



Environmental Protection Act 1986

**Hon Stephen Dawson MLC
Minister for Environment**

MINISTER'S APPEAL DETERMINATION

APPEAL AGAINST GRANT OF CLEARING PERMIT CPS 8502/1 WINDY HARBOUR ROAD RESERVES (BOORARA BROOK AND NORTHCLIFFE), SHIRE OF MANJIMUP

Purpose of this document

This document sets out the Minister's decision on an appeal lodged under section 101A(4) of the *Environmental Protection Act 1986* in objection to the grant of the above clearing permit. This document is produced by the Office of the Appeals Convenor for the Minister but is not the Appeals Convenor's own report, which can be downloaded from the Appeals Convenor's website at www.appealsconvenor.wa.gov.au.

Appellant:	John Perlinski
Proponent:	Shire of Manjimup
Proposal description:	Clearing of up to 3.26 hectares of native vegetation for the purpose of road widening
Minister's decision:	The Minister dismissed the appeal
Date of decision:	23 December 2020

REASONS FOR MINISTER'S DECISION

An appeal was received objecting to the grant of Clearing Permit CPS 8502/1 to the Shire of Manjimup (the applicant) by the Department of Water and Environmental Regulation. The permit is for the clearing of up to 3.26 hectares of native vegetation within Windy Harbour Road Reserves PIN: 1151015 Boorara Brook and PINs: 11449840; 1190684 Northcliffe for the purpose of road widening.

The appellant's concerns primarily related to potential impacts to the Bibbulmun Track and nearby structures and it was requested that the permit be refused, and for alternative road safety measures to be utilised.

The Minister was advised that as part of the appeal investigation, the applicant confirmed that the clearing will be limited to four trees that pose a safety risk and that the Bibbulmun Track will not be impacted.

In addition, the Minister understood that there is a Management Plan for Windy Harbour Road that requires the applicant to avoid conservation significant flora and to contact the Department of Biodiversity, Conservation and Attractions for on-site evaluation at the time of road construction activities.

Noting the extent of the clearing and the advice received during the investigation, including the Appeals Convenor's report and recommendation, the Minister agreed that the decision to grant the permit was justified. It follows that the Minister dismissed the appeal.

Note: this decision is published pursuant to the terms of section 110 of the *Environmental Protection Act 1986* and regulation 8 of the *Environmental Protection Regulations 1987*.

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