

Environmental Protection Act 1986

Section 40A

NOTICE OF DECISION TO TERMINATE THE ASSESSMENT

PERSON TO WHOM THIS NOTICE IS GIVEN:

(a) Forest Products Commission
Locked Bag 3001
WEST PERTH WA 6872

(b) Chief Executive Officer, Department of Biodiversity, Conservation and Attractions
Locked Bag 104
BENTLEY DELIVERY CENTRE WA 6983

(c) Minister for Environment

PROPOSAL TO WHICH THIS NOTICE RELATES:

Change of land use, purpose and condition of land within the Gnangara, Pinjar and Yanchep pine plantations (Gnangara-Moore River State Forest, State Forest 65).
Assessment No. 2359

At the request of Department of Biodiversity, Conservation and Attractions and Forest Products Commission, and pursuant to s. 40A of the *Environmental Protection Act 1986* (EP Act), the Environmental Protection Authority has decided to terminate the assessment of the proposal.

EFFECT OF THIS NOTICE:

1. Any person who does anything to implement the proposal commits an offence under s. 41A(2) of the EP Act.
2. Pursuant to s. 41(3) of the EP Act, a decision-making authority is not to make a decision which could have the effect of causing or allowing the proposal to be implemented.

CONTACT FOR THIS ASSESSMENT:

EPA Services, DWER, telephone 6364 7000, info.epa@dwer.wa.gov.au

APPEAL RIGHTS:

There are no rights of appeal under the EP Act in respect of this decision.

A response to this notice is not required.

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

Prof. Matthew Tonts
CHAIR
Delegate of the Environmental Protection Authority

12 December 2023



Department of Biodiversity,
Conservation and Attractions
Office of the Director General

Your ref: CMS 18261

Our ref: CEO672/23

Enquiries: [REDACTED]

Phone: [REDACTED]

Email: [REDACTED]

Professor Matthew Tonts
Chair
Environmental Protection Authority
Registrar@dwer.wa.gov.au

Attention: [REDACTED]

Dear Professor Tonts

EPA CMS 18261 CHANGE OF LAND USE STATE FOREST 65 NOTICE OF PROPOSAL NOT PROCEEDING

On 1 March 2023, the Environmental Protection Authority (EPA) decided to assess the above proposal, being, in effect, the progressive harvesting of pine without replanting and post harvesting land management in so far as it relates to operations after the date the *Forest Management Plan 2014–2023* ceases to operate (the proposal).

For the purposes of section 40A(1)(aa) of the *Environmental Protection Act 1986*, the proponents of the proposal, the Forest Products Commission and the Department of Biodiversity, Conservation and Attractions hereby give written notice to the EPA that after the *Forest Management Plan 2014–2023* ceases to operate, the proponents will not proceed with the progressive harvesting of the remaining pine in State Forest 65 (by undertaking clearfelling) or 'post-harvesting land management' in respect of the land with that remaining pine. Any felling of the remaining pine will be on a selected basis for the purpose of maximising pinecone production or for the salvage of any pine that is damaged through bushfire.

That is, the proponents will not proceed with the proposal being assessed by the EPA.

Yours sincerely

Stuart Smith
DIRECTOR GENERAL

11 December 2023



17 Dick Perry Avenue, Kensington WA 6151
Post: Locked Bag 104, Bentley DC WA 6983
Phone: (08) 9219 9000 Website: dbca.wa.gov.au