



Department initiated Amendment

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

Works Approval Number	W6913/2025/1
Works Approval Holder	BGC (Australia) Pty Ltd
ACN	005 736 005
File Number	APP-0031918
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	06 November 2025
Decision	Revised works approval granted

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1. Decision summary

The Delegated Officer has determined to make amendments to Works Approval W6913/2004/1 amendments made in response to the Minister of Environment; Community Services; Homelessness's (the Minister) determination on 25 July 2025 to an appeal (Appeal number 009 of 2025) which was lodged under section 102(3)(b) of the Environmental Protection Act 1986 (EP Act) against the grant of W6913/2024/1 on 26 February 2025.

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 Midland Brick Caversham (the Premises), located on part of lots 2984 and 2985 both on deposited plan 202244 on Harper Street, Caversham.

The Premises relates to the categories and the assessed production/design 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 25 September 2025, the Minister for the Environment, Community Services and Homelessness (Minister), having considered the information available, including the department's appeal response and the Appeal Convenors report, determined that conditions on the works approval for dust emission and compliance reporting could be strengthened. The Minister's determination is as follows:

- Condition 23 (compliance reporting) of the works approval be amended so that the report on TLO includes the following information:
 - a) data availability for each monitor in accordance with Methods for sampling and analysis of ambient air-Method 19: Ambient air quality data validation and reporting (AS3580.19.2020) (Standards Australia 2020)
 - b) analysis of any exceedances of the NEPM including daily wind roses, pollution roses and time series of the PM10 data, an activities log' and dust controls in place on the day of the exceedance
 - c) analysis of the monthly data obtained from the dust deposition gauges
 - d) summary and analysis of any complaints
 - e) submission of the raw data from the monitors and meteorological station
 - f) assessment of compliance against Australian Standards for the location and operation of the monitors and meteorological station.

- Include a new condition that requires quarterly publication on the works approval holder's website of a summary of dust monitoring results under condition 18.
- Include a new condition that requires an initial dust monitoring report be submitted to DWER ahead of the peak grape growing season (i.e. before November 2025).

The amendment is limited to amending the abovementioned conditions to reflect the Minister's determination regarding Appeal Number 009 of 2025.

3. Consultation

The Works Approval Holder was provided with the draft Amendment Report on 22 October 2025. In accordance with section 59B(3) of the EP Act, the works approval holder is afforded at least 21 days to make representations. On 5 November 2025 the Works Approval Holder waived the remaining 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.

As the original due date of 31 October within draft condition 24 has passed at the time of granting, a due date of 14 November has been set.

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
Condition 23	Amended to include additional requirements (g) to (l)
New Condition 24	Condition added to require the works approval holder retain the services of a person qualified and experienced in the area of environmental ambient air monitoring and assessment to prepare an initial dust monitoring report, and submit this report to the CEO by 14 November 2025.
New Condition 25	Condition added specifying requirements of report required by condition 24
New Condition 26 and 27	Conditions added to require publishing of quarterly summary of air quality monitoring.
Subsequent condition numbers	Condition numbers altered following insertion of new conditions.
Definitions	Definition for NEPM and AS3580.1:2020 added

References

1. Department of Environment Regulation (DER) 2015, *Guidance Statement: Setting Conditions, Perth, Western Australia*.
2. Office of the Appeals Convenor September 2025, *Minister's Appeal Determination – Appeal against works approval W6913/2024/1 Midland Brick, Caversham*.
3. Office of the Appeals Convenor September 2025, *Appeal Convenors Report to the Minister for the Environment – Appeal against works approval W6913/2024/1 Midland Brick, Caversham*.