



## Application for a licence amendment

### Division 3, Part V *Environmental Protection Act 1986*

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<b>Licence number</b>	L6144/1990/10
<b>Licence holder</b>	Fulton Hogan Industries Pty Ltd
<b>ACN</b>	000 538 689
<b>Application number</b>	APP-0031657
<b>Premises</b>	Fulton Hogan Industries Lot 109 Harris Road, Picton WA
<b>Date of report</b>	14/01/2026
<b>Decision</b>	Licence amendment granted

## Amendment description

This amendment is made pursuant to section 59 of the *Environmental Protection Act 1986* (EP Act) to amend the existing licence issued under the EP Act for a prescribed premises as set out below. This notice of amendment is hereby given under section 59B(9) of the EP Act.

This amendment is limited to the consideration of the matters included in the application and supporting information.

In completing the assessment documented in this report, the department has considered and given due regard to its regulatory framework and relevant policy documents which are available at <https://dwer.wa.gov.au/regulatory-documents>.

## Purpose and scope of assessment

Fulton Hogan Industries Pty Ltd (licence holder) is seeking approval to construct a new mobile asphalt plant which would replace the current outdated plant and additional infrastructure, with the relocation of some existing infrastructure to align with the new location of the asphalt plant.

The amendment will be performed without the requirement of a works approval in accordance with the departments published fact sheet *Asphalt manufacturing*, as the premises is currently licenced, the new asphalt plant will be an improvement on the existing one and be located in the same general area (DWER 2018).

## Background

The licence holder operates an asphalt plant located in Picton approximately 4 km east of Bunbury. The asphalt plant is currently licenced under an approved premises production capacity of 30,000 tonnes per annual period.

The premises is located in the Picton Industrial Area with the Furgeson River located 50m south of the premises boundary and Palus plain Ramsar wetland located on the site. The asphalt plant has operated for more than 30 years and was first constructed under a works approval and then a subsequent licence was granted, both in 1990.

As the operational lifespan of the asphalt plant is nearing the end the licence holder wishes to make improvements to the premises by the removal of infrastructure relating to the current asphalt plant to install a new plant.

## Proposed amendment

The licence holder proposes to make improvements to the premises by removing the current asphalt plant and installing a new one along with additional infrastructure. These changes are summarised by the licence holder as the following:

- Demolition of the existing plant, cold feed bins, aggregate storage bunkers, sludge pit, settlement pond, emulsion tank, eyewash station, semi-trailer kerosene tank and bund and selected administration buildings (as identified on the plans).
- Relocation of the existing bitumen tanks (for use with the new plant).
- New asphalt plant incorporating cold feeder bins, including conveyor, dryer drum and feed conveyor; burner; baghouse, including stack (with a minimum height of 12 metres above the ground); recovered fines silo; additional reclaimed filler storage bin; imported filler silo; cold reclaimed asphalt pavement (RAP) feeding line into the mixer; mixing tower, hot elevator; air compressor; control cabin and plant management system; electrically heated bitumen storage system.
- New aggregate storage bunker building, constructed of concrete walls with a steel framed roof.

- Acceptance of RAP to the premises for use in asphalt manufacturing.

The applicant stated that *'RAP will be processed prior to being accepted by the premises and the storage location'* For this reason Category 61A is not required and will not be added to the licence, and the requirement for RAP to be processed offsite prior to be accepted will be conditioned. The delegated officer notes that if the licence holder wishes to accept unprocessed RAP to the premises, then an amendment to the licence should be sought.

The licence holder doesn't propose to make any changes to the current assessed production capacity of 30,000 tonnes per annual period.

### **Changes to infrastructure.**

In the supporting information the applicant has proposed to split the construction activities into the two stages.

Stage one:

- Demolition of the existing plant, cold feed bins, aggregate storage bunkers, sludge pit, settlement pond, emulsion tank, eyewash station, semi-trailer kerosene tank and bund and selected administration buildings (as identified on the plans).
- Relocation of the existing bitumen tanks (for use with the new plant).
- New asphalt plant incorporating cold feeder bins, including conveyor, dryer drum and feed conveyor; burner; baghouse, including stack (with a minimum height of 12 metres above the ground); recovered fines silo; additional reclaimed filler storage bin; imported filler silo; cold RAP feeding line into the mixer; mixing tower, hot elevator; air compressor; control cabin and plant management system; electrically heated bitumen storage system.
- Construct new raw material storage bins/bunds and RAP storage shelter, constructed of concrete walls with a steel framed roof.
- Construction of new washdown area; and
- Ongoing use of the existing trade waste system which comprises a coalescing oil plate separator (primary treatment), two storage basins, Ultra Spin (secondary treatment)

Stage two:

- New weighbridge.
- Provision of a new covered container storage area, comprising two containers of approximately 12m x 12m connected by an arched fabric roof which spans the 12 metres between the containers to provide undercover storage.
- Also includes the following works not related to the prescribed activity: construction of staff amenities and a car park.

### **Air and Odour emissions**

The licence holder engaged Environmental & Air Quality Consulting Pty Ltd (EAQ) to conduct an air emission impact assessment to determine if the emissions footprint from the proposed replacement asphalt plant complies with DWER's *Draft Guideline for Air Emissions October 2019* (EAQ 2023). The modelling was conducted using Aermid Dispersion Modelling and the report used stack testing results conducted by Ektimo Pty Ltd (2023). The assessment stated the following:

- desktop air emission dispersion modelling assessment has shown that airborne pollutants from the proposed new plant will not adversely affect nearby offsite sensitive

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receptors.

- projected ground level concentrations (GLCs) for assessed pollutants are below the compliance levels required by DWER at the nearby sensitive receptors.
- odour emissions assessed from the stack have shown that the potential for odour nuisance at the nearest sensitive receiver is low. Given the subject site already operates an asphalt plant, the odour footprint is unlikely to increase but will move to the west proportional to the proposed plant’s new location.
- the baghouse stack was assessed at a height of 12 metres above ground. Increasing this height will further reduce ground level concentrations of pollutants, although any further increase in stack height is not required.

In summary, it is the opinion of EAQ that the proposed replacement asphalt plant poses a low risk of emissions adversely affecting the existing air quality in the immediate and surrounding locality.

**Noise emissions**

The licence holder engaged Herring Storer Acoustics to conduct an environmental acoustic assessment (EAA) to determine if the noise emissions of the proposed asphalt plant can comply with the requirements of the *Environmental Protection (Noise) Regulations 1997* during all periods (Herring Storer Acoustics 2023). The modelling was carried out using the environmental noise modelling computer program, “SoundPlan” using the CONCAWE algorithm. Calculations were carried out using the EPA weather conditions as stated in the Environmental Protection Authority’s “Draft Guidance for Assessment of Environmental Factors No.8 - Environmental Noise”. The assessment stated the following:

- it is noted that the proposed mobile asphalt plant has a lower noise level than the existing plant, thus assessing the current plants noise emissions represents a conservative assessment.
- the assessment is based on all equipment operating at the same time, which is highly unlikely during the night period, as there would be significant diversity. Therefore, the night period emissions are highly conservative and would occur infrequently, if at all.
- the assessment of the noise received by the neighbouring residences complies with the requirements during all periods, without the need for any specific noise mitigation.

**Other approvals**

On 30 April 2024, City of Bunbury provided development approval for the proposed asphalt plant and associated facilities (No: 11386).

**Emissions and controls**

The key emissions and associated actual or likely pathway during premises operation which have been considered in this decision report are detailed in Table 1 below. Table 1 also details the control measures the applicant has proposed to assist in controlling these emissions, where necessary.

**Table 1: Proposed applicant controls.**

Emission	Sources	Potential pathways	Proposed controls (from application)
<b>Construction</b>			
Dust	Removal of	Air/windborne	No controls proposed

Noise	existing plant and replacement with a new asphalt plant and additional infrastructure.		Non-tonal reversing beepers will be installed on mobile plant and equipment.
Potentially contaminated stormwater	Runoff from premises	Overland runoff to infiltrate soil.	Avoid stockpiling materials near stormwater pits and storing only in designated areas. Using drain wardens, geotextiles, or rock logs to protect and divert water around drain entry pits. Applying management controls such as cut-off drains, sandbags, or coir logs to divert stormwater around works and reduce flow velocity preventing scouring.
<b>Operation</b>			
Dust	Mobile asphalt plant, movement of vehicles, loading and unloading of material	Air/windborne	Ensure adequate dust suppression is available on site.
Waste gases	Mobile asphalt plant		Extracted gases pass through the bag house to be filtered before release into the atmosphere via a 12m high stack.
Noise	Mobile asphalt plant and movement of vehicles.		Effective exhaust mufflers will be used on mobile plant and equipment.
Odour	Mobile Asphalt plant		No controls proposed.
Potentially contaminated stormwater	Runoff becoming contaminated by storage of materials or mobile asphalt plant.	Overland runoff to infiltrate soil.	Asphalt pavement hardstand to collect and direct contaminated stormwater to the storage basins.
Wastewater	Truck washdown		All wastewater generated from the truck washdown area is directed to a coalescing oil plate separator (primary treatment) after which it is discharged to a settlement pond and put through an 'ultra spin, which provides secondary treatment.

## Consultation

The licence holder was provided with a draft licence and amendment report on 24/11/2025. The licence holder did not provide a response to the draft licence and amendment report or provide the additional requested clarifications. The licence has been conditioned accordingly.

## Risk assessment

The department assesses the risk of emissions from prescribed premises and identifies the potential source, pathway and impact to receptors in accordance with the Guideline: Risk assessments (DWER 2020).

To establish a Risk Event there must be an emission, a receptor which may be exposed to that emission through an identified actual or likely pathway, and a potential adverse effect to the receptor from exposure to that emission.

Risk Event					Risk rating <sup>1</sup> C = consequence L = likelihood	Justification for additional controls
Source/ Activities	Potential emissions	Potential, pathway and impact	Receptors	Applicant controls		
<b>Construction</b>						
Construction/ establishment of new asphalt plant, storage infrastructure, washdown bay, and hardstand.	Dust	<b>Pathway:</b> Air/windborne pathway <b>Impact:</b> Health and amenity.	<b>Receptor:</b> Residential premises 150m southwest of the premises boundary.	See Table 1	C = Slight L = Rare <b>Low risk</b>	The delegated officer considers the controls proposed by the applicant, the small scale of work and the distance to nearby receptors is sufficient in mitigating the risk of dust and noise. A works condition listing the proposed infrastructure with no additional controls has been included.
	Noise					
Removal of existing Infrastructure.	Contaminated stormwater	<b>Pathway:</b> Overland runoff or infiltration through the soil profile <b>Impact:</b> Ecosystem disturbance or impact to surface and groundwater quality.	<b>Receptors:</b> Ferguson River 50m south of the premises.  Underlying Bunbury groundwater (non- potable purposes) >3.2 mbgl.  Banksia woodland 25m south of the premises.		C = Moderate L = Possible <b>Medium risk</b>	
Construction of the storage basin.		C = Moderate L = Possible <b>Medium risk</b>	The delegated officer notes that there's insufficient information regarding the construction details of the storage basin's liner and dimensions. To lower emission risk the delegated officer has conditioned the following: <ul style="list-style-type: none"> <li>Permeability of the base of the storage basin (<b>Condition 2, item 5</b>).</li> <li>Provide a cross section drawing of the storage basin once completed (<b>Condition 5, c</b>).</li> </ul>			
<b>Operation</b>						
Operation of the mobile asphalt	Dust	<b>Pathway:</b> Air/windborne	<b>Receptors:</b> Banksia woodland	See Table 1	C = Minor L = Rare	The delegated officer considers that as there will be no change in the production capacity of the premises, existing emission monitoring and

plant.	Noise	pathway  <b>Impact:</b> Health and amenity.	25m south of the premises.  Glen Iris 1.8km northwest.  Residential premises 150m southwest of the premises boundary.			<b>Low risk</b>	reporting conditions, and the impact assessments provided by the applicant for noise, air and odour emissions that the risk of dust, noise, odour, and air emissions is considered low risk, requiring no additional controls.
	Odour						
	Air emissions (gases and particulates)						
	Contaminated stormwater	<b>Pathway:</b> Overland runoff and infiltration through the soil profile	<b>Receptors:</b> Ferguson River 50m south of the premises.  Underlying Bunbury groundwater (non-potable purposes) >3.2 mbgl.  Banksia woodland 25m south of the premises.				
Storage of raw and processed materials (including RAP).	Leaks or spills of materials outside containment						
Treatment of contaminated stormwater by the WWTS and storage in basins.	Leaks or spills of contaminated stormwater.						
						C = Slight L = Rare <b>Low Risk</b>	The delegated officer considers that due to the asphalt plant being constructed on hardstand with stormwater drainage infrastructure to transport contaminated stormwater to the WWTS, is considered low risk, requiring no additional controls.
						C = Slight L = Rare <b>Low Risk</b>	The delegated officer considers that due to the storage location and being located on hardstand, with drainage infrastructure and that the premises will only be accepting processed RAP, the risk of emissions is considered low.
						C = Moderate L = Possible <b>Medium risk</b>	The delegated officer considers that the operational controls relating to the storage and treatment of contaminated stormwater are insufficient in mitigating risk. To reduce the risk associated with exceeding basin holding capacity, manage solids and remove separated oil the following controls have been conditioned: <ul style="list-style-type: none"> <li>• A freeboard of at least 300mm maintained for the storage basins (<b>Condition 1</b>).</li> <li>• Solids must be removed from the storage basins (<b>Condition 1</b>).</li> <li>• Separated oils must be stored and removed offsite (<b>Condition 1</b>).</li> </ul>

## Decision

Based on the assessment in this amendment report, the delegated officer has determined that an amended licence will be granted, subject to conditions commensurate with the determined controls and necessary for administration and reporting requirements.

### Consolidation

As part of this amendment the delegated officer has consolidated the licence by incorporating changes made under previous amendment notices. No additional assessment has been conducted as part of this consolidation. Decisions relating to the consolidated licence are published in previous amendment notices, and in accordance with section 59(1) of the EP Act, incorporating these changes into a single amended licence is not appealable.

In amending the licence, the delegated officer has also:

- updated the format and appearance of the licence;
- updated the licence expiry date and the environmental reporting requirements;
- deleted the redundant AACR form set out in schedule 1 of the previous licence;
- revised condition numbers, and removed any redundant conditions and realigned condition numbers for numerical consistency; and
- corrected clerical mistakes and unintentional errors.

## References

1. City of Bunbury 2024, *Development Approval: 11386*, Bunbury, Western Australia.
2. Department of Environment Regulation (DER) 2017, *Guidance Statement: Risk Assessments*, Perth, Western Australia.
3. Department of Water and Environmental Regulation (DWER) 2018, *Industry Regulation fact sheet: Asphalt manufacturing*, Perth, Western Australia.
4. Department of Water and Environmental Regulation (DWER) 2019, *Guideline: Decision Making*, Perth, Western Australia.
5. Ektimo Pty Ltd 2023, *Fulton Hogan Picton Asphalt Plant, Emission Test Report – 2023*, Bunbury, Western Australia.
6. Element Advisory Pty Ltd 2024, *Proposed Asphalt Plant at Lot 109 Harris Road, Picton*, Perth, Western Australia.
7. Environmental & Air Quality Consulting Pty Ltd (EAQ) 2023, *Desktop Dispersion Modelling Air Emissions Impact Assessment of Asphalt Plant*, Perth, Western Australia.
8. Herring Storer Acoustics 2023, *Environmental Acoustic Assessment Mobile Asphalt Plant*, Perth, Western Australia.