

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

City of Karratha Local Planning Scheme 8 Amendment 60

Location: City of Karratha local government area (LGA)

Determination: Not Assessed – Advice Given (not appealable)

Determination Published: 30 June 2025

Summary

The City of Karratha (the City) Local Planning Scheme 8 (LPS 8) Amendment 60 is an omnibus amendment that proposes numerous modifications to the Scheme as an interim step to the preparation of a new Local Planning Scheme (LPS).

The purpose of Amendment 60 is to:

- Reflect development and strategic changes across the City through rezoning and scheme map modifications including:
 - Part of the Murujuga National Park on the Burrup Peninsula (the Peninsula) and parts of the Dampier Archipelago Islands (the Islands) are proposed to be transferred from 'Public purposes: Telecommunications' reserve, 'Strategic Industry', 'Infrastructure' and 'No Zone' to 'Conservation, Recreation and Natural Landscapes'.
- Introduce new land uses and permissibilities (including but not limited to 'Renewable Energy Facility' and 'Service Station') to guide development where appropriate and to reflect exiting land uses.
- Introduce new development provisions to address land use planning issues identified by the City.
- Ensure consistency with the *Planning and Development (Local Planning Schemes) Regulations 2015* (Regulations) and the addition of supplemental provisions.
- Amend minor errors and omissions in the Scheme text and maps.

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, based on the information it has been presented with, the scheme amendment 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 notes that future proposals that may result from the amendment (including Renewable Energy Facilities and tourism proposals on the Peninsula and the Islands) could result in a significant effect on environmental values and may require referral under Part IV (s38) and/or Part V the EP Act. The EPA has based its decision on the original referral documentation and additional information provided by the City. Having considered this matter, the following advice is provided.

Environmental Factors

Having regard to the EPA's (2021) *Statement of Environmental Principles, Factors, Objectives and Aims of Environmental Impact Assessment*, the EPA has identified the following preliminary environmental factors relevant to this scheme:

- Inland waters
- Flora and vegetation

- Terrestrial fauna
- Marine fauna
- Coastal processes
- Benthic communities and habitats
- Social surroundings.

Advice and Recommendations regarding the Environmental Factors

The LPS 8 area includes a number of potentially significant environmental values including priority flora and priority ecological communities, benthic habitat (mangroves), coastline, water resources (major rivers and tributaries) and Aboriginal heritage sites. Numerous conservation significant fauna species (threatened under the *Biodiversity Conservation Act 2016* (BC Act) and associated habitats are recorded in proximity to the Peninsula. These species include (but not limited to) Green Turtle, Flatback Turtle, Hawksbill Turtle and Ghost Bat. Future land uses associated with amendment could result in potential disturbance to these values.

Future Proposals

- The amendment includes new land uses, including 'Renewable Energy Facility' and proposes changes to zoning on the Peninsula and parts of the Islands which could enable future tourism proposals. This includes the proposed Murujuga Living Knowledge Centre and Tourism Precinct, part of the Murujuga Project by the Murujuga Aboriginal Corporation (MAC) within the Murujuga National Park on the Peninsula. Detailed information relating to the range of environmental impacts associated with future proposals was not available to the EPA in considering Amendment 60. Accordingly, the EPA expects that future proposals that appear likely, if implemented, to have a significant effect on the environment are referred to the EPA under Part IV of the EP Act.
- Future proposals should consider requirements to obtain relevant environmental approvals under the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act), and potentially section 40 of the BC Act for any approvals required to take or disturb a threatened species.

Burrup Peninsula and parts of the Dampier Archipelago Islands

- The EPA supports that the Peninsula and Islands are proposed to be transferred to the 'Conservation, Recreation and Natural Landscapes' reservation which may facilitate enhanced protection of environmental values.
- The EPA notes the information provided by the City, indicates that the area proposed to be transferred from 'Public purposes: Telecommunications' to the 'Conservation, Recreation and Natural Landscapes' reservation is proposed to be used for tourism purposes, forming part of the area for the proposed Murujuga Living Knowledge Centre and Tourism Precinct.
- The proposed scheme amendment text includes that any proposed development on the Peninsula will be required to give regard to the Burrup Peninsula Land Use and Management Strategy and Burrup and Murujuga National Park Management Plan (as amended). The EPA notes the existing LPS 8 scheme provisions provide management of potential impacts to environmental values on the Peninsula and Islands. Development on the Peninsula and the Islands is to be in accordance with the Burrup Peninsula and Islands development objectives in Clauses 4.3 and 4.7 of the scheme respectively. The objectives for both the Peninsula and the Islands acknowledge the environmental and heritage values of the areas. The EPA also notes the information provided by the City, indicates that any proposed development in on the Peninsula or Islands will be subject to a development application.
- The EPA expects that environmental impact assessment and environmental management strategies supported by appropriate studies (including surveys

consistent with EPA technical guidance) inform any development on the Peninsula and Islands. This should include consideration of avoidance, mitigation and management of impacts to conservation significant fauna and associated habitats, for example protection of turtle nesting habitat and prevention of light emission impacts. The EPA advises that consultation with Department of Biodiversity Conservation and Attractions may be required in regard to management plans.

- Development on the Peninsula and the Islands has the potential to impact on Aboriginal cultural heritage. Any future development or disturbance works proposed within registered Aboriginal heritage sites will be required to comply with the section 18 consent process under the *Aboriginal Heritage Act 1972*.
- The Peninsula and the Islands within the amendment area form part of the Dampier Archipelago (including Burrup Peninsula) National Heritage listing, a matter of national environmental significance under the EPBC Act. All of the mapping changes within the mapped National Heritage list reflect an existing road or areas being reserved as 'Conservation, Recreation and Natural Landscapes'. Any proposed development within the listed National Heritage area is to consider obligations under the EPBC Act.
- The information provided by the City notes that previously identified but undeveloped industrial sites on a number of Islands are proposed to be transferred to the MAC by the Department of Jobs, Tourism, Science and Innovation and added to the Murujuga National Park, rather than be developed for industry. This is supported by the EPA.

Proposed land use introductions

- The amendment includes new land uses, including 'Renewable Energy Facility' that will accommodate numerous future proposals that may be significant and may require referral under Part IV (s38) and/or Part V the EP Act.
- Future development associated with the land use of 'Renewable Energy Facility' may impact a range of environmental factors, including but not limited to clearance of native vegetation (which may provide habitat for conservation significant fauna), changes in the hydrological regime, noise impacts on sensitive land use areas, and impacts to Aboriginal heritage sites. Future development associated with the 'Renewable Energy Facility' land use is proposed to be considered in accordance with the Western Australian Planning Commission *Position Statement: Renewable Energy Facilities (2020)*, and future planning processes can further manage potential impacts.

General advice

- The EPA understand that the City will be preparing a new LPS and that the City is currently reviewing the Coastal Hazard Risk Management and Adaptation Plan (CHRMAP) which is required to inform the new LPS. The EPA notes that Amendment 60 is an interim step before a new LPS is prepared and supports the City preparing a new contemporary scheme in line with the Regulations.

Conclusion

The EPA concludes the scheme amendment can be managed to meet the EPA's environmental objectives for the above factors through existing and proposed scheme text provisions. The EPA advises that future planning processes, and the requirements of Part IV and Part V of the EP Act can assist in mitigating potential impacts to environmental values. The EPA advises that proposals that appear likely, if implemented, to have a significant effect on the environment should be referred to the EPA under s38 of the EP Act. The EPA recommends its advice is implemented to enhance the protection of environmental values, and further mitigate potential impacts to the above factors.