



Mr Wayne Jack
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Dear Mr Jack

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

SCHEME	City of Karratha Local Planning Scheme 8 Amendment 54
LOCATION	Jarman Island
RESPONSIBLE AUTHORITY	City of Karratha
DECISION	Referral Examined, Preliminary Investigations and Inquiries Conducted. Scheme Amendment Not to be Assessed Under Part IV of the EP Act. Advice Given. (Not Appealable)

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

After consideration of the information provided by you, the EPA considers that the proposed scheme should not be assessed under Part IV Division 3 of the *Environmental Protection Act 1986* (EP Act) but nevertheless provides the attached advice and recommendations. I have also attached a copy of the Chair's determination of the scheme.

Please note the following:

- For the purposes of Part IV of the EP Act, the scheme is defined as an assessed scheme. In relation to the implementation of the scheme, 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 to not assess the scheme.

A copy of the Chair's determination, this letter and the attached advice and recommendations will be made available to the public via the EPA website.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'Shaun Meredith', with a stylized flourish at the end.

Shaun Meredith
Delegate of the Environmental Protection Authority
Executive Director
EPA Services

26 October 2021

Encl. Chair's Determination
Scheme Advice and Recommendations

**ADVICE UNDER SECTION 48A(1)(a)
ENVIRONMENTAL PROTECTION ACT 1986**

City of Karratha Local Planning Scheme (LPS) 8 Amendment 54

Location: Jarman Island

Determination: Scheme Not Assessed – Advice Given (Not Appealable)

Determination Published: 25 October 2021

Summary

The scheme amendment proposes to introduce a Special Control Area and Additional Uses over Jarman Island to allow the consideration of low impact tourism development.

The Environmental Protection Authority (EPA) has considered the scheme amendment in accordance with the requirements of the *Environmental Protection Act 1986* (EP Act). The EPA considers that the scheme amendment, as set out, is unlikely to have a significant effect on the environment and does not warrant formal assessment under Part IV of the EP Act. The EPA has based its decision on the scheme amendment documentation provided by the City of Karratha, and having considered this matter, the following advice is provided.

Environmental Factors

The EPA has identified the following preliminary environmental factor relevant to this scheme:

- Flora and Vegetation
- Terrestrial Fauna
- Inland Waters
- Marine Environmental Quality
- Coastal Processes
- Marine Fauna
- Benthic Communities and Habitats

Advice and Recommendations regarding Environmental Factors

The Amendment area covers all of Jarman Island which is approximately 13.84 hectares (ha). The EPA notes not all of this area is proposed for development.

The EPA supports the Additional Use (A9) which proposes any development is to be consistent with the conservation, recreation and natural landscapes reserve and maintain its environmental values. The EPA also supports the proposal to include under Part VI Special Control Areas Clause 6.1.1. *Cossack and Jarman Island Low Impact Tourism Precinct* and Clause 6.9 *Cossack and Jarman Island Low Impact Tourism Precinct* to ensure maximising the retention of vegetation, new development to be integrated with the surrounding environment and minimising off-site environmental impacts.

The EPA expects future proposals likely to lead to significant environmental impacts are referred to the EPA pursuant to Part IV of the EP Act. The requirements of Part V of the EP Act for clearing permit assessments should also be considered for future development proposals.

Flora and Vegetation and Terrestrial Fauna

EPA notes that Jarman Island may contain suitable habitat for shorebirds and seabird species which are listed as Threatened and/or Migratory pursuant to the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act) and the *Biodiversity Conservation Act 2016* (BC Act).

The Flatback Turtle has also been previously identified in the area and is listed as Threatened (Vulnerable) pursuant to both the EPBC Act and the BC Act. Flatback turtle nesting and hatching can be affected by light spill and light glow on to nesting beaches and the adjacent sea. The EPA recommends that future development should be undertaken in accordance with Environmental Assessment Guideline No. 5 *Protecting Marine Turtles from Light Impacts* (EPA 2010) and *Commonwealth Light Pollution Guidelines for Wildlife – Including Marine Turtles, Seabirds and Migratory Shore birds* (Department of the Environment and Energy and Department of Biodiversity, Conservation and Attractions, 2020).

EPA notes that the Jarman Island marine area provides Benthic Primary Producer Habitat (BPPH). BPPH's are functional ecological communities that inhabit the seabed within which algae (e.g. macroalgae, turf and benthic microalgae), seagrass, mangroves, corals or mixture of these groups are prominent components. BPPH also include areas of seabed that can support these communities.

The mangroves in the Jarman Island area are considered regionally significant and have a very high conservation value. Future development and planning processes should consider the EPA's 2001 advice *Protection of Tropical Arid Zone Mangroves Along the Pilbara Coastline*

The EPA supports the proposal to include under Part VI Special Control Areas Clause 6.1.1. *Cossack and Jarman Island Low Impact Tourism Precinct* and Clause 6.9 *Cossack and Jarman Island Low Impact Tourism Precinct* to ensure maximising the retention of vegetation, new development to be integrated with the surrounding environment and minimising off-site environmental impacts.

The EPA supports the proposed Special Condition 1 in Additional Use Entry 9, and the proposed Part VI Special Control Areas Clause 6.1 and Clause 6.9, which provide management measures for potential impacts to environmental values.

Inland Waters, Marine Environmental Quality, Coastal Processes, Marine Fauna, and Benthic Communities and Habitats

Development has the potential to impact on the existing hydrological regimes and/or water quality and quantity including the marine environment, due to the possibility of

nutrient runoff from nutrient application associated with landscaping and stormwater management.

The EPA supports the proposed provision 6.9.3 for a site and soil evaluation plan to be in accordance with the *Government Sewerage Policy* and a *Coastal Hazard Risk Management Adaption Plans* consistent with State Planning Policy 2.6 *Coastal Planning* prior to any development to address and manage wastewater disposal, waste management and to prevent or ameliorate adverse impacts on water quality. *State Planning Policy 2.9 Water Resources* should also be considered.

Drainage and Nutrient Management Plans are recommended to be prepared as part of future development requirements to minimise nutrients entering marine waters.

Conclusion

The EPA concludes that the amendment can be managed to meet the EPA's environmental objectives through scheme provisions and existing planning controls. In addition, future planning processes and management measures will also manage potential impacts. The EPA recommends its advice is implemented to mitigate potential impacts to the above environmental factors.