



Licence

Environmental Protection Act 1986, Part V

Licensee: Wilson (WA) Pty Ltd

Licence: L8911/2015/1

Registered office: 2005 Lower Denmark Road
 TORBAY WA 6330

ACN: 083 320 941

Premises address: Wilson Wrecking Tyre Storage
 2005 Lower Denmark Rd
 TORBAY WA 6330
 Being Lot 78 on Plan 149008, Lot 86 on Plan 149008 and Lot 55 on
 Plan 144708 as depicted in Schedule 1.

Issue date: Thursday, 3 December 2015

Commencement date: Monday, 7 December 2015

Expiry date: Thursday, 6 December 2035

Prescribed premises category

Schedule 1 of the *Environmental Protection Regulations 1987*

Category number	Category description	Category production or design capacity	Approved Premises production or design capacity
57	Used tyre storage (general): premises (other than premises within category 56) on which used tyres are stored.	100 tyres or more	1000 tyres at any one time

Conditions

This Licence is subject to the conditions set out in the attached pages.

Date signed: 3 December 2015

Caron Goodbourn

Manager Licensing - Industry Regulation (Waste Industries)
 Officer delegated under section 20
 of the *Environmental Protection Act 1986*



Contents

Licence	1
Contents	2
Introduction	2
Licence conditions	5
1 General	5
2 Monitoring	7
3 Information	7
Schedule 1: Maps	9
Schedule 2: Reporting & notification forms	10

Introduction

This Introduction is not part of the Licence conditions.

DER's industry licensing role

The Department of Environment Regulation (DER) is a government department for the state of Western Australia in the portfolio of the Minister for Environment. DER's purpose is to advise on and implement strategies for a healthy environment for the benefit of all current and future Western Australians.

DER has responsibilities under Part V of the *Environmental Protection Act 1986* (the Act) for the licensing of prescribed premises. Through this process DER regulates to prevent, control and abate pollution and environmental harm to conserve and protect the environment. DER also monitors and audits compliance with works approvals and licence conditions, takes enforcement action as appropriate and develops and implements licensing and industry regulation policy.

Licence requirements

This Licence is issued under Part V of the Act. Conditions contained within the Licence relate to the prevention, reduction or control of emissions and discharges to the environment and to the monitoring and reporting of them.

Where other statutory instruments impose obligations on the Premises/Licensee the intention is not to replicate them in the licence conditions. You should therefore ensure that you are aware of all your statutory obligations under the Act and any other statutory instrument. Legislation can be accessed through the State Law Publisher website using the following link:

<http://www.slp.wa.gov.au/legislation/statutes.nsf/default.html>

For your Premises relevant statutory instruments include but are not limited to obligations under the:

- *Environmental Protection (Unauthorised Discharges) Regulations 2004* – these Regulations make it an offence to discharge certain materials such as contaminated stormwater into the environment other than in the circumstances set out in the Regulations.
- *Environmental Protection (Controlled Waste) Regulations 2004* - these Regulations place obligations on you if you produce, accept, transport or dispose of controlled waste.
- *Environmental Protection (Noise) Regulations 1997* – these Regulations require noise emissions from the Premises to comply with the assigned noise levels set out in the Regulations.

You must comply with your licence. Non-compliance with your licence is an offence and strict penalties exist for those who do not comply.



Licence holders are also reminded of the requirements of section 53 of the Act which places restrictions on making certain changes to prescribed premises unless the changes are in accordance with a works approval, licence, closure notice or environmental protection notice.

Licence fees

If you have a licence that is issued for more than one year, you are required to pay an annual licence fee prior to the anniversary date of issue of your licence. Non payment of annual licence fees will result in your licence ceasing to have effect meaning that it will no longer be valid and you will need to apply for a new licence for your Premises.

Ministerial conditions

If your Premises has been assessed under Part IV of the Act you may have had conditions imposed by the Minister for Environment. You are required to comply with any conditions imposed by the Minister.

Premises description and Licence summary

Wilson's Wrecking Tyre Storage (WWTS) has been assessed as a "prescribed premises" category number 57, under Schedule 1 of the Environmental Protection Regulations 1987. Wilson (WA) Pty Ltd (the Licensee) were found in 2011 to be storing more than 100 tyres at any one time, but the premises (which is currently used as a wrecking yard) was not licensed at this time due to the need for a dedicated tyre storage area to be built to house the tyres.

The lots and majority of surrounding area are zoned Rural with exception to Lot 262 Plan 195523 immediately West of the premises which is zoned Parks and Recreation and encompasses some of the riparian zone for the Unndiup Creek, a major perennial watercourse which runs along the southern boundary of the premises and drains into the Torbay Inlet which is approximately 1km from the proposed tyre storage area and just over 300m from the south-eastern premises boundary. The Department of Water has a surface water sampling location in Unndiup Creek approximately 220m southwest of the proposed tyre storage areas.

According to the licensee, groundwater levels are at approximately 14 feet (4.3m) in summer and 8 feet (2.4m) in winter. This is supported by historic Waters and Rivers Commission groundwater bores in the surrounding area in which levels between 2m and 6m were returned.

WWTS were issued a works approval in 2012 to construct a dedicated tyre storage area on their premises. The infrastructure constructed allows the storage of tyres on a 300mm compacted clay, and gravel lined hardstand and surrounding spoon drain for fire water. WWTS stores up to 1000 tyres at the premises, comprised of up to 700 reusable tyres for sale in the dedicated tyre storage area, and up to 300 further scrap tyres which are stored in a separate area prior to transport off site by an approved controlled waste operator for disposal.

On 23 January 2015, Wilson (WA) Pty Ltd applied to DER to have an extension of 6 months on the expiry date of the works approval to complete the works, allowing for proper compaction of the hardstand. The compliance certificate was received on 3 September 2015.

The main risk to the environment from this proposal is fire; however a number of management measures are proposed to reduce this risk. The dedicated storage area flat with a slow water movement through drains to enable manipulation of flow in the case of a fire using readily available earthmoving equipment. No combustible material is stored within 10m of the hardstand, and grass surrounding the hardstand is slashed regularly. The tyre storage area is unfenced; to enable easier access should a fire occur; however tyres are stacked on their rounded edges secured in racks to prevent movement. Each row of tyres is 1 – 2 tyres in width, one tyre high and with a minimum of 3m separating each row. Tyre storage is inspected on a monthly basis to ensure there are no issues or risks with tyre condition or storage arrangement.

This Licence is for the operation of a new facility established under works approval W5083/2011/1.

The licences and works approvals issued for the Premises are:



Instrument log		
Instrument	Issued	Description
W5083/2011/1	9/02/2015	New application
W5083/2011/1	5/02/2015	Amendment to works approval – extension of expiry date
L8911/2015/1	26/11/2015	Licence issue

Severance

It is the intent of these Licence conditions that they shall operate so that, if a condition or a part of a condition is beyond the power of this Licence to impose, or is otherwise *ultra vires* or invalid, that condition or part of a condition shall be severed and the remainder of these conditions shall nevertheless be valid to the extent that they are within the power of this Licence to impose and are not otherwise *ultra vires* or invalid.

END OF INTRODUCTION



Licence conditions

1 General

1.1 Interpretation

1.1.1 In the Licence, definitions from the *Environmental Protection Act 1986* apply unless the contrary intention appears.

1.1.2 For the purposes of this Licence, unless the contrary intention appears:

'Act' means the *Environmental Protection Act 1986*;

'annual period' means the inclusive period from 1 November until 31 October in the following year;

'averaging period' means the time over which a limit is measured or a monitoring result is obtained;

'CEO' means Chief Executive Officer of the Department of Environment Regulation;

'CEO' for the purpose of correspondence means;

Chief Executive Officer
Department Administering the Environmental Protection Act 1986
Locked Bag 33
CLOISTERS SQUARE WA 6850
Email: info@der.wa.gov.au

'controlled waste' has the definition in *Environmental Protection (Controlled Waste) Regulations 2004*;

'hardstand' means a surface with a permeability of 10^{-9} metres/second or less;

'level ground' means ground or any finished surface that is not inclined at a grade of more than 1 to 20;

'Licence' means this Licence numbered L8911/2015/1 and issued under the Act;

'Licensee' means the person or organisation named as Licensee on page 1 of the Licence;

'Premises' means the area defined in the Premises Map in Schedule 1 and listed as the Premises address on page 1 of the Licence;

'quarterly' means the 4 inclusive periods from 1 April to 30 June, 1 July to 30 September, 1 October to 31 December and in the following year, 1 January to 31 March;

'Reusable tyre storage area' means the area designed and constructed for the storage and re-sale of used tyres (including the hardstand and drains) as shown in the Premises Map in Schedule 1 and labelled "Reusable Tyre Storage Area";

'Schedule 1' means Schedule 1 of this Licence unless otherwise stated;

'Schedule 2' means Schedule 2 of this Licence unless otherwise stated;

'Scrap tyre storage area' means the area demarcated for the storage of waste tyres prior to being picked up for off-site disposal or storage as shown in the Premises Map in Schedule 1 and labelled "Scrap Tyre Storage Area"; and



'usual working day' means 0800 – 1700 hours, Monday to Friday excluding public holidays in Western Australia.

- 1.1.3 Any reference to an Australian or other standard in the Licence means the relevant parts of the standard in force from time to time during the term of this Licence.
- 1.1.4 Any reference to a guideline or code of practice in the Licence means the version of that guideline or code of practice in force from time to time, and shall include any amendments or replacements to that guideline or code of practice made during the term of this Licence.
- 1.1.5 Nothing in the Licence shall be taken to authorise any emission that is not mentioned in the Licence, where the emission amounts to:
 - (a) pollution;
 - (b) unreasonable emission;
 - (c) discharge of waste in circumstances likely to cause pollution; or
 - (d) being contrary to any written law.

1.2 General conditions

- 1.2.1 The Licensee shall operate and maintain all pollution control and monitoring equipment to the manufacturer's specification or any relevant and effective internal management system.

1.3 Premises operation

- 1.3.1 The Licensee shall ensure that all used tyres on the Premises are stored within either the Reusable tyres storage area, or the Scrap tyre storage area.
- 1.3.2 The Licensee shall manage the Reusable tyre storage area, and the storage of tyres within it as follows:
 - (a) tyres stacked on their treads are secured in position to restrict them from moving or rolling away;
 - (b) tyre rows are separated by at least 3 metres;
 - (c) tyre rows do not exceed 2m in height;
 - (d) no more than 700 tyres are stored at any time;
 - (e) the condition of the tyres stored is inspected on a minimum monthly basis;
 - (f) the spoon drain associated with the Reusable tyre storage area is kept free of uncontaminated stormwater at all times; and
 - (g) there is no combustible material, wall, fence or building within 6 metres of tyres stored.
- 1.3.3 The Licensee shall manage the storage of tyres in the Scrap tyre storage area as follows:
 - (a) tyres are stored on level ground;
 - (b) no more than 300 tyres are stored at any time; and
 - (c) there is no combustible material, wall, fence or building within 6 metres of tyres stored.
- 1.3.4 The Licensee shall undertake the following management measures for fire risk;
 - (a) ensure there is adequate stockpiles of earth on site at all times for utilisation in manipulating flow in the spoon drain in the case of a fire;
 - (b) maintain a fence which encloses the Reusable tyre storage area and Scrap tyre storage areas, and ensure the entrance is locked when unattended; and
 - (c) ensure the entrance is at least 4m in width to allow access by fire and rescue services equipment.



2 Monitoring

2.1 Monitoring of inputs and outputs

2.1.1 The Licensee shall undertake the monitoring in Table 2.1.1 according to the specifications in that table.

Input/Output	Parameter	Units	Averaging period	Frequency
Tyres stored in the Reusable tyre storage area	Estimated number of tyres	n/a	Spot count	Quarterly
Tyres stored in the Scrap tyre storage area				
Tyres removed from the Scrap tyre storage area by controlled waste contractor	Number of tyres	n/a	Monthly	Continuous

3 Information

3.1 Records

3.1.1 All information and records required by the Licence shall:

- (a) be legible;
- (b) if amended, be amended in such a way that the original and subsequent amendments remain legible or are capable of retrieval;
- (c) except for records listed in 3.1.1(d) be retained for at least 6 years from the date the records were made or until the expiry of the Licence or any subsequent licence; and
- (d) for those following records, be retained until the expiry of the Licence and any subsequent licence:
 - (i) off-site environmental effects; or
 - (ii) matters which affect the condition of the land or waters.

3.1.2 The Licensee shall ensure that:

- (a) any person left in charge of the Premises is aware of the conditions of the Licence and has access at all times to the Licence or copies thereof; and
- (b) any person who performs tasks on the Premises is informed of all of the conditions of the Licence that relate to the tasks which that person is performing.

3.1.3 The Licensee shall complete an Annual Audit Compliance Report indicating the extent to which the Licensee has complied with the conditions of the Licence, and any previous licence issued under Part V of the Act for the Premises for the previous annual period.

3.1.4 The Licensee shall implement a complaints management system that as a minimum records the number and details of complaints received concerning the environmental impact of the activities undertaken at the Premises and any action taken in response to the complaint.

3.2 Reporting

3.2.1 The Licensee shall submit to the CEO an Annual Environmental Report within 30 calendar days after the end of the annual period. The report shall contain the information listed in Table 3.2.1 in the format or form specified in that table.



Table 5.2.1: Annual Environmental Report		
Condition or table (if relevant)	Parameter	Format or form¹
-	Summary of any failure or malfunction of any pollution control equipment and any environmental incidents that have occurred during the annual period and any action taken	None specified
2.1.1	Monitoring of inputs and outputs	None specified
3.1.3	Compliance	Annual Audit Compliance Report (AACR)
3.1.4	Complaints summary	None specified

Note 1: Forms are in Schedule 2

3.3 Notification

3.3.1 The Licensee shall ensure that the parameters listed in Table 5.3.1 are notified to the CEO in accordance with the notification requirements of the table.

Table 5.3.1: Notification requirements			
Condition or table (if relevant)	Parameter	Notification requirement¹	Format or form²
n/a	Fire that may or has already involved tyres stored on the premises.	Part A: As soon as practicable but no later than 5pm of the next usual working day. Part B: As soon as practicable	N1

Note 1: Notification requirements in the Licence shall not negate the requirement to comply with s72 of the Act

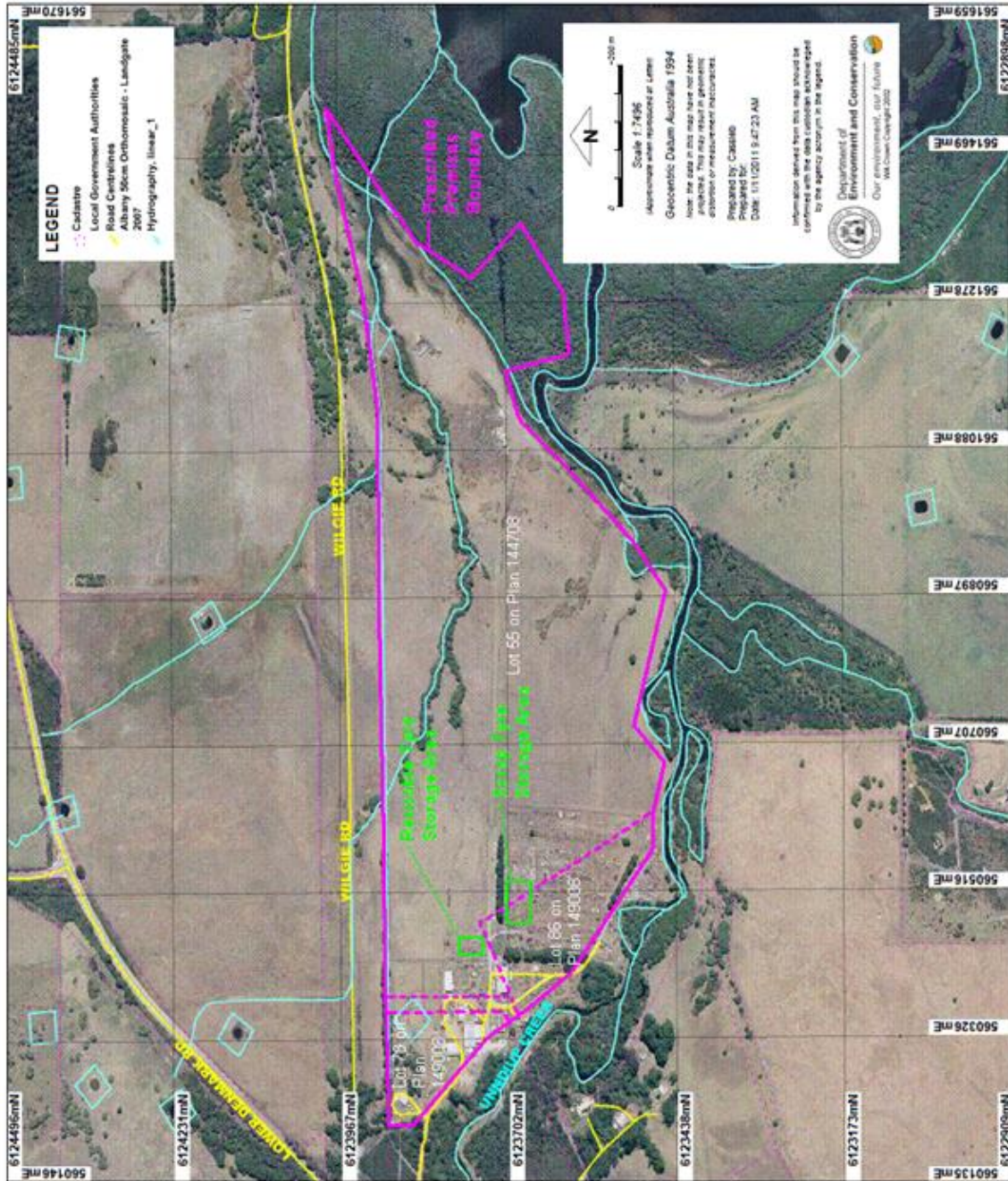
Note 2: Forms are in Schedule 2



Schedule 1: Maps

Premises map

The Premises is shown in the map below. The pink line depicts the Premises boundary.





Schedule 2: Reporting & notification forms

These forms are provided for the proponent to report monitoring and other data required by the Licence. They can be requested in an electronic format.

ANNUAL AUDIT COMPLIANCE REPORT PROFORMA

SECTION A LICENCE DETAILS

Licence Number:	Licence File Number:
Company Name: Trading as:	ABN:
Reporting period: _____ to _____	

STATEMENT OF COMPLIANCE WITH LICENCE CONDITIONS

1. Were all conditions of the Licence complied with within the reporting period? (please tick the appropriate box)

Yes Please proceed to Section C

No Please proceed to Section B

Each page must be initialled by the person(s) who signs Section C of this Annual Audit Compliance Report (AACR).

Initial:



SECTION B

DETAILS OF NON-COMPLIANCE WITH LICENCE CONDITION.

Please use a separate page for each Licence condition that was not complied with.

a) Licence condition not complied with:	
b) Date(s) when the non compliance occurred, if applicable:	
c) Was this non compliance reported to DER?:	
<input type="checkbox"/> Yes	<input type="checkbox"/> Reported to DER verbally Date _____ <input type="checkbox"/> Reported to DER in writing Date _____
<input type="checkbox"/> No	
d) Has DER taken, or finalised any action in relation to the non compliance?:	
e) Summary of particulars of the non compliance, and what was the environmental impact:	
f) If relevant, the precise location where the non compliance occurred (attach map or diagram):	
g) Cause of non compliance:	
h) Action taken, or that will be taken to mitigate any adverse effects of the non compliance:	
i) Action taken or that will be taken to prevent recurrence of the non compliance:	

Each page must be initialled by the person(s) who signs Section C of this AACR

Initial:



SECTION C

SIGNATURE AND CERTIFICATION

This Annual Audit Compliance Report (AACR) may only be signed by a person(s) with legal authority to sign it. The ways in which the AACR must be signed and certified, and the people who may sign the statement, are set out below.

Please tick the box next to the category that describes how this AACR is being signed. If you are uncertain about who is entitled to sign or which category to tick, please contact the licensing officer for your premises.

If the licence holder is		The Annual Audit Compliance Report must be signed and certified:
An individual	<input type="checkbox"/> <input type="checkbox"/>	by the individual licence holder, or by a person approved in writing by the Chief Executive Officer of the Department of Environment Regulation to sign on the licensee's behalf.
A firm or other unincorporated company	<input type="checkbox"/> <input type="checkbox"/>	by the principal executive officer of the licensee; or by a person with authority to sign on the licensee's behalf who is approved in writing by the Chief Executive Officer of the Department of Environment Regulation.
A corporation	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	by affixing the common seal of the licensee in accordance with the <i>Corporations Act 2001</i> ; or by two directors of the licensee; or by a director and a company secretary of the licensee, or if the licensee is a proprietary company that has a sole director who is also the sole company secretary – by that director, or by the principal executive officer of the licensee; or by a person with authority to sign on the licensee's behalf who is approved in writing by the Chief Executive Officer of the Department of Environment Regulation.
A public authority (other than a local government)	<input type="checkbox"/> <input type="checkbox"/>	by the principal executive officer of the licensee; or by a person with authority to sign on the licensee's behalf who is approved in writing by the Chief Executive Officer of the Department of Environment Regulation.
a local government	<input type="checkbox"/> <input type="checkbox"/>	by the chief executive officer of the licensee; or by affixing the seal of the local government.

It is an offence under section 112 of the *Environmental Protection Act 1986* for a person to give information on this form that to their knowledge is false or misleading in a material particular. There is a maximum penalty of \$50,000 for an individual or body corporate.

I/We declare that the information in this annual audit compliance report is correct and not false or misleading in a material particular.

SIGNATURE: _____

SIGNATURE: _____

NAME:
(printed) _____

NAME:
(printed) _____

POSITION: _____

POSITION: _____

DATE: ____/____/____

DATE: ____/____/____

SEAL (if signing under seal)



Licence: L8911/2015/1
 Form: N1

Licensee: Wilson (WA) Pty Ltd
 Date of breach:

Notification of fire affecting stored tyres.

These pages outline the information that the operator must provide.
 Units of measurement used in information supplied under Part A and B requirements shall be appropriate to the circumstances of the emission.

Part A

Licence Number	
Name of operator	
Location of Premises	
Time and date of the detection	

Notification requirements for the breach of a limit	
Date and time of event	
Reference or description of the location of the event	
Description of where fire took place	
Materials burned/burning and associated substances potentially released	
Best estimate of the quantity of material burned/burning	
Measures taken , or intended to be taken, to stop any emission	
Description of the failure or accident	



Part B

Any more accurate information on the matters for notification under Part A.	
Measures taken, or intended to be taken, to prevent a recurrence of the incident.	
Measures taken, or intended to be taken, to rectify, limit or prevent any pollution of the environment which has been or may be caused by the emission.	
The dates of any previous N1 notifications for the Premises in the preceding 24 months.	

Name	
Post	
Signature on behalf of Wilson (WA) Pty Ltd	
Date	



Decision Document

Environmental Protection Act 1986, Part V

Proponent: **Wilson (WA) Pty Ltd**

Licence: **L8911/2015/1**

Registered office: 2005 Lower Denmark Road
TORBAY WA 6330

ACN: 083 320 941

Premises address: Wilson Wrecking Tyre Storage
2005 Lower Denmark Rd
TORBAY WA 6330
Being Lot 78 on Plan 149008, Lot 86 on Plan 149008 and Lot 55 on Plan 144708 as depicted in Schedule 1.

Issue date: Thursday, 3 December 2015

Commencement date: Monday, 7 December 2015

Expiry date: Thursday, 6 Decembrer 2035

Decision

Based on the assessment detailed in this document the Department of Environment Regulation (DER), has decided to issue a licence. DER considers that in reaching this decision, it has taken into account all relevant considerations.

Decision Document prepared by: **Cassie Bell**
Licensing Officer

Decision Document authorised by: **Caron Goodbourn**
Delegated Officer



Contents

Decision Document	1
Contents	2
1 Purpose of this Document	2
2 Administrative summary	2
3 Executive summary of proposal and assessment	3
4 Decision table	4
5 Advertisement and consultation table	8
6 Risk Assessment	9

1 Purpose of this Document

This decision document explains how DER has assessed and determined the application and provides a record of DER's decision-making process and how relevant factors have been taken into account. Stakeholders should note that this document is limited to DER's assessment and decision making under Part V of the *Environmental Protection Act 1986*. Other approvals may be required for the proposal, and it is the proponent's responsibility to ensure they have all relevant approvals for their Premises.

2 Administrative summary

Administrative details		
Application type	Works Approval <input type="checkbox"/>	New Licence <input checked="" type="checkbox"/>
	Licence amendment <input type="checkbox"/>	Works Approval amendment <input type="checkbox"/>
Activities that cause the premises to become prescribed premises	Category number(s)	Assessed design capacity
	57	1000 tyres
Application verified	Date: 24/08/2015	
Application fee paid	Date: 8/10/2015	
Works Approval has been complied with	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/> N/A <input type="checkbox"/>
Compliance Certificate received	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/> N/A <input type="checkbox"/>
Commercial-in-confidence claim	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
Commercial-in-confidence claim outcome		
Is the proposal a Major Resource Project?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
Was the proposal referred to the Environmental Protection Authority (EPA) under Part IV of the <i>Environmental Protection Act 1986</i> ?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
		Referral decision No: Managed under Part V <input type="checkbox"/> Assessed under Part IV <input type="checkbox"/>
Is the proposal subject to Ministerial Conditions?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
		Ministerial statement No: EPA Report No:



Does the proposal involve a discharge of waste into a designated area (as defined in section 57 of the <i>Environmental Protection Act 1986</i>)?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Department of Water consulted Yes <input type="checkbox"/> No <input type="checkbox"/>
Is the Premises within an Environmental Protection Policy (EPP) Area Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> <i>South West Agricultural Zone (registered inland waters)</i>	
Is the Premises subject to any EPP requirements? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> <i>There is no alteration or discharge to waters associated with this proposal and the premises does not include any registered wetland or portion of a registered water body or watercourse relevant to the EPP.</i>	

3 Executive summary of proposal and assessment

Wilson's Wrecking Tyre Storage (WWTS) has been assessed as a "prescribed premises" category number 57, under Schedule 1 of the Environmental Protection Regulations 1987. Wilson (WA) Pty Ltd (the Licensee) were found in 2011 to be storing more than 100 tyres at any one time, but the premises (which is currently used as a wrecking yard) was not licensed at this time due to the need for a dedicated tyre storage area to be built to house the tyres.

The lots and majority of surrounding area are zoned Rural with exception to Lot 262 Plan 195523 immediately West of the premises which is zoned Parks and Recreation and encompasses some of the riparian zone for the Unndiup Creek, a major perennial watercourse which runs along the southern boundary of the premises and drains into the Torbay Inlet which is approximately 1km from the proposed tyre storage area and just over 300m from the south-eastern premises boundary. The Department of Water has a surface water sampling location in Unndiup Creek approximately 220m southwest of the proposed tyre storage areas.

According to the licensee, groundwater levels are at approximately 14 feet (4.3m) in summer and 8 feet (2.4m) in winter. This is supported by historic Waters and Rivers Commission groundwater bores in the surrounding area in which levels between 2m and 6m were returned.

WWTS were issued a works approval in 2012 to construct a dedicated tyre storage area on their premises. The infrastructure constructed allows the storage of tyres on a 300mm compacted clay, and gravel lined hardstand and surrounding spoon drain for fire water. WWTS stores up to 1000 tyres at the premises, comprised of up to 700 reusable tyres for sale in the dedicated tyre storage area, and up to 300 further scrap tyres which are stored in a separate area prior to transport off site by an approved controlled waste operator for disposal.

On 23 January 2015, Wilson (WA) Pty Ltd applied to DER to have an extension of 6 months on the expiry date of the works approval to complete the works, allowing for proper compaction of the hardstand. The compliance certificate was received on 3 September 2015.

The main risk to the environment from this proposal is fire; however a number of management measures are proposed to reduce this risk. The dedicated storage area flat with a slow water movement through drains to enable manipulation of flow in the case of a fire using readily available earthmoving equipment. No combustible material is stored within 10m of the hardstand, and grass surrounding the hardstand is slashed regularly. The tyre storage area is unfenced; to enable easier access should a fire occur; however tyres are stacked on their rounded edges secured in racks to prevent movement. Each row of tyres is 1 – 2 tyres in width, one tyre high and with a minimum of 3m separating each row. Tyre storage is inspected on a monthly basis to ensure there are no issues or risks with tyre condition or storage arrangement.



4 Decision table

All applications are assessed in line with the *Environmental Protection Act 1986*, the *Environmental Protection Regulations 1987* and DER's Operational Procedure on Assessing Emissions and Discharges from Prescribed Premises. Where other references have been used in making the decision they are detailed in the decision document.

DECISION TABLE			
Works Approval / Licence section	Condition number W = Works Approval L = Licence	Justification (including risk description & decision methodology where relevant)	Reference documents
Interpretation	L1.1.1 – 1.1.5	Conditions 1.1.1 – 1.1.5 have been added to the licence to ensure that terminology used within the licence is referenced to the appropriate definitions where applicable, that any reference to a standard or guideline is to the most current version of that standard or guideline and that emissions not authorised through the licence comply with the provisions of the <i>Environmental Protection Act 1986</i> .	<i>Environmental Protection Act 1986</i> .
General conditions	L1.2.1 – 1.2.3	Condition 1.2.1 has been added to the licence as part of the reissue to ensure that all pollution control and monitoring equipment is maintained such that it is operational and fit for purpose (i.e. the constructed hardstand and drainage).	
Premises operation	L1.3.1 – 1.3.4	A number of conditions have been included on the licence to capture commitments made by the Licensee and in relation to the management of the risk to emissions to land in the case of a tyre fire (see Emissions to land including monitoring section below for the details of the risk assessment). Condition 1.3.1 has been included restricting tyre storage within the premises to the approved areas. Condition 1.3.2 has been included to set the storage commitments made for the storage of tyres within the reusable tyre area (i.e. separation distances, maximum numbers, etc.) and the storage area itself (i.e. spoon drain kept free of clean stormwater). Condition 1.3.3 has been included to set the storage commitments made for the storage of tyres within the Scrap tyre area (i.e. buffer to combustible materials, maximum of 300 tyres). Condition 1.3.4 has been included for the additional fire management measures committed to by the licensee, in the case a fire occurs. These include ensuring adequate stockpiles of earth to enable restriction of fire water movement, ensuring	Application supporting documentation



DECISION TABLE			
Works Approval / Licence section	Condition number W = Works Approval L= Licence	Justification (including risk description & decision methodology where relevant)	Reference documents
		fire water is only removed by a controlled waste contractor, maintaining a fence which encloses the tyre storage areas, and ensuring the entry gate is at least 4m in width for fire and rescue equipment.	
Emissions to land including monitoring	N/A (Addressed by conditions L1.3.1 – 1.3.4)	<p>Operation</p> <p><u>Emission Description</u> <i>Emission:</i> Discharge of pollutants from the burning of tyres and runoff of fire water from attempts to extinguish tyre fires. <i>Impact:</i> Contamination of local soil with residues from tyre decomposition such as ash, sulphur compounds, polynuclear aromatic hydrocarbons, aromatic, naphthenic and paraffinic oils. Potential secondary contamination of surface waters (Unndiup Creek and Torbay inlet) from runoff via contaminated soils or of fire water and associated damage to the flora and fauna associated with the waterways. <i>Controls:</i> The reusable tyre storage area, which will house the majority of (up to 700) tyres has been designed to include a level, clay compacted and grave lined hardstand with a spoon drain lined in the same manner and sized to hold 163,000 L of fire water. Fire extinguishing equipment and earthmoving equipment (including stockpiles of soil for use to block the drain) is available on the premises at all times. The site is secured with a fence and lockable gate to prevent trespassing and potential arson; however the hardstand is not fenced to ensure ready access by machinery in the case of a fire. The entrance to the site is over 4 metres in width to allow the entry of fire and emergency services vehicles and equipment if required. Tyres are proposed to be stored in rows separated from one another so that if any tyres catch alight they can be isolated from other tyres.</p> <p><u>Risk Assessment</u> <i>Consequence:</i> Minor <i>Likelihood:</i> Rare <i>Risk Rating:</i> Low</p>	Application supporting documentation



DECISION TABLE			
Works Approval / Licence section	Condition number W = Works Approval L= Licence	Justification (including risk description & decision methodology where relevant)	Reference documents
		<p><u>Regulatory Controls</u> Emissions to land have a low risk and no specific conditions are required. The low risk is due, in part, to the low likelihood of a fire given the proposed fire mitigation measures. Conditions 1.3.1 – 1.3.4 have been included in the Premises operation section of the licence to capture these commitments and maintain this low risk rating.</p> <p><u>Residual Risk</u> <i>Consequence:</i> Minor <i>Likelihood:</i> Rare <i>Risk Rating:</i> Low</p>	



<p>Fugitive emissions</p>	<p>N/A (Addressed by conditions L1.3.1 – 1.3.4)</p>	<p>Operation</p> <p><u>Emission Description</u> <i>Emission:</i> Fugitive emissions to air in the case of a tyre fire, including black smoke and other substances such as volatile organic compounds, dioxins and polycyclic aromatic hydrocarbons. <i>Impact:</i> Potential health impacts to staff and nearby land users via inhalation. <i>Controls:</i> There are no controls specifically for capture of toxic fumes in the case of a fire; however a number of controls have been proposed for the avoidance of fire in the first instance. These include the security measures at the site, monthly inspections of the tyre storage areas and the arrangement of reusable tyres such that tyre rows are stored separately, limited in height, and able to be isolated from one another in the case of a fire.</p> <p><u>Risk Assessment</u> <i>Consequence:</i> Minor <i>Likelihood:</i> Rare <i>Risk Rating:</i> Low</p> <p><u>Regulatory Controls</u> Fugitive emissions of pollutants have a low risk due to their low likelihood of occurrence. As the commitments made for fire mitigation have already been included as licence conditions in the Premises operation section, no other conditions are recommended for the management of fugitive emissions.</p> <p><u>Residual Risk</u> <i>Consequence:</i> Minor <i>Likelihood:</i> Rare <i>Risk Rating:</i> Low</p>	<p>Application supporting documentation</p>
<p>Monitoring of inputs and outputs</p>	<p>L2.1.1</p>	<p>Condition 2.1.1 (and Table 2.1.1) has been included on the licence requiring quarterly monitoring of the numbers of tyres stored on site at any one time. This is to enable comparison with the maximum allowable number of tyres (see conditions 1.3.2(d) and 1.3.3(b)). The condition also requires the monthly monitoring of the numbers of tyres sent offsite for disposal and/or storage by a controlled waste operator.</p>	<p>Application supporting documentation</p> <p><i>Environmental Protection (Controlled Waste) Regulations 2004</i></p>



Records	L3.1.1 – 3.1.4	Condition 3.1.1 and 3.1.2 have been included on the licence setting general requirements relating to the maintenance and access of records kept and the need for a copy of the licence to be available to staff at the Premises at all times. This is to ensure that staff are aware of regulatory requirements at all times. Condition 3.1.3 has been included on the licence for the Annual Audit Compliance Report (AACR). This will require the Licensee to conduct their own audit on an annual basis and report on their compliance with licence conditions. Condition 3.1.4 has been included on the licence for the recording of any complaints received about the premises. This is to ensure that any complaints received are recorded adequately and followed up as appropriate.	
Reporting	L3.2.1 – 3.2.2	Conditions 3.2.1 and 3.2.2 have been included on the licence for the submission of an Annual Environmental Report. The report will be the delivery mechanism for the monitoring data required under the Monitoring of inputs and outputs section of the licence, as well as the submission of the AACR and the summary of complaints.	
Notification	L3.3.1	Condition 3.3.1 has been included on the licence to set notification requirements outside of the annual reporting. The condition requires the notification of any fires that may affect the tyres stored on the premises to DER immediately. A form (N1) has been included on the licence to guide the provision of notifications for fires.	Form N1
Licence Duration	N/A	A duration of 20 years is recommended for the licence. There are no other known temporal restrictions on the storage of tyres at the premises and the environmental assessment conducted is current.	Guidance Statement: Licence duration (DER 2014)

5 Advertisement and consultation table

Date	Event	Comments received/Notes	How comments were taken into consideration
19/10/2015	Application advertised in West Australian (or other relevant newspaper)	Nil.	
10/11/2015	Proponent sent a copy of draft instrument	Some concern over the requirement to report all fires on the premises, due to regular controlled burning activities in a dedicated fire pit. These fires can be daily in the winter (low fire risk) period.	Condition 3.3.1 (notifications) has been amended such that it no longer requires the reporting of all fires on the premises, but only those fires which are at risk of affecting or reaching the tyres stored on the premises.



6 Risk Assessment

Note: This matrix is taken from the DER Corporate Policy Statement No. 07 - Operational Risk Management

Table 1: Emissions Risk Matrix

Likelihood	Consequence				
	Insignificant	Minor	Moderate	Major	Severe
Almost Certain	Moderate	High	High	Extreme	Extreme
Likely	Moderate	Moderate	High	High	Extreme
Possible	Low	Moderate	Moderate	High	Extreme
Unlikely	Low	Moderate	Moderate	Moderate	High
Rare	Low	Low	Moderate	Moderate	High