



# Guideline

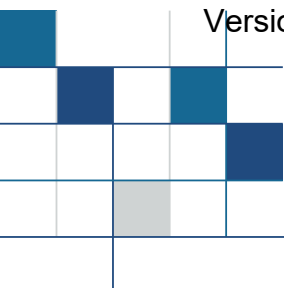
## Category 35 Asphalt manufacturing and 61A Reclaimed/Recycled asphalt pavement (RAP): Standardised Approvals Pathway

Activities regulated under the:

- *Environmental Protection Act 1986*
- *Environmental Protection Regulations 1987*

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# 1. Purpose

This guideline (the Guideline) outlines the Department of Water and Environmental Regulation's (the Department) Standardised Approvals Pathway for a combined Category 35 – asphalt manufacturing and Category 61A – solid waste facility premises under Schedule 1 to the *Environmental Protection Regulations 1987* (EP Regulations).

This pathway provides a standardised assessment process for certain prescribed premises categories under Part V, Division 3 of the *Environmental Protection Act 1986* (EP Act) that meet defined eligibility criteria and present a low risk to human and environmental receptors.

The Guideline outlines:

- the eligibility criteria for this category's Standardised Approvals Pathway;
- the information required to establish eligibility for this Standardised Approvals Pathway;
- the risk assessment conducted for this category's Standardised Approval; and
- the regulatory controls applied to this category's Standardised Approval for works approvals and licences.

# 2. Scope

The Guideline applies to works approval and licence applications for premises as prescribed under Category 35 and 61A of Schedule 1 to the EP Regulations that meet specific eligibility criteria outlined in Section 6 of the Guideline.

It does not apply to:

- combined Category 35 and 61A applications that do not meet the eligibility criteria; or
- applications for other categories listed under Schedule 1 to the EP Regulations.

Specific guidance is available for other prescribed premises categories that have a Standardised Approvals Pathway. See the Department's [Standardised Approvals Pathway](#) page for further information.

Where a Standardised Approvals Pathway is not available for a prescribed premises category, the general assessment pathway must be used. See the Department's '[Licence and works approval applications](#)' page for further information on how these applications are processed.

# 3. Context

Guidelines provide direction on how the Department interprets and applies the legislation it administers.

Guidelines are not mandatory considerations. Their purpose is to assist applicants to provide information in the best possible manner to ensure the efficient assessment of

applications. Applications that do not align with the appropriate guidelines may result in protracted assessment timeframes and, if the information provided is not sufficient for the Department to complete an assessment, the application may be declined or refused.

The Guideline should be read in conjunction with other relevant Department policies, guidelines and procedures available on the Department's website (see *Related documents* section for links), in particular the following:

- *Guideline: Industry Regulation Guide to Licensing* – outlines the legal requirements for occupiers of prescribed premises under the EP Act.
- *Guideline: Risk assessments* – outlines the Department's risk-based approach to assessing Part V applications.
- *Procedure: Prescribed premises works approvals and licences* – details the stages of assessment and timeframes for Part V applications.

## 4. Legislation

In completing the risk assessment for this category, the Department has applied its regulatory framework and relevant policy documents that are available on the Department's website at [DWER Regulatory documents | Western Australian Government](#).

Works approval and licence holders remain bound by the provisions of existing written laws, including the EP Act and its subsidiary regulations. In relation to combined Category 35 and 61A, the following legislation is of particular relevance:

- *Environmental Protection Regulations 1987*
- *Environmental Protection (Noise) Regulations 1997*
- *Environmental Protection (Controlled Waste) Regulations 2004*
- *Contaminated Sites Act 2003*
- *Contaminated Sites Regulations 2006*
- *Environmental Protection (Unauthorised Discharges) Regulations 2004*
- *Environmental Protection (Environmentally Sensitive Areas) Notice 2005*.

## 5. Risk assessment

Risk assessments for this category's Standardised Approval works approval and licence have been completed, in accordance with the Department's regulatory framework and [Guideline: Risk Assessments](#).

The Standardised Approvals Pathway uses activity criteria and siting criteria to minimise or eliminate the likelihood and consequence of a risk event occurring. The activity criteria influence the source, type and quantity of emissions and/or discharges from an activity. The siting criteria ensure that sensitive receptors are located at a distance far enough away from the source of the emissions and/or discharges that the risk of these emissions and/or discharges is minimised or eliminated.

Regulatory controls further mitigate any potential risks that may not have been adequately addressed through applying the activity and siting criteria. These controls include proportionate works approval and licence conditions and may include conditions designed to convert the eligibility criteria into legal requirements. Regulatory controls are determined and applied in accordance with the Department's [Guidance Statement: Setting Conditions](#). In addition, works approval and licence holders remain bound by the provisions of other written laws, including the EP Act and its subsidiary regulations.

The risk assessments completed for this category's Standardised Approval works approval and licence are detailed in their respective decision statements (Appendix B and Appendix D). The regulatory controls that have been applied are included in the Standardised Approvals works approval and licence (Appendix C and Appendix E).

## 6. Eligibility criteria

This Standardised Approvals Pathway applies to applications to construct and/or operate:

- premises<sup>1</sup> on which hot or cold mix asphalt is produced using crushed or ground rock aggregates mixed with bituminous or asphaltic materials for use at places or premises other than those premises;
- where Reclaimed/Recycled Asphalt Pavement (RAP) is stored for use in the asphalt manufacturing process; and
- that meet both the activity and siting criteria outlined below.

### 6.1 Activity criteria

The activity criteria for this category's Standardised Approval were developed to target smaller, lower risk asphalt manufacturing premises, which use newer equipment with cleaner technology.

The proposed activity must meet the criteria specified in Table 1.

**Table 1: Activity criteria**

| Factor                         | Criteria                                                                                                                                                                                                                                                                                                                                                                                                 |
|--------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Authorised production capacity | <p>The quantity of asphalt manufactured at the premises must be 50,000 tonnes per annual period or less.</p> <p>The production capacity of asphalt manufacturing equipment and infrastructure must be 50 tonnes per hour or less.</p> <p>The maximum quantity of RAP (which has been produced on other premises) that can be stored, or discharged onto land, must not exceed 5,000 tonnes per year.</p> |

<sup>1</sup> Premises means residential, industrial or other premises of any kind whatsoever and includes land, water and equipment (s. 3(1) EP Act).

| Factor                              | Criteria                                                                                                                                                                         |
|-------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Authorised plant                    | Asphalt manufacturing equipment and infrastructure must have been manufactured on or after 1 <sup>st</sup> July 2016.                                                            |
| Authorised process (material) types | Asphalt manufacturing can incorporate crushed and ground rock aggregates, as well as bituminous and asphaltic materials including RAP. RAP must not be crushed or ground onsite. |

A Standardised Approval works approval/licence does not provide any authorisation for the clearing of native vegetation. The clearing of native vegetation requires a clearing permit under the EP Act, unless an exemption applies.

## 6.2 Siting criteria

The siting criteria for this category's Standardised Approval were developed to ensure there are sufficient separation distances between the activity and sensitive receptors. These distances were derived from:

- [Separation Distances between Industrial and Sensitive Land Uses \(GS 3\) | EPA Western Australia](#); and
- other relevant guidelines published by the Department.

The proposed activity must meet all the siting criteria specified in Tables 2, 3 and 4 below.

### How to measure separation distance:

Separation distances are measured from the 'activity boundary' within the prescribed premises boundary, rather than the premises boundary itself. The [Guideline - Odour emissions](#) provides guidance on how to establish an activity boundary.

The [Standardised Approvals Pathway geographic information system \(GIS\) tool](#) has been developed to assist applicants in undertaking proximity analysis to assess whether the location of the proposed activity meets the applicable siting criteria.

### Human receptors:

Land uses considered to be potentially sensitive to emissions from industry and infrastructure include residential developments, hospitals, hotels, motels, hostels, caravan parks, schools, nursing homes, childcare facilities, shopping centres, playgrounds, and some public buildings. Some commercial, institutional and industrial land uses which require high levels of amenity or are sensitive to particular emissions may also be considered "sensitive land uses". Examples include some retail outlets, offices and training centres, and some types of storage and manufacturing facilities.

**Table 2: Siting criteria – human receptors**

| Human receptors                                                                                                       |                                                                                                                                                                                                          |                                                   |
|-----------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------|
| Potential receptor and considerations                                                                                 | Criteria                                                                                                                                                                                                 | Reference <sup>2</sup>                            |
| Land uses                                                                                                             | The activity must comply with Local Government Authorities planning approvals and land use zoning under the <a href="#">Planning and Development Act 2005</a> , and associated regulations and policies. | <a href="#">Planning and Development Act 2005</a> |
| Human receptors – non-industrial land uses                                                                            | Activities must not be located within 1,000 m                                                                                                                                                            | Visual inspection                                 |
|                                                                                                                       | <b>Noise emissions:</b><br>≥1,000 m separation during daytime (7 am–7 pm)<br>≥2,500 m separation during nighttime (7 pm–7 am)                                                                            | N/A                                               |
| Registered Aboriginal sites as defined in the <a href="#">Aboriginal Heritage Act 1972</a>                            | Activities must not be carried out within 50 m of the specified area                                                                                                                                     | <a href="#">DPLH-099</a>                          |
| Lodged Aboriginal heritage places recorded in the <a href="#">Aboriginal Cultural Heritage Inquiry System (ACHIS)</a> |                                                                                                                                                                                                          | <a href="#">DPLH-100</a>                          |

## Environmental receptors:

There are potential receptors in the surrounding environment, which may include areas of high conservation value and special significance (specified ecosystems). These ecosystems may be affected by emissions and discharges from prescribed premises.

**Table 3: Siting criteria – Environmental receptors**

| Environmental receptors <sup>3</sup>    |                                             |                          |
|-----------------------------------------|---------------------------------------------|--------------------------|
| Potential receptor and considerations   | Criteria                                    | Reference                |
| Ramsar Wetlands                         | Activities must not be located within 500 m | <a href="#">DBCA-010</a> |
| Important Wetlands in Western Australia |                                             | <a href="#">DBCA-045</a> |

<sup>2</sup> Unless stated otherwise, listed datasets may be accessed via the Data WA website (Data WA). Note that some datasets listed are managed by other government departments or agencies. All datasets change over time; applicants should ensure that they are always referring to the most up to date information.

<sup>3</sup> This includes the surrounding environment, which may include areas of high conservation value and special significance (specified ecosystems). These ecosystems may be affected by activities within, or emissions and discharges from, prescribed premises.

|                                                                                                                                                                                                          |                                                              |                                                                                                                                          |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------|
| South Coast Significant Wetlands                                                                                                                                                                         |                                                              | <a href="#">DBCA-018</a>                                                                                                                 |
| Geomorphic Wetlands – Swan Coastal Plain<br><i>[Management category: “Conservation” and “Resource enhancement” only]</i>                                                                                 |                                                              | <a href="#">DBCA-019</a>                                                                                                                 |
| Geomorphic Wetlands Cervantes South<br>Geomorphic Wetlands Cervantes Coastal<br>Geomorphic Wetlands Cervantes Eneabba<br>Geomorphic Wetlands Darkan Duranillin<br>Geomorphic Wetlands Augusta to Walpole | Activities must not be located within 250 m                  | <a href="#">DBCA-013</a><br><a href="#">DBCA-014</a><br><a href="#">DBCA-015</a><br><a href="#">DBCA-016</a><br><a href="#">DBCA-017</a> |
| Geomorphic Wetlands South West<br>Walpole Wilderness Peat Wetlands<br>Geomorphic Wetlands Leeuwin Naturaliste Ridge and Donnybrook to Nannup<br>Geomorphic Wetlands Manjimup to Northcliffe              |                                                              | <a href="#">DBCA-040</a><br><a href="#">DBCA-042</a><br><a href="#">DBCA-043</a><br><br><a href="#">DBCA-044</a>                         |
| Surface waters (i.e. major and minor drainage lines, salt lakes, lakes, other wetlands)                                                                                                                  | Activities must not be located within 100 m                  | <a href="#">DWER-031</a>                                                                                                                 |
| 1 in 100-year flood way or flood fringe                                                                                                                                                                  | Activities must not be carried out within the specified area | <a href="#">DWER-014 or DWER-015</a>                                                                                                     |
| Other Environmentally Sensitive Areas, as listed in the <a href="#">Environmental Protection (Environmentally Sensitive Areas) Notice 2005</a>                                                           |                                                              | <a href="#">DWER-046</a>                                                                                                                 |

|                                                                                                                                                                                               |                                             |                                                      |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------|------------------------------------------------------|
| Public Drinking Water Source Areas proclaimed under the <a href="#">Metropolitan Water Supply, Sewerage, and Drainage Act 1909</a> or the <a href="#">Country Areas Water Supply Act 1947</a> |                                             | <a href="#">DWER-033</a>                             |
| Priority Ecological Communities                                                                                                                                                               | Activities must not be located within 100 m | <a href="#">Priority Ecological Communities list</a> |
| State managed parks (lands and waters)                                                                                                                                                        |                                             | <a href="#">DBCA-011</a>                             |
| Western Swamp Tortoise Habitat                                                                                                                                                                | Activities must not be located within 500 m | <a href="#">Western Swamp Tortoise Habitat</a>       |
| Peel Inlet – Harvey Estuary                                                                                                                                                                   |                                             | <a href="#">Peel Inlet – Harvey Estuary</a>          |

## Other considerations:

Table 4: Siting criteria – other considerations

| Other Considerations                                                                                                |                                                              |                          |
|---------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------|--------------------------|
| Potential receptor and considerations                                                                               | Criteria                                                     | Reference                |
| A site listed on the Contaminated Sites Database maintained under the <a href="#">Contaminated Sites Act 2003</a> . | Activities must not be carried out within the specified area | <a href="#">DWER-059</a> |

## 7. Self-assessment and information requirements

Before applying for a Standardised Approval for this category, applicants must complete a *combined Category 35 and 61A Standardised Approval Eligibility Checklist* (Appendix A) to confirm they are eligible for the Standardised Approvals Pathway. This form outlines the information that the Department requires to confirm eligibility.

The completed checklist and supporting information must accompany the application form when applying for a Standardised Approval. The supporting information must be sufficient to allow the Department to make a reasonable decision.

## 8. Other approvals

Applicants are responsible for identifying and obtaining all other required approvals, permits and authorisations, and for implementing any necessary management measures (for example, Local Government approvals and/or Department of Health approvals).

## 9. Consultation

In accordance with sections 54(2a) and 57(2a) of the EP Act, applications that have been accepted and found eligible for the Standardised Approvals Pathway are advertised on the Department's website. The works approval application is advertised for 14 calendar days. The licence application is advertised for 7 calendar days. This timeframe may vary on a case-by-case basis. The advertising period will be specified on the advert.

In accordance with sections 54(2)(b) and 57(2)(b) of the EP Act, if an application for a works approval or licence is received by the Department and that application complies with section 54 or section 57 (as applicable), the CEO of the Department must seek comments on that application from any public authority or person having a direct interest in the subject matter of that application.

The Department will consider all comments received when determining whether to grant a Standardised Approval works approval or licence. The Department may direct the application to the general assessment pathway where information becomes available that indicates the Standardised Approvals Pathway is no longer appropriate for the application. Once the Department determines to grant a Standardised Approval works approval or licence, a copy of the granted instrument will be published on the Department's website.

The appeal provisions in section 102 of the EP Act apply to all Standardised Approval decisions.

## 10. Approvals documents

A Standardised Approval is granted based on:

- information available at the time of the decision
- the assessment of risk informed by the eligibility criteria that include requirements on activity type, production capacity and siting
- the declaration made by the applicant in their application that they meet the eligibility criteria and will comply with the conditions of the Standardised Approval.

The Department will seek to ensure the Standardised Approval risk assessment and associated documents remain fit for purpose. The Department will take action where:

- new information relevant to the decision-making process becomes available
- information submitted within an application and/or compliance documents are found to be false or misleading
- the approval holder is found not to comply with the conditions of the Standardised Approval works approval or licence.

If the Department determines to grant a Standardised Approval, the relevant Standardised Approval instrument and associated decision statement will be issued. Templates of these documents include:

- Combined Category 35 and 61A Standardised Approval works approval - Decision statement (Appendix B)
- Combined Category 35 and 61A Standardised Approval works approval (Appendix C)
- Combined Category 35 and 61A Standardised Approval licence - Decision statement (Appendix D)
- Combined Category 35 and 61A Standardised Approval licence (Appendix E).

## Document implementation

The Guideline comes into effect on the day it is published. Applications received after publication will be assessed in accordance with the information contained herein.

## Related documents

| Document title / Link                                                                      |
|--------------------------------------------------------------------------------------------|
| <a href="#">Guideline: Industry Regulation Guide to Licensing</a>                          |
| <a href="#">Guideline: Risk Assessment</a>                                                 |
| <a href="#">Procedure: Prescribed premises works approvals and licences</a>                |
| <a href="#">Separation Distances between Industrial and Sensitive Land Uses (EPA 2005)</a> |
| <a href="#">Guideline - Odour emissions</a>                                                |
| <a href="#">Guideline – Setting Conditions</a>                                             |
| <a href="#">Environmental Protection Regulations 1987</a>                                  |
| <a href="#">Environmental Protection (Noise Regulations) 1997</a>                          |
| <a href="#">Environmental Protection (Controlled Waste) Regulations 2004</a>               |
| <a href="#">Contaminated Sites Act 2003</a>                                                |
| <a href="#">Contaminated Sites Regulations 2006</a>                                        |
| <a href="#">Environmental Protection (Unauthorised Discharges) Regulations 2004</a>        |
| <a href="#">Environmental Protection (Environmentally Sensitive Areas) Notice 2005</a>     |

# Custodian and review

The currency of this document will be continuously evaluated, and the document will be updated as required.

**Document details**

|                        |                          |
|------------------------|--------------------------|
| Lead group (custodian) | Statewide Delivery       |
| Current version        | Version 1.0, August 2026 |
| Previous versions      | -                        |
| Corporate file number  | DWERDT1347677            |

# Glossary

| Term                  | Definition                                                                                                                                                                                                                                                                                |
|-----------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| aggregate             | refers to the granular materials such as sand, gravel and crushed stone used in the asphalt manufacturing process.                                                                                                                                                                        |
| annual period         | means a 12 month period commencing from [day month] until [day month] of the immediately following year.                                                                                                                                                                                  |
| CEO                   | means Chief Executive Officer.<br>“submit to / notify the CEO” (or similar), means:<br>Director General<br>Department administering the <i>Environmental Protection Act 1986</i><br>Locked Bag 10<br>Joondalup DC WA 6919<br><a href="mailto:info@dwer.wa.gov.au">info@dwer.wa.gov.au</a> |
| condition             | means a restriction or limitation as stated and applied under a works approvals or licence.                                                                                                                                                                                               |
| Department;<br>DWER   | means the Department established under section 35 of the <i>Public Sector Management Act 1994</i> and designated as responsible for the administration of the <i>Environmental Protection Act 1986</i> .                                                                                  |
| discharge             | has the same meaning given to that term under section 3(1) of the EP Act.                                                                                                                                                                                                                 |
| eligibility criteria  | means the activity and siting criteria, the applicant must demonstrate they meet to qualify for assessment under the Standardised Approvals Pathway.                                                                                                                                      |
| emission              | has the same meaning given to that term under section 3(1) of the EP Act.                                                                                                                                                                                                                 |
| EP Act                | means the Environmental Protection Act 1986 (WA).                                                                                                                                                                                                                                         |
| EP Regulations        | means the Environmental Protection Regulations 1987 (WA).                                                                                                                                                                                                                                 |
| instrument            | means the works approval, licence or registration for prescribed premises.                                                                                                                                                                                                                |
| licence               | means a licence granted and in force under Part V Division 3 of the EP Act.                                                                                                                                                                                                               |
| prescribed premises   | has the same meaning given to that term under the EP Act, being the premises specified in Schedule 1 to the EP Regulations.                                                                                                                                                               |
| RAP                   | means Reclaimed/Recycled Asphalt Pavement                                                                                                                                                                                                                                                 |
| Standardised Approval | means this pathway provides a standardised assessment process for certain prescribed premises categories that meet defined eligibility criteria and present a low risk to human and environmental receptors.                                                                              |

|                |                                                                      |
|----------------|----------------------------------------------------------------------|
| works approval | means a works approval granted and in force under Part V Division 3. |
|----------------|----------------------------------------------------------------------|

## Appendix A: Combined Category 35 and 61A Standardised Approval - Eligibility Checklist

[SAP-IR-F-35+61A Eligibility Checklist.docx](#)

## Appendix B: Combined Category 35 and 61A Standardised Approval works approval - Decision statement

[SAP-IR-WDS-35+61A - Works Approval Decision Statement.docx](#)

## Appendix C: Combined Category 35 and 61A Standardised Approval works approval template

[SAP-IR-WI-35+61A - Works Approval Instrument.docx](#)

## Appendix D: Combined Category 35 and 61A Standardised Approval licence - Decision statement

[SAP-IR-LDS-35+61A - Licence Decision Statement.docx](#)

## Appendix E: Combined Category 35 and 61A Standardised Approval licence template

[SAP-IR-LI-35+61A - Licence Instrument.docx](#)