

City of Karratha
Local Planning Scheme No. 8

Amendment No. 53

*Introducing a Special Control Area and Special Use zones in relation to the Cossack townsite
to allow the consideration of low impact tourism development and address historic
conservation, bushfire , coastal hazard and other relevant State planning policy matters*

Planning and Development Act 2005

RESOLUTION TO PREPARE AMENDMENT TO LOCAL PLANNING SCHEME

City of Karratha Local Planning Scheme No. 8 Amendment No. 53

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

1. Amending Clause 3.1 Part 3 – Zones to add the following:

“e) *Special Use*”

2. Inserting the following table under Part 3 within new a Clause 3.3 – Special Use zones:

"3.3. Special Use zones

(1) Table 1 sets out -

(a) special use zones for specified land that are in addition to the zones in the zoning table; and

(b) the classes of special use that are permissible in that zone; and

(c) the conditions that apply in respect of the special uses.

Table 1 - Special Use zones in Scheme Area

No.	Description of land	Special use	Conditions
SU1	As shown on the Scheme Map	The following uses are: 'D' uses: Art Gallery Car park Caravan park Cinema/theatre Civic use Community purpose Convenience store Exhibition centre	(1) All development is to comply with the provisions of the Cossack and Jarman Island - Low Impact Tourism Precinct Special Control Area.

		<p><i>Market</i></p> <p><i>Office</i></p> <p><i>On-site canteen</i></p> <p><i>Reception centre</i></p> <p><i>Restaurant</i></p> <p><i>Shop</i></p> <p><i>Take away food outlet</i></p> <p><i>Tourist development</i></p> <p>'A' uses:</p> <p><i>Brewery</i></p> <p><i>Small bar</i></p> <p><i>Tavern</i></p> <p><i>All other uses are 'X' uses</i></p>	
SU2	As shown on the Scheme Map	<p><i>The following uses are:</i></p> <p>'D' uses:</p> <p><i>Car park</i></p> <p><i>Caravan park</i></p> <p><i>Cinema/theatre</i></p> <p><i>Civic use</i></p> <p><i>Community purpose</i></p> <p><i>Convenience store</i></p> <p><i>Exhibition centre</i></p> <p><i>Market</i></p> <p><i>Office</i></p> <p><i>On-site Canteen</i></p> <p><i>Reception centre</i></p> <p><i>Restaurant</i></p> <p><i>Shop</i></p> <p><i>Take away food outlet</i></p>	<p>(1) All development is to comply with the provisions of the Cossack and Jarman Island - Low Impact Tourism Precinct Special Control Area.</p>

		<i>Tourist development</i> 'A' uses: <i>Brewery</i> <i>Small bar</i> <i>All other uses are 'X' uses</i>	
SU3	As shown on the Scheme Map	<i>The following uses are:</i> 'D' uses: <i>Car park</i> <i>Caravan park</i> <i>Cinema/theatre</i> <i>Community purpose</i> <i>Market</i> <i>All other uses are 'X' uses</i>	(1) All development is to comply with the provisions of the Cossack and Jarman Island - Low Impact Tourism Precinct Special Control Area.

(2) *A person must not use any land, or any structure or buildings on land, in a special use zone except for a class of use that is permissible in that zone and subject to the conditions that apply to that use."*

3. Replacing (a), (b), (c) and (d) under Clause 4.5 – Cossack Objectives with the following:

"(a) Facilitate the development of Cossack into a seasonal low-impact tourism area which preserves and respects the existing heritage values and capitalises on the areas natural assets.

4. Inserting the following under Part VI - Special Control Areas clause 6.1.1:

"i) Cossack and Jarman Island Low-Impact Tourism Precinct"

5. Inserting Clause 6.9 as follows:

"6.9 Cossack and Jarman Island Low-Impact Tourism Precinct

6.9.1 The objective for low-impact tourism is:

a) development of land, principally for low impact tourism purposes that protects and enhances the areas significant attributes in such a manner that does not detract from the Aboriginal, historic heritage and natural amenity of the area.

6.9.2 In considering an application for development approval, the local government is to have due regard to the following matters:

a) *the objectives of a low-impact tourism proposal by;*

- *being sympathetic to ridge lines, escarpments or visually exposed sites and situated where vegetation or landform can be utilised for screening;*
- *being sensitively located and designed to promote positive heritage and environmental outcomes, minimise impact on heritage values, vegetation, water courses, soil quality and existing land uses;*
- *maximising retention of vegetation;*
- *ensuring the scale and nature of all new development is integrated with the surrounding environment;*
- *ensuring that all new development shall be readily capable of removal and/or relocation;*
- *minimising the risk to land use and development from coastal erosion and coastal inundation;*
- *minimising visual impact on land through the nature of its scale, design, colours, materials, landscaping and use;*
- *minimising off-site environmental or social adverse impacts; and*
- *any other matters as required by local government.*

6.9.3 *In considering an application for development approval, the local government may require supporting documentation including but not limited to:*

- a) *any Coastal Hazard Risk Management Adaptation Plans consistent with State Planning Policy 2.6 - Coastal Planning;*
- b) *a site and soil evaluation to address the requirements of the Government Sewerage Policy;*
- c) *any Archaeological and Ethnographic Management Strategy;*
- d) *any cultural heritage management guiding documents;*
- e) *a Bushfire Management and Emergency Evacuation Plan in accordance with State Planning Policy 3.7 - Planning in Bushfire Prone Areas;*
- f) *a management plan that addresses access, utility servicing, maintenance, wastewater disposal, service areas and waste management; and*
- g) *any other matters as required by local government.*

6.9.4 *Any proposed land use or development on land identified as being within a coastal hazard risk area shown in any Coastal Hazard Risk Management Adaptation Plan shall be granted on a temporary or time limited basis.*

6.9.5 *Notwithstanding clause 6.9.4, the local government may consider a request to extend the term of approval at any time prior to its expiry, where it can be demonstrated through technical analysis that the subject land is unlikely to be*

affected by sea level rise and/or any other coastal processes within the foreseeable future.

6.9.6 *Any extension to the term of approval granted under clause 6.9.5 shall only be for a term not exceeding 10 years. There is no limit to the number of extensions that the local government may grant, subject to the satisfaction of clause 6.9.5 and compliance with the requirement that, unless a further extension is granted, at the end of the term of approval:*

- a) the development shall be removed; and*
- b) the land shall be rehabilitated to its pre-development condition, to the specifications and satisfaction of the local government, at the applicants cost.*

6.9.7 *Where the Horizontal Shoreline Datum is within 6 metres of the boundary of land use or development, any approval granted within the Special Control Area, excluding existing heritage buildings, may cease to have effect, and:*

- a) the development shall be removed; and*
- b) the land shall be rehabilitated to its pre-development condition, to the specifications and satisfaction of the local government, at the applicants cost.*

6.9.8 *Where the existing heritage buildings are no longer capable of supporting land uses outlined within the relevant Special Use zone due to coastal processes, any approval granted in the respect of land may cease to have effect."*

6. Amending Appendix 1 - Dictionary of Defined Terms to include the following land use definitions in alphabetical order:

"Art Gallery means premises –

- (a) that are open to the public; and*
- (b) where artworks are displayed for viewing or sale;*

Brewery means premises the subject of a producer's licence authorising the production of beer, cider or spirits granted under the Liquor Control Act 1988;

Cinema/theatre means premises where the public may view a motion picture or theatrical production;

Civic use means premises used by a government department, an instrumentality of the State or the local government for administrative, recreational or other purposes;

Convenience store means premises -

- (a) used for the retail sale of convenience goods commonly sold in supermarkets, delicatessens or newsagents; and*

- (b) *operated during hours which include, but may extend beyond, normal trading hours; and*
- (c) *the floor area of which does not exceed 300m² net lettable area;*

Exhibition centre means premises used for the display, or display and sale of materials of an artistic, cultural or historical nature including a museum;

Small bar means premises the subject of a small bar licence granted under the Liquor Control Act 1988;"

Tourist development means a building, or group of buildings forming a complex, other than a bed and breakfast, or a caravan park or holiday accommodation, used to provide-

- (a) *short-term accommodation for guests; and*
- (b) *onsite facilities for the use of guests; and*
- (c) *facilities for the management of the development;*

7. Amending the Scheme Map to introduce Special Use zones 1, 2, 3, 4 and 5.
8. Amending the Scheme Map to introduce Special Control Area - Cossack and Jarman Island Low-Impact Tourism Precinct and remove this area from the existing Cossack Historic Town Special Control Area.
9. Amending the Scheme Map to rezone portions of 'Urban Development Area No. 23', 'Tourism' and reclassify portions of the 'Conservation, recreation and natural landscapes' reserve to the applicable Special Use zone.
10. Amending the remaining Scheme text provisions and schedules to update any cross referencing to the new clause numbers as required.

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

- *an amendment that is consistent with a local planning strategy for the scheme that has been endorsed by the Commission;*
- *an amendment that would have minimal impact on land in the scheme area that is not the subject of the amendment;*
- *an amendment that does not result in any significant environmental, social, economic or governance impacts on land in the scheme area; and*
- *any other amendment that is not a complex or basic amendment.*

Dated this _____ day of _____ 20____

(Chief Executive Officer)

LOCLA PLANNING SCHEME NO. 8

CITY OF KARRATHA

1.0 Introduction

The purpose of Amendment No. 53 to the City of Karratha (the City) Local Planning Scheme No. 8 (LPS 8) is to facilitate orderly and proper planning within the Cossack townsite, to activate the historic centre and allow low-impact tourism related land uses.

2.0 Background

2.1 Location and Site Area

Cossack is located on Butchers Inlet at the mouth of Harding River, on the Pilbara coast of northern Western Australia. The Cossack townsite is a heritage-listed precinct located approximately 15km north-east of Roebourne. The nearest town to Cossack is Wickham, located approximately 4km west of Cossack (Figure 1 – Location Plan).



Figure 1 - Location Plan

2.2 Ownership

There are 19 freehold lots in private ownership within the Urban Development, Development Area 23 zones and the Conservation, recreation and natural landscapes reserve. The balance land within the scheme amendment area is Unallocated Crown Land.

2.3 Current and Surrounding Land Uses

The Cossack townsite has no notable land uses within a 2.5km radius of the town centre. The townsite is immediately surrounded by a protected Conservation, recreation and natural

landscapes reserve, the closest significant land use is the Wickham wastewater disposal and treatment plant located 2.5kms to the north-west of the site.

2.4 Physical characteristics

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 townsite 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 extends 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.

2.5 Infrastructure

The Cossack townsite has limited services largely due to the existing land use which is generally limited to the isolated historic buildings and near non-existent permanent population.

Access to the Cossack townsite is only available through a sealed road from Wickham (Cossack Road). Pearl Street and Perseverance Street provide sealed access out to the Reader Head lookout with all remaining streets within the Cossack being unsealed.

The Water Corporation currently operates under a service agreement with the City of Karratha. The Water corporation is responsible for the service supply to the meter, located at the intersection of Point Samson-Roebourne Road and Cossack Road. A 50mm HDPE pipe is connected to the meter and feeds a tank located at Tien Tsin lookout. The water service with a float valve switch is used for both general water supply and emergency services.

Horizon Power has a limited electricity supply to Cossack. This is in the form of a single wire supply off the Roebourne feeder to a 25kVA single phase transformer. Any further development will likely require either an upgrade to the power line supplying the townsite or a stand-alone solution using alternative energy harvesting options.

2.6 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 has effectively been abandoned, however the townsite 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, museum, low-key tourism activities, accommodation and functions.

A Conservation Management Plan has been prepared in recognition of the cultural heritage significance of Cossack and establishes policies and guidelines for future use and management of heritage places within the Cossack precinct. A figure depicting the heritage buildings and archaeological sites is provided at Figure 2.



Figure 2 – Cossack Heritage and Archaeological Sites

2.7 Aboriginal Heritage

The Cossack townsite contains three sites that are registered on the 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.

2.8 City of Karratha Amendment No. 44

In December 2017, Council initiated Amendment No. 44, which was advertised for public comment from February to April 2018.

In April 2019, the City resolved to support Amendment 44 for approval, subject to minor modifications, and to forward it to the Western Australian Planning Commission (WAPC) for consideration, Amendment No. 44 proposed to:

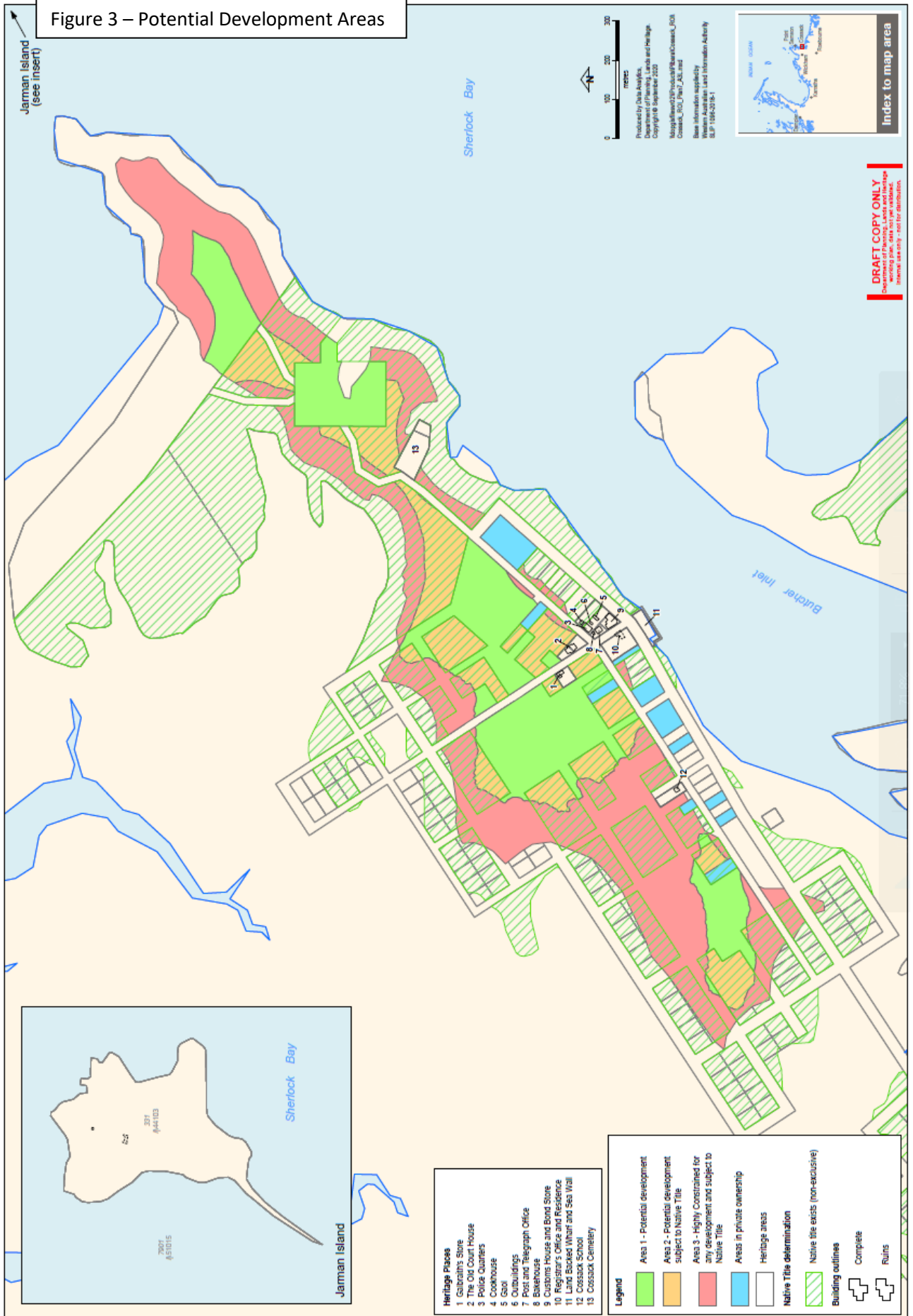
- a) rezone land to the 'Tourism' zone from the 'Urban Development' zone and the 'Conservation Recreation and Natural Landscapes' reserve;
- b) delete the 'Cossack Historic Town Special Control Area' and associated clause 6.6.2 from LPS 8, which requires development to be connected to three-phase power, scheme water and reticulated sewer;
- c) add a new 'Special Control Area – Cossack', which would require development applications to address coastal hazards, heritage, servicing and bushfire risk requirements; and
- d) delete 'Development Area 23', which requires development to be for residential and community purposes and be subject to the provision of adequate essential services.

In August 2019, Amendment No. 44 was refused as it was unable to demonstrate:

- a) that the impact of coastal hazards could be appropriately managed, pursuant to *State Planning Policy 2.6: State Coastal Planning Policy*;
- b) appropriate investigations to guide the determination of foreshore areas, pursuant to *State Planning Policy 2.6: State Coastal Planning Policy* and *State Planning Policy 2.9: Water Resources*;
- c) on-site wastewater disposal on land within the amendment, pursuant to *State Planning Policy 2.9: Water Resources and the Government Sewerage Policy*;
- d) that new development within the Cossack townsite would not have a significant adverse impact on the heritage and visual landscape values of the Cossack Townsite Precinct and other heritage places registered on the *State Register of Heritage Places*, pursuant to *State Planning Policy 3.5 Historic Heritage Conservation*; and
- e) that bushfire risk could be appropriately managed in subsequent planning stages, pursuant to the *State Planning Policy 3.7: Planning in Bushfire Prone Areas*.

The City was provided with a map which considered existing constraints and depicted the potential development areas within the Cossack townsite, prepared by the Department of Planning, Lands and Heritage (the Department), Figure 3 below. The City was advised that the subject areas should be further investigated for low impact tourism land uses in a future scheme amendment. As a result, Amendment 53 to LPS 8 is proposed.

Figure 3 – Potential Development Areas



2.9 Cossack and Jarman Island Registration of Interest Process

In October 2020, the Department undertook a Registration of Interest Process (ROI) seeking to identify interest from the private sector to revitalise the Cossack townsite preserving its cultural and heritage values and natural and built environment. The ROI aimed to find a suitable proponent to activate the underutilised State heritage assets, whilst ensuring appropriate short to long term conservation value and future management of the site through the delivery of a tourism focused vision.

The ROI (Figure 3 above) identified development areas one to three with regard to the existing constraints of the Cossack townsite.

The Ngarluma Yindijbarndi Foundation Ltd Commercial (NYFL) were selected as the preferred proponent and have been invited to advance to the next stage of negotiations. The proposed amendment will facilitate future low-impact tourism, reactivation of the existing heritage assets along with other associated uses as contemplated by the ROI opportunity.

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 WAPC 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 *State Planning Policy 2.6 – State Coastal Planning Policy* (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.

The Framework identifies that there is potential scope for the establishment of tourist facilities within Cossack for short stay tourism/rest and recreation centre for the West Pilbara, as well as providing cultural/eco-tourism experiences for local, interstate and international in-transit visitors.

3.1.2 City of Karratha Local Planning Strategy 2021

The City's Local Planning Strategy (the Strategy) identifies Cossack the Cossack townsite as a Development Investigation Area which is capable of offering a broad range of tourism experiences to promote and enhance the natural, cultural and recreational values, taking advantage of the settlement's unique history and character. The Strategy recommends that future tourism development be of a low impact nature that is sensitive to and integrates with the unique heritage and environmental character of the townsite. It is identified that sensitive development at Cossack will need to preserve and enhance heritage town buildings and infrastructure.

The Strategy recognises that Cossack is heavily constrained by its location, which is impacted by a range of issues including coastal hazards, bushfire and native title considerations,

preservation of heritage, steep terrain and limited access to servicing infrastructure. The amendment responds to these constraints within the context of the State Planning Framework.

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 <i>State Planning Policy 2.6 – State Coastal Planning Policy</i> .
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.

4.0 Statutory Planning Framework

4.1.1. State Planning Policy 2.6 – State Coastal Planning Policy

Clause 7.5 of *State Planning Policy 2.6 - State Coastal Planning Policy* (SPP 2.6) recognises the need and provision for coastal nodes along the coast to provide for a range of uses to provide a benefit to the broader population. These nodes should be identified within relevant strategic plans and located within stable areas which have no negative impact on the surrounding environment and natural landscape values.

SPP 2.6 defines a coastal node as the following:

"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 recreation facilities to an area of commercial or tourism facilities or accommodation."

The proposed amendment area is identified within the City's adopted Strategy and CMS as a Development Investigation Area and coastal node settlement for tourism purposes, while the land uses proposed within the amendment are of a low impact nature and intended to have minimal negative impacts on the existing natural environment and rich landscape values.

Furthermore, such development should always be considered within a coastal hazard risk management and adaptation planning process and should only proceed once adequate management and adaptation planning measures have been agreed, and which accord with the Avoid – Planned or Managed Retreat - Accommodate – Protect hierarchy stipulated in the policy General Measures.

The Cossack Coastal Hazard Risk Management Adaptation Plan 2017 (CHRMAP) has been completed to inform the planning of the Cossack locality. The CHRMAP indicates that the north-eastern shoreline adjacent to the Harding River estuary is subject to significant, and increasing coastal erosion risks over the 100-year planning timeframe and the south-eastern shoreline is currently subject to a significant risk of storm surge inundation. The risk of coastal inundation is modelled to become more severe over the planning timeframe. The planning framework provided by this amendment appropriately mitigates this risk.

4.1.2 State Planning Policy 2.9 – Water Resources

State Planning Policy 2.9 - Water Resources (SPP 2.9) aims to protect, conserve and enhance water resources that have been identified as having significance in value. The policy also ensures the availability of essential water resources and assists in the management of sustainable water use. In this case, the application of SPP 2.9 outlines that planning should aim to prevent or ameliorate adverse impacts on water quality. This has been considered through the proposed Special Use zones and the overarching Cossack and Jarman Island Low Impact Tourism Precinct Special Control Area which aim to limit any adverse impacts from land use and development on water quality.

4.1.3 *Government Sewerage Policy*

The Government Sewerage Policy recommends requirements for on-site sewerage disposal to ensure it does not have an adverse impact on the environment, including locating on-site wastewater systems a minimum distance of 100 metres from a waterway; and requiring local planning scheme amendment proposals to be accompanied by technical information to demonstrate that land is suitable for on-site wastewater disposal. The proposed Cossack and Jarman Island Low-Impact Tourism precinct Special Control Area requires any development proposal to be in accordance with the requirements of the *Government Sewerage Policy*.

4.1.4 *State Planning Policy 3.5 - Historic Heritage Conservation*

State Planning Policy 3.5 - Historic Heritage Conservation (SPP 3.5) sets out the principles for ensuring the sound and responsible planning of historical significance within Western Australia. The objectives of the policy are:

- To conserve places and areas of historic heritage significance.
- To ensure that development does not adversely affect the significance of heritage places and areas.
- To ensure that heritage significance at both the State and local levels is given due weight in planning decision-making.
- To provide improved certainty to landowners and the community about the planning processes for heritage identification, conservation and protection.

The proposed amendment is consistent with these objectives as it limits permissible land uses to low impact tourism uses which will protect and enhance the existing cultural heritage and landscape values of the Cossack townsite. The proposed amendment also provides for discretionary land uses which will provide for further reactivation of the existing heritage assets.

4.1.5 *State Planning Policy 3.7 – Planning in Bushfire Prone Areas*

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

- 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 the 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.

Figure 4 depicts mapping prepared by the Department of Fire and Emergency Services (DFES) which identifies Cossack as a bushfire prone area.



Figure 4 – Map of Bushfire Prone Areas

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

- (i) 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 relevant assessment; and
- (iv) clear demonstration that compliance with bushfire protection criteria in the Guidelines can be achieved in subsequent planning stages.

In Addition to SPP 3.7, the Western Australian Planning Commission's *Tourism land uses in bushfire prone areas Position Statement* (Position Statement) provides guidance for tourism land uses within bushfire prone areas. The position statement maintains the primacy for the protection of life but also recognises that protection of property or infrastructure may be secondary to the social and economic development of the region. It also outlines the preferred requirements associated with specific tourism land uses such as:

- Bed and Breakfast Holiday House;
- Caravan Park; and
- Day uses (art gallery, brewery, café)

The identified uses present unique requirements and are calculated in relation to the bushfire risk present to a specific site. Table 1 of the Position Statement provides measures relevant to tourism land uses that can be applied to reduce the bushfire risk to an acceptable level.

A high level Bushfire Assessment Report has been prepared for the Cossack Townsite in support of the scheme amendment. The preparation of a Bushfire Management Plan and Emergency Evacuation Plan is a requirement of the Cossack and Jarman Island Low Impact Tourism Precinct Special Control Area. Any future development will be required to address the requirements of SPP 3.7 with regard to the additional provisions of the Position Statement.

5.0 Conclusion

This scheme amendment report has been prepared to facilitate the activation of the Cossack townsite and existing heritage assets into a low-impact eco-tourism node. The proposed amendment incorporates the recommendations provided on Amendment No. 44 to LPS 8. The City requests that the WAPC and the Minister for Planning favourably consider the proposed Amendment No. 53 as provided within this report.

Planning and Development Act 2005

RESOLUTION TO AMEND LOCAL PLANNING SCHEME

[Name and Number of Local Planning Scheme]

[Amendment Number]

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

[LIST COMPREHENSIVE DETAILS OF PROPOSED AMENDMENT AS IT WAS ADVERTISED.]

DO NOT INCLUDE ANY MODIFICATIONS AS ADOPTED BY COUNCIL - TO BE INCLUDED IN SCHEDULE OF MODIFICATIONS AND NOT IN RESOLUTION]

**AMENDMENT MAP
(IF APPLICABLE)**

INSERT COLOUR ZONING MAPS HERE

- **INCLUDE EXISTING SCHEME MAP – showing the current zoning of the subject site and surrounding area.**
- **INCLUDE PROPOSED AMENDMENT MAP – identifies the proposed changes to the subject land, all other lots (i.e. those not being changed) are to be shown as white.**
- **Maps should be:**
 - **Legible and Clear;**
 - **Include a legend, north point & scale**
 - **Includes designations (SCA, R codes etc (as required))**

COUNCIL ADOPTION

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

.....
MAYOR/SHIRE PRESIDENT

.....
CHIEF EXECUTIVE OFFICER

COUNCIL RESOLUTION TO ADVERTISE

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

.....
MAYOR/SHIRE PRESIDENT

.....
CHIEF EXECUTIVE OFFICER

COUNCIL RECOMMENDATION

This Amendment is recommended [for support/ not to be supported] by resolution of the [LOCAL GOVERNMENT] at the [NAME] Meeting of the Council held on the [number] day of [month], 20[year] and the Common Seal of the [LOCAL GOVERNMENT] was hereunto affixed by the authority of a resolution of the Council in the presence of:

.....
MAYOR/SHIRE PRESIDENT

.....
CHIEF EXECUTIVE OFFICER

WAPC ENDORSEMENT (r.63)

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

DATE.....

APPROVAL GRANTED

.....

MINISTER FOR PLANNING

DATE.....

DRAFT



PROPOSED SCHEME AMENDMENT MAP

Legend



Cadastral

LOCAL SCHEME ZONES



Special Use

OTHER CATEGORIES



Cossack and Jarman Island Low-Impact Tourism Precinct - Special Control Area



Department of Planning,
Lands and Heritage

City of Karratha

Local Planning Scheme No. 8

Amendment No. 53

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