

CITY OF KARRATHA DRAFT LOCAL PLANNING SCHEME AMENDMENT NO.44 - SCHEDULE OF SUBMISSIONS

Summary of Comments Received	Officer Response	Officer Recommendation
1. Department of Fire and Emergency Services		
<p>1.1 The proposed Amendment is located within an area that has been designated as a 'bushfire prone area' by the Fire and Emergency Services Commissioner pursuant to the <i>Fire and Emergency Services Act 1998</i>. In accordance with the requirements of State Planning Policy 3.7: Planning in Bushfire Prone Areas, any strategic proposal within a bushfire prone area is to be accompanied by:</p> <p>A. i. The results of a Bushfire Hazard Level Assessment determining the applicable hazard level across the subject land, in accordance with the methodology set out in the Guidelines. BHL assessments should be prepared by an accredited Bushfire Planning Practitioner; or</p> <p>ii. Where the lot layout of the proposal is known, a BAL Contour Map to determine the indicative acceptable BAL ratings across the subject site, in accordance with the Guidelines. BAL Contour Maps should be prepared by an accredited Bushfire Planning Practitioner.</p> <p>B. The identification of any bushfire hazard issues arising from the relevant assessment; and</p> <p>C. Clear demonstration that compliance with the bushfire protection criteria in the Guidelines can be achieved in subsequent planning stages. This information can be provided in the form of a Bushfire Management Plan or an amended Bushfire Management Plan where one has been previously endorsed.</p> <p>1.2 The proposed land use will also need to demonstrate compliance to Policy Measure 6.6 – Vulnerable or High-risk land uses of SPP 3.7.</p> <p>1.3 Given the proposed strategic proposal has the potential to increase the threat of bushfire to people, property and infrastructure, it is considered that it should not be supported until such time that the bushfire risk and hazard reduction measures are established and understood. DFES recommends that this scheme amendment be deferred to allow the proponent to submit the required information in accordance with SPP 3.7 and the Guidelines.</p>	<p>The draft Scheme Amendment includes a requirement to prepare a Bushfire Management Plan prior to any new development occurring.</p> <p>Notwithstanding, City officers have prepared a draft Request for Quote that includes preparation of a Bushfire Management Plan for the Scheme Amendment area, in accordance with the DFES request. The draft RfQ was referred to the Department of Planning, Lands and Heritage for review on 22 January 2019.</p> <p>DPLH officers have since advised City officers that Council should make resolution on submissions and the Scheme Amendment and refer the Scheme Amendment to the WAPC for consideration. Given that DPLH recommends Council make a resolution on the Scheme Amendment and that DFES recommends the Scheme Amendment be deferred until the required information is submitted, officers recommend Council resolve to adopt the Scheme Amendment and prepare a BMP as part of finalising the Scheme Amendment.</p>	<p>A Bushfire Management Plan be prepared as part of finalising the Scheme Amendment</p>

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2. Department of Water and Environmental Regulation		
<p>2.1 The Department has reviewed the proposal from a water related perspective and offers the following comments:</p> <p>A. Cossack is located within an area that is subject to the impacts of coastal erosion and storm surge. Any new developments envisaged for Cossack that propose to develop on-site self-sufficient power, water and sewer services will need to factor these risks into the design.</p> <p>B. DWER encourages the City to give further consideration to water servicing options (water supply and sewerage) to accommodate the anticipated increase in visitors to Cossack, as a result of the new development.</p>	<p>Off-the-grid servicing is proposed. A Coastal Hazard Risk Management and Adaptation Plan has been prepared. The CHRMAP factors the modelled impacts of coastal erosion and storm surge (based on State Coastal Planning Policy guidelines) into future planning. More detailed investigations can be undertaken to clarify the degree of risk that would apply to off-the-grid service options (e.g. exposure to coastal erosion) and determine how off-the-grid servicing can be appropriately accommodated for different precincts and on a property-by-property basis.</p> <p>The amount of development proposed, the type of development envisaged and the distance from service connections would not offset the cost of connecting to full urban services. The proposed servicing for new development in Cossack includes water supply via water tanks that are refilled by the proponent as required and waste water disposal via onsite effluent disposal systems. In relation to waste water disposal, City officers have prepared a draft Request for Quote that includes undertaking a Strategic Onsite Effluent Disposal Capability Assessment for the Scheme Amendment area, as requested by the Department of Planning, Lands and Heritage. The draft RfQ was referred to the DPLH for review on 22 January 2019.</p> <p>DPLH officers have since advised City officers that Council should make resolution on submissions and the Scheme Amendment and refer the Scheme Amendment to the WAPC for consideration. Given that DPLH recommends Council make a resolution on the Scheme Amendment and that an onsite effluent disposal capability assessment be undertaken, officers recommend Council resolve to adopt the Scheme Amendment and prepare a Strategic Onsite Effluent Disposal Capability Assessment as part of finalising the Scheme Amendment.</p>	<p>More detailed investigations be undertaken to clarify the degree of risk that would apply to off-the-grid service options (e.g. exposure to coastal erosion) and to determine how off-the-grid servicing can be appropriately accommodated for different precincts and on a property-by-property basis.</p> <p>A Strategic Onsite Effluent Disposal Capability Assessment be undertaken as part of finalising the Scheme Amendment.</p>

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3. Heritage Council		
The Heritage Council considered the scheme amendment at its meeting on 9 March 2018 and resolved to advise the City of Karratha that the proposed Scheme Amendment No.44 to Town Planning Scheme No.8 has been considered for its potential impact on the <i>Cossack Townsite Precinct</i> and the following advice is given.	Noted.	Note.
The Heritage Council recognises the need to enable and encourage appropriate and well-considered development within the <i>Cossack Townsite Precinct</i> and is supportive of the general intent of the Scheme Amendment. However, Heritage Council support for the proposed amendment can only be considered once:	Noted.	Note.
1. The Cossack Conservation Management Plan has been revised to the satisfaction of the Heritage Council of Western Australia; and	The Cossack Cultural Landscape Management Plan was conditionally endorsed at the December 2018 Heritage Council meeting. City officers are happy to work with DPLH officers to revise the Cossack Development Guidelines document.	Note.
2. Subsequent to adoption of an agreed version of the CMP, the Cossack Development Guidelines are revised to the satisfaction of the Heritage Council of Western Australia.		Note.
3. These documents along with others, such as the Coastal Hazard Risk Management Adaptation Plan are critical in informing the proposed Scheme Amendment and will provide a framework for decision making that is clear, transparent and consistent.	Agreed.	Note.
The Heritage Council understands that the City has already received preliminary comment on the Conservation Management Plan from the Department of Planning, Lands and Heritage, in a letter dated 29 January 2018. The City's presentation to the recent Heritage Council meeting identified that there is an awareness and acceptance of the work still required to develop a fully inclusive CMP. It is likely that there will be an ongoing need for an iterative process of review and feedback, involving the Department and other relevant stakeholders.	The CLMP was conditionally endorsed at the December 2018 Heritage Council meeting. City officers are happy to continue to work with DPLH officers to finalise all relevant documents.	Continue to work with DPLH officers to finalise all relevant documents.
The City of Karratha is therefore encouraged to work collaboratively with its heritage consultant and the DPLH to refine the CMP in line with advice received. We look forward to working with the City to create a document that will help deliver an achievable future for Cossack.	The CLMP is being revised in accordance with the Heritage Council decision and in consultation with DPLH officers.	Note.

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The advice in this letter is provided in response to the referral of a Scheme Amendment set out under Section 79 of the <i>Planning and Development Act 2005</i> .	Section 79 of the <i>Planning and Development Act 2005</i> requires the local government to refer Schemes and Scheme Amendments that affect a heritage site on the State Heritage Register to the Heritage Council.	Note.
4. Department of Health		
<p>The Department of Health has no objection to the proposed amendment.</p> <p>In relation to coastal hazard matters consider the document 'Land Use Planning for Natural Hazards' which can guide the use of land to effectively reduce risk and enhance sustainability for areas prone to hazards such as flooding (including storm surge), fire, earthquake, strong wind and erosion.</p>	<p>Noted.</p> <p>The Land Use Planning for Natural Hazards is a manual that was released by the Australian Institute for Disaster Resilience in 2002 to provide guidance on a range of natural hazards including bushfires, landslides and earthquakes. The Coastal Hazard Risk Management and Adaptation Plan prepared for Cossack has been prepared in accordance with current guidelines for coastal hazard planning in Western Australia.</p>	<p>Note.</p> <p>Note.</p>
5. Geoff Van Waardenberg		
<p>In my opinion, I feel the City of Karratha's planning team have done an excellent job so far of producing the Coastal Hazard Risk Management Adaptation Plan, Conservation Management Plan and Development Guidelines, which all support Amendment No.44.</p> <p>If this scheme amendment can be passed through to the State Planning Commission, it will definitely be a great step forward to both the City and the landowners being able to push ahead together towards the overall outcome for Cossack as described in the City's Cossack Visioning document produced in 2015.</p> <p>There were a number of concerns I and adjacent landowners to my Lot 150 have had, which we discussed at both the CHRMAP presentation meeting held in Karratha and through the landowner submissions we have made for both the CHRMAP and CMP documents which we trust the planning team have given due consideration to.</p> <p>Getting back to the Development Guidelines and Scheme Amendment No.44 documents, following are a couple of technical points which definitely need amending:</p>	<p>Noted.</p> <p>It is recommended that the amendment be adopted and forwarded to the WAPC for consideration.</p> <p>The comments made and concerns raised by Cossack landowners have been considered as part of preparing the draft CHRMAP and Cultural Landscape Management Plan. Concerns relate largely to the applicability of coastal erosion provisions required under the State Coastal Planning Policy to their properties.</p>	<p>Note.</p> <p>The amendment be adopted and forwarded to the WAPC for consideration.</p> <p>Note.</p>

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<p>Firstly, the “Townsite Development Zone” over Lot 150 on page 11 of the Development Guidelines shows low points at the front and in the middle of Lot 150. Lot surveys for Lots 149, 150 and 151 (attached to the submission) clearly show these points as high points. By changing these points from low points to high points, the developable area of Lot 150 increases from almost none of the lot to around 50% of the lot, which as we know has always been the case. The attached lot surveys have been produced by terrestrial survey to an accuracy of +/- 0.002m. The contours on page 11 have not. This may only seem a small error in the overall plan but it affects us directly on Lot 150. While it is made clear that prior to any development, a terrestrial based site survey would be required, we feel it necessary to correct this error in the Guidelines document to stop it coming up again in the future. In the past, we have found incorrect flood data has had a habit of rearing its head over and over again, due to the lack of good survey data in the first place.</p> <p>Secondly, Part 4 of Form 2A of the Scheme Amendment No.44 document currently omits Lots 146-153 and Vacant Crown Land Lot 505 from the list of lots to be rezoned from ‘Urban Development’ to ‘Tourism’. I believe it should read “rezoning Lots 128-131 on Plan 222320, Lots 146-153 on Plan 222320 and Vacant Crown Land Lot505 on Plan 73609 from ‘Urban Development’ zone to ‘Tourism’ zone”.</p>	<p>The “Townsite Development Zone” over Lot 150 on Page 11 of the Development Guidelines document should be modified to accurately reflect the topography across the site.</p> <p>These lots have been omitted from both the “Resolution to Adopt” and “Resolution to Amend Local Planning Scheme” pages in error. The Scheme Amendment No.44 document should be modified to read “rezoning Lots 128-131 on Plan 222320, Lots 146-153 on Plan 222320 and Vacant Crown Land Lot505 on Plan 73609 from ‘Urban Development’ zone to ‘Tourism’ zone”.</p>	<p>Modify the “Townsite Development Zone” over Lot 150 on Page 11 of the Development Guidelines document to accurately reflect the topography across the site.</p> <p>Modify the “Resolution to Adopt” and “Resolution to Amend Local Planning Scheme” pages to read “rezoning Lots 128-131 on Plan 222320, Lots 146-153 on Plan 222320 and Vacant Crown Land Lot505 on Plan 73609 from ‘Urban Development’ zone to ‘Tourism’ zone”.</p>