

Approved Management
Method for the
Storage and Reuse of
Waste Tyres
Companion Document

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Introduction

The Purpose of this Document

The Approved Management Method (AMM) for the Storage and Reuse of Waste Tyres was approved and issued by the Director, Environment Protection Authority under regulation 10 of the *Environmental Management and Pollution Control (Waste Management) Regulations 2010*. It came into effect when notice of approval was published in the *Tasmanian Government Gazette* on 28 June 2017. The AMM is referred to as the Waste Tyres AMM in this document and is provided at Appendix A to this document.

The Waste Tyres AMM is taken to be an approved management method under regulation 19 of the *Environmental Management and Pollution Control (Waste Management) Regulations, 2020* (the Waste Management Regulations)¹ pursuant to the Transitional and savings provisions (regulation 24) therein.

The purpose of this AMM Companion Document is to explain the provisions of the Waste Tyres AMM. Each section or subsection of the document reproduces a portion of the requirements of the AMM. A commentary is provided and, where relevant, guidance on how persons may comply with the requirements.

This Companion Document was updated in June 2021 to improve accessibility.

Appendix A provides the full text of the AMM.

Controlled Waste and Waste Tyres

Tyres that have become waste are a controlled waste. The terms 'waste' and 'controlled waste' are defined in section 3(1) of the *Environmental Management and Pollution Control Act 1994* (EMPCA)². Waste tyres are a controlled waste by virtue of their inclusion in Schedule A of the *National Environment Protection (Movement of Controlled Waste between States and Territories) Measure 1998*³. They are also prescribed as a controlled waste in regulation 5 of Tasmania's Waste Management Regulations.

Controlled waste is the most hazardous category of waste and requires careful management. Waste tyres are relatively benign in a passive state but may cause considerable environmental harm if burnt. Fires can emit large quantities of smoke harmful to human health, and runoff of water used for firefighting may pollute soil and waterbodies. Tyre fires can also result in destruction of property and have a significant economic cost.

A further environmental issue is that waste tyres may also harbour pests and vermin if stored or dumped in the open. Questions have also been raised about potential soil contamination and water pollution from waste tyres stored for lengthy periods in the open or used or dumped in water.

Waste tyres are those that are no longer useful for their original purpose (unless they are re-treaded). Various uses for waste tyres exist (other than re-treading). They may be recycled to make new tyres or other products such as playground flooring. Waste tyres may also be kept intact and reused for various purposes, some of which are prescribed in the AMM. They may also be used for energy production or as an input to other combustive industrial processes.

The Waste Management Regulations

Regulation 6(1) of the Waste Management Regulations is the main regulatory provision in relation to controlled waste. This provides that a person must not remove from a site, arrange for the removal from a site, receive, store, reuse, recycle, reprocess, salvage, incinerate, treat, dispose of or use for energy recovery a controlled waste other than:

1. under a *relevant authority* within the meaning of the Waste Management Regulations; or

¹ The Waste Management Regulations may be viewed on the internet at: <https://www.legislation.tas.gov.au/>

² EMPCA may be viewed on the internet at: <https://www.legislation.tas.gov.au/>

³ The National Environment Protection Measure may be viewed on the internet at: <http://www.nepc.gov.au/nepms/movement-controlled-waste>

2. in accordance with an *approved management method* within the meaning of the Waste Management Regulations.

Accordingly, to comply with regulation 6(1) a person may manage waste tyres without a specific approval if the tyres are managed in accordance with the requirements of the Waste Tyres AMM.

It is an offence to breach regulation 6(1) of the Waste Management Regulations, with a maximum penalty of 50 penalty units (equal to \$8,600 in 2020-21) for each offence.

Activities not covered by the AMM

The Waste Tyres AMM does not cover the following activities involving waste tyres:

1. management for usual domestic purposes;
2. storage at a place at which waste tyres are produced, while awaiting transportation;
3. storage at a waste transfer station;
4. storage of more than 6,250 EPU's of tyres under any circumstances;
5. recycling (including energy production and industrial processes);
6. final disposal in landfills or by other means;
7. reuses other than those prescribed in the AMM; and
8. transportation.

Activities 1 to 3 above are exceptions specified in regulation 6(5) of the Waste Management Regulations. As such, regulation 6(1) will not be breached by those activities.

Activities 4 to 7 will require a *relevant authority* within the meaning of the Waste Management Regulations⁴.

Activity 8 is subject to the provisions of the Waste Management Regulations⁵ or the *National Environment Protection (Movement of Controlled waste between States and Territories) Measure 1998*.

There is also provision under regulation 4 of the Waste Management Regulations for the Director, EPA to issue exemptions in respect of a controlled waste or wastes. None have been issued in relation to waste tyres as of the date of publication of this document.

Final Disposal

Particular attention is drawn to the fact that nothing in the AMM permits the final disposal of waste tyres by burial or incineration. Disposal of waste tyres by burial (in either a private or local government landfill) may be the wastage of a useful resource. Where landfill disposal is necessary, it is important that tyres are shredded prior to burial as the burial of whole tyres is wasteful of space. It is necessary to obtain *relevant authority* within the meaning of the Waste Management Regulations for any landfill disposal. Disposal by incineration also requires an individual approval, but such approval is unlikely to be granted because of the difficulties of avoiding adverse impacts.

Other Regulatory Considerations

It is important to understand that the Waste Tyres AMM does not establish a minimum standard for all cases of waste tyre management. Nor does compliance with its requirements provide absolute permission to manage waste tyres.

An activity involving waste tyres to which the Waste Tyres AMM applies may also be subject to a *relevant authority* as defined within the Waste Management Regulations. For example a motor racing venue may be subject to a permit under the *Land Use Planning and Approvals Act 1993* (LUPAA)⁶. That permit may include conditions on the reuse of tyres for barriers and also on the storage of tyres intended for reuse in barriers, which differ from the AMM's requirements. Another important example is where the EPA Director or a

⁴ Storage of 100 tonnes or more (i.e. 12,500 EPU's or more) of waste tyres is defined as a level 2 activity under schedule 2 of EMPCA. Storage of such quantities will then require assessment and approval by the Board of the EPA.

⁵ These Regulations may be viewed on the internet at: <https://www.legislation.tas.gov.au/>

⁶ LUPAA may be viewed on the internet at: <https://www.legislation.tas.gov.au/>

council officer issues an environment protection notice in accordance with section 44 of EMPCA which prohibits the management of waste tyres at a particular premises in a manner that would otherwise be permitted under the AMM. The notice will take precedence over the AMM and must be complied with by the recipient.

There are provisions of the Waste Management Regulations other than regulation 6(1) which will apply to the management of waste tyres regardless of whether or not the AMM applies, and the general provisions of EMPCA also apply. Compliance with the AMM does not absolve a person from complying with other legislative provisions. The more important ones may be summarised as follows.

- Because waste tyres are listed as a controlled waste in the *National Environment Protection (Movement of Controlled Waste between States and Territories) Measure 1998*, regulation 6(2) of the Waste Management Regulations applies to them, meaning that tyres must be managed in accordance with the National Environment Protection Measure. The Measure deals only with interstate transport of controlled wastes, however. Transportation is not covered by the Waste Tyres AMM in any case.
- Regulations 7 and 8 of the Waste Management Regulations specify general requirements for the management of all controlled wastes. Regulation 7 prohibits any management of controlled waste that is likely to cause the waste to escape into the environment or cause environmental harm. Regulation 8 prohibits the depositing of waste in a manner that may cause environmental harm or specific adverse environmental effects. These regulations take precedence over the provisions of an AMM.
- The general offence provisions of EMPCA apply to the management of waste tyres and take precedence over an AMM. The provisions relating to serious environmental harm, material environmental harm, environmental nuisance and deposit of a pollutant are particularly relevant.

Definitions

In this Companion Document –

AMM means approved management method;

Director means the Director, Environment Protection Authority appointed in accordance with section 18 of the *Environmental Management and Pollution Control Act 1994*;

indoors means within a building which is enclosed on all sides and which has a roof;

landfill means a waste depot used for the purpose of disposing of waste to land by depositing or burial;

motor vehicle means a vehicle that is built to be propelled by a motor that forms part of the vehicle;

primary industry activity has the same meaning as in the *Primary Industry Activities Protection Act 1995*;

recycle means to process a waste tyre to recover its constituent materials and to use those materials to produce new tyres, other products or energy;

re-tread means to fit a new tread to a waste tyre such that it may be reused for its original purpose;

reuse means to use a waste tyre for a different purpose to the original purpose without subjecting the tyre to a manufacturing process that would change its physical appearance;

trailer means a vehicle that is built to be towed, or is towed, by a motor vehicle;

tyre means a vulcanised rubber product designed to be fitted to a wheel on a motor vehicle or a trailer, and includes a waste tyre which has been re-treaded;

Waste Management Regulations means the *Environmental Management and Pollution Control (Waste Management) Regulations 2020*;

waste tyre means a tyre that cannot be used for its original purpose unless it is re-treaded.

In this Companion Document **equivalent passenger unit** (EPU) means the quantity of constituent materials contained in a light passenger vehicle tyre, and is taken to be 8 kilograms of such materials in the case of a waste tyre. Schedule 1 of the AMM specifies EPUs which apply for the purposes of the AMM for different types of tyre.

Section A: Care of waste tyres

- I. A person must not cut or otherwise alter a waste tyre, in a manner that would prevent re-treading or reuse of the tyre, except –
 - a) where necessary for the purposes of an approved reuse as provided for in section D of these requirements;
 - b) as a process preliminary to recycling or landfill burial;
 - c) to ensure that a tyre that is unfit for reuse on a motor vehicle is not used on a motor vehicle; or
 - d) where approved as provided for in accordance with the Waste Management Regulations.

Maximising the use of waste materials has become a widely accepted principle. To reflect this principle, section A of the Waste Tyres AMM ensures protection of waste tyres for re-treading as the default position. It is important to prevent damage to tyres that would prevent re-treading unless there is an acceptable recycling alternative. At the same time, there are limited markets for re-treading and recycling, and limited opportunities for reuse; and a proportion of tyres will always be unsuitable for re-treading for safety reasons. Because of these factors, landfill burial is sometimes necessary.

In particular circumstances where one of the exceptions in section A does not apply, a person may apply for a *relevant authority* to alter waste tyres.

Section B: Storage of waste tyres

I. Storage Limit

- 1.1. Except where approved or provided for in accordance with the Waste Management Regulations, no more than 6,250 EPU's of waste tyres may be stored on any premises.
- 1.2. The quantity of tyres stored in accordance with this Section is in addition to any tyres that are being reused on the same premises in accordance with this AMM or a under a current approval in accordance with the Waste Management Regulations.

Up to 6,250 EPU's of waste tyres may be stored on a single premises for any purpose, provided that the requirements of Section B are complied with. Where a person proposes to store more than 6,250 EPU's the AMM does not apply and it will be necessary to obtain a *relevant authority* as defined in the Waste Management Regulations.

Persons storing waste tyres prior to one of the reuses specified in Section D must store them in accordance with the requirements of Section B, unless there is an individual approval with relevant conditions. The quantity of tyres stored in accordance with Section B of the AMM is in addition to any tyres that are being lawfully reused on the same premises. For example, a farmer using a quantity of tyres for silage production may store up to a further 6,250 EPU's of tyres for future reuse in silage production and any other lawful purpose, provided that the Section B requirements are complied with.

It should be noted that when tyres are reused they are no longer a waste, but they become a waste again if the reuse ceases. At that point of time the 'awaiting transportation' exclusion in regulation 6(5) will apply if it is intended to have them transported to another place.

2. General Storage Requirements

Waste tyres must be stored in accordance with the following requirements. Waste tyres stored either indoors or outdoors must be stored in accordance with all of the guidelines contained in version 03 of the Guidelines for Bulk Storage of Rubber Tyres published by Fire & Rescue NSW in 2014 as though all of those guidelines impose mandatory requirements.

- 2.2. For the purposes of this AMM, the requirements of the Guidelines for Bulk Storage of Rubber Tyres referred to in clause 2.1 of this Section apply to both new and existing storage of waste tyres within the State of Tasmania despite anything to the contrary in those Guidelines.
- 2.3. The tyres must be stored in a manner that minimises rainwater collection and animal, vermin and pest habitation in the tyres.
- 2.4. A tyre must not be stored for more than two years after the date it is deemed by this AMM to be a waste tyre, unless approved in writing by the Director.

It is very important that waste tyres are stored in a safe manner, either within a building or in the open. Correct storage will reduce risks to safety, human health and the environment. Incorrect storage will also create a significant financial risk for property owners and occupiers. Section B2 of the Waste Tyres AMM specifies storage requirements.

Up to 6,250 EPU's of tyres may be stored without individual approval, provided they are stored in accordance with the relevant requirements of the Guidelines for Bulk Storage of Rubber Tyres published by Fire & Rescue NSW in 2014⁷.

⁷ The Guidelines are linked to from the EPA website at the same location as this Companion Document. Alternatively they may be viewed on the NSW Fire & Rescue website at: <https://www.fire.nsw.gov.au>, or contact Fire & Rescue NSW on (02) 9265 2999. Note that the NSW Guidelines refer to quantities of tyres in tonnes, which may be converted to EPU's by multiplying by 125.

The NSW *Guidelines for Bulk Storage of Rubber Tyres* are aimed at reduction of fire risk. Tyre fires can result in direct injury and death, serious local air quality impacts, water pollution and soil contamination. It should also be noted that the disposal of tyres by deliberate burning would breach the provisions of the Waste Management Regulations and EMPCA, and enforcement action is likely where breaches are detected. It is unlikely that an individual approval of any type would be granted for disposal by combustion because of the difficulties of avoiding adverse impacts (except in controlled situations for energy recovery or other industrial purposes).

The tyres must also be stored in a manner that minimises rainwater collection and animal, vermin and pest habitation in the tyres. Tyres can harbour mosquitoes, rats and other species that present a human health risk and they may also provide an unwanted habitat for wildlife. Section C of the AMM specifies acceptable options for minimising rainwater collection and animal, vermin and pest habitation.

There is a permissible time limit of two years on storage to prevent the indefinite storage of waste tyres on a premises. This limits risks to safety, the environment and human health and ensures that tyres are either made available for reuse or recycling or disposed of appropriately. Nonetheless, a *relevant authority* as defined in the Waste Management Regulations may be sought if there is a particular reason to extend the storage period.

Where one of the storage exceptions in regulation 6(5) of the Waste Management Regulations applies (see the Introduction of this document), compliance with the requirements of the Waste Tyres AMM is not a legal requirement in terms of regulation 6(1) of the Regulations. Nonetheless, in order to reduce risks to safety, the environment and human health, and the likelihood of prosecution under other provisions of the Regulations and EMPCA, the responsible person would be well advised to follow the requirements of section B2 of the AMM.

The requirements of section B2 may also be a useful guide to regulatory authorities considering an application for an individual approval to store more than 6,250 EPU of waste tyres. The requirements could form the basis of conditions of the approval.

3. Washing Prior to Transport

3.1. Soil must be washed from waste tyres prior to transport for re-treading, recycling, reuse or disposal.

It is important that any soil is washed from tyres prior to transport to reduce the risk of spreading weeds or soil pathogens such as *Phytophthora cinnamoni*.

Section C: Protection from rainwater collection and animal, vermin and pest habitation

1. A requirement in this AMM to store or reuse waste tyres in a manner which reduces rainwater collection in the tyres to the greatest practicable extent will be taken to be fulfilled where one or more of the following measures is taken –
 - a) the tyres are covered with waterproof material, other than earthen material;
 - b) the tyres are filled with a waterproof material;
 - c) the tyres are positioned horizontally or at an angle of not more than 20 degrees to the horizontal; or
 - d) the tyres are stored or reused indoors.
2. A requirement in this AMM to store or reuse waste tyres in a manner which reduces animal, vermin and pest habitation in the tyres to the greatest practicable extent will be taken to be fulfilled where one or more of the following measures is taken –
 - a) the tyres are covered with material, other than earthen material, which cannot be penetrated by animals, vermin or pests;
 - b) the tyres are filled with a material which cannot be penetrated, or which discourages penetration, by animals, vermin and pests;
 - c) traps are set or poison is laid in the vicinity of the tyres in a manner that prevents habitation of the tyres by animals, vermin and pests;
 - d) the tyres are sprayed with a substance which discourages habitation in the tyres by animals, vermin and pests; or
 - e) if the tyres are stored or reused indoors, the building in which they are situated prevents the entry of animals, vermin and pests.

In Section C of the AMM various options are specified for meeting the requirement to protect tyres from rainwater collection and animal, vermin and pest habitation (e.g. in clauses B2.3 and D2.2). It should be noted that covering or filling the tyres with an earthen material (e.g. soil or clay) is unacceptable. Tyres may only be covered or filled with earthen material in the case of relevant reuses such as earthen walls (clause D5). Unnecessary covering or filling of tyres with earthen material may reduce their future recycling potential and creates a need to wash them prior to transport in accordance with clause B3.

Section D: Approved reuses

1. Introduction

1. Waste tyres must not be reused for any purpose other than those specified in this AMM or where approved or provided for in accordance with the Waste Management Regulations.

Clause 1 of section D is a 'doubt removal' clause, to make clear that only those reuses specified in clauses 2-8 are permissible under the AMM (they are the more common types of reuse and are considered to be environmentally acceptable, within limits). Where a person proposes another type of reuse it will be necessary to obtain a *relevant authority* as defined in the Waste Management Regulations.

2. Silage Production

- 2.1. Up to a maximum of 2,000 EPU's of waste tyres may be reused by a primary industry activity for the purpose of silage production.
- 2.2. Waste tyres reused for silage production must be reused in a manner that reduces rainwater collection and animal, vermin and pest habitation in the tyres to the greatest practicable extent.

Farmers sometimes produce silage by placing a large heap of grass on the ground, compacting it, covering it with plastic and then holding it down with waste tyres or tyre ring walls.

A maximum of 2,000 EPU's of tyres may be used for this purpose on any one property. Such a maximum is necessary in order to put a limit on fire risk. Where a farmer proposes to reuse a larger quantity (perhaps on a large property), it will be necessary to obtain a *relevant authority* as defined in the Waste Management Regulations.

As with external storage of waste tyres, tyres used for silage production must be reused in a manner that minimises rainwater collection and animal, vermin and pest habitation in the tyres. Limiting the fermentation period and removing the silage and tyres promptly after fermentation will reduce the need for special measures.

3. Crop Sowing

- 3.1. Up to a maximum of 100 EPU's of waste tyres may be reused by a primary industry activity as part of a smudge or roller used for the purpose of soil compaction.

Tyres may be reused, up to a maximum of 100 EPU's, in a roller or to weigh down a smudge towed by a tractor or other vehicle.

4. Barriers and Impact Protection

- 4.1. Up to a maximum of 5,000 EPU's of waste tyres may be reused for the purpose of barriers at a motor sport venue.
- 4.2. Up to a maximum of 500 EPU's of waste tyres may be reused for the purpose of barriers at an equestrian venue.
- 4.3. Up to a maximum of 500 EPU's of waste tyres may be reused for the purpose of stop-butts or barriers at a gun club, shooting range, archery club or the like.
- 4.4. Up to a maximum of 500 EPU's of waste tyres may be reused for the purpose of impact protection on a wharf or jetty.
- 4.5. Waste tyres reused for barriers or impact protection must be reused in a manner that reduces rainwater collection and animal, vermin and pest habitation in the tyres to the greatest practicable extent.

Waste tyres can be reused as effective barriers for human and property safety purposes. The more common reuses are permissible under clause 4 of section D of the Waste Tyres AMM. Limits are placed on the quantity of tyres in each case, to put a limit on fire risk.

Where a person proposes to reuse a larger quantity than that specified, or proposes a reuse other than the ones specified in clause 4, it will be necessary to obtain a *relevant authority* as defined in the Waste Management Regulations.

As with external storage of waste tyres, tyres reused for barriers and impact protection must be reused in a manner that minimises rainwater collection and animal, vermin and pest habitation in the tyres.

5. Earthen Walls

- 5.1. Up to a maximum of 500 EPU's of waste tyres may be reused in the construction of an earthen wall, including a dam wall, in any one application.
- 5.2. Waste tyres reused for this purpose must –
 - a) be filled with an inert material such as sand, loam, soil or gravel; and
 - b) be completely covered with an inert material.
- 5.3. This reuse does not include the use of waste tyres for the purpose of soil stabilisation or erosion prevention or reduction.

Waste tyres are sometimes utilised to reinforce an earthen wall. The Waste Tyres AMM permits this, as long as the tyres are completely filled and covered with a suitable inert material. If they are not so filled and covered then a structural problem may arise within the wall. Any exposed and unfilled or partially filled tyres may also harbour animals, vermin or pests.

It should be noted that dam walls above a certain size require safety approval under the *Water Management Act 1999*. The AMM places a 500 EPU limit on the quantity of tyres that may be reused in any one earthen wall application, to prompt persons to consider the need for dam safety approval where relevant. If more than 500 EPU's are to be reused it will be necessary in any case to obtain a *relevant authority* as defined in the Waste Management Regulations.

This permitted reuse does not include the use of waste tyres for the purpose of soil stabilisation or erosion prevention or reduction. Use of tyres this way has not been particularly successful in the past, as they can become loosened by water and wind action in areas where erosion control is typically required, and become unsightly or pollute water ways.

6. Land Reclamation

- 6.1. Up to a maximum of 500 EPU's of waste tyres may be reused for land reclamation in any one application.
- 6.2. Waste tyres reused for this purpose must –
 - a) be filled with an inert material such as sand, loam, soil or gravel;
 - b) be completely covered with an inert material; and
 - c) not be immersed in water.
- 6.3. This reuse does not include the use of waste tyres for the purpose of soil stabilisation or erosion prevention or reduction.

Waste tyres are sometimes utilised to assist in land reclamation. The Waste Tyres AMM permits this, as long as the tyres are completely filled and covered with a suitable inert material. If they are not completely filled there may be subsidence of the reclaimed land. Complete covering of tyres is necessary as any exposed tyres may be unsightly and may also harbour vermin or pests. Tyres must not be immersed in water as they may pollute the water over a long period.

Again, such a reuse is not intended for soil stabilisation or erosion prevention or reduction. Tyres must be used in areas not subject to soil instability or erosion.

If a person proposes to reuse more than 500 EPU's in any one application it will be necessary to obtain a *relevant authority* as defined in the Waste Management Regulations.

7. Mines

- 7.1. For the purposes of this approved reuse, "mining lease" has the same meaning as in the Mineral Resources Development Act 1995.
- 7.2. Up to a maximum of 5,000 EPU's may be reused on a mining lease for the following purposes –
 - a) a stockpile containment or barrier;
 - b) a delineation structure;
 - c) a heavy vehicle road barrier; or
 - d) heavy vehicle impact protection.
- 7.3. Waste tyres reused in accordance with clause 7.2 of this Section must be reused in a manner that reduces rainwater collection and animal, vermin and pest habitation in the tyres to the greatest practicable extent.

Waste tyres have various uses at mine sites, which are permitted under Section D7 of the AMM, subject to reuse in a manner that minimises rainwater collection and animal, vermin and pest habitation in the tyres.

A maximum of 5,000 EPU's of tyres may be reused for these purposes on any one mining lease. Such a maximum is necessary in order to put a limit on fire risk. Where a mine operator proposes to reuse a larger quantity (perhaps at a very large mine), it will be necessary to obtain a *relevant authority* as defined in the Waste Management Regulations.

8. Miscellaneous Small-Scale Reuse

- 8.1. Up to a maximum of 50 EPU's of waste tyres may be reused on any one premises for decorative, ornamental, gardening or recreational purposes.
- 8.2. Waste tyres reused for decorative, ornamental, gardening or recreational purposes must not be fixed to a fence on a property boundary or located in contact with such a fence.

Waste tyres may be utilised for a variety of decorative, ornamental, gardening or recreational purposes, subject to any relevant land use planning requirements. For fire safety reasons, tyres must not be fixed to fence on a property boundary or located in contact with such a fence.

There is no requirement that tyres reused for these purposes are to be reused in a manner that minimises rainwater collection and animal, vermin and pest habitation in the tyres, because the maximum permissible quantity is quite small and the risk is therefore small. The risk should be noted nonetheless, and one or more of the measures specified in Section C of the AMM should be taken.

This reuse applies to non-residential premises only – commercial, industrial, community, sporting and others. Reuse of waste tyres on residential premises, for normal domestic purposes, is permitted in accordance with the exception in regulation 6(5) of the Waste Management Regulations.

If a person proposes to reuse more than 50 EPU's of waste tyres for decorative, ornamental, gardening or recreational purposes on any one non-residential premises it will be necessary to obtain a *relevant authority* as defined in the Waste Management Regulations.

Appendix A – Approved Management Method

Approval

This management method has been approved by the Director, Environment Protection Authority in accordance with regulation 10(1) of the *Environmental Management and Pollution Control (Waste Management) Regulations 2010*.

Date of Commencement

This management method takes effect on the date on which notice of its approval is published in the Tasmanian Government Gazette.

Interpretation

1. Definition of terms

In this AMM –

AMM means approved management method;

Director means the Director, Environment Protection Authority appointed in accordance with section 18 of the *Environmental Management and Pollution Control Act 1994*;

indoors means within a building which is enclosed on all sides and which has a roof;

landfill means a waste depot used for the purpose of disposing of waste to land by depositing or burial;

motor vehicle means a vehicle that is built to be propelled by a motor that forms part of the vehicle;

primary industry activity has the same meaning as in the *Primary Industry Activities Protection Act 1995*;

recycle means to process a waste tyre to recover its constituent materials and to use those materials to produce new tyres, other products or energy;

re-tread means to fit a new tread to a waste tyre such that it may be reused for its original purpose;

reuse means to use a waste tyre for a different purpose to the original purpose without subjecting the tyre to a manufacturing process that would change its physical appearance;

trailer means a vehicle that is built to be towed, or is towed, by a motor vehicle;

tyre means a vulcanised rubber product designed to be fitted to a wheel on a motor vehicle or a trailer, and includes a waste tyre which has been re-treaded;

Waste Management Regulations means the *Environmental Management and Pollution Control (Waste Management) Regulations 2010*;

waste tyre means a tyre that cannot be used for its original purpose unless it is re-treaded.

2. Equivalent passenger unit

2.1 In this AMM –

equivalent passenger unit (EPU) means the quantity of constituent materials contained in a light passenger vehicle tyre, and is taken to be 8 kilograms of such materials in the case of a waste tyre.

2.2 Schedule 1 of this AMM specifies EPUs which apply for the purposes of the AMM for different types of tyre.

Requirements for management of the waste

Section A: Care of waste tyres

1. A person must not cut or otherwise alter a waste tyre, in a manner that would prevent re-treading or reuse of the tyre, except –
 - a) where necessary for the purposes of an approved reuse as provided for in Section D of these requirements;
 - b) as a process preliminary to recycling or landfill burial;
 - c) to ensure that a tyre that is unfit for reuse on a motor vehicle is not used on a motor vehicle; or
 - d) where approved or provided for in accordance with the Waste Management Regulations.

Section B: Storage of waste types

1. Storage limit

- 1.1. Except where approved or provided for in accordance with the Waste Management Regulations, no more than 6,250 EPU's of waste tyres may be stored on any premises.
- 1.2. The quantity of tyres stored in accordance with this Section is in addition to any tyres that are being reused on the same premises in accordance with this AMM or under a current approval in accordance with the Waste Management Regulations.

2. General storage requirements

- 2.1. Waste tyres must be stored in accordance with the following requirements:
- 2.2. Waste tyres stored either indoors or outdoors must be stored in accordance with all of the guidelines contained in version 03 of the Guidelines for Bulk Storage of Rubber Tyres published by Fire & Rescue NSW in 2014 as though all of those guidelines impose mandatory requirements.
- 2.3. For the purposes of this AMM, the requirements of the Guidelines for Bulk Storage of Rubber Tyres referred to in clause 2.1 of this Section apply to both new and existing storage of waste tyres within the State of Tasmania despite anything to the contrary in those Guidelines.
- 2.4. Tyres must be stored in a manner that reduces rainwater collection and animal, vermin and pest habitation in the tyres to the greatest practicable extent.
- 2.5. A tyre must not be stored for more than two years after the date it is deemed by this AMM to be a waste tyre, unless approved in writing by the Director.

3. Washing prior to transport

- 3.1. Soil must be washed from waste tyres prior to transport for re-treading, recycling, reuse or disposal.

Section C: Protection from rainwater collection and animal, vermin and pest habitation

1. A requirement in this AMM to store or reuse waste tyres in a manner which reduces rainwater collection in the tyres to the greatest practicable extent will be taken to be fulfilled where one or more of the following measures is taken –
 - a) the tyres are covered with waterproof material, other than earthen material;
 - b) the tyres are filled with a waterproof material;
 - c) the tyres are positioned horizontally or at an angle of not more than 20 degrees to the horizontal;
or
 - d) the tyres are stored or reused indoors.
2. A requirement in this AMM to store or reuse waste tyres in a manner which reduces animal, vermin and pest habitation in the tyres to the greatest practicable extent will be taken to be fulfilled where one or more of the following measures is taken –
 - a) the tyres are covered with material, other than earthen material, which cannot be penetrated by animals, vermin or pests;
 - b) the tyres are filled with a material which cannot be penetrated, or which discourages penetration, by animals, vermin and pests;
 - c) traps are set or poison is laid in the vicinity of the tyres in a manner that prevents habitation of the tyres by animals, vermin and pests;
 - d) the tyres are sprayed with a substance which discourages habitation in the tyres by animals, vermin and pests; or
 - e) if the tyres are stored or reused indoors, the building in which they are situated prevents the entry of animals, vermin and pests.

Section D: Approved reuse of waste tyres

1. Waste tyres must not be reused for any purpose other than those specified in this AMM or where approved or provided for in accordance with the Waste Management Regulations.
2. **Silage production**
 - 2.1. Up to a maximum of 2,000 EPU's of waste tyres may be reused by a primary industry activity for the purpose of silage production.
 - 2.2. Waste tyres reused for silage production must be reused in a manner that reduces rainwater collection and animal, vermin and pest habitation in the tyres to the greatest practicable extent.
3. **Crop sowing**
 - 3.1. Up to a maximum of 100 EPU's of waste tyres may be reused by a primary industry activity as part of a smudge or roller used for the purpose of soil compaction.
4. **Barriers and impact protection**
 - 4.1. Up to a maximum of 5,000 EPU's of waste tyres may be reused for the purpose of barriers at a motor sport venue.
 - 4.2. Up to a maximum of 500 EPU's of waste tyres may be reused for the purpose of barriers at an equestrian venue.
 - 4.3. Up to a maximum of 500 EPU's of waste tyres may be reused for the purpose of stop-butts or barriers at a gun club, shooting range, archery club or the like.
 - 4.4. Up to a maximum of 500 EPU's of waste tyres may be reused for the purpose of impact protection on a wharf or jetty.

4.5. Waste tyres reused for barriers or impact protection must be reused in a manner that reduces rainwater collection and animal, vermin and pest habitation in the tyres to the greatest practicable extent.

5. Earthen Walls

5.1. Up to a maximum of 500 EPU's of waste tyres may be reused in the construction of an earthen wall, including a dam wall, in any one application.

5.2. Waste tyres reused for this purpose must –

- a) be filled with an inert material such as sand, loam, soil or gravel; and
- b) be completely covered with an inert material.

5.3. This reuse does not include the use of waste tyres for the purpose of soil stabilisation or erosion prevention or reduction.

6. Land reclamation

6.1. Up to a maximum of 500 EPU's of waste tyres may be reused for land reclamation in any one application.

6.2. Waste tyres reused for this purpose must –

- a) be filled with an inert material such as sand, loam, soil or gravel;
- b) be completely covered with an inert material; and
- c) not be immersed in water.

6.3. This reuse does not include the use of waste tyres for the purpose of soil stabilisation or erosion prevention or reduction.

7. Mines

7.1. For the purposes of this approved reuse, "mining lease" has the same meaning as in the *Mineral Resources Development Act 1995*.

7.2. Up to a maximum of 5,000 EPU's of waste tyres may be reused on a mining lease for the following purposes –

- a) a stockpile containment or barrier;
- b) a delineation structure;
- c) a heavy vehicle road barrier; or
- d) heavy vehicle impact protection.

7.3. Waste tyres reused in accordance with clause 7.2 of this Section must be reused in a manner that reduces rainwater collection and animal, vermin and pest habitation in the tyres to the greatest practicable extent.

8. Miscellaneous small-scale reuse

8.1. Up to a maximum of 50 EPU's of waste tyres may be reused on any one premises for decorative, ornamental, gardening or recreational purposes.

8.2. Waste tyres reused outdoors for decorative, ornamental, gardening or recreational purposes must not be fixed to a fence on a property boundary or located in contact with such a fence.

Schedule I – Equivalent Passenger Units

Type of tyre	EPU's
Motorcycle	0.5
Passenger car	1
Light truck	2
Truck	5
Super Single	10
Solid small (up to 0.3m high)	3
Solid medium (>0.3m up to 0.45m)	5
Solid large (>0.45 m up to 0.6m)	7
Solid extra large (> 0.6m)	9
Tractor small (up to 1m high)	15
Tractor large (> 1m up to 2m)	25
Fork lift small (up to 0.3m high)	2
Fork lift medium (>0.3m up to 0.45m)	4
Fork lift large (>0.45m up to 0.6m)	6
Grader	15
Earth mover small (up to 1m high)	20
Earth mover medium (>1m up to 1.5m)	50
Earth mover large (>1.5 up to 2m)	100
Earthmover extra large (>2m up to 3.0m)	200
Earthmover giant (>3 up to 4m)	400
Bobcat	2



ENVIRONMENT PROTECTION AUTHORITY