



Application for Licence

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

Licence Number	L9360/2022/1
Applicant	IB Operations Pty Ltd
ACN	165 513 557
File number	DER2022/000609
Premises	North Star Magnetite Project Marble Bar Wastewater Treatment Plant Legal description - Part of Mining Tenement L45/486 Marble Bar Road MARBLE BAR WA 6760 As defined by the coordinates in Schedule 2 of the licence
Date of report	21 February 2023
Proposed Decision	Licence granted

Stephen Checker
MANAGER WASTE INDUSTRIES

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 operation of the premises. As a result of this assessment, licence L9360/2022/1 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 <https://dwer.wa.gov.au/regulatory-documents>.

2.2 Application summary and overview of premises

On 22 September 2022, the applicant submitted an application for a licence to the department under section 57 of the *Environmental Protection Act 1986* (EP Act).

The application is to seek a licence relating to the continued operation of the wastewater treatment plant at the premises. The premises is approximately 50 km northwest of Marble Bar. The construction and time-limited operation of the wastewater treatment plan were approved under works approval W6596/2021/1.

The premises relates to the category and assessed / design capacity under Schedule 1 of the *Environmental Protection Regulations 1987* (EP Regulations) which are defined in licence L9360/2022/1. 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 licence L9360/2022/1.

2.3 Part IV of the EP Act

The premises is subject to Ministerial Statement 993 (MS993), issued on 5 January 2015 which specifies criteria for the construction and operation of an open-cut iron ore mine and associated infrastructure forming part of the North Star Magnetite Project. The Delegated Officer has determined that the proposal is consistent with MS993.

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 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.

Table 1: Potential emissions and proposed applicant controls

Emission	Sources	Potential pathways	Proposed controls
Operation			
Odour	WWTP operations, including screening and sludge removal	Air/windborne pathway	<p>WWTP tanks are contained and not expected to release odour</p> <p>Treated wastewater being discharged to the irrigation spray-field is not expected to be odorous</p> <p>Maintenance schedule to include odour checks around the facility and any follow up repair works in response to odour release where required</p>
Spills/unintended releases of partially treated wastewater or solid waste	Infrastructure and equipment failure Maintenance works	Seepage to soil and groundwater	<p>Groundwater separation greater than 80 mbgl (risk of permeation to groundwater is low)</p> <p>WWTP systems will monitor tank volumes with an alarm system to notify operator of high-risk volumes</p> <p>WWTP installation over compacted ground</p> <p>Screenings to be collected in dedicated bins and periodically removed by a licensed carrier to an appropriately licensed facility</p> <p>Sludge to be collected in sludge tanks and periodically removed by a licensed carrier to an appropriately licensed facility</p>
Spills/unintended releases of hydrocarbons or chemicals	Chemical handling and storage	Seepage to soil and groundwater	<p>Chemical storage area to be fully contained and bunded where required</p> <p>Chemical storage tanks to include HDPE chemical containment bunding</p> <p>Storage of chemical materials to be in accordance with Australian Standards including:</p> <p><i>AS1940-2004 – Storage and Handling of Flammable and Combustible Liquids</i></p> <p><i>AS3780-2008 – Storage and Handling of Corrosive Substances</i></p> <p><i>AS3833-2007 – Storage and Handling of Mixed Classes of Dangerous Goods.</i></p> <p>Chemical storage tanks within the WWTP to have sufficient capacity for several weeks of normal system operation</p>

Emission	Sources	Potential pathways	Proposed controls
Nutrient-rich, saline treated wastewater	Discharge of blended treated sewage and RO brine to irrigation spray-field	Seepage to soil and groundwater	<p>Minimal disturbance and clearing of vegetation</p> <p>Controlled discharge to the 4.5ha irrigation spray-field only to prevent ponding</p> <p>1% slope grade across the designated irrigation spray-field area</p> <p>Windrowing the lower slope grade of the discharge area to contain any run-off</p> <p>Groundwater separation greater than 80 mbgl and risk of permeation to groundwater is low</p> <p>Field permeability results indicate moderately average permeability rate of 1.5m/day</p> <p>Regular monitoring of treated wastewater quality</p> <p>Ensuring wastewater is treated to below target concentration limits for all parameters</p>
Contaminated or potentially contaminated stormwater	Stormwater interaction with plant and irrigation spray-field	<p>Seepage to soil and groundwater</p> <p>Overland flow during heavy downpours</p>	<p>1% slope grade across the designated spray-field area</p> <p>Windrowing the lower slope grade of the discharge area to contain any run-off</p> <p>Groundwater separation greater than 80 mbgl and risk of permeation to groundwater is low</p> <p>WWTP installation over compact ground</p>

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 and Figure 1 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 2: Sensitive human and environmental receptors and distance from prescribed activity

Human receptors	Distance from prescribed activity
Native Title Holders the Nyamal people (via the Nyamal Aboriginal Corporation RNTBC)	The proposed Premises is located within the Nyamal Native Title Determination area (WCD2019/011). Native Title Holders visiting this area are considered a potential human receptor to activities on the Premises.
Environmental receptors	Distance from prescribed activity
Surface waters	<p>The proposed premises is located within the Pilbara Surface Water Area (proclaimed under the RIWI Act 1914) and the De Grey River Basin area within the De Grey River/Shaw River catchment.</p> <p>Based on the 1:250,000 Hydrography WA map of the region:</p> <ul style="list-style-type: none"> • An unnamed minor non-perennial watercourse runs through the prescribed premises boundary. • A major non-perennial watercourse (Shaw River) is located ≈ 9 km north-west of the prescribed premises boundary.
Groundwater	<p>The proposed premises is located within the Pilbara Groundwater Area (proclaimed under the RIWI Act 1914).</p> <p>The drilling of two pilot holes by the applicant have detected groundwater within a fractured rock zone between 80 – 88 mbgl.</p> <p>Groundwater licence GWL175700 permits the taking of 20,000,000kL of water per annum from the confined Wallal Aquifer located within the Canning Basin bore field (located approx. 160km east of Port Hedland). This water is transported via a water pipeline along the water corridor development envelope for a range of activities which includes dust suppression for earthworks and construction activities and mining camp purposes associated with this works approval application.</p> <p>DWER Water Information Reporting Database indicates a nearby bore (71010054) drilled to a depth of 16.5m which is recorded as dry.</p>

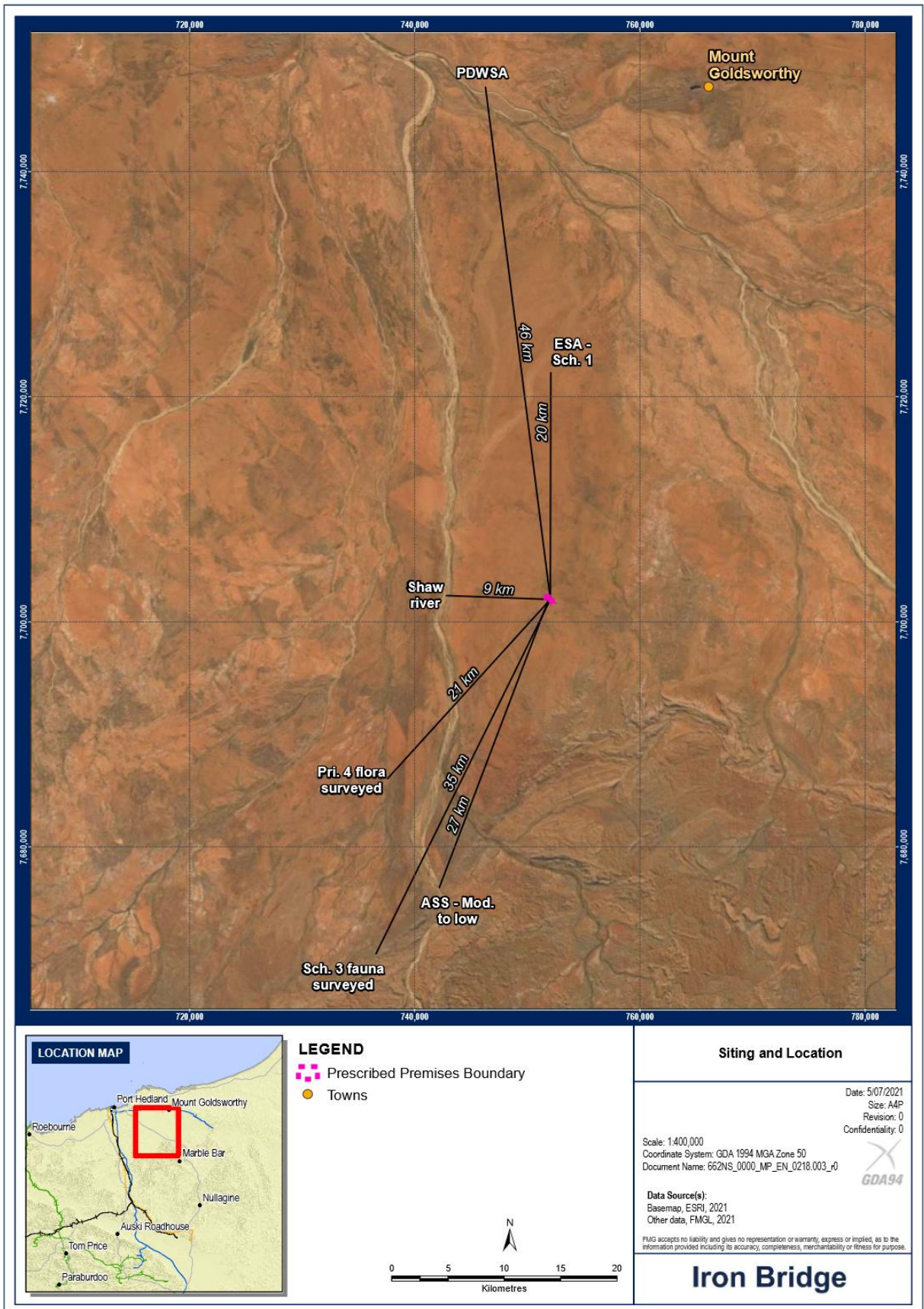


Figure 1: Distance to sensitive receptors

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 licence 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.

Licence L9360/2022/1 that accompanies this decision report authorises emissions associated with the operation of the premises i.e., sewage treatment plant and associated spray-field.

The conditions in the issued licence, as outlined in Table 3 have been determined in accordance with *Guidance Statement: Setting Conditions* (DER 2015).

Table 3: Risk assessment of potential emissions and discharges from the premises during operation

Risk events					Risk rating ¹ C = consequence L = likelihood	Applicant controls sufficient?	Conditions ² of licence	Justification for additional regulatory controls
Sources / activities	Potential emission	Potential pathways and impact	Receptors	Applicant controls				
Operation								
Operation of the WWTP	Odour	Air / windborne pathway causing impacts to health and amenity	Visitors to the Nyamal Native Title Determination area	Refer to Section 3.1	C = <i>Slight</i> L = <i>Unlikely</i> Low Risk	Yes	No regulatory controls have been added to the works approval as odour emissions are unlikely to impact receptors during the commissioning and operation of the premises	N/A
	Spills/ unintended releases of hydrocarbons, chemicals or partially treated wastewater	Overland runoff or pooling potentially causing ecosystem disturbance or impacting surface water quality	Pilbara groundwater area	Refer to Section 3.1	C = <i>Minor</i> L = <i>Likely</i> Medium Risk	Yes	Condition 2, Table 1 Condition 3, Table 3	N/A
Discharge to the irrigation spray-field	Nutrient-rich, saline treated wastewater		Minor non-perennial watercourse		C = <i>Moderate</i> L = <i>Possible</i> Medium Risk	Yes	Condition 1, Table 1 Condition 2, Table 1 Condition 3, Table 3 Condition 4 Condition 5, Table 4	N/A

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 for treated wastewater and RO reject discharge to land

The blended treated effluent and RO brine are disposed of via a dedicated irrigation spray-field. The location, design, and dimensions of the spray-field were previously assessed under works approval W6596/2021/1.

3.3.1 Irrigation spray-field sizing

. This spray-field is proposed to be constructed in 2-stages with stage 1 to include the installation of 2.6 ha of sprinkler units, and stage 2 to install an additional 1.9 ha of sprinkler units (4.5 ha total). This staged approach is based on the expected camp accommodation occupancy during the construction project.

The applicant has provided the following description of the local soil:

“Soil type characterised by red sand over sandy clay loam to clay at 30-80 cm. The Guelph Permeability field data suggest the local subsurface profile to have a sand/trace silt profile at 0-0.15 m deep and the permeability to be approx. 1.5 m/day indicating a ‘moderate’ permeability rate”

Field permeability testing conducted by the applicant on the receiving soil has indicated a permeability rate of 1.5 m/day (\approx 4 mm/day). To minimise the likelihood of pooling across the irrigation spray-field, the Delegated Officer has determined a maximum of 143 m³/day (52 m³ of treated wastewater combined with 91 m³ of RO reject water) is permitted to be discharged during Stage 1, and 180 m³/day permitted during Stage 2 (89 m³ of treated wastewater combined with 91 m³ of RO reject water).

During and following heavy rain, there is the potential for this effluent to pool on the ground surface. Pooling of effluent may lead to dispersion off-site via overland flow or infiltration and migration in groundwater. The Delegated Officer considers this pooling would cause low level off-site impacts and minimal impacts at the wider scale due to the dilution effect from rainfall, the presence of a deep groundwater table and the conditions relating to irrigation operations added to the works approval as per the applicant’s proposed controls.

3.3.2 Effluent quality

The applicant proposes to discharge a maximum of 180 m³/day of blended effluent to the irrigation spray-field. Based on preliminary sampling of the groundwater to be extracted for RO treatment, the applicant has calculated and expects the blended effluent to meet concentrations for the following parameters prior to discharge to the irrigation spray-field:

Table 4: Proposed effluent quality to be discharged to the irrigation spray-field

Parameter	Expected concentration
5-day biochemical oxygen demand (BOD ₅)	<20mg/L
Total suspended solids (TSS)	<30mg/L
Total nitrogen (TN)	<20mg/L**
Total phosphorous (TP)	<8mg/L**
Total dissolved solids (TDS)	<1500mg/L
<i>E. coli</i>	<1000cfu/100mL
Thermotolerant coliforms	<1000cfu/100mL

Residual free chlorine	0.2 – 2.0mg/L*
Sodium ions (Na ⁺)	350mg/L
Calcium ions (Ca ²⁺)	75mg/L
Magnesium ions (Mg ²⁺)	80mg/L
Electrical conductivity	2500µs/cm

*Residual free chlorine concentrations may be measured in treated wastewater prior to mixing with RO reject.

**Analysed over an annual period to assess nutrient loading potential.

3.3.3 Nutrient loading assessment

In accordance with field data conducted by the applicant, it has been determined that the soil in the irrigation spray-field and expected end use of this area will allow for:

- Appropriate nutrient uptake in accordance with risk category D described in Table 1 - Eutrophication risk based on soil type and location, *Water Quality Protection Note 22 – Irrigation with nutrient-rich wastewater*;
- A low-risk exposure category level in line with Table 7 – Commissioning validation and verification monitoring requirements and Table 8 – Minimum ongoing monitoring requirements, *Guidelines for the Non-potable Uses of Recycled Water in Western Australia*;
- A medium water salinity rating (< 1500 mg/L TDS) that can be tolerated by vegetation endemic to this area; and
- A stable soil structure after conducting a soil sodicity assessment using the blended effluents expected sodium adsorption ratio against the electrical conductivity in accordance with the *Australian and New Zealand Guidelines for Fresh and Marine Water Quality, Volume 3, Primary Industries – Rationale and Background Information*.

Considering the temporary nature of the proposed premises (12-18 months) and the applicants proposed controls in ensuring the nutrient loading on the receiving environment is managed appropriately in accordance with the above, The Delegated Officer has determined the overall rating for the risk of blended effluent discharge and soil sodicity is **Medium**.

4. Consultation

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

Table 5: Consultation

Consultation method	Comments received	Department response
Application advertised on the department's website on 08/12/2022	None received	N/A
Local Government Authority (Shire of East Pilbara advised of proposal on 12/12/2022	None received	N/A

Nyamal Aboriginal Corporation RNTBC advised of proposal on 12/12/2022	None received	N/A
Department of Health (DoH) WA advised of proposal on 12/12/2022	<p>1. Wastewater Disposal</p> <p><i>There are no objections to the proposal provided the apparatus is operated in accordance with Health (Treatment of Sewage and Disposal of Effluent and Liquid Waste) Regulations 1974 and any local government requirements associated with these regulations.</i></p> <p>2. Medical Entomology</p> <p><i>There are historically very few cases of mosquito-borne disease recorded for Marble Bar. This locality averages 1 reported human case of Ross River virus disease annually. There is limited mosquito surveillance data for the area, although it is expected that mosquitoes capable of spreading mosquito-borne disease will be present following large rainfall events.</i></p> <p><i>On-site infrastructure, surface water management systems and constructed water bodies need to be designed and maintained to ensure they do not breed mosquitoes.</i></p> <p><i>The proponent is to pay attention to the design and maintenance of the Wastewater Treatment Plant spray field to ensure that the irrigation volumes do not cause ponding of surface water that can support mosquito breeding.</i></p>	<p>Noted</p> <p>Licence requires that irrigation to be managed to prevent ponding and pooling of blended effluent on the ground surface of the irrigation spray field.</p>
Applicant was provided with draft documents on	Refer to Appendix 1	Refer to Appendix 1

5. Conclusion

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

References

1. ANZECC & ARMCANZ, October 2000. *Australian and New Zealand Guidelines for Fresh and Marine Water Quality*, Volume 3, Primary Industries – Rationale and Background Information. Perth, Western Australia. Accessed at: www.waterquality.gov.au
2. Department of Water (DOW), July 2008. *Water Quality Protection Note 22 (WQPN22): Irrigation with nutrient rich wastewater*. Perth, Western Australia. Accessed at: www.dwer.wa.gov.au
3. Department of Health (DOH), 2011. *Guidelines for the Non-potable Uses of Recycled Water in Western Australia*. Perth, Western Australia. Accessed at: www.health.wa.gov.au
4. Department of Environmental Regulation (DER), July 2015. *Guidance Statement: Regulatory principles*. Perth, Western Australia. Accessed at: www.dwer.wa.gov.au
5. DER, October 2015. *Guidance Statement: Setting conditions*. Perth, Western Australia. Accessed at: www.dwer.wa.gov.au
6. DER, February 2017. *Guidance Statement: Risk Assessments*. Perth, Western Australia. Accessed at: www.dwer.wa.gov.au
7. Department of Water and Environmental Regulation (DWER), June 2019. *Guideline: Decision Making*. Perth, Western Australia. Accessed at www.dwer.wa.gov.au
8. DWER, June 2019. *Guideline: Industry Regulation Guide to Licensing*. Perth, Western Australia. Accessed at www.dwer.wa.gov.au
9. Department of Environment and Science (QLD), June 2020. *Disposal of effluent using irrigation*. Perth, Western Australia. Accessed at: www.publications.qld.gov.au
10. DWER, December 2020, *Guideline: Environmental Siting*. Perth, Western Australia. Accessed at: www.dwer.wa.gov.au
11. DWER, December 2020, *Guideline: Risk Assessments*, Perth, Western Australia. Accessed at: www.dwer.wa.gov.au

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

Condition	Summary of applicant's comment	Department's response
1, Table 1	Stage 1 and two complete. Should only reference final volume of 180m ³ per day.	Agreed and amended
2, Table 2	Plant will be out of TLO upon grant of this licence.	Agreed and amended
3	Remove - not used in other WWTP licences. Note – the applicant provided correspondence agreeing to retain the condition on 20/2/2023 following further discussions.	Condition retained - Given the relatively low risk of the discharge, the condition has been applied as a more flexible alternative over typical water quality limits, which would constitute a breach if any parameter was over limit for a single monitoring event. An annual N/P loading rate allows water quality to vary throughout the year as long as overall long-term nutrient discharge is within parameters.
4	Remove Points C and D. The design did not account for holding for a full day or number of days in the event of rainfall. Point E should cover of the requirement to manage pooling.	Agreed and amended
5, Table 3	Amend to Quarterly to align with all other WWTP monitoring requirements	Agreed and amended
Definitions – annual period	Requested annual period 1 January to 31 December	Agreed and amended

Appendix 2: Application validation summary

SECTION 1: APPLICATION SUMMARY			
Application type			
Licence	<input checked="" type="checkbox"/>	Relevant works approval number:	W6596/2021/1
		Has the works approval been complied with?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
		Has time limited operations under the works approval demonstrated acceptable operations?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
		Environmental Compliance Report / Critical Containment Infrastructure Report submitted?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
		Date Report received: 27/06/2022	
Date application received		22/09/2022	
Applicant and Premises details			
Applicant name/s (full legal name/s)		IB Operations Pty Ltd	
Premises name		Marble Bar Wastewater Treatment Plant - North Star Magnetite Project	
Premises location		Part of Mining Tenement L45/486 - Marble Bar Road MARBLE BAR WA 6760	
Local Government Authority		Part of Mining Tenement L45/486 - Marble Bar Road MARBLE BAR WA 6760	
Application documents			
HPCM file reference number:		FA262444	
Key application documents (additional to application form):		Application form Licence cover letter Proof of occupancy ASIC extract Legal Authority Premises location Compliance demonstrated letter Siting and location map	
Scope of application/assessment			
Summary of proposed activities or changes to existing operations.		Licence Operation of Cat 54 sewage facility constructed under works approval W6596/2021/1	

Category number/s (activities that cause the premises to become prescribed premises)

Table 1: Prescribed premises categories

Prescribed premises category and description	Assessed production or design capacity	Proposed changes to the production or design capacity (amendments only)
54 – Sewage facility	180m ³ /day	

Legislative 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 <input checked="" type="checkbox"/> No <input type="checkbox"/>	Referral decision No: Managed under Part V <input checked="" type="checkbox"/> Assessed under Part IV <input checked="" type="checkbox"/>
Does the applicant hold any existing Part IV Ministerial Statements relevant to the application?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	Ministerial statement No: MS0993 EPA Report No: 1514
Has the proposal been referred and/or assessed under the EPBC Act?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Reference No:
Has the applicant demonstrated occupancy (proof of occupier status)?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	MISCELLANEOUS LICENCE 45/486 Expiry: 21 years
Has the applicant obtained all relevant planning approvals?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>	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 <input type="checkbox"/> No <input checked="" type="checkbox"/>	Authorised clearing approved under MS993
Has the applicant applied for, or have an existing CAWS Act clearing licence in relation to this proposal?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Authorised clearing approved under MS993
Has the applicant applied for, or have an existing RIWI Act licence or permit in relation to this proposal?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Licence/permit No: GWL175700

<p>Does the proposal involve a discharge of waste into a designated area (as defined in section 57 of the EP Act)?</p>	<p>Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p>	<p>Name: N/A Type: Proclaimed Groundwater Area/Surface Water Area Has Regulatory Services (Water) been consulted? Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/> Regional office: Swan Avon / Mid-West Gascoyne / Kwinana Peel / North West / South West / Goldfields / South Coast</p>
<p>Is the Premises situated in a Public Drinking Water Source Area (PDWSA)?</p>	<p>Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p>	<p>Name: N/A Priority: P1 / P2 / P3 / N/A Are the proposed activities/landuse compatible with the PDWSA (refer to <u>WQPN 25</u>)? Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/></p>
<p>Is the Premises subject to any other Acts or subsidiary regulations (e.g. <i>Dangerous Goods Safety Act 2004, Environmental Protection (Controlled Waste) Regulations 2004, State Agreement Act xxxx</i>)</p>	<p>Yes <input checked="" type="checkbox"/> No <input type="checkbox"/></p>	<p><i>Health (Miscellaneous Provisions) Act 1911.</i> <i>Health (Treatment of Sewage and Disposal of Effluent and Liquid Waste) Regulations 1974</i> <i>Mining Act 1978 – Mining Proposal (Reg ID 87630 & 97061).</i></p>
<p>Is the Premises within an Environmental Protection Policy (EPP) Area?</p>	<p>Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p>	
<p>Is the Premises subject to any EPP requirements?</p>	<p>Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p>	
<p>Is the Premises a known or suspected contaminated site under the <i>Contaminated Sites Act 2003</i>?</p>	<p>Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p>	