



Local Planning Scheme No. 6

Amendment No. 9

Planning and Development Act 2005

RESOLUTION TO AMEND LOCAL PLANNING SCHEME

SHIRE OF BROOME

LOCAL PLANNING SCHEME NO. 6 - AMENDMENT NO. 9

RESOLVED that the local government pursuant to section 75 of the *Planning and Development Act 2005*, amend the above local planning scheme by:

1. Removing the Restricted Use designation from Lot No. 97 on Strata Plan No. 57160, located on the NE Corner of Walcott and Saville Streets Broome, and amending the Scheme Map accordingly.
2. Amending the Scheme Map by rezoning Lots 30,31 and 32 on Deposited Plan 410181 from Residential (R20) to Mixed Use.

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

1. It is consistent with the objectives of the Mixed Use zone set out in Local Planning Scheme No. 6.
2. It is consistent with the Shire of Broome Local Planning Strategy, which was endorsed by the WAPC in August 2014.
3. The Mixed Use zone already exists over Lot 97 on Strata Plan No. 57160.

Date of Council Resolution.....

.....
(Chief Executive Officer)

Dated this day of 20.....

Shire of Broome Local Planning Scheme No. 6

Amendment No. 9 - Scheme Report

JULY 2018

SHRAPNEL URBAN PLANNING

Telephone: +61 8 9388-2893

Fax: +61 8 9381-4208

E-mail: t.shrapnel@gmail.com

Web: www.shrapnel.com.au

Contents

SUMMARY AND CONCLUSIONS	i
INTRODUCTION	1
Subject Land	1
Land Ownership	2
PROPOSED SCHEME AMENDMENT	3
Purpose of the amendment	3
PHYSICAL PLANNING CONTEXT AND RATIONALE	4
Population & housing	4
Shire of Broome Local Planning Strategy	5
Old Broome Development Strategy and Policy (OBDS)	6
Town Beach Activity Centre	8
Sustainable development	11
OBDS Compliant	11
STATUTORY PLANNING CONTEXT	12
Aims of Scheme	12
Clause 1.6.1 Place	12
Clause 1.6.2 People	12
Clause 1.6.3 Prosperity	12
Clause 1.6.4 Infrastructure	12
Clause 1.6.5 Sustainability	12
Mixed Use Zone	12
Purpose and Objectives (Refer to LPS 6, Clause 3.6)	12

SUMMARY AND CONCLUSIONS

1. This Standard Scheme Amendment No. 9 to the Shire of Broome LPS 6 proposes that:
 - The Restricted Use designation be lifted from Lot 97 on Strata Plan 57160, located at the north-east corner of the Walcott and Saville Streets intersection in Old Broome; and
 - Walcott Street Lots 30, 31 and 32 on Deposited Plan 410181 be rezoned from Residential R20 to Mixed Use.
2. The proposed Scheme Amendment is important for Broome as it will facilitate increased intensity of urban land use, including residential, in a highly suitable location, through mixed-use development aimed at:
 - Efficient, effective, interesting and sustainable land use;
 - Reducing the pressure for urban sprawl;
 - Encouraging population growth and activity in a highly favourable location.
3. The proposed Scheme amendment is in accordance with the highly relevant Old Broome Development Policy (OBDP) because:
 - The policy specifically favours mixed use development in the OBDP Precinct 2, which contains the land the subject of the Scheme Amendment;
 - The subject land is within a low-key, informal activity centre, which is an appropriate context for additional mixed-use development.
4. The proposed Scheme Amendment is in strong accordance/ alignment with the most relevant stated aims objectives of LPS 6, particularly the Mixed Use zone provisions, because it will:
 - facilitate and encourage sustainable land use;
 - enhance the character and amenity of the immediate locality;
 - facilitate increased housing choice;
 - facilitate employment and economic growth through development and land use;
 - potentially facilitate tourism.
5. For the above reasons it is considered that the proposed Scheme Amendment is clearly consistent with the Shire of Broome's current planning framework and should therefore be supported by the Shire.

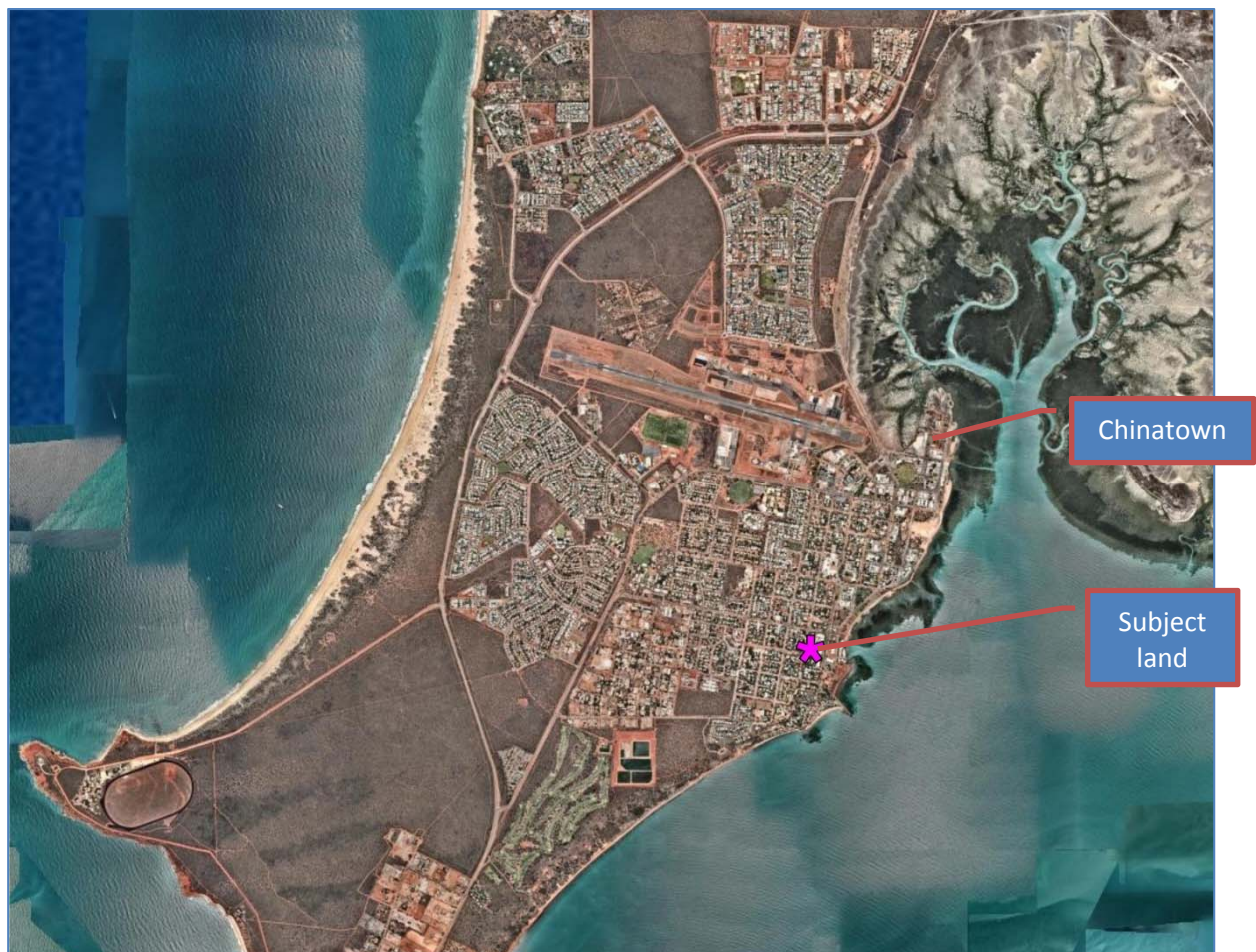
INTRODUCTION

The purpose of this report is to present the urban planning rationale for this proposed Scheme Amendment No. 9 to the Shire of Broome's Local Planning Scheme No. 6 (LPS 6). The amendment is intended to facilitate additional mixed-use development in the immediate vicinity of Broome's Town Beach precinct.

Subject Land

The subject land is in "Old Broome", some 1.7 kilometres south of Chinatown, close to Town Beach and the Conti Foreshore, (Figure 1).

Figure 1: Location of subject land within wider Broome context



The subject land comprises:

- Lot 97 on Strata Plan 57160, being a strata-titled lot of 3,005 sqm located at the north-east corner of the Walcott and Saville Streets intersection (Figure 2).
- Lots 30, 31 and 32 on Deposited Plan 410181, formerly the single Lot 14 Walcott Street, Broome. These lots comprise a 1,624 sqm cleared parcel to the immediate north of Strata Lot 97 (Figure 2). These three recently created residential lots will be retained as such until this proposed Scheme amendment has been approved, whereupon it is intended to amalgamate the lots.

Oaks Broome and Strata Lot 97 are currently zoned Mixed Use; however, they are covered by a “Restricted Use” (Motel) designation under LPS 6 (refer to LPS 6, Schedule 3, Restricted Use RU3). Lots 30, 31 and 32 are currently zoned Residential (R20) under LPS 6.

Figure 2: The Subject Land - Lot 97 on Strata Plan 57160 and Lots 30, 31,32 on Deposited Plan 410181



Land Ownership

The entire subject land is owned by Broome Property Group Pty Ltd, as trustee for Broome Property Group Unit Trust, on behalf of which this Scheme Amendment application is made.

PROPOSED SCHEME AMENDMENT

This Scheme Amendment proposes:

- Removal of the current “Restricted Use (Motel)” designation from Strata Lot 97, while still retaining it over Oaks Broome.
- Rezoning of Lots 30,31 and 32 from Residential (R20) to Mixed Use.

Purpose of the amendment

Strata Lot 97 is currently occupied by a remnant of the old Tropicana Motel, most of which was demolished to make way for development of the adjacent Oaks Broome. The Tropicana remnant now represents a very inefficient use of well-located, valuable land, which is clearly ripe for redevelopment (Figure 3).

Figure 3: Existing development on subject land



Although the potential option to develop Strata Lot 97 as a Motel will be retained under an unrestricted Mixed Use zone, use of the land for a Motel is no longer the owner’s intention. Accordingly, the purpose of the Scheme amendment is to enable future development of Strata Lot 97 for other uses, including residential, that are potentially permissible under the Mixed Use zone.

As lots 30,31 and 32 Walcott Street have recently been purchased by the current owner of Strata Lot 97, it is also intended to extend the Mixed Use zone onto that currently vacant land to increase the potential mixed-use design and development options over the entire subject land.

The Shire of Broome has recognised the proposed amendment as a Standard Amendment because:

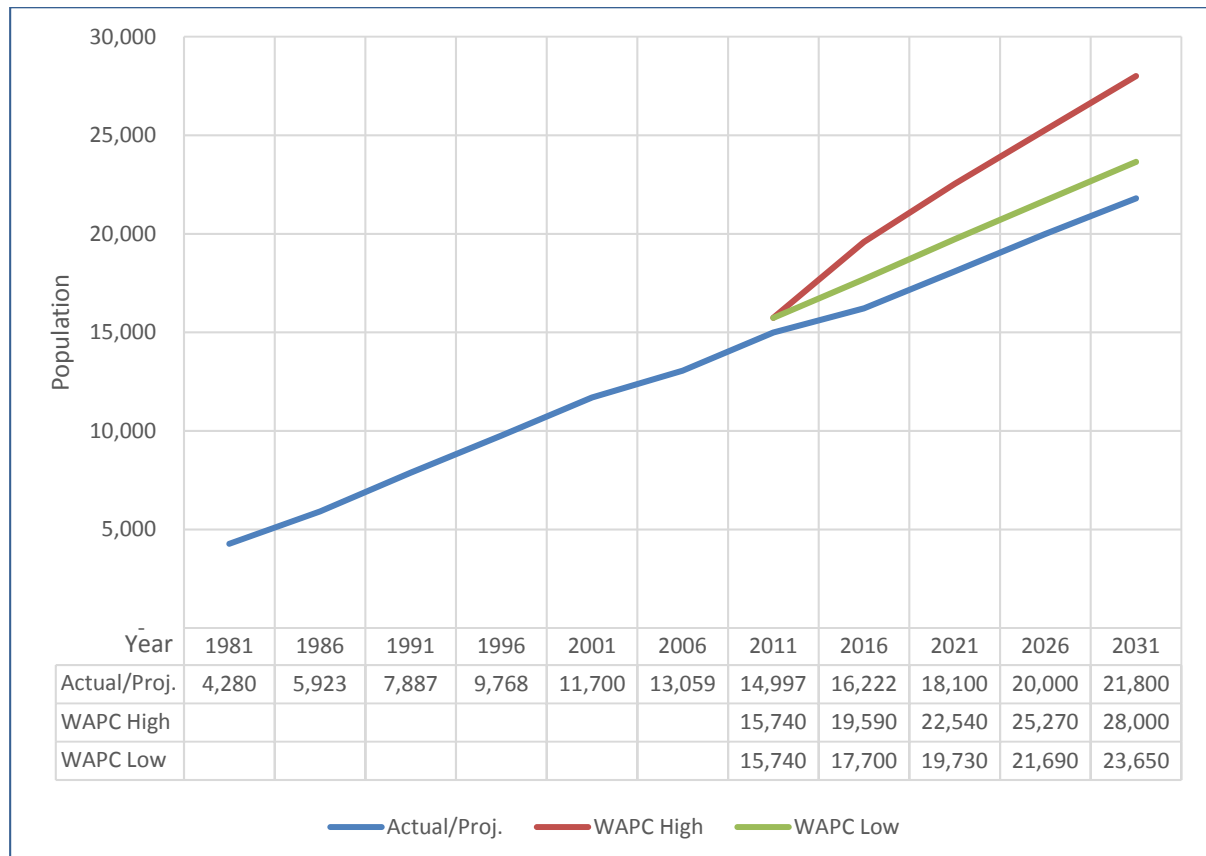
- It is consistent with the objectives of the Mixed Use zone set out in LPS 6 (see later section in this report).
- It is consistent with the Shire of Broome Local Planning Strategy, which was endorsed by the WAPC in August 2014 (see later section in this report).
- The Mixed Use zone already exists over Strata Lot 97.

PHYSICAL PLANNING CONTEXT AND RATIONALE

Population & housing

Notwithstanding some slowing of population growth in recent years, Broome is likely to remain an important and expanding regional town within the wider Western Australian context. Figure 4 illustrates the historic and projected future growth of Broome's resident population over a 50-year period from 1981.

Figure 4: Shire of Broome - actual and projected resident population 1981-2031



Sources: ABS, WA Tomorrow, SHRAPNEL URBAN PLANNING (SUP)

In this chart:

- The blue line shows the actual increase in Broome's population from 1981 to 2016 (ABS), together with a conservative extrapolation by SUP from 2016 to 2031.
- The red line represents the WA Tomorrow 2011¹ estimate and "High" projection to 2026 (extrapolated by SUP to 2031).
- The green line represents the WA Tomorrow 2011 estimate and "Low" projection to 2026 (extrapolated by SUP to 2031).

The long timeframe covered by this chart irons out many shorter-term variations in the Shire's historic population growth trajectory and highlights the relentlessly positive nature of its population

¹ WA Tomorrow; WAPC; 2015

growth over the 35-year period between 1981 and 2016. It is therefore reasonable to be optimistic about Broome's future population growth between now and 2031.

Notwithstanding this optimism, some caution is warranted because both the high and the low bounds of the WAPC's 2015 population projections fall above the SUP extrapolation of the historical trend. Therefore, although Broome will certainly continue to benefit from additional future population growth, the Shire needs to proactively seek to attract and retain additional permanent residents.

To ensure its future success in this regard, Broome needs to embrace the idea of more intensive residential development, preferably within interesting mixed-use environments in highly suitable locations. This focus will facilitate environmentally sustainable development through more efficient and attractive use of valuable urban land, thus reducing pressure for sprawl at the urban fringes. It will also provide greater choice in housing types and lifestyle, which is likely to attract additional permanent population, as well as tourists, to Broome.

Shire of Broome Local Planning Strategy

The Local Planning Strategy, which was endorsed by the WAPC in August 2014², was based on the following six locally-oriented principles in addition to the generic principles underpinning the State Planning Strategy:

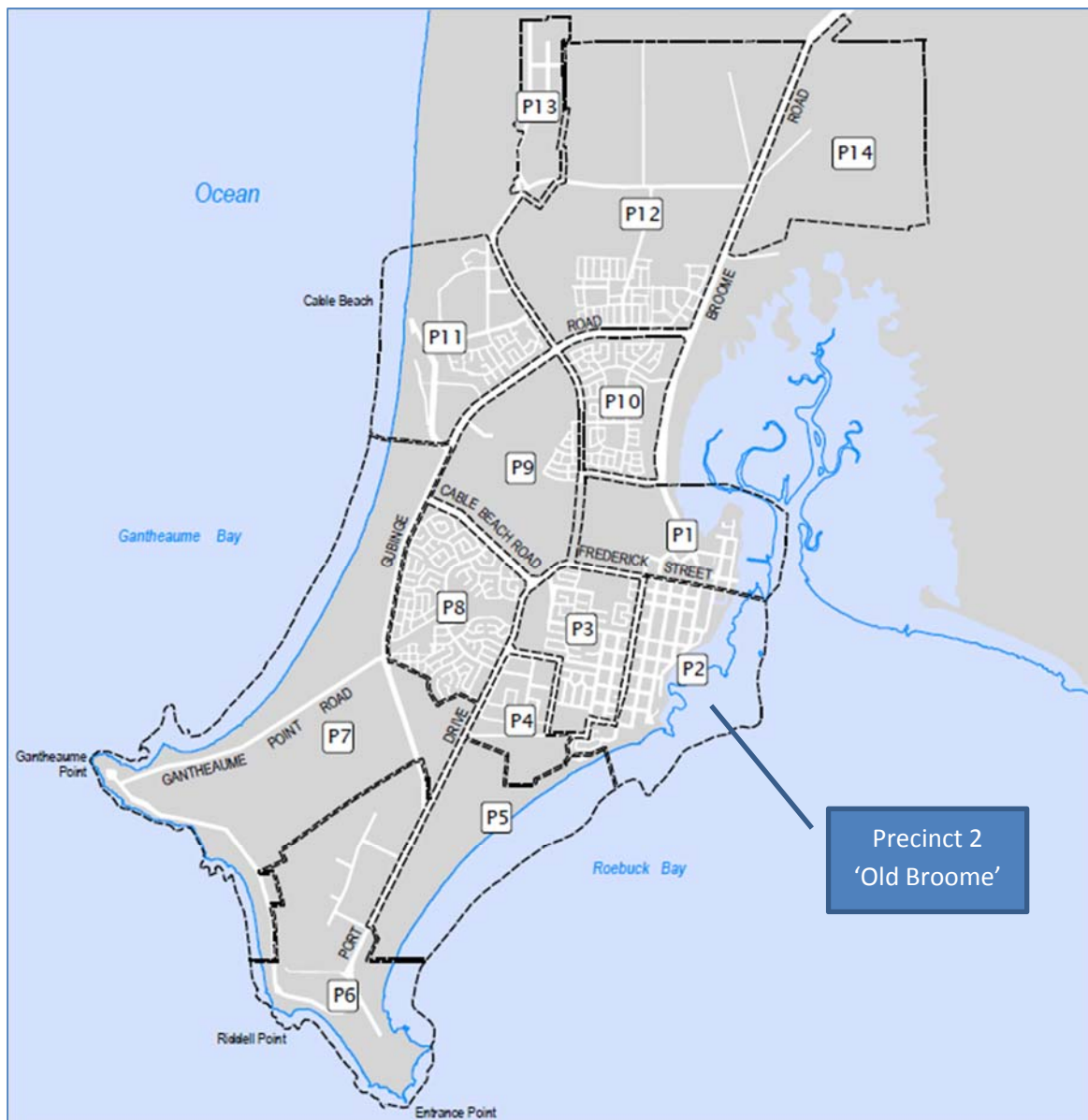
1. Enhance environmental values
 - consider values unique to the Shire
 - minimise environmental impacts through best practice
 - development to complement its setting.
2. Encourage economic growth
 - Development to accommodate a range of compatible land uses
 - Economic growth and business opportunities in appropriate locations.
3. Support social aspirations
 - New development to provide facilities and infrastructure to;
 - Help foster socially positive community aspirations.
4. Celebrate cultural heritage
 - Development should embrace the area's history through appropriate design
 - Culturally significant sites to be protected.
5. Integrate innovative infrastructure
 - Development should incorporate timely, modern infrastructure which;
 - Is ecologically and climatically sustainable.
6. Strong Community Participation
 - Community-inclusive planning and development processes.

Implementation of these Local Planning Strategy principles is now being facilitated through several more detailed "Development Strategies" prepared for various defined precincts throughout Broome. One of these is the Old Broome Development Strategy (OBDS), which was completed in 2014 and is

² Shire of Broome Local Planning Strategy Parts 1 and 2; Shire of Broome; August 2014

now the **main strategic planning and policy instrument** guiding land use and development in Old Broome. The subject land is within Precinct 2 – the ‘Old Broome’ precinct (Figure 5).

Figure 5: LPS Defined Development Strategy Precincts



Source: Shire of Broome Local Planning Strategy

Old Broome Development Strategy and Policy (OBDS)

A detailed community-oriented planning process evolved the following key vision statement for the Old Broome precinct:

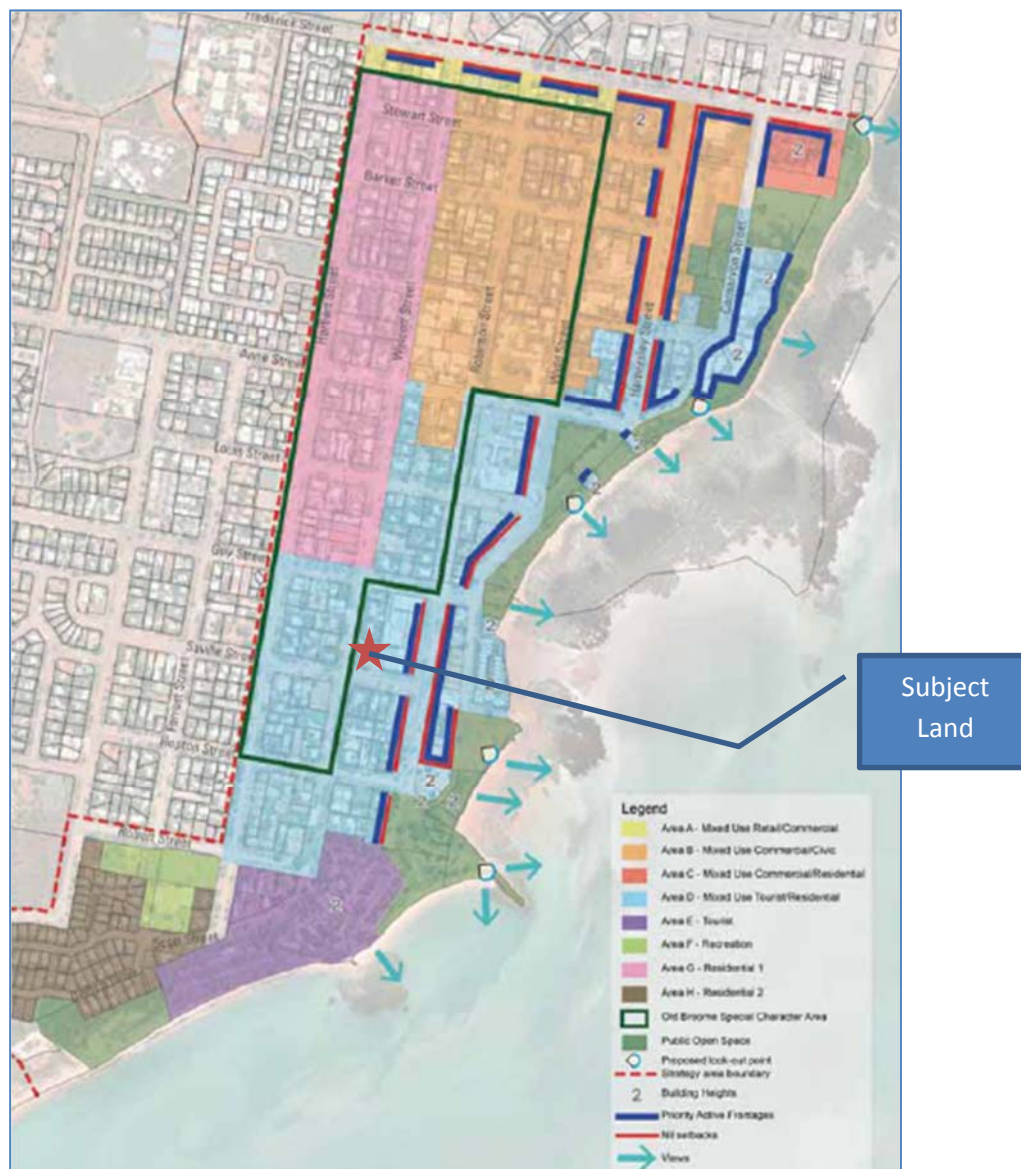
Old Broome will be a vibrant, accessible and equitable mixed use precinct meeting the needs of residents and visitors through development that is respectful of the rich cultural heritage and natural environment.

The OBDS places considerable importance on the future of the Town Beach/ Conti Foreshore area and the wide variety of community perceptions and aspirations relating to it, which were identified during planning studies carried out in 2010 and 2013. The Shire is soon to undertake several significant physical upgrading and landscape projects to improve the area. The following vision statement for the area is presented in the OBDS:

Town Beach will continue to be an inclusive place that brings people of all ages, cultures, and abilities together; that uses the land and sea so as to preserve Broome's history, culture, and environment; and that provides an array of recreational opportunities at a low-key scale, retaining the open vistas to Roebuck Bay.

The subject land is within the Mixed Use Tourist/ Residential area (Area 'D') of the OBDS, which abuts the Town Beach and Conti Foreshore Precinct (Figure 6).

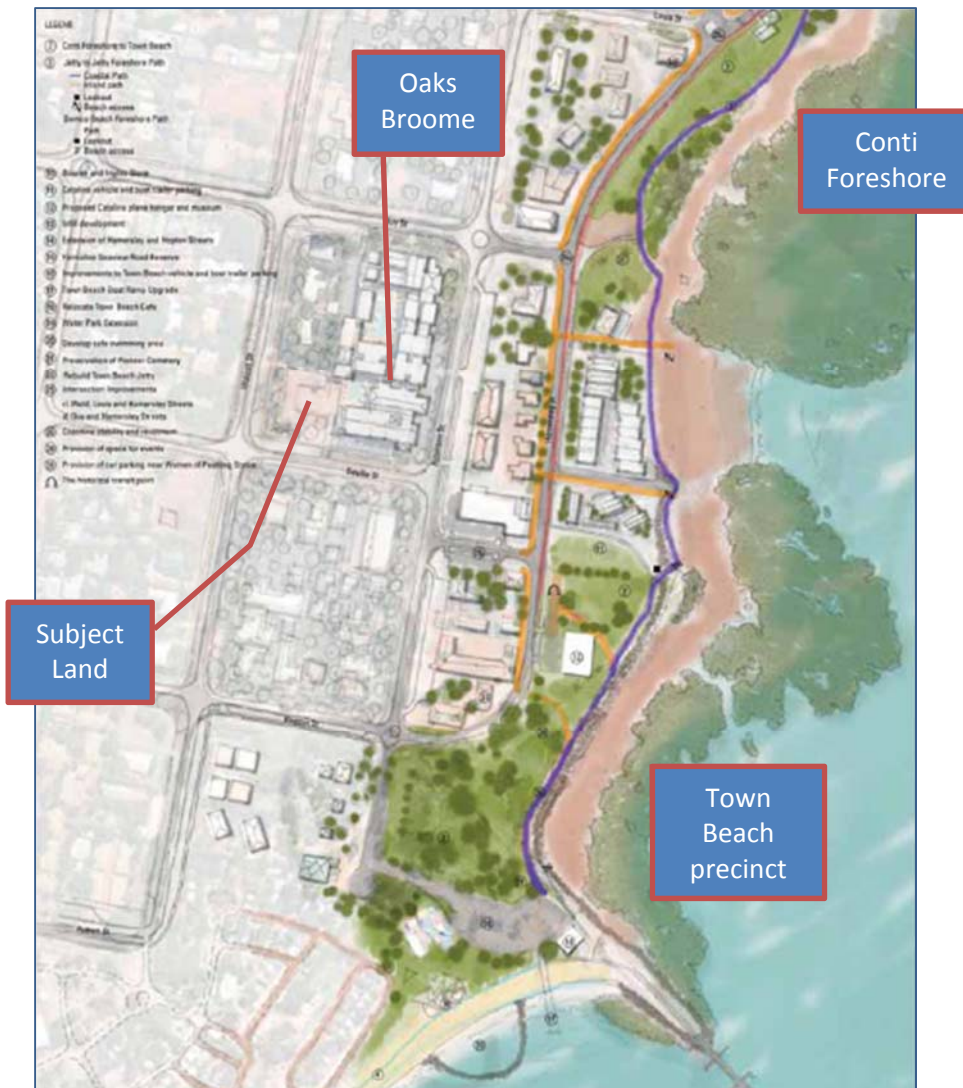
Figure 6: Old Broome Development Strategy Map



Source: Old Broome Development Strategy (Figure 2)

As indicated in Figure 6, the subject land falls outside the “Old Broome Special Character Area” (green boundary), within which development is specifically required to preserve the existing character of the area (Clause 2.4). Within Area ‘D’, however, uses such as “Multiple Dwellings” and “Tourist Development” are identified as “Preferred” uses under the policy, together with numerous other uses commonly associated with a mixed-use environment. The Oaks Broome, and the adjacent subject land are an important element in a low-key, tourism-oriented activity centre that merges with the Town Beach section of the Area ‘D’ coastal complex (Figure 7).

Figure 7: Concept Plan – Town Beach/ Conti Foreshore



Source: Old Broome Development Strategy; Figure 6

Town Beach Activity Centre

Given the current low-density residential nature of Broome, and the general community desire for the Town’s unique character to be maintained, it is acknowledged that significant mixed-use development is currently only appropriate in a few strategic locations within Broome. The subject land has been identified in the OBDS as one such strategic location. It is particularly suitable for this purpose due to its immediate proximity to what is in fact an existing medium-density, tourism and commerce-oriented activity centre. The current LPS zoning of the activity centre juxtaposed with an aerial photograph is presented in Figure 8 to demonstrate this point.

Figure 8: Town Beach Activity Centre (top image shows current zoning)

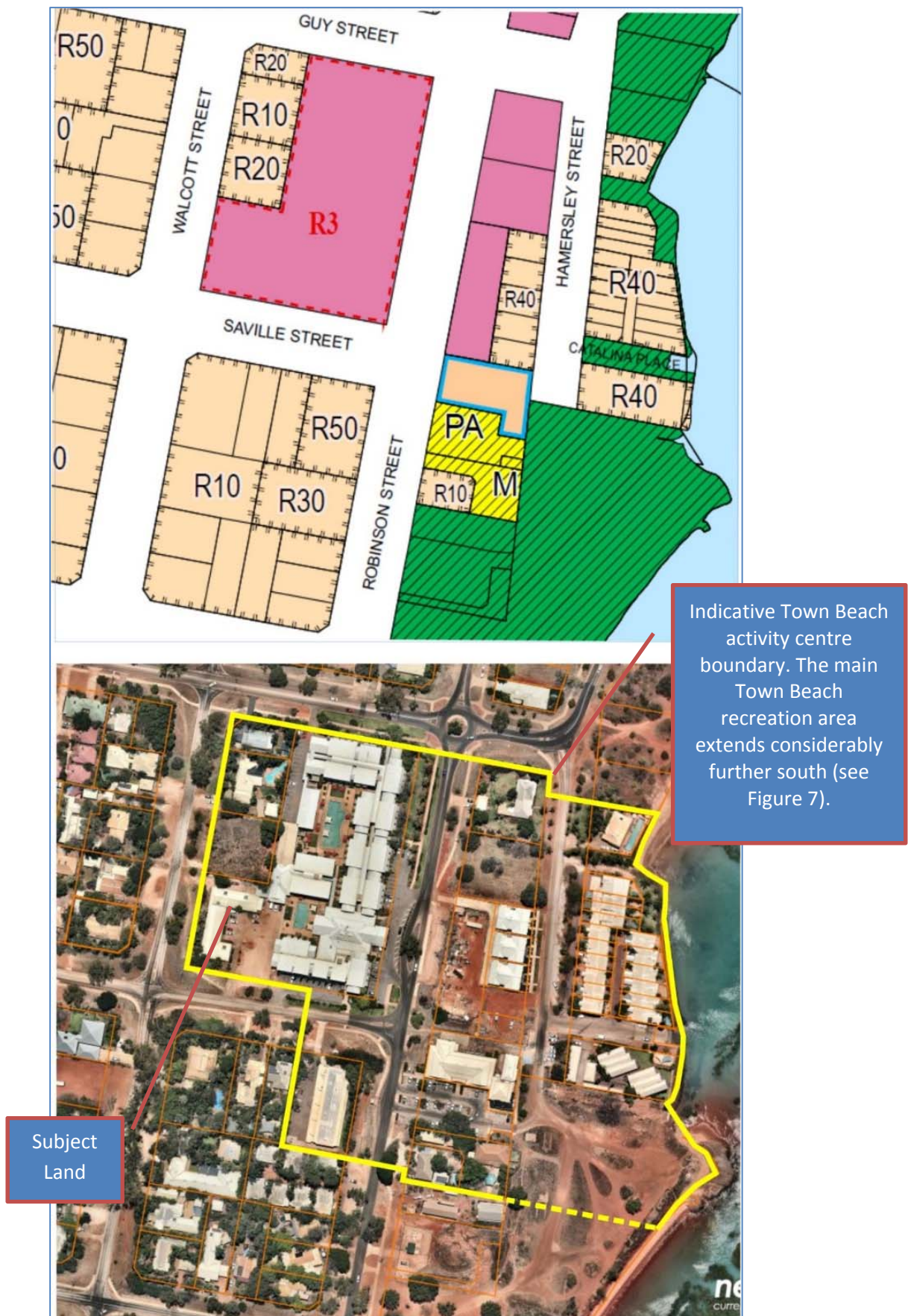
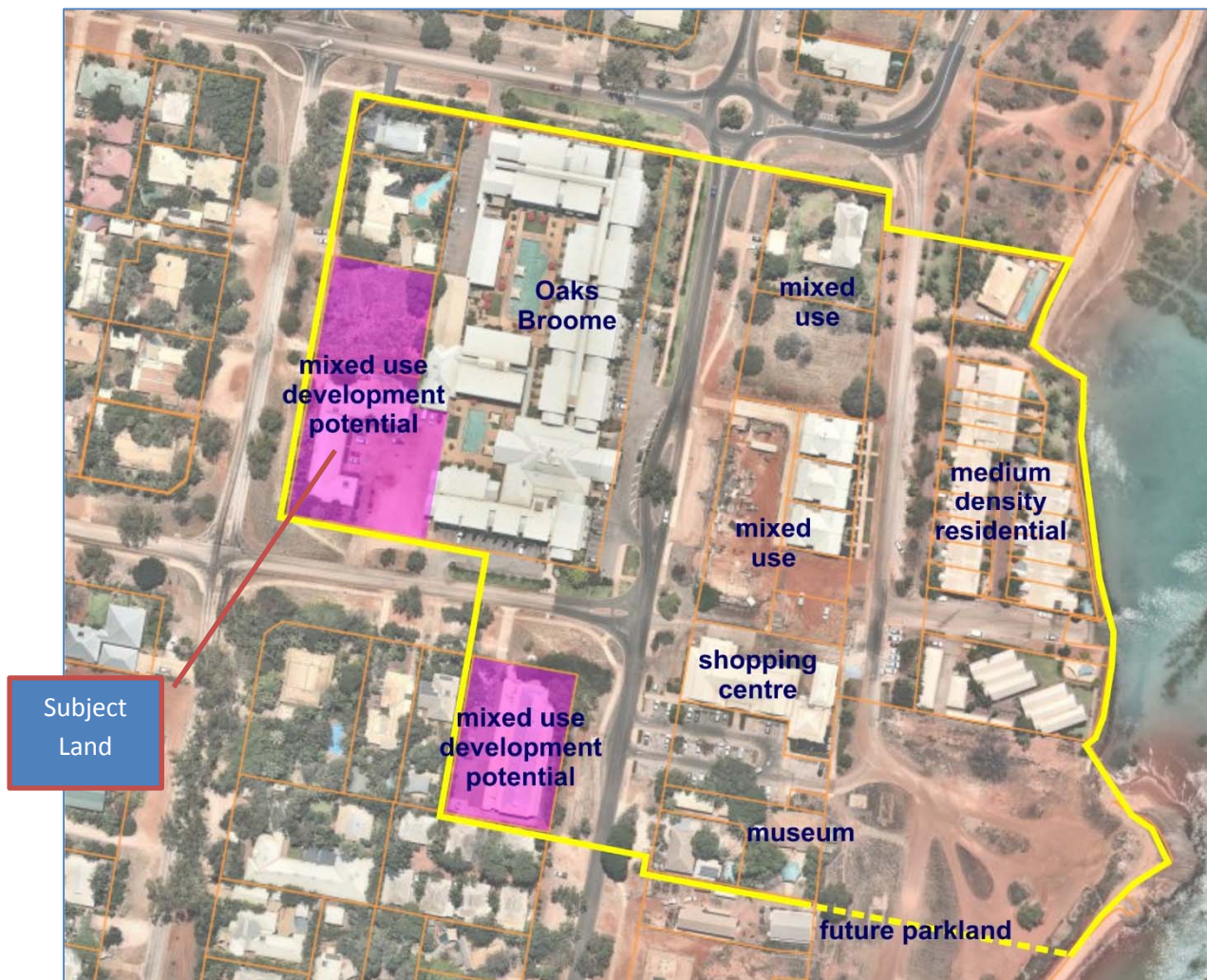


Figure 8 shows an indicative activity centre boundary on the aerial photograph, which can be easily related to the existing LPS 6 zoning. The variety, nature, location and density of the existing and future land uses combine to create a relatively low-key activity centre, albeit with significant potential for some physical intensification and related economic and social benefits, including:

- A highly appropriate context for some additional mixed-use development.
- Increased numbers of people living in very close proximity (i.e. easy walking distance) to other commercial, cultural and recreational elements of the activity centre.
- An increase to the everyday trading potential of the local supermarket, restaurants and other commercial/ tourism uses that may be within the activity centre or attracted to it in the future.

The existing uses and an indication of some of the opportunities that may be considered appropriate within the activity centre are presented in Figure 9.

Figure 9: Indicative Town Beach Activity Centre showing existing and potential land uses (indicative only)



This indicative concept demonstrates a highly appropriate physical planning context for additional mixed-use development. The existing and proposed Mixed Use zoned area the subject of this amendment is therefore part of an activity centre that has considerable potential for additional

medium and potentially higher-density development in the future. This plan represents an opportunity to increase both permanent and temporary population and tourism activity in an area with latent potential to become a more significant focal point than it currently is. The proposed Scheme Amendment is consistent with the Shire's current strategies and policies, as well as the imminent physical action aimed at improving the Town Beach component of the activity centre.

Sustainable development

The indicative activity centre concept presented above clearly indicates that appropriate mixed-use development within the Town Beach activity centre has the potential to be more concentrated than at present. Grouping more intensive residential and mixed-use developments into relatively few suitably-located activity centres results in more efficient and effective land use and, through the activity centre location focus, reduces the likelihood of inappropriate proposals in less suitable locations being permitted.

While Broome's residential development has been traditionally low and low/ medium density, over the past 20 years the urban area of Broome has more than doubled in size. 500 sqm residential lots are now being developed at its **outer urban fringes** (e.g. parts of Broome North). While development of such small lots is an understandable response to the contemporary need to develop land more intensively and sustainably, it also highlights the advantages of making far more productive use of carefully identified centrally located sites that are suitable for more-intensive mixed-use development. Not only do such uses facilitate greater housing choice, but more intensive utilisation of such sites for well-designed mixed-use development is more environmentally sustainable than the potentially endless sprawl of single lot, low-density residential development at the urban fringe.

OBDS Compliant

Based on the above discussion, it is submitted that the proposed Scheme Amendment is clearly consistent with the Shire's Local Planning Strategy and Old Broome Development Strategy and its subsequently derived Policy. As indicated in the following sections of this report the Amendment is also consistent with the objectives of LPS 6.

STATUTORY PLANNING CONTEXT

The following sub-sections discuss relevant statutory planning provisions which demonstrate that the proposed Scheme amendment is consistent with the intent and provisions of the Shire of Broome's Local Planning Scheme No 6 (LPS6).

Aims of Scheme

Based on the planning rationale presented in the previous section of this report, the proposed Scheme amendment is in alignment with several of the aims of the LPS 6, as indicated by the following relevant extracts from the Scheme:

Clause 1.6.1 Place

(c) Promoting environmentally **sustainable land use** and development.

(f) Safeguarding and **enhancing the character and amenity** of the built environment and urban spaces of the Scheme area.

Clause 1.6.2 People

(b) Supporting a **diverse range of housing choice** for a varied residential population, to establish and maintain community identity and high levels of amenity.

Clause 1.6.3 Prosperity

(a) Assisting **employment and economic growth** and providing opportunities for the establishment of businesses.

(b) Providing a range of **tourist facilities and accommodation** and protecting strategically important tourist sites.

Clause 1.6.4 Infrastructure

(a) Ensuring timely and sufficient supply of **serviced and suitable land for housing**, employment, economic activities, community facilities, recreation and open space.

Clause 1.6.5 Sustainability

(a) Providing for the **sustainable use and development** of land.

Mixed Use Zone

As indicated previously, the Strata Lot 97 component of the subject land is already zoned Mixed Use. Lots 30, 31 and 32 are currently zoned Residential (R20). To facilitate a greater range of mixed-use development options it would be advantageous for all the subject land to be zoned Mixed Use, which is the most appropriate and effective zone for developing the land in accordance with the Old Broome Planning Strategy. If Lots 30,31 and 32 cannot be rezoned to Mixed Use, they will be developed with three R20 dwellings which, in this context, would represent a significant under-utilisation of the resource.

Purpose and Objectives (Refer to LPS 6, Clause 3.6)

The purpose of the Mixed Use zone is summarised as:

- Provide for a compatible mix of residential, tourism, offices and other complementary uses.
- Exercise sufficient control to ensure:

- minimal conflict between commercial and residential uses
- context responsive development design
- high visual amenity, security and privacy
- minimisation of noise disturbance.

The objectives of the Mixed Use zone are summarised as:

- encourage land uses (particularly office and tourist uses) which support, but do not detract from, the functions and role of the Town Centre Zone as Broome's primary activity centre.
- encourage development in accordance with relevant development strategies and design guidelines.

It is clear from the above that, in addition to having consistency with the Shire's Local Planning Strategy and most relevant policy (the OBDS) the proposed Scheme Amendment is in strong alignment with the purpose and objectives of the Mixed Use zone.

TEXT MODIFICATION PAGE

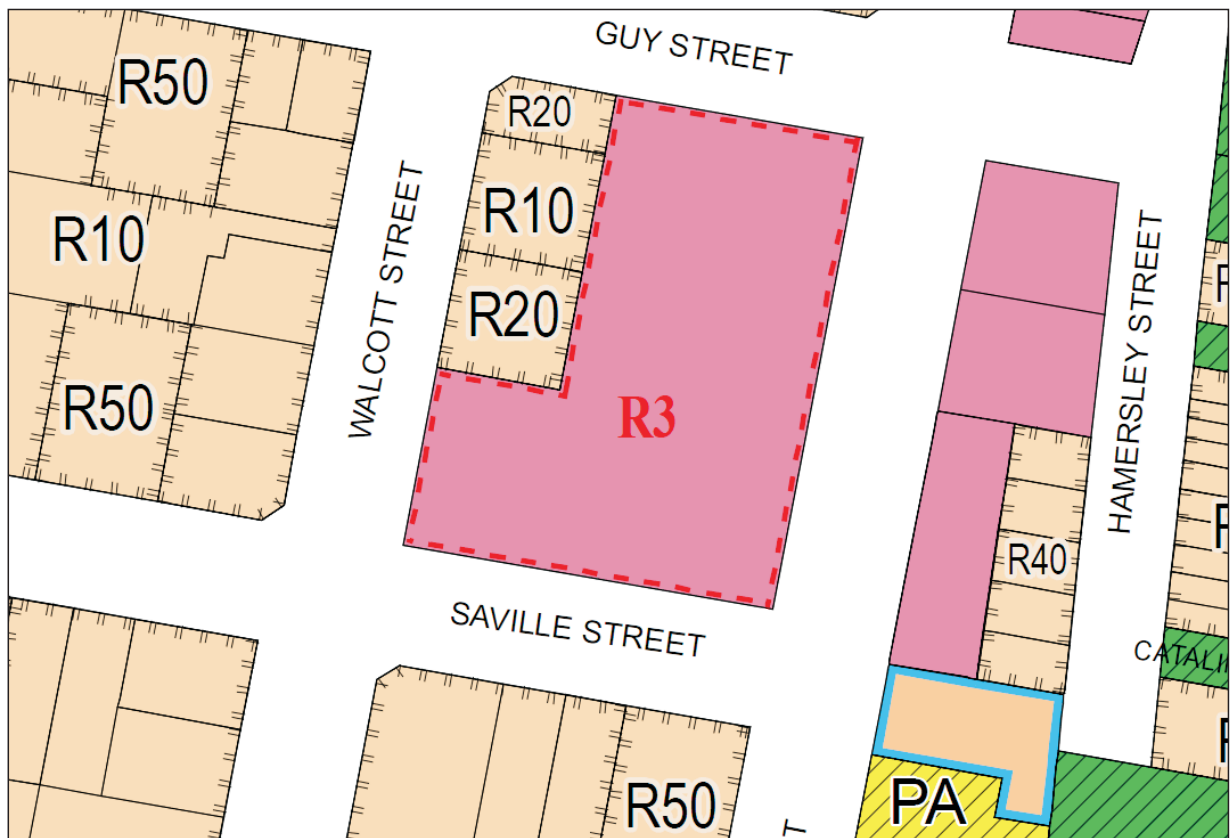
RESOLUTION TO AMEND LOCAL PLANNING SCHEME

SHIRE OF BROOME

LOCAL PLANNING SCHEME NO. 6 - AMENDMENT NO. 9

The Shire of Broome under and by virtue of the powers conferred upon it in that behalf by the Planning and Development Act 2005 hereby amends the above local planning scheme by:

1. Removing the Restricted Use designation from Lot No. 97 on Strata Plan No. 57160, located on the NE Corner of Walcott and Saville Streets Broome, and amending the Scheme Map accordingly.
2. Amending the Scheme Map by rezoning Lots 30,31 and 32 on Deposited Plan 410181 from Residential (R20) to Mixed Use.



LPS Zones

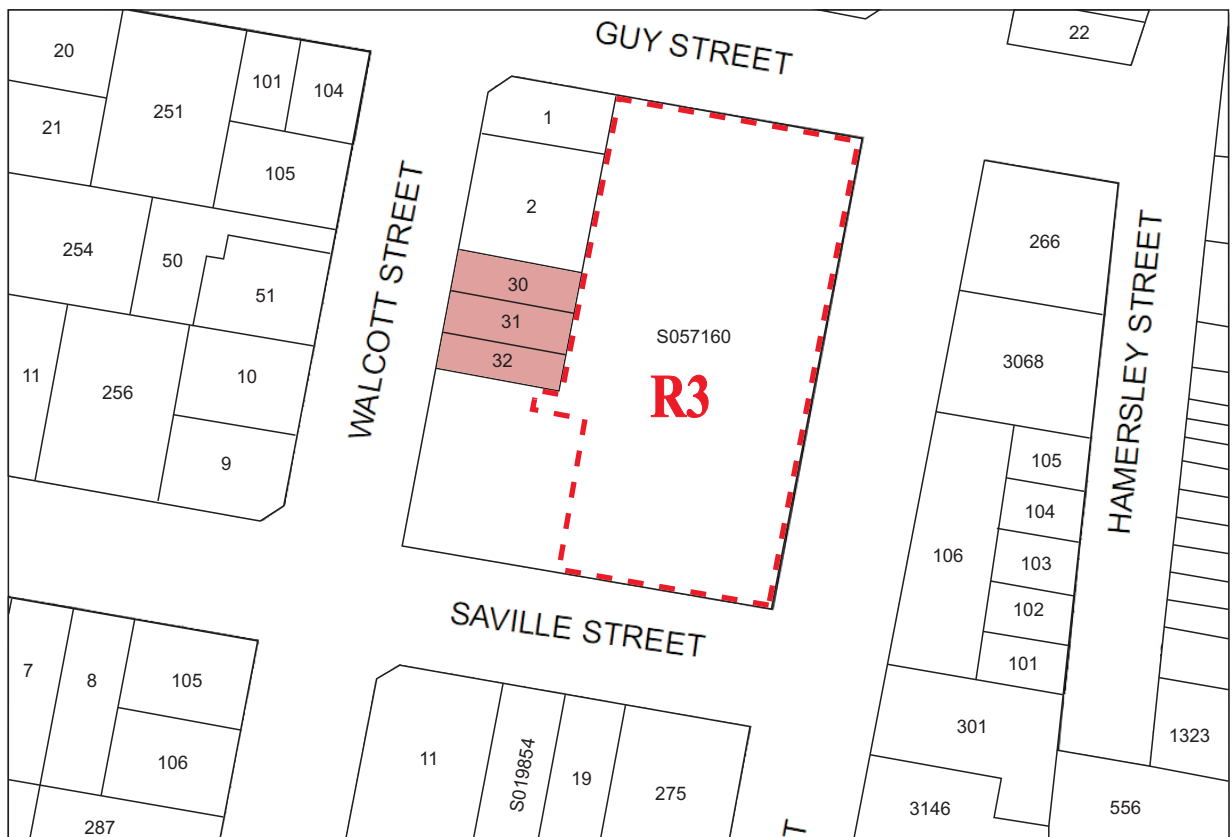
- Mixed Use
- Residential
- Local Centre

LPS Reserves

- Parks, Recreation and Drainage
- PA Public Purposes : Parking

EXISTING SCHEME MAP

- R1 Restricted Uses



LPS Amendment

- Mixed Use

PROPOSED SCHEME AMENDMENT MAP

- R1 Restricted Uses

SHIRE OF BROOME

Local Planning Scheme No. 6
Amendment No. 9

COUNCIL ADOPTION

This Standard Amendment was adopted by resolution of the Council of the Shire of Broome at the Ordinary Meeting of the Council held on the [number] day of [month], 20[year]

.....
MAYOR

.....
CHIEF EXECUTIVE OFFICER

COUNCIL RESOLUTION TO ADVERTISE

By resolution of the Council of the Shire of Broome at the Ordinary Meeting of the Council held on the [number] day of [month], 20[year], proceed to advertise this amendment.

.....
MAYOR

.....
CHIEF EXECUTIVE OFFICER

COUNCIL RECOMMENDATION

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

.....
MAYOR

.....
CHIEF EXECUTIVE OFFICER

WAPC RECOMMENDATION FOR APPROVAL

.....
DELEGATED UNDER S.16 OF
PD ACT 2005

DATE

APPROVAL GRANTED

.....
MINISTER FOR PLANNING, LANDS AND
HERITAGE

DATE