therefore, have not been further risk assessed in section 3.2.
	Mine dewatering pipeline leaks / spills	Direct discharge	The pipeline has previously been assessed and is equipped with a pressure monitoring system.
			The Existing Licence requires the mine dewatering pipeline to be inspected daily.
			This infrastructure has previously been assessed, with no modifications required for this amendment and, therefore, have not been further risk assessed in section 3.2.
	Planned discharges to the Fortescue	Direct discharge	Mine dewatering water is only discharged on outgoing tides.
	River		 Diffuser designed to maximise mixing into receiving waters: Co-flow diffuser; Assist in rapid dilution into receiving environment within 20m; Port spacing 1.5m; and Orientated downstream.
			In-pipe and ambient surface water monitoring.
			In-pipe limits set at 80% of the maximum pre-dilution concentration that will achieve 95% species protection levels assuming 27 dilutions.
			Modelling at 12 GL/annum indicates that salinity will meet the 80 th percentile of baseline suggesting a high level of ecological protection.
			Phosphorus limiting environment.
			Mangrove health monitoring.
			MS 1066 limits mine dewatering water discharge to Fortescue River at 12 GL/annum.

3.1.2 Receptors

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

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

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

Human receptors	Distance from prescribed activity
Fortescue River Mouth recreational area (informal campsite not managed by the City of Karratha).	More than 5 km to the north-west of the mining / processing operational areas Approximately 1.5km from the mine dewatering discharge point FR2
Mardie homestead	Approximately 20km south west of the premises (the Prescribed Premises is within the Mardie Station Pastoral Lease)
Environmental receptors	Distance from prescribed activity
Fortescue River	More than 5 km to the north-west of the mining / processing operational areas Approximately 1.5km from the mine dewatering discharge point FR2
Edwards Creek	More than 5 km to the south east of the discharge point FR2 Edward Creek then merges into DuBoulay Creek
De Boulay Creek	More than 2.5 km to the east of the discharge point FR2

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 takes into account potential source-pathway and receptor linkages as identified in Section 3.1. Where linkages are incomplete they have not been considered further in the risk assessment.

Where the Licence Holder has proposed mitigation measures/controls (as detailed in Section 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 L8308/2008/2 that accompanies this Amendment Report authorises emissions associated with the operation of the Premises i.e. Category 6 activities.

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

Risk Event					Risk rating ¹	Licence		Justification for
Source/Activities	Potential emission	Potential pathways and impact	Receptors	Licence Holder's controls	C = consequence L = likelihood	Holder's controls sufficient?	Conditions ² of Licence	additional regulatory controls
Operations								
Increase of dewatering water discharge from 8 GL/a up to 12 GL/a of mine dewatering water to Fortescue River	Additional discharge of hypersaline groundwater from mine dewatering to the Fortescue River	Direct discharges to surface water potentially causing impacts to estuarine water quality and dependent organisms due to increases in salinity, nitrates temperature and elevated metals (B, Cu, Ni and Zn) concentrations Change in receiving waters from nutrient enrichment causing localised nutrient plumes, algal blooms and fish kills from reduced dissolved oxygen	Dependent organisms (i.e. mangroves and fish) in the Fortescue River and adjacent Indian Ocean	Refer to Section 3.1	C = Moderate L = Possible Medium Risk	Y	Condition 1, Table 1 Production or design capacity limits Limits discharge to 12 tonnes per annual period. Condition 16, Table 8 Authorised discharge points – surface water emissions Requirements for the discharge pipeline, diffuser and timeframes for discharge to the Fortescue River. Condition 17, Table 9 Emission and discharge limits Limits discharge to 12 GL/a. Condition 27, Table 13 Monitoring of ambient concentrations Requires ambient surface water monitoring at FR1, FR2, FR3, FR4 and FR5. Condition 28, Table 14 Monitoring of ambient vegetation health Requires mangrove health monitoring at FR2 discharge location.	N/A

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

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

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

4. Consultation

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

Table 5: Consultation

Consultation method	Comments received	Department response
Local Government Authority advised of proposal (04/02/2021 and 02/07/2021)	 The City of Karratha replied on 18 August 2021 with some general comments: The City of Karratha is not in a position to make expert technical comments in regard to potential environmental impacts of this application. The City of Karratha would expect that the Departments environmental experts would consider impacts to marine species, mangrove communities and riparian ecosystems in the vicinity. It is noted that to the north of the emissions point into the Fortescue River there is an informal boat launching area and land based area is used recreationally as a remote camping site. 	The Delegated Officer has noted these comments. The discharge point is already approved on the licence and there is unlikely to be significant detrimental effects on the environment in addition to, or different from, the effect of the original proposal.
Department of Mines, Industry Regulation and Safety (DMIRS) advised of original proposal (04/02/2021) Note this application was subsequently withdrawn	DMIRS replied on 09/02/2021 querying the dewatering staging facility	DWER responded on 09/02/2021 stating that construction and operation of the dewatering staging facility was approved by DWER on 18/04/2019
DMIRS advised of proposal (02/07/2021)	No comments received.	N/A
Department of Jobs, Tourism, Science and Innovation (JTSI) advised of proposal (02/07/2021)	No comments received.	N/A
Licence Holder was provided with draft amendment on 28 September 2021	Response received on 28 September 2021. Refer to Appendix 1	Refer to Appendix 1

5. Conclusion

Based on the assessment in this Amendment Report, the Delegated Officer has determined that a Revised Licence 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 record of implemented changes. All proposed changes have been incorporated into the Revised Licence as part of the amendment process.

Condition no.	Proposed amendments
N/A	Updated "shall" to "must" throughout the Licence as per current formatting and wording.
Cover page	Category 6: Mine dewatering discharge Assessed production / design capacity increased from 8 GL per annual period up to 12 GL per annual period. Category 64: Class II putrescible landfill site Assessed production / design capacity updated to exclude Uncontaminated Fill.
1, Table 1	Category 6: Mine dewatering discharge Assessed production / design capacity increased from 8 GL per annual period up to 12 GL per annual period.
2, Table 2	Administrative: Addition of Uncontaminated Fill due to updates to the Landfill Definitions.
16, Table 8	Modifications to the tidal regime.
17, Table 9	FR2 Limit in Cumulative volume from 8 GL/a up to 12 GL/a
25, Table 11	Addition of Uncontaminated Fill due to updates to the Landfill Definitions.
Definitions	Addition of Uncontaminated Fill due to updates to the Landfill Definitions.

Table 6: Summary of licence amendments

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.
- 4. RPS APASA, 2017 Discharge Modelling Assessment Fortescue River Outfall, report prepared for CITIC Pacific Mining Management Pty Ltd, January 2017RPS, 2021 Fortescue River Discharge Modelling: Background Salinity Variability Study, report prepared for CITIC Pacific Mining Management Pty Ltd, 22 April 2021
- 5. CPM, 2021, Mine Dewater Discharge Increase (12 GL/annum), Sino Iron Project Mine Site (L8308/2008/2), (10 May 2021)

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

Condition	Summary of Licence Holder's comment	Department's response
Condition 16, Table 8	Mine dewatering water – Operational Requirements Proposed alternate wording of Operational Requirements to better reflect the revised proposal as detailed in Section 1.1 of the licence amendment submission (DR049759) and DWER Amendment Report, Appendix 2 – Application Validation Summary: The 12 GL/a discharge will be achieved via an amended tidal based discharge regime. The current licence requires discharge of mine pit water to commence 30 minutes after the turn of the tide from outgoing to incoming and to cease 1 hour prior to the turn from incoming to outgoing. CPM propose to amend this regime by increasing the discharge time per tide by two hours. Discharge will commence approximately one hour prior to the change from incoming to outgoing tide and approximately 30 minutes before the change from outgoing to incoming. The proposed discharge window will range from 6 hours to 9.25 hours, with an overall mean of 7.24 hours per tide.	 The department notes the Licence Holder's comments and has changed the wording of the condition to: The discharge must be tidally aligned according to daily tidal analyses from measurements locations under the following conditions: a. Discharge must only commence 60 minutes prior to the turning of the tide from incoming to outgoing

Appendix 2: Application validation summary

SECTION 1: APPLICATION SUMMARY					
Application type					
Works approval	Works approval				
		Relevant works approval number:		None	
Licence		Has the works approving with?	oval been complied	Yes □	No 🗆
		Has time limited ope works approval dem acceptable operatio	nonstrated	Yes □	Yes 🗆 No 🗆 N/A 🗆
		Environmental Com Critical Containmen Report submitted?		Yes □	No 🗆
		Date Report receive	ed:		
Renewal		Current licence number:			
Amendment to works approval		Current works approval number:			
Amendment to licence	\boxtimes	Current licence number:	L8308/2008/2		
		Relevant works approval number:		N/A	
Registration		Current works approval number:		None	
Date application received		12 May 2021			
Applicant and Premises details					
Applicant name/s (full legal name/s)		CITIC Pacific Mining	g Management Pty Ltd		
Premises name		Sino Iron Project Mi	ne Site		
Premises location		Mining Tenements M08/123, M08/124, M08/125, M08/264, M08/265, M08/266, G08/54 and L08/126 MARDIE WA 6714			
Local Government Authority		City of Karratha			
Application documents					
HPCM file reference number:		DWERDT450760			
Key application documents (additional to application form):		Letter Supporting Documentation			
Scope of application/assessment					
Summary of proposed activities or changes to existing operations.		Licence amendment			
		Increase in Category 6: Mine dewatering from 8 GL/a up to 12 GL/a			
		The 12 GL/a discharge will be achieved via an amended tidal based discharge regime. The current licence requires discharge of mine pit water to commence 30 minutes after the turn of the tide from outgoing to incoming and to cease 1 hour prior to the turn			

		increasing the discharge tim commence approximately of incoming to outgoing tide an the change from outgoing to	CPM propose to amend this regime by e per tide by two hours. Discharge wi ne hour prior to the change from ad approximately 30 minutes before incoming. The proposed discharge urs to 9.25 hours, with an overall	
Category number/s (activities that caus		premises to become prescril	bed premises)	
Table 1: Prescribed premises categorie Prescribed premises category and description		essed production or design acity	Proposed changes to the production or design capacity (amendments only)	
Category 5: Processing or beneficiation of metallic or non- metallic ore	85,4 perio Cone 4, 5 a	ary Crushers (1, 2, 3 and 4) 00,000 tonnes per annua od centrators (Mill Lines 1, 2, 3 and 6) 85,400,000 tonnes pe ual period	,	
	(proo annu Tailii	ducing 27,600,000 tonnes pe ual period) ngs Storage Facility (Stage 7,400,000 tonnes per annual		
Category 6: Mine dewatering discharge	perio	0,000 tonnes per annua od galitres per annual period)	I 12,000,000 tonnes per annual period (12 gigalitres per annual period)	
Category 12: Screening, etc. of material	2,70 perio	0,000 tonnes per annua od	I N/A	
Category 52: Electric power generation	480	megawatts	N/A	
Category 54: Sewage facility	160	cubic metres per day	N/A	
Category 57: Used tyre storage (general)	No n	nore than 500 tyres	N/A	
Category 64: Class II putrescible landfill site	Land annu	fill Facilities and Waste Rocl forms 25,000 tonnes pe Jal period (excluding Clear Ised for cover material)	r	
Category 73: Bulk storage of chemicals, etc	4,80	0 cubic metres in aggregate	N/A	
egislative context and other approvals	;			
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?		Yes 🛛 No 🗆	Referral decision No: s45C for Ministerial Statement 1066 submitted 10 December 2020 Managed under Part V □	

Licence: L8308/2008/2

		Assessed under Part IV \Box
Does the applicant hold any existing Part IV Ministerial Statements relevant to the application?	Yes 🛛 No 🗆	Ministerial statement No: 635, 822 and 1066 EPA Report No: 1056, 1343 and 1602
Has the proposal been referred and/or assessed under the EPBC Act?	Yes 🛛 No 🗆	Reference No: Sino Iron Mine Continuation Proposal (EPBC 2017/7862)
Has the applicant demonstrated occupancy (proof of occupier status)?	Yes 🗵 No 🗆	Certificate of title General lease Mining lease / tenement Expiry: Other evidence Expiry:
Has the applicant obtained all relevant planning approvals?	Yes □ No □ N/A ⊠	Approval: Expiry date: If N/A explain why?
Has the applicant applied for, or have an existing EP Act clearing permit in relation to this proposal?	Yes 🛛 No 🗆	CPS No: N/A Clearing approved under Ministerial Statements.
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 🗆	Application reference No: N/A Licence/permit No: GWL167151 The licence holder holds a licence to extract water for the purpose of mine dewatering and other mining related operations under section 5C of the <i>Rights in Water and Irrigation Act</i> 1914
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: N/A Has Regulatory Services (Water) been consulted? Yes □ No □ N/A ⊠ Regional office: North West

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 □	Iron Ore Processing (Mineralogy Pty Ltd) Agreement Act 2002
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 <i>Contaminated Sites Act 2003</i> ?		Classification: N/A Date of classification: N/A
	Yes □ No ⊠	