



**City of Karratha
Local Planning Scheme No. 8**

Amendment No. 44

Introducing a new Special Control Area in relation to the Cossack townsite to address historic conservation and coastal hazard matters

Planning and Development Act 2005

RESOLUTION TO ADOPT AMENDMENT TO LOCAL PLANNING SCHEME

City of Karratha Local Planning Scheme No. 8 Amendment No. 44

Resolved that the Local Government pursuant to section 75 of the *Planning and Development Act 2005*, amend the above Local Planning Scheme by:

1. deleting Clause 7.6 Cossack Historic Town Special Control Area in its entirety and renumbering the remainder of the section accordingly;
2. deleting Development Area 23 of Appendix 7 in its entirety;
3. inserting a new Special Control Area with Clause 7.6 as follows:

Special Control Area – Cossack

Purpose

The purpose of the Cossack SCA is to provide guidance as to the appropriate scope of land use and development permitted in the context of the Cossack Heritage Precinct and coastal erosion and inundation hazard risk.

Objectives

- a) *To reinstate the character of the past in the town centre while also supporting compatible tourism development.*
- b) *To ensure public safety and reduce risk associated with coastal erosion and inundation.*
- c) *To ensure decisions are made with regard to the cultural heritage significance of the place.*
- d) *To facilitate tourism and other associated land use and development in appropriate locations that does not compromise the heritage character and visual amenity of the area.*
- e) *To minimise the risk to land use and development from coastal erosion and coastal inundation.*
- f) *To ensure that development has regard to and addresses the relevant requirements of the Cossack Conservation Management Plan, the Cossack Coastal Hazard Risk Management and Adaptation Plan and the Cossack Development Guidelines.*

Additional Provisions

- a) *A Bushfire Management Plan shall be prepared for the SCA area to minimise the risk to existing and future development from the threat of bush fires.*
- b) *All proposed land use and development within the SCA requires planning approval.*
- c) *In considering applications for planning approval within the SCA, the Council shall have regard to the Conservation Management Plan and any adopted policy, guideline or plan that relates to the area.*
- d) *Any application for land use or development proposed on land identified as being within a coastal erosion and/or storm surge inundation hazard risk area shown in the adopted CHRMAP for Cossack shall be accompanied by a report prepared by a suitably qualified consultant which assesses the risk of coastal processes to the subject property and which identifies appropriate mitigation response/s for the proposed development.*
- e) *Any land use or development proposed on land identified as being within a coastal erosion hazard risk area shown in the adopted CHRMAP for Cossack shall be granted on an appropriate temporary or time limited basis.*
- f) *On-site and self-sufficient essential services to support development shall be considered on a case by case basis.*
- g) *As a condition of planning approval, the Council may impose a condition requiring the landowner to place a notification pursuant to Section 70A of the Transfer of Land Act 1893 on the certificate of title of the lot(s) to notify prospective purchasers that the lot(s) is located in an area that may be subject to coastal erosion and/or inundation over the next 100 years.*

Referral of Applications

- a) *All applications for planning approval relating to land located within the boundaries of the Cossack Heritage Precinct registered under Part 5 of the Heritage Act of Western Australia 1990, shall be referred to the Heritage Council of Western Australia.*
 - b) *All applications for planning approval relating to land identified as being within a coastal erosion and/or coastal inundation hazard risk area shown in the adopted CHRMAP for Cossack may at the discretion of the local government, be referred to the Department of Planning, Lands and Heritage and any other relevant authority for advice and comment on the coastal risk.*
4. rezoning Lots 128-131 on Plan 222320 from 'Urban development' zone to 'Tourism' zone;
 5. reclassifying Lots 110-115 on Plan 222320 and Lots 174-176 on Plan 222320 from 'Conservation recreation and natural landscapes' reserve and rezoning these lots 'Tourism' zone;
 6. rezoning Lots 116-120, 132-138, 139-145, 162-167 and 168-173 on Plan 222320 and Lots 20 and 21 on Plan 300866 from 'Urban Development' zone and 'Development Area 23' to 'Tourism' zone; and
 7. amending the Scheme Map accordingly as depicted on the Amendment Map.

The amendment is standard under the provisions of the *Planning and Development (Local Planning Schemes) Regulations 2015* for the following reason(s):

1. the amendment is consistent with the City's Local Planning Strategy, in that it will support additional tourism uses as recognised in the City's endorsed Local Planning Strategy;
2. the amendment will have minimal to no impact on land that is not the subject of this scheme amendment; and
3. the amendment will not result in any significant environmental, social, economic or governance impacts on land in the scheme area. The amendment is consistent with the objectives and seeks to incorporate relevant policies as identified within the Cossack Conversation Management Plan and Cossack Coastal Hazard Risk Management and Adaptation Plan.

Dated this _____ day of _____ 20__

(Chief Executive Officer)

REPORT ON SCHEME AMENDMENT NO. 44

- | | |
|-----------------------------|------------------------------------|
| 1. LOCAL AUTHORITY: | CITY OF KARRATHA |
| 2. DESCRIPTION OF SCHEME: | LOCAL PLANNING SCHEME NO. 8 (LPS8) |
| 3. TYPE OF SCHEME: | LOCAL SCHEME |
| 4. SERIAL NO. OF AMENDMENT: | AMENDMENT NO. 44 |
| 5. PROPOSAL: | AMENDMENT TO LPS8 |
| 6. REPORT BY: | TPG+PLACE MATCH |

REPORT ON SCHEME AMENDMENT NO. 44

LOCAL PLANNING SCHEME NO. 8

CITY OF KARRATHA

1.0 Introduction

This scheme amendment report has been prepared in support of a request to amend the City of Karratha Local Planning Scheme No. 8 (LPS8) in relation to the Cossack locality, in order to implement the preferred development outcomes for Cossack as recognised within the Cossack Visioning Study (2015) and to incorporate consideration of the Cossack Development Guidelines, Conservation Management Plan (2017) (CMP) and Coastal Hazard Risk Management and Adaptation Plan (2017) (CHRMAP) into LPS8.

The objective of this scheme amendment is to facilitate orderly and proper planning of the Cossack townsite, to allow low scale tourism, residential and associated uses, generally consistent with the Cossack Visioning Study and which has regard to the Cossack Development Guidelines, Cossack Conservation Management Plan and Cossack CHRMAP.

2.0 Background

2.1 Location and Site Context

The Cossack townsite is a heritage-listed precinct located approximately 15km north-east of Roebourne, within the City of Karratha (the City) local government area. The nearest town to Cossack is Wickham, located approximately 4 km west of Cossack. Refer to Figure 1 – Location Plan

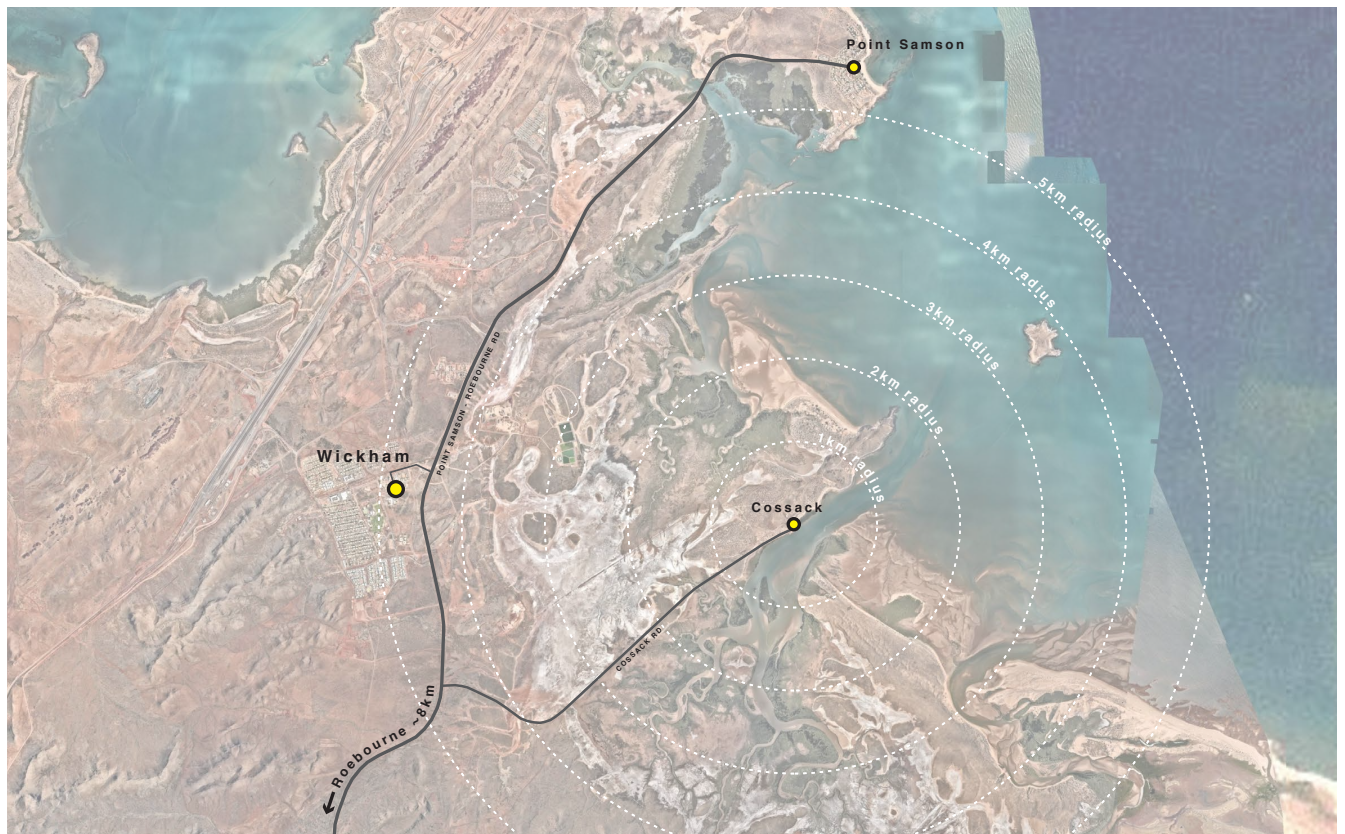


Figure 1 – Location Plan

Cossack is located on Butchers Inlet at the mouth of the Harding River, on the Pilbara coast of north-western Australia. The Cossack townsite is a heritage-listed precinct located approximately 15km north-east of Roebourne, within the City of Karratha and the nearest town to Cossack is Wickham, located approximately 4 km west of Cossack.

The landscape setting of Cossack forms on a low, flat plain and rocky peninsula running northwest from Nanny Goat Hill to Reader Head. The peninsula is generally made from undulating hills of red rock with low lying salt marsh to the north and towards the Harding River and/or Butchers Inlet to the south.

The Cossack town site comprises introduced grasses, native herbs, shrubs and low acacia trees with mangroves to the south. The former town residences were located upon the landform between Nanny Goat Hill, Tien Tsin Lookout and Butchers Inlet with a levelled area of silty sands. The former Cossack School is the only building that remains in this area, apart from ruins and tree stumps. The majority of the town's traditional buildings are along Pearl Street and Perseverance Street, which winds from the red rock hills of the northwest, past Mt. Beach and toward the European and Japanese Cemeteries which are isolated from the rest of the town. To the south of the townsite is the land backed wharf, which is retained by stone sea walls and comprises seating and a barbeque for tourists.

Cossack is geographically defined by the presence of Nanny Goat Hill, Tien Tsin Lookout and the undulating hilly grounds to the northeast and northwest, and Butchers Inlet to the west and southwest. Panoramic views are provided from the Reader Head Lookout which looks out toward Jarman Island (Department of Housing and Heritage Council of Western Australia, 2006). Access to Cossack is provided only via a single sealed road, approximately 15 kilometres from the town of Roebourne.

2.2 Historic Overview

The historic Cossack Townsite was settled in 1863 and played a significant role in providing port facilities for the early development of the Pilbara region. Cossack was a prominent port town servicing the area and a large pearling fleet. Several substantial buildings were constructed to service the community. Cossack and its port were severely impacted by two cyclones and Point Samson replaced Cossack as the preferred port location. By 1950 Cossack had effectively been abandoned. Cossack is still recognised for its cultural and historical significance. The precinct was entered on the State Register of Heritage Places in 1991 and in the following year, a number of individual sites within the townsite were also included. Current uses consist of boat launching and fishing, historic interpretation, low-key tourism activities, accommodation and functions.

The City of Karratha has recently prepared the following studies to inform future management and planning of land within Cossack:

- Cossack Visioning Study;
- Cossack Development Guidelines;
- Cossack Conservation Management Plan; and
- Cossack Coastal Hazard Risk Management and Adaptation Plan.

The Visioning Study considers options for long term development of Cossack and recommends the preferred future development model, which is based on future development being compatible with the heritage and landscape character. The Development Guidelines are intended to provide sufficient policy guidance to ensure any future development at Cossack is 'place' sensitive, carrying down the principles of the Visioning Study.

The Conservation Management Plan has been prepared in recognition of the cultural heritage significance of Cossack and establishes policies and guidelines for future use, care and management of heritage places within the Cossack precinct.

The CHRMAP identified the risk of coastal erosion and storm surge inundation over the planning timeframe in accordance with the requirements of State Planning Policy 2.6 – State Coastal Planning Policy. The CHRMAP assesses the risk of these processes impacting on existing assets (i.e. historic buildings) and future assets associated with the implementation of the Visioning Study. The CHRMAP also identifies appropriate adaptation responses to mitigate these risks to an acceptable level.

A figure depicting the heritage buildings and archeological sites is provided at Figure 2.



Figure 2 – Heritage and archeological sites

2.3 Aboriginal Heritage

The Cossack town site contains three sites that are registered on the Department of Aboriginal Affairs' (DAA's) Aboriginal Heritage Site Register (Site 11536: Cossack Slaughterhouse, Site 925: Mount Beach Dune and Site 8949: Settlers Beach).

Aboriginal sites are protected and managed under the provisions of the *Aboriginal Heritage Act 1972*. Any areas that contain Aboriginal sites, both archaeological and ethnographical, will require an Application under Section 18 of the Aboriginal Heritage Act to request 'consent to use land affected by an Aboriginal site' (*Department of Housing and Heritage Council of Western Australia, 2006*).

Cossack (*Badjinurpha*) is located on Ngarluma country. The Ngarluma People hold non-exclusive native title rights and interest in relation to the Ngarluma Native Title Area. Pursuant to the *Native Title Act 1993*, these rights comprise:

- a) A right to access (including to enter, to travel over and remain);
A right to engage in ritual and ceremony (including to carry out and participate in initiation practices);
- b) A right to camp and to build shelters (including boughsheds, mias and humpies) and to live temporarily thereon as part of camping or for the purpose of building a shelter;
- c) A right to fish from the waters;
- d) A right to collect and forage for bush medicine;
- e) A right to hunt and forage for and take fauna (including fish, shell fish, crab, oysters, sea turtle, dugong, goanna, kangaroo, emu, bush turkey, echidna, porcupine, witchetty grub, swan);
- f) A right to forage for and take flora (including timber logs, branches, bark and leaves, gum, wax, Aboriginal tobacco, fruit, peas, pods, melons, bush cucumber, seeds, nuts, grasses, potatoes, wild onion and honey);
- g) A right to take black, yellow, white and red ochre;
- h) A right to take water for drinking and domestic use;
- i) A right to cook on the land including light a fire for this purpose;
- j) A right to protect and care for sites and objects of significance in the Ngarluma Native Title Area (including a right to impart traditional knowledge concerning the area, while on the area, and otherwise, to succeeding generations and others so as to perpetuate the benefits of the area and warn against behaviour which may result in harm, but not including a right to control access or use of the land by others).

The registered Native Title Body Corporation of the Ngarluma People is the Ngarluma Aboriginal Corporation.

3.0 Planning Framework

3.1 Strategic Planning Framework

3.1.1 Pilbara Planning and Infrastructure Framework

The Pilbara Planning and Infrastructure Framework (the Framework) was prepared by the Western Australian Planning Commission in 2012. The Framework identifies a settlement hierarchy for the Pilbara. Within this hierarchy, Cossack is acknowledged as a Village. This high level Framework supports the principle that Cossack is appropriate to be identified as a coastal node in accordance with SPP 2.6.

The Framework also recognises the need to maintain the region's urban heritage, in particular Cossack and other historic settlements. As part of this objective, the Framework identifies an action to plan and develop Cossack as a 'living' heritage village.

3.1.2 Draft City of Karratha Local Planning Strategy 2015

The draft City of Karratha Local Planning Strategy (LPS) is being presented to Council to adopt for final approval at the December 2017 Ordinary Council Meeting. The LPS provides the strategic planning direction for land use planning and development within the District over a 15 year planning horizon. While not a statutory document, the LPS does establish strategic direction for planning of the various localities within the City.

It is important to note that the LPS identifies Cossack as a Tourist and Recreational Development Node, suitable for limited low impact tourist accommodation in accordance with the Cossack Visioning Study.

State Planning Policy 2.6 – State Coastal Planning Policy (SPP2.6) recognises that coastal nodes are appropriate in instances and may be developed within the coastal foreshore reserve where appropriately identified in a strategic plan.

3.1.3 Karratha Coastal Management Strategy 2017

Council adopted the Coastal Management Strategy (CMS) at its April 2017 Ordinary Council Meeting. The CMS provides a framework for the long term management of the coastal environment, in the context of various coastal demands and influences. The CMS identifies a range of short, medium and long term management strategies taking into account past technical studies and community and stakeholder engagement.

The CMS identifies Cossack as one of ten priority coastal nodes identified for more detailed consideration and planning.

The relevant strategies and actions contained within the CMS that are specifically applicable to Cossack are summarised below.

Theme	Strategies	Actions
Management Opportunities		
Funding	Identify and secure funding to support the planning and management of the coastal environment.	3.2 As a priority seek funding to complete Foreshore Management Plans for the priority coastal node locations.
Protection of Existing and Future Residential, Community and Heritage Assets		
Settlements	Planning and development of coastal settlements is undertaken equitably across the coastal environment consistent with community use and values.	12.1 Ensure that development is focused within identified coastal nodes, and prior to further expansion of these coastal nodes, Foreshore Management Plans are prepared to address site specific considerations.
Coastal Hazard Risk	Development and use of land within the coastal environment is undertaken with consideration of coastal hazard risks.	13.1 Scheme Amendments, Subdivision and Development Applications should address the potential coastal hazard risk, including sea level rise, in accordance with State Planning Policy 2.6 – State Coastal Planning Policy.
Cultural Protection	Increase the awareness and protection of Aboriginal cultural heritage sites across the coastal environment.	14.3 Support the identification and protection of Aboriginal Heritage sites through appropriate registration and culturally sensitive approach to recreational activities and coastal development.
Management of Sustainable Coastal Recreation		
Infrastructure Development	Recreation infrastructure is designed and constructed for use by the widest possible population, into the future and in consideration of whole of life costs.	17.1 Complete Foreshore Management Plans to identify recreational developments / upgrades to sustainably meet population demands. 17.2 Prioritise new amenity infrastructure development across coastal nodes as outlined by the community and / or as required to preserve biodiversity or prevent erosion. 17.3 Ensure that infrastructure is designed with consideration of coastal hazard risks over the asset life span.

This scheme amendment seeks to facilitate land use planning and development outcomes at the Cossack Coastal Node in line with an endorsed CHRMAP to ensure coastal processes and hazards are appropriately acknowledged and mitigated with respect to development.

3.1.4 Cossack Visioning Study 2015

Council adopted the Cossack Visioning Study (the Study) in 2015. The Study was undertaken by the City to develop a range of options that would ensure the long term maintenance of the existing historical value and physical attributes of the town, whilst promoting new tourist opportunities within the locality that are economically viable and sustainable.

Three options were developed following an opportunities and constraints analysis, which are summarized below:

1. Concealed development that is hidden from the key viewing area that define Cossack's current visual character.
2. Reinstatement of the character of the past through the provision of shack or cabin style accommodation close to the centre of town to re-create a lively town centre in keeping with the past.
3. The third concept is a combination of the first two options which would see multiple accommodation options for both shack like cabins that reinstate the character of the past in the town centre and concealed camping and high end glamour camping or "Glamping".

This Study arrived at the combined option as the preferred development concept for tourism-related facilities in and around the historic Cossack townsite. This vision promotes the establishment of a range of tourist accommodation options; from a camp ground / caravan park to concealed campsites, glamping sites and shack like cabins.

The CHRMAP prepared for Cossack seeks to establish adaptation options which mitigate the risk of coastal processes on development envisaged by the preferred development scenario outlined in the Cossack Visioning Study.

The preferred development concept is illustrated at Figure 3.

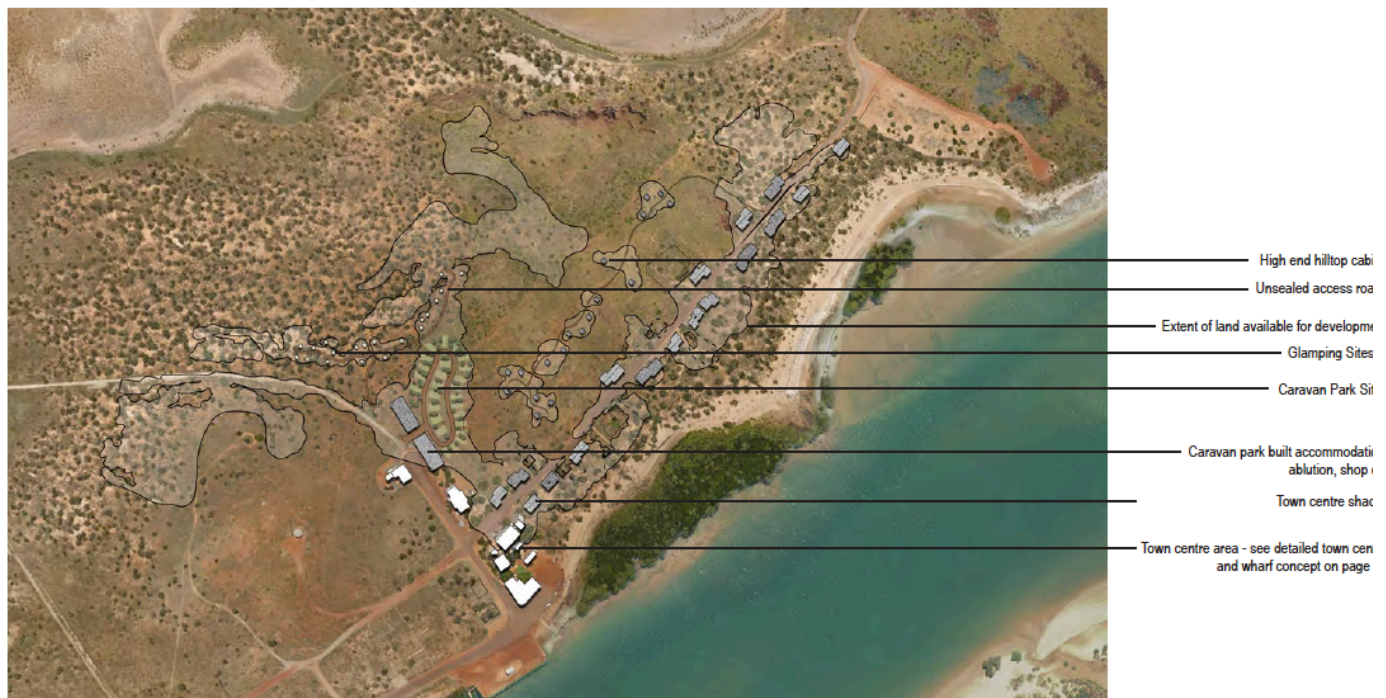


Figure 3 – Preferred Development Concept

3.2 Statutory Planning Framework

3.2.1 State Planning Policy 2.6 – State Coastal Planning Policy

State Planning Policy 2.6 – State Coastal Planning Policy (SPP 2.6) and its associated guidelines have been prepared to guide decision making and policy in relation to planning along the State's coastline.

SPP2.6, provides policy guidance on the determination of an appropriate foreshore reserve or coastal setback to accommodate coastal processes as a result of coastal erosion and storm surge inundation in future planning periods.

SPP2.6 seeks to ensure coastal hazard risk management and adaptation planning is established to guide the location and form of development along the coast. The policy establishes a hierarchy for undertaking coastal hazard and risk adaptation planning. The adaptation measures of Avoid, Planned or Managed Retreat, Accommodate and Protect operate on a sequential and preferential basis, starting with Avoid.

The State Coastal Planning Policy guidelines were introduced to support draft SPP 2.6. These guidelines identify a range of ongoing risk management and adaption planning measures that may be considered in the assessment of development

proposals located within an area known to be subject to storm surge risk or coastal erosion hazard. The guidelines establish a process for preparing a CHRMAP, as follows:

1. Establish the context;
2. Undertake a risk vulnerability assessment;
3. Determine the likelihood of the hazard occurring;
4. Determine the consequences;
5. Evaluate the risks;
6. Set in place adaption management measures; and
7. Undertake monitoring and review.

Section 77 of the *Planning and Development Act 2005* requires that local governments when preparing or amending a local planning scheme, to have due regard to relevant State policies and guidelines such as SPP 2.6.

In addition, SPP 2.6 provides for the identification of coastal nodes, whereby appropriate types of development and land use may be permitted within the coastal zone and foreshore reserve. Clause 7.5 of SPP 2.6 states:

'The need for the provision of coastal nodes on the coast is recognised and should provide for a range of facilities to benefit the broader public. Such nodes may be developed within the coastal foreshore reserve but should only be located where identified in a strategic plan. Nodes should be located on stable areas; should have no negative impacts on the adjacent environment; and should avoid areas of high natural landscape or resource value.'

SPP 2.6 defines a coastal node as being:

'a distinct and discrete built area that may be located within a coastal foreshore reserve. Excluding permanent residential development, it may vary in size from a grouping of recreational facilities to an area of commercial or tourism facilities or accommodation.'

It is considered that Cossack falls within the definition of a coastal node pursuant to SPP 2.6 on the basis that it has been identified in the draft LPS and adopted CMS as a coastal settlement node for tourism purposes (City's LPS and Pilbara Planning and Infrastructure Framework).

3.2.2 State Planning Policy 3.7 – Planning in Bushfire Prone Areas

State Planning Policy 3.7 – Planning in Bushfire Prone Areas (SPP 3.7) establishes a State-wide framework to address bushfire risk throughout Western Australia. The objectives of SPP 3.7 are outlined below:

- Avoid any increase in the threat of bushfire to people, property and infrastructure. The preservation of life and the management of bushfire impact are paramount.
- Reduce vulnerability to bushfire through the identification and consideration of bushfire risks in decision-making at all stages of the planning and development process.
- Ensure that higher order strategic planning documents, strategic planning proposals, subdivision and development applications take into account bushfire protection requirements and include specified bushfire protection measures.
- Achieve an appropriate balance between bushfire risk management measures and, biodiversity conservation values, environmental protection and biodiversity management and landscape amenity, with consideration of the potential impacts of climate change.

A search of the Department of Fire and Emergency Services (DFES) mapping of bushfire prone areas reveals that Cossack is identified as being located within a bushfire prone area.

SPP 3.7 requires strategic planning proposals which include land identified as bushfire prone to be accompanied by the following:

- (i) the results of a Bushfire Hazard Level (BHL) assessment which determines the applicable hazard level(s);
- (ii) a Bushfire Attack Level (BAL) Contour Map to determine the indicative acceptable BAL ratings across the scheme amendment area;
- (iii) the identification of any bushfire hazard issues arising from the relevant assessment; and
- (iv) clear demonstration that compliance with the bushfire protection criteria in the Guidelines can be achieved in subsequent planning stages.

The City will prepare a Bushfire Management Plan for Cossack.

3.2.3 City of Karratha Local Planning Scheme No. 8

The City's Local Planning Scheme No. 8 (LPS 8) contains the following provisions relevant to Cossack.

Zoning

The central portion of the Cossack SCA is zoned for 'Tourism'.

A number of lots located on Cossack Road and Perseverance Street are designated as 'Development Area' (DA 23), which has the following conditions attached to it:

1. Development to be for residential and community purposes.

2. Development subject to the provision of adequate essential services and coastal vulnerability studies.
3. Further development of the Cossack townsite is restricted until such time as the above items are adequately addressed.

This CHRMAP directly responds to item 2 above. The remainder of the leasehold land within Cossack is reserved for 'Conservation Recreation and Natural Landscapes'.

Refer to Figure 4 – City of Karratha Local Planning Scheme No. 8

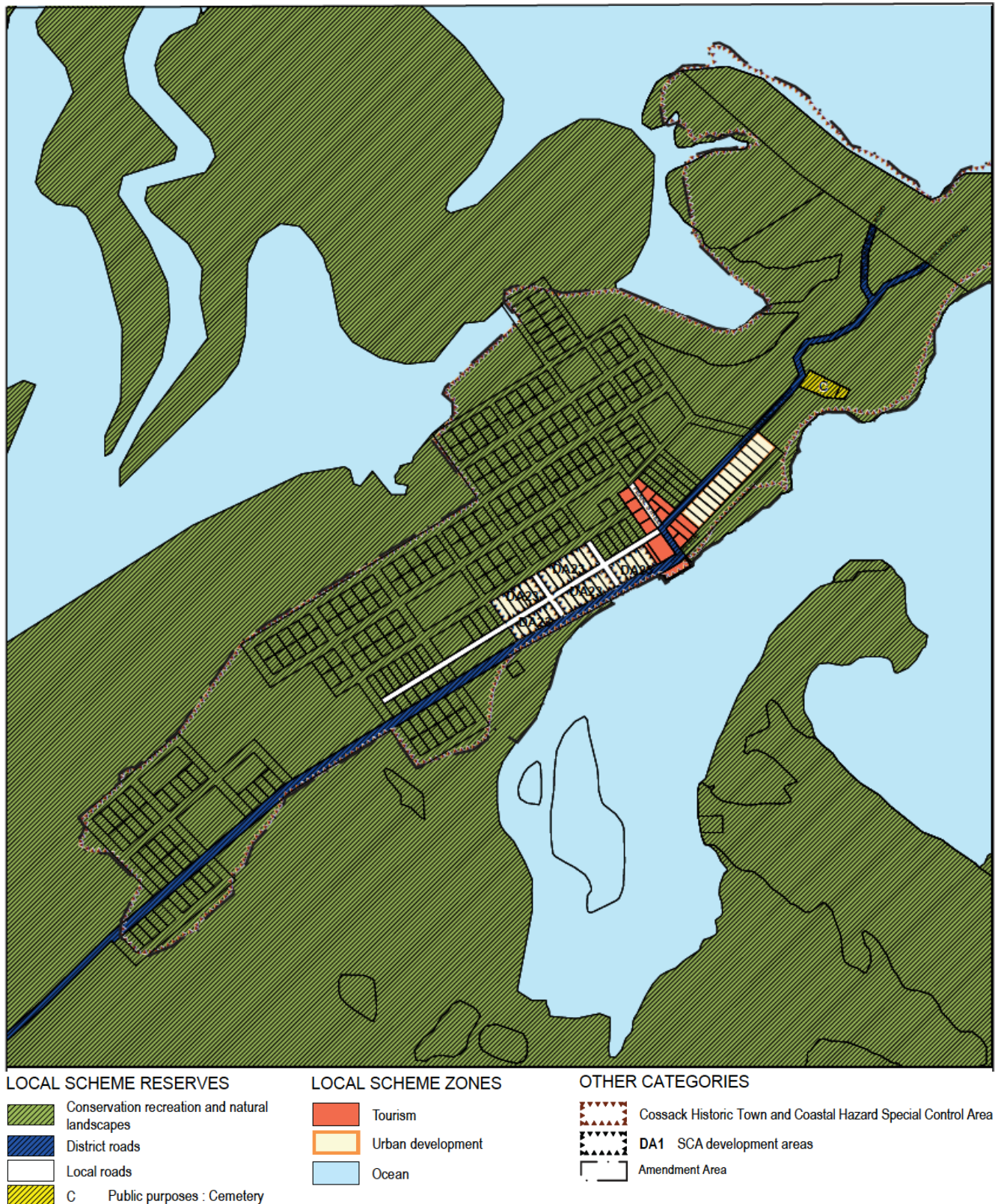


Figure 4 – City of Karratha Local Planning Scheme No. 8

Cossack Objectives

LPS 8 identifies the following objectives for Cossack:

- i. Preserve the heritage values of Cossack.
- ii. Develop the Cossack Town Centre into a viable historic tourist centre with due regard to the natural and built environment.
- iii. Facilitate the return of Cossack into a “living” town offering an alternative residential setting based on its coastal and historic values.
- iv. Develop Settlers Beach into a tourist and recreational node.

The ability to achieve these development objectives in Cossack may be impacted by the risk of coastal erosion and to a lesser extent, storm surge.

Cossack Historic Town Provisions

Clause 7.6 of LPS 8 establishes a Special Control Area over Cossack. These provisions require applications to be referred to the Heritage Council, require Council to have regard for adopted policies, guidelines or plans and require all development to be connected to three-phase power, scheme water and reticulated effluent disposal. The requirement to connect to full urban services is a substantial restriction to any further development occurring in Cossack. Council wants to remove this restriction and provide for additional suitable development that aligns with the vision for Cossack.

Storm Surge Risk Local Planning Policy

Clause 6.17 of LPS 8 establishes requirements in relation to land identified as being at risk of storm surge. The Clause requires the City to maintain a local planning policy that identifies land within the District that is vulnerable to storm surge inundation. The City has adopted DP 19 – Storm Surge Risk Local Planning Policy which contains mapping that shows the likely effect of extreme storm surge events and establishes requirements for land use and development proposed where those effects are likely.

The mapping contained within the local planning policy currently does not extend to Cossack so only general provisions of the policy apply. However, the mapping for Cossack has recently been undertaken and the policy needs to be updated with that mapping.

3.2.4 DP19 Storm Surge Risk Local Planning Policy

DP 19 Storm Surge Risk Local Planning Policy was prepared to identify areas that may be subject to storm surge risk in an extreme event and to set out how land use and development proposals in those areas should be considered having regard for that risk.

Key components and requirements of the policy are summarised below.

Schedule 1 of the policy contains storm surge mapping that has been undertaken within the District. This mapping is updated by the City from time to time as more current and accurate information is prepared. All land that is identified as being vulnerable to the 500 year ARI storm surge event is subject to the requirements of the policy.

The policy incorporates ‘as of right’ design mitigation measures. Proposals may incorporate these measures to sufficiently address the level of risk associated with storm surge inundation and therefore meet the minimum requirements of the policy. The ‘as of right’ design response includes raising the finished floor level of habitable rooms above the modelled 500 year ARI storm surge event level or locating the development on a portion of the site that is not vulnerable to storm surge inundation.

Alternatively, the policy provides a framework for applicants to take a performance approach to risk mitigation, where the proponent chooses to take an alternative approach to the ‘as of right’ design response and takes responsibility for consequences in the knowledge that finished floor levels are below the 500 year ARI storm surge level. In this regard, the policy contains a matrix and checklist for completion by applicants to assist in identifying and categorising the level of storm surge risk associated with the proposal. This risk assessment framework is a consolidated matrix based on the City’s broader risk assessment framework.

The policy outlines a clear process for considering land use and development proposals over land vulnerable to storm surge.

The mapping contained within Schedule 1 of the policy currently includes mapping of the 500 year storm surge event for the following development nodes:

- Dampier;
- Karratha;
- Point Samson;
- Roebourne; and
- Wickham.

The policy therefore does not directly apply to Cossack at this point in time as the policy does not contain mapping for Cossack within Schedule 1. As is noted above, storm surge mapping has been prepared for Cossack and the policy needs to be amended to include that mapping.

3.2.5 Draft Cossack Development Guidelines (2015)

The Draft Cossack Development Guidelines (the Guidelines) support the outcomes identified in the Cossack Visioning Study. The Guidelines seek to promote site sensitive development which acknowledges the attributes and character of the place consisting of:

- Arid landscape character
- Topography
- Heritage elements
- Sparse built form
- Views
- A coastal hamlet
- A sense of history
- A local scale

The Guidelines recognise a need to provide for a range of new accommodation types, with the following types being highlighted as potentially appropriate for Cossack:

- High quality eco-tourist accommodation
- Cabins or huts for residents or visitors (including families and education groups) involved in recreation programs or leisure activities
- Low-cost tourist accommodation, for recreational and leisure visitors who wish to spend less on accommodation, who may be individuals or groups
- Camping, including tents, camper trailers and caravans, with good quality facilities and services.

The Guidelines set out the design intent and mandatory requirements for a range of development criteria. Council will have regard to the Guidelines when considering any applications for development within Cossack.

4.0 Proposal

This Scheme Amendment seeks to amend the City of Karratha Local Planning Scheme No. 8 as follows:

1. Delete existing Clause 7.6 of LPS8

It is proposed to delete Clause 7.6 of LPS8 relating to the Cossack Historic Town Special Control Area which reads as follows:

- "7.6.1 All applications for planning approval, within the boundaries of the Cossack Heritage Precinct registered under Part 5 of the Heritage Act of Western Australia 1990, shall be referred to the Heritage Council of Western Australia.*
- 7.6.2 In considering applications for planning approval within the Cossack Historic Town, the Council shall have regard to any adopted policy, guideline or plan.*
- 7.6.3 All development within the Cossack Historic Town shall be connected to three-phase-power, scheme water and reticulated effluent disposal."*

It is proposed to replace the existing provisions with more detailed and appropriate provisions relating to land use and development, management of coastal processes and heritage matters.

Further, existing sub-clause 7.6.3 relating to the provision of reticulated services is no longer considered appropriate to Cossack. The type and scale of any new development envisaged for Cossack is proposed to primarily be temporary in nature and low intensity tourism uses, consisting of chalets, 'glamping' sites and potentially a caravan and camping ground. This type of development does not warrant the provision of reticulated services. Furthermore, such service upgrades would be prohibitively costly given the intended extent and type of development and the remote location of Cossack. The geotechnical conditions consisting of hard rock could also make the provision of reticulated services costly to deliver.

Rather, it is proposed to provide on-site self-sufficient power, water and sewer service infrastructure, which could be easily decommissioned and removed if any threat of coastal processes eventuates.

2. Delete Development Area 23

It is proposed to delete the provisions relating to Development Area 23 within Appendix 7 of LPS8. The existing provisions are set out below:

Development Area	Description of Land	Base Zoning	Development Plan Special Conditions
DA23	Cossack	Urban Development	1. Development to be for residential and community purposes. 2. Development subject to the provision of adequate essential services and coastal vulnerability studies.

This Development Area 23 will be superseded by proposed new provisions to be contained in a new Special Control Area as set out below.

3. Introduce a new Special Control Area

It is proposed to introduce a new Special Control Area to replace the existing Cossack Historic Town Special Control Area. The proposed new Special Control Area is set out below:

Special Control Area – Cossack

Purpose

The purpose of the Cossack SCA is to provide guidance as to the appropriate scope of land use and development permitted in the context of the Cossack Heritage Precinct and coastal erosion and inundation hazard risk.

Objectives

- To reinstate the character of the past in the town centre while also supporting compatible tourism development.
- To ensure public safety and reduce risk associated with coastal erosion and inundation.
- To ensure decisions are made with regard to the cultural heritage significance of the place.
- To facilitate tourism and other associated land use and development in appropriate locations that does not compromise the heritage character and visual amenity of the area.
- To minimise the risk to land use and development from coastal erosion and coastal inundation.
- To ensure that development has regard to and addresses the relevant requirements of the Cossack Conservation Management Plan, the Cossack Coastal Hazard Risk Management and Adaptation Plan and the Cossack Development Guidelines.

Additional Provisions

- A Bushfire Management Plan shall be prepared for the SCA area to minimise the risk to existing and future development from the threat of bush fires.
- All proposed land use and development within the SCA requires planning approval.

- c) In considering applications for planning approval within the SCA, the Council shall have regard to the Conservation Management Plan and any adopted policy, guideline or plan that relates to the area.
- d) Any application for land use or development proposed on land identified as being within a coastal erosion and/or storm surge inundation hazard risk area shown in the adopted CHRMAP for Cossack shall be accompanied by a report prepared by a suitably qualified consultant which assesses the risk of coastal processes to the subject property and which identifies appropriate mitigation response/s for the proposed development.
- e) Any land use or development proposed on land identified as being within a coastal erosion hazard risk area shown in the adopted CHRMAP for Cossack shall be granted on an appropriate temporary or time limited basis.
- f) On-site and self-sufficient essential services to support development shall be considered on a case by case basis.
- g) As a condition of planning approval, the Council may impose a condition requiring the landowner to place a notification pursuant to Section 70A of the Transfer of Land Act 1893 on the certificate of title of the lot(s) to notify prospective purchasers that the lot(s) is located in an area that may be subject to coastal erosion and/or inundation over the next 100 years.

Referral of Applications

- a) All applications for planning approval relating to land located within the boundaries of the Cossack Heritage Precinct registered under Part 5 of the Heritage Act of Western Australia 1990, shall be referred to the Heritage Council of Western Australia.
- b) All applications for planning approval relating to land identified as being within a coastal erosion and/or coastal inundation hazard risk area shown in the adopted CHRMAP for Cossack may at the discretion of the local government, be referred to the Department of Planning, Lands and Heritage and any other relevant authority for advice and comment on the coastal risk.

4. Rezoning of Lots to 'Tourist' zone

In order to implement the vision for Cossack to become re-established as a 'living town' comprising a range of low scale environmentally sensitive tourist accommodation opportunities that respect the historic significance of the town, it is proposed to rezone a number of parcels of land to Tourist zone to permit the range of land use opportunities envisaged. Further development land use and development controls will be imposed by way of the new Special Control Area provisions.

The lots the subject of the rezoning and identified in the following table.

Property Description	Current Zoning under LPS8	Proposed Zoning
Lots 128-131 on Plan 222320 Vacant Crown Land Lot 505 on Plan 73609 Lots 146-153 on Plan 222320	Urban development zone	Tourist Zone
Lots 110-115 on Plan 222320 Lots 174-176 on Plan 222320	Conservation recreation and natural landscapes reserve	
Lots 116-120 on Plan 222320 Lots 132-138 on Plan 222320 Lots 139-145 on Plan 222320 Lots 162-167 on Plan 222320 Lots 168-173 on Plan 222320 Lots 20 and 21 on Plan 300866	Urban development zone Development Area 23	

5.0 Conclusion

This scheme amendment report has been prepared in support of a request to amend the City of Karratha Local Planning Scheme No. 8 (LPS8) in relation to the Cossack locality, to incorporate recommendations made within the Cossack Visioning Study (2015), Cossack Development Guidelines, Conservation Management Plan (2017) (CMP) and Coastal Hazard Risk Management and Adaptation Plan (2017) (CHRMAP) into LPS8.

The proposed Scheme Amendment is considered appropriate for the following reasons:

1. The scheme amendment will remove existing constraints within LPS8 to allow for low scale tourism development in line with that envisaged within the recommendations of the City's Local Planning Strategy and endorsed Cossack Visioning Study 2015;
2. The scheme amendment will incorporate consideration of the risk of coastal erosion and coastal inundation in line with State Planning Policy 2.6;
3. The scheme amendment will incorporate reference to the recently completed Cossack Conservation Management Plan to inform decision making relating to land use and development of Cossack;
4. The scheme amendment represents orderly and proper planning and has been informed by a number of studies to arrive at a practical, sustainable and environmentally sensitive approach to allow for a renaissance of the historic Cossack townsite that will attract the wider community to enjoy and celebrate Cossack's unique history and tourism offer.

Based on the above, endorsement of this Scheme Amendment and final adoption by the Minister for Planning, Lands and Heritage is respectfully requested.

Planning and Development Act 2005

RESOLUTION TO AMEND LOCAL PLANNING SCHEME

Local Planning Scheme No. 8

Amendment No. 44

Resolved that the Local Government pursuant to section 75 of the *Planning and Development Act 2005*, amend the above Local Planning Scheme by:

1. deleting Clause 7.6 Cossack Historic Town Special Control Area in its entirety and renumbering the remainder of the section accordingly;
2. deleting Development Area 23 of Appendix 7 in its entirety;
3. inserting a new Special Control Area with Clause 7.6 as follows:

Special Control Area – Cossack

Purpose

The purpose of the Cossack SCA is to provide guidance as to the appropriate scope of land use and development permitted in the context of the Cossack Heritage Precinct and coastal erosion and inundation hazard risk.

Objectives

- a) To reinstate the character of the past in the town centre while also supporting compatible tourism development.*
- b) To ensure public safety and reduce risk associated with coastal erosion and inundation.*
- c) To ensure decisions are made with regard to the cultural heritage significance of the place.*
- d) To facilitate tourism and other associated land use and development in appropriate locations that does not compromise the heritage character and visual amenity of the area.*
- e) To minimise the risk to land use and development from coastal erosion and coastal inundation.*
- f) To ensure that development has regard to and addresses the relevant requirements of the Cossack Conservation Management Plan, the Cossack Coastal Hazard Risk Management and Adaptation Plan and the Cossack Development Guidelines.*

Additional Provisions

- a) A Bushfire Management Plan shall be prepared for the SCA area to minimise the risk to existing and future development from the threat of bush fires.*
- b) All proposed land use and development within the SCA requires planning approval.*
- c) In considering applications for planning approval within the SCA, the Council shall have regard to the Conservation Management Plan and any adopted policy, guideline or plan that relates to the area.*
- d) Any application for land use or development proposed on land identified as being within a coastal erosion and/or storm surge inundation hazard risk area shown in the adopted CHRMAP for Cossack shall be accompanied by a report prepared by a suitably qualified consultant which assesses the risk of coastal processes to the subject property and which identifies appropriate mitigation response/s for the proposed development.*
- e) Any land use or development proposed on land identified as being within a coastal erosion hazard risk area shown in the adopted CHRMAP for Cossack shall be granted on an appropriate temporary or time limited basis.*
- f) On-site and self-sufficient essential services to support development shall be considered on a case by case basis.*
- g) As a condition of planning approval, the Council may impose a condition requiring the landowner to place a notification pursuant to Section 70A of the Transfer of Land Act 1893 on the certificate of title of the lot(s) to notify prospective purchasers that the lot(s) is located in an area that may be subject to coastal erosion and/or inundation over the next 100 years.*

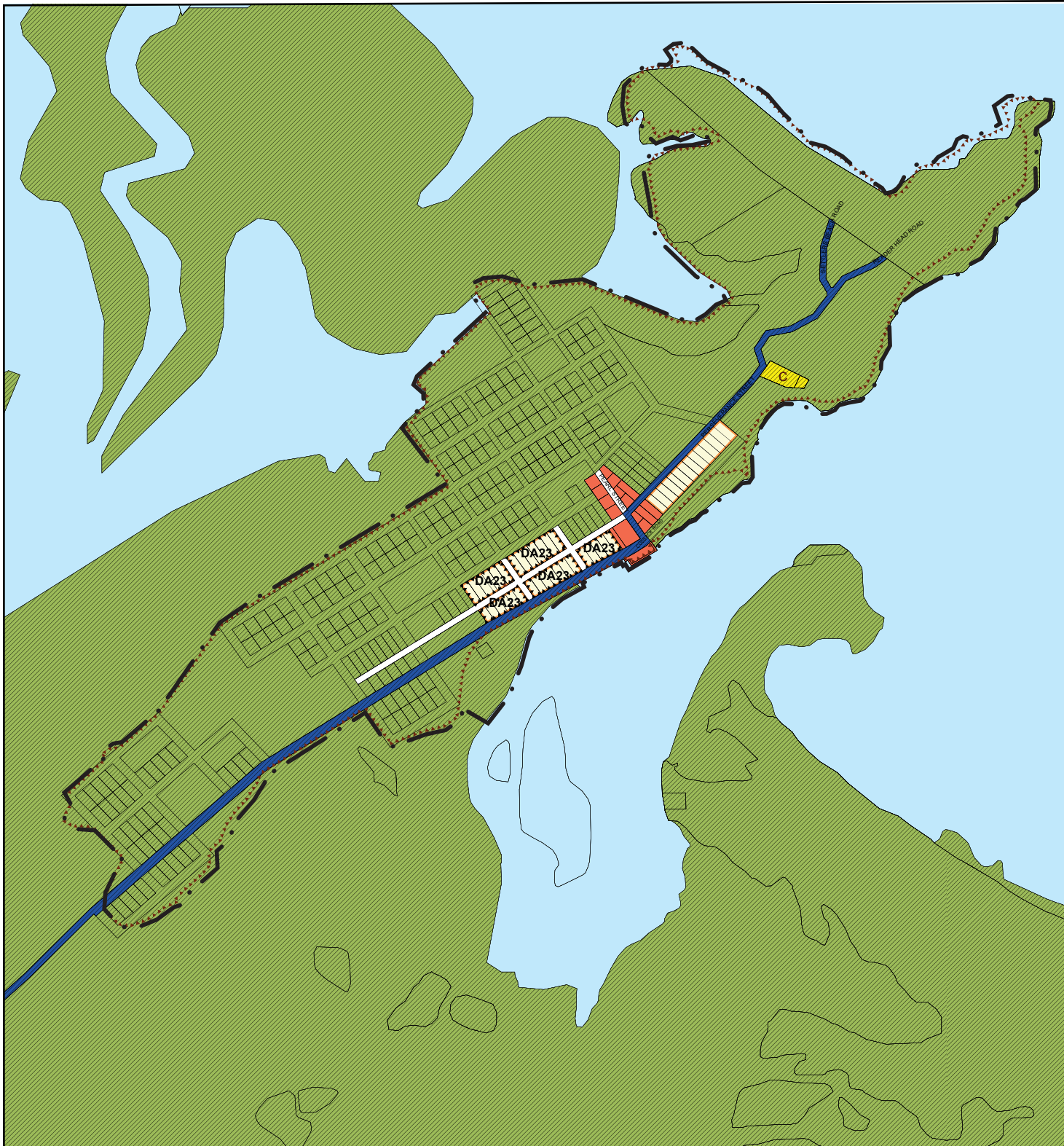
Referral of Applications

- a) All applications for planning approval relating to land located within the boundaries of the Cossack Heritage Precinct registered under Part 5 of the Heritage Act of Western Australia 1990, shall be referred to the Heritage Council of Western Australia.*
 - b) All applications for planning approval relating to land identified as being within a coastal erosion and/or coastal inundation hazard risk area shown in the adopted CHRMAP for Cossack may at the discretion of the local government, be referred to the Department of Planning, Lands and Heritage and any other relevant authority for advice and comment on the coastal risk.*
4. rezoning Lots 128-131 on Plan 222320 from 'Urban development' zone to 'Tourism' zone;
 5. reclassifying Lots 110-115 on Plan 222320 and Lots 174-176 on Plan 222320 from 'Conservation recreation and natural landscapes' reserve and rezoning these lots 'Tourism' zone;
 6. rezoning Lots 116-120, 132-138, 139-145, 162-167 and 168-173 on Plan 222320 and Lots 20 and 21 on Plan 300866 from 'Urban Development' zone and 'Development Area 23' to 'Tourism' zone; and
 7. amending the Scheme Map accordingly as depicted on the Amendment Map.

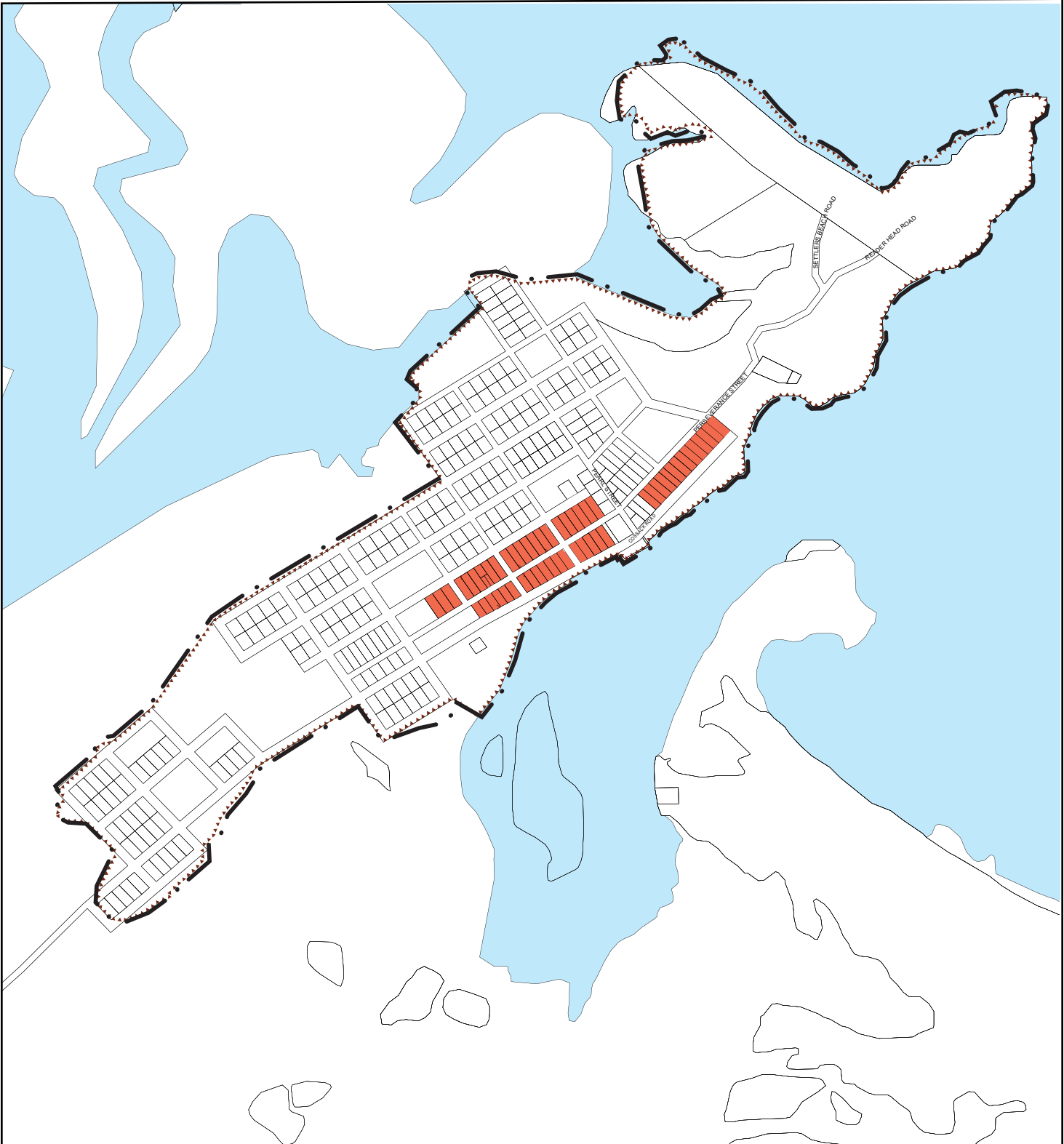
The amendment is standard under the provisions of the *Planning and Development (Local Planning Schemes) Regulations 2015* for the following reason(s):

1. the amendment is consistent with the City's Local Planning Strategy, in that it will support additional tourism uses as recognised in the City's endorsed Local Planning Strategy;
2. the amendment will have minimal to no impact on land that is not the subject of this scheme amendment; and

3. the amendment will not result in any significant environmental, social, economic or governance impacts on land in the scheme area. The amendment is consistent with the objectives and seeks to incorporate relevant policies as identified within the Cossack Conversation Management Plan and Cossack Coastal Hazard Risk Management and Adaptation Plan.









EXISTING ZONING



PROPOSED ZONING

- LOCAL SCHEME RESERVES**
-  Conservation recreation and natural landscapes
 -  District roads
 -  Local roads
 -  C Public purposes : Cemetery

- LOCAL SCHEME ZONES**
-  Tourism
 -  Urban development
 -  Ocean

- OTHER CATEGORIES**
-  Cossack Special Control Area
 -  DA1 SCA development areas
 -  Amendment Area



PLANNING AND DEVELOPMENT ACT 2005



TOWN PLANNING SCHEME NO.8
AMENDMENT NO. 44

COUNCIL ADOPTION

This Standard Amendment was adopted by resolution of the Council of the City of Karratha at the Ordinary Meeting of the Council held on the [day] day of [month], 20[year].

.....
MAYOR

.....
CHIEF EXECUTIVE OFFICER

COUNCIL RESOLUTION TO ADVERTISE

by resolution of the Council of the City of Karratha at the Ordinary Meeting of the Council held on the [day] day of [month], 20[year], proceed to advertise this Amendment.

.....
MAYOR

.....
CHIEF EXECUTIVE OFFICER

COUNCIL RECOMMENDATION

This Amendment is recommended for support by resolution of the City of Karratha at the Ordinary Meeting of the Council held on the [number] day of [month], 20[year] and the Common Seal of the City of Karratha was hereunto affixed by the authority of a resolution of the Council in the presence of:

.....
MAYOR

.....
CHIEF EXECUTIVE OFFICER

WAPC ENDORSEMENT (r.63)

.....
DELEGATED UNDER S.16 OF
THE P&D ACT 2005

DATE.....

FORM 6A - CONTINUED

APPROVAL GRANTED

.....
MINISTER FOR PLANNING

DATE.....