



## Application for Works Approval

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

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<b>Works Approval Number</b>	W6821/2023/1
<b>Applicant</b>	Tyrecycle Pty Ltd
<b>ACN</b>	085 545 053
<b>File number</b>	DER2023/000376
<b>Premises</b>	Tyrecycle Wedgefield 22 Moorambine Street WEDGEFIELD WA 6721  Legal description - Lot 100 on Deposited Plan 61456 As defined by the coordinates in Schedule 1 of the works approval
<b>Date of report</b>	18 January 2024
<b>Decision</b>	Works approval granted

Abbie Crawford  
A/MANAGER, WASTE INDUSTRIES  
an officer delegated under section 20 of the *Environmental Protection Act 1986* (WA)

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## 1. Decision summary

This decision report documents the assessment of potential risks to the environment and public health from emissions and discharges during the construction and operation of the premises. As a result of this assessment, works approval W6821/2023/1 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 8 June 2023 Tyrecycle 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 application is for the construction and time limited operation of a Category 57 used tyre storage and Category 61A solid waste facility to allow for the reprocessing of used tyres to recover the rubber and steel components. The premises is located in Wedgefield, approximately 6 km south of the town of Port Hedland.

The Tyrecycle facility at Wedgefield is expected to receive and process approximately 60-70 large mining tyres and conveyor belts per day which will be cut into 60 – 70kg pieces. The pieces will then be transported to either Tyrecycle's existing O'Connor premises licensed under L8694/2012/3 or the proposed Rockingham facility currently being assessed under works approval application W6820/2023/1 for further processing.

Conveyor belts will be spooled onto large, upright, metal framed cradles at the originating premises then transported and stored on these cradles at the Tyrecycle premises. Tyres and cradles of conveyor belts will be stored in the yard in eight stacks on the western side of the proposed purpose-built dome structure. The dome will be constructed of Colourbond steel walls and roller doors and Armourtex fabric sheeting for the roof. The process of cutting tyres and conveyor belts at Wedgefield will be carried out inside the dome shelter. Two fixed plant systems will be installed: the MT Raptor to initially separate the steel bead from the tyre walls, and the MT Rex to cut the tyre walls off and reduce the rubber tyres and belts into the 60 – 70 kg pieces. The MT Rex and MT Raptor equipment will be received in several large pieces and will be assembled by the supplier within the dome.

The rubber pieces will be loaded directly into trucks to provide temporary storage on site before being transported to the Rockingham premises for further processing. Given the premises will operate 24 hours per day, it is anticipated three trucks will be filled each day. Waste steel from the tyres and conveyor belts will be collected by a local recycling company.

The premises anticipates an expansion in 2026 to increase the production capacity up to 24,000 tonnes per annum with the installation of one additional plant, consisting of one MT Rex and one MT Raptor. This will be subject to a subsequent works approval assessment. Noise emissions for this expansion have been modelled in the consultant's report, however this decision report does not assess emissions for the higher throughput.

A septic tank and ACTU system will be installed at the premises to service the staff amenities. The design capacity of the system falls below the threshold for regulation under the EP Act, so is not subject to this assessment.

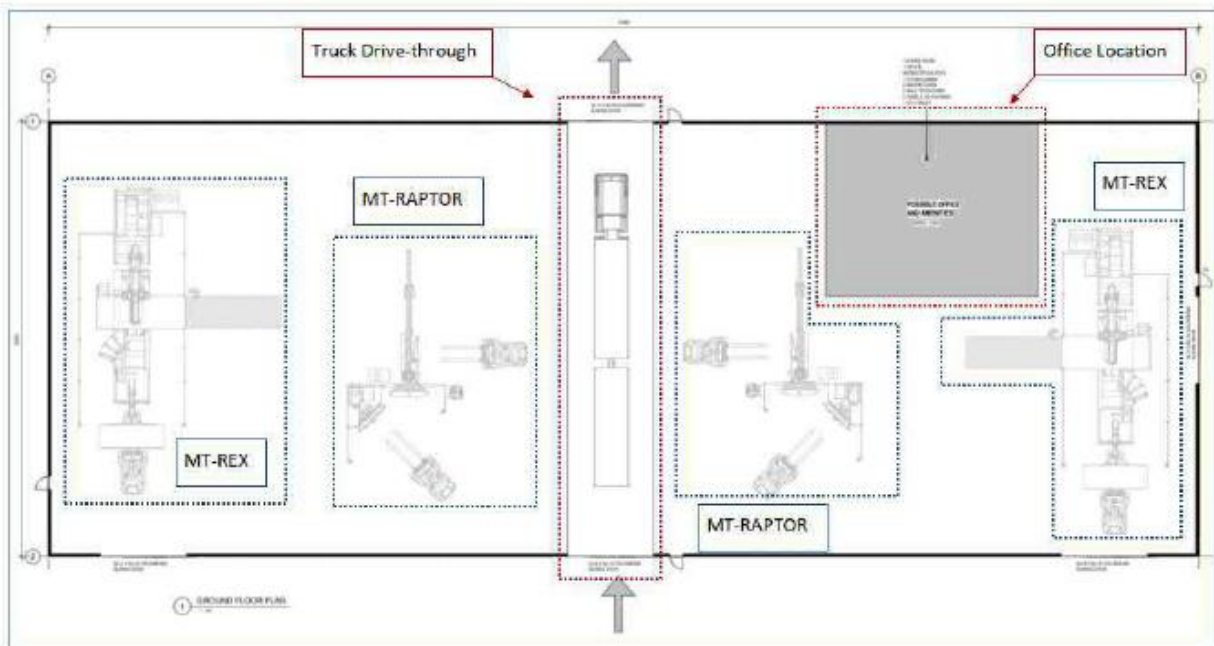
The premises relates to the categories and assessed production capacities under Schedule 1 of the *Environmental Protection Regulations 1987* (EP Regulations) which are defined in works approval W6821/2023/1, as outlined in Table 1. The infrastructure and equipment relating to the premises category and any associated activities which the department has considered in line with *Guideline: Risk Assessments* (DWER 2020) are outlined in works approval W6821/2023/1.

**Table 1: Prescribed premises category description**

Prescribed premises category description (Schedule 1, <i>Environmental Protection Regulations 1987</i> )	Assessed production capacity
Category 57 Used tyre storage (general): premises (other than premises within category 56) on which used tyres are stored.	48 tyres at any one time
Category 61A Solid waste facility: premises (other than premises within category 67A) on which solid waste produced on other premises is stored, reprocessed, treated, or discharged onto land.	12,000 tonnes per annum of used tyres or conveyor belts

The proposed activities will be carried out as per the following schedule:

- The Site will be operated by 16 staff in two shifts with eight staff per shift;
- Trading and delivery hours will be from 4:00 am to 8:00 pm, Monday to Friday and weekends where required;
- Fixed plant will operate 24 hours per day;
- A-double trucks will deliver whole tyres to the site;
- Semi-trailers will collect the cut pieces of tyres from the site; and
- Rigid trucks will collect steel bead from the site.



**Figure 1: Proposed current and future internal layout of the dome shelter**

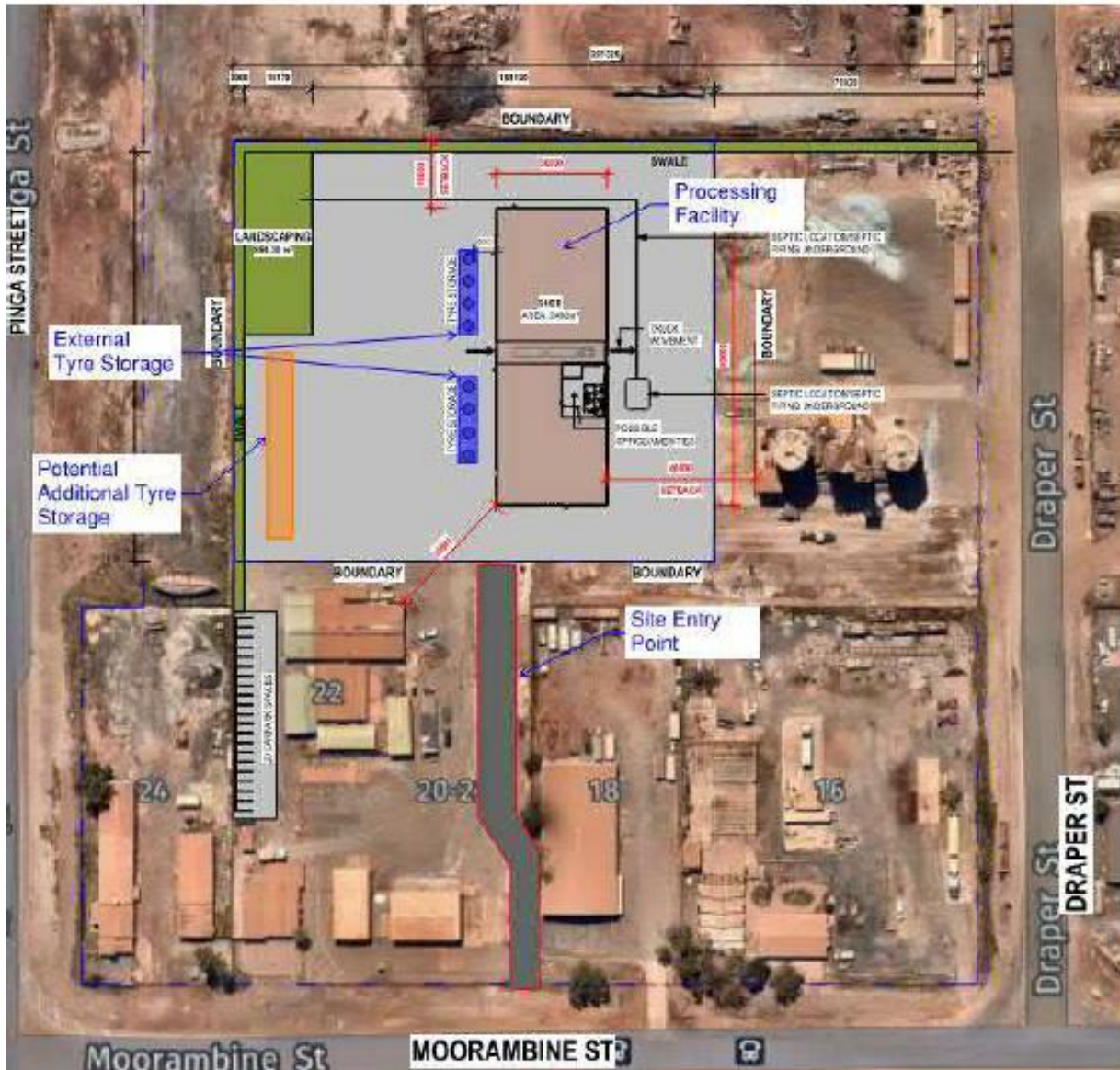


Figure 2: Premises layout plan

### 2.3 Stormwater and firewater containment

The premises is naturally graded to the north western corner where an existing swale currently enables infiltration of stormwater for disposal. This swale has been expanded by design to retain a volume of uncontaminated stormwater equivalent to a one in five-year ARI rainfall event with a 6 minute duration, in accordance with local government requirements. The applicant has designed the premises to ensure stormwater is prevented from infiltrating within the active yard areas and instead is directed to the north western corner of the premises, gravity fed through shut-off valves and into the existing swale for infiltration. The stormwater swale is located outside the firewater retention walls, yet within the premises boundary.

For storm events greater than a 1 in 5-year storm, uncontaminated stormwater is anticipated to overflow to the floodplains to the northeast of the site.

The applicant has calculated the volume of firefighting water required in the event of a fire to be 432,000 litres. Based on this calculation, the applicant has designed the fire prevention system in accordance with the *Guidance Note: GN02 Bulk Storage of Rubber Tyres Including Shredded and Crumbed Tyres* (DFES 2020) to deliver this volume of firefighting water and retain it, once contaminated, within the hardstand yard area which is impermeable to  $\leq 1 \times 10^{-9}$  m/sec.

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The extent of the hardstand area within the premises that will be inundated by firewater is outlined in Figure 3 below.

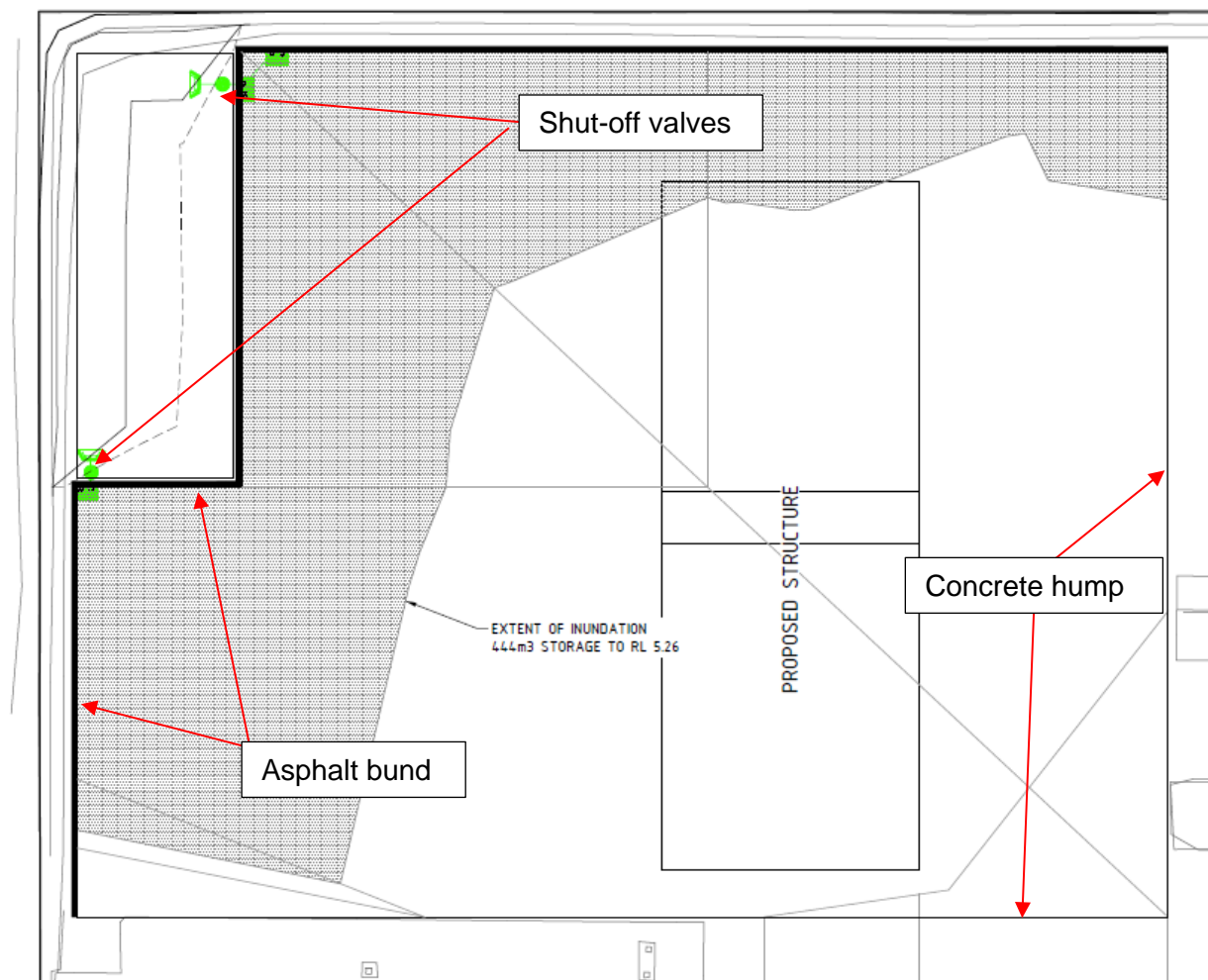
An asphalt bund wall will be installed along the northern and western boundary of the hardstand area. The asphalt bund shall be impermeable to  $\leq 1 \times 10^{-9}$  m/sec and built to ensure the 432,000 litres of firewater is retained within the impermeable hardstand area. This bund will be located in front of the swale walls and act as a barrier to prevent firewater from coming into contact with the stormwater swale walls.

Stormwater drains will connect the inundation zone within the hardstand area to the swales and will remain open during normal operation to allow stormwater to exit via gravity feed out of the hardstand area into the swales for disposal.

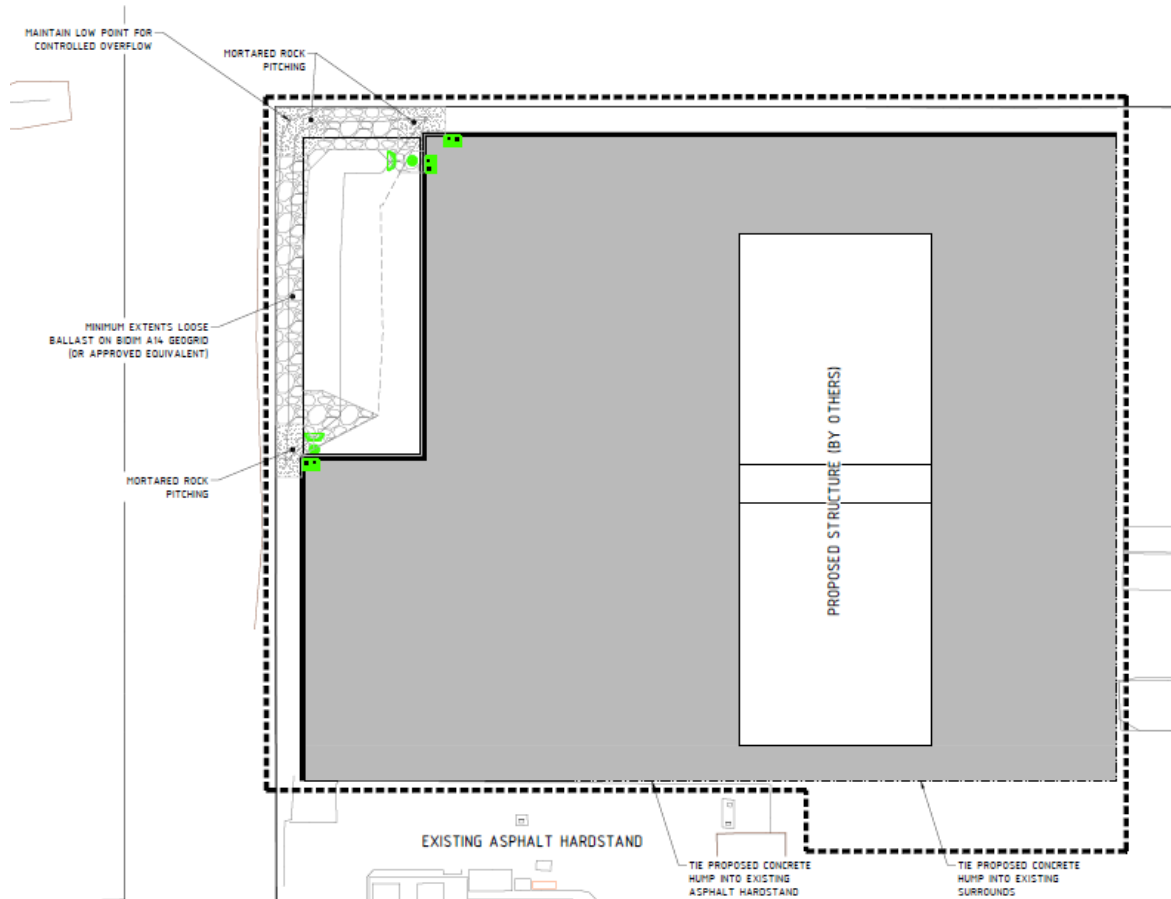
Electronic shut-off valves will be fitted to the stormwater drains that will automatically close during fire events to isolate the stormwater drainage lines and prevent firewater entering the stormwater swales located along the north and western boundary of the premises. The electronic shut-off valves will be controlled by the electronic fire detection system that will be installed as part of the development of this facility.

Further a concrete hump will be constructed along the eastern and southern boundaries of the hardstand area; and will act as a bund to contain the firewater and prevent offsite movement to the neighbouring premises. This hump will not contain any shut-off valves as the sole purpose is to prevent off-site movement of stormwater and firewater.

Contaminated firewater will be disposed of offsite by a licensed contractor.



**Figure 3: Extent of inundation of the premises with contaminated firewater**



## 2.4 Noise assessment report

To support the proposed shredding plant the applicant commissioned a consultant to undertake a Noise Assessment report. The report identified there are no noise sensitive receptors present in the vicinity, with a caretaker residence located on the remainder of Lot 100 Moorambine Street. The assigned noise levels applicable at a caretaker residence are the same as industrial premises.

The assessment assumed minimum acoustic performance for the various elements of the building which will house the fixed plant. The louver openings on the northern and southern elevations have a sound transmission loss of 10 dB across the nominated frequencies. On the basis these louvres appear to be basic, architectural types, no significant noise attenuation is expected from such louvres as they are an opening in the external wall. The noise assessment report did not provide enough details to ascertain what the change in noise levels would be with the louvres providing no noise attenuation.

The consultant conducted subsequent noise modelling assessments using a performance of  $R_w$  10dB and  $R_w$  0dB Sound Transmission Loss to account for the effects of low frequency noise transmission through the louvre openings. This also included one indoor tyre recycling plant operating at 100%, one 12 tonne truck idling inside warehouse, all roller doors closed and no internal acoustic absorption treatment to walls and roof. A tonal penalty of +5 dB is applied to tyre recycling plant noise to account for potential tonal characteristics associated with the systems. Given this modelled scenario, the report concluded that noise levels are predicted to comply with the assigned limits at all surrounding industrial external locations.

Day-to-day building services  $L_{A10}$  operations noise levels are considered compliant when operated during daytime hours, 7.00am to 5.00pm Mondays to Fridays hence no mitigation is proposed. Where operations occur outside of these hours, compliance is also achieved by virtue of fixed limits applicable at industrial premises at all times of the day.

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### 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 operation which have been considered in this decision report are detailed in Table 2 below. Table 2 also details the control measures the applicant has proposed to assist in controlling these emissions, where necessary.

**Table 2: Proposed applicant controls**

Sources	Emission	Potential pathways	Proposed controls
<b>Construction</b>			
Construction and installation of infrastructure	Dust	Air / wind dispersion	Water carts will be used where required to minimise dust during construction.
	Noise	Air / wind dispersion	Compliance with the assigned limits for industrial areas as required by the <i>Environmental Protection (Noise) Regulations 1997</i> .
<b>Operation (including time limited operations)</b>			
Receipt, handling, storage and shredding of used tyres and conveyor belts	Dust	Air / wind dispersion	<ul style="list-style-type: none"> <li>• Outside areas are bituminised hardstand.</li> <li>• Minimal dust generated from whole tyres and conveyor belts due to the large size of the cut pieces.</li> <li>• Tyre and conveyor belt processing will take place in an enclosed building.</li> <li>• Regular cleaning and housekeeping will be carried out.</li> </ul>
	Noise	Air / wind dispersion	<ul style="list-style-type: none"> <li>• The modelled scenarios comply with the <math>L_{A10}</math> assigned noise levels, when the roller doors are closed.</li> <li>• Further noise monitoring will be conducted during operations to determine the effectiveness of the louvres and overall compliance with the <i>Environmental Protection (Noise) Regulations 1997</i>.</li> </ul>



Sources	Emission	Potential pathways	Proposed controls
			<ul style="list-style-type: none"> <li>Fixed plant to be inspected and serviced in accordance with manufacturer specifications.</li> <li>All mobile equipment is to be inspected daily and serviced in accordance with each equipment's manufacturer recommended service schedule.</li> </ul>
	<p>Unauthorised fires – smoke and fire spread</p>	<p>Air / wind dispersion</p>	<p>Premises design based on DFES Guidance Note: GN02 Bulk Storage of Rubber Tyres Including Shredded and Crumbed Tyres, with the following exceptions, as reviewed by DFES:</p> <ul style="list-style-type: none"> <li>tyres may be stored as close as 6 m from the dome structure, not the required 18 m. The dome is made from combustible materials and is expected to be lost in the event of a fire. The applicant undertook a fire safety risk assessment which determined there would be no consequence to occupant safety or fire brigade intervention. The only consequence was of a commercial nature by the loss of infrastructure, which the applicant was satisfied in accepting to enable all other aspects of operating to be achieved.</li> <li>piles of tyre stacks and conveyor belt stacks are separated from other piles by a minimum of 6 m, not 18 m, as only three piles of tyre stacks will be stored at the premises at any one time. the heavy weight of the tyres and the square shaped cradle holding conveyor belts will naturally prevent a burning tyre or conveyor belt rolling into and igniting an adjacent stack.</li> </ul> <p>Installation of a fire hydrant system designed in compliance with AS2419.1-2005 and DFES guideline GN2 designed to operate 3 hydrants at 10 L/sec each (30 L/sec total) for a minimum of 4 hours.</p> <p>External tyre and conveyor belt storage:</p> <ul style="list-style-type: none"> <li>Tyres and conveyor belts to be stored on a hardstand pad.</li> <li>Conveyor belts to be stored in a cradle.</li> <li>Stacks are to be no more than 3.7m high</li> </ul>

Sources	Emission	Potential pathways	Proposed controls
			<p>with a maximum 12.5 tonnes of tyres or conveyor belts stored in any single stack.</p> <ul style="list-style-type: none"> <li>• Stacks may be grouped together provided a separation distance between each stack of 2.5m is achieved, with each group not to exceed 50 tonnes.</li> <li>• A minimum of 6 m clear around each group of stacks shall be provided.</li> <li>• Stacks to be 18m away from combustible material and site boundaries, unless shielded by a non-combustible structure (i.e steel fence), except for the dome structure which may be located between 6-18m of the stacks.</li> </ul> <p>Internal tyre storage:</p> <ul style="list-style-type: none"> <li>• Limited to 4 whole tyres or 4 cradles of conveyor belts (2 on machines and 2 on floor awaiting reprocessing) at any one time.</li> <li>• Cut rubber to be stored within the delivery truck awaiting dispatch from site.</li> </ul> <p>Management controls:</p> <ul style="list-style-type: none"> <li>• Hot works (welding, grinding, oxygen cutting) to be undertaken in a planned manner with tyres moved away so they are no closer than 18 m during hot works events.</li> <li>• Electrical equipment shall be installed in accordance with AS3000, including AS61439 and will be tested and tagged in accordance with AS/NZS 3760:2010, with switchboards undergoing thermal graphic imagery scanning at least once a year to minimise the risk of faults and electrical fires.</li> <li>• Staff training to manage fire events. One person per shift trained in the use of the fire hose reel and portable fire extinguisher systems. To assist in early suppression prior to brigade arrival should a fire event occur.</li> <li>• As a minimum, one person per shift shall be available to move unburnt tyre stacks.</li> <li>• Fire systems shall be maintained in accordance with AS1851.</li> </ul>

Sources	Emission	Potential pathways	Proposed controls
Receipt, handling, storage and shredding of used tyres and conveyor belts	Contaminated firefighting water and/or stormwater	Overland flow Subsurface seepage	<ul style="list-style-type: none"> <li>• Design based on <i>Guidance Note: GN02 Bulk Storage of Rubber Tyres Including Shredded and Crumbed Tyres</i> (DFES 2020).</li> <li>• Designed and constructed to retain 432,000 L of contaminated firefighting water within the hardstand yard area and asphalt bund walls of the premises which are both impermeable to <math>\leq 1 \times 10^{-9}</math> m/sec</li> <li>• The stormwater drainage system will contain automatic shut off valves connected to the fire detection system to close during fire events and retain contaminated firewater within the hardstand of the premises.</li> <li>• Contaminated firewater to be disposed of offsite by a licensed contractor.</li> </ul>
Receipt, handling, storage and shredding of used tyres and conveyor belts	Uncontaminated stormwater	Overland flow Subsurface seepage	<ul style="list-style-type: none"> <li>• The existing stormwater swale located at the north western corner has been expanded by design to retain uncontaminated stormwater equivalent to a one in five-year ARI with a 6 minute duration rainfall event.</li> <li>• The stormwater swale is located outside the firewater retention walls, yet within the premises boundary.</li> <li>• The stormwater drainage system will contain automatic shut off valves that will remain open during normal operations to enable uncontaminated stormwater to discharge to the swales.</li> <li>• For storm events greater than a 1 in 5-year storm, stormwater is expected to overflow to the floodplains to the north east of the site.</li> </ul>
Receipt, handling, storage and shredding of used tyres and conveyor belts	Hydrocarbon spills during refuelling	Overland flow Subsurface seepage	<ul style="list-style-type: none"> <li>• Mobile equipment will be refuelled by a scheduled mobile truck delivery. No fuel or diesel will be stored onsite.</li> <li>• Designated LPG storage areas onsite. Storage quantities do not exceed the threshold for dangerous goods licence requirements.</li> <li>• Minor quantities of grease and oil will be stored inside the dome in a designated storage area with appropriate bunding, for servicing and maintenance of the plant and equipment.</li> <li>• Spill kits will be available and staff trained for response.</li> </ul>

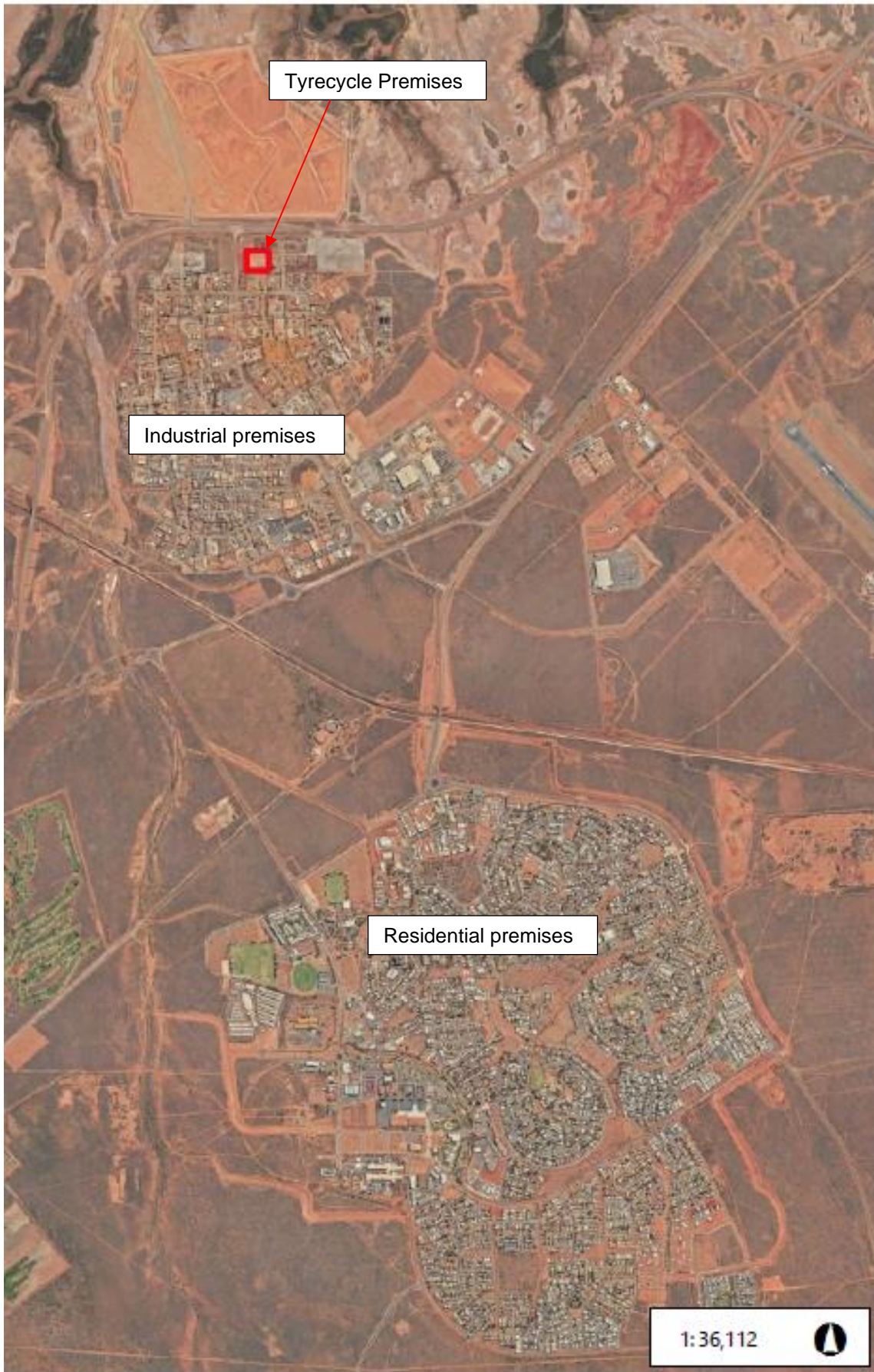
### 3.1.2 Receptors

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 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	3.2 km south of premises boundary
Industrial premises	Immediately surrounding the premises.
Environmental receptors	Distance from prescribed activity
RIWI Act Surface Water Areas	Within the Pilbara Surface Water Area
Hydrography	Major tributary located 830 m west of premises boundary
Threatened and Priority Fauna	<p>There are four threatened and priority fauna within 1 km of the premises boundary, including:</p> <ul style="list-style-type: none"> <li>• One occurrence of <i>Ctenotus angusticeps</i>, a Priority 3 reptile;</li> <li>• Four occurrences of <i>Chlidonias leucopterus</i>, a bird species of migratory importance; and</li> <li>• Four occurrences of <i>Tringa glareola</i>, a bird species of migratory importance.</li> </ul>



**Figure 4: Distance to sensitive receptors**

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## 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 4.

Works approval W6821/2023/1 that accompanies this decision report authorises construction and time-limited operations. The conditions in the issued works approval, as outlined in Table 4 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.

**Table 4: Risk assessment of potential emissions and discharges from the premises during construction and operation**

Risk events					Risk rating <sup>1</sup>	Applicant controls sufficient?	Conditions <sup>2</sup> of works approval	Justification for additional regulatory controls
Sources / activities	Potential emission	Potential pathways and impact	Receptors	Applicant controls	C = consequence L = likelihood			
<b>Construction</b>								
Construction and installation of infrastructure	Dust	Air/windborne pathway causing impacts to health and amenity	Surrounding industrial receptors	Refer to Section 3.1	C = Slight L = Unlikely <b>Low Risk</b>	Yes	None	N/A
	Noise		Surrounding industrial receptors	Refer to Section 3.1	C = Slight L = Unlikely <b>Low Risk</b>	Yes	None	N/A
<b>Operation (including time limited operations)</b>								
Receipt, handling, storage and shredding of used tyres and conveyor belts	Dust	Air/windborne pathway causing impacts to health and amenity	Surrounding industrial receptors	Refer to Section 3.1	C = Slight L = Unlikely <b>Low Risk</b>	Yes	None	N/A
	Noise	Air/windborne pathway causing impacts to health and amenity	Surrounding industrial receptors	Refer to Section 3.1	C = Slight L = Unlikely <b>Low Risk</b>	Yes	Condition 18	The Delegated Officer notes the construction controls proposed by the applicant are modelled to meet the noise emission limits of the Noise Regs. Given the low risk noise emissions pose, the Delegated Officer is satisfied no further regulatory control is required.

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Risk events					Risk rating <sup>1</sup> C = consequence L = likelihood	Applicant controls sufficient?	Conditions <sup>2</sup> of works approval	Justification for additional regulatory controls
Sources / activities	Potential emission	Potential pathways and impact	Receptors	Applicant controls				
Receipt, handling, storage and shredding of used tyres and conveyor belts	Unauthorised fires – smoke and fire spread	Air/windborne pathway causing impacts to surrounding vegetation and fauna	Surrounding industrial receptors Residential receptors	Refer to Section 3.1	C = Severe L = Unlikely <b>High Risk</b>	Yes	Conditions 1 to 11, 15 and 17	<p>The Delegated Officer considers the controls proposed by the applicant are sufficient to prevent unauthorised fires occurring under most circumstances.</p> <p>As this risk is mitigated by adequate implementation of these applicant controls, the Delegated Officer shall enforce these controls via construction, operational and maintenance conditions on the Works Approval, and subsequent Licence.</p> <p>To mitigate the risk of fire, the Delegated Officer has delayed the commencement of Time Limited Operations until construction and installation of the fire suppression system is compliant with conditions of the Works Approval.</p>



Risk events					Risk rating <sup>1</sup> C = consequence L = likelihood	Applicant controls sufficient?	Conditions <sup>2</sup> of works approval	Justification for additional regulatory controls
Sources / activities	Potential emission	Potential pathways and impact	Receptors	Applicant controls				
Receipt, handling, storage and shredding of used tyres and conveyor belts	Contaminated firefighting water and/or stormwater	Overland flow Subsurface seepage Causing impacts to groundwater sources	Pilbara Surface Water Area	Refer to Section 3.1	C = Moderate L = Unlikely <b>Medium Risk</b>	Yes	Conditions 1 to 6 and 12	<p>The Delegated Officer considers the controls proposed by the applicant are sufficient to prevent emissions of contaminated firefighting water and/or stormwater occurring under most circumstances.</p> <p>As this risk is mitigated by adequate implementation of these applicant controls, the Delegated Officer shall enforce these controls via construction, operational and maintenance conditions on the Works Approval, and subsequent Licence.</p> <p>To mitigate the risk of emissions of contaminated firefighting water, the Delegated Officer has delayed the commencement of Time Limited Operations until construction and installation of the firewater containment system is compliant with conditions of the Works Approval.</p>

Risk events					Risk rating <sup>1</sup> C = consequence L = likelihood	Applicant controls sufficient?	Conditions <sup>2</sup> of works approval	Justification for additional regulatory controls
Sources / activities	Potential emission	Potential pathways and impact	Receptors	Applicant controls				
Receipt, handling, storage and shredding of used tyres and conveyor belts	Hydrocarbon spills during refuelling	Overland flow Subsurface seepage Causing impacts to groundwater sources	Pilbara Surface Water Area	Refer to Section 3.1	C = Slight L = Unlikely <b>Low Risk</b>	Yes	Conditions 1 to 4, 8, 13 and 14	The Delegated Officer considers the controls proposed by the applicant are sufficient to prevent hydrocarbon spills occurring under most circumstances.  As this risk is mitigated by adequate implementation of these applicant controls, the Delegated Officer shall enforce these controls via construction, operational and maintenance conditions on the Works Approval, and subsequent Licence.

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

**Table 5: Consultation**

Consultation method	Comments received	Department response
Application advertised in the West Australian (24/07/2023) and on the department's website (27/07/2023)	None	N/A
Local Government Authority advised of proposal (09/08/2023)	<p>The Town of Port Hedland advised on 22/08/2023 that the Resource Recovery Centre (Tyre Recycling and Processing Facility) use is in accordance with the Town's Local Planning Scheme No. 7 for Lot 100 and Lot 1807 Moorambine Street, Wedgefield. This proposal was approved by the State Development Assessment Panel meeting on 24/04/2023.</p> <p>The Town requested that the works approval not be approved as there are several conditions of the Development Approval that are required to be met before the said use can commence, and the building has not been constructed.</p>	<p>DWER notes this application is an approval to construct the building, therefore the request to not approve this application will be declined.</p> <p>DWER requested the Town of Port Hedland clarify which conditions of the Development Approval were considered necessary for completion prior to operations commencing. The Town did not respond to this request.</p> <p>Upon review of the conditions within the Development Approval, DWER considered the requirement for a revised stormwater management plan applicable to this assessment.</p> <p>The applicant has provided the most recent stormwater plan with this application. This plan has been considered in this assessment.</p>
Applicant was provided with draft documents (07/12/2023)	See Appendix 1	See 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.

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

Condition	Summary of applicant's comment	Department's response
Decision Report Section 2.2	To clarify the expansion anticipated in 2026 will be with the addition of one plant, consisting of one MT Rex and one MT Raptor.	Discussion amended
Decision Report Section 3.1.1 Table 2	The table heading 'construction' is flowing into operational controls.	Formatting error corrected.
Decision Report Section 3.1.1 Table 2	Emission: Contaminated firefighting water and/or stormwater.  The asphalt bund will not contain automatic shut off valves. The purpose of the asphalt bund is to contain potential firewater within the designated area.  The stormwater drainage system will contain automatic shut off valves connected to the fire detection system to close during fire events and retain contaminated firewater within the hardstand of the premises.	Table 2 amended to accurately reflect the design.
Decision Report Section 3.1.1 Table 2	Emission: Uncontaminated stormwater.  The retention walls will not contain automatic shut off valves. The stormwater drainage system will contain automatic shut off valves that will remain open during normal operations to enable uncontaminated stormwater to discharge to the swales.	Table 2 amended to accurately reflect the design.

## Appendix 2: Application validation summary

SECTION 1: APPLICATION SUMMARY				
Application type				
Works approval	<input checked="" type="checkbox"/>			
Licence	<input type="checkbox"/>	Relevant works approval number:		None <input checked="" type="checkbox"/>
		Has the works approval been complied with?		Yes <input type="checkbox"/> No <input type="checkbox"/>
		Has time limited operations under the works approval demonstrated acceptable operations?		Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
		Environmental Compliance Report / Critical Containment Infrastructure Report submitted?		Yes <input type="checkbox"/> No <input type="checkbox"/>
		Date Report received:		
Renewal	<input type="checkbox"/>	Current licence number:		
Amendment to works approval	<input type="checkbox"/>	Current works approval number:		
Amendment to licence	<input type="checkbox"/>	Current licence number:		
		Relevant works approval number:		N/A <input type="checkbox"/>
Registration	<input type="checkbox"/>	Current works approval number:		None <input type="checkbox"/>
Date application received	8 June 2023			
Applicant and Premises details				
Applicant name/s (full legal name/s)	Tyrecycle Pty Ltd			
Premises name	Tyrecycle Wedgefield			
Premises location	Lot 100 and Lot 1807 Moorambine St Wedgefield WA 6721			
Local Government Authority	Town of Port Hedland			
Application documents				
HPCM file reference number:	DER2023/000376			
Key application documents (additional to application form):	Supporting documentation			
Scope of application/assessment				
Summary of proposed activities or changes to existing operations.	Works approval Construction of a dome shelter to house a tyre and conveyor belt shredding plant.			

**Category number/s (activities that cause the premises to become prescribed premises)****Table 1: Prescribed premises categories**

Prescribed premises category and description	Proposed production or design capacity	Proposed changes to the production or design capacity (amendments only)
Category 57 Used tyre storage (general): premises (other than premises within category 56) on which used tyres are stored.	12,000 tonnes per annum of shredded waste tyres or conveyor belts, expected to gradually increase to 24,000 tonnes per annum after 3 years	
Category 61A Solid waste facility: premises (other than premises within category 67A) on which solid waste produced on other premises is stored, reprocessed, treated, or discharged onto land.		

**Legislative context and other approvals**

Has the applicant referred, or do they intend to refer, their proposal to the EPA under Part IV of the EP Act as a significant proposal?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
Does the applicant hold any existing Part IV Ministerial Statements relevant to the application?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
Has the proposal been referred and/or assessed under the EPBC Act?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
Has the applicant demonstrated occupancy (proof of occupier status)?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	Heads of Agreement lease
Has the applicant obtained all relevant planning approvals?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>	Granted 24 April 2023 Evidence required
Has the applicant applied for, or have an existing EP Act clearing permit in relation to this proposal?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	No clearing is proposed.
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"/>	No clearing is proposed.
Has the applicant applied for, or have an existing RIWI Act licence or permit in relation to this proposal?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Licence / permit 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"/>	
Is the Premises situated in a Public Drinking Water Source Area (PDWSA)?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	

<p>Is the Premises subject to any other Acts or subsidiary regulations (e.g. <i>Dangerous Goods Safety Act 2004</i>, <i>Environmental Protection (Controlled Waste) Regulations 2004</i>, <i>State Agreement Act xxx</i>)</p>	<p>Yes <input checked="" type="checkbox"/> No <input type="checkbox"/></p>	<p><i>Environmental Protection (Controlled Waste) Regulations 2004</i> <i>Dangerous Goods Safety Act 2004</i></p>
<p>Is the Premises within an Environmental Protection Policy (EPP) Area?</p>	<p>Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p>	
<p>Is the Premises subject to any EPP requirements?</p>	<p>Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p>	
<p>Is the Premises a known or suspected contaminated site under the <i>Contaminated Sites Act 2003</i>?</p>	<p>Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p>	