



## Environmental Protection Authority

Chief Executive Officer  
Town of Port Hedland  
PO Box 41  
PORT HEDLAND WA 6721

Your Ref: 2013-312  
Our Ref: 14-818973  
Enquiries: Stephen Pavey  
Phone: 6145 0837

Attn: Ryan Djanegara

Dear Sir/Madam

### **DECISION UNDER SECTION 48A(1)(a) *Environmental Protection Act 1986***

**SCHEME AMENDMENT TITLE:** Town of Port Hedland Town Planning Scheme 5 Amendment 64 - Rezoning from "Residential R25" to "Residential R40"

**LOCATION:** Various lots bound by Sutherland Street, Thompson Street, Robinson Street and Lacy Street

**RESPONSIBLE AUTHORITY:** Town of Port Hedland

**DECISION:** Scheme Amendment Not Assessed – Advice Given (no appeals)

Thank you for referring the above scheme amendment to the Environmental Protection Authority (EPA).

After consideration of the information provided by you, the Environmental Protection Authority (EPA) considers that the proposed scheme amendment should not be assessed under Part IV Division 3 of the *Environmental Protection Act 1986* (EP Act) but nevertheless provides the following advice and recommendations.

#### **ADVICE AND RECOMMENDATIONS**

##### **1. Environmental Issues**

- Marine Fauna and Flora

## 2. Advice and recommendations regarding Environmental Issues

- Marine Fauna and Flora

The amendment will permit development of a greater number of single and multiple dwellings at a greater density than is currently permitted. The amendment area is located on the beachfront and approximately one kilometre from the Flatback turtle nesting area on Cemetery Beach. There is the potential for increased light impacts on Flatback turtle nesting.

The EPA's Environmental Assessment Guidelines No. 5 – Environmental Assessment Guideline for Protecting Marine Turtles from Light Impacts (EAG 5) describes the effects of light on marine turtles and provides information on how light impacts can be avoided and minimized.

The EPA strongly recommends that development applications for land within the amendment area include an assessment of the impact on marine turtles. To protect marine turtles from the adverse impacts of light development should be designed and implemented to a site specific 'illumination plan' as described in EAG 5. Specifically, light should be kept off the beach and sea surface, light intensity should be kept to a minimum and appropriate wavelengths should be used.

## 3. General Advice

- For the purposes of Part IV of the EP Act, the scheme amendment is defined as an assessed scheme amendment. In relation to the implementation of the scheme amendment, please note the requirements of Part IV Division 4 of the EP Act.
- There is no appeal right in respect of the EPA's decision on the level of assessment of scheme amendments.
- A copy of this advice will be sent to relevant authorities and made available to the public on request.

Yours faithfully



Darren Foster  
Director  
Strategic Policy and Planning Division

23 June 2014