



Department initiated Amendment

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

Works Approval Number	W6913/2024/1
Works Approval Holder	BGC (Australia) Pty Ltd
ACN	005 736 005
File Number	APP-0031104
Premises	Midland Brick Caversham 29 Harper Street CAVERSHAM WA 6055 Legal description – Part of Lot 2984 on Plan 202244 Certificate of Title: Volume 1099, Folio 219; and Part of Lot 2985 on Plan 202244 Certificate of Title: Volume 2022, Folio 32 As defined by the Premises maps attached to the Revised Works Approval
Date of Report	09 October 2025
Decision	Revised works approval granted

Table of Contents

1. Decision summary	3
2. Scope of assessment	3
2.1 Regulatory framework	3
2.2 Amendment summary	3
3. Consultation	4
4. Conclusion	4
4.1 Summary of amendments.....	4
References	5
Appendix 1: Summary of Works Approval Holder's comments on draft amendment (if required)	Error! Bookmark not defined.

1. Decision summary

The Delegated Officer has determined to make amendments to Works Approval W6913/2024/1. The amendments are administrative in nature therefore they do not alter the risk profile of the Premises, providing that activities, emissions and receptors as stated in existing approvals remain unchanged.

This Amendment Report documents the amendments made pursuant to section 59 and 59(B) of the *Environmental Protection Act 1986* (EP Act).

The decision report for the existing works approval will remain on the Department's website for future reference and will act as a record of the department's decision making.

2. Scope of assessment

2.1 Regulatory framework

In amending the works approval, 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>.

2.2 Amendment summary

Works Approval W6913/2024/1 is held by BGC (Australia) Pty Ltd (Works Approval Holder) for the Midland Brick Blockstone Caversham (the Premises), located at 29 Harper Street Caversham.

The Premises relates to the categories and the assessed production capacity under Schedule 1 of the *Environmental Protection Regulations 1987* (EP Regulations) which are defined in existing Works Approval W6913/2024/1.

On 21 March 2025 the Department received a third-party appeal (appeal number 009-25) against the decision to grant works approval W6913/2024/1. On 6 May 2025 the Department submitted its appeal report 009-25 to the Office of the Appeals Convenor in response to grounds raised in the appeal.

The Appellant's grounds did not relate to time limited operations duration and are not considered to relate to the CEO initiated administrative amendment. Appeal report 009-25 stated the following:

“Other Matters:

The Department has identified that condition 7 specifies a duration of time limited operations not exceeding 180 days. This is a clerical mistake or unintentional error as the time limited operations period was intended to be 365 days so that the Works Approval Holder obtains a full 12-month period of ambient dust monitoring data (as mentioned in the Decision Report).”

Therefore, the Department will amend the Works Approval under section 59(1)(e)(i) of the EP Act to correct the 180 calendar days specified in condition 7(a) to 365 calendar days. In accordance with EP Act section 105(b), amendments under section 59(1)(e) are not appealable. The Department will nonetheless notify the Appellant (as a direct interest stakeholder) in writing of any amendment to the Works Approval.”

At the time of this amendment, the Department is awaiting the Minister's Decision on Appeal 009-25. As per the above statement from Appeal Report 009-25, the amendment is not appealable.

On 9 September 2025, the Department initiated an amendment to Works Approval W6913/2024/1 to resolve this clerical error. The amendment is limited to correcting the time limited operations expiry date.

3. Consultation

The Works Approval Holder was provided with the Draft Amendment Report on 23 September 2025. On 28 September 2025 the Works Approval Holder waived the comment period.

4. Conclusion

Based on the assessment in this Amendment Report, the Delegated Officer has determined that an amended works approval will be granted, subject to conditions commensurate with the determined controls and necessary for administration and reporting requirements.

4.1 Summary of amendments

Table 1 below provides a summary of the proposed amendments and will act as a record of implemented changes. All proposed changes have been incorporated into the Revised works approval as part of the amendment process.

Table 1: Summary of works approval amendments

Condition no.	Proposed amendments
7(a)	<i>Update condition from 180 to 365 days</i>

References

1. *Department of Environment Regulation (DER) 2015, Guidance Statement: Setting Conditions, Perth, Western Australia.*
2. *Department of Water and Environmental Regulation (DWER) 2020, Guideline: Environmental Siting, Perth, Western Australia.*
3. *DWER 2025, 009-25 - Appeal Report – W6913 Midland Brick Caversham, Perth Western Australia*
4. *DWER 2020, Guideline: Risk Assessments, Perth, Western Australia.*
5. *Environmental Protection Authority (EPA) 2018, Environmental Impact Assessment (Part IV Divisions 1 and 2) Procedures Manual, Environmental Protection Authority, Perth, WA*