



Application for Licence Amendment

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

Licence Number	L7084/1997/16
Licence Holder	Shire of Donnybrook-Balingup
ABN	88 470 935 824
File Number	DER2015/001439
Premises	Donnybrook Waste Management Facility Goodwood Road PAYNEDALE WA 6239 Being State Forest 27 (Interim Tenancy Agreement No. 911/97) as depicted in Schedule 1
Date of Report	19 July 2022
Proposed Decision	Revised licence granted

Stephen Checker

**MANAGER, WASTE INDUSTRIES
REGULATORY SERVICES**

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

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1. Decision summary

Licence L7084/1997/16 is held by the Shire of Donnybrook-Balingup (Licence Holder) for the Donnybrook Waste Management Facility (the Premises), located at State Forest 27, Goodwood Road Paynedale WA 6239 (Interim Tenancy Agreement No. 911/97).

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 L7084/1997/16 has been granted.

The Revised Licence issued as a result of this amendment consolidates and supersedes the existing Licence previously granted in relation to the Premises. The Revised Licence has been granted in a new format with existing conditions being transferred, but not reassessed, to the new format.

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 Amendment summary

On 17 March 2022, the Licence Holder submitted an application to the department to amend Licence L7084/1997/16 under section 59 and 59B of the *Environmental Protection Act 1986* (EP Act). The application relates to following hazardous household waste materials acceptance on the premises which will be stored in sealed skip bins and disposed of off-site at an appropriate facility:

- Treated timber (up to 1,000 kg per annum – later revised to 5,000 kg per annum)
- Household paint/thinners (up to 2000 L per annum)
- Gas bottles (up to 20 units per annum – later revised to 100 units per annum)
- Fire extinguishers (up to 20 units per annum – later revised to 50 units per annum)
- E-waste (up to 10,000 kg per annum).

During the assessment process, the Applicant requested the following additional waste types/volumes be included in the amendment:

- Household Batteries - 200kg / annum
- Vehicle batteries - 200 / annum
- Fluorescent Tubes - 250 / annum

No changes to the aspects of the existing Licence relating to Category 62 and 64 have been requested by the Licence Holder.

2.3 Consolidation of Licence

As part of this amendment package the department has consolidated the licence by incorporating changes made under the Amendment Notices as summarised in Table 1.

Table 1: Licences consolidated in this amendment

Instrument	Issued	Summary of approval
L7084/1997/16	17/6/2015	Licence re-issue
L7084/1997/16	4/02/2016	Licence amendment to increase Category 64 production and design capacity and add Category 62 to the licence
L7084/1997/16	8/02/2019	Amendment Notice 1 – DWER initiated Administrative amendment to Extend Licence Expiry

The obligations of the Licence Holder have not changed in consolidating the licence. The department has not undertaken any additional risk assessment of the Premises related to previous Amendment Notices.

In consolidating the licence, the CEO has:

- updated the format and appearance of the Licence;
- deleted the redundant Section A, Section B and Section C AACR form set out in schedule 2 of the previous licence and advise the Licensee to obtain the form from the department's website;
- revised licence condition's numbers, and removed any redundant conditions and realigned condition numbers for numerical consistency; and
- corrected clerical mistakes and unintentional errors.

The full consolidation of licence conditions as they relate to this Revised Licence are detailed in Section 5.1. Previously issued Amendment Notices will remain on the department's website for future reference and will act as a record of the department's decision making.

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.

The site is located approximately 970 metres to the south of the town of Donnybrook.

Potential emissions from the operation of this site are odour and fugitive leachate emissions.

3.1 Source-pathways and receptors

3.1.1 Emissions and controls

The key emissions associated with actual or likely pathway during premises operation have been considered in this Amendment Report which 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.

Table 2: Licence Holder controls

Emission	Sources	Potential pathways	Proposed controls
Leachate	Storage of timber/paint/ thinner and contaminated solid waste	Seepage to soils and groundwater	Stored directly in a skip bin for appropriate offsite disposal

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
Residential premises	Town of Donnybrook is located at 970 m north of the site A residence is located at 200 m to the east of the site
Environmental receptors	Distance from prescribed activity
Specified ecosystems	DWMF is located within Public Drinking Water Source Area (PWDSA)
TECs/PECs	No threatened and priority flora is located within the site, but the following threatened fauna occur within 500 m: <ol style="list-style-type: none"> 1. Pseudocheirus occidentalis - western ringtail possum, ngwayir - Threatened - Critically endangered 2. Phascogale tapoatafa wambenger - south-western brush-tailed phascogale, wambenger listed as Specially Protected - conservation dependent 3. Dasyurus geoffroi - chuditch, western quoll Threatened - Vulnerable mammal

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 L7084 that accompanies this Amendment Report authorises emissions associated with the operation of the Premises.

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

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

Risk Event					Risk rating ¹ C = consequence L = likelihood	Licence Holder's controls sufficient?	Conditions ² of licence	Justification for additional regulatory controls
Source/Activities	Potential emission	Potential pathways and impact	Receptors	Licence Holder's controls				
Acceptance, storage and handling of household hazardous wastes	Spills, contaminated leachate from rainfall	Direct discharge to land and seepage to groundwater causing impacts to PDWSA groundwater	Groundwater PDWSA	<i>Refer to Section 5.1</i>	<i>C = Minor L = Unlikely Risk = Medium</i>	Y	Conditions 3, 4 and 5 regulate fugitive leachate emissions.	The Delegated Officer considers that leachate from interaction of rainfall with solid wastes and from spillage of liquid wastes may present a risk to groundwater in the PDWSA area. Condition added to require that containment skips are either impervious or stored on an impervious hardstand

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
Licence Holder was provided with draft amendment on (27 June 2022)	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

Error! Reference source not found. 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.

Table 6: Consolidation of licence conditions in this amendment

Existing condition	Condition summary	Revised licence condition	Conversion notes
N/A	Introduction	N/A	Revised to current licensing format.
1.1.1 1.1.2	Interpretation and definitions	N/A - Interpretation section, Definitions and Table 1	Redundant condition. Revised to current licensing format.
1.1.3	Australian or other standard	N/A - Interpretation section, Definitions and Table 1	Redundant condition. Revised to current licensing format.
1.1.4	Reference to code of practice	N/A - Interpretation section, Definitions and Table 1	Redundant condition. Revised to current licensing format.
1.2.1	Prevention of contamination and containment of contaminated stormwater	N/A	Redundant condition. Adequately covered by alternative existing conditions and proposed new conditions. Deleted from licence.
1.3.1 Table 1.3.1	Waste acceptance	Condition 1 Table 1	Revised to current licensing format.
1.3.2	Waste acceptance	Condition 2	New numbering
1.3.3 Table 1.3.2	Waste processing	Condition 3 Table 2	New numbering
1.3.4	Landfill activities	Condition 4	New numbering
1.3.5	Landfill cover	Condition 5	New numbering

Existing condition	Condition summary	Revised licence condition	Conversion notes
Table 1.3.3		Table 5	
1.3.6 – 1.3.10	Access	Conditions 6 - 10	New numbering
2.1.1 Table 2.1.1	Monitoring	Condition 11 Table 4	New numbering
N/A	Records and Reporting	Condition 12	New condition
3.1.1	Records	Condition 17	Condition reworded
3.1.2	Compliance	Condition 13	Condition reworded
3.1.3	Complaint	Condition 15	Condition reworded
N/A	Information	Condition 16	Condition reworded
3.2.1 Table 5	Annual Environmental Report	N/A	Redundant condition.
3.3.1 Table 6	Notification	Condition 14	Condition reworded
N/A	Definitions	N/A	Table 7 added
Schedule 1: Maps	Premises map	Schedule 1: Maps	No change to map
Schedule 2 Reporting & notifications	Annual Audit Compliance Report Form N1 Notification	N/A	Redundant attachment. Deleted from Licence Forms accessed at www.dwer.wa.gov.au

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 Licence Holder's comments on risk assessment and draft conditions

Condition	Summary of Licence Holder's comment	Department's response																														
1	<p>The licence holder has requested further amendments to the quantities of waste permitted to be received as per the following table.</p> <table border="1" data-bbox="376 456 1323 882"> <thead> <tr> <th>Waste</th> <th>Original Requested Volume</th> <th>Revised Requested Volume</th> </tr> </thead> <tbody> <tr> <td>Treated Timber</td> <td>1T / annum</td> <td>5T / annum</td> </tr> <tr> <td>Household Paint</td> <td>2000L / annum</td> <td>2000L / annum</td> </tr> <tr> <td>Gas Bottles</td> <td>20 / annum</td> <td>100 / annum</td> </tr> <tr> <td>Fire Extinguishers</td> <td>20 / annum</td> <td>50 / annum</td> </tr> <tr> <td>E – waste</td> <td>10T / annum</td> <td>10T / annum</td> </tr> </tbody> </table>	Waste	Original Requested Volume	Revised Requested Volume	Treated Timber	1T / annum	5T / annum	Household Paint	2000L / annum	2000L / annum	Gas Bottles	20 / annum	100 / annum	Fire Extinguishers	20 / annum	50 / annum	E – waste	10T / annum	10T / annum	<p>The Delegated Officer considers that the applicant's requested changes do not materially impact the risk of emissions and discharges from the premises. The Licence has been amended to receive the quantities of waste as per the following table.</p> <table border="1" data-bbox="1368 547 2011 970"> <thead> <tr> <th>Waste</th> <th>Revised Requested Volume</th> </tr> </thead> <tbody> <tr> <td>Treated Timber</td> <td>5T / annum</td> </tr> <tr> <td>Household Paint</td> <td>2000L / annum</td> </tr> <tr> <td>Gas Bottles</td> <td>100 / annum</td> </tr> <tr> <td>Fire Extinguishers</td> <td>50 / annum</td> </tr> <tr> <td>E – waste</td> <td>10T / annum</td> </tr> </tbody> </table>	Waste	Revised Requested Volume	Treated Timber	5T / annum	Household Paint	2000L / annum	Gas Bottles	100 / annum	Fire Extinguishers	50 / annum	E – waste	10T / annum
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1	<p>The facility has been receiving and disposing off-site household batteries, vehicle batteries and fluorescent tubes for a number of years and that these should also be captured on the licence. The following quantities are requested:</p> <table border="1" data-bbox="376 1098 945 1359"> <thead> <tr> <th>Waste</th> <th>Requested Volume</th> </tr> </thead> <tbody> <tr> <td>Household batteries</td> <td>200kg / annum</td> </tr> <tr> <td>Vehicle batteries</td> <td>200 / annum</td> </tr> <tr> <td>Fluorescent tubes</td> <td>250 / annum</td> </tr> </tbody> </table>	Waste	Requested Volume	Household batteries	200kg / annum	Vehicle batteries	200 / annum	Fluorescent tubes	250 / annum	<p>The Delegated Officer considers that the applicant's requested changes do not materially impact the risk of emissions and discharges from the premises. Licence amended to the capture the following quantities of waste types in the licence.</p> <table border="1" data-bbox="1368 1161 1942 1359"> <thead> <tr> <th>Waste</th> <th>Requested Volume</th> </tr> </thead> <tbody> <tr> <td>Household batteries</td> <td>200kg / annum</td> </tr> <tr> <td>Vehicle batteries</td> <td>200 / annum</td> </tr> </tbody> </table>	Waste	Requested Volume	Household batteries	200kg / annum	Vehicle batteries	200 / annum																
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Condition	Summary of Licence Holder's comment	Department's response		
		Fluorescent tubes	250 / annum	
1		Omitted waste type from Table 1 and Table 2 - Contaminated Solid Waste — None specified		

Appendix 2: Application validation summary

SECTION 1: APPLICATION SUMMARY				
Application type				
Amendment to licence	<input checked="" type="checkbox"/>	Current licence number:	L7084/1997/16	
		Relevant works approval number:		N/A
Date application received		17/03/2022		
Applicant and Premises details				
Applicant name/s (full legal name/s)		Shire of Donnybrook Balingup		
Premises name		Donnybrook Waste Management Facility Goodwood Rd, Paynedale		
Premises location		State Forest F27 Goodwood Rd, Donnybrook		
Local Government Authority		Shire of Donnybrook - Balingup 1 Bentley Street Donnybrook WA 6239		
Application documents				
HPCM file reference number:		DER2015/001439 - DWERDT578096		
Key application documents (additional to application form):		Attachment 1A - Interim tenancy agreement – Shire and DBCA have an existing interim tenancy agreement (Ref: 911/97) in place since 2006 Attachment 2 – Site location map		
Scope of application/assessment				
Summary of proposed activities or changes to existing operations.		<p>Seeking permission to accept hazardous household waste on the existing licence:</p> <ul style="list-style-type: none"> • Treated timber • Household paint / thinners (up to 100 tins per annum) • Gas bottles (up to 20 per annum) • Fire extinguishers • E-Waste <p>All items stored in sealed skip bins and disposed of off-site at appropriate facilities</p>		

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)																														
<p>Category 62</p> <p>Solid waste depot: premises on which waste is stored, or sorted, pending final disposal or re-use.</p>	<p>500 tonnes per annual period..</p>	<table border="1"> <thead> <tr> <th>Source of emission or discharge</th> <th>Emission or discharge type</th> <th>Volume and frequency</th> <th>Proposed controls (include in Attachment 6A if substantive or complex)</th> <th>Location (on site layout plan – see 3.4)</th> </tr> </thead> <tbody> <tr> <td>1. Treated timber</td> <td>Leachate</td> <td>1000kg / annum</td> <td>Stored directly in a skip bin for appropriate offsite disposal</td> <td>Site plan attached</td> </tr> <tr> <td>2. Paint / solvents</td> <td>Leachate</td> <td>2000 L / annum</td> <td>Stored directly in a skip bin for appropriate offsite disposal</td> <td>Site plan attached</td> </tr> <tr> <td>3. Gas bottles</td> <td>Leachate</td> <td>Less than 20 / annum</td> <td>Stored directly in a skip bin for appropriate offsite disposal</td> <td>Site plan attached</td> </tr> <tr> <td>4. Fire extinguishers</td> <td>Leachate</td> <td>Less than 20 / annum</td> <td>Stored directly in a skip bin for appropriate offsite disposal</td> <td>Site plan attached</td> </tr> <tr> <td>5. E-waste</td> <td>Leachate</td> <td>10,000kg / annum</td> <td>Stored directly in a skip bin for appropriate offsite disposal</td> <td>Site plan attached</td> </tr> </tbody> </table>	Source of emission or discharge	Emission or discharge type	Volume and frequency	Proposed controls (include in Attachment 6A if substantive or complex)	Location (on site layout plan – see 3.4)	1. Treated timber	Leachate	1000kg / annum	Stored directly in a skip bin for appropriate offsite disposal	Site plan attached	2. Paint / solvents	Leachate	2000 L / annum	Stored directly in a skip bin for appropriate offsite disposal	Site plan attached	3. Gas bottles	Leachate	Less than 20 / annum	Stored directly in a skip bin for appropriate offsite disposal	Site plan attached	4. Fire extinguishers	Leachate	Less than 20 / annum	Stored directly in a skip bin for appropriate offsite disposal	Site plan attached	5. E-waste	Leachate	10,000kg / annum	Stored directly in a skip bin for appropriate offsite disposal	Site plan attached
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<p>Category 64-</p> <p>Class II putrescible landfill site: premises on which waste (as determined by reference to the waste type set out in the document “Landfill Waste Classification and Waste Definitions 1996” published by the Chief Executive Officer, as amended from time to time) is accepted for burial.</p>	<p>6,700 tonnes per annual period.</p>																															

Legislative context and other approvals

<p>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?</p>	<p>Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p>	<p>Referral decision No: Managed under Part V <input type="checkbox"/> Assessed under Part IV <input type="checkbox"/></p>
<p>Does the applicant hold any existing Part IV Ministerial Statements relevant to the application?</p>	<p>Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p>	<p>Ministerial statement No: EPA Report No:</p>
<p>Has the proposal been referred and/or assessed under the EPBC Act?</p>	<p>Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p>	<p>Reference No:</p>
<p>Has the applicant demonstrated occupancy (proof of occupier status)?</p>	<p>Yes <input checked="" type="checkbox"/> No <input type="checkbox"/></p>	<p>Certificate of title <input type="checkbox"/> General lease <input type="checkbox"/> Expiry: Mining lease / tenement <input type="checkbox"/> Expiry: Other evidence <input type="checkbox"/> Expiry:</p>
<p>Has the applicant obtained all relevant planning approvals?</p>	<p>Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/></p>	<p>Approval: Expiry date: If N/A explain why?</p>
<p>Has the applicant applied for, or have an existing EP Act clearing permit in relation</p>	<p>Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p>	<p>CPS No: N/A No clearing is proposed.</p>

to this proposal?		
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"/>	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 <input type="checkbox"/> No <input checked="" type="checkbox"/>	Application reference No: Licence/permit No: Licence / permit not required.
Does the proposal involve a discharge of waste into a designated area (as defined in section 57 of the EP Act)?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Name: N/A Has Regulatory Services (Water) been consulted? Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/> Regional office: South West
Is the Premises situated in a Public Drinking Water Source Area (PDWSA)?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	Name: Yes Are the proposed activities/ landuse compatible with the PDWSA (refer to <u>WQPN 25</u>)? DWMF Located within PWDSA Waste types the subject of this application to be stored directly in a skip bin for appropriate of Isite disposal
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>)	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
Is the Premises within an Environmental Protection Policy (EPP) Area?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
Is the Premises subject to any EPP requirements?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
Is the Premises a known or suspected contaminated site under the <i>Contaminated Sites Act 2003</i> ?	Yes <input type="checkbox"/> No <input type="checkbox"/>	Classification: Yes DMO 1679 - Possibly contaminated – investigation required (PC-IR) Date of classification: 31 July 2012