

City of Karratha
Local Planning Scheme No. 8

Amendment No. 54

Introducing a Special Control Area and Additional Uses over Jarman Island to allow the consideration of low impact tourism development.

DRAFT

Planning and Development Act 2005

RESOLUTION TO PREPARE AMENDMENT TO LOCAL PLANNING SCHEME

City of Karratha Local Planning Scheme No. 8 Amendment No. 54

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

1. Amend Appendix 4 – Additional Uses to modify the heading ‘Base Zoning’ to ‘Base Classification’.
2. Amend Appendix 4 – Additional Uses add a new Additional Use No. 9 as follows:

<i>Additional Use Entry No.</i>	<i>Description of Land</i>	<i>Base Classification</i>	<i>Additional Uses</i>	<i>Special Conditions</i>
A9	Lot 331 on Deposited Plan 92384 Reserve No. 44103	Conservation, recreation and natural landscapes Reserve	Camping ground The following uses are restricted to the existing Lighthouse and Quarters on Jarman Island: Community purpose Tourist development	<ol style="list-style-type: none">1. Any development is to be consistent with the Conservation, recreation and natural landscapes reserve and maintain its environmental values.2. Any development is to have regard to the provisions of the Cossack and Jarman Island Low Impact Tourism Precinct Special Control Area.3. The local government shall exercise its discretion to limit the number of overnight visitors and staff on Jarman Island, having regard to provisions of the Cossack and Jarman Island Low - Impact

				Tourism Precinct Special Control Area.
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3. Inserting the following under Part VI Special Control Areas clause 6.1.1:

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

4. Inserting a clause 6.9 as follows:

"6.9 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:

"Camping ground means an area used for a camping ground as defined in the Caravan Parks and Camping Grounds Act 1995 section 5(1);"

7. Amending the Scheme Map to depict the Additional Use No. 9 over Jarman Island.
8. Amending the Scheme Map to depict Special Control Area - Cossack and Jarman Island Low-Impact Tourism Precinct.
9. 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 relating to a zone or reserve that is consistent with the objectives identified in the scheme for that zone or reserve;*
- *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)

REPORT ON SCHEME AMENDMENT NO. 54
LOCLA PLANNING SCHEME NO. 8
CITY OF KARRATHA

1.0 Introduction

The scheme amendment report has been prepared to inform an amendment to the City of Karratha (the City) Local Planning Scheme No. 8 (LPS 8) in relation to Jarman Island. The objective of this scheme amendment is to facilitate orderly and proper planning for Jarman Island, to reactivate the existing heritage assets and allow for low-impact tourism land uses.

2.0 Background

2.1 Location and Site Area

Jarman Island is located at the entrance to Butchers Inlet at the mouth of Harding River, on the Pilbara coast of northern Western Australia. The nearby Cossack townsite is a heritage-listed precinct located approximately 3.5km south-east of the island on the mainland. The nearest town to Cossack is Wickham, located approximately 4km west (Figure 1 – Location Plan).



Figure 1 - Location Plan

2.2 Ownership

Jarman Island is wholly in Crown land ownership and reserved for 'Conservation, recreation and natural landscapes'.

2.3 Current and Surrounding Land Uses

Jarman Island has no notable surrounding land uses and is located approximately 3.5km from the Cossack townsite.

2.4 Physical characteristics

The island is generally flat with rocky outcrops surrounding the mainland, there is one low lying coastal area to accept vessels.

2.5 Infrastructure

The only infrastructure currently present on Jarman Island is the existing historical lighthouse, rough walking tracks and previous lighthouse keeper's quarters

2.6 Historic Overview

The Jarman Island Lighthouse was built to serve the Port of Cossack, which played an important role in the development of the north-west region. The lighthouse was to be built from preformed cast iron sections made in Birmingham, England by Chance Brothers, at a cost of £1719. By 1902 Cossack was not able to cater for larger ships and the silting up of the harbour led to the building of a new jetty at Point Samson in 1904; this replaced Cossack as the port for the region.

Following its closure, the lighthouse began to fall into a state of disrepair. After several years of campaigning, a grant was awarded to the Shire of Roebourne in 2003 for the conservation and restoration of the lighthouse, under the Australian Government's Regional Tourism Program. Jarman Island contains two places registered under the *Heritage Act (2018)*.

2.7 Aboriginal Heritage

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*).

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 included Figure 2 which 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.

Figure 2 – Potential Development Areas

Legend

- Area 1 - Potential development
- Area 2 - Potential development subject to Native Title
- Area 3 - Highly Constrained for any development and subject to Native Title
- Areas in private ownership
- Heritage areas
- Native Title determination
- Native title exists (non-exclusive)
- Building outlines
- Complete
- Ruins

Heritage Places

- Galbarra's Store
- The Old Court House
- Police Quarters
- Cookhouse
- Gool
- Outbuildings
- Post and Telegraph Office
- Bakehouse
- Customs House and Bond Store
- Registrar's Office and Residence
- Land Backed Wharf and Sea Wall
- Cossack School
- Cossack Cemetery

Scale: 0 100 200 metres

Inset Map: Jarman Island (see insert)

Index to map area

DRAFT COPY ONLY
Department of Planning, Lands and Heritage
Working Draft. Data not for publication.

DRAFT COPY ONLY
Department of Planning, Lands and Heritage
working plan, data not yet validated.
Internal use only - not for distribution.

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 neighbouring Jarman Island. As part of this objective, the Framework identifies an action to plan and develop the area as a 'living' heritage village.

The Framework identifies that there is potential scope for the establishment of tourist facilities within Cossack and Jarman Island 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 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.

Much like Cossack, Jarman Island 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 has limited access to infrastructure. The amendment responds to these constraints within the context of the State Planning Framework and aligns with the broad tourism objectives under the City's Strategy to promote nature based ecotourism, Aboriginal arts and cultural tourism activity.

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 the Cossack townsite as one of ten priority coastal nodes identified for more detailed consideration and planning. The relevant strategies and actions contained within the CMS can also be applied to Jarman Island to facilitate low impact tourism activity. The strategies and actions 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 aligns with the broader tourism objectives identified within the City's adopted Strategy and CMS, 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 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 application of the Cossack and Jarman Island Low-Impact Tourism Precinct Special Control area, and the proposed additional use and the permissible land uses which will not impact 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.

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 Jarman Island. The proposed amendment also provides for discretionary land uses which will provide for further reactivation of the existing heritage assets.

4.1.4 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.

SPP 3.7 requires strategic planning proposals which include land identified as bushfire prone or land not yet designated as bushfire prone but proposed to be developed in a way that could introduce a bushfire hazard 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 etc.)

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 Jarman Island 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 Jarman Island and existing heritage assets into a low-impact eco-tourism node. The City requests that the WAPC and the Minister for Planning favourably consider the proposed Amendment No. 54 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.....

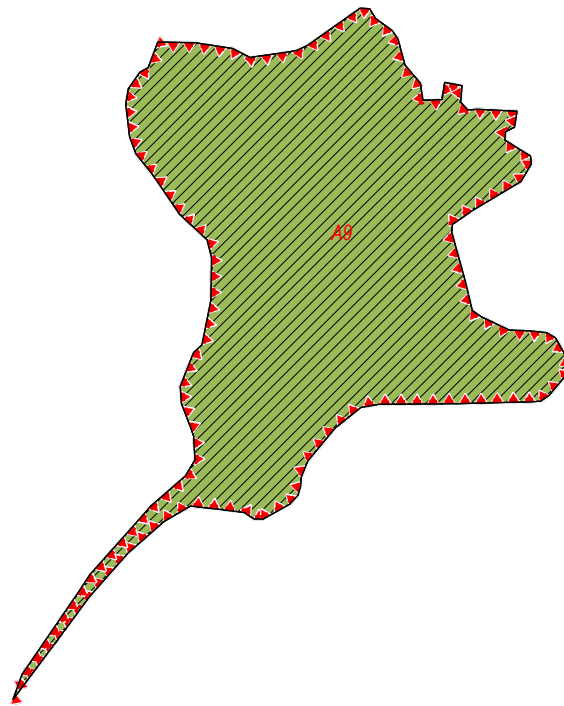
APPROVAL GRANTED

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MINISTER FOR PLANNING

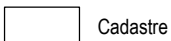
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PROPOSED SCHEME AMENDMENT MAP

Legend



Cadastre

LOCAL SCHEME RESERVES



Conservation, Recreation and Natural Landscapes

OTHER CATEGORIES



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



Additional Uses



Department of Planning,
Lands and Heritage

City of Karratha

Local Planning Scheme No. 8

Amendment No. 54

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