

Public record pursuant to s. 39 of the *Environmental Protection Act 1986*

Proposal title: Carpenters Dam Project

Proposal location: Lot 1 Iredell Road, Beedelup WA

EO number: APP-0000115

Date referral received: 08-11-2022

Date more information received: 03-02-2023

Referrer: Manjimup Water Security Group **Proponent:** Red Moon Property Holdings Pty Ltd

Potential significant effects:

There are potential impacts on: terrestrial fauna from the potential obstruction to the passage of aquatic fauna; and inland waters from obstruction, erosion and altered hydrological regimes from abstraction of surface water.

Public comment on referral information:

Do not assess:	6
Assess: a) Referral information	0
b) Environmental review - no public review	2
c) Public environmental review	245
<i>Total submissions:</i>	253

Decision: s. 38G(1) – Not Assess

Referral Examined, preliminary investigations and inquiries conducted. Proposal not to be assessed under Part IV of the EP Act – public advice given

Explanation of decision:

The EPA considers that the likely environmental effects of the proposal are not so significant as to warrant formal assessment. This includes considering the small loss of aquatic fauna habitat and that no species is restricted to the affected tributary. The EPA considered that stream flows will be unimpeded during low flow periods, with specified volumes being required to be bypassed and released downstream during high flow periods. The EPA has also taken into account the operation of other statutory decision-making processes that can mitigate the potential impacts of the proposal. In this case, the potential impacts associated with this proposal can be mitigated to be consistent with achieving the EPA's objectives through:

- Department of Water and Environmental Regulation - *Rights in Water and Irrigation Act 1914* – beds and banks permit; and 5C licence to take water

Public advice:

The EPA considers that the *Rights in Water and Irrigation Act 1914* approvals should be monitored and adaptively managed to ensure the EPA's objectives for environmental factors are achieved. This should include a review of the 5C licence to take water by the Department of Water and Environmental Regulation (DWER) to confirm whether:

- the volume and conditions need to be updated using the latest data and information on climate and rainfall trends in the South West of Western Australia; and
- it is appropriate for additional infrastructure within the dam design to facilitate fish passage.

The DWER will be notified of the EPA's decision for this proposal and the EPA's expectations of the outcome of its statutory decision-making process.

It is noted that any further expansion of the dam and associated infrastructure, and any further application to take water would require separate consideration by DWER.

Appeals: This decision is appealable. Appeals close 17 April 2023. Appeals are administered by the Office of the Appeals Convenor.

A handwritten signature in blue ink, appearing to read 'MAT TONTS', with a long horizontal flourish extending to the right.

Prof. Matthew Tonts

CHAIR

Delegate of the Environmental Protection Authority

Date: 22 March 2023