



Category 35 and 61A Standardised Approval

Application for Works approval

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

Works approval number Instrument number

Applicant Name

ACN ACN *(delete this row if ACN not applicable)*

Application Number APP-XXXX/XXXXXX

Premises Name of premises
Street address
Legal description
Part of/Lot XXX on Deposited Plan XXXXX
Certificate of Title Volume XXXX Folio XX
As defined by the coordinates in Schedule 1 of the works approval
As defined by the [premises maps] attached to the issued works approval

Date of report DD Month 20YY

Decision Works approval draft.

Table of Contents

1. Decision summary	2
2. Scope of assessment	2
2.1 Regulatory framework	2
2.2 Prescribed premises category	2
2.3 Eligibility criteria.....	3
3. Risk assessment.....	7
4. Consultation.....	11
5. Decision.....	11
References	11
Attachment 1: Definitions	12

1. Decision summary

This decision statement details the assessment of potential risks to the environment and public health from emissions and discharges during the construction and operation of a Category 35 and 61A prescribed premises that has been assessed through the Standardised Approval pathway. Category 61A relates to the acceptance, storage and use of reclaimed/recycled asphalt pavement (RAP) in the manufacture of asphalt.

As a result of this assessment the delegated officer has granted a Category 35 and 61A Standardised Approval works approval.

2. Scope of assessment

2.1 Regulatory framework

The Department has pre-determined eligibility criteria applicable to a Standardised Approval works approval by applying its regulatory framework and relevant policy documents, which are available on the Department's website at [DWER Regulatory documents | Western Australian Government](#). These criteria are detailed in the [Guideline: Category 35 Asphalt manufacturing and 61A Reclaimed/Recycled asphalt pavement Standardised Approval Pathway](#).

To be eligible for the Standardised Approvals pathway, an application for a Standardised Approval works approval must meet all the eligibility criteria for that prescribed premises category.

In conducting the assessment detailed in this decision statement, the delegated officer has reviewed the application against the eligibility criteria and, where the application complies, has granted a Standardised Approval works approval.

2.2 Prescribed premises category

This decision statement relates to the prescribed premises categories detailed in Table 1, as per Schedule 1 of the *Environmental Protection Regulations 1987* (EP Regulations).

Table 1: Prescribed premises category

Category	Category description	Production or design capacity
35	Asphalt manufacturing: premises 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.	Not applicable
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	1,000 tonnes or more per annual period

2.3 Eligibility criteria

To be eligible for a Category 35 and 61A Standardised Approval **all** activity criteria and siting criteria must be met.

Activity criteria

The activity criteria for a Category 35 and 61A Standardised Approval are summarised in Table 2.

Table 2: Activity criteria

Factor	Criteria
Authorised production capacity	The quantity of asphalt manufactured at the premises must not exceed 50,000 tonnes per annual period. The production capacity of asphalt manufacturing equipment and infrastructure must not exceed 50 tonnes per hour. 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.
Authorised plant	Asphalt manufacturing equipment and infrastructure must have been manufactured on or after 1 st 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 does not provide any authorisation for the clearing of native vegetation. The clearing of native vegetation requires a clearing permit under the *Environmental Protection Act 1986* (EP Act), unless an exemption applies.

Siting criteria

The siting criteria for a Category 35 and 61A Standardised Approval are set out in Table 3.

Table 3: Siting criteria

Siting criteria	Criteria	Reference ¹
Local government zoning		
Land uses	The activity must comply with Local Government Authorities' planning approvals and land use zoning under the Planning and Development Act 2005 , and associated regulations and policies.	Planning and Development Act 2005
Human Receptors and Sensitive Land Uses		
Human receptors ² – non-industrial land uses	Activities must not be located within 1000 m	Visual inspection
	Noise emissions: ≥1,000 m separation during daytime (7 am–7 pm) ≥2,500 m separation during nighttime (7 pm–7 am)	N/A
Registered Aboriginal sites as defined in the Aboriginal Heritage Act 1972	Activities must not be carried out within 50 m of the specified area	DPLH-099
Lodged Aboriginal heritage places recorded in the Aboriginal Cultural Heritage Inquiry System (ACHIS)		DPLH-100
Environmental receptors ³		
Ramsar Wetlands	Activities must not be located within 500 m	DBCA-010
Important Wetlands in Western Australia		DBCA-045

¹ 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.

² This includes land uses considered to be potentially sensitive to emissions from industry and infrastructure, such as 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.

³ 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.

Siting criteria	Criteria	Reference ¹
South Coast Significant Wetlands		DBCA-018
Geomorphic Wetlands – Swan Coastal Plain <i>[Management category: “Conservation” and “Resource enhancement” only]</i>		DBCA-019
Geomorphic Wetlands Cervantes South Geomorphic Wetlands Cervantes Coastal Geomorphic Wetlands Cervantes Eneabba Geomorphic Wetlands Darkan Duranillin Geomorphic Wetlands Augusta to Walpole	Activities must not be located within 250 m	DBCA-013 DBCA-014 DBCA-015 DBCA-016 DBCA-017
Geomorphic Wetlands South West Walpole Wilderness Peat Wetlands Geomorphic Wetlands Leeuwin Naturaliste Ridge and Donnybrook to Nannup Geomorphic Wetlands Manjimup to Northcliffe		DBCA-040 DBCA-042 DBCA-043 DBCA-044
Surface waters (i.e. major and minor drainage lines, salt lakes, lakes, other wetlands)	Activities must not be located within 100m	DWER-031
Within the 1 in 100-year flood way or flood fringe	Activities must not be carried out within the specified area	DWER-014 or DWER-015
Other Environmentally Sensitive Areas, as listed in the Environmental Protection (Environmentally Sensitive Areas) Notice 2005		DWER-046
Public Drinking Water Source Areas proclaimed under the Metropolitan Water Supply, Sewerage, and Drainage Act 1909 or the Country Areas Water Supply Act 1947		DWER-033

Siting criteria	Criteria	Reference ¹
Priority Ecological Communities	Activities must not be located within 100 m	Priority Ecological Communities list
State managed parks (lands and waters)		DBCA-011
Western Swamp Tortoise Habitat	Activities must not be located within 500 m	Western Swamp Tortoise Habitat
Peel Inlet – Harvey Estuary		Peel Inlet – Harvey Estuary
Other Considerations		
A site listed on the Contaminated Sites Database maintained under the Contaminated Sites Act 2003 .	Activities must not be carried out within the specified area	DWER-059

3. Risk assessment

The application for a Category 35 and 61A Standardised Approval has been assessed in accordance with the Department's [Guideline: Risk Assessments](#) and [Guideline: Category 35 Asphalt manufacturing and 61A Reclaimed/Recycled asphalt pavement Standardised Approval Pathway](#).

Table 4 details the risk assessment completed for a Category 35 and 61A Standardised Approval works approval, and identifies the potential emissions and discharges, and their source. It assesses the activity criteria, siting criteria and other regulatory controls applied to each emission and source. The risk assessment indicates that the overall risk of adverse impacts from the prescribed activities is *low or negligible*.

Table 4: Category 35 and 61A Standardised Approval risk assessment

Risk event		Summary of risk mitigation / controls		Risk assessment ⁴
Source (activity / infrastructure)	Emission ⁵	Eligibility criteria	Regulatory controls	
Construction				
Construction activities (installation of infrastructure, placement of plant and equipment)	Air emissions – fugitive dust	Siting criteria (separation distances from receptors)	Standardised Approval (works approval) conditions 1	Siting-based eligibility criteria are expected to reduce risk of adverse fugitive dust emission impacts to potential receptors during construction activities such that no additional controls are needed. Regulatory controls have been applied/conditioned, to further reduce risk of impacts. Through outcomes-based infrastructure specifications, there are requirements and limits on the maximum authorised hourly production rate. Residual risk rating = Low or negligible

⁴ Risk descriptions are detailed in the Guideline: Risk Assessments (DWER 2020).

⁵ These are emissions that could impact potential sensitive receptors.

Risk event		Summary of risk mitigation / controls		Risk assessment ⁴
Source (activity / infrastructure)	Emission ⁵	Eligibility criteria	Regulatory controls	
	Noise (airborne and ground vibration)	Siting criteria (separation distances from receptors)	Standardised Approval (works approval) – none specified.	Siting-based eligibility criteria are expected to reduce risk of adverse noise emission impacts to potential receptors during construction activities such that no additional controls are needed. Noise emissions from construction work on construction sites is subject to compliance with the requirements of r.13 of the <i>Environmental Protection (Noise) Regulations 1997</i>. Residual risk rating = Low or negligible
Operations (including time-limited operations)				
Hot mix asphalt production, all material handling and storage (including storage of RAP materials)	Air emissions – dust (point source and fugitive), waste gases, odour	Siting criteria (separation distances from receptors) Activity-based criteria (limits on maximum production and waste acceptance capacity / rate)	Standardised Approval (works approval) conditions 1, 6, 8 & 9	Siting-based and activity-based eligibility criteria are expected to greatly reduce, although may not fully eliminate, risk of adverse impacts from air emissions (dust, waste gases, odour) to potential receptors during operational activities. Regulatory controls have been applied/conditioned, to further reduce risk of impacts. Through outcomes-based infrastructure specifications, there are requirements and limits on the maximum authorised hourly production rate. Residual risk rating = Low

Risk event		Summary of risk mitigation / controls		Risk assessment ⁴
Source (activity / infrastructure)	Emission ⁵	Eligibility criteria	Regulatory controls	
	Noise (airborne)	Siting criteria (separation distances from receptors) Activity-based criteria (limits on maximum production capacity / rate)	Standardised Approval (works approval) conditions 1 & 6	Siting-based and activity-based eligibility criteria are expected to greatly reduce, although may not fully eliminate, risk of adverse impacts from noise emissions to potential receptors during operational activities. Regulatory controls have been applied/conditioned, to further reduce risk of impacts and ensure compliance with assigned noise levels specified in r.8 of the <i>Environmental Protection (Noise) Regulations 1997</i>. Through outcomes-based infrastructure specifications, there are requirements and limits on the maximum authorised hourly production rate. Residual risk rating = Low
	Stormwater and/or washwater (contaminated with sediment, materials, and/or hydrocarbons)	Siting criteria (separation distances from receptors)	Standardised Approval (works approval) conditions 1 & 6	Siting-based eligibility criteria are expected to greatly reduce, although may not fully eliminate, risk of adverse impacts from stormwater run-off during operational activities. The unauthorised discharge of certain materials into the environment is also adequately regulated under the <i>Environmental Protection (Unauthorised Discharges) Regulations 2004</i> (no further control is required). Regulatory controls have been applied/conditioned, to further reduce risk of impacts. Through outcomes-based infrastructure specifications, there are requirements and limits on the maximum authorised hourly production rate. Residual risk rating = Low or negligible

Risk event		Summary of risk mitigation / controls		Risk assessment ⁴
Source (activity / infrastructure)	Emission ⁵	Eligibility criteria	Regulatory controls	
Vehicle movement (including dust escaping during transport of production process inputs)	Air emissions – dust	Siting criteria (separation distances from receptors) Activity-based criteria (limits on maximum production capacity)	Standardised Approval (works approval) conditions 6	Siting-based and activity-based eligibility criteria are expected to greatly reduce, although may not fully eliminate, risk of adverse impacts from dust emissions to potential receptors during operational activities. Regulatory controls have been applied/conditioned, to further reduce risk of impacts. Through outcomes-based infrastructure specifications, there are requirements and limits on the maximum authorised hourly production rate. Residual risk rating = Low or negligible

4. Consultation

Table 5 provides a summary of the consultation undertaken by the Department.

Table 5: Consultation (*examples in red*)

Consultation method	Comments received	Department response
<i>Application advertised on the Department's website on [date]</i>	<i>None received</i>	N/A
<i>Local Government Authority advised of proposal on [date]</i>		
<i>Other Stakeholders (e.g. DoH, DPLH, DBCA, DPIRD) advised of proposal on [date]</i>		
<i>Applicant was provided with draft documents on [date]</i>		

5. Decision

Based on the assessment outlined in this decision statement, the delegated officer has determined that the application meets the eligibility criteria for a Standardised Approval (see Section 2.3) and a Category 35 and 61A Standardised Approval works approval will be granted.

The works approval is granted subject to such conditions as the CEO considers to be necessary or convenient for the purposes of the EP Act relating to the prevention, control, abatement, or mitigation of pollution or environmental harm pursuant to section 62 of the EP Act, and for administration and reporting requirements.

References

1. Department of Environment Regulation 2015, [Guidance Statement: Setting Conditions](#), Perth, Western Australia.
2. Department of Water and Environmental Regulation 2020, [Guideline: Risk assessments](#), Perth, Western Australia.
3. Department of Water and Environmental Regulation 2021, [Guideline: Environmental siting](#), Perth, Western Australia.
4. Environment Protection Authority 2005, [Guidance Statement No.3: Separation distances between industrial and sensitive land uses](#), Perth, Western Australia.

For any documents in this list published by the Department, these may be found on the ["Regulatory documents" page](#) of the Department's website.

Attachment 1: Definitions

The terms in Table 1 have the corresponding meanings ascribed to them in the Definition column.

Table 1: Definitions

Term	Definition
ACN	means Australian Company Number
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 “submit to / notify the CEO” (or similar), means: Director General Department administering the <i>Environmental Protection Act 1986</i> Locked Bag 10 Joondalup DC WA 6919 info@dwer.wa.gov.au
condition	means a restriction or limitation as stated and applied under a works approvals or licence.
Department; 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-based and siting-based criteria, the applicant must demonstrate they meet to qualify for assessment under the Standardised Approval pathway.
emission	has the same meaning given to that term under section 3(1) of the EP Act.
EP Act	means the <i>Environmental Protection Act 1986</i> (WA).
EP Regulations	means the <i>Environmental Protection Regulations 1987</i> (WA).
premises	means the premises to which this works approval applies, as specified at the front of this works approval and as shown on the premises map (Figure X) in Schedule 1 to this approval. <i>[Note: specify which figure, if multiple maps in Schedule 1.]</i>
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.

Term	Definition
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.
time-limited operations	refers to the operation of the infrastructure and equipment identified under this works approval that is authorised for that purpose, subject to the relevant conditions.
waste	has the same meaning given to that term under section 3(1) of the EP Act.
works approval	means a works approval granted and in force under Part V Division 3.