

## ATTACHMENT 2 – SCHEDULE OF SUBMISSIONS

#	Name	Date	Submission	Officer Comment	Recommendation
1.	Kenneth Patterson	12.07.2017	<p>The submission registered the following comment:</p> <ol style="list-style-type: none"> <li>1. <i>The cover letter in the application was signed by Angela Doyle, Operations Manager of Kimberley Sands.</i></li> <li>2. <i>The cover letter made no mention of dry cleaning, and referred only to 'laundry'.</i></li> </ol>	<p>The cover letter was signed by Angela Doyle as the applicant in her capacity as Operations Manager for the Kimberley Sands. The signatures of both directors/land-owners, company secretary, and Angela Doyle as the applicant, was provided.</p> <p>In assessing an application for Development Approval, consideration is given to the land-use definitions and permissibility's as contained in the Shire's Local Planning Scheme No.6 (<b>LPS6</b>). Additionally, consideration is also given to the land-use and development objectives that apply under the Shire's Local Planning Strategy, LPS6, and the Cable Beach Development Strategy.</p> <p>In assessing the current application, it is considered that the proposed activity and use of the land does fit reasonably within the land-use classification of 'dry-cleaning premises' which is defined under LPS6 as:</p> <p><i>"means any land or building used for the cleaning of garments and other fabrics by chemical processes".</i></p>	Noted. No action required.
2.	Michelle Parish	17.07.2017	<p>The submission registered concern for the proposed dry-cleaning activity, summarised as follows:</p> <p><i>The interpretation of dry-cleaning premises as defined in the Shire of Broome Health Local Laws 2006 means premises where clothes or other articles are cleaned by the use of solvents without using water; and section 9.1.1 lists a dry-cleaning premises as an offensive trade.</i></p> <p><i>The dry-cleaning process uses solvents to clean garments and when used, stored or disposed of inappropriately, these chemicals are also a known health and environmental hazard. The vapours emitted are potentially hazardous to guests staying at</i></p>	<p>In assessing the current application, it is considered that the activity as proposed does fit reasonably within the land-use classification of 'dry-cleaning premises' which is defined under LPS6 as <i>"means any land or building used for the cleaning of garments and other fabrics by chemical processes".</i></p> <p>It is noted from the Health Local Law point of view, that there is a distinction between a dry cleaning premises which typically uses chemicals to clean materials and a laundry which would typically use water, however both activities involve the cleaning of garments and other fabrics. In the absence of 'laundry' being a</p>	Noted. No action required.

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			<p><i>the resort and to residents that live within 80m of the Kimberley Sands.</i></p> <p><i>Dry-cleaning is an offensive trade and should not be permitted in an accommodation facility in a tourist zone. Information detailing the proposal should be made available to the general public.</i></p>	<p>specific land use definition under LPS6, given it is the same type of class of activity as a 'Dry-cleaning premises' (where by buildings are used for the cleaning of garments) for the purposes of determining its land use permissibility under the Zoning Table, it is considered to be a 'D' use in the Tourist zone.</p> <p>Nevertheless, the provision of laundry and/or dry-cleaning services is consistent with the land-use objectives and use permissibility's applicable to the Tourist zone under the Shire's Planning framework, on the basis that:</p> <ul style="list-style-type: none"> <li>- the activity will remain incidental to the predominant tourism use of the site with no services to be made available to the general public.</li> <li>- the land-use definition of 'Tourist Development' allows for facilities (such as dry-cleaning/laundry services) for the convenience of guests, (as is standard practice in the hotel industry);</li> <li>- the provision of dry-cleaning services for the convenience of guests is consistent with the objectives of the Shire's Cable Beach Development Strategy which specifically identifies the need for such services to be made available within the precinct as a value adding element from a tourism experience perspective;</li> <li>- the application complies with all relevant site and development requirements of LPS6 and Shire Policy.</li> </ul>	
3.	Rosemary Mitchell	17.07.2017	<p>The submission registered concern for the proposed dry-cleaning activity, summarised as follows:</p> <p><i>I have concerns for the process that would allow a premise in the tourist zone to operate a dry-cleaning service. The Shire puts in a lot of checks and balances to ensure the safety of business operators and clientele through its stringent regulations. I feel</i></p>	<p>A dry-cleaning land-use is a discretionary land-use within the Tourist zone under LPS6. If the applicant wishes to provide dry-cleaning services as defined under Health Local Laws (over and above the laundry activity currently proposed); relevant approvals from Shire Health</p>	Noted. No action required.

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			<p><i>that this proposal could not pass the tests applied to other businesses offering the same services. An existing business should not be able to side-step the stringent rules that another business has strictly followed. This is unfair at a Shire regulation level and detrimental to supporting local business owners such as Pearl Sea. Concerned for consistency and transparency.</i></p>	<p>would need to be obtained.</p> <p>The Shire has advertised the application and provided information explaining the proposal to those who have contacted Shire Officer requesting such information.</p> <p>Any application for a dry-cleaning premises would be subject to the same process of assessment as has been undertaken in the current case, with the exception that applications for dry-cleaning land-use do not require advertising (as 'D', discretionary, and 'P', permitted, land-uses) in accordance with LPS6 &amp; Local Planning Policy 8.23 - Public Consultation Planning Matters. Nevertheless, in the interests of transparency; Shire Officers elected to advertise the current application as it was foreseen there may be interest in the proposal.</p>	
4.	Dione Sutherland	17.07.2017	<p>The submission registered concern for the proposed dry-cleaning activity, summarised as follows:</p> <p><i>The interpretation of dry-cleaning premises as defined in the Shire of Broome Health Local Laws 2006 means premises where clothes or other articles are cleaned by the use of solvents without using water; and section 9.1.1 lists a dry-cleaning premises as an offensive trade.</i></p> <p><i>The dry-cleaning process uses solvents to clean garments and when used, stored or disposed of inappropriately, these chemicals are also a known health and environmental hazard. The vapours emitted are potentially hazardous to guests staying at the resort and to residents that live within 80m of the Kimberley Sands.</i></p> <p><i>Dry-cleaning is an offensive trade and should not be permitted in an accommodation facility in a tourist zone. Information detailing the proposal should be made available to the general public.</i></p>	<p>Refer Officer comment in response to Submission 2 above.</p>	Noted. No action required.

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5.	Kenneth Patterson	17.07.2017	<p>The submission registered concern for the proposed dry-cleaning activity, summarised as follows:</p> <p><i>I viewed in your presence on 11 July 2017, the Kimberley Sands letter headed "Application for Development Approval " (dated 30 May 2017) , I would like to point out that this letter does not once mention the application being for dry cleaning and does not relate to the Proposed Development for Public Comment notice (29 June 2017). (The letter mentions "laundry" a number of times.)</i></p> <p><i>I have the following questions:-</i></p> <ol style="list-style-type: none"> <li>1. <i>How did the Development Approval become "an application for a 'Dry Cleaning Premises' "as advertised?</i></li> <li>2. <i>I do not believe that the present laundry at Kimberley Sands Resort is going to become a Dry Cleaning Premises as they have stated in their letter that they have "NO plans to purchase or install new equipment." You advised me that you had personally inspected the premises on receipt of this application. What do you believe?</i></li> <li>3. <i>In the letter by Kimberley Sands dated 30 May 2017 states: "We would also like the opportunity to support the laundry requirements of our sister property, The Pearle of Cable Beach and potentially other properties." The wording "potentially other properties "strongly indicates that both this letter and advertisement are misleading and not transparent .What do you believe?</i></li> </ol> <p><i>As you have advised that "this is an application that can be considered under delegation in</i></p>	<p>With respect to point 1 of the submission, please refer to Officer Comment on submission 2 above. With respect to points 2 &amp; 3 of the submission, see response below.</p> <p>The application has not proposed and does not show on submitted plans, any new development or additions of any kind to facilitate the proposed use of the existing laundry facility. If the applicant was to install new equipment which meant changing practices to include 'dry-cleaning' activities as defined under Health Local Laws; the applicant would then be required to obtain relevant approvals from Shire Health. If any additions to buildings or floor-space was proposed in the future; an application for Development Approval would need to be submitted for this.</p> <p>The application and assessment as set out in the Council Agenda item has been assessed with consideration for the Shire's planning framework, in accordance with the <i>Planning &amp; Development (Local Planning Schemes) Regulations 2015</i>, further to the <i>Planning &amp; Development Act 2005</i>. As per these regulations, both the submitter and applicant, may elect to exercise their ability to challenge a decision made with respect an application for Development Approval.</p> <p>Concerns raised in relation to the provision of laundry services to other properties are noted. The information provided by the applicant and assessment undertaken are on the basis that the service is provided to one additional property only. As such it is recommended that a condition to this effect be incorporated into the approval.</p>	<p>Noted.</p> <p>It is recommended that a condition of development approval be included setting out the following:</p> <p><i>This approval is for the provision of laundry services to guests onsite and Lot 993 (No.14) Millington Road, Cable Beach, only, with no services to be made available to members of the public at any time.</i></p>
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			<p><i>accordance with Shire Policy (i.e. does not require Council consideration) "If the application for a "Dry Cleaning Premises " is passed ,Pearl Sea Laundry will have no other choice than to challenge the decision legally. A Judge is then going to have to make a ruling on whether the premises are a laundry or a dry cleaning premises. As the above Kimberley Sands letter refers to laundry at all times, in my opinion, his ruling will be a laundry.</i></p>		
6.	Rachael Beresford	17.07.2017	<p>The submission registered concern for the proposed dry-cleaning activity, summarised as follows:</p> <p><i>The interpretation of dry-cleaning premises as defined in the Shire of Broome Health Local Laws 2006 means premises where clothes or other articles are cleaned by the use of solvents without using water; and section 9.1.1 lists a dry-cleaning premises as an offensive trade.</i></p> <p><i>The dry-cleaning process uses solvents to clean garments and when used, stored or disposed of inappropriately, these chemicals are also a known health and environmental hazard. The vapours emitted are potentially hazardous to guests staying at the resort and to residents that live within 80m of the Kimberley Sands.</i></p> <p><i>Dry-cleaning is an offensive trade and should not be permitted in an accommodation facility in a tourist zone. Information detailing the proposal should be made available to the general public.</i></p>	Refer Officer comment in response to Submission 2 above.	Noted. No action required.
7.	Katrina Comito (Pearl Sea Laundry)	17.07.2017	<p>The submission registered concern for the proposed dry-cleaning activity, summarised as follows:</p> <p>I have been to the Shire to view the proposal and it was not available for me to read. I have had a meeting with Shire Officers and it was not available for me to view. I have been the owner of Pearl Sea Laundry &amp; Dry Cleaning located at 14 Flowerdale</p>	Alex MacKenzie (Senior Planning Officer) and Ty Matson (Manager Health & Ranger Services) met with the submitter at the Shire Office to discuss the application. During the meeting copies of the proposal were available to view, although copies of the application form were not provided as per standard practice as such forms can contain confidential information. The	Noted. No action required.

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			Road for 19 years and have a strong interest in the application. I have engaged the services of a town planning advisor and he is keen to view the application.	submitter was provided, both at the meeting and in subsequent emails to both her husband and father, with details of the proposal to make an informed submission of comment to the Shire.	
8.	Brian Philp	18.07.2017	<p>The submission registered concern for the proposed dry-cleaning activity, summarised as follows:</p> <p><i>The interpretation of dry-cleaning premises as defined in the Shire of Broome Health Local Laws 2006 means premises where clothes or other articles are cleaned by the use of solvents without using water; and section 9.1.1 lists a dry-cleaning premises as an offensive trade.</i></p> <p><i>The dry-cleaning process uses solvents to clean garments and when used, stored or disposed of inappropriately, these chemicals are also a known health and environmental hazard. The vapours emitted are potentially hazardous to guests staying at the resort and to residents that live within 80m of the Kimberley Sands.</i></p> <p><i>Dry-cleaning is an offensive trade and should not be permitted in an accommodation facility in a tourist zone. Information detailing the proposal should be made available to the general public.</i></p>	Refer Officer comment in response to Submission 2 above.	Noted. No action required.
9.	Anjayani Sam	18.07.2017	<p>The submission registered concern for the proposed dry-cleaning activity, summarised as follows:</p> <p><i>The interpretation of dry-cleaning premises as defined in the Shire of Broome Health Local Laws 2006 means premises where clothes or other articles are cleaned by the use of solvents without using water; and section 9.1.1 lists a dry-cleaning premises as an offensive trade.</i></p> <p><i>The dry-cleaning process uses solvents to clean garments and when used, stored or disposed of inappropriately, these chemicals are also a known health and environmental hazard. The vapours emitted are potentially hazardous to guests staying at</i></p>	Refer Officer comment in response to Submission 2 above.	Noted. No action required.

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			<p><i>the resort and to residents that live within 80m of the Kimberley Sands.</i></p> <p><i>Dry-cleaning is an offensive trade and should not be permitted in an accommodation facility in a tourist zone. Information detailing the proposal should be made available to the general public.</i></p>		
10.	Vinka Bridgeman	18.07.2017	<p>The submission registered concern for the proposed dry-cleaning activity, summarised as follows:</p> <p><i>The interpretation of dry-cleaning premises as defined in the Shire of Broome Health Local Laws 2006 means premises where clothes or other articles are cleaned by the use of solvents without using water; and section 9.1.1 lists a dry-cleaning premises as an offensive trade.</i></p> <p><i>The dry-cleaning process uses solvents to clean garments and when used, stored or disposed of inappropriately, these chemicals are also a known health and environmental hazard. The vapours emitted are potentially hazardous to guests staying at the resort and to residents that live within 80m of the Kimberley Sands.</i></p> <p><i>Dry-cleaning is an offensive trade and should not be permitted in an accommodation facility in a tourist zone. Information detailing the proposal should be made available to the general public.</i></p>	Refer Officer comment in response to Submission 2 above.	Noted. No action required.
11.	Claire Collis	19.07.2017	<p>The submission registered concern for the proposed dry-cleaning activity, summarised as follows:</p> <p><i>The interpretation of dry-cleaning premises as defined in the Shire of Broome Health Local Laws 2006 means premises where clothes or other articles are cleaned by the use of solvents without using water; and section 9.1.1 lists a dry-cleaning premises as an offensive trade.</i></p> <p><i>The dry-cleaning process uses solvents to clean</i></p>	Refer Officer comment in response to Submission 2 above.	Noted. No action required.

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			<p><i>garments and when used, stored or disposed of inappropriately, these chemicals are also a known health and environmental hazard. The vapours emitted are potentially hazardous to guests staying at the resort and to residents that live within 80m of the Kimberley Sands.</i></p> <p><i>Dry-cleaning is an offensive trade and should not be permitted in an accommodation facility in a tourist zone. Information detailing the proposal should be made available to the general public.</i></p>		
12.	Karen Servel	20.07.2017	<p>The submission registered concern for the proposed dry-cleaning activity, summarised as follows:</p> <p><i>The interpretation of dry-cleaning premises as defined in the Shire of Broome Health Local Laws 2006 means premises where clothes or other articles are cleaned by the use of solvents without using water; and section 9.1.1 lists a dry-cleaning premises as an offensive trade.</i></p> <p><i>The dry-cleaning process uses solvents to clean garments and when used, stored or disposed of inappropriately, these chemicals are also a known health and environmental hazard. The vapours emitted are potentially hazardous to guests staying at the resort and to residents that live within 80m of the Kimberley Sands.</i></p> <p><i>Dry-cleaning is an offensive trade and should not be permitted in an accommodation facility in a tourist zone. Information detailing the proposal should be made available to the general public.</i></p>	Refer Officer comment in response to Submission 2 above.	Noted. No action required.
13.	Paul Comito (Pearl Sea)	20.07.2017	<p>The submission registered concern for the proposed dry-cleaning activity, summarised as follows:</p> <p><i>My comments requested by The Shire of Broome relating to the above matter are that I disagree strongly and object to the application for a "Drycleaning" premises located at Kimberley Sands</i></p>	<p>As per Officer comment above, the undertaking of a dry-cleaning and/or laundry activity within the Tourist zone is a supportable land-use with consideration for the objectives and provisions of LPS6 and Cable Beach Development Strategy.</p> <p>Shire Officers met with the submitter and</p>	Noted. No action required.



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		<p><i>Resort to service another resort property located elsewhere being approved for the following reasons.</i></p> <p><i>I received an email from Kirsten Wood dated 19th July confirming the applicant being Cable Beach Operations have completed an Application for Development Planning. A requested copy of this document which is advertised as available for Public comment was declined.</i></p> <p><i>The Application for Development Approval (Local Planning Scheme NO 6.) Clearly states on the document the signature of the Owner(s) is required on all applications. This application will not proceed without the signature of all landowners.</i></p> <p><i>Cable Beach Operations Pty Ltd / Saltwater Properties Management Company, are NOT the landowners of the property.</i></p> <p><i>Email received from Kirsten Wood dated 20th July confirming “Angela Doyle is the applicant and also is the applicant’s signature”. Angela Doyle is NOT the Landowner as required for the application.</i></p> <p><u><i>INTENTION TO OPERATE A COMMERCIAL LAUNDRY IN TOURIST ZONED AREA</i></u></p> <p>a) <i>Copy of email attached confirming from Director of Cable Beach Operations Pty Ltd Paul Coggan acknowledge they intend to process The Pearle laundry and charge the publicly owned unit owners of the Pearle Resort for a laundry service.</i></p> <p>b) <i>The charging of any fee to publicly owned property holders legally constitutes TRADE</i></p> <p>c) <i>I have received advice from Environmental Health Directorate of the Health Department quoting “if the laundry service is charging a fee for its service. This is an important part of establishing if the laundry is a ‘trade’</i></p>	<p>discussed the application at the Shire Office. All information relating to the application was provided verbally at the meeting. Copies of the Cover Letter and submitted plans were also available for viewing and were provided electronically. It is standard practice not to release copies of application forms to the public for the reason that such forms may contain confidential information. The Shire however has clarified with the submitter the information that was requested on the application form.</p> <p>The Development Application form was signed by the landowner and applicant in accordance with Shire procedures and this has been communicated with the submitter.</p> <p><u><i>INTENTION TO OPERATE A COMMERCIAL LAUNDRY IN TOURIST ZONED AREA</i></u></p> <p>The matter of whether a trade activity is being undertaken or a fee is being charged relates to whether the activity requires approval under the Health Local Law.</p> <p>For the purposes of determining the development application, the Shire must assess the application against the provisions of LPS6. As set out in the comments above, it is considered that the activity as proposed does fit reasonably within the land-use classification of ‘dry-cleaning premises’ which is defined under LPS 6 as “means any land or building used for the cleaning of garments and other fabrics by chemical processes”.</p> <p>It is noted from the Health Local Law point of view, that there is a distinction between a dry cleaning premises which typically uses chemicals to clean materials and a laundry</p>	
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		<p>d) <i>As a fee is being charge this now becomes a Commercial Laundry Premises not permitted in a Tourist Zoned area.</i></p> <p><i>Why is the charging of a fee for a service being disregarded in this application?</i></p> <p><u>TERMINOLOGY OF DRYCLEANING</u></p> <p>a) <i>The application from Cable Beach Operations Pty Ltd does not meet the legal terminology of Dry Cleaning. The Terminology of this description of the process is attached from the Drycleaning Institute of Australia and is defined as per specified description in the Shire of Broome Health Local Law 2006, (Part 9 – OFFENSIVE TRADES) 9.4.1 Interpretation. Description of a Laundry is also written in this clause of The health Act.</i></p> <p>b) <i>During our meeting on Tuesdays 4th July with Alex and Ty, both gentleman acknowledged the process of drycleaning being the cleaning of a shirt or dress (clothing).</i></p> <p>c) <i>The key word to relate to any interpretation when viewing the Town Planning Scheme is Dry Cleaning and the descriptive terminology it implies.</i></p> <p><i>Why is the descriptive terminology relating to this application being misleadingly applied to this application?</i></p> <p><i>Kimberley Sands DO NOT currently or in the future intend to operate a Dry Cleaning premises as stated in the Advertisement in the local paper placed by the Shire of Broome and as per their written statement lodged by Angela Doyle. They do not have any Dry Cleaning equipment or use any Dry cleaning processes on site to support that they currently operate a dry cleaning operation now or in the future.</i></p>	<p>which would typically use water, however both activities involve the cleaning of garments and other fabrics. In the absence of 'laundry' being a specific land use definition under LPS6, given it is the same type of class of activity as a 'Dry-cleaning premises' (where by buildings are used for the cleaning of garments) for the purposes of determining it land use permissibility under the Zoning Table, it is considered to be a 'D' use in the Tourist zone.</p> <p>If the development application is supported, the Shire's Environmental Health Officers will review the proposal against the Health Local Law.</p> <p><u>TERMINOLOGY OF DRYCLEANING</u></p> <p>As set out in the comments above, it is considered that the activity as proposed reasonably fits within type or class of land use activity of 'dry-cleaning premises', in the absence of 'Landry' being is specific land use definition under LPS6.</p> <p>This is not being done to sidestep zoning regulations.</p> <p><u>HEALTH ACT</u></p> <p>If the development application is supported, the Shire's Environmental Health Officers will review the proposal against the Health Local Law and required permits/approvals must be sought prior to commencement of operations.</p> <p><u>BUILDING CLASSIFICATION</u></p> <p>The application does not propose to alter the existing building (or its use) on-site and therefore</p>	
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			<p><i>I have been advised that should this application be approve we will have grounds for legal action. Approving the application for a Dry Cleaning premises only permits the applicant to operate a Dry Cleaning premises, not a Commercial Laundry to service another resort.</i></p> <p><i>This objection is not in any way my intention to stop Kimberley Sands Resort or any other tourist facility in Broome from operating their own on-site laundry for the purpose of servicing the property it is located on. As written evidence has been provided with this letter stating that fees will be charged, I disagree strongly that this important point appears to be taken lightly. Allowing this to occur will set a precedent whereby Management companies can profit and trade as a commercial laundry under the false pretences of a Dry Cleaning Premises approved by The Shire of Broome and side step zoning regulations.</i></p> <p><i>I strongly object to a commercial laundry being disguised as a Dry Cleaning premises as advertised by the CEO to slide into a particular zoning area in disguise.</i></p> <p><i>I also am also concerned as a rate payer the lack of clarity, available information for the public as advertised and the misleading statements being made public by the CEO regarding this issue along with the reluctance to release documents for public viewing.</i></p> <p><i>I would like to thank you for allowing me the opportunity to voice my comments and objection, and trust that the Shire of Broome will decline this application based on all the presented literature and preserve the intended use of Tourist Zoned areas.</i></p>	<p>considered to be a 'D' use in the Tourist zone.</p> <p>In reviewing this proposal it is deemed to be:</p> <ul style="list-style-type: none"> <li>- incidental to the predominant tourist use of the KSR site;</li> <li>- will not have an adverse impact on adjoining properties, with the activity to utilise existing facilities on a scale consistent with the existing tourist use of the site;</li> <li>- is appropriate to the location on the basis that it is a type of use that is compatible with the tourist zoning.</li> </ul> <p>As such in this case it is recommended that development approval is issued.</p>	
14.	Pearl Sea - Katrina Comito	20.07.2017	<p>The submission registered concern for the proposed dry-cleaning activity, summarised as follows:</p> <p><i>I have lived in Broome for the past 25 years and I</i></p>	<p>For the purposes of determining the development application, the Shire must assess the application against the provisions of LPS6. As set out in the comments above, it is</p>	<p>Noted. It is recommended that a condition of development approval be included setting out the</p>

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		<p><i>have owned and operated Pearl Sea Laundry Services for nearly 20 years. I started the business as a small coin operated laundromat and I have worked very hard to build it into the large commercial laundry it is today. My husband Paul joined the company in 2009 and over the past 8 years we have invested a considerable amount of time and money into Broome's economy and future with the build of our new premises at 14 Flowerdale Rd.</i></p> <p><i>I am concerned to read of an application for a Dry Cleaning Premises in a Tourist Zone at 10 Murray road in Cable Beach. I have viewed the Application for Development Approval letter submitted by Kimberley Sands Resort (KSR). At no point in the letter do they mention any form of Dry Cleaning, in fact the opening paragraph states "Kimberley Sands Resort &amp; Spa is seeking approval to expand our current laundry operations to cater for the laundry requirements of our sister property The Pearle of Cable Beach and potentially other sites."</i></p> <p><i>The interpretation of Dry Cleaning Premises as defined in the Shire of Broome Health Local Laws 2006 in section 9.4.1 "dry cleaning establishment" means premises where clothes or other articles are cleaned by the use of solvents without using water; and section 9.1.1 lists a dry cleaning premises as an offensive trade.</i></p> <p><i>It would appear to me that Kimberley Sands Resort &amp; Spa is in fact seeking to operate a commercial laundry from their premises. They do not seek to add more equipment to their current facility because they already did this in April 2017 in readiness for the submission of this application. There is currently <u>only</u> commercial laundry equipment onsite and NO Dry Cleaning equipment. Submitting an application for a "Dry Cleaning Premises" is misleading and is in fact not once mentioned in their written application.</i></p> <p><i>The application states "we are only running at 20 –</i></p>	<p>considered that the activity as proposed does fit reasonably within the land-use classification of 'dry-cleaning premises' which is defined under LPS6 as "means any land or building used for the cleaning of garments and other fabrics by chemical processes".</p> <p>It is noted from the Health Local Law point of view, that there is a distinction between a dry cleaning premises which typically uses chemicals to clean materials and a laundry which would typically use water, however both activities involve the cleaning of garments and other fabrics. In the absence of 'laundry' being a specific land use definition under LPS6, given it is the same type of class of activity as a 'Dry-cleaning premises' (where by buildings are used for the cleaning of garments) for the purposes of determining it land use permissibility under the Zoning Table, it is considered to be a 'D' use in the Tourist zone.</p> <p>If the development application is supported, the Shire's Environmental Health Officers will review the proposal against the Health Local Law and required permits/approvals must be sought prior to commencement of operations.</p> <p>Concerns raised in relation to the provision of laundry services to other properties are noted. The information provided by the applicant and assessment undertaken are on the basis that the service is provided to one additional property only. As such it is recommended that a condition to this effect be incorporated into the approval.</p>	<p>following:</p> <p><i>This approval is for the provision of laundry services to guests onsite and Lot 993 (No.14) Millington Road, Cable Beach, only, with no services to be made available to members of the public at any time.</i></p>
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			<p><i>30% capacity of our laundry's capability." Until 12<sup>th</sup> June 2017 (approx. 2 weeks after the application was submitted) Pearl Sea Laundry Services was processing approximately 85% of KSR laundry. When they expanded their operations and installed more commercial equipment in April 2017 they clearly would have known this would have been the outcome. The current in-house laundry at KSR was recently expanded with more commercial equipment in readiness for this application.</i></p> <p><i>The application also seeks to process the laundry requirements of The Pearle of Cable Beach and "potentially other properties". The Pearle is under strata management and so would be paying for the laundry services. If Kimberley Sands is going to charge The Pearle (or any other property) for laundry services they would then be operating as a commercial laundry. Is a commercial laundry able to operate from a Tourist zone?</i></p> <p><i>I find it grossly unfair and very misleading of the Shire of Broome to consider approving this application. When we built our new premises we adhered to all local Broome Shire Health and Planning laws and regulations at considerable expense. The existing in-house laundry at Kimberley Sands Resort has not had to adhere to these same laws and regulations and so I feel it should not be able to operate as a commercial laundry or a dry cleaning premises.</i></p> <p><i>The Shire of Broome Customer Service Charter states Integrity as one of their core values: Be honest, <u>equitable</u> and ethical in all our dealings .... and Courtesy as another: Provide courteous service and <u>helpful solutions</u> and I feel in this situation that parts of these core values are lacking.</i></p>		
15.	Kenneth Patterson	20.07.2017	<p>The submission registered concern for the proposed dry-cleaning activity, summarised as follows:</p> <p><i>I am Kenn Patterson, a retired architect. My daughter</i></p>	As detailed in the Officer comment with respect Submission 2 above; in assessing an application for a land-use activity, consideration is given to relevant land-use definitions under LSP6.	Noted. No action required.

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		<p><i>is Katrina Comito who with her husband Paul are the proprietors of Pearl Sea Laundry and Dry Cleaning. I visited the Shire Offices 11 July 2017 to view copies of the proposal and was shown them by Alex MacKenzie Senior Town Planner. The cover letter for the application did not mention dry-cleaning. I find it difficult why Alex as an assessing officer could interpret the application as being for dry-cleaning premises.</i></p> <p><i>I read the letter dated 30 May 2017 submitted by Kimberley Sands Resort and Spa which was headed "Application For Development Approval". The letter did not mention the application being for dry cleaning premises or mention dry cleaning at all. The letter referred to "laundry " a number of times, washing sheets etc The A4 drawing showed the outline of a building named "laundry "(This was part of the application) I copied the following sentence ,noting with interest the word "laundry "</i></p> <p><i>"We would also like the opportunity to support the laundry requirements of our sister property, The Pearle of Cable Beach and potentially other properties. "</i></p> <p><i>I had previously read Alex's email dated 3 July 2017 to Paul at Pearl Sea Laundry stating:- "this is an application that can be considered under delegation in accordance with Shire Policy ( i.e. does not require Council consideration ). That same email written by Alex states: "Just briefly to clarify what is proposed- the application relates to an existing internal dry-cleaning facility at Kimberley Sands....."</i></p> <p><i>I find it very difficult to understand why Alex as "myself and Stacey as assessing officers". (Quoted from the same email). .....could interpret the application as being for Dry Cleaning Premises .</i></p> <p><i>I was advised by Katrina (my daughter)and Paul (my son-in-law)from Pearl Sea Laundry that at their meeting with Ty and Alex on Tuesday 4 July, 2017 to discuss the above application, Alex advised them that he had made some errors when writing the above</i></p>	<p>Regardless of what is written on an application form, from a planning assessment perspective, the most relevant land-use classification and definition will be used.</p> <p>In assessing the current application it was determined that a laundry activity could reasonably be considered to fit within the land-use definition of a 'dry-cleaning premises' (refer to Land-Use section of attached report). As discussed in the attached report, a dry-cleaning premises as a land-use from a planning perspective is different to a dry-cleaning premises as defined under Health Local Laws, due to the difference in processes and chemicals.</p> <p>Though approval as a dry-cleaning premises can allow for laundry services to be undertaken; if the applicant wished to change the nature of the service to include dry-cleaning the applicant would need to make application to Shire Health as an Offensive Trade and meet all relevant requirements.</p> <p>The error referred to with regards to the notice placed in the Broome Advertiser was and is noted. Essentially, the notice stated that copies of the proposal would be available for viewing on the Shire's website. As the plans submitted were too large a format to scan and transfer onto the website, copies were made available for viewing to members of the public that enquired about the application. Copies of the applicant's cover letter which set out matters pertaining to all aspects of the proposal was provided to those who enquired about the application. It should also be noted that the application was not a type of land-use proposal under Shire policy for which advertising was actually required to be undertaken and effort was taken to ensure</p>	
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		<p>advertisement. I comment on these below.          I find it also difficult to understand how the application by Kimberley Sands letter dated 30 May 2017 which refers at all times to a "laundry" turns into an application for a 'Dry Cleaning Premises '. When I was with Alex viewing the above letter by Kimberley Sands, I copied the statement that they have "NO plans to purchase or install new equipment..."          so I do not believe that the present laundry at Kimberley Sands Resort is going to become a Dry Cleaning Premises.          After my meeting with Alex, I tried to meet with Stacey Bambrick in Health but was told she was not available.          I was going to discuss with Stacey whether she knew the difference between a laundry and dry cleaning premises, as I had previously seen a certificate from her on the Pearl Sea Laundry and Dry Cleaning building. (In my opinion, Town Planning obviously did not know the difference)</p> <p>You have to ask the question: How did the letter submitted by Kimberley Sands turn in to an application for a "Dry Cleaning Premises"?</p> <p>I make these comments on the advertisement:</p> <ol style="list-style-type: none"> <li>1. There was no application for a 'Dry Cleaning Premises ' in the letter.</li> <li>2. There was no mention of the applicant 'Cable Beach Operations Pty Ltd' in the letter</li> <li>3. Pearl Sea Resort should read The Pearle.</li> </ol> <p>The Kimberly sands letter at all times mentions laundry. They "would also like the opportunity to support the laundry requirements...."          The letter also states that they have "NO plans to purchase or install new equipment..."          So obviously the Applicant is not trying to turn a present laundry into a dry-cleaning premises, particularly when they want to wash sheets etc. Why would the Shire town planner change the wording to a dry cleaner when it is obviously a laundry? I am going to leave the resolution of this question to our</p>	<p>interests in the proposal could be considered.</p>	
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			<i>Town Planner, Lex Barnett. We strongly oppose the application for a 'Dry Cleaning Premises.'</i>		
16.	Brian & Kate McGlinchey	20.07.2017	<p>The submission registered concern for the proposed dry-cleaning activity, summarised as follows:</p> <p><i>The interpretation of dry-cleaning premises as defined in the Shire of Broome Health Local Laws 2006 means premises where clothes or other articles are cleaned by the use of solvents without using water; and section 9.1.1 lists a dry-cleaning premises as an offensive trade.</i></p> <p><i>The dry-cleaning process uses solvents to clean garments and when used, stored or disposed of inappropriately, these chemicals are also a known health and environmental hazard. The vapours emitted are potentially hazardous to guests staying at the resort and to residents that live within 80m of the Kimberley Sands.</i></p> <p><i>Dry-cleaning is an offensive trade and should not be permitted in an accommodation facility in a tourist zone. Information detailing the proposal should be made available to the general public.</i></p>	Refer Officer comment in response to Submission 2 above.	Noted. No action required.
17.	Belinda McKenzie	19.07.2017	<p>The submission registered concern for the proposed dry-cleaning activity, summarised as follows:</p> <p><i>The interpretation of dry-cleaning premises as defined in the Shire of Broome Health Local Laws 2006 means premises where clothes or other articles are cleaned by the use of solvents without using water; and section 9.1.1 lists a dry-cleaning premises as an offensive trade.</i></p> <p><i>The dry-cleaning process uses solvents to clean garments and when used, stored or disposed of inappropriately, these chemicals are also a known health and environmental hazard. The vapours emitted are potentially hazardous to guests staying at the resort and to residents that live within 80m of the</i></p>	Refer Officer comment in response to Submission 2 above.	Noted. No action required.

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			<p><i>Kimberley Sands.</i></p> <p><i>Dry-cleaning is an offensive trade and should not be permitted in an accommodation facility in a tourist zone. Information detailing the proposal should be made available to the general public.</i></p>		
18.	Lex Barnett - Taylor Burrell Burnett	19.07.2017	<p>The submission registered concern for the proposed dry-cleaning activity, summarised as follows:</p> <p>There is no explanation in the cover letter of the application about the terms of trade between KSR and the Pearle Resort. It is reasonable to assume that they will be seeking to trade on commercial terms. The description of the application in the public notice appears to be at odds with the description in the application as a laundry.</p> <p>While laundry is not defined in the Planning Scheme, laundry is defined in the Health Local Laws. Based on our reading of the application and our understanding that the laundry is likely to trade under normal commercial terms, it appears that the proposal would be defined as a laundry as defined in the local laws and would therefore constitute an offensive trade.</p> <p>If the Shire grants approval to the application as a dry-cleaning premises, then such approval would not actually facilitate the activity that the proponents wish to undertake. Given that a laundry as an unlisted use would be required to be advertised as an unlisted use, pursuant to clause 3.18.2 (b) the legality of an approval for a use that was not specifically advertised as such would be brought into question.</p> <p>We therefore submit that, notwithstanding our comments below, should the Shire contemplate approving this application, the application should be readvertised with the use being described more appropriately as a laundry.</p> <p>We note that the applicants letter explains that there would be no increase in delivery traffic as there is already some transport of laundry between KSR and</p>	<p>It is understood that the KSR intends to provide laundry services to the Pearle Resort further to a shared management arrangement of the Tourist Development use. It is assumed the laundry service will be undertaken on commercial terms given the commercial nature of existing tourist development land-use on the subject site(s). In the case of the current application, whether the terms of trade between KSR and the Pearle Resort are on a commercial basis is not a valid planning consideration.</p> <p>Further to clause 3.18.2 of LPS6, the activity and use of the land as proposed has been determined to reasonably fall within the <i>type, class, and genus</i> of activity as that defined as dry-cleaning premises. A 'dry-cleaning premises' is defined under LPS6 as:</p> <p><i>"means any land or building used for the cleaning of garments and other fabrics by chemical processes".</i></p> <p>Ultimately, the activity as proposed will involve the use of a building for the cleaning of garments/fabrics. Given that a laundry is not a specific land use definition under LPS6, consistent with clause 3.18.2, it is deemed to reasonably fall within the <i>type, class, and genus</i> of activity as that defined as dry-cleaning premises, which is a 'D' use in the Tourist zone.</p> <p>If the applicant wished to change the nature of the service to include 'dry-cleaning' (as defined under Health Local Laws, the applicant would need to make application to Shire Health as an</p>	<p>Noted.</p> <p>As set out in the recommendation of the report, the application is recommended for approval as a 'Dry Cleaning Premises – Laundry' to reflect the proposed use and services to be provided. Approval is recommended to be conditioned to limit the provision of services to guests of the KSR and Pearle Resort's only, with no services to be made available to the general public.</p>

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		<p>the Pearle.</p> <p>The more significant concern is in the possibility that the laundry may ultimately be used to service other resorts in the area. If this were the case then the use is likely to have an adverse impact on the amenity of the locality. The potential of the application to expand to provide a laundry service for a number of resorts would ultimately create a commercial service operation that would be out of keeping with the character of the area and inconsistent with the intent of the Tourist zone.</p> <p>We therefore submit that the application should not be approved on the basis that:</p> <ol style="list-style-type: none"> <li>1. The proposal is effectively a commercial laundry operation that would be inconsistent with the character of the area and the intent of the Tourist zone; and</li> <li>2. The application provides insufficient detail of the potential impact of the proposal, particularly in terms of factors such as traffic impact.</li> </ol> <p>Alternatively, if the Shire is inclined to approve the application, we submit that it should be limited to providing the service only for the KSR and Pearle Resort.</p>	<p>Offensive Trade and meet all relevant requirements).</p> <p>Furthermore, the provision of laundry and/or dry-cleaning services is deemed consistent with the land-use objectives and use permissibility's applicable to the Tourist zone under the Shire's Planning framework, on the basis that:</p> <ul style="list-style-type: none"> <li>- the activity will remain incidental to the predominant tourism use of the site with no services to be made available to the general public.</li> <li>- the land-use definition of 'Tourist Development' allows for facilities (such as dry-cleaning/laundry services) for the convenience of guests, (as is standard practice in the hotel industry);</li> <li>- the provision of dry-cleaning services for the convenience of guests is consistent with the objectives of the Shire's Cable Beach Development Strategy which specifically identifies the need for such services to be made available within the precinct as a value adding element from a tourism experience perspective; and</li> <li>- the application complies with all relevant site and development requirements of LPS 6 and Shire Policy.</li> </ul> <p>With respect to the concern raised for potential traffic impacts associated with the proposal; whilst noting that the submission states "we would agree that the level of (traffic) movement is unlikely to cause any major impact on the amenity"; the application has explained that there will be one vehicle movement per day between the KSR and the Pearle associated with the proposed activity. As set out in the attached report, an assessment of car parking provision for the site as a whole, has shown there to be adequate parking bays to cater to guests, staff and the van to be used for transport</p>	
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				of laundry between KSR and the Pearle Resort.	
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