

Decision Report

Application for Works Approval

Part V Division 3 of the Environmental Protection Act 1986

Works Approval Number W6767/2022/1 Applicant Hamersley HMS Pty Ltd ACN 115 004 129 File number DER2022/000660 **Premises** Hope Downs 4 Iron Ore Mine - BOO Crushing & Screening Plant Part of ML282SA As defined by coordinates in Schedule 2 within the issued works approval. Date of report 16 May 2023 Decision Works approval granted

A/Manager, Resources Industries REGULATORY SERVICES

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

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1. Decision summary

This decision report documents the assessment of potential risks to the environment and public health from emissions and discharges during the construction and operation of the premises. As a result of this assessment, works approval W6767/2022/1 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 1 December 2022, Hamersley HMS Pty Ltd (the applicant) submitted an application for a works approval to the department under section 54 of the *Environmental Protection Act 1986* (EP Act).

The works approval application is to undertake construction of a Build, Own Operation (BOO) crushing and screening plant at the Hope Downs 4 mine (HD4) located approximately 30 kilometres (km) north of Newman in the Pilbara region of Western Australia (the Premises). The HD4 mine operates under existing Licence L8688/2012/1.

The applicant is proposing to construct and install a new crushing and screening plant and product handling facility (Category 5), for low grade ore production at the HD4 mine. This Works Approval Application seeks approval for the proposed construction, commissioning and time limited operation of the BOO plant. The operation of the BOO plant will result in an increase in ore production at the HD4 mine of an additional 2,000,000 tonnes per annual period which will increase the approved Category 5 throughput to 23,000,000 tonnes per annual period. An amendment to licence L8688/2012/1 will be required to authorise this increase and the ongoing operation of the BOO plant.

The BOO crushing and screening plant key components and process is summarised below:

- Load and Haul material: Low grade ore will be dumped into fingers at the Run of Mine (ROM) pad. Front end loaders (FEL) will be used to load the ore into the BOO plant ROM bin.
- **BOO Plant process:** The ore loaded into the BOO plant ROM bin will be dry crushed and screened through the plant, producing lump and fines product. The lump and fines product will be stacked in separate stockpiles in the BOO plant laydown.
- **Product outload process:** The lump product will be batched by loading and hauling the lump material from the BOO plant lump stockpile to the reclaimer stockpiles. The fines product will be relocated through load and haul to stockpiles within the mining area.
- **Reclamation process**: The lump product will be reclaimed to the existing Train Load Out Facility using the existing modified HD4 infrastructure.
- **Transport Conveyors**: There are multiple conveyors within the Plant that are used to transfer ore between the plant infrastructure, e.g. primary crusher to screening plant, screening plant to stackers/secondary crusher.

The BOO plant is proposed to assist with the accelerated ramp up of the Hope Downs 4 Iron

Ore Mine for the production of low-grade ore. It is estimated the facility will be required 24 hours, 7 days a week for approximately 3 years and 6 months. There will be no wet processing of ore at this plant, only dry crushing and screening of ore material. The BOO plant and associated infrastructure will be constructed in a laydown area to the east of the existing HD4 stockyard, covering approximately 28 hectares (ha) of land.

The proposed BOO plant is scheduled for construction from January to June 2024, with time limited operations provisionally planned to commence mid to late 2024. A licence amendment will be sought for the ongoing operation of the prescribed activities following construction, commissioning and time-limited operation under the Works Approval.

The report is limited in scope to the emissions assessed under part V of the EP Act, specifically noise, dust and stormwater. Note that the project was also assessed under Part IV of the EP Act, with scope of Ministerial Statement defined in section 2.3 of this report.

The proposed BOO plant will be located on State Agreement Mineral Leases ML282SA and as such, also subject to the *Iron Ore (Hope Downs) Agreement Act 1992*.

2.3 Part IV of the EP Act

The Hope Downs 4 Iron Ore Project was referred to the Environmental Protection Authority (EPA) under Section 38 of the EP Act in January 2010 and was assessed at the level of Public Environmental Review (PER). The EPA released its Report and Recommendations (EPA Report 1374) in December 2010. At that time, the EPA decided that the following key environmental factors were relevant to the proposal:

- Groundwater and surface water;
- Flora;
- Fauna; and
- Closure and rehabilitation

The Minister approved implementation of the Hope Downs 4 Iron Ore Project, subject conditions of Ministerial Statement (MS) 854, on 31 January 2011.

The Ministerial Statement includes conditions relevant to the management of:

- Groundwater drawdown;
- Dewatering discharge;
- Water quality;
- Flora and vegetation;
- Fauna;
- Acid and Metalliferous Drainage;
- Rehabilitation; and
- Closure.

3. Risk assessment

The department assesses the risks of emissions from prescribed premises and identifies the potential source, pathway and impact to receptors in accordance with the *Guideline: Risk Assessments* (DWER 2020).

To establish a risk event there must be an emission, a receptor which may be exposed to that emission through an identified actual or likely pathway, and a potential adverse effect to the receptor from exposure to that emission.

3.1 Source-pathways and receptors

3.1.1 Emissions and controls

The key emissions and associated actual or likely pathway during premises construction and time limited operations 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.

Emission	Sources	Potential pathways	Proposed controls
Construction			
Dust	Construction of BOO plant	Air/windborne pathway	Dust will be managed via the existing requirements of Part V Licence L8688/2012/1 and standard operating procedures, including:
			 rehabilitation of cleared areas will be implemented as construction is completed; and
			 dust suppression will be implemented (including use of water trucks, control of vehicle movements/ restricted speeds) during construction.
			• Standard management procedures are expected to effectively mitigate the risk of dust emissions during construction.
Spills (Hydrocarbons)	Fuel storage and refuelling	ge Seepage to soil Hydrocarbons used during constr ling be managed via relevant legislatio	
	used during construction	Groundwater of beneficial use (suitable for stock watering)	(Including Australian Standard AS 1940- 2004: Storage and handling of flammable and combustible liquids), the existing requirements of Licence L8688/2012/1 and standard operating procedures, including:
			• Vehicle refuelling will occur over concrete hardstand or compacted, lined earthen pad (with the exception of field based refuelling where a drip tray will be used);
			• Fuel storage tanks will be designed and constructed to AS 1940-2004: <i>The storage and handling of flammable and combustible liquids</i> ;
			Fuel storage tanks will be above ground;
			Fuel storage tanks will be self-bunded;
			Concrete hardstand or compacted, lined earthen pad will be installed under hydrocarbon storage and refuelling facilities where there is potential for hydrocarbon spills;

Table 1: Proposed applicant controls

Emission	Sources	Potential pathways	Proposed controls	
			 Management structures (bunding / secondary containment) will be installed at all hydrocarbon storage facilities to ensure any spills are contained; 	
			 Regular inspection and preventative maintenance of hydrocarbon storage and refuelling facilities and management structures will be undertaken; and 	
			Spill response will be provided.	
Noise	No pathway ident	No pathway identified to receptors, screened out.		
Commissioning	and Operation			
Dust	Screening, crushing, unloading, loading and	Air: windborne particulate (dust) emissions generated during construction	Dust will be managed via the existing requirements of Part V Licence L8688/2012/1 and standard operating procedures, including:	
	storage of activities inclusion activities activities activities activities inclusion activities activities activities and clearing, early and vehicle movements.	activities including: clearing, earthworks and vehicle movements.	 dust suppression will be implemented (including use of water trucks, control of vehicle movements/ restricted speeds) during operation 	
			 dust suppression nozzles will be installed at the ROM bin and at each conveyor loading section, discharge chute and stacker conveyor chutes will be enclosed as far as practicable. 	
			 Standard management procedures are expected to effectively mitigate the risk of dust emissions during commissioning. 	
Spills (Hydrocarbons)	Operation of plant resulting in hydrocarbon spill	Seepage to soil and overland runoff	Hydrocarbons used during commissioning will be managed via relevant legislation (including <i>Australian Standard AS 1940- 2004: Storage and handling of flammable and combustible liquids</i>), the existing requirements of Licence L8688/2012/1 and standard operating procedures, including:	
			 Vehicle refuelling will occur over concrete hardstand or compacted, lined earthen pad (with the exception of field based refuelling where a drip tray will be used); 	
			• Fuel storage tanks will be designed and constructed to AS 1940-2004: <i>The storage and handling of flammable and combustible liquids</i> ;	
			 Fuel storage tanks will be above ground and selfbunded; 	
			 Concrete hardstand or compacted, lined earthen pad will be installed under hydrocarbon storage and refuelling facilities where there is potential for 	

Emission	Sources	Potential pathways	Proposed controls	
			hydrocarbon spills;	
			 Management structures (bunding / secondary containment) will be installed at all hydrocarbon storage facilities to ensure any spills are contained; 	
			 Regular inspection and preventative maintenance of hydrocarbon storage and refuelling facilities and management structures will be undertaken; and 	
			Spill response will be provided.	
Hydrocarbon contaminated	Site operations / stockpile	Overland runoff	There are no planned discharges of water from site.	
and/or sediment laden stormwater	runoff		 Potentially contaminated waters will be managed on site via bunds and surface diversions. 	
			 Clean stormwater run-off and potentially sediment loaded run-off from the plant are separated to the extent achievable by applying Rio Tinto Standard specification SS-N102 Sediment Control and Separation. 	
			 Any potential hydrocarbon / sediment laden water will be retained onsite by use of diversions and bunds. 	
			 Secondary containment of all chemical and hydrocarbon storage across the entire site. 	
			 Approval process prior to mobilising any chemicals to site. 	
				 BOO plant facilities to include the following design requirements in accordance with Rio Tinto Standard DC- N001 Environmental Design Criteria:
			 Drainage sumps to settle out sediments prior to discharge from the plant area. 	
			 Oily water separators (centrifugal type) to separate out hydrocarbons from surface water. 	
Noise	No pathway identified to receptors, screened out.			

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 Figures 1a &1b 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 huma	n and environment	al receptors and	I distance from	prescribed
activity					

Human receptors	Distance from prescribed activity
Closest residential premises: Township of Newman	Approximately 30 km to the south of the Prescribed Premises.
	Screened out as receptor due to distance.
Marillana Pastoral Lease (P072910)	Approximately 12 km to the north east of the Prescribed Premises.
	Screened out as receptor due to distance
Environmental receptors	Distance from prescribed activity
Rights in Water and Irrigation Act 1914	The Premises lies within the Proclaimed Pilbara Groundwater and Surface Water Areas
Groundwater	Depth to groundwater ranges from 45 metres below ground level (mbgl) to 20 mbgl,
Priority flora	Priority (P) Flora species have been recorded within the HD4 prescribed premise:
	One P2 species: (Isotropis parviflora)
	Eight P3 species:
	Three P4 species:
	The nearest of these is <i>Portulaca aff. digyna</i> , recorded approximately 800 metres north of the proposed works approval boundary.
	None of the riparian communities or Priority flora species considered to be of elevated local conservation significance were recorded or are expected to occur within or near the proposed BOO plant.
Priority Fauna	Five species of elevated conservation significance have been recorded or are considered likely to occur within the HD4 Premises.
	• Pilbara Leaf-nosed Bat (<i>Rhinonicteris aurantia</i>) (listed as 'Vulnerable' under the Environmental Protection and Biodiversity Act (EPBC) and Biodiversity Conservation Act (BC Act),
	Ghost Bat (Macroderma gigas) (listed as

Grey Falcon (<i>Falco hypoleucos</i>) (listed as
'Vulnerable' under the BC Act),
• Peregrine Falcon (<i>Falco peregrinus</i>) (listed as 'Other specially protected fauna' under the BC Act), and
 Western Pebble-mound Mouse (<i>Pseudomys</i> chapmani) (Priority 4).



Figure 1a: Distance to sensitive receptors (Map 1 of 2)



Figure 1b: Distance to sensitive receptors (Map 2 of 2)

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 2.

Works approval W6767/2022/1 that accompanies this decision report authorises construction and time-limited operations. The conditions in the issued works approval, as outlined in Table 2 have been determined in accordance with *Guidance Statement: Setting Conditions* (DER 2015).

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

Risk rating¹ **Risk events** C = Applicant Justification for Conditions² of consequence controls additional Potential Applicant works approval sufficient? regulatory controls Sources / activities **Potential emission** pathways and Receptors controls L = impact likelihood Construction Construction of plant. Including C = Slightminor earthworks, Air/windborne Refer to installation of pathway causing Vegetation Section Υ Dust L = Unlikely 1 N/A services, modular impacts to health communities 3.1 installation of plants and amenity Low Risk and associated vehicle movements N/A The Environmental C = Slightfuel storage and Fuel storage and Refer to protection Vegetation refuelling used Spills refueling used Section L = Unlikely Υ N/A (Unauthorised communities during construction during construction 3.1 Discharges) Low Risk regulations 2004 apply. **Operation and Commissioning** C = ModerateAir/windborne pathway causing Vegetation Refer to Dust L = Unlikely Υ 1, .5 10 N/A impacts to communities section 3.1 Screening, crushing, vegetation Medium Risk unloading, loading and storage of C = MinorGroundwater Refer material use (stock), Contaminated Υ Overland runoff Section L = Unlikely 1,5, 10 N/A stormwater runoff soil, Vehicle movements, 3.1 vegetation) Medium Risk discharge Soils, Spills/leaks of Refer to C = SlightΥ 1 N/A Seepage hydrocarbons/chemicals vegetation Section

Table 2: Risk assessment of potential emissions and discharges from the premises during construction, commissioning and operation

Risk events				Risk rating ¹				
Sources / activities	Potential emission	Potential pathways and impact	Receptors	Applicant controls	C = consequence L = likelihood	Applicant controls sufficient?	Conditions ² of works approval	Justification for additional regulatory controls
				3.1	L = Unlikely			
					Low Risk			The Environmental protection (Unauthorised Discharges) regulations 2004 apply.

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 3 provides a summary of the consultation undertaken by the department.

Table 3: Consultation

Consultation method	Comments received	Department response
Local Government Authority advised of proposal on 7 February 2023	No comments received .	N/A .
Department of Mines, Industry Regulation and Safety (DMIRS) advised of proposal 7 February 2023	No comments received.	N/A.
Department of Planning, Lands and Heritage advised of proposal on 7 February 2023.	The project development footprint does not intersect with any known Aboriginal heritage places or sites. It is understood that the proponent holds Commercial Agreements as well as an Indigenous Land Use Agreements (ILUA) with the traditional owner group that includes an established consultation framework for ongoing engagement on relevant aspects of the operations.	Noted.
Applicant was provided with draft documents on 6 April 2023	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 works approval will be granted, subject to conditions commensurate with the determined controls and necessary for administration and reporting requirements.

References

- 1. Department of Environment Regulation (DER) 2015, *Guidance Statement: Setting Conditions*, Perth, Western Australia.
- 2. Department of Water and Environmental Regulation (DWER) 2020, *Guideline: Environmental Siting*, Perth, Western Australia.
- 3. DWER 2020, Guideline: Risk Assessments, Perth, Western Australia.
- 4. Environmental Protection Authority (EPA) 2018, Environmental Impact Assessment (Part IV Divisions 1 and 2) Procedures Manual, Environmental Protection Authority, Perth, WA.

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

Condition	Summary of applicant's comment	Department's response
Condition 1, Table 1, Site Infrastructure table.	The applicant has made minor modifications to the layout of the proposed BOO plant. Applicant has requested that hoppers to be included in site infrastructure table and reclaimer stockpile pads to be removed from table 1. The applicant supplied an updated figure for inclusion.	Changes made within text and figure 2 of works approval. Risk profile of site unchanged.
Condition 1, Table 1, Site infrastructure table.	The applicant has requested additional flexibility in installation of oily water separators, requesting that wording be amended to include centrifugal type of similar.	Wording in table 1 amended to include flexibility in oily water separator. Risk profile of site unchanged. The works approval has been updated with revised Figure 2 that applicant has supplied.
2. Compliance Reporting	The applicant has requested the addition of a departure condition to allow for variations to requirements specified in table 1. The licence holder requests the addition of a departure condition to allow for some minor modifications (highlighted), where there is not an increase risk to public health, public amenity or the environment, which is consistent to other Works Approvals granted in the past.	The department has declined the licence holders request to modify this condition. Historical works approvals have been granted with the requested variation to this condition, however this is no longer a standard condition that we include on works approvals based on recent legal advice. The department no longer supports the inclusion of this condition.

Appendix 2: Application validation summary

SECTION 1: APPLICATION SUMMARY					
Application type					
Works approval	\boxtimes	Note that WA application overlies existing premises L8688/2012/1			
Date application received		1/12/2022			
Applicant and Premises details					
Applicant name/s (full legal name/s)		Hamersley HMS Pty Ltd			
Premises name		Hope Downs 4 Iron Ore Mine (L8688/2012/1)			
Premises name Premises location		Part of ML282SA, L47/399 and Part of L47/702. The works approval (scope of this assessment) is defined by the below coordinates) Table 2-1 Indicative coordinates of the proposed BOO plant Corner Easting (m) Northing (m) BOO Plant – HD4 (ML282SA) North West 761 675.14 7 439 052.86 North East 762 110.47 7 438 892.40 South West 761 349.40 7 438 008.67 All coordinates are provided using map projection MGA 94 Zone 50 Mark 200 50 South Section Section MGA 94 Zone 50			
Local Government Authority		Shire of East Pilbara			
Application documents					
HPCM file reference number:		DWERDT794369			
Key application documents (additional to application form):		Works Approval Application Supporting Documentation			
Scope of application/assessment					

Summary of proposed activities or changes to existing operations.	Works approval application for construction of dry crushing and screening plant (category 5).	
	Existing category 5 activities are approved via existing Licence L8688/2012/1. An increase of 2,000,000 tonnes is requested to allow for the potential increase of ore production associated with the BOO plant for the whole operation.	
	Construction of plant includes:	
	- ROM Bin,	
	- Crushers,	
	- Screens,	
	- Conveyors, Rock breakers,	
	- Weightometers,	
	- Tramp metal detectors,	
	- Sample stations,	
	- Stackers	
	- NPI Infrastructure.	
	Amendments to the existing Licence L8688/2012/1 will be sought for the ongoing operation of the BOO plant, following construction, commissioning, and time limited operation of the facility under the Works Approval.	

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

Table 1: Prescribed premises categories

Prescribed premises category and description	Prop desi	oosed production or gn capacity	Proposed changes to the production or design capacity (amendments only)		
Category	15 N	Aillion tonnes per annum	N/A		
Category 5: Processing of ore					
Existing categories for L8688/2012/1					
Category 5: Processing or beneficiation of metallic or non- metallic ore	21,0 perio	00,000 tonnes per annual od (dry tonnes)	Captured in the WA (i.e. above category increase)		
Category 6: Mine dewatering	23 GL/a regulated under MS 854		No change		
Category 12: Screening, etc. of material	10,000,000 tonnes per annual period		I No change		
Category 54: Sewage facility	372 m ³ /day		No change		
Category 64: Class II putrescible landfill site	1,000 tonnes per annual period		No change		
Legislative context and other approvals					
Has the applicant referred, or do they intend to refer, their proposal to the E	PA	Yes 🗆 No 🛛	Referral decision No:		

under Part IV of the EP Act as a significant proposal?			Managed under Part V □ Assessed under Part IV □
Does the applicant hold any existing Part IV Ministerial Statements relevant to the application?	Yes ⊠	No 🗆	Ministerial statement No: 854 and 932 EPA Report No: 1374 The BOO processing capacity is not outlined in these statements
Has the proposal been referred and/or assessed under the EPBC Act?	Yes □	No 🗵	Reference No: N/A
Has the applicant demonstrated occupancy (proof of occupier status)?	Yes ⊠	No 🗆	Certificate of title □ General lease □ Expiry: Mining lease / tenement ⊠ Expiry: Other evidence □ Expiry: The mine is located on Mining Lease (ML) 282SA and 5SA, granted to Hope Downs Limited pursuant to the Iron Ore (Hope Downs) Agreement Act 1992. Reissued 11/7/2017.
Has the applicant obtained all relevant planning approvals?	Yes 🗆	No 🗆 N/A 🗵	Approval: Expiry date: Iron Ore (Hope Downs) Agreement Act 1992
Has the applicant applied for, or have an existing EP Act clearing permit in relation to this proposal?	Yes 🗆	No 🛛	CPS No: N/A Ministerial Statement 854 approves up to 5,470 ha of clearing for the mine area. Of these 5,470 hectares approx. 25 ha will be required for the BOO Plant footprint.
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: N/A 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: Type: Has Regulatory Services (Water) been consulted? Yes □ No □ N/A ⊠
Is the Premises situated in a Public Drinking Water Source Area (PDWSA)?	Yes □ No ⊠	Name: Newman PDWSA Priority: P1 Are the proposed activities/ landuse compatible with the PDWSA (refer to WQPN 25)? Yes ⊠ No □ N/A □ The nearest PDWSA (Newman PDSWA) is located within the Hope Down 4 prescribed premises, however, is located more than 9 km south east of the proposed BOO plant.
Is the Premises subject to any other Acts or subsidiary regulations (e.g. <i>Dangerous</i> <i>Goods Safety Act 2004, Environmental</i> <i>Protection (Controlled Waste) Regulations</i> <i>2004, State Agreement Act xxxx</i>)	Yes 🛛 No 🗆	Iron Ore (Hope Downs) Agreement Act 1992
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> ?	Yes □ No ⊠	N/A