



# **CONFIRMED MINUTES**

**OF THE**

**SPECIAL MEETING OF COUNCIL**

**9 MARCH 2020**

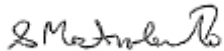
# NOTICE OF MEETING

Dear Council Member,

The next Special Meeting of the Shire of Broome will be held on Monday, 9 March 2020 in the Council Chambers, Corner Weld and Haas Streets, Broome, commencing at 1:30PM for the purpose of considering:

- PROPOSED SERVICE COMMERCIAL STRUCTURE PLAN - LOT 3082 CABLE BEACH ROAD EAST

Regards,



S MASTROLEMBO  
**Chief Executive Officer**

06/03/2020

## OUR MISSION

*"To deliver affordable and quality Local Government services."*

## CORE VALUES OF THE SHIRE

*The core values that underpin the achievement of the mission will be based on a strong customer service focus and a positive attitude:*

**Communication  
Respect  
Transparency**

**Integrity  
Innovation  
Courtesy**

## **DISCLAIMER**

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*Should you require this document in an alternative format please contact us.*

**SHIRE OF BROOME**  
**SPECIAL MEETING OF COUNCIL**  
**MONDAY 9 MARCH 2020**  
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**MINUTES OF THE SPECIAL MEETING OF COUNCIL OF THE SHIRE OF BROOME,  
HELD IN THE COUNCIL CHAMBERS, CORNER WELD AND HAAS STREETS, BROOME,  
ON MONDAY 9 MARCH 2020, COMMENCING AT 1:30PM.**

<b>1. OFFICIAL OPENING</b>
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The Chair welcomed Councillors, Officers and members of the public, and declared the meeting open at 1:30PM. The Chair advised that as the Shire President had previously declared a Financial Interest, she would assume the Chair for the duration of the meeting.

The Chair explained that item 7.1.1 Proposed Service Commercial Structure Plan – Lot 3082 Cable Beach was deferred at the 27 February 2020 Ordinary Council Meeting (previously item 9.2.1) due to a lack of quorum resulting from approved Leave of Absences and declared Financial Interests.

The Chair explained that Ministerial approval has been received, for a reduction in the number of offices of elected members required for a quorum, to 3 in accordance with Section 5.7(1) of the Local Government Act 1995 (Attachment 1).

**Attachments**

1. Ministerial Approval to Reduce Number of Offices of Elected Members





Department of  
**Local Government, Sport  
and Cultural Industries**

Our ref LG1-7#03; E2005847  
Enquiries Carmen Chia  
Phone (08) 6552 1405  
Email [carmen.chia@dlgsc.wa.gov.au](mailto:carmen.chia@dlgsc.wa.gov.au)

Mr Sam Mastrolembro  
Chief Executive Officer  
Shire of Broome

E: [Sam.Mastrolembro@broome.wa.gov.au](mailto:Sam.Mastrolembro@broome.wa.gov.au)

Dear Mr Mastrolembro

I refer to your application under section 5.7(1) of the *Local Government Act 1995* (the Act) dated 5 March 2020 for a reduction in the number of offices of members required for a quorum, to allow Council to deal with the following item to be held at the Shire of Broome's Special Meeting on 9 March 2020:

**9.2.1 – Proposed Service Commercial Structure Plan – Lot 3082 Cable Beach Road East**

In accordance with the authority delegated to the Department by the Minister for Local Government, approval has been granted under section 5.7(1) of the Act to allow a reduction to three (3) in the number of officers of member required for a quorum, subject to the following conditions:

1. *The approval is only valid for the 9 March 2020 Special Council Meeting when agenda item 9.2.1 is considered; and*
2. *The CEO is to ensure that the approval given and any conditions imposed, are recorded in the minutes of the abovementioned meeting, when the item is considered.*

Should you require further information in relation to this matter, please contact Ms Carmen Chia, Legislation Officer, via the details provided above.

Yours sincerely

Michael Connolly  
DEPUTY DIRECTOR GENERAL - REGULATION

6 March 2020

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## 2. ATTENDANCE AND APOLOGIES

### ATTENDANCE

**Councillor:** Cr Desiree Male Deputy Shire President  
Cr Chris Mitchell  
Cr Nik Wevers

**Apologies:** Nil

**Leave of Absence:** Nil

***A Ministerial exemption was received under section 5.7(1) to reduce the required quorum down to 3 elected members due to previously received declarations of financial interest and previously approved leave of absences.***

***Crs Tracey, Matsumoto, Rudeforth and West had previously disclosed a financial interest in the matter to be considered and were exempt from participating in the meeting.***

***Crs Foy and Taylor were on approved Leave of Absence and were exempt from participating in the meeting.***

<b>Ministerial Exemption (Reduced Quorum):</b>	Cr Harold Tracey	Previously declared Financial Interest
	Cr Fiona West	Previously declared Financial Interest
	Cr Bruce Rudeforth	Previously declared Financial Interest
	Cr Phil Matsumoto	Previously declared Financial Interest
	Cr E Foy	Previously approved Leave of Absence
	Cr P Taylor	Previously approved Leave of Absence

<b>Officers:</b>	Mr Sam Mastrolembo	Chief Executive Officer
	Mr James Watt	Director Corporate Services
	Mr Andrew Graffen	Director Infrastructure
	Ms Kirsten Wood	Manager of Planning and Building Services
	Mr Peter Collins	Manager of Engineering Services
	Mr Darren Kennedy	Manager Governance, Strategy and Risk
	Mr Gareth McKnight	Marketing and Communications Coordinator
	Ms Lani Levi	Senior Administration and Governance Officer

<b>Public Gallery:</b>	Michelle Teoh	
	Shane Stewart	CFO NBY
	Greg Nankin	NBY
	Peter Yu	NBY
	Paul Hope	NBY
	Louise Mullin	
	Arnhem Hunter	
	Francesca Guzzetta	
	Leah Berkrey	Shire of Broome
	Fiona Dean	

Harriet Parkes  
Ben Collins  
Luke Cervi  
Hans Krig

Shire of Broome  
ABC  
Shire of Broome  
NBY

### 3. DECLARATIONS OF FINANCIAL INTEREST / IMPARTIALITY

**Declarations of Interests previously received at Ordinary Meeting of Council 27 February 2020 for deferred item 9.2.1 Proposed Service Commercial Structure Plan – Lot 3082 Cable Beach were carried forward to this meeting.**

**The Chair read out each declaration for the benefit of the public.**

FINANCIAL INTEREST			
Councillor	Item No	Item	Nature of Interest
Cr H Tracey	7.1.1	Proposed Service Commercial Structure Plan – Lot 3082 Cable Beach	"I am a Director of a Company, and 50% Shareholder with the Proponent."

INDIRECT FINANCIAL INTEREST			
Councillor	Item No	Item	Nature of Interest
Cr F West	7.1.1	Proposed Service Commercial Structure Plan – Lot 3082 Cable Beach	"A closely associated person to me is in a financial relationship with the proponent/applicant."
Cr B Rudeforth	7.1.1	Proposed Service Commercial Structure Plan – Lot 3082 Cable Beach	"A closely associated person to me is in a financial relationship with the proponent/applicant."
Cr P Matsumoto	7.1.1	Proposed Service Commercial Structure Plan – Lot 3082 Cable Beach	"Member and Director of PBC."

IMPARTIALITY			
Councillor	Item No	Item	Nature of Interest
Cr D Male	7.1.1	Proposed Service Commercial Structure Plan – Lot 3082 Cable Beach	"There may be a perception of a conflict as my family run a small business that could be seen as in competition."

### 4. PUBLIC QUESTION TIME

**No public questions were received.**

### 5. PETITIONS / DEPUTATIONS

**The Chair accepted a deputation from Nyambu Buru Yawuru in relation to item 7.1.1 Proposed Service Commercial Structure Plan – Lot 3082 Cable Beach. Peter Yu and Paul Hope spoke for the Deputation.**

<b>6. MATTERS FOR WHICH THE MEETING MAY BE CLOSED</b>
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Under section 5.23(2)(d) of the *Local Government Act 1995*, Council may resolve to move the meeting behind closed doors.

***There were no items moved for consideration behind closed doors.***

## 7. REPORTS FROM OFFICERS

### 7.1 OUR PLACE

*Cr D Male declared an Impartiality Interest the reason stated being, “There may be a perception of a conflict as my family run a small business that could be seen as in competition.”*

*Item 7.1.1 Proposed Service Commercial Structure Plan – Lot 3082 Cable Beach was deferred at the 27 February 2020 Ordinary Council Meeting (previously known as item 9.2.1) because a quorum could not be achieved due to a Leave of Absence and Declared Financial Interests.*

*Ministerial approval was received under section 5.7(1) of the Local Government Act 1995 to reduce the number of Elected Members required for a quorum. The approval letter was circulated to Councillors prior to the meeting and attached to item 1. Official Opening.*

#### 7.1.1 PROPOSED SERVICE COMMERCIAL STRUCTURE PLAN - LOT 3082 CABLE BEACH ROAD EAST

<b>LOCATION/ADDRESS:</b>	Lot 3082 (102) Cable Beach Road East
<b>APPLICANT:</b>	Urbanplan on behalf of NBY
<b>FILE:</b>	CAB-1/102
<b>AUTHOR:</b>	Coordinator Planning Services
<b>CONTRIBUTOR/S:</b>	Manager Planning and Building Services
<b>RESPONSIBLE OFFICER:</b>	Director Development and Community Services
<b>DISCLOSURE OF INTEREST:</b>	Nil
<b>DATE OF REPORT:</b>	20 January 2020

**SUMMARY:** Lot 3082 Cable Beach Road East Service Commercial Structure Plan (**Structure Plan**) has been received from Urbanplan on behalf of Nyamba Buru Yawuru Ltd (**NBY**) to facilitate a proposed Homemakers Centre on part of Lot 3082 (102) Cable Beach Road East.

The Structure Plan was advertised for public comment between 19 December 2019 and 16 January 2020. Under the *Planning and Development (Local Planning Schemes) Regulations 2015 (the Regulations)*, the Shire must now prepare a report on the proposed structure plan and provide it to the Western Australian Planning Commission (**WAPC**) within 60 days of the closing of submissions. The report must include the following —

1. A list of the submissions and any comments by the Shire in respect of those submissions;
2. A schedule of any proposed modifications to address issues raised in the submissions;
3. The Shire's assessment of the proposal based on appropriate planning principles;
4. A recommendation by the Shire on whether the proposed structure plan should be approved by the WAPC, including a recommendation on any proposed modifications.

In accordance with delegation PLA9 Structure Plans, the application is being presented to

Council to provide a report, as officers do not have delegation to perform this function in this case as the Structure Plan is inconsistent with the Local Planning Strategy.

Whilst noting the aspirations of NBY to achieve financial sustainability and independence, officers, in assessing the proposed Structure Plan, are legislated to consider the planning principles / merit of the proposal against the adopted planning framework and the principles of orderly and proper planning.

The planning principles assessment concludes that the subject site is not appropriate for Service Commercial purposes. Furthermore, the assessment concludes that the proposal is inconsistent with long established directions and strategies included within the Local Planning Strategy and Local Commercial Strategy and is inconsistent with design principles in SPP 7.0 – Design of the Built Environment.

The report recommends that Council provide a report on the Structure Plan to the WAPC recommending it not be approved.

## **BACKGROUND**

### Previous Considerations

OMC 26 May 2016	Item 9.2.7
OMC 21 November 2019	Item 9.2.1

### Background

At the Ordinary Meeting of Council on the 26 May 2016, Council considered a request for in-principle support for a proposed service commercial development at Lot 3082 Cable Beach Road East. At this time advice was also sought on the 'approval pathway' for the development concept. At this meeting, Council made the following resolution:

### **COUNCIL RESOLUTION:**

**Moved: Cr W Fryer**

**Seconded: Cr B Rudeforth**

***That Council advise Nyamba Buru Yawuru Ltd that:***

- 1. The Shire supports Nyamba Buru Yawuru Ltd.'s aspirations to develop land granted to the Yawuru Native Title Holders Aboriginal Corporation RNTBC under the ILUA and the development of land for service commercial purposes in Broome.***
- 2. In the event Nyamba Buru Yawuru Ltd wishes to proceed with the lodgement of a formal application, the Shire advises that a Structure Plan would need to be prepared and submitted in accordance with Clause 4.44.1 of Local Planning Scheme No 6 and Clause 15 (a) (ii) of the Planning and Development (Local Planning Schemes) Regulations 2015.***

**FOR: 4**

**AGAINST: 2**

**MOTION CARRIED**

***Reason – to support the application rather than negate the application.***

***Cr C Mitchell and Cr D Male wished for their vote to be recorded against the Motion.***

***Cr R Johnston returned to the Chambers at 6.06pm and assumed the Chair. Cr Tracey advised of the resolution passed.***

The Council resolution varied the Officer Recommendation. The difference between the Council Resolution and Officer Recommendation was the omission of advice that the subject site should not be supported for the development for service commercial purposes, for the following reasons:

- a) *The proposal is inconsistent with the planning framework, which has progressed since the adoption of the Local Commercial Strategy in 2007.*
- b) *The proposal is inconsistent with the objectives and guidelines for Precinct 9 and the recommendations for Future Development Area 3 contained within the Local Planning Strategy.*
- c) *The proposal is inconsistent with the objectives, strategies and actions for retail, commercial and activity centres contained within the Local Planning Strategy.*
- d) *The proposal would result in an over-allocation of land for service commercial purposes, which would lead to an ad-hoc and fragmented distribution of retail and commercial floor space.*
- e) *The site is not considered an appropriate or desirable location for the development of a service commercial precinct.*

The applicant lodged the Structure Plan with the Shire of Broome on 11 October 2019. The Structure Plan was presented to the Ordinary Meeting of Council on the 21 November 2019, where Council resolved the following:

**COUNCIL RESOLUTION:**  
**(REPORT RECOMMENDATION)**

**Moved: Cr B Rudeforth**

**Seconded: Cr E Foy**

**That Council:**

- 1. Advise Urbanplan and Nyamba Buru Yawuru Ltd that pursuant to clause 17(1)(a)(ii) of the Planning and Development (Local Planning Schemes) Regulations 2015 the Shire has considered the material supplied for the Lot 3082 Cable Beach Road East Service Commercial Structure Plan and further information as detailed in Attachment No 4 is required.**
- 2. Advise Urbanplan and Nyamba Buru Yawuru Ltd that Pursuant to clause 17(1)(b) of the Planning and Development (Local Planning Schemes) Regulations 2015, the estimate of fee for dealing with the application is \$9,076.55.**
- 3. Upon receipt of the further information and fee mentioned above, advertise the Structure Plan in accordance with clause 18 of the Planning and Development (Local Planning Schemes) Regulations 2015 for a minimum of 28 days.**

**CARRIED 4/2**

The further information was received on 10 December 2019 with advertising being undertaken from 19 December 2019 to 16 January 2020.

**Site and Surrounds**

Lot 3082 adjoins Cable Beach Road East to the south, Gubinge Road to the west, Djiagween Road to the north, and the Djiagween Community and Broome International Airport to the east. The site has a total area of 33.04ha and is irregular in shape, as the lot



wraps around the eastern extent of the airport runway (see the location plan in **Attachment No 1**).

The site is vacant and was granted to the Yawuru Native Title Holders Aboriginal Corporation RNTBC through the Indigenous Land Use Agreement (**ILUA**).

### Proposal

The Structure Plan would apply to a part of Lot 3082, being that portion shown on page 6 and labelled *Structure Plan Map: Plan No.1* within the Structure Plan, as shown in **Attachment No 2**.

*(Note: Appendices to the Structure Plan can be accessed in the previous minutes from the November 2019 Ordinary Council Meeting and are not repeated due to the length. The Bushfire Management Plan (**Attachment No 7**), Local Water Management Strategy (**Attachment No 8**) and Transport Impact Assessment (**Attachment No 9**) are included as changes were requested to these technical appendices as a part of the November 2019 resolution of Council).*

The Structure Plan is proposing that 5.4ha be developed for Service Commercial purposes, allowing for the site to be developed for Service Commercial land uses as set out in the zoning table in Local Planning Scheme No 6, which would allow for fast food outlets, motor vehicle wash, showrooms, warehouses, vehicle tyre sales/repair and motor vehicle, boat or caravan sales and so on. The purposes of the Structure Plan as quoted by the applicant in the Structure Plan Report is:

*Part 2, Section 1.1.1 (Purpose) of the Structure Plan states:*

*The purpose of this Structure Plan is to de-constrain the identified parcel to a development ready position. The aim of this structure plan is to:*

- deliver NBY's vision for the identified parcel;*
- achieve Local assessment and State Government approval; and*
- facilitate a development application for the stage [1]\* large format retail warehousing and subsequent stages of service commercial uses.*

*\*[Note: identification of stage number 1 inserted by Officer to provide clarity]*

### **COMMENT**

The proposed Structure Plan, if approved, would enable the site to be developed for Service Commercial purposes in accordance with the zoning table and development standards set out in Local Planning Scheme No 6.

The Structure Plan envisages a range of uses which may include Showrooms, Warehouses, Service Stations and Fast Food Outlet (Drive-Through) which are all "P" permitted uses under the Service Commercial zoning table. However, Development Approval would still be required to assess the details of the proposal including the built form design and site layout.

The Structure Plan has been advertised for public comment as required under the Regulations. Now the public consultation period has closed the Shire must prepare a report on the proposed Structure Plan which is then submitted with the WAPC for determination. The report on the Structure Plan must include the following:

1. A list of the submissions and any comments by the Shire in respect of those submissions;
2. A schedule of any proposed modifications to address issues raised in the submissions;
3. The Shire's assessment of the proposal based on appropriate planning principles;
4. A recommendation by the Shire on whether the proposed structure plan should be approved by the WAPC, including a recommendation on any proposed modifications.

The comments below will provide an overview of the key components of the report as set out above.

### **Submissions Received**

Public Notice of the proposed Structure Plan was given for the maximum 28 day permitted by the Deemed Provisions. Public Notice was undertaken from 19 December 2019 to 16 January 2020 and included:

1. A notice being placed in the Broome Advertiser;
2. A notice on the Shire website under the 'Have my Say' section;
3. Letters being sent to Landowners within 100m of the Structure Plan boundary;
4. Letters being sent to potentially impacted service providers and Government Agencies; and
5. A notice being placed on site along the Cable Beach Road East frontage.

Twenty three (23) submissions were received in response to the Structure Plan. Of these five (5) were from service providers or Government agencies with three (3) offering no objection and two (2) requiring further information and/or changes to technical appendices. Of the eighteen (18) community submissions, seventeen (17) oppose the Structure Plan and one (1) supported it. The submission in support was provided by the landowner NBY.

Many submissions are of significant length and detail. A full copy of the submissions received, and officer's comments are set out in **Attachment No 4** – Schedule of Submission. Issues have been summarised to the following 16 points. Issues range from being raised in a single submission to others that were raised in the majority of submissions.

1. Provided support for the site to be developed for Residential, Education and Tourism purposes and:
  - a. raised that the site is not intended for commercial/business; and
  - b. Airport relocation is foreshadowed and therefore site is appropriate for the identified Residential, Education and Tourism purposes
2. Impacts on airport operations and safety:
  - a. Possible impacts on windshear and turbulence; and
  - b. Expansion of runway opportunities to facilitate international flights.
3. Availability of alternative sites for the proposed land uses including:
  - a. Capacity within existing zoned land;
  - b. Sufficient existing premises and land available;
  - c. Contributes to town fragmentation;
  - d. Contributes to urban sprawl; and
  - e. Lack of demand for Service Commercial.
4. Economic impacts, including:
  - a. No demonstrated need for more commercial land;

- b. Impact on existing businesses particularly small business;
  - c. Impact on Chinatown;
  - d. Impact on existing Light Industry area;
  - e. Not economically viable;
  - f. Existing high vacancy levels; and
  - g. Impacts on identified Frederick Street Service Commercial area.
5. Impacts on Residential Amenity of Cable Beach, including:
- a. Increase in traffic and potential impacts this could have upon:
    - i. Safety;
    - ii. Impacts on existing cycle / footpath;
    - iii. Concerns Cable Beach Road East will need to be widened at ratepayer expense;
    - iv. Concerns intersection with Gubinge may need upgrading to include traffic lights; and
    - v. Increase in heavy vehicles and increase in noise to residential areas with delivery vehicles accessing site from Gubinge Road.
  - b. Visual impacts, including:
    - i. Appearance of buildings, including that buildings will not be consistent with Broome Style architecture principles (refer to comments under 9 below);
    - ii. Reduction of vegetation; and
    - iii. Litter associated with fast food outlets.
  - c. Increase in noise;
  - d. Increase in anti-social activity;
  - e. Lighting; and
  - f. Impacts of odours from fast food outlets.
6. Opposition to potential future land uses, including:
- a. Bunnings;
  - b. fast food outlets;
  - c. petrol / service station; and
  - d. Large multi national corporations.
7. Environmental impacts on Minyirr Park, including:
- a. Risk of pollutants related to Service Commercial / Industrial development runoff;
  - b. Risk of weeds and introduced species resulting from water runoff;
  - c. Increased flooding / water runoff resulting from water management of structure plan site; and
  - d. Secondary impacts of stormwater on Minyirr Park should be considered.
8. Inadequate response to water management:
- a. Increased stormwater runoff; and
  - b. Water quality / pollutant concerns.
9. Impact on Broome's unique character;
- a. Submitters raised that the site is on a tourist / recreation route and links Chinatown to Cable Beach and is a popular bicycle trail.
  - b. Site has valued scenic / natural state and development would result in loss of vegetation and impacts on flora and fauna.
  - c. Lack of design standards to reflect Broome character.
  - d. Request the design guidelines be developed.
10. Inconsistent with strategic documents which have undergone community consultation and adopted by Council, including:
- a. Local Planning Strategy; and
  - b. Local Commercial Strategy.
- Some submitters raised that proposal should not be considered reactively but part of whole of town / shire plans.
11. Inadequate consultation, including:

- a. Timing over Christmas / New Year; and
  - b. Consultation with youth.
12. Heat island / thermal mass concerns particularly relating to large car park areas, concerns over inadequate landscaping.
  13. Structure plan is confusing and inconsistent in how different matters are addressed.
  14. Financial security / reward is not a relevant planning consideration.
  15. Concerns development / profit making business will be administered from rate exempt location on Reid Road.
  16. Concern that community will not get an opportunity to comment on the development application when submitted.

A summary of issues raised was provided to the applicant who provided a response which is contained at **Attachment No 5**. It should be noted, some submitters' opposing the Structure Plan have incorrectly assumed or implied that the Shire of Broome is the proponent.

As set out in the Schedule of Submissions, some of the concerns raised are not relevant to the current matter being considered or are to be addressed at the development assessment stage. There are some elements of concerns raised, specifically the potential amenity and character impacts, the siting of the development and concerns over fragmentation and the proposal's inconsistency with the adopted planning framework which are discussed in more detail in the planning merit assessment of the application below.

Included in the submissions is feedback from Department of Water and Environmental Regulation (**DWER**) and Department of Fire and Emergency Services (**DFES**) in relation to the Local Water Management Strategy and Bushfire Management Plan respectively. These documents are technical appendices, required to ensure appropriate outcomes in relation to matters where these Government Agencies have regulatory/advice functions. Both agencies' submissions identified changes would be necessary to technical appendices in the event the Structure Plan was to be supported. The changes required appear to be achievable and do not constitute fatal flaws with the proposed Structure Plan. Modifications to the Bushfire Management Plan will require endorsement by a Level 2 Bushfire Planning Practitioner.

### **Schedule of Modification**

A Schedule of Modifications is a requirement under the Regulations to identify any changes required to the Structure Plan to address matters raised through submissions and the planning principle assessment. Given that the recommendation is that the Structure Plan is not supported, no modifications in response to the community submissions are proposed.

However, should the proposal ultimately be supported by Council or WAPC, **Attachment No 6** details the required technical modifications needed in response to submissions received from DFES and DWER on the bushfire management plan and local water management strategy respectively. As outlined above, the changes required appear to be achievable and do not constitute fatal flaws of the proposed Structure Plan.

### **Assessment of Structure Plan on planning principles;**

This assessment focuses on the planning framework that has been developed for the site in accordance with the *Planning and Development Act 2005* and associated Regulations and will also address other planning principles that have been raised as part of the public

submission process that require consideration. The assessment will also include responses to the following statements provided by the applicant as rationale for the site being made available for Service Commercial purposes as proposed by the Structure Plan. The applicant statements are quoted below from the Structure Plan Report and include acronyms that are not defined until the relevant area of assessment further in the report:

*Section 1.2 of the Shire's Strategy notes that the LPS sets out the medium to long term planning directions for the Shire of Broome over the next 10 to 15 years. Further in section 5.0 it is noted for the Strategy to be dynamic and responsive to change the document should undergo a review every 5 years. Such a review process ensures the strategy responds to changes in state, regional and local policy and land use priorities. Therefore, the LPS has two essential misgivings:*

- 1. To assume projected land use in FDA 3 on the basis of the relocation of an international airport is well beyond the scope and planning period of a local planning strategy. Accordingly, Urbanplan holds the position that the FDA 3 is ineffectual.*
- 2. Section 2.4.7 of that Strategy provides guidance on retail and commercial distribution. The newly released Commercial Strategy suggests that composite sites to aggregate service commercial uses is lacking in Broome; the subject part Lot 3082 provides for this requirement by offering a composite site.*

It is understood from the above, that the applicant's rationale for why a departure from the LPS should be entertained is because the LPS is due for review, the current land uses recommended under the LPS for the site are unachievable due to the constraints primarily caused by noise emanating from the airport. Further, applicant is of the view that the Local Commercial Strategy recommends that a composite site for aggregated service commercial uses in Broome is lacking.

Statement 1 will be explored in the LPS section of this report and statement 2 within the Local Commercial Strategy section of this report.

#### Local Planning Strategy (LPS)

The LPS was prepared by the Shire of Broome and adopted by the WAPC in 2014 and sets out medium-long term planning directions for the Shire of Broome over the next 10 – 15 years.

Under the LPS the subject site is positioned within Future Development Area 3 and also falls within Precinct 9. Section 3.3.1.9 of the LPS states the following in relation to Precinct 9 (Bilgungurr):

*Precinct 9 comprises of the western half of the current Broome Airport, the recreational, educational and commercial uses to the south along Cable Beach Road East and Service Commercial lots north of Frederick Street as depicted on LPS Map 3.*

**Objective:**

- a) Establish Precinct 9 as an **education / health precinct** providing for student accommodation, sporting facilities and residential development and potential relocation of the hospital.

**Guidelines:**

- A development strategy should address the integration of the Broome Boulevard Shopping centre with future development to the north-west once the airport has relocated.
- Zone Future Development Areas 2 – 4 appropriately under the Local Planning Scheme once the airport has relocated to facilitate future development of student and tourist accommodation, sporting facilities and residential development.

Further, section 7.2.7 of the LPS provides direction on the Future Development Areas (**FDA**) and with regard to FDA3, the following direction is provided:

*FDA 3 – Yawuru Airport West*

*FDA3 provides for a total of around 33 hectares which could provide an additional 330 houses. This site may also provide for some tourism opportunities in proximity to Cable Beach. It could also provide student accommodation as a part of an Education/Health Precinct.*

The LPS provides strategic direction on future land uses that could be supported within the site, which are as follows:

- residential development;
- establish an education/health precinct; and
- possible tourist uses.

Therefore, the development of a 'Service Commercial' precinct would be inconsistent with the objectives of the Precinct or the FDA in which the subject site falls.

Further, section 2.4.7 of the LPS establishes the strategies and actions for retail and commercial development in Broome which is shown in Figure 9 (included as **Attachment No 3**). The rationale for the selection of retail and commercial areas was based on the population growth scenarios calculated in the 2012 Community Profile prepared by AEC Group and the Economic Profile also prepared by AEC Group. From the projected population growth figures, the demand for retail/commercial space required to support population growth were forecasted. The LPS then identifies the areas for expansion spatially and sites for retail and commercial expansion were selected to promote a logical and consolidated hierarchy of retail and commercial development within Broome. With regard to 'Service Commercial' development, Strategy 4 and Actions 3 and 9 within the LPS state the following:

4. *Promote and encourage development along the north side of Frederick Street as showrooms and bulky goods retail.*

*Action 3 Set out a Service Commercial zone within the local planning scheme that allows for showrooms and bulky goods including car sales, furniture and white goods, which does not compete or detract from the retail primacy of the Town Centre zone in Chinatown.*

*Action 9 Zone lots north of Frederick Street from Coghlan Street to the Broome Boulevard Shopping Centre as Service Commercial.*

Overall the LPS plans for two areas within the Broome townsite for service commercial development. The smaller of the two is the land on the corner of Cable Beach Road and Fredrick Street (the site of the Kimberley Camping Store, Broome Vet Practice, etc) which essentially reflects existing land uses occurring within this area, with some capacity for

future development on the vacant and underdeveloped lots. The second area identified for service commercial development is to the north of Fredrick Street extending from the Boulevard Shopping Centre site through to Herbert Street (the western extent of the Town Centre zone). While this designation does cover some of the current operational areas of the airport, the land to the immediate east of the Boulevard Shopping Centre, extending along Fredrick Street, is already zoned 'Service Commercial' under LPS6 and had a conditional subdivision approval allowing it to be developed for this purpose. The footprint of this area which is zoned service commercial is approximately 6ha, which is slightly larger than the 5.4ha area proposed by the Structure Plan.

In support of the Structure Plan, the applicant has provided the following statement as rationale for Service Commercial at the site:

- 1. To assume projected land use in FDA 3 on the basis of the relocation of an international airport is well beyond the scope and planning period of a local planning strategy. Accordingly, Urbanplan holds the position that the FDA 3 is ineffectual.*

In response, the LPS acknowledges the potential for the subject land to be developed is constrained by the proximity to the airport. It is noted that some land uses recommended under the LPS could proceed at the subject site with the airport remaining, please refer to comments below under LPS6). The LPS seeks to provide greater certainty to this issue by including the following strategies and actions:

- 2. Establish timeframes for the relocation of the Broome International Airport.*

And

- To reserve land abutting Broome Road as Public Purpose for aviation and airport uses*
- To incorporate an appropriate buffer surrounding the proposed airport site into a special control area to limit establishment of uses that could potentially impact on the operations of the airport.*

Whilst no timeframe on the relocation of the airport has been finalised, land has been identified and controls put in place to protect the environs surrounding the proposed airport site off Broome Road approximately 13km east of the town.

Of note, the subject site was previously a Reserve under Town Planning Scheme No 2 (**TPS2**) which did not provide for any development potential and would not have allowed residential or commercial development. It was zoned 'Development' through the gazettal of Town Planning Scheme No 4 (**TPS4**) in 1999. Under TPS4, prior to development occurring, a Development Plan was required to be adopted. In essence, this process was the equivalent of the current Structure Plan process being pursued and when the subject site was rezoned from a Reserve to Development, it was noted at that point that development would be constrained by the airport.

The Broome Airport Development Plan (ADP) is also relevant. This document was adopted by Council on 26 November 2009 and endorsed by WAPC on 9 October 2012. The ADP includes the following objective:

- 2. The main purpose of the ADP is to provide an appropriate statutory planning framework to facilitate the effective continued operation and expansion of the Broome International Airport at its current location, until such time as aviation*

demands and/or airport impacts on the Broome community necessitate the airport's relocation.

The ADP is due to expire in 2025. Furthermore, the Shire's LPS is due for review this year. This will be an opportune time to revisit the need for and timing of the airport relocation and land uses which surround the site.

The applicant, in responding to the submissions received (**Attachment No 4**) has also expressed that the LPS is a guiding document, that is to be given due-regard and is non-binding. The applicant also expresses that the planning framework must be applied flexibly to ensure that opportunities are not lost.

These positions are noted, however the Shire's planning framework with regard to the distribution of Service Commercial land has been analysed over time through different revisions of Local Commercial Strategies, which included Strategies prepared in 1998, 2007 and again more recently in 2017. All versions of the Local Commercial Strategies did not recommend that the subject site be developed for Service Commercial purposes. The 2007 version of the Local Commercial Strategy identified that in relation to bulky goods/large format retail, in the absence of an appropriate zone, these type of uses were gravitating to the light and service industry areas. The 2007 LCS recognised that these industrial areas are not a desirable location and concluded that the most logical location for this activity is Fredrick Street between Chinatown and the Boulevard. This position was reviewed in the 2017 LCS, please refer to comments below in this regard.

Since the adoption of the 2007 LCS, the following actions have occurred which confirm the preferred location for service commercial development is on Frederick Street:

- The Airport Development Plan was adopted by the Shire in November 2009, which showed that there was adequate area along Frederick Street, surplus to the operation of the airport, to accommodate service commercial development.
- In June 2012, Council adopted Local Development Plan No 8 (previously called Detailed Area Plan) which establishes a structure and layout for the development of this service commercial area and development controls with regard to location of car parking, building orientation, etc.
- In 2015 the LPS was endorsed by the Western Australian Planning Commission (**WAPC**) which shows this area on Fredrick Street, in addition to a wider portion of the airport site, being the preferred location for service commercial development.
- Local Planning Scheme No 6 (**LPS6**) was gazetted in 2015, which zones land on Frederick Street for Service Commercial purposes.

The spatial distribution of commercial land uses through Broome have been considered in adoption of the above informing documents. To depart from this on the grounds that a landowner wants to realise development potential of a site, should not take precedent over other planning principles or the current planning framework. Further it is noted that the Shire's LPS is due for review, however, to entertain a departure from the established framework without compelling planning grounds is also considered premature and inconsistent with principles of orderly and proper planning. This is acknowledged in some of the submissions which raised that proposals should not be considered reactively but part of whole of town / shire plans. It should also be noted, that the review of the LPS will be guided by informing documents, including the Local Commercial Strategy, which was adopted by Council in 2017 and as detailed below, 2017 LCS does not recommend that additional land is required for Service Commercial purposes.



Therefore, the proposal is considered to be inconsistent with the established strategic planning direction provided in the LPS for the following reasons:

- a) The proposal is inconsistent with the objectives of Precinct 9 and Future Development Area 3 in which the subject site falls;
- b) The proposal is inconsistent with the strategic direction provided in section 2.4.7 of the LPS with regard to retail, commercial and activity centres;
- c) Insufficient justification has been supplied to demonstrate a departure from the current local planning strategy is warranted.

#### Local Commercial Strategy 2017 (LCS17)

The Shire's Local Commercial Strategy (**LCS17**) was prepared by Geografia and adopted by Council on 19 October 2017. The LCS17 reviewed the previous Local Commercial Strategy adopted by Council on 7 June 2007 (**LCS07**).

LCS07 was an informing document of the LPS. The context of LCS17 is that it has reviewed the LCS07 recommendations, drawing on insights from local commercial enterprises, government and major facility operators, population trends and household and business expenditure data, to prepare recommendations for a new medium and long-term Commercial Land Strategy.

Of specific consequence to the merits of the proposed Structure Plan, is that LCS17 recommends that the existing 'Service Commercial' zoning north of Frederick Street be reviewed with the intent of reducing the amount of 'Service Commercial' zoned land (by replacing with a more suitable zoning) or by altering the land uses it provides for to accommodate forecast commercial floorspace requirements.

The applicant contends that the LCS17 supports the variation to the planning framework by *suggesting that 'composite sites to aggregate service commercial uses is lacking in Broome; the subject part Lot 3082 provides for this requirement by offering a composite site'*.

Whilst 'composite site' is not referenced in LCS17 or the LPS, it is understood that the applicant's reference to 'composite sites', is intended to highlight a shortage of available land for composite business with a large development footprint. In this regard the following findings from Section 4.5 – Summary of results of LCS17 are considered relevant:

*Over the medium to long term, Broome is unlikely to be able to support a new discount department store and bulky goods retail establishment. Any additional floorspace demand can probably be met through renovations and extensions of existing facilities. Under a high population growth scenario, there may be demand for a new discount department store (beyond 2046).*

And

*The analysis indicates that, in aggregate at least, Broome has sufficient land to supply retail and commercial demand needs to 2051. The vacant land (by lot size) indicates there may be sufficient land supply to meet medium term demands for all retail services (Table 11). However, notwithstanding the adequate aggregate supply, detailed data by building and land lot size suggests there may be insufficient supply of appropriately sized and located lots as well as building size, to meet projected demand (Table 10). There is also uncertainty on the developability of some of the*

*identified vacant lots, due to their potential dislocation from the main retail precincts (e.g. vacant Town Centre zoned lots on Chapple Street).*

At present one (1) vacant precinct is zoned for 'Service Commercial' purposes. This is the precinct on the north side of Frederick Street adjoining the Boulevard Shopping Centre. This site is a large site and is undeveloped, has an adopted Local Development Plan and had conditional subdivision approval. The undeveloped nature of this precinct provides flexibility for composite businesses that require a large development footprint.

LCS17 concludes that sufficient lands are available to meet commercial needs up to 2051 including larger lots for Service Commercial purposes. Furthermore LCS17 suggests review of the existing Service Commercial zoned land to accommodate forecast requirements whilst continuing to provide for 'Showroom' uses to encourage relocation of bulky goods retailers from the 'Light and Service Industry' zone.

To support a proposal that would result in an additional area for Service Commercial land uses would result in an overallocation of land, would lead to fragmentation of commercial uses around the townsite of Broome and is considered inconsistent with the principles of orderly and proper planning.

The applicant has also raised in **Attachment No 5** that the WAPC has not endorsed the 2017 LCS. This is correct, however it should be noted that a LCS does not require adoption by the WAPC under the Regulations and the Act. LCS's are typically planning informing studies that are prepared by local governments to inform the preparation of the Local Planning Strategy and are not required to be endorsed by the WAPC. The LCS07 informed the preparation of the Local Planning Strategy which was adopted by the WAPC. The recommendations in the LCS17 will similarly inform the review of the Local Planning Strategy.

- Local Planning Scheme No 6 (LPS6)

Under the provisions of LPS6, the subject site is zoned 'Development'. Clause 4.16 of LPS6 sets out the purpose and objectives of the Development zone and states the following:

*4.16.1 The purpose of the Development Zone is:*

- (a) to identify areas requiring comprehensive planning prior to subdivision and development*
- (b) to coordinate subdivision, land use and development in areas requiring comprehensive planning.*

*4.16.2 The objectives of the Development Zone are to:*

- (a) provide for a range of mixed land uses and subdivision in accordance with an adopted structure plan;*
- (b) enable the preservation and management of areas of cultural and environmental significance;*
- (c) provide for the coordinated provision of infrastructure, facilities and developable land through relevant structure plans and associated development contribution plans.*

The site and development requirements for land zoned 'Development' is established under Clause 4.44.1 of the LPS6 which states development approval or subdivision will not be supported unless a structure plan has been adopted. The Scheme provisions do give

discretion to the Shire to waive the need for a structure plan, where the land use proposed is a minor extension to an existing use, a minor additional use or a minor land use change.

Therefore, within the areas zoned 'Development' the layout, development controls and permissible land uses will be determined under the adopted structure plan. Once the structure plan has been prepared and proceeds to a subdivision application, ordinarily the zoning of the land is then 'normalised' through a scheme amendment, so the land is zoned in accordance with the provisions of the structure plan. An example of this is the area covered by Local Development Plan No 1 in Broome North. The area forming part of this structure plan has now been normalised in LPS6 with Residential, Local Centre and Reserves zoned in accordance with the adopted Structure Plan.

Therefore, to support a future Warehouse, Service Station and/or Fast Food Outlets as desired by the landowner, a Structure Plan should be prepared which shows the subject portion of the land with a zoning that supports those uses. Under the Zoning Table as it currently sits, 'Service Commercial' would permit these land uses.

It should be noted, that the Scheme itself is silent on the type of land uses and zone that should occur through the Development zones in the Shire. It is the Local Planning Strategy that provides guidance when the question as to whether a use or form of development proposed under a Structure Plan should be approved. As set out above, the Structure Plan is deemed inconsistent with the Local Planning Strategy and the applicant has not supplied sufficient rationale as to why a departure from the Strategy should be supported.

Under LPS6, the subject site falls within Special Control Area (SCA) 'Existing Broome International Airport'. The objective of this SCA is to control development within close proximity to the airport to ensure the ongoing safe operation of the airport. For any new development within the area, the Shire must have due regard to the Australian Noise Exposure Forecast (ANEF) Contours and the Broome Airport Obstacle Limitation Surface Plan.

With respect to the noise limitations, the site predominantly falls between the 25 and 30 ANEF contours. The 'Building Site Acceptability Based on ANEF Contours' table contained within Schedule 10 of LPS6 establishes that the types of development that could be entertained in this area are; public buildings; hotel, motel and hostels; commercial buildings; light industrial; and, other industrial uses. With regards to the obstacle limitations, this varies across the site, from 20m in the north to 40m along the portion of the site which fronts Cable Beach Road East.

It is noted that house, home unit, flat, school, university and hospital are classed as 'unacceptable' at greater than 25 ANEF. This is a key component of the applicant's justification that the land should therefore be made available for Service Commercial use. In this regard, it is reiterated that the land was previously a Reserve under TPS2. The rezoning to 'Development', through the adoption of TPS4 and the subsequent development potential it brought to the site, has been connected to the relocation of the airport. Furthermore, it should be noted that the land uses of student accommodation and tourist land uses recommended under the LPS may be capable of being developed on site under the current SCA provisions, however, would have to implement noise attenuation.

### **Other Planning Principles**

In addition to an assessment of the proposal against the planning framework, the submissions received have raised planning principles that require consideration in assessment of this application, including:

- Amenity impacts;
- Fragmentation/sprawling of development; and
- Impact on character;

The applicant's rationale for the unsuitability of the other zoned Service Commercial land for the proposed land use will also be explored. If this was the case, this would provide the planning rationale for a departure from the adopted planning framework.

### Amenity Impacts

The subject site adjoins Cable Beach Road East and due to limitations on accessing Gubinge Road, the development that could occur if the Structure Plan was approved will front Cable Beach Road East. The area of land to the south of Cable Beach Road East is zoned and developed for residential purposes. The establishment of a Service Commercial area, adjacent to an existing Residential area is not considered desirable for the following reasons:

- Service commercial areas generate a large volume of retail and service vehicle traffic and often usage is higher on weekends when residents in the adjoining residential properties are more likely to be home. Therefore, it is undesirable to have this type of land use within proximity to residential areas due to potential conflicts with noise and traffic.
- The hours of operation of the types of service commercial land uses (such as hardware stores, fast-food outlets, service stations) are usually longer than other types of retail and commercial land uses, thus they have the capacity to create a greater level of conflict with residential uses.
- Fast food outlets are a typical land use within service commercial zones and have the potential to generate odours which can be nuisance if developed within close proximity to residential properties.

Based on the above, it is considered that the proposed siting of a Service Commercial precinct in this location is inconsistent with sound planning principles and typically would be better placed adjacent to existing commercial land uses and away from residential areas, which is what is provided for under the LPS and the LCS.

### Fragmentation/sprawling development

A number of the submissions raised the impact this proposal could have upon existing commercial areas. Some submissions also expressed that this proposal would further fragment the pattern of development in town and contribute to unnecessary sprawl.

In this regard, the development of a service commercial precinct on the subject site is not considered appropriate as it does not provide a logical nor preferred location for this type of land use. Figure 9 of the LPS (**Attachment No 3**), demonstrates a rational pattern of commercial development throughout the townscape of Broome, which was reviewed through the adoption of LCS17. The identification of the service commercial area on Frederick Street acts as a natural extension of commercial activity which transitions from the primary and traditional town centre being Chinatown, to the existing commercial uses along Frederick Street, through to the Boulevard and concluding at the intersection of Cable Beach Road East and Frederick Street. To leap-frog this area and develop at the

subject site, would fragment what is a logical extension of commercial activity and create another independent commercial area in Broome, which is not consistent with good planning practice.

The service commercial area identified along Fredrick Street is also preferable location for this type of land use, as it is located immediately adjacent to Broome Senior High School and the Boulevard Shopping Centre, both of which generate a high number of vehicle movements and are car dominant land uses and present a commercial built form. Service commercial areas similarly generate high number of vehicle movements and are very car dominant, as such it is appropriate that these type of activities are consolidated into one central location. This hierarchy proposed under the LPS and LCS will see commercial/retail development consolidated in one location and support the primacy of Chinatown as the principle town centre area.

LPS6 currently zones the Frederick Street parcel of land Service Commercial. If the Structure Plan were approved, there would be a third service commercial precinct provided for and the planning framework would permit all three sites to be developed for service commercial uses. This would lead to an over provision of land for service commercial uses.

### Character Impacts

In relation to character, a number of the submissions have referenced the negative impact the proposal would have upon the character of the area. SPP 7.0 – Design of the Built Environment (SPP 7.0) provides direction in this regard and provides a framework for design of the built environment across Western Australia. It applies to all levels of the planning hierarchy — from large-scale structure planning, and major public works projects to development applications and subdivision considerations and is therefore applicable in the assessment of the planning merits of this Structure Plan.

SPP 7.0 establishes 10 design principles which define 'good design' and should be applied to inform the design, review and decision-making processes for built environment proposals across the State. The first design principle is 'context and character' and the following description in SPP 7.0 are noted:

- *Successful places are distinctive and memorable, with a character that people can appreciate easily.*
- *Good design responds intelligently and sensitively to these factors in order to positively contribute to the identity of an area including adjacent sites, streetscapes and the surrounding neighbourhood.*
- *New development should integrate into its landscape/townscape setting, reinforcing local distinctiveness and responding sympathetically to local building forms and patterns of development.*
- *Building materials, construction techniques and details should, where appropriate, enhance local distinctiveness.*
- *Good design also responds positively to the intended future character of an area.*
- *Consideration of local context is particularly important for sites in established areas that are undergoing change or identified for change.*

The existing character and context of the subject site and surrounding area is currently natural bushland, however the Scheme does identify the site as 'Development' and therefore the existing character will change. While some submissions raise that their preference would be to see the site retained as natural vegetation, the planning framework for some time (since gazettal of TPS4) has zoned the site 'Development' and

therefore implied that the site characteristics will change. This is a consequence of any development of undisturbed areas and is accepted.

The character and built form that would result from a Service Commercial development would typically lead to large format, box-style, bulky commercial buildings, with large parking areas, limited landscaping and architectural features. The character of this form of development would be inconsistent with the character intended under the Local Planning Strategy (which is residential, student and tourist accommodation land uses). While it is noted that if the existing zoned Service Commercial land on Frederick Street were developed, the form of building style would likely result in a similar commercial character and built form, the context of this location is different, it is 'framed' by similar building typologies and is more typical of the character of that immediate location (i.e. the Boulevard Shopping Centre, airport building, vehicle car yards and service stations). Development of a Service Commercial built form at the Frederick Street service commercial zoned land, would be more in-keeping with the existing identity and streetscape of this location and would be more in sympathy with the pattern of development in this location.

In simple terms, from a character perspective, service commercial development at the subject site is not consistent with the character that is anticipated under the Local Planning Strategy and is not typical of the character of the vicinity of the development. This is referenced in some of the submissions received that express objection to the proposal based on the building form that would result, noting that the Cable Beach Road East drive provides the linkage to the 'tourist' areas, which is largely characterised by natural bushland (i.e. Minyirr Park) and landscaped settings of the Cable Beach residential and tourist areas. The form of development that would result if the Structure Plan was approved, would be inconsistent with the character of the area, inconsistent with the streetscape and the surrounding neighbourhood and does not integrate to the townscape setting and patterns of development established in Broome.

Some of the submissions reference that design guidelines should be prepared to guide future development on site. While an LPP/design guideline could be developed, it would not change the overall form of the development and its likely it would still be inconsistent with the character of the area.

Other design principles in SPP 7.0 of relevance to the Structure Plan include:

- Built Form and Scale - *Good design ensures that the massing and height of development is appropriate to its setting and successfully negotiates between existing built form and the intended future character of the local area.*

The massing and height of the built form that would be expected from a service commercial development would be inconsistent with the sites setting, the existing built form in this location and the intended future character of the local area.

- Landscape Quality - *Good landscape design employs hard and soft landscape and urban design elements to create external environments that interact in a considered manner with built form, resulting in well integrated, engaging places that contribute to local identity and streetscape character.*

The form of service commercial development is typically characterised by hard built form with minimal landscaping. This form of development would be inconsistent with the local identity and streetscape in the vicinity of the subject site.

Based on the above, it is concluded that the proposal is inconsistent with the design principles 'context and character', 'built form and scale' and 'landscape quality' within SPP 7.0.

#### Applicant's Comparison of Alternative Sites

Section 1.5 of the Structure Plan report provides the applicant rationale for why the subject site should be preferable than the currently zoned Service Commercial site. This is important to explore as this may provide the rationale for a departure from the local planning framework.

In this regard the applicant contends the following as is quoted from the Structure Plan report:

*The proponent recognises that the LPS includes a strategy to promote and encourage development along the north side of Frederick Street as showrooms and bulky good retail. The proponent's Structure Plan proposes this, albeit 1.5 kms further along Frederick Street than the site originally anticipated, on a site that is demonstrably more suitable for the proposed uses, as below:*

- *Delivery of goods from southern distribution centres will come via B-Double haulage. Frederick Street is a distributor road that services inter-neighbourhood traffic movement including that to the Boulevard shopping centre, Broome Senior High School, and access and egress to residential areas along Cable Beach Road East to Gubinge Road. Such movement along a local distributor road introduces a traffic safety issue.*
- *The roundabout on Frederick Street facilitating fluid access and egress along Frederick Street and between the Senior High School and the shopping centre has recently been identified as a Black Spot conflict junction; this highlights the safety and traffic congestion issues already present at this intersection.*
- *Traffic congestion at peak periods between Broome High School and the Boulevard shopping centre highlight the capacity inadequacies of Frederick Street. Traffic congestion occurs after hours and on weekends as the high school oval is used for district football competitions*
- *The proposed use as detailed in the Structure Plan will result in less direct RAV network access for deliveries, and as such will eliminate additional traversing of District Distributor roads by B-Double delivery vehicles to get to the Frederick Street location.*

The proponent contends that, based on the above, there are considerable limitations to the existing zoned land giving rise for the Shire to consider varying the Local Planning Strategy.

In this regard the following is noted:

- Frederick Street is currently on the Restricted Access Vehicle (**RAV**) network which allows for larger commercial vehicles to traverse this road. Cable Beach Road East is currently not on the RAV network, therefore B-Double vehicles are currently not permitted to access this road.
- Both Frederick Street and Cable Beach Road East are identified as the same road hierarchy under LPS6 and the District Traffic Study. To put forward a view that Frederick Street is not capable of supporting the traffic generated by a service commercial development is not consistent with the findings of the traffic modelling

perform in the District Traffic Study (2016) or the hierarchy adopted under LPS6 and section 3.2.7 of the Local Planning Strategy.

- The District Traffic Study (2016) models the increase in traffic flows that would be generated by the current planning framework (i.e. the service commercial land on Frederick Street being developed). The District Traffic Study concludes that the portion of Frederick Street will maintain an adequate level of service to cater for the projected traffic increases, without any upgrades.
- The Blackspot funding application currently submitted relates to the entry and exit points to the Broome Senior High School only and does not extend to the round-about along Frederick Street. The modelling performed under the District Traffic Study (2016) confirms that these intersections maintain an adequate level of service.
- The Traffic Impact Statement prepared to support the Cable Beach Road East Service Commercial Structure Plan outlines that all in-bound service vehicles would access the site from the west (from Gubinge Road). However, all outbound movements, would need to travel in an easterly direction, therefore development on this site would also result in an increase in additional large vehicle movements on Frederick Street in any event.

Therefore the rationale supplied by the applicant to suggest that the subject site should be developed as it is more suitable than the current Service Commercial site is not supported.

### Summary

Consistent with the advice provided by Council following the May 2016 Ordinary Council Meeting the applicant has submitted a Structure Plan for assessment and advertising as provided under the Shire of Broome Local Planning Scheme No 6 and the Regulations.

The merits of the proposed structure plan and the rationale for the departure that the Structure Plan has proposed against the local planning framework has been discussed in the comments above. In accordance with the Regulations a review of the all the submissions received and an assessment of the proposal on the planning merits has been performed. Based on the review, it is recommended that Council resolve to advise the WAPC that the Structure Plan should not be approved.

The rationale for the recommendation is set out in the comments above and in summary include the following:

- The Structure Plan is inconsistent with the Local Planning Strategy and Local Commercial Strategy;
- The support of the Structure Plan would adversely impact the pattern of commercial development in Broome by over supplying 'Service Commercial' land and further fragmenting the commercial distribution around Broome;
- The applicant has not supplied sufficient rationale to demonstrate a departure from the local planning framework should be supported. The reasons for the unsuitability of the existing zoned Service Commercial land in Broome are not supported by the District Traffic Study, LPS6 or the guidance provided under the Local Planning Strategy.
- The public submissions received have highlighted deficiencies with the proposal and highlights the sites unsuitability to be developed for service commercial purposes.
- Sufficient and appropriately zoned land is available for the proposed land use elsewhere in Broome.



- The proposal is inconsistent with the design principles of 'context and character', 'built form and scale' and 'landscape quality' within SPP 7.0.

The resolution of Council and this report will be forwarded to the WAPC, where the Commission will then make a decision on whether to approve the structure plan, require modification or refuse the Structure Plan.

## CONSULTATION

Public Notice of the proposed Structure Plan was given for the maximum 28 day permitted by the Deemed Provisions. The responses received during the public comment period are provided above and a detailed assessment is provided in the Schedule of Submissions contained in **Attachment No 4**.

## STATUTORY ENVIRONMENT

### Planning and Development (Local Planning Schemes) Regulations 2015 – Part 4

#### **18. Advertising structure plan**

- (1) The local government must, within 28 days of preparing a structure plan or accepting an application for a structure plan to be assessed and advertised —
  - (a) advertise the proposed structure plan in accordance with subclause (2); and
  - (b) seek comments in relation to the proposed structure plan from any public authority or utility service provider that the local government considers appropriate; and
  - (c) provide to the Commission —
    - (i) a copy of the proposed structure plan and all accompanying material; and
    - (ii) details of the advertising and consultation arrangements for the plan.
- (2) The local government must advertise the structure plan in one or more of the following ways —
  - (a) by giving notice of the proposed structure plan to owners and occupiers who, in the opinion of the local government, are likely to be affected by the approval of the structure plan, including a statement that submissions may be made to the local government by a specified day being a day not less than 14 days and not more than 28 days, or a later day approved by the Commission, from the day on which the notice is given to the person;
  - (b) by publishing a notice of the proposed structure plan in a newspaper circulating in the Scheme area including a statement that submissions may be made to the local government by a specified day being a day not less than 14 days and not more than 28 days, or a later day approved by the Commission, from the day on which the notice is published;
  - (c) by publishing a notice of the proposed structure plan on the local government website including a statement that submissions may be made to the local government by a specified day being a day not less than 14 days and not more than 28 days, or a later day approved by the Commission, from the day on which the notice is published;
  - (d) by erecting a sign or signs in a conspicuous place on the land the subject of the proposed structure plan giving notice of the proposed plan for a

period of not less than 14 days and not more than 28 days from the day on which the sign is erected including on each sign a statement that submissions may be made to the local government by a specified day being a day not less than 14 days and not more than 28 days, or a later day approved by the Commission, from the day on which the sign is erected.

(3) The local government —

- (a) must make a structure plan advertised under subclause (2) and the material accompanying it available for public inspection during business hours at the offices of the local government; and
  - (b) may publish the structure plan and the material accompanying it on the website of the local government.
- (4) If a local government fails to advertise a structure plan in accordance with this clause, the Commission may take reasonable steps to ensure that the plan is advertised.
- (5) All costs incurred by the Commission in the exercise of the power conferred by subclause (4) may, with the approval of the Minister, be recovered from the local government as a debt due to the Commission.

**19. Consideration of submissions**

(1) The local government —

- (a) must consider all submissions made to the local government within the period specified in a notice advertising the structure plan; and
  - (b) may consider submissions made to the local government after that time; and
  - (c) may request further information from a person who prepared the structure plan; and
  - (d) may advertise any modifications proposed to the structure plan to address issues raised in submissions.
- (2) If a local government makes a decision under subclause (1)(d) the local government must take any steps the local government considers appropriate to advertise the proposed modification to the structure plan.
- (3) Modifications to a structure plan may not be advertised on more than one occasion without the approval of the Commission.

**20. Local government report to Commission**

(1) The local government must prepare a report on the proposed structure plan and provide it to the Commission no later than 60 days after the day that is the latest of —

- (a) the last day for making submissions specified in a notice given or published under clause 18(2); or
  - (b) the last day for making submissions after a proposed modification of the structure plan is advertised under clause 19(2); or
  - (c) a day agreed by the Commission.
- (2) The report on the proposed structure plan must include the following —
- (a) a list of the submissions considered by the local government, including, if relevant, any submissions received on a proposed modification to the structure plan advertised under clause 19(2);
  - (b) any comments by the local government in respect of those submissions;

- (c) a schedule of any proposed modifications to address issues raised in the submissions;
- (d) the local government's assessment of the proposal based on appropriate planning principles;
- (e) a recommendation by the local government on whether the proposed structure plan should be approved by the Commission, including a recommendation on any proposed modifications.

## **22. Decision of Commission**

- (1) On receipt of a report on a proposed structure plan, the Commission must consider the plan and the report and may —
  - (a) approve the structure plan; or
  - (b) require the local government or the person who prepared the structure plan to —
    - (i) modify the plan in the manner specified by the Commission; and
    - (ii) resubmit the modified plan to the Commission for approval;or
- (c) refuse to approve the structure plan.
- (2) Before making a decision under subclause (1), the Commission may, if the Commission considers that major modifications have been made to the structure plan since it was advertised, direct the local government to readvertise the structure plan in the manner specified by the Commission.
- (3) The Commission may not direct the local government to readvertise the structure plan on more than one occasion.
- (4) If the Commission is not given a report on a proposed structure plan in accordance with clause 20(1), the Commission may make a decision on the proposed structure plan under subclause (1) in the absence of the report.
- (5) The Commission is to be taken to have refused to approve a structure plan if the Commission has not made a decision under subclause (1) within —
  - (a) 120 days of the day on which the local government provides the report to the Commission, excluding any period between the Commission requiring modifications to the structure plan and the resubmission of the modified plan; or
  - (b) a longer period agreed in writing between the Commission and the person who prepared the proposed structure plan.
- (6) Despite subclause (5), the Commission may decide whether or not to approve a structure plan after the period applicable under subclause (5) has expired, and the validity of the decision is not affected by the expiry.
- (7) The Commission must give the local government and any person who prepared the proposed structure plan written notice of its decision to approve or to refuse to approve a structure plan.

## **POLICY IMPLICATIONS**

5.22 Shire of Broome Structure Plan and Subdivision Standards.

## **FINANCIAL IMPLICATIONS**

A fee of \$9,076.55 has been charged for the assessment of the Structure Plan.

## **RISK**

There is risk of reputational damage due to the multi-faceted role of Council. In this instance, Council has a regulatory role to play in the administration and assessment of the Structure Plan that is guided by legislation.

Unfortunately, Council's regulatory role can at times be in conflict with its advocacy function to support investment and economic development. In this instance, while the intent of the proposal from NBY it to assist in financial independence is noted, this needs to be considered in the context of the local planning framework, which is an established framework, developed with significant community engagement and input and informed by a number of planning strategies.

Departures from the adopted planning framework, including the Local Planning Strategy, should be exercised with caution as such documents provide the premises for all planning decisions. To undermine the value of the Local Planning Strategy by approving departures, in the absence of sound planning rationale and a comprehensive review process is not considered good practice. Such decisions lead to uncertainty, can impact upon investment decisions and can create community angst.

It is also noted for Council, some submitters' opposing the Structure Plan have incorrectly assumed or implied that the Shire of Broome is the proponent.

## **STRATEGIC IMPLICATIONS**

### **Our Place Goal – Help to protect the nature and built environment and cultural heritage of Broome whilst recognising the unique sense of the place:**

Realistic and sustainable land use strategies for the Shire within state and national frameworks and in consultation with the community

A built environment that reflects tropical climate design principles and

A natural environment for the benefit and enjoyment of current and future generations

Retention and expansion of Broome's iconic tourism assets and reputation

### **Our Prosperity Goal – Create the means to enable local jobs creation and lifestyle affordability for the current and future population:**

Affordable and equitable services and infrastructure

Affordable land for residential, industrial, commercial and community use

Key economic development strategies for the Shire which are aligned to regional outcomes working through recognised planning and development groups/committees

### **Our Organisation Goal – Continually enhance the Shire's organisational capacity to service the needs of a growing community:**

Sustainable and integrated strategic and operational plans

Effective community engagement

**VOTING REQUIREMENTS***Simple Majority***COUNCIL RESOLUTION:**  
**(REPORT RECOMMENDATION)****Moved: Cr N Wevers****Seconded: Cr C Mitchell****That Council pursuant to Part 4 of Schedule 2 – Deemed Provisions of the Planning and Development (Local Planning Schemes) Regulations 2015:**

- 1. Considers the submissions received during the public consultation included as Attachment No 4 to this report.**
- 2. Recommends that the Western Australian Planning Commission refuses to adopt the Service Commercial Structure Plan for Lot 3082 Cable Beach Road East, for the following reasons:**
  - (a) The proposal is inconsistent with the objectives and guidelines for Precinct 9 and the recommendations for Future Development Area 3 contained within the Local Planning Strategy.**
  - (b) The proposal is inconsistent with the objectives, strategies and actions for retail, commercial and activity centres contained within the Local Planning Strategy.**
  - (c) The proposal is inconsistent with the planning framework, which has progressed since the adoption of the Local Commercial Strategy in 1998, 2007 and is inconsistent with the updated Local Commercial Strategy adopted by Council in 2017.**
  - (d) The proposal would result in an over-allocation of land for service commercial purposes, which would lead to an ad-hoc and fragmented distribution of retail and commercial floor space in the Broome townsite.**
  - (e) The site is not considered an appropriate location for the development of a service commercial precinct by reason of potential impact the proposal could have upon amenity, character and a logical distribution of commercial development in Broome.**
  - (f) Sufficient and appropriately zoned land is available for the proposed Service Commercial use elsewhere in Broome;**
  - (g) The applicant has not provided sufficient rationale or planning reasons to support a departure from the local planning framework.**
  - (h) The Structure Plan would be inconsistent with design principles of 'context and character', 'built form and scale' and 'landscape quality' within SPP 7.0 – Design of the Built Environment.**

**CARRIED UNANIMOUSLY 3/0**

**Ministerial approval was received under section 5.7(1) of the Local Government Act 1995 to reduce the number of offices of Elected Members required for a quorum. The approval letter was circulated to Councillors prior to the meeting and attached to item 1. Official Opening.**

**Attachments**

- 1. Location Plan**
- 2. Structure Plan Report**

3. Local Planning Strategy spatial distribution of retail & commercial lands
4. Schedule of Submissions
5. Applicant's response to submissions
6. Schedule of Modifications
7. Bushfire Management Plan
8. Local Water Management Plan
9. Traffic Impact Assessment



ATTACHMENT NO 1 – LOCATION PLAN





**LOT 3082 CABLE BEACH ROAD EAST  
SERVICE COMMERCIAL STRUCTURE PLAN**

**To Facilitate  
STAGE 1 LARGE FORMAT RETAIL WAREHOUSE**

**December 2019**





**LOT 3082 CABLE BEACH ROAD EAST  
SERVICE COMMERCIAL STRUCTURE PLAN**

**To Facilitate  
STAGE 1 LARGE FORMAT RETAIL WAREHOUSE**

**December 2019**

**LOT 3082 CABLE BEACH ROAD EAST  
SERVICE COMMERCIAL STRUCTURE PLAN**

**To Facilitate  
STAGE 1 LARGE FORMAT RETAIL WAREHOUSE**

**December 2019**

**By urbanplan**

On behalf of Nyamba Buru Yawuru

Approved by: .....

Signed / Date : .....

Position: .....

## ENDORSEMENT PAGE

This Structure Plan is prepared under the provisions of the Shire of Broome Local Planning Scheme No. 6.

IT IS CERTIFIED THAT THIS STRUCTURE PLAN WAS APPROVED BY  
RESOLUTION OF THE WESTERN AUSTRALIAN PLANNING COMMISSION ON:

Signed for and on behalf of the Western Australian Planning Commission:

.....

an officer of the Commission duly authorised by the Commission pursuant to  
section 16 of the Planning and Development Act

2005 for that purpose, in the presence of:

..... Witness

..... Date

.....Date of Expiry

## TABLE OF AMENDMENTS

AMENDMENT NO.	SUMMARY OF THE AMENDMENT	AMENDMENT TYPE	DATE APPROVED BY WAPC

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## **PART 1: IMPLEMENTATION**

### **1 STRUCTURE PLAN AREA**

This Structure Plan applies to the land as outlined on the Structure Plan Map (Plan No.1) below, being part of Lot 3082 (102) Cable Beach Road East, Broome.

### **2 OPERATION**

The date the Structure Plan comes into effect is the date the Structure Plan is approved by the WAPC.

### **3 DEVELOPMENT REQUIREMENTS**

#### **3.1 LAND USE ZONES**

The Structure Plan Map (Plan No. 1) outlines land uses applicable within the Structure Plan area for the proposed zone classification of Service Commercial Zone, as recommended for re-classification of the land subsequent to structure plan approval.

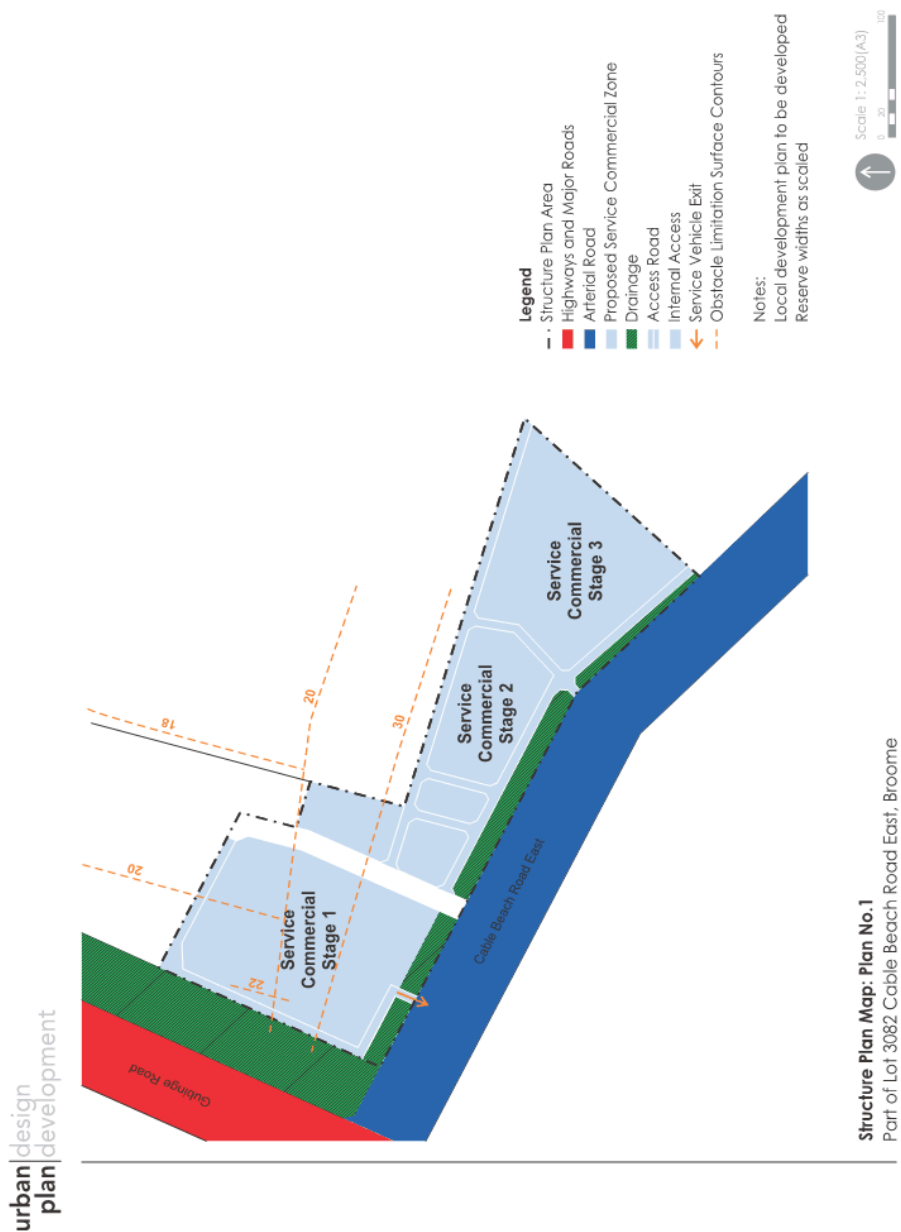
Prior to re-classification by the local government, it is proposed to lodge development applications in accordance with the Development Zone as permitted by Clause 3.44.1 (b).

#### **3.2 ADDITIONAL INFORMATION**

Prior to subdivision or development proceeding, the following documents will be prepared:

- A Local Development Plan for subject part of Lot 3082; and
- An Urban Water Management Plan.

Structure Plan Map: Plan No.1 part of Lot 3082 Cable Beach Road East







## PART 2: EXPLANATORY REPORT

### 1 PROJECT OVERVIEW

#### 1.1 INTRODUCTION

On behalf of Nyamba Buru Yawuru, **urbanplan** has prepared this structure plan to facilitate the proposed service commercial uses indicated on Plan 1 commencing with a proposed stage one large format retail warehousing at part of Lot 3082 (102) Cable Beach Road East, Broome.

##### 1.1.1 PURPOSE

The purpose of this Structure Plan is to de-constrain the identified parcel to a development ready position. The aim of this structure plan is to:

- deliver NBY's vision for the identified parcel;
- achieve Local assessment and State Government approval; and
- facilitate a development application for the stage large format retail warehousing and subsequent stages of service commercial uses.

This will enable the development of service commercial land uses to support Nyamba Buru Yawuru in its vision to deliver cultural and economic services for Yawuru and other Indigenous Australian people.

Achieving financial sustainability underpins Indigenous self-determination.

With the advancement of the commercial development of part of Lot 3082 Cable Beach Road East surplus rental income will be indirectly returned to the local Indigenous Australian community and will:

- a. Provide resources for further development of Indigenous culture.
- b. Provide further training and employment opportunity through the service commercial outlets.
- c. Reduce the dependence on future government funding and, over time, provide financial sustainability and independence; significant in these times of reduced Federal finance.

Accordingly, this proposal is a genuine, hallmark, innovative development approach toward self-determination. Given the circumstances, urbanplan strongly recommends the propose Structure Plan for part Lot 3082 Cable Beach Road East for advertising and consideration of the Western Australian Planning Commission.

#### 1.2 BACKGROUND

The Planner's Agenda Report of May 2016 highly praised the Nyamba Buru Yawuru's pursuit of financial independence yet failed to deliver on a positive recommendation on the grounds of not meeting the strategic planning framework. The Planner's report was an objective attempt at analysing the situation and accordingly noted that a structure plan approach was an optional process open to

the Nyamba Buru Yawuru. Fortuitously, Nyamba Buru Yawuru chose to make a presentation to the Shire Councillors that resulted in an in-principle confirmation in writing that a structure plan process was the appropriate course of action.

While the strategic planning framework has not altered, a review of the presiding statute, Broome Local Planning Scheme No. 6 shows a structure plan provides for a comprehensive coordinated approach that allows for mixed use development pursuant to Development Zone.

The Future Development Area 3 was promulgated on the assumption that development of the land will precede the relocation of the airport. The airport is in private ownership with operational maintenance recently complete on the runway. The owners are progressively subdividing land for residential purposes north of the runway relative to acoustic contours. **urbanplan** holds that the impetus and commercial viability to relocate the international airport is not evident, if not non-existent. Contextually, flying into Broome over China Town and departing over Cable Beach is seen as one of the unique features of tourism in Broome. To withhold in-demand service commercial development on Lot 3082 on the assumption that the international airport is to be relocated is short sighted considering the service to be provided in this precinct will serve the community for many, many years prior to any slim possibility that the airport might be relocated.

To assume residential development will occur within Lot 3082 prior to the airport relocation is also misleading because of acoustic impact.

Therefore the approach **urbanplan** has taken is to comprehensively plan for service commercial provision on part of Lot 3082 to facilitate hardware and white goods comparison retail offering to the Broome community, as appropriately enabled by the Local Planning Scheme Development Zone and as sought by the Council Resolution, May 2017.

Given the context of the entire planning framework, due process commencing with advertising, is best followed to ensure proper consideration of the comprehensive structure planning of part of Lot 3082 for service commercial purpose, with stage one comprising large format retail warehousing.

### 1.2.1 PROJECT AREA

Part of Lot 3082 (102) Cable Beach Road East, Broome is held in Freehold title by Nyamba Buru Yawuru (NBY) a not for profit company owned by the Yawuru native title holders through their corporate group structure. The site was granted to NBY pursuant to the Yawuru Indigenous Land Use Agreement ("Yawuru ILUA") in 2010.

The subject site has frontage to Cable Beach Road East, abuts the Broome Airport to the north east and the Broome TAFE to the east.

A copy of the Title Deed is at Appendix 1. The location of the subject site is shown at Figure 1 with a more detailed identification of the site shown at Figure 2. Figure 3 is a representation of an indicative conceptual layout and circulation for the proposed service commercial uses.

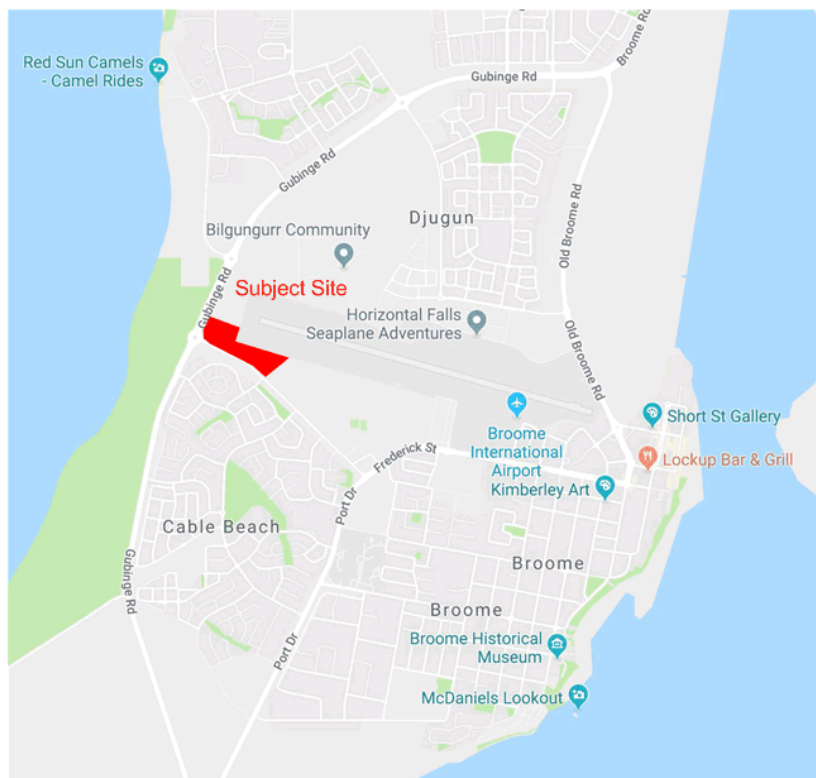


Figure 1: Lot 3082 Location

#### 1.2.2 SITE DESCRIPTION

Lot Number:	part of Lot 3082
Street Address:	102 Cable Beach Road East, Djugun
Plan No:	P219733
Volume/Folio:	2758/291
Area:	Shares north eastern boundary with Broome International Airport, its southern boundary is on Cable Beach Road East.
Proposed uses:	Large format retail exemplified by hardware, white goods and electronic stores, showrooms and fast food outlets.

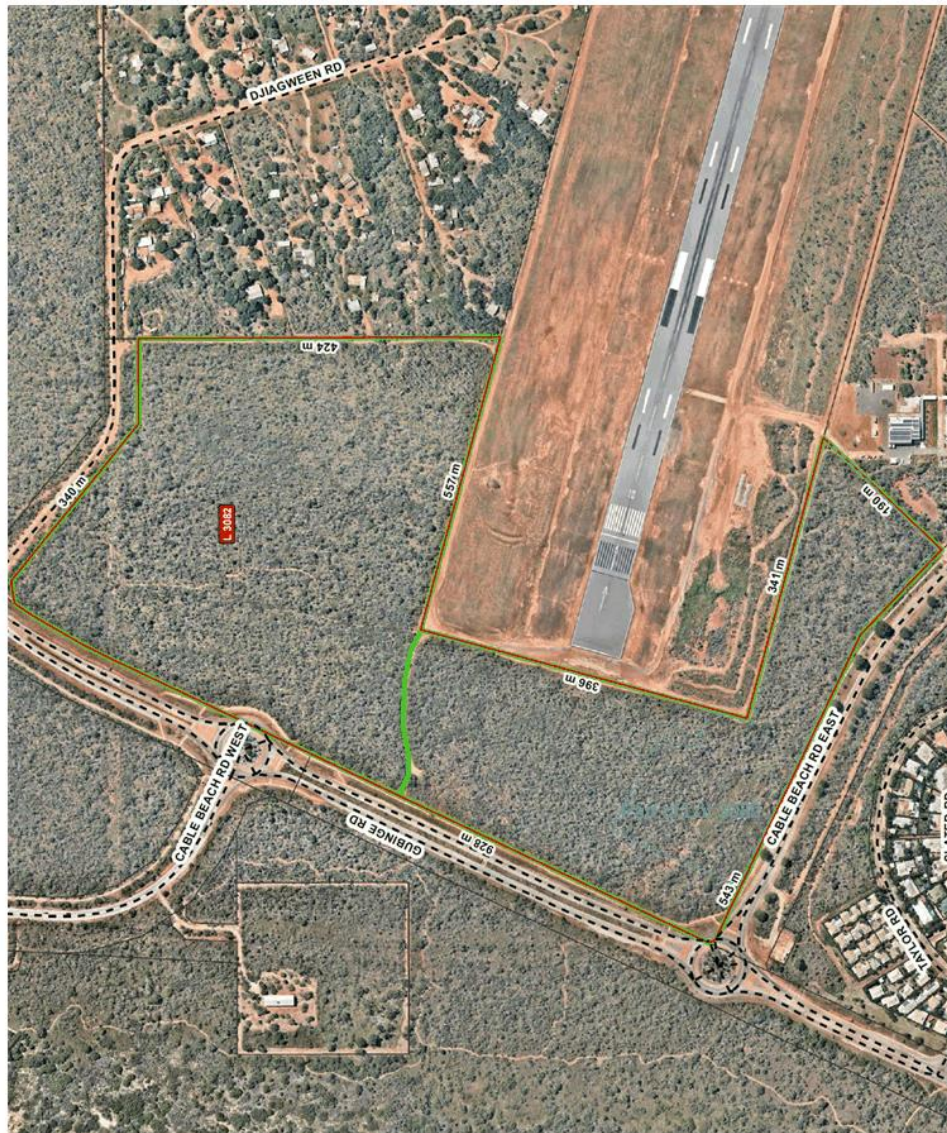


Figure 2: Aerial Photo showing the subject site, part of Lot 3082



Figure 3: Part of Lot 3082 Conceptual Indicative Layout and Circulation

### 1.3 NBY ENTITY

Nyamba Buru Yawuru has the responsibility to generate income from Yawuru's capital assets; land, community, social and cultural capital. Nyamba Buru Yawuru is a key driver in the local economy, playing a leadership role in partnership with industry, local government and the State Government to transform the Broome and Kimberley economy to a vibrant region based on investments in beef production, tourism and agriculture. It is committed to a vision of an inclusive and sustainable economy, enabling Yawuru and other Indigenous people to be active and prosperous socio-economic participants in the region.

The NBY vision incorporates commercial success with the renaissance of Yawuru cultural values and practices, embodied in the philosophy of 'mabu liyan' (good spirit), a holistic understanding of positive wellbeing that incorporates personal, social and environmental aspects that contribute to a good life.



## 1.4 CONCEPT

The structure plan proposes to facilitate uses akin to large format retail warehousing, hardware, showrooms, fast food outlets, car wash, and tyre service centre. Nyamba Buru Yawuru aim to generate a long term recurring income stream from leases, with potential for 10 year plus options lease agreements. In addition, the project has the potential to leverage employment opportunities for the Yawuru people and celebrate Yawuru culture through artworks, landscaping, signage and street naming.

The conceptual layout consists of four notional sites ranging in size from 8,860m<sup>2</sup> to 1.686 hectares with access from Cable Beach Rd East. The current staging plan commences with subsequently allowing for three stages of development over 15 years with a view to leasing sites to commercial tenants, however this will be governed by market demand.

### 1.4.1 APPROACH TO DEVELOPMENT

The Shire of Broome Local Planning Strategy shows the subject site as Future Development Area 3 potential uses as residential, tourism or student accommodation as part of an Educational / Health Precinct.

The approach **urbanplan** has taken on behalf of Nyamba Buru Yawuru acknowledges that residential development cannot happen in the vicinity of the runway due to acoustic levels until if and when the airport is relocated. Therefore this structure plan is promulgated on substantiating service commercial development for part of Lot 3082 and pursuant to the Development Zone and clause 3.44.1 with no residential development forming a part of it.

### 1.4.2 STAGE ONE – SITE PLAN

The stages are summarised as follows:

- Stage One comprises the Homemaker Centre (1.45 Ha, refer Figure 3);
- Stage Two consists of fast food outlets, carwash and tyre service centre (0.886Ha) and a large format showroom warehouse site (1.379 hectares); and
- Stage Three consists of a large format showroom warehouse site (1.686 hectares).

The current service commercial large format retailing in Broome is of inferior layout because composite sites as proposed by NBY do not currently exist.

Accordingly, the development of part of Lot 3082 will be an important economic and cultural development for NBY and the Yawuru people as well as providing a range of commercial services for the population of Broome.

## 1.5 COMPARISON TO ALTERNATIVE SITE

An alternative site suitably zoned for service commercial development of the kind proposed, is adjacent the Boulevard shopping centre at Frederick Street. There

are key comparative site and situation issues with the Boulevardde locality that render that site inadequate:

1. Less direct RAV network access for deliveries that means extended traversing of District Distributor roads by B-Double delivery vehicles to get to the Frederick Street location.
2. Delivery of goods from southern distribution centres will come via B-Double haulage. Frederick Street is a local distributor road that services inter-neighbourhood traffic movement including that to the Boulevardde shopping centre, Broome Senior High School, and access and egress to residential areas along Cable Beach Road East to Gubinge Road. Such movement along a local distributor road introduces a traffic safety issue.
3. The roundabout on Frederick Street facilitating fluid access and egress along Frederick Street and between the Senior High School and the shopping centre has recently been identified as a Black Spot conflict junction; this highlights the safety and traffic congestion issues already present at this intersection.
4. Traffic congestion at peak periods between Broome High School and the Boulevardde shopping centre highlight the capacity inadequacies of Frederick Street. Traffic congestion occurs after hours and on weekends as the high school oval is used for district football competitions.

## 1.6 CONSULTANT INPUTS

Nyamba Buru Yawuru has commissioned the following investigations on the site: Since acquisition of the land in 2011,

- Traffic Impact Assessment prepared by DVC – 2019 (Appendix 2)
- Bushfire Management Plan (Appendix 3)
- Level 2 Flora and Fauna report – 2016 (Appendix 4)
- Geotechnical report – 2011 (Appendix 5)
- Opportunity and Constraints (Pritchard Francis) and Water Management Strategy (JDSI 2011) (Appendix 6)
- Economic study to support Large Format Retail uses – 2016 (Appendix 7)
- Ground Survey and Airport Flight Paths (Appendix 8)

### 1.6.1 STRUCTURE OF REPORT

This structure plan comprises:

- Part 1 providing the statutory implementation actions
- Chapter 1 giving a general overview and background
- Chapter 2 addresses the planning context
- Chapter 3 details strategic policy
- Chapter 4 describes site context and analysis including transport analysis and management.
- Summary is in Chapter 5.





## **2 PLANNING CONTEXT**

### **2.1 PLANNING PROCESS**

In April 2016 Nyamba Buru Yawuru made a presentation to the Council of the Shire of Broome to gain in-principle support for a service commercial use for the subject site. The proposed development was supported by the Council Resolution of May 26, 2016 stating:

*1. The Shire supports Nyamba Buru Yawuru Ltd. aspirations to develop land granted to the Yawuru Native Title Holders Aboriginal Corporation RNTBC under the ILUA and the development of land for service commercial purposes in Broome.*

*2. In the event Nyamba Buru Yawuru Ltd wishes to proceed with the lodgement of a formal application, the Shire advises that a Structure Plan would need to be prepared and submitted in accordance with Clause 4.44.1 of Local Planning Scheme No 6 and Clause 15 (a) (ii) of the Planning and Development (Local Planning Schemes) Regulations 2015.*

Subsequent to the structure plan adoption by the planning commission, it is proposed a subsequent development application will be lodged for assessment in accordance with the Local Planning Scheme No. 6 (LPS6). Council can consider and determine that development application in general accordance with the structure plan, as stipulated in clause 3.44(c) of the LPS6:

*In considering an application for development approval for land within the Development Zone, due regard shall be given to an approved structure plan.*

Subsequently, the Development Zone can undergo reclassification to Service Commercial Zone as per the recommendation of this structure plan to accommodate assigned land uses under the LPS6.

#### **2.1.1 STATUTORY IMPLICATIONS**

In accordance with the deemed provisions, clause 17.2 ensures that a structure plan is advertised within 28 days unless the local government has given written notice to seek further information to support the structure plan proposal. Clause 18.4 enables the Commission to take reasonable steps to ensure that a structure plan is advertised should the local government not advance the process.

The basis to proceed with this structure plan is enabled by these deemed provisions as was set by the Council resolution of 26 May 2016.

### **2.2 SHIRE OF BROOME LOCAL PLANNING SCHEME NO. 6**

#### **2.2.1 ZONE CLASSIFICATION**

The Shire of Broome Local Planning Scheme No. 6 (LPS6) gazetted on 30 January 2015, classifies the subject site as a Development Zone pursuant to clause 3.16, requiring development be guided by a structure plan that has been prepared in accordance with the deemed provisions. Clause 16(1) of the deemed provisions

set out that the preparation of a structure must be in a manner and form approved by the commission, include any maps or other material required.

This structure plan has been prepared in accordance with deemed provisions and follows a similar structure to the WAPC Structure Plan Framework 2015.

### 2.2.2 FUTURE ZONE AMENDMENT

After the structure planning process is complete, the Shire of Broome have the option to reclassify the land as Service Commercial Zone, as outlined in Part 1 of this structure plan.

Clause 4.35 Development in the Service Commercial Zone, states that:

- a) *All land use and development shall be consistent with the relevant design guidelines.*
- b) *Notwithstanding anything within the Scheme and Table 1, offices are not permitted in the Service Commercial Zone unless the office is incidental to another approved land use.*
- c) *Development proposals for land within the Service Commercial Zone will be considered having regard to –*
  - i. *the nature of the use and development on nearby properties;*
  - ii. *the likely impact of the proposed development on the streetscape;*
  - iii. *the impact on nearby properties in terms of amenity and character of established land uses and development; and*
  - iv. *where land uses not contained within buildings are proposed, the degree to which the activities on the site will impact upon or be compatible with land uses and development on nearby properties.*

#### Commentary

With reference to the LPS6 Zoning Table, the Service Commercial Zone permits the proposed uses of Fast Food Outlets, Car Wash, and Showroom Warehouse with vehicle tyre sales as a discretionary use (Service Industry). The proposed indicative concept at figure 3 is indicative of the uses moving forward. These land uses will provide a range of services to support the comparison goods demand of Broome population. The proposed nature of the uses and development is well setback from Gubinge and Cable Beach Road East by 50 metres and 22 metres respectively. Accordingly, there is likely to be negligible impact on nearby properties and the Cable Beach Road streetscape. In relation to the airport runway, the proposed uses and development is compatible.

### 2.2.3 CLAUSE 3.44 DEVELOPMENT IN THE DEVELOPMENT ZONE

Clauses relevant to this project are:

#### 3.44.1 Site and Development Requirements:

- a) *Development approval will not be granted and subdivision will not be supported unless a structure plan has been adopted for all or part of the zone under Part 4 of the deemed provisions.*

- b) *In considering an application for development approval for land within the Development zone, due regard shall be given to an approved structure plan. AMD 4 GG 05/08/16*

#### **Commentary**

In accordance with the Local Planning Scheme No.6 and the deemed provisions, a structure plan has been prepared for part of Lot 3082 to ensure coordinated development of the land. Subsequent to approval by the Commission, development applications will be lodged in the Development Zone as permitted by Clause 3.44.1 (b) above.

### **2.2.4 CLAUSE 5.10 CONTROLLED ACCESS**

Clause 5.10 states:

#### **5.10.1 Roads under the control of Main Roads Western Australia**

*Where development is proposed that requires access from highways or major roads under the control of Main Roads Western Australia, then the local government and Main Roads Western Australia are to control the location, number, size and construction standards of access points onto that road. Formal approval is required by Main Roads Western Australia in consultation with the local government prior to construction of the access.*

#### **5.10.2 Roads under the control of local government**

*Where development is proposed that requires access to roads under the control of local government the local government may control the location, number, size and construction standards of local roads. Controlled access will apply to arterial roads shown on the Scheme Maps.*

#### **Commentary**

Accordingly, traffic and transport planners DVC have been commissioned to provide a transport access plan that follows Main Roads and Shire of Broome standards. This is detailed in Section 4.2.

### **2.2.5 CLAUSE 5.19.1 BUSH FIRE HAZARD AND FIRE MANAGEMENT PLANS**

Clause 5.19.1 states:

*Where:*

- a) *in any planning approval granted under the Scheme; or*
- b) *in any structure plan or other similar plan adopted under the Scheme; or*
- c) *under a condition of an approval granted by the Commission to subdivide land;*

*a fire management plan is required to be prepared and endorsed by the Department of Fire and Emergency Services and the local government, the owners of the land to which the fire management plan relates will be responsible for the ongoing implementation of the "land owners responsibilities" specified in that fire management plan.*

### Commentary

While it may be considered a bushfire management plan is not necessary for the proposed non-residential service commercial uses to industrial construction standard (none of the uses comprise habitable residential accommodation including BCA Classes 1, 2, 3, 4 and 9) Clause 5.19.1 requires a BMP for any structure plan. Accordingly, **urbanplan** has undertaken a Bushfire Attack Level assessment to underpin the bushfire management plan of actions and responsibilities to address bushfire threat and further to assist future large format retail warehousing protection of asset.

Full details of the BMP are at Appendix 3 with a summary herein:

### Bushfire Assessment Result

To commence the assessment, **urbanplan** undertook a rigorous Bushfire Attack Level Method 1 BAL assessment to gauge the vegetation structure immediately adjacent part Lot 3082. This was later used to inform the nature and extent of the proposed bushfire management plan and actions.

Vegetation within 100 metres of the service commercial on part of Lot 3082 was classified as either Savannah Forest or Scrub in accordance with clause 2.2.3 and Table 2.3 of AS 3959-2018 as undertaken 1 October 2019. Pindan country scrub vegetation is characterised with a continuous horizontal and vertical vegetation structure greater than two metres in height with sections with trees greater than 10 metres in height. Each distinguishable vegetation plot with potential to determine the Bushfire Attack Level is identified below in its current vegetated state and highlighted on the BAL Contour Maps.

Plot	Applied Vegetation Classification	Effective Slope Under the Classified Vegetation (degrees)	Separation Distance to Structure Plan (metres)	BAL Contour
1	Class A Forest (Savannah)	Flat	0	BAL FZ
2	Class D Scrub	Flat	25	BAL 19
3	Managed as Cleared	Flat	40	Excluded
4	Class D Scrub	Flat	5	BAL FZ
5	Class A Forest (Savannah)	Flat	8	BAL FZ

Table 1 Method 1 Determination for Stage One

### BAL Contour Plan

The structure plan proposal is in three stages. However, at this juncture, the known components of the structure plan commence with a stage one large format retail warehousing. In accordance with clause 6.3 (a) (ii) of SPP 3.7, Pre-development and Post-development BAL Contour Maps have been created for the 'known development' only of Stage One.

The Pre-development BAL Contour Map at Appendix 3 represents contours devised for the vegetation in its current state. It shows subject site being part of Lot 3082 with a focus on the known development only for the proposed Stage One large format retail warehousing development. To achieve a nominal BAL 29 rating at completion of development of Stage One Service Commercial will require an additional separation between the proposed building and vegetation to be undertaken as part of site preparation and serviceable vehicle access routes. This separation is shown on the Bushfire Management Plan at Annex 3.

A representation of the Post-development BAL Contour Map estimates the maximum BAL 29 rating for the known development of stage one recognising separation of the steel constructed buildings from classified vegetation.

### Bushfire Management Plan

This section addresses the relevant aspects of the *Guidelines for Planning in Bushfire Prone Areas* (Version 1.3, December 2018) and applies the bushfire protection criteria (Appendix 4): siting and design, vehicle access and water supply and references the Bushfire Guidance BMP Check List (Appendix 5). The following tabular analysis provides recommended approaches to bushfire management. This tabular analyses and the approach to bushfire management demonstrates that bushfire protection criteria can be achieved through various management measures to achieve a BAL Rating.

Bushfire protection criteria	Method of Compliance	Proposed bushfire management actions
	Acceptable solutions	
<b>Element 1: Location</b>	<b>A1.1 Development location</b> The strategic planning proposal is located in an area that is or will, on completion, be subject to either a moderate or low bushfire hazard level, or BAL-29 or below.	Land is suitable for intensification because it is demonstrated a bushfire rating of BAL 29 or less can be achieved for the service commercial structure plan area, comprising industrial standard steel construction, for part of Lot 3082. As shown in the Bushfire Management Plan.

<p><b>Element 2: Siting and design</b></p>	<p><b>A2.1 Asset Protection Zone</b> Every habitable building is surrounded by, and every proposed lot can achieve, an APZ depicted on submitted plans, which meets the following requirements:</p> <ul style="list-style-type: none"> <li>•Width: Measured from any external wall or supporting post or column of the proposed building, and of sufficient size to ensure the potential radiant heat impact of a bushfire does not exceed 29kW/m<sup>2</sup> (BAL-29) in all circumstances.</li> <li>•Location: the APZ should be contained solely within the boundaries of the lot on which the building is situated, except in instances where the neighbouring lot or lots will be managed in a low-fuel state on an ongoing basis, in perpetuity.</li> <li>•Management: the APZ is managed in accordance with the requirements of 'Standards for Asset Protection Zones'.</li> </ul>	<p>An Asset Protection Zone is provided:</p> <ul style="list-style-type: none"> <li>• along the road reserves as created by drainage swales,</li> <li>• by access and parking to Stage One,</li> <li>• by separating vegetation with a 10 metre wide serviceable access route around the entire boundary of part of Lot 3082,</li> <li>• Removal of vegetation to provide a 20 metre separation from classified vegetation and the stage one building to achieve an APZ.</li> </ul>
<p><b>Element 3: Vehicular access</b></p> <p><b>To accord with Table 6 of the Guidelines</b></p>	<p><b>A3.1 Two access routes</b> Two different vehicular access routes are provided, both of which connect to the public road network, provide safe access and egress to two different destinations and are available to all residents/the public at all times and under all weather conditions.</p>	<p>Two constructed public access routes are available from Cable Beach Road East and Gubinge Road</p>
	<p><b>A3.2 Public road</b> A public road is to meet the requirements in Table 6, Column 1 (Figure 1).</p>	<p>Two public roads with frontage to Lot 3082 comply with public Road specifications and link to an internal public road within part of Lot 3082 and will be constructed to meet the requirements of the Guidelines by the Developer.</p>

<p><b>A3.3 Cul-de-sac (including a dead-end-road)</b></p> <p>Where no alternative exists (i.e. the lot layout already exists, demonstration required):</p> <ul style="list-style-type: none"> <li>•Requirements in Table 6, Column 2 (Figure 1);</li> <li>•Maximum length: 200 m (if public emergency access is provided between cul-de-sac heads maximum length can be increased to 600 m provided no more than eight lots are serviced and the emergency access way is no more than 600 m); and</li> <li>•Turn-around area requirements, including a minimum 17.5 metre diameter head.</li> </ul>	Not Applicable
<b>A3.4 Battle-axe</b>	None applied
<b>A3.5 Private driveway longer than 50 m.</b>	None applied
<p><b>A3.6 Emergency access way</b></p> <p>Where no alternative exists (demonstration required), an emergency access way is to be provided as an alternative link to a public road during emergencies:</p> <ul style="list-style-type: none"> <li>•Requirements in Table 6, Column 4 (Figure 1);</li> <li>•No further than 600 m from a public road;</li> <li>•Provided as right of way or public access easement in gross to ensure accessibility to the public and fire services during an emergency; and</li> <li>•Must be signposted.</li> </ul>	Proposed Emergency Access Way is provided from an existing Djagwan Road from Gubinge Road and another from Cable Beach Road East.
<b>A3.7 Fire service access routes (perimeter roads)</b>	Fire Service Access routes are to occur within and around whole of the boundary of the service commercial area part of Lot 3082 to achieve standards of Table 6 of the Guidelines. The FSA along the northern boundary of part Lot 3082 is to be the 10 metres in width.



	<b>A3.8 Firebreak width</b> Lots greater than 0.5 ha must have an internal perimeter firebreak of a minimum width of 3 m or to the level as prescribed in the local firebreak notice issued by the local government.	An internal 4 metres fire break to perimeter of Lot 3082.
<b>Element 4: Water</b>	<b>A4.1 Reticulated areas</b> The subdivision, development or land use is provided with a reticulated water supply in accordance with the specifications of the relevant water supply authority and Department of Fire and Emergency Services.	As per standard water reticulation requirements The Site will be reticulated. Reticulated water will be supplied in accordance with the Water Corporation's No. 63 Water Reticulation Standard. Fire hydrants supplied to roads within Stage One subdivision to Water Corporation requirements.
	<b>A4.2 Non-reticulated areas</b>	None applied
	<b>A4.3 Individual lots within non-reticulated areas (Only for use if creating 1 additional lot and cannot be applied cumulatively)</b>	Note applicable.

### Additional Management Actions

Construct compacted 10 metre wide aggregate serviceable access way around the periphery of the structure plan comprising the service commercial area as defined by the boundary of part of lot 3082 in accordance with Table 6 of the Guidelines for Planning in Bushfire Prone Areas.

### Implementation Responsibilities

The responsibility of implementation of this Bushfire Management Plan essentially lies with Nyamba Buru Yawuru in unison with the stage one proponent.

#### 2.2.6 BROOME AIRPORT SCA1 AND ANEF LIMITATIONS

Under the Shire of Broome Local Planning Scheme 6 the stage one development of the Homemaker Centre falls within Special Control Area 1 (SCA1). Schedule 18 of the Planning Scheme sets out the Obstacle Limitation Surface (OLS) in the vicinity of the Broome airport. More specifically it controls the height of structures within close proximity to the airport runway to ensure the ongoing safe operation of the airport.

Personal communication occurred with Officers of Casa on 8 October to confirm as a matter of course, such matters are referred to CASA for confirmation that the proposed height of the structure complies with regulations.

The policy states that all new development including towers, antennae, and any alterations to rooflines and any increase to building heights on land must not exceed the height restrictions in the Broome Airport Obstacle Limitation Surface Plan contained in Schedule 18 – as replicated on the Structure Plan Map No. 1.

The site specific Ground Survey and Airport Flight Paths at Appendix 8 illustrates the height difference between ground level and OLS contour. It is noted the apex to the entrance to the proposed Homemaker Centre footprint has a finished height level of 8.510 metres with the remainder of the warehouse roof at 7.850 metres. The majority of the warehouse has a height difference between ground level and OLS contour of 9.2 metres, rendering the site suitable for development.

Regarding site acoustics, the proposed service commercial uses rest between the estimated 25 and 35 Australian Noise Exposure Forecast as per Schedule 10 of LPS6 (adapted from AS 2021, Table 2.1 – Building Height Acceptability). Acoustic contour estimates are devised to apply to noise sensitive uses such as residential, hospitals and institutions. Commercial uses are considered 'conditionally acceptable' because they are non-habitable; accordingly, the ANEF is not relevant to the service commercial uses proposed in this structure plan.

Furthermore, the Department of Planning Lands and Heritage has recently released State Planning Policy 5.4: Road and Rail Noise regarding acoustic implications for sites adjacent haulage routes as applied to Gubinge Road. This further suggests the western margin of Lot 3082 proximate to Gubinge Road is unsuitable for residential uses and accordingly more compatible for service commercial.

### 3 STRATEGIC POLICY

#### 3.1 SHIRE OF BROOME LOCAL PLANNING STRATEGY

The Shire of Broome Local Planning Strategy was endorsed by the WAPC August 2014 and shows the subject site as Future Development Area 3 (Figure 4). The Local Planning Strategy describes Future Development Area 3 Airport West and indicates its use as generally residential and may cater for tourism (as near Cable Beach) or student accommodation as part of an Educational / Health Precinct (as its near Kimberley TAFE).



Figure 4: Shire of Broome Local Planning Strategy Map

##### Commentary

Section 1.2 of the Shire's Strategy notes that the LPS sets out the medium to long term planning directions for the Shire of Broome over the next 10 to 15 years. Further in section 5.0 it is noted for the Strategy to be dynamic and responsive to change the document should undergo a review every 5 years. Such a review process ensures the strategy responds to changes in state, regional and local policy and land use priorities.

Therefore the LPS has two essential misgivings:

1. To assume projected land use in FDA 3 on the basis of the relocation of an international airport is well beyond the scope and planning period of a local planning strategy. Accordingly, **urbanplan** holds the position that the FDA 3 is ineffectual.
2. Section 2.4.7 of that Strategy provides guidance on retail and commercial distribution. The newly released Commercial Strategy suggests that composite sites to aggregate service commercial uses is lacking in Broome; the subject part Lot 3082 provides for this requirement by offering a composite site.

To conclude, the Local Planning Scheme No.6 was subsequently gazetted January 2015 and classifies the subject site as Development Zone, providing a firm statutory direction for this parcel of land to enable development in accordance with an approved structure plan. This is a statutory departure from the guidance of the Local Planning Strategy. The approach **urbanplan** has taken on behalf of NBY is to acknowledge that residential development cannot happen in the vicinity of the runway due to acoustic levels until after the airport is relocated. Therefore this structure plan is promulgated on substantiating service commercial development on part of Lot 3082.

## 3.2 LOCAL COMMERCIAL STRATEGY

### Demand Estimates

The Local Commercial Strategy (LCS) of 2017 (which has not been endorsed by the Western Australian Planning Commission) examines existing commercial activity in Broome to make recommendations on the forecast expansion and distribution of commercial floorspace across the town. The LCS economic profiling offered three growth scenarios for each retail category and separates category analysis for the two components relevant to service commercial uses being Bulky Goods and Apparel Homeware and Leisure. The retail modelling is based on bank expenditure transaction data and expenditure benchmarks (or indirectly floorspace demand) and estimates the floorspace demand for Broome by category and then extrapolates floorspace forecasts based on population growth.

Figure 12: Bulky Goods Floorspace Demand Gap illustrates the Median forecast for Bulky Goods floorspace to be approximately an additional 1,200 square metres by 2026 and 1,600 square metres by 2031. The LCS considers these forecasts representative of stagnating trends attributable to high leakage of expenditure. In terms of total retail Bulky Goods Table 6 suggests 20 percent of the \$15.9 million expenditure is leaked to the external market. The LCS report suggests this is in part to on-line expenditure, data being derived from bank expenditure transactions.

In relation to Apparel Homeware and Leisure (AHL) Figure 11 approximates a Median gap in floorspace of approximately 2,700 square metres by 2026 and 4,000 square metres of space is estimated to be required by 2031.

### Hierarchy of Centres

Figure 18 of the LCS suggests a rational distribution of local and convenience centres distributed amongst the suburban areas of Broome. Other than Broome North, these have essentially occurred as a result of retail proponents responding

to local demand for daily convenience goods. The imperative to maintain the highest order centre at China Town holds strong. The placement of the District Centre on Figure 18 notionally includes for service commercial outlets. Whereas District Centres normally provide for two supermarkets and discount department stores plus specialty retail outlets.

### Generic Location Principles

The former Local Commercial Strategy (2007) offers generic guidance for the location and distribution of a hierarchy of retail centres. Of relevance the following guiding principles apply to service commercial facilities including the location of large format retail warehousing and support the NBY's proposed location of the development:

#### Guiding Principle

- Highly accessible location
- No adverse impact on neighbours

#### Distribution and Design

- Located at major intersection
- Relative to population growth areas
- Serves a number of neighbourhood areas.

### Commentary

First and foremost, The Western Australian Planning Commission has not endorsed the 2017 Local Commercial Strategy and accordingly has little status.

The forecast gap in floorspace illustrated in Figures 11 and 12 for Bulky Goods and AHL suggests additional floorspace is required in both categories by 2026 and 2031. The LCS notes this future supply is best fulfilled by the expansion of existing floorspace outlets. The proposed large format retail warehousing for Lot 3082 offers expansion of an existing outlets with the aim of arresting expenditure leakage by increasing the extent of goods offering to the Broome population.

The proposal being put forward by Nyamba Buru Yawuru is to provide a composite site of sufficient size and location to accommodate the large format retail warehousing and associated service commercial outlets into the future; a site that does not otherwise exist to this capacity elsewhere in the Town as noted in the Local Commercial Strategy.

In terms of locational criteria, the service commercial proposal on part of Lot 3082 meets the generic guiding principles as it:

- is located on a major road and intersection,
- the road classification enables B-Doubles transport access,
- has no adverse impact on existing neighbourhoods,
- is centrally located in the Broome peninsula serves the neighbourhoods and
- the location is relative to population growth areas in consideration of the 15 year timeframe.

Increasingly large format service commercial outlets locate in district centres as a result of increasing land rent costs. Moreover, the guiding principles for the location of service commercial outlets in suburban areas follow the generic locational criteria above: on major roads or near distributor road intersections with ease of heavy haulage access with little impact on neighbouring properties.

## **4 SITE CONTEXT AND ANALYSIS**

### **4.1 SITE CONTEXT**

In its entirety, Lot 3082 is an irregularly shaped 33 hectare block that wraps around the western edge of the airport. This structure plan only deals with a proposal for a seven hectare portion of the property (as shown in Figure 2) while the remainder is on hold.

The Broome Chinatown is four kilometres to the east while the Port lies three kilometres to the south. Directly surrounding the site is the TAFE to the east, a residential area across Cable Beach Road East to the south and the Minyirr Park Coastal Reserve across Gubinge Road to the west before Cable Beach.

The site has frontage to Cable Beach Road East and Gubinge Road, however due to access restrictions imposed by Main Roads WA, its primary frontage and exposure is to Cable Beach Road East. Based on traffic count data provided by the Shire of Broome, Cable Beach Road East receives approximately 8,000 – 10,000 vehicles per day.

The landform is gradually grading south west from RL16.50m to RL11.0m with undisturbed dense Acacia shrub and sparse trees ranging from two to six metres in height.

There is a gas pipeline running along the site's western boundary, crossing the southern verge of Cable Beach Road prior to the proposed site entrance. The gas pipeline owners EDL have been contacted and are looking into any particular constraints that may be in place during design or the construction of a sewer crossing under the gas main.

### **4.2 HERITAGE**

The cultural heritage of this subject site was undertaken in 2007 along with many other sites as part of the ILUA land transfer process under the auspicious of the Kimberly Land Council. At that time the cultural sensitivities were such that a 'closed' report was issued and not to be released to the public. Suffice to say, Lot 3082 is cleared of cultural heritage matters.

### **4.3 TRAFFIC IMPACT ASSESSMENT**

Based on published trip generation rates it is estimated that all stages of the development would generate some 1,150 Saturday peak hour trips. However, given the likely level of trip sharing between the land uses, this represents a worst-case scenario.

The site would be serviced by three public accesses off Cable Beach Road East. Access B will be the main access point and will permit all turning movements. Access C also permits all turning movements but will not attract as much traffic as Access B. Access A will not require a right turn in to the development off Cable Beach Road East.

The parking provision rates shown in the Shire of Broome's Town Planning

Scheme No. 6 result in a minimum requirement for 436 parking bays. A concept parking layout indicates that over 600 bays could be provided. Parking should conform to the town planning scheme requirement in future development applications.

Access for service vehicles will be provided via Accesses B and C. If larger delivery vehicles are used then Cable Beach Road East will need to be included in the RAV network for Broome.

There is an excellent bicycle and pedestrian path network adjacent to the site that links the resort areas to the old Broome area to the east. Given the generally bulky goods nature of the proposed development it is unlikely that cycling or walking will be popular modes of transport to the site, although the fast food outlet and electrical goods retailer may attract some such customers. Employees may also choose to cycle or walk to and from the site. Good links into the development are therefore recommended.

The results of this study show that the development can be accommodated with the proposed accesses off Cable Beach Road East at the 2031 horizon. Service vehicle access can be accommodated is to be designed at the detailed stage so as not to affect the Gubinge Road roundabout or development accesses. DVC therefore supports the structure plan application in terms of the forecast transport impact of the proposal. DVC's full report can be found at Appendix 2.

## 4.4 BIODIVERSITY ANALYSIS

The following analysis is taken from the biodiversity analysis conducted by GHD in 2016. The full report can be found at Appendix 4.

### 4.4.1 ENVIRONMENTALLY SENSITIVE AREAS

There is one Environmentally Sensitive Area (ESA) that intersects the survey area. However, this was not considered representative of any Commonwealth or State listed Threatened or Priority Ecological Communities, other significant vegetation as defined by the EPA (2004a) nor considered to be growing in association with watercourses or wetlands. Accordingly, no Department of Parks and Wildlife (DPaW) conservation reserves or estate intersects the survey area.

The ESA is likely aligned with the Roebuck Bay mudflats Threatened Ecological Community and is common to the entirety of Broome and the surrounding area.

### 4.4.2 FLORA

No flora taxa listed under the Environment Protection and Biodiversity Conservation Act 1999 or Wildlife Conservation Act 1950 were recorded within the survey area, however, three Department of Parks and Wildlife Priority listed flora taxa, *Polymeria* sp. Broome (K.F. Kenneally 9759) (Priority 1), *Aphyllodium parvifolium* (Priority 1) and *Phyllanthus eremicus* (Priority 3) were recorded.

GHD (2016:19) confirm the current extent remaining of the vegetation association is greater than 99 per cent of the pre-European extent at all scales (e.g. State, IBRA bioregion, IBRA sub-region and LGA). The current extent remaining of the vegetation association at all scales is above the 30 per cent threshold level.



Accordingly, it can be concluded identified priority flora exist extensively in the surrounding 20 kilometre radius.

#### 4.4.3 FAUNA

Eight fauna species of conservation significance were recorded or are likely to occur in the survey area: Northern Brushtail Possum (*Trichosurus vulpecula arnhemensis*), Rainbow Bee-eater (*Merops ornatus*), Peregrine Falcon (*Falco peregrinus*), Osprey (*Pandion haliaetus*), Little North-western Mastiff Bat (*Ozimops cobourgiensis*), Grey Falcon (*Falco hypoleucos*), Dampierlands Slider (*Lerista separanda*) and Dampierland Burrowing Snake (*Simoselaps minimus*).

Of the fauna species listed above the Peregrine Falcon, Osprey, Little North-western Mastiff Bat and Grey Falcon are likely to utilise the survey area opportunistically. The survey area is unlikely to provide breeding habitat for any of these species, therefore the habitat within the survey is not considered important habitat for these species. The remaining species, the Rainbow Bee-eater, Northern Brushtail Possum, Dampierlands Slider and Dampierlands Burrowing Snake may persist in the survey area and utilise the habitat in the Broome peninsula for foraging and/or breeding.

#### 4.5 LANDFORM AND SOILS

Galt Geotechnics were commissioned to undertake a geotechnical analysis of the site in 2011 (full report at Appendix 5). The company confirmed that the area is underlain by silty sand, locally known as Pindan Sand and is described as homogeneous red, fine grained, sub-rounded quartz, variable silt content. The site was given a Class 'P' with soil profile characteristics of loose nature of the upper two metre and the collapsible nature of the soil. For development to occur in the future, compacting has been recommended to achieve a Class 'S'.

There was no groundwater encountered in test pits to a depth of 3.3m. Three permeability tests indicated permeability values varying from 1.2 to 4.8 m/day.

From Galt's analysis, the site does not appear to have any of the indicators of Acid Sulphate Soils.

#### 4.6 LOCAL WATER MANAGEMENT STRATEGY

The site naturally grades west towards the Gubinge Road and Cable Beach Road intersection. Due to the relatively low permeability of the Pindan soil, it is proposed to dispose runoff by means of surface drains and detention swales rather than soak-wells. The intent is to direct stormwater flow towards a detention swale near the culvert under Gubinge Road, allowing maintenance of the predevelopment flow rate discharge to the stormwater drainage system.

In support of this structure plan for the composite service commercial proposal of part of Lot 3082, the principles of the Local Water Management Strategy by Porter Consulting (detailed at Appendix 6) are summarised in section 4.6.1. Porter Consulting Engineers (PCE) was engaged by Nyamba Buru Yawuru Ltd to prepare a Local Water Management Strategy (LWMS) to support a Structure Plan for a

large format service commercial zone to part of lot 3082 Cable Beach Road East, which is located immediately to the west of the Broome International Airport.

#### 4.6.1 APPROACH TO STORMWATER MANAGEMENT

The outcomes of the LWMS are noted below:

- Water conservation:
  - Water efficient fixtures.
  - Minimise landscaping and irrigation areas.
  - Waterwise landscaping techniques.
  - Landscape planting of varieties endemic to Broome.
  - Consider use of rainwater tanks for a non-potable water supply.
- Stormwater quantity:
  - Maintain discharge flow rates to be consistent pre-development rates.
  - Maintain flow paths and direct the stormwater to linear open swales.
  - Pits and pipes within road reserve designed to the 10% (1:10 year) AEP event directing flows to open swales.
  - Linear open swales for conveyance of major stormwater flows.
  - The 10% AEP contained within the linear open swales.
  - The 1% AEP conveyed within linear swales and road reserves.
  - 400mm freeboard to finished floor levels (FFL).
  - A 175mm maximum water depth within the road reserve for the 1% AEP.
- Stormwater quality:
  - First flush (15mm) runoff from constructed impervious surfaces retained and infiltrated within lot swales.
  - Promote infiltration of stormwater to lot swales and linear open drains as high as possible in the catchment to activate the water quality treatment train.
  - Erosion and sediment control by minimising the longitudinal grade of the swales and reducing velocity.
- Groundwater levels and quality:
  - Capture and treat stormwater to allow for infiltration of drainage to lot swales and linear open drains as early as possible.
  - Groundwater recharge via infiltration.

#### 4.7 ECONOMIC STUDY TO SUPPORT LARGE FORMAT USES

In 2016, Knight Frank was commissioned to produce an economic assessment of a proposed indicative land use plan (full study at Appendix 7). The research of local agents concluded that there was currently a soft commercial market in Broome. The indicative concept plan illustrates proposed commercial development of seven hectares comprising three notional large lots. Large freehold lots may be attractive to owner occupiers but the range of other potential buyers for the remainder large commercial sites is very limited due the size and high construction costs of any large development.

Smaller freehold commercial lots or leasehold tenure of 1,000m<sup>2</sup> and 4,000m<sup>2</sup> are more likely to suit the Broome market. Smaller commercial lots would be more affordable to owner occupied commercial businesses and would also likely attract

a diverse range of businesses to the area.

The Knight Frank assessment was essentially to critique a conceptual or indicative land use plan illustrating potential uses on notional lot sizes. In this regard, the assessment as such was limited in its scope and needs to be balanced with other estimates of forecast demand and expansion of existing uses to a composite site. A large scale commercial outlet has expressed a strong interest in shifting from their current store to expand its retail offering. This will meet the requirements of stage one of this project with the remainder service commercial uses forming smaller showroom warehouse outlets to be developed over a time span of 15 years.

#### **4.8 SERVICE MAINS**

This section will summarise the significant recommendations for extension of sewer and water mains to enable site development.

In liaison with the Water Corporation, a wastewater outlet for the site can be developed via developer-funded extension off the 225 gravity sewer that presently terminates at the intersection of Murray Rd and Cable Beach Rd, in Cable Beach.

Water supply is also required to be via developer funded reticulation mains extension from the existing network in the Cable Beach scheme. Sizing of required mains or meter connection will depend on water demands and type of development.

Depending on demands in the medium to longer term, the actual development of this site may, trigger the need to bring forward planned capital projects including the installation of a new 200-250-300 distribution main along Gubinge Rd between Djaigween Rd and Jigal Rd.

## 5 SUMMARY

The purpose of this Structure Plan is to de-constrain the identified parcel to a development ready position. The aim of this structure plan is to:

- deliver NBY's vision for the identified parcel;
- achieve Local assessment and State Government approval; and
- facilitate a development application for the stage one large format retail warehousing and subsequent stages of service commercial uses.

This will enable the development of service commercial land uses on a composite site to support Nyamba Buru Yawuru in its vision to deliver cultural and economic services for Yawuru and other Indigenous Australian people.

Achieving financial sustainability underpins Indigenous self-determination.

With the advancement of the commercial development of part of Lot 3082 Cable Beach Road East surplus rental income will be indirectly returned to the local Indigenous Australian community club and will:

- Provide resources for further development of Indigenous culture.
- Provide further training and employment opportunity through the service commercial outlets.
- Reduce the dependence on future government funding and, over time, provide financial sustainability and independence; significant in these times of reduced Federal finance.

Accordingly, this proposal is a genuine, hallmark, innovative development approach toward self-determination. Given the circumstances, urbanplan strongly recommends the proposed Structure Plan for part Lot 3082 Cable Beach Road East for advertising and consideration of the Western Australian Planning Commission.

The Knight Frank assessment highlights a large-scale commercial outlet like large format retail warehousing would be suitable for this composite site, a site that does not otherwise exist to this capacity elsewhere in the Town.

The Local Planning Strategy shows the subject site as Future Development Area 3 Airport West and indicates its use generally as residential. Section 1.2 of the Shire's Strategy sets out the medium to long term planning directions for the Shire of Broome over the next 10 to 15 years requiring a review every 5 years. To assume projected land use in FDA 3 on the basis of the relocation of an international airport is well beyond the scope and planning period of a local planning strategy.

The Local Planning Scheme No.6 was subsequently gazetted January 2015 and classifies the subject site as Development Zone, providing a firm statutory direction for this parcel of land to enable development in accordance with an approved structure plan. This is a statutory departure from the guidance of the Local Planning Strategy. The approach **urbanplan** has taken on behalf of NBY is to acknowledge that residential development cannot happen in the vicinity of the runway or Gubinge Road due to acoustic levels until after the airport is relocated.

The Local Commercial Strategy notes this future supply is best fulfilled by the expansion of existing floorspace outlets; Lot 3082 offers an expansion for existing

outlets with the aim of arresting expenditure leakage. The forecast gap in floorspace, illustrated in Figures 11 and 12 for Bulky Goods and Apparel Household and Leisure Goods, suggests additional floorspace is required in both categories by 2026 and 2031. The service commercial development meets the guiding principles set out by the Shire of Broome Local Commercial Strategy as it is located on a major road and intersection, has no adverse impact on existing neighbourhoods, and is relative to population growth areas in its location.

The location of the proposed service commercial site on Lot 3082 enables access from Gubinge Road RAV network for deliveries. Accordingly this avoids extended traversing of District Distributor roads adjacent residential areas by B-Double delivery and prevents traffic congestion safety issues through residential areas at peak periods. The results of this study show that the development can be accommodated with the proposed accesses off Cable Beach Road East at the 2031 horizon. Service vehicle access can be accommodated so as not to affect the Gubinge Road roundabout or development accesses. DVC therefore supports the structure plan application in terms of the forecast transport impact of the proposal.

The BAL Contour Map at Appendix 3 represents contours devised for the vegetation in its current state. To achieve a nominal BAL 29 rating at completion of development of Stage One will require a 12 metre bushfire separation to be undertaken as part of site preparation and vehicle circulation routes around the boundary of the subject site.

The proposal falls within Special Control Area 1 defining the Obstacle Limitation Surface that specifically controls the height of buildings within close proximity to the airport runway. It is noted the apex to the entrance to the proposed Homemaker Centre footprint has a finished height level of 8.510 metres with the remainder of the warehouse roof at 7.850 metres. The majority of the warehouse has a height difference between ground level and OLS contour of 9.2 metres or more.

The Australian Noise Exposure Forecast as per Schedule 10 of the Local Planning Scheme No. 6 applies to noise sensitive uses such as residential, hospitals and institutions and is not relevant to the service commercial uses proposed in this structure plan. Equally, the recently released SPP 5.4 regarding acoustic setbacks for sites adjacent road and rail routes as applied to Gubinge Road and further suggests the site is unsuitable for residential uses and more compatible for service commercial.

There is one Environmentally Sensitive Area (ESA) that intersects the survey area. That is not considered representative of any Commonwealth or State listed Threatened or Priority Ecological Communities.

Due to the relatively low permeability of the Pindan soil, it is suggested that run off is disposed of by means of surface drains and detention swales rather than soak-wells, allowing stormwater to flow towards a detention swale near the culvert invert under Gubinge Road.

The basis to proceed with this structure plan was set by Council resolution of 26 May 2016 in accordance with the requirements of the Development Zone. With reference to the LPS6 Zoning Table, the Service Commercial Zone permits a range of retail warehouse and service commercial uses that will provide for new outlets or expansion of existing outlets to support the comparison goods demand of the Broome population.

In accordance with clause 17.2 of the deemed provisions, **urbanplan** respectfully requests that this structure plan be advertised within 28 days.

## **6 APPENDICIES**

### **Appendix 1 – Title Deed**

		REGISTER NUMBER <b>3082/DP219733</b>		
WESTERN	AUSTRALIA	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%; padding: 2px;">                             DUPLICATE EDITION  <b>1</b> </td> <td style="width: 50%; padding: 2px;">                             DATE DUPLICATE ISSUED  <b>30/12/2011</b> </td> </tr> </table>	DUPLICATE EDITION <b>1</b>	DATE DUPLICATE ISSUED <b>30/12/2011</b>
DUPLICATE EDITION <b>1</b>	DATE DUPLICATE ISSUED <b>30/12/2011</b>			

**RECORD OF CERTIFICATE OF TITLE**  
 UNDER THE TRANSFER OF LAND ACT 1893

VOLUME  
**2758**
FOLIO  
**291**

The person described in the first schedule is the registered proprietor of an estate in fee simple in the land described below subject to the reservations, conditions and depth limit contained in the original grant (if a grant issued) and to the limitations, interests, encumbrances and notifications shown in the second schedule.

**REGISTRAR OF TITLES**

**LAND DESCRIPTION:**

LOT 3082 ON DEPOSITED PLAN 219733

**REGISTERED PROPRIETOR:**  
(FIRST SCHEDULE)

NYAMBA BURU YAWURU LTD OF PO BOX 425, BROOME  
(TF L815392 ) REGISTERED 21 DECEMBER 2011

**LIMITATIONS, INTERESTS, ENCUMBRANCES AND NOTIFICATIONS:**  
(SECOND SCHEDULE)

Warning: A current search of the sketch of the land should be obtained where detail of position, dimensions or area of the lot is required.  
 \* Any entries preceded by an asterisk may not appear on the current edition of the duplicate certificate of title.  
 Lot as described in the land description may be a lot or location.

-----END OF CERTIFICATE OF TITLE-----

**STATEMENTS:**

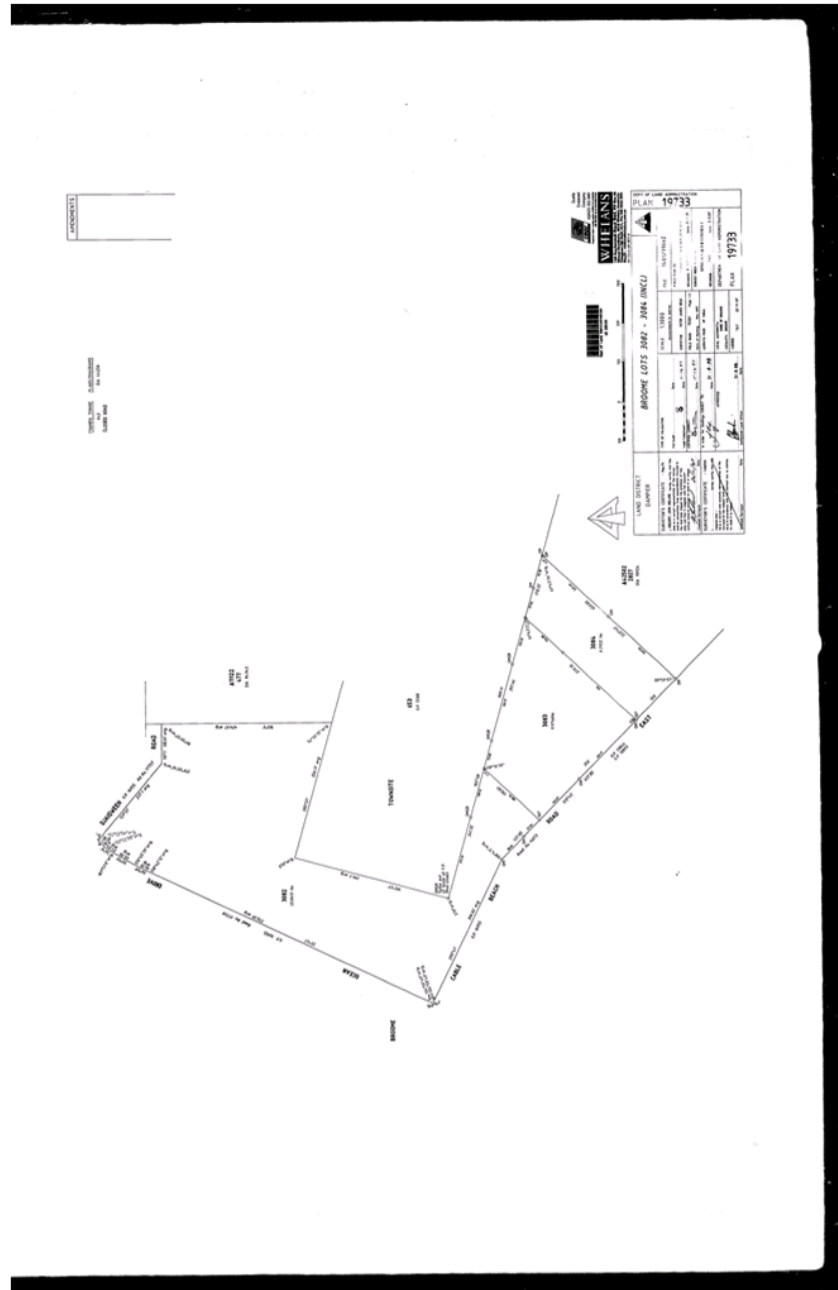
The statements set out below are not intended to be nor should they be relied on as substitutes for inspection of the land and the relevant documents or for local government, legal, surveying or other professional advice.

SKETCH OF LAND:	DP219733.
PREVIOUS TITLE:	LR3110-62.
PROPERTY STREET ADDRESS:	102 CABLE BEACH RD EAST, DJUGUN.
LOCAL GOVERNMENT AREA:	SHIRE OF BROOME.

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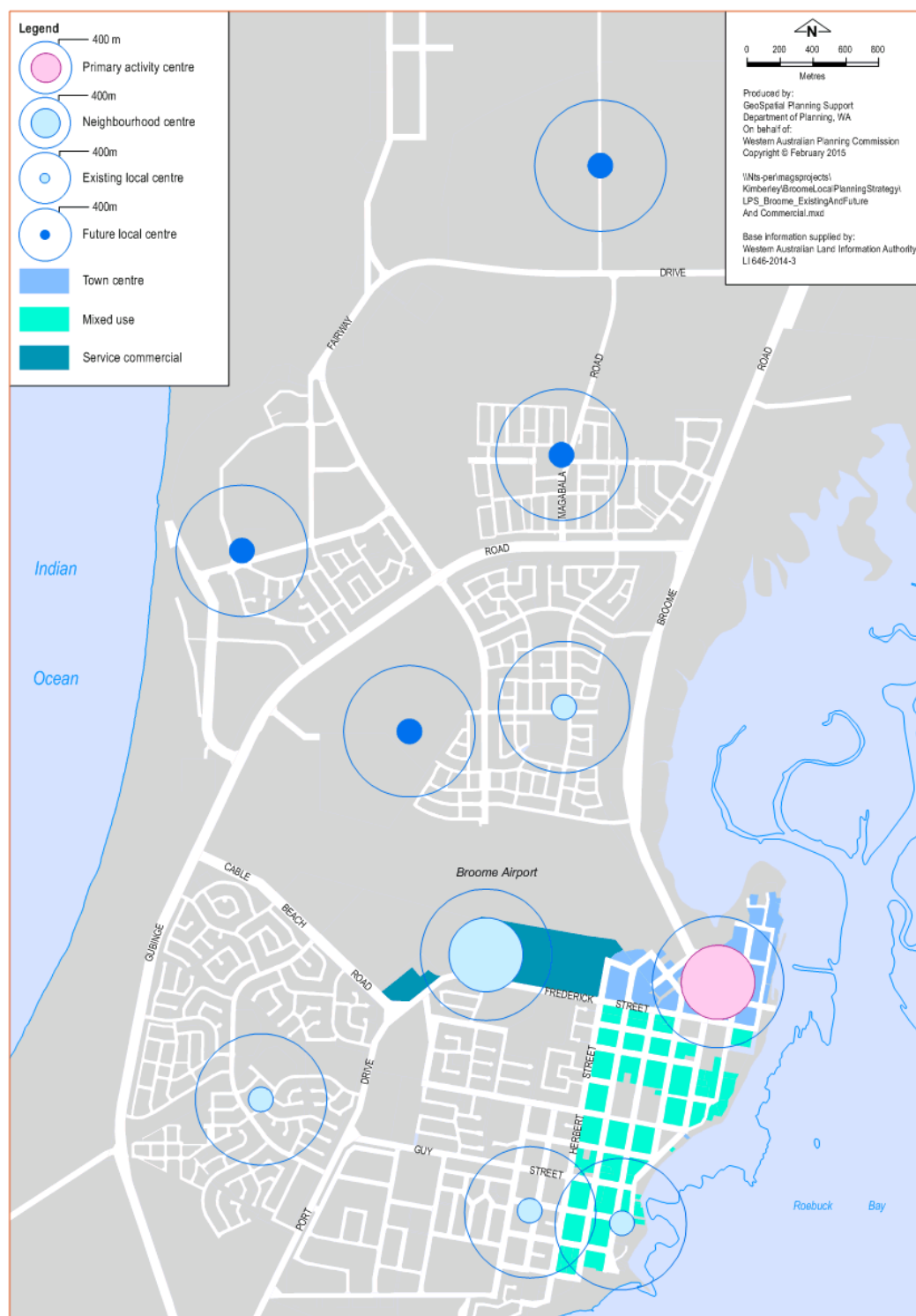


Figure 9: Existing and Future Retail and Commercial Areas – Broome townsite

N o.	Name/Date Received	Property Affected	Content of Submission	Officer Comment	Recommendation
1	Water Corporation 18/12/2019		<p>No objection</p> <p>a) The future development of the site can be serviced with reticulated water and sewerage by the proponents undertaking extensions of water mains and gravity sewer to the site. The servicing aspects of the proposal are adequately summarised in the structure plan report (section 4.8).</p> <p>b) Prior to undertaking any subdivision or development of the land, the Shire is requested to advise the proponent to contact the Water Corporation's Development Services Unit to clarify the servicing arrangements and to confirm that capacity is available in the network at the time of development.</p>	<p>a) Noted</p> <p>b) Applicant advised.</p>	The submission is noted.
2	CASA - Civil Aviation Safety Authority 20/12/2019	Broome International Airport	<p>No objection</p> <p>a) CASA has reviewed the information provided and suggests that the Structure Plan would benefit from a more detailed assessment of potential aviation impacts associated with the construction phase when cranes and other tall temporary structures may be used, and the completed works. Impact on the published terminal instrument flight procedures should be considered, and CASA recommends these plans be sent to Aircservices Australia by email at vod@airservicesaustralia.com, and potentially other instrument flight procedure designers for assessment. Future buildings may penetrate the criteria used to assess for windshear and turbulence which may require further investigations. To check which organisations are responsible you can view the procedures at <a href="http://www.airservicesaustralia.com/aip/aip.asp">http://www.airservicesaustralia.com/aip/aip.asp</a> then Departure and Approach Procedures. The logo on the bottom of each procedure plate indicates the design organisation responsible.</p> <p>b) Any aerodrome developments in the vicinity of aviation facilities needs to be cognisant of the requirements of Civil Aviation Safety Regulations 1998 Part 139 Manual of Standards (MOS). Further details are available on the CASA website. <a href="https://www.casa.gov.au/standard-page/caspart-139-aerodromes">https://www.casa.gov.au/standard-page/caspart-139-aerodromes</a>.</p> <p>c) The National Airports Safeguarding Framework (NASF) provides guidance on planning requirements for development that affects aviation operations, including building activity around airports that might penetrate operational airspace and/or affect navigational procedures for aircraft. Further information is available from the following link: <a href="https://infrastructure.gov.au/aviation/environmental/airport_safeguarding/nasf/">https://infrastructure.gov.au/aviation/environmental/airport_safeguarding/nasf/</a></p> <p>d) Both the MOS 139 and NASF Guidelines can be used as reference material for carrying out an assessment that would also include mitigation measures. CASA recommends that the following aviation aspects be considered:</p> <p>e) • Building generated windshear and turbulence - refer to NASF Guideline B: Managing the Risk of Building Generated Windshear and Turbulence at Airports;</p> <p>f) • Lighting in the vicinity of airports - refer to NASF Guideline E: Managing the Risk of Distractions to Pilots from Lighting in the Vicinity of Airports; and Section 9.21 of MOS 139;</p> <p>g) • Operational airspace around airports - refer to NASF Guideline F: Managing the Risk of Intrusions into the Protected Airspace of Airports; and Section 7 of MOS 139;</p> <p>h) • Aviation facilities - refer to NASF Guideline G: Protecting Aviation Facilities - Communications, Navigation and Surveillance (CNS); and</p>	<p>Further information was obtained from the applicant and provided to CASA for further comment.</p> <p>Further comment received from CASA on 30/1/2020:</p> <p><i>CASA has reviewed this Preliminary Aviation Assessment report which addressed a number of potential aviation impacts associated with the proposed structure plan and its construction. CASA is satisfied that this report and the conclusions made in the report summary indicate that any potential impact on aviation operations at Broome International Airport as a result of development activity will receive due consideration where required, such as protecting airspace during construction, assessing for building generated windshear and avoiding lighting distraction.</i></p>	The submission is noted.

			<p>i) • Public safety areas - refer to NASF Guideline I: Managing the Risk in Public Safety Areas at the ends of Runways.</p> <p>j) For further information please email <a href="mailto:airspace.protection@casa.gov.au">airspace.protection@casa.gov.au</a>.</p>		
3	Scott Davis 13/1/2020	Charles Road	<p>In regards to the proposed service commercial structure plan for Lot 3082 Cable Beach East Rd, I would like to document my opposition to this development.</p> <p>a) It is my opinion that there is a multitude of existing commercial premises that would be suitable for the proposed structures, particularly the Bunnings store.</p> <p>b) I fear development of this lot will lead to an increase in vehicle and foot traffic through the residential area of Cable Beach adjacent to this lot (Charles Rd area).</p> <p>c) This would especially become apparent should a fast food outlet (mentioned briefly in the structure plan for the later stages of development) be placed here. Problems such as litter and anti-social behaviour seen near existing fast food outlets (Chicken Treat and McDonalds) would also become apparent should this proposed development go ahead.</p> <p>d) Broome does not need another island of commerce; we have plenty of existing zoning and infrastructure that would be suitable for such a development.</p> <p>e) As a property owner on Charles Road, I am concerned about the ramifications of a development so near to our family home. Please shelve this project, or at least remove the possibility of placing a fast food outlet here and preserve the safety and peace of nearby residential areas.</p>	<p>a) Broome contains a number of commercial areas including those that cater for service commercial purposes. An additional Service Commercial precinct has been identified in the Local Planning Strategy on the north side of Frederick Street to the east of the Boulevard Shopping Centre.</p> <p>b) While a traffic report has been provided with the proposal and demonstrated that the road network in the vicinity of the area is capable of supporting a Service Commercial precinct, concerns raised about the impact increased traffic could have on the amenity of adjacent residential areas are noted.</p> <p>c) Potential amenity impacts a fast food outlets could have upon the residential amenity are noted.</p> <p>d) Noted. Officers have performed an assessment of the Structure Plan against planning principles and notes that if supported the structure plan could lead to fragmentation of the retail/commercial hierarchy established and would lead to an over provisions of land for service commercial development.</p> <p>e) Concerns regarding impact the proposal could have on the amenity of the adjacent residential area are noted.</p>	<p>The submission is noted.</p> <p>Recommended that Council recommends that WAPC does not support the Structure Plan</p>
4	Michella Perpignani 13/1/2020	Charles Road	<p>I am writing to express my opposition to the proposed Service Commercial Structure Plan for Lot 3082 Cable Beach East.</p> <p>a) My husband and I have lived along Charles Rd in Cable Beach for the past 5 years. We have two young children, almost 2, and 5 years old. Charles Road is already a busy road which runs off Cable Beach East and connects with the arterial Reid Road. Drivers speed past our house in their 4WD's, with seemingly little concern for the safety of children in the neighbourhood. I am concerned that the development of this project in this location will cause a significant increase to vehicular traffic in our area and in turn, threaten the safety of our children.</p> <p>b) Further, it is my concern that the proposed fast food outlets will also lead to an increase in foot traffic, littering and anti social behaviour in our otherwise quiet residential neighbourhood.</p> <p>c) My family is an old Broome family that own and run two businesses in Chinatown, Bob's Shoe Store and Betty Fong Sam. I do not understand why the Shire is seeking to encourage another commercial centre which is only going to pull more business out of Chinatown, which is already struggling to compete with the air conditioned Boulevard shopping centre and a year of road closures in the name of the Revitalisation. Chinatown is the historic commercial centre in Broome and existing businesses there should be supported.</p> <p>d) As a Yawuru woman I am opposed to the urban 'sprawl' of Broome.</p> <p>e) This is prime real estate a stone's throw from pristine Cable Beach. Is the best development here really a new area of big box stores?</p>	<p>a) A traffic report has been provided with the proposal and highlights that the road network in the vicinity of the area is capable of supporting a Service Commercial precinct. Concerns raised about the impact that the increase in traffic volumes could have on the residential amenity are noted.</p> <p>b) Potential amenity impacts a fast food outlets could have upon the residential amenity are noted. The Local Planning Strategy and Local Commercial Strategy include a hierarchy for commercial areas and a spatial distribution. These documents suggest that further commercial areas will be needed to support growth. However, the subject site is not an area where this had been identified.</p> <p>c) The Local Planning Strategy sets out the spatial expansion of the town to facilitate growth. 'Sprawl' has been limited where possible with facilitates and infrastructure located to cater for the needs of the community. The subject site has been identified to be developed to facilitate the growth.</p> <p>d) The Local Planning Strategy identifies the site being used to facilitate residential, student and tourist accommodation needs.</p> <p>e) Noted.</p>	<p>The submission is noted.</p> <p>Recommended that Council recommends that WAPC does not support the Structure Plan</p>

5	Mari Lourey 13/1/2020		<p>Oppose</p> <p>This is to strongly voice my disapproval and dismay at the proposed development of Lot 3082 in the Cable Beach vicinity.</p> <p>a) Small businesses in Broome are already struggling, particularly in China Town and the Boulevard shopping precinct. A development such as this, is actually not economically viable in the long term, and this area was never really intended for industrial/business development in the first place. Otherwise, many local residents would not have bought and built houses there.</p> <p>b) The Bunnings in Blackman street already does well enough. There is absolutely no need for yet another petrol station, and why on earth do we need more fast food outlets in Broome? Favour LOCAL Broome based businesses - look after your own, not multi-nationals.</p> <p>c) You spend millions and millions - and continue to do so - on the China Town and front beach development, and now this proposal, which would attract and potentially keep vital tourist traffic in the one precinct, flies in the face of logic AND environmental sustainability.</p> <p>Please vote NO to this proposal this coming Thursday. I am a registered voter.</p>	<p>a) The Local Planning Strategy and Local Commercial Strategy include a hierarchy for commercial areas and a spatial distribution. These documents suggest that further commercial areas will be needed to support growth. However, the subject site is not an area where this had been identified. Whilst the economic viability of a proposal is not a relevant planning consideration, demand for service commercial land is. The demand analysis provided for within the Local Commercial Strategy suggests some further Service Commercial land would be needed. This need was identified to be met through land being provided on the north side of Frederick Street to the east of the Boulevard shopping centre.</p> <p>b) The structure plan in itself does not result in any development. If the Structure Plan is approved, a range of land uses including warehouse, showroom, fast food outlet and service station would be permitted land uses. Development Approval would still be required for the buildings. However, it is not the role of statutory planning to determine the business merits of a proposal. The role of statutory planning is to determine whether the design and operational merits are consistent with the planning framework and compatible with surrounding land uses</p> <p>c) The Local Planning Strategy and Local Commercial Strategy both highlight the importance of the Chinatown Precinct and have it at the apex of the commercial hierarchy. However, these documents also highlight the necessity of other commercial areas in providing an overall commercial framework that meets the needs of the community and various areas of the economy which are not always appropriate to co-locate. Commercial Service is intended to provide for a wide range of uses that cannot be economically or conveniently located within the Town Centre or Industrial Zones.</p>	<p>The submission is noted.</p> <p>Recommended that Council recommends that WAPC does not support the Structure Plan</p>
6	Brad Howard 14/1/2020	Chinatown business interests	<p>Oppose</p> <p>I am a long term resident of Broome of some 55 years with a business interest in Chinatown.</p> <p>a) As you are well aware Broome has suffered financially, and is still suffering from the GFC, resulting in a dramatic fall in house prices and loss of local employment, and the closing of businesses due to rates, rents and lack of clientele with a disposable income. We can ill afford to propose a new development which would put further pressure on existing businesses. With the multi-million dollar Chinatown redevelopment to attract visitors it may well be a waste of time and taxpayer money to then have a new development as in Lot 3082, that would then draw consumers away from the town centre.</p> <p>b) Broome already has two major shopping centres being the Boulevard and Chinatown with smaller businesses occupying Hunter and Clementson streets. Do we</p>	<p>a) The Local Planning Strategy and Local Commercial Strategy both highlight the importance of the Chinatown Precinct and have it at the apex of the commercial hierarchy. However, these documents also highlight the necessity of other commercial areas in providing an overall commercial framework that meets the needs of the community and various areas of the economy which are not always appropriate to co-locate. Commercial Service is intended to provide for a wide range of uses that cannot be economically or conveniently located within the Town Centre or Industrial Zones.</p> <p>b) The Local Planning Strategy and Local Commercial Strategy include a hierarchy for commercial areas and a spatial distribution. These documents suggest that further</p>	<p>The submission is noted.</p> <p>Recommended that Council recommends that WAPC does not support the Structure Plan</p>

			<p>need a third? With the proposal of a third shopping area this could only have a negative impact on already struggling small businesses in these areas.</p> <p>This is a genuine concern and one can only hope that for once council sees in favour of looking after locals who support and live in this town and not pandering to the big players who want to make a quick dollar at anyone's expense.</p>	<p>commercial areas will be needed to support growth.</p> <p>However, the subject site is not an area where this had been identified. Officers have performed an assessment of the Structure Plan against planning principles and notes that if supported the structure plan could lead to fragmentation of the retail/commercial hierarchy established and would lead to an over provisions of land for service commercial development.</p>	
7	Robyn Wells 15/1/2020		<p>Oppose</p> <p>I am writing to you to object to the proposal to re-zone a portion of Lot 3082 from Educational/Residential to Service Commercial/Large Format Retail, thereby opening up that site to mega-stores, warehouses, a petrol station and fast-food outlets etc.</p> <p>a) Re-zoning</p> <p>It is imperative that this area is not-re-zoned for large-scale commercial development. In my view the Educational/Residential zoning should remain in place. If this site ever was to be re-zoned, it would be far more appropriate to have mixed-use 'light commercial' / residential, with small businesses set among the bush land, far more in keeping with the already-established residential areas that surround this site, as well as Minyirr Park. If this area were ever to be re-zoned, it would need careful consideration. I am not against development on this site: this location would be ideal for certain light commercial enterprises eg a cultural centre, a dinosaur information centre or a cultural activity area that both residents and tourists could enjoy for years to come. It is NOT suitable for large-scale monolithic commercial development.</p> <p>b) Disruption for current residents</p> <p>Residents in Cable Beach area to the west of this area, as well as those in the Djagween Road area will be subject to major intrusions in their lives: 24-hour commercial activities; the glare of all-night lighting; increased traffic throughout the day and night, which may require intrusive traffic management, such as traffic lights; as well as the noise of heavy-haulage vehicles that will be needed to service the area. Residents in this area are currently able to hear the waves on the beach at night. It is one of the delights of living in this area. That privilege will be completely lost.</p> <p>c) Negative visual impact</p> <p>It is entirely inappropriate to build unsightly industrial scale architecture in what is a beautiful area of this town. The drive out to Minyirr Park and Cable Beach needs to reflect the integrity of this significant environmental area. Any development of this area needs to be an asset to our town. Both tourists and residents who drive out along Cable Beach Road are treated to the view of the sand-dunes: I certainly feeling of sense of peacefulness as I approach the Cable Beach area. To clutter this area with large-scale commercial development will have a dreadful impact on the integrity of this part of town.</p> <p>d) Airport relocation</p> <p>I have read the proposal and see that the proponents are making the assumption that the airport will not be relocated. Broome townfolk are already subject to the noise of the Broome Airport and in recent years, the massive increase in helicopter movements. People who purchased homes in the Cable Beach area, as well as Roebuck Estate, have the reasonable expectation that the airport will be moved out of town to a more appropriate area. It is disingenuous of the proponents to build a case</p>	<p>a) The Local Planning Strategy identifies the site being used to facilitate residential, student and tourist accommodation needs.</p> <p>b) Should the land be supported for Service Commercial purposes, residential amenity of nearby neighbourhoods may be impacted. Further development approval would be necessary which would enable building design and operations to be considered and controls such as conditions imposed to limit those impacts. However, it could be reasonably anticipated that some impacts are likely.</p> <p>c) The form of development proposed under the Structure Plan is considered to be inconsistent with the existing character of the area and the character that is anticipated under the Local Planning Strategy.</p> <p>d) The Local Planning Strategy includes a number of objectives and strategies in support of the relocation of the airport to an area off Old Broome Road approximately 13km to the east of the town. The identified future site has been implemented and provided with planning protections through LPS6. Additionally, the 'Airport Development Plan' was endorsed by the Shire of Broome and WAPC in 2012. The main purpose of the Airport Development plan is to provide an appropriate statutory planning framework to facilitate the effective continued operation and expansion of the Broome International Airport at its current location, until such time as aviation demands and/ or airport impacts on the Broome community necessitate the airport's relocation. The Broome International Airport is located within Precincts 1 and 9 as identified in the Local Planning Strategy. Precinct 1 does include expansion of 'Chinatown' to include that portion of the airport east of a future Jigal Drive extension.</p> <p>e) The structure plan in itself does not result in any development. If the Structure Plan is approved, Development Approval would still be required for the buildings. A Local Water Management Strategy has been provided for the Structure Plan area and further detailed design consistent with this strategy would be a requirement of any future Development Approval.</p>	<p>The submission is noted.</p> <p>Recommended that Council recommends that WAPC does not support the Structure Plan</p>

			<p>for re-zoning Lot 3082 on the premise that the Airport will not be moved, and to use that premise to argue for the industrialization of this area. It is my view that the Shire actively pursues the re-location of the Broome Airport. The airport site is one of the most valuable long-term assets of our town, and was always intended to be the new heart of the town. The piece-meal re-zoning of land adjacent to the airport site is an erosion of the long-term strategic planning for Broome and an affront to the many residents who have built homes and a lifestyle in the knowledge that the airport will eventually (and sensibly) be relocated.</p> <p>e) Clearing bush land and replacing with large areas of tarmac The proposal for Stage 1 includes a massive car park. This goes against all good water management principals, in which water should be allowed to soak into the ground. Any development on this area needs to specify that trees are retained, and that the uninterrupted areas of hot, flat tarmac are minimized.</p> <p>f) Pollutants There is a danger that pollutants from industrial sites, such as a service station or car wash could be washed into the surrounding bush land. In the event of flooding this could mean Minyirr Park is at risk of being affected.</p> <p>g) Not unique to Broome and not good for 'well-being' The applicant is proposing that this development is part of the answer to Aboriginal 'liyan' or 'well-being'. This is an extraordinary claim. Economic development is of course, essential for the Aboriginal community. It also needs to be appropriate. The view that fast food outlets and mega stores are a good option for economic empowerment, in my view, is a very short-term outlook. You can go anywhere in Australia and get a Kentucky Fried Chicken or Hungry Jacks burger. The Broome Aboriginal community has a wealth of extraordinary history and culture; I would suggest the Shire assists the owners in pursuing developments that are built on exciting and innovative ideas, not re-zoning this site to allow for a generic, unimaginative development.</p> <p>h) Small Businesses will be affected Small businesses cannot compete with mega-stores (It is unlikely that even these big businesses will be able to make these enterprises viable). I applaud the effort that the Broome Shire has made in the rejuvenation of Chinatown, and believe that these intense 'hubs' of mixed-use activity are much better for the town.</p> <p>i) Alternatives - light industrial area I think the Shire has a duty of care to ensure that the long-term planning for our town stays intact, unless there is very good reason to change. These kinds of large-scale commercial ventures belong out of town in the light industrial area. I urge Councillors to NOT APPROVE the re-zoning of this area to Service Commercial/Large Format Retail or the approval of this particular proposal on the following grounds:</p> <p>j) erodes the impetus for the Broome Airport to be re-located</p> <p>k) undermines the integrity of town planning for this area ie residential and educational (ie low impact development)</p> <p>l) detrimental effect on residents due to harsh lighting and noise</p> <p>m) visually inappropriate for the location</p> <p>n) environmentally unsound for Minyirr Park and surrounds</p>	<p>f) This risk of pollutants was also identified by DWER with additional information / modifications required to the advertised Local Water Management Strategy. This matter has now been addressed to DWER's satisfaction for the Structure Plan stage of the planning process. These matters would be further explored at the Development Approval stage and need to be addressed to the satisfaction of DWER and the Shire.</p> <p>g) This matter is outside the scope of planning considerations and subsequently no comment is offered.</p> <p>h) The Local Planning Strategy and Local Commercial Strategy include a hierarchy for commercial areas and a spatial distribution. These documents suggest that further commercial areas will be needed to support growth. However, the subject site is not an area where this had been identified.</p> <p>i) The structure plan in itself does not result in any development. If the Structure Plan is approved, a range of land uses including warehouse, showroom, fast food outlet and service station would be permitted land uses. Development Approval would still be required for the buildings. However, it is not the role of statutory planning to determine the business merits of a proposal. The role of statutory planning is to determine whether the design and operational merits are consistent with the planning framework and compatible with surrounding land uses</p> <p>j) Noted.</p> <p>k) Noted. The proposal is inconsistent with strategic planning documents including the Local Planning Strategy and Local Commercial Strategy.</p> <p>l) The structure plan in itself does not result in any harsh lighting or noise. Development Approval would still be required for the buildings and assessment considerations would consider these matters in the site layout and design. However, it could be reasonably anticipated that some impacts are likely.</p> <p>m) The form of development proposed under the Structure Plan is considered to be inconsistent with the existing character of the area and the character that is anticipated under the Local Planning Strategy.</p> <p>n) The submission has raised concerns regarding pollutants. This risk of pollutants was also identified by DWER with additional information / modifications required to the advertised Local Water Management Strategy. This matter has now been addressed to DWER's satisfaction for the Structure Plan stage of the planning process. These matters would be further explored at the Development</p>	
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				Approval stage and need to be addressed to the satisfaction of DWER and the Shire.	
8	Richard Agar & Maree Meoli 15/1/2020	Salleh Street	<p>Oppose</p> <p>a) With regards to the above I believe that Broome already has a well thought out and consulted on local planning scheme adopted by council. This clearly identifies locations for such developments and considering we already have a big Bunnings and a big Harvey Norman I can't see how building these on an area of bush is going to increase tourism or sales for anyone other than the big box retailers. Contrary to the belief of some of our shire councillors, people come to Broome for the Beach and the pristine environment and NOT for the shops and the restaurants.</p> <p>b) If the proponent was requesting the area be developed for residential housing to assist the many homeless and overcrowded families in Broome living in terrible conditions thanks to years of government inaction and incompetence, then my reply would likely be different. But they are not and so our answer is to not allow this commercial development in any form on this location.</p>	<p>a) The proposal is inconsistent with Strategic Planning documents including the Local Planning Strategy and Local Commercial Strategy that were subject to extensive community consultation.</p> <p>b) Noted. The Local Planning Strategy identifies the site being used to facilitate residential, student and tourist accommodation needs.</p>	<p>The submission is noted.</p> <p>Recommended that Council recommends that WAPC does not support the Structure Plan</p>
9	Michelle Teoh 15/1/2020		<p>Oppose</p> <p>I make this submission as a Broome resident and community member. Before I proceed with my submission I recognise: The <i>Planning and Development Act 2005, Planning and Development Regulations 2015</i> and the WAPC Structure Plan framework. (At times in this submission I refer broadly to these as the 'WA Planning framework').</p> <p>The right of the landowner/proponent to seek to develop the property and the rights afforded to this land under the Shire of Broome Local Planning Strategy (LPS) and Local Planning Scheme No 6 (LPS6).</p> <p>a) <b>Issue: Additional Matters required OCM 21 Nov 2019</b> At the OCM of 21 November 2019 the agenda report indicated there were a number of matters that need to be done/provided. So I was rather surprised to read this Structure Plan was being advertised from 16 December – it seemed to be a very quick turnaround. I assume that all the requirements as listed in the Officers report OCM 21 Nov 2019 have been complied with? I won't repeat them all here – but would appreciate advice that this has occurred and if so the details of how this has been done.</p> <p>b) <b>Issue: Consultation/Advertising</b> Unfortunately WA unlike other planning jurisdictions in Australia does not preclude the Xmas- New Year holiday period from days counted for public advertising. So under the WA planning framework the proponent has every right to advertise over the Xmas break, the time when at least 30% of people living in Broome leave town for school /family holidays. However, as the time is set down by regulation provides no leeway, by proceeding to advertise over this period the proponent creates the strong perception that there is something to hide or there is something they do not want to be closely scrutinised. There are members of the Broome community still on holidays that have an interest in understanding how the impacts of this development will be mitigated and how contamination of the adjoining Minyir Park and potential flooding / noise impact the nearby residential area of Cable Beach will be resolved, yet because of the timing of the advertisement period they have no opportunity to prepare a submission. And to suggest they should make an effort to read a series of technical documents and try</p>	<p>a) The further information requested by Council was provided through an amendment to the proposed Structure Plan and associated appendices. These were the documents made available via the Shire's website during the public consultation period and attached to this report. Note: Further Information and modification of the Local Water Management Plan and Bushfire Management Plan have been requested by DWER and DFES. Subsequently, changes to the Local Water Management Strategy and BMP may occur post public consultation, if the Structure Plan is supported.</p> <p>b) The advertising / public consultation was undertaken for the maximum period of 28 days permitted by the Regulations. The Regulations do not provide discretion for the Shire to vary these periods.</p> <p>c) Shire officers have liaised with WAPC staff and the applicant in an effort to address concerns that the Structure Plan may not be consistent with WAPC Structure Plan Guidelines. As these are 'Guidelines', the advice being received is that the proposed Structure Plan can continue through the assessment process.</p> <p>d) The Local Water Management Strategy has been reviewed by Shire Engineers and DWER. Some additional information has been requested for Structure Plan purposes and if the Structure Plan is supported, these matters will be resolved as part of the Structure Plan assessment process.</p> <p>e) The submitter has raised many of the items that would be considered at the Development Application stage of the planning process. The submitter has also rightly identified that community consultation is likely to be limited and that interested community members may have no further say on the built form of the site if the Structure Plan were</p>	<p>The submission is noted.</p> <p>Recommended that Council recommends that WAPC does not support the Structure Plan.</p>



		<p>and understand the relevant planning system while away on family holidays is impractical and unfair.</p> <p>c) <b>Issue: Compliance with the WAPC Structure Plan Guidelines.</b>  I assume the WAPC Structure Plan Guidelines 2015 is still the guiding policy for the development of how a Structure plan is to be prepared. The submitted document is confusing some sections contain great detail and other sections have maps/plans with minimal information. There is also inconsistency in how different matters addressed – e.g.: Biodiversity Analysis there is no summary of the technical findings just a statement refer to the relevant Appendix ... while in others that are also included in Technical Appendices there is pages of detail e.g.: Bushfire Management Plan Can the Shire confirm that the technical reports comply with professional expectations?  Can the Shire advise whether the Structure plan as advertised complies with the WAPC Planning framework?  And if the answer to either of these questions is 'no' or 'not quite' I would appreciate advice on what the differences are and whether this will have any impact on the ongoing process.</p> <p>d) <b>Issue: Stormwater management and pollution run off</b>  It is unclear to me as to how the run off from what will now be an asphalted property will be managed and contained within the site. Minyirr Park and the adjoining residential areas are now experiencing increased flooding during storm events. Based on the information I have read I am not convinced this issue has been adequately addressed and would appreciate the advice from the expert Shire officers.  The increased run off from this developed site has the potential to pollute and degrade the adjoin Minyirr Park – what mechanisms are in place to ensure this does not eventuate?</p> <p>e) <b>Issue: Future development</b>  The submitting consultant suggests this is a 'genuine hall mark innovative development'. I dispute that. The construction of a large box which may be coloured green that is surrounded by a sea of car parking that abuts a car wash, fast food outlets and petrol station is a pretty common 'cookie cutter' approach to commercial service /homemaker development especially when an anchor tenant/landowner is a large warehouse operator with a standard design/ model for development. It is an approach applied without change in many towns in Australia.  Once this Structure Plan is approved the proponent will then proceed to subdivide and presumably sell/lease of parcels of land and have no more responsibilities re the future development.  The future landowner lease holder will then be the party responsible for submitting the development approvals of what the built form looks like, the amount of advertising, the colour of the building, the design and construction of the car parking etc. etc...  Many details of which would be of interest to the community but they are unlikely to have any opportunity to comment.  This is a significant corner that some of the Broome community value for its natural state and its co-location to Minyirr Park. Development will be a significant change and it is important the final built form 'belongs' to Broome. But this does not happen as part of this Structure Plan approval ----- it will occur when a development application is lodged with the Shire. This is when there is the greatest potential for a development and built form to be approved that exacerbates the dispersal of the Chinatown CBD</p>	<p>approved. Shire officer's envisage that most Development Applications are likely to be excluded from community consultation under the current planning framework. Those applications that did require public consultation are likely to be limited to landowners in the immediate area. The planning framework includes many opportunities for the exercising of discretion and in all cases this would be determined on merit. The form of development proposed under the Structure Plan is considered to be inconsistent with the existing character of the area and the character that is anticipated under the Local Planning Strategy</p> <p>f) It is clear by a number of the issues raised in the submissions received that some community members are confused by planning processes and the content of the Structure Plan. Due to the technical content, some community members may have benefitted from a Community Information Session. However, opportunity was provided for the community to contact the Shire's Planning team to discuss the proposal further with limited up take in comparison to the number of submissions received.</p> <p>g) The Local Planning Strategy identifies the site being used to facilitate residential, student and tourist accommodation needs as opposed to remaining as a vegetated property. However, development should be designed in a way that respects the natural attributes and character of the area.</p> <p>h) The proposal seeks to depart from the direction set in strategic planning documents such as the Local Commercial Strategy by providing alternative supporting information. The appropriateness of this is discussed in the Council Report and as noted in the officers comments and recommendation, it is considered that insufficient rational has been provided to demonstrate that a departure from the adopted planning framework should be entertained.</p> <p>i) The submitter is correct that the financial independence of the landowner is not a relevant planning consideration.</p> <p>j) This appears at the end of the submission and assumed to have been used to inform the submission. No further comment.</p>	
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			<p>attraction and establishes a big box/ loud advertising structures that are not appreciative or sympathetic to the essence of the Broome built from and connection. To ensure the future development within this site is Broome the following actions should occur:</p> <ul style="list-style-type: none"> <li>• Ideally the best approach is to develop Service Commercial Design Guidelines</li> </ul> <p>In addition to this the Shire must ensure compliance with the General Development requirements of LPS6 including, Brome Style Architecture, Inappropriate or Incongruous development, Land use and noise control, Service areas, Car parking etc.</p> <p>The application of the Signs LPP without exception or waiver (as was applied to the current Bunnings warehouse) The application of the Parking LPP to ensure that the vast asphalted carpark has the required number of trees (1 to 4 parking spaces) and that the area for the trees is of a sufficient size to enable them to thrive, this way some of the heat bank effect can be reduced.</p> <p>Complying with best practice in relation to ensuring the health and safety of employees from aircraft noise and air pollution impacts. Within is area if a large green box is built there will be areas such as the plant nursery and supply of building material where employees are required to spend the majority of their time outdoors. How are they going to be protected from the impacts of aircraft noise and the ultrafine particulates expelled from each incoming and outgoing aircraft?</p> <p>Under the WA Planning Framework, the Council retains the right to vary the development conditions. I and others in the community value the fact that the Broome build environment is different and warrants strict compliance with the development provisions.</p> <p>f) <b>Conclusion</b> I have, due to the festive season had family and other commitments, so have had little time to immerse myself in all the technical documents and no doubt this will not be a matter of relevance when this submission is considered. However rather than advertising over the Xmas New year break it would have been of great assistance to me if there had been a community information session provided where the technical details could be explained by Shire officers/ the consultants and questions and clarifications sought.</p> <p>g) This proposed Structure Plan foreshadows Lot 3082 will change from a vegetated property that is perceived by some members of the community to be an environmental asset to a property that will be covered with asphalt and structures. While there was 'in principle support' (what this means is unclear to me) by Council in 2016 I am hoping this does not mean that local expectations as reflected in LPS and LPS6 and associated policies are to be ignored.</p> <p>h) It is unfortunate the consultant has dismissed the Local Commercial Strategy (LCS) and finding of the traffic Impact Assessment (TIA). The LCS has driven the shape of Broome and been instrumental in ensuring that over \$10 million dollars has been invested in The Chinatown CBD. The fact that it has not been (for whatever reason) adopted by the WAPC is not a reason to say it can be ignored. To do so will mean development is allowed to occur at this site and others. As a result people will be slowly drawn away from Chinatown especially if the Post Office, because of the rapidly increasing parcel post business chooses to relocate.</p>	
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			<p>There are estimated trip counts quoted in the TIA that are dismissed with a statement the trips will be shared (between proposed development?) this is hypothetical (the development is occurring over 15 years) and does not warrant serious consideration. Will this increased traffic be a driver in requiring the existing roundabout to be replaced by traffic lights?</p> <p>i) The consultant makes a case the proposed Structure Plan should be approved so that the proponent can be financially independent. As the consultant knows, within the WA Planning Framework, financial security/reward is not relevant consideration and this argument should never have been included in the Structure Plan.</p> <p>j) Issue: I am not an engineer Note there are minimal maps in a scale or form that can be read and understood. The Structure Plan map provides no clarity about whether the open space corridor will be adequate to deal with the stormwater requirements WAPC structure Plan framework – provides a basis for the zoning and subdivision of the land Shire of Broome Local Planning Strategy – Map 3 areas shown as 'Future Development Area 3' Local Planning Scheme No 6 – zoned Development Want to have it defined as a Service Commercial zone <i>3.7 Service Commercial Zone</i> <i>3.7.1 The purpose of the Service Commercial Zone is to provide for a wide range of uses including service industry, warehousing and showrooms which, by reason of their scale, character, operational and/or land requirements, cannot conveniently or economically be accommodated within the Town Centre Zone or Light Industry Zone.</i> <i>3.7.2 The objectives of the Service Commercial Zone are to: (a) encourage a range of land uses, particularly showrooms and warehouses which support the functions of the nearby Town Centre Zone; (b) identify appropriate locations for the orderly development of service commercial activities, having due regard to vehicle, cycling and pedestrian movement, car parking and the appearance of buildings and works; (c) provide for uses which combine the need for showrooms and facilities involving warehousing, wholesaling and distribution; (d) encourage the provision of landscaped areas in a manner that complements and enhances the setting within the surrounding area; (e) provide for uses that will not compete with or detract from the Town Centre Zone as the principal centre for retail and commercial activity; and (f) encourage development in accordance with relevant development strategies and design guidelines.</i> Checking off contents of the SP against the Guidelines Part 1 Map 1 – is minimal Land use Zone proposed is Service Commercial ----- only such area is near Boulevard and provisions of the scheme clearly indicate there is to be no competition with CBD Landscaped area Also required under. Subdivision and development requirements • Outline requirements including land use zones and reserves within the structure plan area • Outline mechanisms to protect environmental or heritage features.</p>	
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			<ul style="list-style-type: none"> <li>Identify how subdivision and development will respond to hazards and separation areas.</li> <li>Identify how subdivision and development will respond to or be staged in relation to major infrastructure.</li> <li>Provide arrangements to interface with land adjoining the structure plan area.</li> </ul> <p>Need design guidelines for this location</p>		
10	Maxine Nixon 15/11/2020	Wongai Crescent	<p>Oppose</p> <p>I am writing to the Shire of Broome to lodge my Comments on Proposed development of Lot 3082, Cable Beach Road East, as a rate payer and long term resident of Broome. After consideration of this proposal I have concerns that this is not an appropriate development for this site.</p> <p>My concerns include:</p> <ol style="list-style-type: none"> <li>This development is not in line with the previously determined purpose of this land. If the Shire believes this land use should be changed, this should not be done reactively but as part of an overall development plan for the whole shire and town site.</li> <li>The Commercial Strategy Report 2017 undertaken by the Broome Shire concluded that: "In consideration of the outcomes of the analysis of the population projections and retail/commercial floorspace demands, it has been concluded that the current planning framework provides adequate zoned land to accommodate the growth in retail and commercial floorspace demand, excluding supermarket floorspace. While there is a sufficient quantum of vacant land to support future (projected) demand, the location and suitability of much of this land is less than ideal, consequently, a new District Centre more ideally located (as per Broome North (South)) is recommended."</li> <li>Vacant property affecting current business and landowners. Has an audit been completed to determine what the actual vacancy of business premises is in Broome? I am not a business owner, however, I am concerned for shops in Broome Boulevard &amp; Paspaley Shopping Centre, as well as other parts of town, struggling to attract businesses. I believe the Shire and others have invested in trying to revitalise Paspaley shopping centre and Chinatown to get more business there, so why consider redirecting businesses elsewhere? The market in Broome is a thin one, do not put more stress on shops and businesses who are trying to survive as it is in difficult economic times.</li> <li>Ability to attract business to these proposed premises Broome does not need more vacant premises on a grand scale and NBY obviously do not want this outcome. Is there really the need for extra business premises in Broome on this scale? Please do not allow for the creation of something ugly that will become a disused/underutilised site for vandals and the only real benefit being to the builder.</li> <li>Fast food premises With Aboriginal people having the highest levels of chronic disease in the western world I am amazed that the Shire would consider building premises for more cheap unhealthy food outlets that directly contribute to chronic disease – all the income streams will not cure the ongoing health problems, premature disability and death that this consumption will contribute to.</li> <li>Natural environment</li> </ol>	<ol style="list-style-type: none"> <li>The proposal is inconsistent with Strategic Planning documents including the Local Planning Strategy and Local Commercial Strategy that were subject to extensive community consultation. Concerns about departures from an adopted strategic planning framework in the absence of a comprehensive review process is noted.</li> <li>The proposal is inconsistent with the Local Commercial Strategy 2017.</li> <li>The Local Commercial Strategy 2017 included analysis of existing floor space, vacancies and future demand. It appears that current vacancies are greater than those identified within the Local Commercial Strategy 2017.</li> <li>The Local Planning Strategy and Local Commercial Strategy include a hierarchy for commercial areas and a spatial distribution. These documents suggest that further commercial areas will be needed to support growth. However, the subject site is not an area where this had been identified. Concerns about the built form that would result from the Structure Plan are noted.</li> <li>The Structure Plan in itself does not result in any development. If the Structure Plan is approved, a range of land uses including fast food outlet would be permitted land uses. It is noted that many studies have focussed on the health impacts of some foods that are commonly associated with fast food outlets.</li> <li>The Local Planning Strategy identifies the site being used to facilitate residential, student and tourist accommodation needs as opposed to remaining as a vegetated property. However, development should be designed in a way that respects the natural attributes and character of the area.</li> <li>Noted.</li> </ol>	<p>The submission is noted.</p> <p>Recommended that Council recommends that WAPC does not support the Structure Plan</p>

			<p>I understand that the current land purpose is for accommodation. This would be preferable as nature corridors can be maintained amongst living spaces (as has been done beautifully in Broome North) rather than large bitumised and built up areas that excludes native flora and fauna. As the temperatures continue to rise maintenance of natural areas must be high on the Shire agenda in order to protect the natural environment as well as minimising thermal masses in and around the Shire.</p> <p>g) I empathise with the need for Nyambu Buru Yawuru Corp to find income for future sustainability, however, I am not convinced that this proposal is in the best interests of Broome.</p>		
11	Lisa Dore & Simon Penn 15/1/2020	Dora Street	<p>Oppose</p> <p>Thank you for the opportunity to comment on the Proposed Structure Plan for Public Comment - Lot 3082 Cable Beach Road East. We believe Yawuru's proposal for the use of Lot 3082 is not in the best interest of the Broome community for the following reasons.</p> <p>a) There are existing appropriately zoned areas within the Shire for the purpose Yawuru is proposing for this land. The Shire's 2017 Local Commercial Strategy states that commercial and retail demand can be met (until 2051);          "In consideration of the outcomes of the analysis of the population projections and retail/commercial floorspace demands, it has been concluded that the current planning framework provides adequate zoned land to accommodate the growth in retail and commercial floorspace demand, excluding supermarket floorspace."          Regarding the location of future development, none of the sites reviewed in the Local Commercial Strategy include the proposed Yawuru land or any site nearby. The Strategy recommends:</p> <ul style="list-style-type: none"> <li>· "Maintain(ing) the integrity of 'Chinatown – Town Centre' as the primary commercial centre for Broome";</li> <li>· However: "should the location and suitability of the existing vacant land be in question, a new District Centre more ideally located (as per Broome North (South)) is recommended" (this concept is included in the Broome North District Development Plan 2010);</li> <li>· Various other sites are also identified for development.</li> </ul> <p>b) As well, the Chinatown Development Strategy 2012 strongly supports Chinatown retaining its centrality as the retail and commercial centre of Broome. While not all of the bulky stores proposed by Yawuru could be included here, some of the smaller food retail outlets could be (or not included anywhere, if we are to support existing businesses). Existing land allocated for bulky goods retail is also significantly closer to Chinatown.</p> <p>c) The Local Commercial Strategy also cautioned against hasty decisions and developing sites that become white elephants, for example:          "Uncertainty with respect to population and economic growth, and therefore floorspace demand, becomes significant in the long-term. Risk mitigation needs to be a central consideration when planning beyond 2031."          Regarding the site the Yawuru document attempts to discredit (DAP 8, Frederick Street Commercial Area, adopted by the Shire in 2012) the Strategy recommends that the Shire:          "Review the 'Service Commercial' zoning north of Frederick St and investigate a suitable alternative zone and/or changes to the Zoning Table to accommodate forecast commercial floorspace requirements, while maintaining the permissibility of</p>	<p>a) The Local Planning Strategy and Local Commercial Strategy include a hierarchy for commercial areas and a spatial distribution. These documents suggest that further commercial areas will be needed to support growth. However, the subject site is not an area where this had been identified. The proposals inconsistency with both the Local Planning Strategy and Local Commercial Strategy is one of the reasons for why a recommendation that the Structure Plan is not approved.</p> <p>b) Noted. If the Structure Plan is approved, a range of land uses including warehouse, showroom, fast food outlet and service station would be permitted land uses. There are other areas that are currently zoned Service Commercial including on the north side of Frederick Street to the east of the Boulevard Shopping Centre where the same permissibility would exist. 'Chinatown' is currently zoned Town Centre with many of the uses that are permitted and discretionary in the Service Commercial Zone also being permitted and/or discretionary. Service Commercial is intended to provide for a wide range of uses that cannot be economically or conveniently located within the Town Centre or Industrial Zones.</p> <p>c) Should the Structure Plan be approved, according to demand analysis information contained within the Local Planning Strategy and Local Commercial Strategy 2017, there would be a supply of Service Commercial land in excess of needs up to 2051. It is noted that the Local Commercial Strategy 2017 recommends changes to the zoning table for Service Commercial land.</p> <p>d) The Local Commercial Strategy includes a hierarchy for commercial areas and a spatial distribution. The documents suggest that further commercial areas will be needed to support growth. However, the subject site is not an area where this had been identified. Concerns with the proposals departure from the adopted planning framework are noted and is one of the reasons a recommendation that the Structure Plan is not supported has been made.</p> <p>e) Noted. The concern that the proposal could result in over allocation of land and a fragment distribution of commercial</p>	<p>The submission is noted.</p> <p>Recommended that Council recommends that WAPC does not support the Structure Plan</p>

			<p>'Showroom' to encourage the relocation of bulky goods retailers from the 'Light and Service Industry' zone."</p> <p>This land is a sensible option for commercial development and has remained unoccupied, presumably due to a lack of demand. The proposed new development would cast grave doubt on the future viability of the Frederick St location that has been cleared and currently presents an eyesore.</p> <p>d) The Shire of Broome funded the Local Commercial Strategy document and consulted with the Broome Community at the time. If the Broome Shire would like to diverge from the recommendations made in the Local Commercial Strategy document funded by ratepayers, we would like to see further consultation done rather than ad hoc commercial and retail development re-zoning take place. Especially if it is taking place in direct contrast to the recommendations made.</p> <p>e) Creating an entirely new commercial precinct in this location would disappointingly continue a history of fragmented and ad hoc development in Broome that has not served the community or its local economy well.</p> <p>f) When this proposal was first considered by Council at its 26 May 2016 Ordinary Meeting, the report by Shire planning staff stated: "it is recommended that Council advise NBY that the proposal submitted for consideration is inconsistent with the Shire's planning framework and the principles of orderly and proper planning, and therefore the Shire of Broome is not in a position to support the proposal." The content of the Shire report then outlined in detail why the proposal should not be supported.</p> <p>g) We believe that the site proposed for this sort of development is a very poor use of that particular land site. The land is currently zoned for an appropriate use and this should be upheld. Nyamba Buru Yawuru is a business and I trust they will be able to put forward an alternative proposal to utilise this location that is still commercially viable and suits all of the community.</p> <p>h) In conclusion, we do support economic opportunities for our community, but through a fair and transparent planning process, resulting in benefits for the whole community. We also support Yawuru's aspiration to create economic independence. Thank you for reading this submission. The Chinatown Strategy has a very suitable quote on which to end: "For Chinatown to continue to be a strong and viable centre for commerce in Broome will require united commitment and perseverance by the Shire, land owners and the business community."</p>	<p>land uses is one of the reasons it is recommended that the Structure Plan is not approved.</p> <p>f) This is an accurate reflection of the report contained in the agenda for the OCM held on 26 May 2016.</p> <p>g) The land is currently zoned 'Development'. The Local Planning Strategy identifies the site being used to facilitate residential, student and tourist accommodation needs. Development of the site is generally restricted until such time as a Structure Plan is endorsed for the site.</p> <p>h) Noted.</p>	
12	Jan Lewis 15/1/2020	McKenna Court	<p>Oppose</p> <p>a) Please pass this submission on to the Shire CEO not to the President who has a conflict of interest as he's in partnership with NBY.</p> <p>b) Interesting that your website refuses to open this evening when people should be finalising their submissions???</p> <p>Whilst acknowledging Nyambu Buru Yawuru's wish to generate income from land that they hold, I have a number of concerns over whether the uses planned for the site as set out in this Structure Plan will benefit the Broome community and the future of the town as a whole.</p> <p>c) Does the use planned for this location enhance the Broome tourist product? At point 1.4.1 the Structure plan notes that: The Shire of Broome Local Planning Strategy shows the subject site as Future Development Area 3 potential uses as</p>	<p>a) The Shire President has declared an interest in the proposal.</p> <p>b) The Shire's IT staff advised there were no known issues on the said day on the website. However, there was a Telstra network issue on the same day which could have impacted the public's access to the internet. The Telstra issue has since been resolved and the website has been tested and is working fine.</p> <p>c) The land is currently zoned 'Development'. The Local Planning Strategy identifies the site being used to facilitate residential, student and tourist accommodation needs. The pathways on the north side of Cable Beach Road East and</p>	<p>The submission is noted.</p> <p>Recommended that Council recommends that WAPC does not support the Structure Plan</p>

			<p>residential, tourism or student accommodation as part of an Educational / Health Precinct.</p> <p>The economic future of the town depends to a large extent on tourists. Cable Beach Road East is the route taken by all tourists travelling from the town centre/Chinatown towards the iconic Cable Beach area. Many cycle this route between town and Cable Beach. I do not consider it appropriate that they will pass the ugly industrial-style architecture that will prevail in the commercial area being planned i.e. for 2 large format showroom warehouse sites, fast food outlets, carwash and tyre service centre. With associated car park, signage and lighting this will be an ugly area and surely not what tourists came to Broome to see. Tourists on bicycles in particular will be in danger from the increased traffic/increase in turning traffic.</p> <p>I believe this land should remain the type of use designated in the Broome Local Planning Strategy and the site should not be reclassified as a Commercial Zone.</p> <p>d) Is the planned use of this location detrimental to local residents' amenity? Yes. Despite there already being residential development immediately across Cable Beach Road East from the site, the Structure Plan suggests that residential development on Lot 3082 is not possible due to airport noise, but then dismisses the alternate development site near to the Boulevard over concerns about the movement of B-Double delivery vehicles. ie this development is largely dependent on the movement of large delivery vehicles and therefore needs to be considered in the Structure Plan. As a resident near to the proposed site (McKenna Court) I can tell you that I am already fed up both of airport noise and of the noise of engine braking by large trucks on Gubinge Road at 3am, and that the noise of additional delivery vehicles and car movements on the road is definitely not acceptable.</p> <p>This development will require considerable servicing – of vehicles bringing in the hardware sold by a Bunning's store, fuel, tyres, and by punters accessing the services offered. Section 4.3 of the Structure Plan estimates up to the development would generate some 1,150 Saturday peak hour trips. Despite what the Structure plan says it will probably require road widening to accommodate turning lanes and/or a central reservation. Who will fund this? How will this impact on the cycle/walking path/route? Point 3.2 in the commentary of the Structure Plan states this proposal</p> <ul style="list-style-type: none"> <li>•has no adverse impact on existing neighbourhoods.</li> </ul> <p>It is not stated how this opinion was formed. Certainly not be asking me, any of my acquaintance or any users of the cycle path. As a resident of an existing adjacent neighbourhood I strongly dispute the statement in the Structure Plan on the grounds of increased traffic, noise, light pollution etc.</p> <p>In my opinion the increase in vehicle movement, noise, and associated light pollution is not acceptable to what is a relatively quiet residential area and should be sufficient to see the Structure Plan rejected.</p> <p>e) If the proposal goes ahead I suggest that delivery vehicles should only be allowed on site during normal 8-5 working hours and that none of the developments proposed be allowed to operate 24/7.</p> <p>f) As a ratepayer I also do not believe the residents should fund any of the changes to the road layout and/or cycle/walking paths that will be required.</p> <p>g) Is the water management plan for the site on Lot 3082 adequate or will it be detrimental to Minyirr Park? And, is it best practice for the future? Point 4.6 of the Structure Plan states:</p>	<p>east side of Gubinge Road are both part of the Shire's cycle network. A traffic report has been provided with the proposal and highlights that the road network in the vicinity of the area is capable of supporting a Service Commercial precinct. The structure plan in itself does not result in any development. If the Structure Plan is approved, Development Approval would still be required for individual businesses and traffic (including cycling) would need to be considered.</p> <p>d) Should the land be supported for Service Commercial purposes, residential amenity of nearby neighbourhoods may be impacted. Further development approval would be necessary which would enable building design and operations to be considered and controls such as conditions imposed to limit those impacts. However, it could be reasonably anticipated that some impacts are likely.</p> <p>e) The structure plan in itself does not result in any development. If the Structure Plan is approved, a range of land uses including warehouse, showroom, fast food outlet and service station would be permitted land uses. Development Approval would still be required for the buildings. The Development Assessment process would determine whether the design and operational merits are consistent with the planning framework and compatible with surrounding land uses or what controls would be needed to be compatible.</p> <p>f) Any upgrades or modifications of existing infrastructure directly attributed to the proposed Structure Plan or subsequent development would be the responsibility of the relevant proponent.</p> <p>g) The Local Water Management Strategy has been reviewed by Shire Engineers and DWER. Some additional information has been requested for Structure Plan purposes. More detailed design of individual sites will need to have regard to the strategy and maintain runoff at predevelopment levels. DBCA also provided comment in regard to 'stormwater secondary impacts' including chemical runoff and nutrient enrichment as a vector for weed invasion as matters that would need to be addressed during stormwater construction.</p> <p>h) The site is identified as Bushfire Prone and subsequently a Bushfire Management Plan was required. The BMP was referred to DFES who have required modifications to address matters of concern. These modifications have not yet been resolved but the matters are capable of being addressed and are unlikely to constitute a fatal flaw to the proposed Structure Plan.</p>	
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13	Kylie Weatherall 16/1/2020		<p>Oppose - Introduction I am making this submission in regards to the Proposed Structure Plan of Lot 3082 Cable Beach Rd East as I am concerned about the impact of 'service commercial zone' on the local residents and on the aesthetic of the town of Broome.</p>	<p>a) A level 2 flora and fauna report is included as an appendix to the Structure Plan. The report identified the following flora and fauna of note:</p>	<p>The submission is noted.</p>



		<p>I support the economic aspirations of the proponents Nyamba Buru Yawuru and their desire to develop an income stream. A healthy vibrant Traditional Owner group will enable Broome to continue to be an outstanding example to the rest of Australia of reconciliation and Aboriginal self-determination. However, I believe the proposed structure plan is inappropriate for this area.</p> <p>I understand the parcel of land Lot 3082 is allocated for development and will be developed. I am not opposed to the development of the site but believe this area requires a low impact style development in keeping with the nearby surrounds. A development that retains pockets of vegetation, minimises lighting and hard surfaces to reduce the impact on the nearby Monsoon Vine Thicket (a Threatened Ecological Community), one that enhances the aesthetic of the town's landscapes, one that improves or adds to the major economy of the town (tourism) and one enhances the area for local residents.</p> <p>I have provided, as requested by the Town Planning Department of the Shire of Broome my concerns, the reasons why I am concerned and some possible solutions to the issues and challenges of the proposed structure plan. I would be happy to be involved in further consultation to minimise the development on Broome and its residents and its natural environment.</p> <p>a) 1. <b>Concern:</b> Impact on the natural values of the area.  <b>Reason</b> The development would generate all night light pollution in this area. A significant omission in the environmental study report is the impact of increased lighting on shorebirds, including critically endangered species. Shorebirds use 'corridors of darkness' to fly between roost sites on Cable Beach and Roebuck Bay. Broome is famous for its RAMSAR listed Roebuck Bay, of which shorebirds are an integral part. This development will impact shorebirds through increased lighting at night will cause disorientation of the birds at night affecting how they move between roosts. It is proven that artificial lighting affects Turtle hatchlings, who use moonlight to orientate themselves towards the sea when emerging from the nest. Coastal communities around the world have acknowledged this by reducing artificial lighting at night and changing the type of lighting in use. Although well set back from the beach, this development due to its scale will emit a significant 'glow' of light that will be visible from the beach side of the dunes. The loss of vegetation will impact the nearby Minyirr Park conservation estate. Whilst the site is earmarked for development it currently serves as a bush corridor, and a buffer zone for wildlife, between the airport and urban developed areas. <b>Possible way to mitigate the issue</b> Innovative architectural lighting elements <input type="checkbox"/> minimal lighting at night <input type="checkbox"/> reducing heights of lights <input type="checkbox"/> use of shaded down lighting <input type="checkbox"/> use of specialised lighting that reduces the impact on wildlife <input type="checkbox"/> retention of some vegetation on site to provide roosts for birds and refuge for other wildlife</p> <p>b) 2. <b>Concern:</b> Impact on the local residents of the Cable Beach suburb <input type="checkbox"/> Raised volume of traffic resulting in increased noise <input type="checkbox"/> Noise from commercial vehicles on site <input type="checkbox"/> Disturbance to the nearby neighbourhood on all night lighting <input type="checkbox"/> increased visitor numbers and activity in the area after hours <input type="checkbox"/> piped music from commercial outlets such as service stations and car wash  <b>Reason</b> As a resident of the nearby suburb or Cable Beach suburb, I am witness to the already experiences high levels of noise from frequent large planes and helicopter movements from the nearby airport, as well from the traffic on Cable Beach Rd East and Gubinge Rd. If a car pulls up on Cable Beach Rd and play loud music or talk loudly, or when people are walking along the walking path laughing and talking this</p>	<p>i. one Environmentally Sensitive Area,  ii. three Department of Parks and Wildlife Priority Listed flora taxa  iii. eight species of conservation significance recorded or likely to occur.</p> <p>The application was referred to DBCA with no comment made directly in relation to flora or fauna. Any clearing of vegetation would be subject to an application process administered by DWER/DBCA.</p> <p>It is noted that the LWMS provided as an appendix of the Structure Plan identifies an environmental cultural corridor which was supported by DBCA in comments relating to the LWMS.</p> <p>b) Should the land be supported for Service Commercial purposes, residential amenity of nearby neighbourhoods may be impacted. Further development approval would be necessary which would enable building design and operations to be considered and controls such as conditions imposed to limit those impacts. Potential amenity impacts of this proposal are noted.</p> <p>c) The structure plan in itself does not result in any development. If the Structure Plan is approved, Development Approval would still be required for the buildings. A Local Water Management Strategy has been provided for the Structure Plan area and further detailed design consistent with this strategy would be a requirement of any future Development Approval.</p> <p>This risk of pollutants was also identified by DWER with additional information / modifications required to the advertised Local Water Management Strategy. If the Structure Plan was approved, these matters would be further explored at the Development Approval stage and need to be addressed to the satisfaction of DWER and the Shire.</p> <p>d) The form of development proposed under the Structure Plan is considered to be inconsistent with the existing character of the area and the character that is anticipated under the Local Planning Strategy</p>	<p>Recommended that Council recommends that WAPC does not support the Structure Plan</p>
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			<p>noise carries into the nearby suburb, especially at night and in the 'dry' season. Broome residents are all aware how clearly sound carries in the dry season. A large scale development at this site will increase the amount of traffic on Cable Beach Rd East, as well as increased noise from vehicle movements into a major commercial centre open for extended trading hours, after normal working hours when residents are at home relaxing. Heavy vehicles and delivery trucks will have a direct impact on the residents of the area when they arrive after business hours and in the middle of the night. Loading vehicles utilise safety warning devices. These are designed to alert people to vehicle movements so they are audible when reversing – this is the loud 'beeping' we all know. Trucks unloading after hours will have a huge impact on the nearby residential area. The proposed service station and car wash will result in all night noise and lighting. Of great concern is the broadcasting of music from a car wash and service station premises and of people coming and going at all hours. The Taylor Rd residential area of Cable Beach will be more highly impacted by all vehicle movements and increased activity particularly after business hours and activity associated with a late night service commercial area.</p> <p><b>Possible way to mitigate the issue</b> Lighting The use of innovative lighting design to minimise impact on wildlife as well the nearby residents such as: <input type="checkbox"/> minimal lighting on all sites at night <input type="checkbox"/> reducing heights of lights <input type="checkbox"/> use of shaded down lighting. Vegetation will also shade light from the development to the nearby suburb. The developer could either retain native vegetation in the 22 m easement on Cable Beach Rd and significant trees on site to help buffer noise. Noise To combat the noise impact on the nearby residential area the development could <input type="checkbox"/> Restrict heavy vehicle movements after hours. <input type="checkbox"/> Restrict the loading and unloading of trucks after normal working hours at night. <input type="checkbox"/> The retention of large trees on Cable Beach Rd East <input type="checkbox"/> Plant large trees and other vegetation to provide a buffer (in particular to residents of Taylor Rd.) <input type="checkbox"/> Increase the trees in the car park of the development or retain trees on the site to provide instant shade for the car park <input type="checkbox"/> The developer could either retain native vegetation in the 22 m easement on Cable Beach Rd or develop drainage swales retaining significant trees to help buffer noise. <input type="checkbox"/> Plant trees on the other side of Cable Beach Rd East to buffer noise (and light) from the development</p> <p>c) 3. <b>Concern:</b> Pollution &amp; temperature increase through increase in 'hard surfaces' Increases in hard surfaces, that is roads and rooftops, will increase local surface temperatures through reduction of vegetation and increase in 'dark' surfaces. Increase in hard surfaces will create water drainage and run-off issues, especially during tropical storm events resulting in an increase in pollution (rubbish, oil, petrol, detergent) being transported into the adjacent conservation estate in Minyirr Park and its Threatened Ecological Community – Monsoon Vine Thickets. As a ratepayer I am concerned that if the development is approved by council, that in the future the council will be liable to solve any drainage issues retrospectively, be responsible for damage to Minyirr Park and be responsible for extra rubbish and pollution at this site.</p> <p><b>Reason</b> Since the development of the Cable Beach suburb and the realignment of Gubinge Rd we have witnessed major changes to the way water floods into the local conservation estate in Minyirr Park. Regularly in the wet season we see temporary water courses being created, vectoring into the Monsoon Vine Thickets, rubbish and weeds. This has been a major change to the way water is absorbed into the landscape and the way it flows through the landscape. The flooding is now longer in duration and depth than it has ever been previously. It has created erosion problems,</p>	
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			<p>brought many invasive weed species into the Park and is changing the profile of the plant community. Without adequate engineering of drainage basins flooding (water run-off during tropical rain events) would carry surface pollutants and rubbish from the proposed commercial centre into the park. Spillage from a development such as a petrol station and car wash will occur due to the products being sold. Without adequate filtration on site these products will be washed into drains which may end up in Minyirr park. Rubbish and pollution from the entire commercial zone will be washed or carried by wind into nearby areas. <b>Possible way to mitigate the issue</b> Engineering water retention basins to hold water back from flooding into Minyirr park during wet season. Examination of current drainage problems and issues along Gubinge Rd and in Cable Beach suburb to inform the development to prevent similar mistakes. Use of 'drain socks' as developed by the city of Kwinana to prevent rubbish pollution by catching it before it enters the nearby conservation estate of Minyirr Park. Alternative developments to a Service Station and Car Wash will eliminate much of the pollution, after hours' noise and lighting issues. The Council to budget for increase in rubbish removal along Gubinge and Cable Beach Rd East. To retain strips of bush and significant trees in the car parking areas of the development to offset the temperature increases due to loss of vegetation and increase in bitumen areas.</p> <p>d) <b>4. Concern:</b> A development that does not improve the visual look of Broome This commercial zone proposal on a major arterial route and tourism corridor does not improve but instead will diminish the visual environment of Broome. The use of large 'billboard' like signage to advertise the commercial development will have also have a negative impact on the look and feel (the aesthetic) of the Broome. <b>Reason</b> This is not an exciting architectural proposal that works with the natural landscape. People visit Broome to experience its natural landscapes and culture. This development honours neither things. The location of this site has an important visual place in the Broome landscape, on a corner of a major arterial route. Bunnings Homemaker Centres are big generic warehouses that are designed to maximise space. They are not architecturally distinct. The roof line will be up to 12m according to the proposed structure plan. The risk of placing a large commercial development with billboards and associated signage at this site is that Broome will lose some of its charm and different character, its uniqueness. The risk is that we are imitating towns like 'Karratha and Port Hedland', towns dominated by industrial 'commercial service' centres, that do not embrace their natural environments Commercial service centres belong in Light Industrial areas.</p> <p><b>Possible way to mitigate the issue</b> Engage a landscape architect, to look at implementing council policy (locally influenced building design and innovative architecture) within the landscape at this special site to then inform and advise the developers of this site. This site is better suited to a low impact development with architecturally designed buildings which consider the natural surrounds, acknowledge and implement council policy on building design and signage honouring Broome's history and culture. This site would be better suited to a development that retains pockets of vegetation, minimises lighting and hard surfaces to reduce the impact on the look of the towns landscape, the local wildlife, residents and the tourism industry. Minimise the building height so that it does not impact on the visual landscape – the drive down Cable Beach Rd East is currently dominated by the sand dunes of Minyirr</p>	
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			Park and the natural vegetation. Minimising signage on site and on the roadsides that no large billboard like advertising will help the streetscape.		
14	Nyamba Buru Yawuru 16/1/2020		<p>Support</p> <p>Nyamba Buru Yawuru (NBY) would like to submit an annexure to the draft Structure Plan for Lot 3082 Cable Beach Road East (Structure Plan) during the respective advertising period as a submission</p> <p>a) Accordingly, please find attached a copy of the Economic Review undertaken by Urbis Planning Consultants, for inclusion into the Structure Plan.</p> <p>The Economic Review found that the projects to be delivered subsequent to approval of the draft Structure Plan for Lot 3082 are expected to result in significant economic activity and employment opportunities through the development phases and at completion. Additionally, approval of the Structure Plan will deliver needed additional retail amenities to accommodate current needs and future growth forecasts, and will provide NBY with the financial sustainability required to positively transform the Broome community.</p> <p>We trust this submission provides the Shire of Broome with the information it needs to positively progress the draft Structure Plan.</p>	<p>a) The applicant has submitted additional economic justification of the proposed Structure Plan in the form of a Technical Note by Urbis. The Technical Note has been included within Attachment 5 (pages 32-33) to the Council Report. The Economic Review supplied has been reviewed and is not considered to provide rationale to support why a departure from the adopted planning framework should be entertained. The Shire has performed a comprehensive review of the Local Commercial Strategy which has analysed commercial land needs across the Shire and made recommendations on changes to the local planning framework. The LCS has concluded that there is enough zoned land to meet long-term project demands for bulky goods retail. Any departure from an adopted strategic planning framework (such as a Local Planning Strategy) should be based on planning merits not economic benefits of a proposal.</p>	<p>The submission is noted.</p> <p>Recommended that Council recommends that WAPC does not support the Structure Plan</p>
15	Melody Dia 16/1/2020		<p>Oppose</p> <p>Thank you for the opportunity to comment on the Proposed Structure Plan for Public Comment - Lot 3082 Cable Beach Road East. We believe Yawuru's proposal for the use of Lot 3082 is not in the best interest of the Broome community for the following reasons.</p> <p>a) I would like the Broome Shire to consider the following statements that are in the "confirmed minutes of the ordinary meeting of council 26 May (item 9.2.7 request for in-principle support - proposed service commercial development - lot 3082 (102) cable beach road east)". The following have clearly outlined the reasons why the proposal from Nyamba Buru Yawuru (NBY) is inconsistent to the strategic planning of Broome and "as such, it is recommended that Council advise NBY that it is not in a position to support the proposal."</p> <p>"2016 Local Planning Strategy (LPS)</p> <p>Under the LPS the subject site is positioned within Future Development Area 3 and also falls within Precinct 9. Section 3.3.1.9 of the LPS states the following in relation to Precinct 9 (Bilgungurr):</p> <p>Further, section 7.2.7 of the LPS provides direction on the Future Development Areas (FDA) and with regard to FDA3, the following direction is provided:</p> <p>FDA 3 – Yawuru Airport West</p> <p>FDA3 provides for a total of around 33 hectares which could provide an additional 330 houses. This site may also provide for some tourism opportunities in proximity to Cable Beach. It could also provide student accommodation as a part of an Education/Health Precinct.</p> <p>The LPS provides strategic direction on future land uses that could be supported within the site, which are as follows:</p> <ul style="list-style-type: none"> <li>· residential development;</li> <li>· establish an education/health precinct; and</li> <li>· possible tourist uses."</li> </ul> <p>"Therefore, the development of a service commercial precinct would be inconsistent with the objectives of the Precinct or the FDA in which the subject site falls.</p>	<p>a) This is an accurate reflection of the report contained in the agenda for the OCM held on 26 May 2016 and associated minutes.</p> <p>b) The advertising / public consultation was undertaken for the maximum period of 28 days permitted by legislation in accordance with the relevant legislation. The legislation does not include any specific requirements relating to youth but does require all submissions (including by youths) to be considered. The definition of Homemaker is noted.</p> <p>c) The Local Planning Strategy identifies the site being used to facilitate residential, student and tourist accommodation needs.</p> <p>Should the Structure Plan be approved, according to demand analysis information contained within the Local Planning Strategy and Local Commercial Strategy 2017, there would be an over supply of Service Commercial land.</p> <p>d) Tourism, Cultural Heritage and the Environment are themes that are prevalent in the Shire's strategic planning documents including the Local Planning Strategy. In addition, they are important considerations in the strategic and statutory planning processes.</p> <p>e) This is an accurate representation of the Youth Framework. The Shire work with the Youth Advisory Council on matters the Youth Advisory Council have stated are of interest. Generally speaking this is limited to Shire led projects as opposed to private proposals.</p>	<p>The submission is noted.</p> <p>Recommended that Council recommends that WAPC does not support the Structure Plan</p>

			<p>Therefore, the proposal is considered to be inconsistent with the established strategic planning direction provided in the LPS for the following reasons:</p> <ul style="list-style-type: none"> <li>· The proposal is inconsistent with the objectives of Precinct 9 and Future Development Area 3 in which the subject site falls.</li> <li>· The proposal is inconsistent with the strategic direction provided in section 2.4.7 of the LPS with regard to retail, commercial and activity centres.</li> <li>· If this proposal was to proceed, it would lead to fragmentation of the retail/commercial hierarchy established within the LPS and would lead to an over provisions of land for service commercial development.</li> </ul> <p>The subject site adjoins Cable Beach Road East and due to limitations on accessing Gubinge Road, future development on this area of land will front Cable Beach Road East. The area of land to the south of Cable Beach Road East is zoned and developed for residential purposes. The establishment of a Service Commercial area, adjacent to an existing Residential area is not considered desirable for the following reasons:</p> <ul style="list-style-type: none"> <li>· Service commercial areas generate a large volume of retail and service vehicle traffic and often usage is higher on weekends when residents in the adjoining residential properties are more likely to be home. Therefore it is undesirable to have this type of land use within proximity to residential areas due to potential conflicts with noise and traffic.</li> <li>· The hours of operation of the types of service commercial land uses (such as hardware stores, fast-food outlets, service stations) are usually longer than other types of retail and commercial land uses, thus they have the capacity to create a greater level of conflict with residential uses.</li> <li>· Fast food outlets are a typical land use within service commercial zones and have the potential to generate odours which can be nuisance if developed within close proximity to residential properties." <p>The evidence is there to dismiss this proposal and I believe that the site proposed for this sort of development is a very poor use of that particular land site. The land is currently zoned for an appropriate use and this should be upheld.</p> <p>b) NBY call this development proposal a Homemaker Centre, yet the Cambridge Dictionary online (<a href="https://dictionary.cambridge.org/dictionary/english/homemaker">https://dictionary.cambridge.org/dictionary/english/homemaker</a>) defines Homemaker as: "a person who manages a home and often raises children instead of earning money from a job". As a mother and as a local woman who grew up in Broome, I wonder what input has been heard from the young people of Broome. I would like the Shire to consider them when thinking of approving a "Homemakers Centre".</p> <p>c) I understand NBY is a business and has to think for the future; however this proposal cannot be a consideration for the youth and community of Broome and its future. It is a time to raise our children with innovative ideas that will engage them fully and also give positive outcomes for the community. The youth require 'Homemaker Centres' that give value and meaning to their lives. Nurturing the talent of the future is what Broome has to consider, becoming a game changer with unique ideas, not the norm, and a place that people want to visit. Not for the usual everyday things such as retail outlets and fast food chains, but for cultural learning and engagement. Broome needs to consider options of tourism that attracts people for years to come not for business and then because the infrastructure and inflation cannot sustain these buildings, to</p> </li></ul>	
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			<p>view cleared habitat/environmental sites with vacant unused buildings, such a common issue already.</p> <p>I believe NBY can focus the opportunities they have, to creating an inclusive community, through other avenues than the proposed site of Lot 3082 and look forward to them creating a forum for the Broome community, locals and visitors, to discuss what is needed for Broome's future sustainability in a culturally appropriate way. I believe it is important to include the younger generations of Broome in the discussion of its future.</p> <p>Broome's population is 17% of youth and this is growing so it would be an important factor to consider when thinking of proposing ideas for health and education sites in future. Encouraging commercial outlets and fast food takeaway venues does not consider the health and wellbeing of the youth and of the whole Broome Community.</p> <p>d) As a local Broome resident, having lived here most of my life, (having had to study/work away), I would like to think the uniqueness of our town is what brings people here; seeing the native bush food growing in our parks (Minyirr Park), accessing beautiful beaches and camping areas; meeting local indigenous talents; learning culture and understanding the heritage of Broome is what makes us unique. There is opportunity to make this town greater, but not with commercial buildings and 'get rich quick schemes'.</p> <p>Thank you for reading this submission. In conclusion I would like to remind our Shire that 2900 people of Broome, are aged 10 – 24 (my children and family included) and that they are the future of this great place. In the Shire of Broome Youth Framework 2016-2018 it says:</p> <p>e) "The Shire of Broome values, supports and respects our young people. We recognise the important role young people play in the social, economic and cultural life of Broome. We acknowledge young people's right to participate in local matters and recognise the need to support their involvement in decision making and future planning for the Broome region".</p> <p>I believe it is my duty as a mum to make sure any future development of big business in Broome should be discussed with our kids and will make sure I speak up for my town, for my future and theirs.</p>		
16	Fiona & Daryl Dean 16/1/2020	Taylor Road	<p>Oppose</p> <p>As long term residents of Broome since 1985, property owners and ratepayers residing on Taylor Road, Broome, for over 30 years, we are opposed to this development which will be situated in the near vicinity of our home.</p> <p>We object to the proposed structure plan at Lot 3082 Cable Beach Road East on the following grounds:</p> <p>a) Council has not demonstrated the need for yet another shopping precinct in Broome. Splitting an already disjointed/fractured town into even more shopping precincts will cause confusion to visitors, newcomers and locals.</p> <p>This proposal is based on the Local Commercial Strategy of 2017 which according to the document named Service Commercial Structure Plan (SCSP) states 'The Western Australian Planning Commission has not endorsed the 2017 Local Commercial Strategy and accordingly has little status (refer SCSP page 27)'. It is inappropriate to rely on a document with little status. Furthermore the SCSP contains estimated figures based on conjecture at time of writing which are not accurate due to changing local conditions. Local conditions include the current economic downturn as shown by the stagnant property market and empty shops at existing centres.</p>	<p>a) The Local Planning Strategy and Local Commercial Strategy include a hierarchy for commercial areas and a spatial distribution. These documents suggest that further commercial areas will be needed to support growth. However, the subject site is not an area where this had been identified. Concerns that this proposal would lead to over supply of commercial land and contributed to a fragmented distribution of commercial land throughout Broome are noted and is one of the reasons it is recommended that the Structure Plan is not supported.</p> <p>b) The demand analysis provided for within the Local Commercial Strategy suggests some further Service Commercial land would be needed. This need was identified to be met through land being provided on the north side of Frederick Street to the east of the Boulevard shopping centre.</p>	<p>The submission is noted.</p> <p>Recommended that Council recommends that WAPC does not support the Structure Plan</p>

			<p>b) The rezoning of this residential &amp; educational land is unnecessary, when other, more appropriate sites exist for this proposed intrusive development. There are more appropriate alternative sites: preferably adjacent to the Boulevard shopping centre; or any of the 4 main existing commercial / industrial areas, where similar retail outlets are already appropriately situated.</p> <p>- The alternative site (along the main section of Frederick Street, adjacent to the Boulevard Shopping Centre and opposite the High School, once planted with a row of frangipani trees) was originally earmarked for commercial development. However this site has not been utilised, is an eyesore and appears to be a white elephant. Solutions to the issues with this site as listed in the Comparison to Alternate Site (refer SCSP pages 13 &amp; 14) should be investigated before committing to any further land clearing and resulting habitat loss at the proposed site.</p> <p>- A huge amount of money has already been invested in the existing industrial estate on Broome Highway, which now appears to be another white elephant. Any rezoning should permit large scale retail developments within this industrial estate with its fully operational and established infrastructure, and non-disruptive to existing residential areas. So far it has not fulfilled its potential as an industrial site. We don't want to repeat past land use mistakes.</p> <p>c) The proposal will result in the loss of the unique charm of Broome, negatively impacting on tourism and the benefits tourism brings to the Shire. Broome will become a clone of other towns with mega stores situated on the main road to our major tourist centre at Cable Beach.</p> <p>The proposal is an unnecessary overdevelopment too close to Minyirr Park Coastal Reserve and adjoining Cable Beach.</p> <p>d) The proposal will result in the large scale destruction of native flora and fauna habitat and consequent loss of wildlife. Priority flora exist extensively in the surrounding 20 km radius and 8 fauna species of conservation significance were recorded or are likely to occur in the survey area (refer SCSP page 31). There is 1 Environmentally Sensitive Area that intersects the survey area (refer SCSP page 35). Current News reports show that public opinion is becoming more environmentally aware.</p> <p>e) The proposal will negatively impact existing small local businesses, already financially stressed with the financial downturn, attempting to deal with extra competition. The proposal will result in the diversion of businesses and customers away from Chinatown, which was recently refurbished and revitalised at a cost of millions of dollars. This proposal is therefore completely inconsistent with the imperative to maintain the highest order [shopping] centre at Chinatown (refer SCSP page 27). If the proposal goes ahead, the money invested in refurbishing and revitalising Chinatown will be wasted, as Chinatown businesses lose money to the bigger retail chain stores.</p> <p>Local businesses will suffer further financial stress and more may be forced to close down. (As happened to a number of local businesses when large retail chains came to town). Local business reinvests in the Shire, while the large retail chains siphon money from the local economy back to the large cities and / or overseas owners.</p> <p>f) There will be additional traffic generated by retail development of the site this will impact on families and young children, with additional noise, car exhaust fumes and the potential for more traffic accidents, leading to injury and even death.</p>	<p>Should the Structure Plan be approved, according to demand analysis information contained within the Local Planning Strategy and Local Commercial Strategy 2017, there would be an over supply of Service Commercial land. The land is currently zoned 'Development'. The Local Planning Strategy identifies the site being used to facilitate residential, student and tourist accommodation needs. Development of the site is generally restricted until such time as a Structure Plan is endorsed for the site.</p> <p>c) The form of development proposed under the Structure Plan is considered to be inconsistent with the existing character of the area and the character that is anticipated under the Local Planning Strategy.</p> <p>d) A level 2 flora and fauna report is included as an appendix to the Structure Plan. The report identified the following flora and fauna of note:</p> <ul style="list-style-type: none"> <li>i. one Environmentally Sensitive Area,</li> <li>ii. three Department of Parks and Wildlife Priority Listed flora taxa</li> <li>iii. eight species of conservation significance recorded or likely to occur.</li> </ul> <p>The application was referred to DBCA with no comment made directly in relation to flora or fauna. Any clearing of vegetation would be subject to an application process administered by DBCA.</p> <p>It is noted that the LWMS provided as an appendix of the Structure Plan identifies an environmental cultural corridor which was supported by DBCA in comments relating to the LWMS.</p> <p>e) The Local Planning Strategy and Local Commercial Strategy both highlight the importance of the Chinatown Precinct and have it at the apex of the commercial hierarchy. However, these documents also highlight the necessity of other commercial areas in providing an overall commercial framework that meets the needs of the community and various areas of the economy which are not always appropriate to co-locate. Commercial Service is intended to provide for a wide range of uses that cannot be economically or conveniently located within the Town Centre or Industrial Zones.</p> <p>f) Should the land be supported for Service Commercial purposes, residential amenity of nearby neighbourhoods may be impacted.</p> <p>g) The Shire has endorsed the CHRMAP which identifies hazards relating to sea level rises. The subject site is not identified as being impacted by coastal processes.</p> <p>h) The Broome International Airport is located within Precincts 1 and 9 as identified in the Local Planning Strategy.</p>	
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			<p>g) There has been a lack of planning for probable future events related to global warming causing rising sea levels and coastal inundation for the proposed development site.</p> <p>h) If this land is rezoned, and when the airport is relocated, the area will be used for yet more intensive and extensive retail development. This will cause even further intensification of the retail precinct to the detriment of existing businesses and residential use.</p> <p>i) The proposed rezoning of residential &amp; educational land for retail use sets an undesirable precedent for similar future rezonings, allowing inappropriate land use close to other existing residential areas.</p> <p>j) We reject the notion that this development: - is likely to have negligible impact on nearby properties (refer SCSP page 17) - has no adverse impacts on neighbours (refer SCSP page 27) - has no adverse impact on existing neighbourhoods (refer SCSP page 35).</p> <p>Residents in the neighbouring area WILL be directly and adversely impacted by:</p> <ul style="list-style-type: none"> <li>- noise and light pollution from the extra traffic and late night trading of fast food outlets which would invade our quiet suburban lifestyle.</li> <li>- continual offensive odours from fast food outlets, inappropriate in a residential area.</li> <li>- traffic hazard from people crossing the already busy Cable Beach road. Customers and employees may choose to cycle or walk to and from the site (refer SCSP page 30).</li> <li>- traffic congestion, resulting noise and pollution from vehicles, large and small, entering and leaving the precinct. It is estimated the development would generate some 1,150 Saturday peak hour trips (refer SCSP page 29).</li> <li>- the significant and likely risk of extra criminal opportunity/activity from people loitering around fast food outlets at night - which is a considerable danger to local residents safety, security and peace of mind.</li> </ul> <p>In summary:</p> <ul style="list-style-type: none"> <li>- It is not best practice to locate such intense retail development within an existing residential area.</li> <li>- The proposed development can be more appropriately located within existing commercial/industrially zoned land.</li> <li>- The proposal is contrary to existing Council strategies.</li> <li>- Council needs an overarching retail precinct plan, which can be commented on by the community.</li> </ul>	<p>Precinct 1 does include expansion of 'Chinatown' to include that portion of the airport east of a future Jigal Drive extension.</p> <p>i) The proposal is inconsistent with Strategic Planning documents including the Local Planning Strategy and Local Commercial Strategy.</p> <p>j) Should the land be supported for Service Commercial purposes, residential amenity of nearby neighbourhoods may be impacted. Further development approval would be necessary which would enable building design and operations to be considered and controls such as conditions imposed to limit those impacts.</p>	
17	Kimberley Ancell Streeter Male 16/11/2020	Business interests	<p>Oppose</p> <p>a) Such development approaching Minyirr Park and Cable Beach will not compliment the surrounds. Nor will the large scale clearing of bush land and extensive car park enhance the area. It will be a negative impact on prime tourist and environmental area which maybe better left for educational, residential and the added usage of tourist development. Suggest a "Bunning's warehouse" would be better sited on Broome Road in Blue Haze - North Broome. I am assuming it will be a warehouse and not architecturally softened as not to detract from the area. I thought there has been sufficient land for this type of development provided at North Broome and also on Frederick St adjacent to the Boulevard Shopping Centre.</p> <p>b) The Shire is to be commended for their efforts in refreshing Chinatown and continued planning of remaining Chinatown Street Scapes. Release of land for development of "large format" retail outlets, warehouses, petrol station, car wash and fast food outlets</p>	<p>a) The land is currently zoned 'Development'. The Local Planning Strategy identifies the site being used to facilitate residential, student and tourist accommodation needs. Broome contains a number of commercial areas including those that cater for service commercial purposes. An additional Service Commercial precinct has been identified in the Local Planning Strategy on the north side of Frederick Street to the east of the Boulevard Shopping Centre. Concerns about the impact the built form could have upon the character are noted.</p> <p>b) The Structure Plan in itself does not result in any development. If the Structure Plan is approved, Development Approval would still be required for the</p>	<p>The submission is noted.</p> <p>Recommended that Council recommends that WAPC does not support the Structure Plan</p>



			<p>cannot be justified in the present economic commercial climate. Many small businesses in Broome in recent times have closed leaving an abundance of vacant tenancies.</p> <p>c) Will this profit making development be administered from a non-rate paying office on Reid Road?</p> <p>d) Will the increased traffic and noise on Cable Beach Road East intrude on adjacent residents to the south? The appropriateness and timing of the re-zoning will have a negative impact on small rate paying businesses in Broome. We do hope the councillors have some consideration for the rate payers.</p>	<p>buildings. It is acknowledged that large commercial scale buildings often lack architectural flair and provide limited visual interest and would be inconsistent with the character of the surrounding area. The form of development proposed under the Structure Plan is considered to be inconsistent with the existing character of the area and the character that is anticipated under the Local Planning Strategy. The Local Planning Strategy and Local Commercial Strategy include a hierarchy for commercial areas and a spatial distribution. These documents suggest that further commercial areas will be needed to support growth. However, the subject site is not an area where this had been identified. Whilst the economic viability of a proposal is not a relevant planning consideration, demand for service commercial land is. The demand analysis provided for within the Local Commercial Strategy suggests some further Service Commercial land would be needed. This need was identified to be met through land being provided on the north side of Frederick Street to the east of the Boulevard shopping centre. The Local Commercial Strategy 2017 included analysis of existing floor space, vacancies and future demand. It appears that current vacancies are greater than those identified within the Local Commercial Strategy 2017.</p> <p>c) It is understood that question relates to the landowner having a property on Reid Road developed with offices. This property is not exempt from rates.</p> <p>d) Should the land be supported for Service Commercial purposes, residential amenity of nearby neighbourhoods may be impacted. Further development approval would be necessary which would enable building design and operations to be considered and controls such as conditions imposed to limit those impacts. However, it could be reasonably anticipated that some impacts are likely.</p>	
18	Department of Biodiversity, Conservation and Attractions 16/1/2020		<p>No objection</p> <p>The proposed Structure Plan is adjacent to DBCA jointly managed Yawuru Conservation Estate of Minyirr Park. As stated within the final Structure Plan document, Section 4.6 page 31:</p> <p>"The site naturally grades west towards the Gubinge Road and Cable Beach Road intersection. Due to the relatively low permeability of the Pindan soil, it is proposed to dispose runoff of by means of surface drains and detention swales rather than soakwells. The intent is to direct stormwater flow towards a detention swale near the culvert under Gubinge Road, allowing maintenance of the predevelopment flow rate discharge to the stormwater drainage system."</p> <p>a) With the direction of the stormwater flow directly towards Minyirr Park, potential secondary impacts from chemical runoff, nutrient enrichment and as a vector for new weed species exist. Weed invasion has been identified as a threat to the Monsoon Vine Thickets on coastal sand dunes of Dampier Peninsula Threatened Ecological</p>	<p>a) The Local Water Management Strategy has been reviewed by Shire Engineers and DWER. Some modification have been requested for Structure Plan purposes. More detailed design of individual sites will need to have regard to the strategy and maintain runoff at predevelopment levels. 'Stormwater secondary impacts' including chemical runoff and nutrient enrichment as a vector for weed invasion are matters that modification has been requested. These modifications have not yet been resolved but the matters are capable of being addressed and do not constitute a fatal flaw to the proposed Structure Plan.</p> <p>b) Noted.</p>	The submission is noted.

			<p>Community found in Mynyrr Park. This community is listed as Endangered under the Federal Environment Protection and Biodiversity Conservation Act 1999. Should the proposed Structure Plan be successful, planning and construction should take into consideration the potential stormwater secondary impacts to Mynyrr Park and prevent these impacts from occurring.</p> <p>b) It is noted an environmental cultural corridor and drainage swale is proposed (Figure 3 page 12) adjacent to the proposed structure plan and Gubinge road. Parks and Wildlife are supportive of this environmental corridor from an aesthetics perspective and is a positive step in mitigation of stormwater impact.</p>		
19	Katrina Conlan 16/1/2020		<p>Oppose</p> <p>I write in relation the proposed development of Lot 3082 Cable Beach East and oppose the rezoning and land use for a commercial bulky goods retail precinct on the following basis;</p> <p>a) Increase sound and air pollution to neighbouring residents.</p> <p>The proposed development is close to highly populated residential area. The residents already experience plane traffic noise with the airport in its current position. There is a major concern that if the bush land was demolished and erect large format shed structures it will severely increase sound and air pollution. Furthermore, concern that the bush land will be demolished prematurely before construction causing the same issues.</p> <p>b) Impact on Cycle/Footpath and community enjoyment</p> <p>The footpath along CableBeach East Road forms part of an essential link between all suburbs of Broome. The footpath is used by many tourist, residents and school children to commute safely between resident, work and school. The linking footpath is frequently utilised because of the small amount of disruptions by vehicle access resulting in a safer and quicker journey.</p> <p>The footpath is also utilised for recreational purposes, I seek enhancement of community enjoyment of this footpath link, encouraging physical activity and alternate methods of transport. Rezoning the land to build large format commercial is not in line with creating this atmosphere for path users.</p> <p>c) Destruction of bushland and fauna habitat.</p> <p>Preserving the bushland around this area to ensure bush corridors and habitat for existing wildlife. Community and tourist enjoyment.</p> <p>d) Utilise existing land</p> <p>The Shire of Broome has a number of commercial, retail and industrial precincts that would be well suited to house these developments. The Shire should be utilising existing land and ensure synergy with existing business in these precincts. It is my belief that a large retail format development is not suited for this area, instead preserving Cable Beach coast line.</p>	<p>a) Should the land be supported for Service Commercial purposes, residential amenity of nearby neighbourhoods may be impacted. Further development approval would be necessary which would enable building design and operations to be considered and controls such as conditions imposed to limit those impacts. However, it could be reasonably anticipated that some impacts are likely.</p> <p>b) The pathways on the north side of Cable Beach Road East and east side of Gubinge Road are both part of the Shire's cycle network. A traffic report has been provided with the proposal and highlights that the road network in the vicinity of the area is capable of supporting a Service Commercial precinct. However it is noted that this proposal is likely to have an impact on the amenity and character of this area.</p> <p>c) The subject site was rezoned from a Reserve in TPS2 to 'Development' via the adoption of TPS4. The Local Planning Strategy identifies the site being used to facilitate residential, student and tourist accommodation needs as opposed to remaining as a vegetated property. However, development should be designed in a way that respects the natural attributes and character of the area. Any clearing of vegetation would be subject to an application process administered by DBCA.</p> <p>d) The Local Planning Strategy and Local Commercial Strategy include a hierarchy for commercial areas and a spatial distribution. These documents suggest that further commercial areas will be needed to support growth. However, the subject site is not an area where this had been identified.</p>	<p>The submission is noted.</p> <p>Recommended that Council recommends that WAPC does not support the Structure Plan</p>
20	Suzanne Smith 16/1/2020	Fitzroy Crossing	<p>Oppose</p> <p>a) I am writing as a resident of Fitzroy Crossing I make frequent trips to Broome for shopping and getting supplies that I can't access in Fitzroy Crossing. When I come to Broome I look forward to the ambience of sea, bushland and (what I see as the intrinsic values of Broome that make it wonderful) a respect for the natural environment. I shop for the most part in the Industrial Area near the port. I can usually get everything I need there and it is convenient. I really do not see the need for a further industrial / commercial precinct along Cable Beach Road East. The remnant bushland there is a beautiful addition to the town and a natural approach to Cable Beach.</p>	<p>a) The Local Planning Strategy and Local Commercial Strategy include a hierarchy for commercial areas and a spatial distribution. These documents suggest that further commercial areas will be needed to support growth. However, the subject site is not an area where this had been identified.</p> <p>The subject site was rezoned from a Reserve in TPS2 to 'Development' via the adoption of TPS4. The Local Planning Strategy identifies the site being used to facilitate residential, student and tourist accommodation needs as</p>	<p>The submission is noted.</p> <p>Recommended that Council recommends that WAPC does not support the Structure Plan</p>

			<p>The proposal to decimate this remnant bush has several pit falls which include:</p> <p>b) The proposal is ugly –strip mall style development is outdated and cement / asphalt car parks are unattractive to local and tourists alike. The beauty of Broome is one of the key attractions for visitors, and this development sounds like an eye sore. Nothing is as ugly as Port Hedland – surely the council does not want a repeat of the sterile wasteland that is the main roads of Hedland.</p> <p>c) As an amenity I don't see how it will improve Broome – surely there is still enough land at the Light Industrial Area and next door to Boulevard Shopping precinct to locate some of these businesses.</p> <p>d) I am concerned about the risk of flooding for the area which would be heavily cemented and the toxic run off affecting Gubinge Rd and moving into low lying areas of Minyirr park. I consider Minyirr park to be a treasure of Broome, the native habitat for endemic fauna are unique. As Broome continues to grow, it is essential for the intrinsic values of Broome that this park remain free from water inundation and toxins. I have look but not seen any environmental impact studies regarding this development. I am aware the Environs Kimberley and a swag of volunteers have worked hard over many years to revegetate the park.</p> <p>e) I understand that there is to be a car wash big enough for caravans to be washed at the location, surely this will adversely affect traffic flow along a main road that is used by local people and visitors alike.</p> <p>f) I hope the council can reconsider this development and find other locations for these businesses. As I understand it the proposal detracts from the natural beauty and remote town feel of Broome. Don't let what makes Broome wonderful (nature / ease of movement and small town feel) be ignored for architecturally ugly development.</p>	<p>opposed to remaining as a vegetated property. However, it is noted that the form of development that could result if the Structure Plan were approved is likely to be inconsistent with the character of the area.</p> <p>b) Concerns regarding the amenity and character impacts the form of development would have should the Structure Plan be approved are noted.</p> <p>c) Broome contains a number of commercial areas including those that cater for service commercial purposes. An additional Service Commercial precinct has been identified in the Local Planning Strategy on the North side of Frederick Street to the east of the Boulevard Shopping Centre</p> <p>d) The Local Water Management Strategy has been reviewed by Shire Engineers and DWER. Some additional information has been requested for Structure Plan purposes. More detailed design of individual sites will need to have regard to the strategy and maintain runoff at predevelopment levels. DBCA also provided comment in regard to 'stormwater secondary impacts' including chemical runoff and nutrient enrichment as a vector for weed invasion as matters that would need to be addressed during stormwater construction.</p> <p>e) The structure plan in itself does not result in any development. If the Structure Plan is approved, Motor Vehicle Wash would be a permitted land use. Development Approval would still be required for the buildings. 'Stormwater secondary impacts' would be considered during assessment of a proposal.</p> <p>f) Broome contains a number of commercial areas including those that cater for service commercial purposes. An additional Service Commercial precinct has been identified in the Local Planning Strategy on the north side of Frederick Street to the east of the Boulevard Shopping Centre</p>	
21	Claire Mullin 16/1/2020		<p>Oppose</p> <p>I am writing to you to express my objection (as a rate payer on three properties in Broome, 2 in Cable Beach) to the proposed development of Lot 3082 Cable Beach Rd East.</p> <p>a) There are many reasons why I believe this to be an inappropriate area for development, but my initial concern has to do with the proposed lots' proximity to the runway of Broome International Airport. There are numerous safety concerns with encouraging public and commercial occupation on land adjacent and potentially in line of a flight path. As Broome people we live with Short St being part of the flight path for the numerous flights visiting Broome, so we are a little complacent about this issue, however, it is clearly not ideal. It was not so long ago that we had a fatality (which could have been a whole lot worse if the wind direction was different on that night) as a mail plane crashed into the sand dunes just off the runway directly after take off. The chance of this happening again is so small, but the chance is still</p>	<p>a) CASA is satisfied that this report and the conclusions made in the report summary indicate that any potential impact on aviation operations at Broome International Airport as a result of development activity will receive due consideration where required, such as protecting airspace during construction, assessing for building generated windshear and avoiding lighting distraction.</p> <p>b) The Local Planning Strategy includes a number of objectives and strategies in support of the relocation of the airport to an area off Old Broome Road approximately 13km to the east of the town. The identified future site has been implemented and provided with planning protections through LPS6. Additionally, the 'Airport Development Plan'</p>	<p>The submission is noted.</p> <p>Recommended that Council recommends that WAPC does not support the Structure Plan</p>

			<p>undeniably there, so why would you knowingly and negligently, allow for a development directly under the flight path?</p> <p>There has been talk over the years that the airport would relocate to an area out of town, however as the BIA embark on new developments and improvements to their terminal and grounds it seems unlikely that such a move is imminent. Hence even more reason to take serious my flight path/ safety concern.</p> <p>b) Furthermore if the current airport is not likely to relocate they may wish at some stage to extend the existing runway so to cater for larger aircraft, especially if they are trying to entice international clientele.</p> <p>Obviously the proposed development on Lot 3082 would impede on such ambitions.</p> <p>c) There are many other reasons why we should leave Lot 3082 undeveloped including the fact that we already have land available for development of commercial properties along Frederick St which has not yet seen any activity.</p> <p>d) We also seem to have a host of vacant land and properties for sale or lease within our several existing light industrial areas, between Guy St and Clementson St, at Blue Haze/ Broome North and near the Port between Archer and McDaniel Street as well as along Port Drive.</p> <p>e) I am also strongly opposed to clearing more of our valuable bushland for developments when existing land has not yet been tenanted, sold or developed.</p> <p>As mentioned above my primary concern has to do with public safety and the long-term activities at, and planning for, the Broome International Airport. I do, as mentioned have further concerns about premature and excessive clearing of land for developments, despite invitation, which have not gone ahead on existing tenements.</p>	<p>was endorsed by the Shire of Broome and WAPC in 2012. The main purpose of the Airport Development plan is to provide an appropriate statutory planning framework to facilitate the effective continued operation and expansion of the Broome International Airport at its current location, until such time as aviation demands and/ or airport impacts on the Broome community necessitate the airport's relocation. This document is due to expire in 2025.</p> <p>c) Should the Structure Plan be approved, according to demand analysis information contained within the Local Planning Strategy and Local Commercial Strategy 2017, there would be an over supply of Service Commercial land. It is noted that the Local Commercial Strategy 2017 recommends changes to the zoning table for Service Commercial land.</p> <p>d) The Local Commercial Strategy 2017 included analysis of existing floor space, vacancies and future demand.</p> <p>e) The land is currently zoned 'Development'. The Local Planning Strategy identifies the site being used to facilitate residential, student and tourist accommodation needs. Development of the site is generally restricted until such time as a Structure Plan is endorsed for the site. Any clearing of vegetation would be subject to an application process administered by DBCA.</p>	
<b>Submissions received after closing date of Thursday 16<sup>th</sup> January 2020</b>					
22	DWER 20/1/2020		<p>The Department of Water and Environmental Regulation (Department) supports the development of the Structure Plan for Lot 3082 Cable Beach Road East as an important overarching planning document that guides future planning and development within the subject site. The Department has reviewed the Lot 3082 Cable Beach Road Broome Local Water Management Strategy (LWMS) 10 Dec 2019 prepared for Nyamba Buru Yawuru LTD by Porter Consulting Engineers, and offers the following comments.</p> <p><b>Hydrogeological comments</b></p> <p>The expected groundwater clearance of 9.8 m is considered a reasonable assumption as a licenced bore 600m due north of the proposed development at Lot 2235 Cable Beach has a Static Water Level (SWL) of 15m. This bore is considered to be a better analogue to expected groundwater levels at the proposed development. The Department also notes that no groundwater was encountered in test pit investigations at the site, which were dug to 3.3m during what was a relatively wet season i.e. in January 2011 BOM records indicated that Broome Airport, which is located next to the proposed development, had already received over 300mm of rainfall at that point of the season.</p> <p>Groundwater monitoring is not considered necessary for this proposed development due to the following: - The expected depth to the water table; and</p> <p>The proposed land use (retail warehouse development), which presents a generally low level of risk to groundwater resources.</p> <p>The proponent would still be expected to take appropriate remedial actions should oneoff events, that present significant risk to groundwater resources (such as the spillage of hydrocarbons into stormwater drainages leading to infiltration basins), occur.</p>	<p>The Local Water Management Strategy has been reviewed by Shire Engineers and DWER. Some modification have been requested for Structure Plan purposes. More detailed design of individual sites will need to have regard to the strategy and maintain runoff at predevelopment levels. 'Stormwater secondary impacts' including chemical runoff and nutrient enrichment as a vector for weed invasion are matters that modification has been requested.</p> <p>These modifications have not yet been resolved but the matters are capable of being addressed and do not constitute a fatal flaw to the proposed Structure Plan.</p>	<p>The submission is noted.</p> <p>If the Structure Plan were supported, modifications to the Structure Plan to address the comments raised are required.</p>

			<p>The development of dedicated groundwater monitoring infrastructure, such as monitoring bores, is not considered essential.</p> <p><b>Contaminated Sites</b>  Lot 3082 is located immediately east of Broome International Airport, which was classified under the Contaminated Sites Act 2003 on 8 July 2019 as possibly contaminated – investigation required. The classification was based on the findings of a Detailed Site Investigation report dated 5 March 2019, which indicated that per- and polyfluoroalkyl substances (PFAS) are present in groundwater at two locations associated with historic fire-fighting training activities within the airport reserve.  One of the historical fire-fighting training sites is located on the western portion of the airport, at a distance of approximately 200 metres from the boundary of Lot 3082. However, PFAS impacts in this area appear to be minor, and groundwater flow direction is towards the east, so it appears unlikely that Lot 3082 has been impacted by historic fire training activities.  Based on the available information, Lot 3082 Cable Beach Road East appears to be suitable for the proposed future development of a retail warehouse or other commercial services, and Contaminated Sites has no objection to the proposed zone reclassification</p> <p><b>Local Water Management Strategy</b>  Further information is required within the Local Water Management Strategy, prior to endorsement by the Department.</p> <p>a) <b>Issue</b> Pit and pipe system for road drainage  <b>Comment / Recommendation</b> It is advised to avoid or minimise the pit and pipe drainage systems within road reserves where practical noting that the area is within a tropical climatic region. Pit and pipe drainage system can be avoided or minimised by designing median and/or road side swales with provision of overland flow paths (executive summary).</p> <p>b) <b>Issue</b> Interpretation of small rainfall event management criteria  <b>Comment / Recommendation</b> The interpretation of the small rainfall event management criteria (as defined in the Department's Decision Process for Stormwater Management in Western Australia 2017) by the LWMS appears to be incomplete. The LWMS is to list and update the criteria throughout the document as provided below and address accordingly: <input type="checkbox"/> Manage — retain and/or detain, and treat (if required) — stormwater runoff from constructed impervious surfaces generated by the first 15 mm of rainfall at-source as much as practical; and <input type="checkbox"/> Maintain pre-development peak flow rates and total volume runoff from the outlets of the development area for the critical 1 exceedance per year (EY) event.</p> <p>c) <b>Issue</b> LWMS - Figure 2  <b>Comment / Recommendation</b> Clarify whether figure 2 can be improved by avoiding overflow bubble up pit, and pit and pipe drainage system of road reserve. Lot swale can be designed just enough to manage runoff generated by small rainfall event. Provision can be made to have overland flowpath/sheet flow of runoff from lot swale to road side swale for the event greater than small rainfall event (page 11, figure 2).</p> <p>d) <b>Issue</b> Hydraulic investigations  <b>Comment / Recommendation</b> The LWMS states "It would appear and assumed from the imagery that the depression is able to contain 1% AEP event. Therefore, flows from the Airport are assumed not to contribute to the proposed service commercial development flows for events up to the 1%AEP" (page 13, 1st paragraph, section 5.2.1 predevelopment catchment area). Please be advised that at the LWMS</p>	
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			<p>stage of the development, it should be confirmed by conducting conceptual hydrologic and hydraulic investigation/modelling rather than the assumptions as stated above to protect the downstream property from flooding. The report states 'However, as part of the Urban Water Management Plan, a more detailed assessment should be made of the Broome TAFE catchment and the south-west portion of the Broome Airport catchment to confirm they are not contributing flows up to the 1%AEP event' (page 13, 7th paragraph, post-development catchment). Please be advised that 'whether the upstream catchments contribute runoff or not' should be confirmed at the LWMS stage with appropriate investigations. Regarding the hydrologic and hydraulic investigation/modelling of the catchments including pre-and postdevelopment flows, sufficient information is not provided in the report (page 15, section 5.2.4). Refer to the relevant sections of the WAPC's Better Urban Water Management 2008 and DWER's Interim: Developing a local water management strategy 2008. The elements applicable to the proposed development site are to be included. The catchment investigation/modelling, including drainage modelling, is to be consistent with the latest version of the Australian Rainfall and Runoff (ARR).</p> <p>e) <b>Issue</b> Land area required for management of stormwater  <b>Comment / Recommendation</b> The 'land area required for managing stormwater' is to be allocated at the LWMS stage (page 17, section 7.0, d.).</p>		
23	DFES 30/11/2020		<p>I refer to your email dated 17 December 2019 regarding the submission of a Bushfire Management Plan (BMP), prepared by Urban Plan and Ecosystems Solitons and dated November 2019 for the above structure plan. DFES provides the following comments with regard to State Planning Policy 3.7 Planning in Bushfire Prone Areas (SPP 3.7) and the Guidelines for Planning in Bushfire Prone Areas (Guidelines).</p> <p>1. Policy Measure 6.3 a) (ii) Preparation of BAL Contour Map</p> <p>a) <b>Issue</b> Vegetation Classification Map  <b>Assessment</b> The Post-development Vegetation Classification Map (Page 19 of the BMP) has not followed the methodology outlined in Appendix 3 of the Guidelines. An aerial image of the vegetation assessment area would be more appropriate and should form the base map and overlayed with the following information: • areas of classified vegetation and excluded vegetation in the form of vegetation plots. • Areas of Council managed drainage swales should be indicated on this map and verified by decision makers. • land contours for slope calculation. • areas where vegetation is proposed to be cleared or revegetated (if applicable). • photo points to indicate where images of vegetation have been taken. • any other features of the subject site that are relevant bushfire considerations. • canopy crown density information should be provided for vegetation classifications that do not apply the worst-case scenario.  <b>Action</b> Modification to BMP required.</p> <p>b) <b>Issue</b> Vegetation Exclusions  <b>Assessment</b> Drainage Swales – Insufficient information  Insufficient evidence has been supplied to support the vegetation exclusion applied to drainage swales as depicted in pages 25, 31 and 33 of the BMP. It is unclear if the Shire of Broome has made an inprinciple agreement to manage vegetation within these areas to a low threat state. If unsubstantiated, the bushfire impact on future urban development may be inaccurate.  <b>Action</b> Modification required.</p> <p>c) <b>Issue</b> Vegetation Management</p>	<p>The site is identified as Bushfire Prone and subsequently a Bushfire Management Plan was required. The BMP was referred to DFES who have required modifications to address matters of concern. These modifications have not yet been resolved but the matters are capable of being addressed and do not constitute a fatal flaw to the proposed Structure Plan.</p>	<p>The submission is noted.</p> <p>If the Structure Plan were supported, modifications to the Structure Plan to address the comments raised are required.</p>

			<p><b>Assessment</b> Figure 2 of the BMP depicts areas outside the site boundary as indicative APZ's. Bushfire management strategies should be achievable within the subject lot boundary. There is no mechanism to enforce clearing and maintenance of the vegetation within the adjoining areas in perpetuity.</p> <p><b>Action</b> Modification required.</p> <p>d) <b>Issue</b> BAL Contour Map input</p> <p><b>Assessment</b> The indicative BAL ratings cannot be validated. The inputs (i.e. slope/actual separation distances/vegetation classification) need to be included in the BMP to demonstrate the methodology applied to determine the BAL outputs within the Contour Map. This would generally be provided in a table. The BAL contours should extend from all areas of classified vegetation.</p> <p><b>Action</b> Modification required</p> <p>Policy Measure 6.3 c) Non-compliance with the bushfire protection criteria</p> <p>e) <b>Issue</b> Location &amp; Siting and Design</p> <p><b>Assessment</b> A1.1 &amp; A2.1 – not demonstrated The BAL ratings applied cannot be validated as described in the table above.</p> <p><b>Action</b> Modification to the BMP required.</p> <p>f) <b>Issue</b> Vehicular Access</p> <p><b>Assessment</b> A3.1 – Two access routes The Policy requires that two vehicular access routes are provided, both of which connect to the public road network, providing safe access and egress to two different destinations. The BMP identifies that the subject site has access to Cable Beach Road East, which provides a connection to two different destinations, which demonstrates compliance with A3.1. Therefore, it is unclear why the BMP and referral documentation refers to both an Emergency Access Way and a Fire Service Access Route (FSAR).</p> <p><b>Action</b> Comment.</p> <p>g) <b>Recommendation</b> – not supported modification required</p> <p>The BMP does not adequately address the policy requirements of SPP 3.7 and the Guidelines.</p> <p>DFES has assessed the structure plan and accompanying BMP and has identified several issues that need to be addressed prior to support of the proposal (refer to the tables above).</p>	
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## Submission on behalf of Proponent NBY including Response to Submissions Received

### Structure Plan for part of Lot 3082 Cable Beach Road East for Service Commercial Use

General Submissions	Response
<p>1. Support for the site to be developed for Residential, Education and Tourism purposes</p> <ol style="list-style-type: none"> <li>raised that the site is not intended for industrial / business</li> <li>Airport relocation is foreshadowed and therefore site is appropriate for the identified Residential, Education and Tourism purposes</li> </ol>	<p><b>urbanplan</b> holds that the impetus and commercial viability to relocate the international airport is not evident, if not non-existent.</p> <p>The land uses and services to be provided in this precinct will serve the community for many years prior to any possible relocation of the airport. To sterilise land for an unknown intervening period for in-demand service commercial development on Lot 3082 on the assumption that the international airport is to be relocated is incongruent</p> <p>Residential development, as suggested on FDA 3, cannot happen in the vicinity of the runway or Gubinge Road due to acoustic levels until after the airport is relocated.</p>
<p>2. Impacts on airport operations and safety</p> <ol style="list-style-type: none"> <li>Possible impacts on windshear and turbulence</li> <li>Expansion of runway opportunities to facilitate international flights</li> </ol>	<p>Refer specific CASA Agency response below, Attachments A refers.</p>
<p>3. Availability of alternative sites</p> <ol style="list-style-type: none"> <li>Capacity within existing zoned land</li> <li>Sufficient existing premises and land available</li> <li>Contributes to town fragmentation</li> <li>Contributes to urban sprawl</li> <li>Lack of demand for Service Commercial</li> </ol>	<p>The approval of the Structure Plan will provide the Shire of Broome with a composite Service Commercial site to enable the expansion of existing constrained bulky goods sites. In this context, it is important to note the following general points in relation to the key guiding documents:</p> <ul style="list-style-type: none"> <li> <p><i>The Local Planning Scheme (LPS)</i></p> <p>The service commercial structure plan illustrates the changing nature of planning and that the planning framework must be flexibly applied to ensure that worthwhile opportunities are not lost. Accordingly, planning should responsively adapt to changing circumstance.</p> <p>This is reinforced by Local Planning Principle No. 2 in the LCS (Encourage Economic Growth) – ‘Land use and development should be designed as far as possible to accommodate a range of activities whilst minimising conflicts in land uses and providing for continued economic growth and business opportunities in areas designated as such.</p> <p>In this context the LPS is a guiding document. It is a strategic plan that is to be given due-regard but is also non-binding.</p> </li> <li> <p><i>The Local Commercial Strategy (LCS)</i></p> <p>It is important to note that the Western Australian Planning Commission has not endorsed the LCS of 2017. Regardless, the LCS should be flexibly applied and is not intended to frustrate appropriate land use/development. This is acknowledged in the executive summary of the LCS that states that that the document provides guidance only. It also states that its recommendations are not binding and will be subject to further investigations.</p> </li> </ul> <p>Notwithstanding the above, we provide the following in relation to the specific points raised:</p>



	<p>a) The proponent recognises that the LPS includes a strategy to promote and encourage development along the north side of Frederick Street as showrooms and bulky good retail. The proponent's Structure Plan proposes this, albeit 1.5 kms further along Frederick Street than the site originally anticipated, on a site that is demonstrably more suitable for the proposed uses, as below:</p> <ul style="list-style-type: none"> <li>o Delivery of goods from southern distribution centres will come via B-Double haulage. Frederick Street is a distributor road that services inter-neighbourhood traffic movement including that to the Boulevard shopping centre, Broome Senior High School, and access and egress to residential areas along Cable Beach Road East to Gubinge Road. Such movement along a local distributor road introduces a traffic safety issue.</li> <li>o The roundabout on Frederick Street facilitating fluid access and egress along Frederick Street and between the Senior High School and the shopping centre has recently been identified as a Black Spot conflict junction; this highlights the safety and traffic congestion issues already present at this intersection</li> <li>o Traffic congestion at peak periods between Broome High School and the Boulevard shopping centre highlight the capacity inadequacies of Frederick Street. Traffic congestion occurs after hours and on weekends as the high school oval is used for district football competitions</li> <li>o The proposed use as detailed in the Structure Plan will result in less direct RAV network access for deliveries, and as such will eliminate additional traversing of District Distributor roads by B-Double delivery vehicles to get to the Frederick Street location.</li> </ul> <p>The proponent contends that, based on the above, there are considerable limitations to the existing zoned land. However, given the close proximity of the subject Lot to Frederick Street, albeit in a better serviced location, that the underpinning strategy of bulky goods on Frederick Street is met.</p> <p>b) Advice from prospective tenants during negotiations, including large format hardware retailers and other large format retailers is consistent that existing facilities and locations are constrained and not appropriately located, and that they are seeking larger and consolidated sites to expand their existing operations – partly because of the evidence as detailed 2017 LCS that there is considerable trade leakage from Broome. The provision of consolidated, conveniently located and enlarged facilities will assist in ameliorating this leakage, resulting in better local economic outcomes for Broome as a whole.</p> <p>c) The proponent contends that the approval of the Structure Plan will provide a consolidated, convenient site for the proposed uses, rather than contributing to "fragmentation" and is in general alignment with the Council's strategy as detailed above in (a).</p> <p>d) The proposed Structure Plan site is located within the greater Broome townsite, and as such does not contribute to "urban sprawl". Rather, it provides a suitable, well located and required infill land use that utilises an otherwise "sterilized" block of land.</p> <p>e) As detailed in (b), advice from prospective tenants is in direct contradictory to the assertion made. This is further supported by the Proponent's submission of the Urbis economic review.</p>
<p>4. Economic impacts</p> <ul style="list-style-type: none"> <li>a. No demonstrated need for more commercial</li> <li>b. Impact on existing businesses particularly small business</li> <li>c. Impact on Chinatown</li> </ul>	<p>The potential economic benefits for Broome are detailed in the proponent's submission as prepared by Urbis. In relation to the specific points raised, we provide the following.</p> <ul style="list-style-type: none"> <li>a. Advice from prospective tenants during negotiations, including large format hardware retailers and other large format</li> </ul>

<p>d. Impact on existing Light Industry area</p> <p>e. Not economically viable</p> <p>f. Existing high vacancy levels</p> <p>g. Impacts on identified Frederick Street Service Commercial area</p>	<p>retailers is consistent that existing facilities and locations are constrained and not appropriately located, and that they are seeking larger and consolidated sites to expand their existing operations – partly because of the evidence as detailed 2017 LCS that there is considerable trade leakage from Broome. The provision of consolidated, conveniently located and enlarged facilities will assist in ameliorating this leakage, resulting in better local economic outcomes for Broome as a whole.</p> <p>b. The proposal enhances the range of goods on offer in Broome, providing for economic growth and employment as evidenced in the Urbis Report. Economic growth opportunities are important for the town given that some economic growth assumptions such as the James Price Point processing facilitate are not proceeding. Furthermore, the economic outcomes projected in the Urbis report detail considerable downstream economic benefits for a range of groups, which will act to support small businesses as a whole by supporting the growth of Broome's economy.</p> <p>c. The types of uses proposed by the Structure Plan are not planned or appropriate for Chinatown. The proposal therefore maintains the primacy of the Chinatown centre, in alignment with the objectives of the LCS to maintain the integrity of "Chinatown – Town Centre" as the primary commercial centre for Broome.</p> <p>d. The proposal meets the Town's bulky goods needs in a logical location, earlier than what can be delivered in the alternate location identified in the LCS, which is also located outside of the existing LIA. It would do so in a manner that doesn't compromise the delivery of core LCS outcomes.</p> <p>e. Refer (a) above.</p> <p>f. As detailed in (a) above, existing sites have been identified by potential tenants as generally constrained and not appropriately located, and that they are seeking larger and consolidated sites to expand their existing operations.</p> <p>g) The proponent recognises that the LPS includes a strategy to promote and encourage development along the north side of Frederick Street as showrooms and bulky good retail. The proponent's Structure Plan proposes this, albeit 1.5 kms further along Frederick Street than the site originally anticipated, on a site that is demonstrably more suitable for the proposed uses, as below:</p> <ul style="list-style-type: none"> <li>o Delivery of goods from southern distribution centres will come via B-Double haulage. Frederick Street is a local distributor road that services inter-neighbourhood traffic movement including that to the Boulevard shopping centre, Broome Senior High School, and access and egress to residential areas along Cable Beach Road East to Gubinge Road. Such movement along a local distributor road introduces a traffic safety issue.</li> <li>o The roundabout on Frederick Street facilitating fluid access and egress along Frederick Street and between the Senior High School and the shopping centre has recently been identified as a Black Spot conflict junction; this highlights the safety and traffic congestion issues already present at this intersection</li> <li>o Traffic congestion at peak periods between Broome High School and the Boulevard shopping centre highlight the capacity inadequacies of Frederick Street. Traffic congestion occurs after hours and on weekends as the high school oval is used for district football competitions</li> <li>o The proposed use as detailed in the Structure Plan will result in less direct RAV network access for deliveries, and as such will eliminate additional traversing of District Distributor roads by B-Double delivery vehicles to get to the Frederick Street location.</li> </ul> <p>The proponent contends that, based on the above, there are considerable limitations to the existing zoned land. However, given the close proximity of the subject Lot to Frederick Street, albeit in a better serviced location, that the</p>
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	underpinning strategy of bulky goods on Frederick Street is met.
<p>5. Impacts on Residential Amenity of Cable Beach</p> <p>a) Increase in traffic</p> <p>i. Safety</p> <p>ii. Impacts on existing cycle / footpath</p> <p>iii. Concerns Cable Beach Road East will need to be widened at ratepayer expense</p> <p>iv. Concerns intersection with Gubinge may need upgrading to include traffic lights</p> <p>v. Increase in heavy vehicles and increase in noise to residential areas with delivery vehicles accessing site from Gubinge Road</p> <p>b) Visual impacts</p> <p>i. Appearance of buildings, including that buildings will not be consistent with Broome Style architecture principles (refer to comments under 9 below)</p> <p>ii. Reduction of vegetation</p> <p>iii. Litter associated with fast food outlets</p> <p>c) Increase in noise</p> <p>d) Increase in anti-social activity</p> <p>e) Lighting</p> <p>f) Impacts of odours from fast food outlets.</p>	<p>The Structure Plan includes a traffic engineering study prepared by Donald Veal Consultants (DVC). In relation to the points raised, DVC provide responses to each of these concerns detailed in (a) is as follows:</p> <p>i. <i>Safety</i></p> <p>Safety issues often relate to poorly designed facilities or facilities not designed for purpose. It is assumed that all new entry/exit points and intersections will be designed according to Australian Standards. The designs will also take into account the forecast traffic flows and will therefore cater for future needs as well as the demand at opening. The road infrastructure in Broome is generous in that there is typically ample space to construct intersections and roads which comply with relevant standards and meet the need of the community without the drawbacks of large metropolitan facilities, for example severe congestion and delays, which can potentially lead to frustration and poor driver behaviour.</p> <p>An increase in traffic (due to the proposed development or general growth in the area) does not necessarily mean there will be reduced safety, especially if the detailed design is to Australian Standards and fit for purpose.</p> <p>Safety matters will continue to be appraised at the detailed design stage for any future development applications when the appropriate intersection designs and road layout will be scrutinised and audited against a wide range of criteria developed to ensure high safety standards are achieved. At this stage, the proposed structure plan has identified the appropriate intersection and road layout configurations to safely and efficiently meet the forecast traffic demand.</p> <p>ii. <i>Impacts on Existing Cycle /footpath</i></p> <p>There is likely to be some increased interaction between turning traffic and cyclists and pedestrians as new crossovers are introduced on the northern side of Cable Beach Road East. Again, future crossover design will be to Australian Standards and will be cognisant of the interaction between motorised traffic and pedestrians/cyclists. If there is sufficient justification i.e. the pedestrian and cyclist traffic volumes grow significantly, then facilities would be upgraded to accommodate them accordingly.</p> <p>DVC considers that safety concerns for pedestrian and cyclist traffic can be managed through sensible and standard detailed design. The road authority would need to approve such designs for any future development applications prior to their implementation, which ensures that appropriate safety measures will be incorporated into the road environment.</p> <p>iii. <i>Concerns Cable Beach Road East will need to be widened at ratepayer expense</i></p> <p>The Shire of Broome has undertaken extensive traffic forecast modelling of the area. This modelling takes account of future development throughout Broome and assists the Shire to plan for and fund capital works as required.</p> <p>The modelling undertaken by DVC for the proposed development is in accordance with the West Australian Planning Commission requirements. We discussed background future traffic growth rates with the Shire of Broome and added the proposed development traffic to determine future demand. Our modelling shows that only local widening will be required at the main development entrance, which would most likely be included during construction of the site.</p> <p>iv. <i>Concerns intersection with Gubinge may need upgrading to include traffic lights</i></p> <p>As noted previously Broome is synonymous with wide roads and more than adequate spare road capacity. The intersection of Cable Beach Road East and Gubinge Road is currently a large double lane traffic roundabout with an</p>

	<p>inner roundabout diameter of approximately 50m. DVC considers that this has more than sufficient spare capacity to handle future traffic from the proposed development in Draft Only DVC Z721 Traffic Response to Advertised Structure Plan Page 3 of 3 particular and long-term traffic growth in general. The operational performance of key intersections is described in the TIA and demonstrates good levels of service would be maintained into the future, beyond the horizon year of 2031.</p> <p>Gubinge Road is managed by Main Roads WA who favour low maintenance traffic management devices like roundabouts wherever possible. It is extremely unlikely that MRWA would consider signalling this intersection.</p> <p>v. <i>Increase in heavy vehicles and increase in noise to residential areas with delivery vehicles accessing site from Gubinge Road</i> Cable Beach Road east is classified as a Local Distributor Road in the MRWA Road Hierarchy (as is Frederick Street, Port Drive, Old Broome Road etc). According to the MRWA Traffic Map, Cable Beach Road East carries about 6,500 vehicles per day (2018), of which approximately 5% are heavy vehicles.</p> <p>This means there are already about 325 heavy vehicles per day using Cable Beach Road East. While there will be an increase in heavy vehicles due to the proposed development, they will likely approach site for deliveries from Gubinge Road which is less congested and more direct, not adding to the heavy vehicle volumes on Cable Beach Road. DVC contends that while this small increase would contribute to noise from Cable Beach Road East, it would be a small contribution that is further ameliorated by the 80-metre vegetation buffer zone between Cable Beach Road East and the residential areas.</p> <p>In relation to the Visual Impacts concerns detailed in (b), we provide the following responses.</p> <p>i- The proponent recognises that there is a strong architectural vernacular that is present in both the retail centre of Chinatown and to a lesser extent the residential area of Old Broome. However, this vernacular is not reproduced in other areas of the town (with some minor hotel / hospitality exceptions), and that in fact the opposite is the prevailing condition. The development as proposed under the Structure Plan however will present the opportunity for a consistent and unified architectural treatment for a larger consolidated site. In addition to this, the provision of an extensive landscape buffer to Gubinge Road will provide significant vegetation screening to that frontage.</p> <p>ii. Whilst some vegetation will be removed to facilitate the developments detailed in the Structure Plan, all endeavours will be made to retain trees of significant size wherever possible and accommodated in the design of the development, and a vegetated buffer is retained to Gubinge Rd.</p> <p>iii. As with any development, negative impacts from litter will be addressed by both the developer through the provision of appropriate rubbish disposal points, tenants and the local authorities.</p> <p>In relation to noise concerns detailed in (c), refer item (v) from DVC's responses above.</p> <p>In relation to lighting concerns, the proponent contends that lighting impacts will be minimal, given the existing 80 metre vegetation buffer between Cable Beach Road East and the residential areas.</p> <p>In relation to odour concerns, these will be addressed in any future development application for such a use.</p>
<p>6. Opposition to potential future land uses</p> <p>a. Large Format Retailing fast food outlet</p> <p>b. petrol / service station</p>	<p>In relation to points (a) – (d), the proponent contends that the approval of the Structure Plan will provide significant positive planning, commercial and economic benefits for the Broome town area, Broome businesses and Broome residents – outcomes that are not deliverable or possible on other sites or in other areas due to the fragmented and constrained nature of</p>

c. Large multi national corporations	<p>these sites.</p> <p>The developments proposed would support the further expansion of the goods and services available to the Broome community, and will support and facilitate considerable outcomes as detailed in the Urbis Economic Review, Attachment B refers. This is achieved in a manner that is reinforced by Local Planning Principle No. 2 in the LCS (Encourage Economic Growth) – "Land use and development should be designed as far as possible to accommodate a range of activities whilst minimising conflicts in land uses and providing for continued economic growth and business opportunities in areas designated as such".</p> <p>Advice from prospective tenants during negotiations, including large format hardware retailers and other large format retailers is consistent that existing facilities and locations are constrained and not appropriately located, and that they are seeking larger and consolidated sites to expand their existing operations – partly because of the evidence as detailed 2017 LCS that there is considerable trade leakage from Broome. The provision of consolidated, conveniently located and enlarged facilities will assist in ameliorating this leakage, resulting in better local economic outcomes for Broome as a whole.</p>
<p>7. Environmental impacts on Minyirr Park</p> <p>a. Risk of pollutants related to Service Commercial / Industrial development runoff</p> <p>b. Risk of weeds and introduced species resulting from water runoff</p> <p>c. Increased flooding / water runoff resulting from water management of structure plan site</p> <p>d. Secondary impacts of stormwater on Minyirr Park should be considered</p>	<p>A Local Water Management Strategy was prepared by Porter Consulting Engineers (PCE) as part of the Structure Plan,. PCE provide the following responses to the items raised in relation to Environmental impacts on Minyirr Park, Attachment C refers</p> <ul style="list-style-type: none"> <li>a) Each proposed commercial / industrial / retail store will implement management measures against the risk of pollutants leaving the respective sites. That is, a service station will manage stormwater runoff including hydrocarbons within the site. Furthermore, runoff from each respective lot will flow to the lot swales within each lot. The lot swales will manage / treat / dispose of the 15mm rainfall (considered the first flush) over the site.</li> <li>b) The proposed drainage works do not seek to alter upstream catchments, nor do the works significantly alter the water flow course that exists already. The development seeks to retain post-development flow rates to be comparable with pre-development flow rates. As the post and pre-development flow rates will be similar and there are no significant changes to watercourses or upstream catchments.</li> <li>c) The development seeks to retain post-development flow rates to be comparable with pre-development flow rates as noted in the LWMS.</li> <li>d) At present, the pre-development flows already are flowing towards Minyirr Park via existing culverts under Gubinge Road. The development seeks to retain post-development flow rates to be comparable with pre-development flow rates. As mentioned in (b) the post and pre-development flow rates will be similar and there are no significant changes to watercourses or upstream catchments.</li> </ul> <p>A further response from PCE to the DWER submission is detailed at the bottom of this table under Specific Agency responses.</p>
<p>8. Inadequate response to water management</p> <p>a. Increased stormwater runoff</p> <p>b. Water quality / pollutant concerns</p>	<p>PCE provide the following responses to the items raised in relation to "Inadequate response to water management", Attachment C refers. .</p> <ul style="list-style-type: none"> <li>a. The development seeks to retain post-development flow rates to be comparable with pre-development flow rates as noted in the LWMS.</li> <li>b. Each proposed commercial / industrial / retail store will implement management measure against the risk of pollutants leaving the respective sites. That is, a service station will manage stormwater run including hydrocarbons within the site. Furthermore, runoff from each respective lot will flow to the lot swales within each lot. The lot swales will manage/treat/dispose of the 15mm rainfall (considered the first flush) over the site. Furthermore, the use of small check dams (weirs) within the open swale systems will reduce flow velocity to minimise erosion, promote</li> </ul>

	settling of sediments and infiltration high in the catchment.
<p>9. Impact on Broome's unique character</p> <ol style="list-style-type: none"> <li>Noted tourist / recreation route</li> <li>Links Chinatown to Cable Beach</li> <li>Popular bicycle trail</li> <li>Valued scenic / natural state</li> <li>Loss of vegetation</li> <li>Impacts on flora and fauna</li> <li>Lack of design standards to reflect Broome character</li> <li>generic, ugly, cookie cutter multi-national business design</li> <li>Request the design guidelines be developed.</li> </ol>	<p>The proponent provides the following responses to issues around the possible impacts to Broome's character.</p> <ol style="list-style-type: none"> <li>The proponent acknowledges that the site is located on a road used by tourists and for recreation. In this regard, it is identical in nature to the other alternative sites as identified in the LPS – particularly the Frederick Street site, which also sits on the route from the Cable Beach Tourism area to Chinatown. The site subject to the Structure Plan will however have considerably less impact on this route due to its convenience to delivery routes and lack of competing uses in the area.</li> <li>Refer to (a).</li> <li>As per DVC's feedback to submission Item 5 (ii), there is likely to be some increased interaction between turning traffic and cyclists and pedestrians as new crossovers are introduced on the northern side of Cable Beach Road East. All crossover design will be to Australian Standards and will be cognisant of the interaction between motorised traffic and pedestrians/cyclists. If there is sufficient justification i.e. the pedestrian and cyclist traffic volumes grow significantly, then facilities would be upgraded to accommodate them accordingly. DVC considers that safety concerns for pedestrian and cyclist traffic can be managed through sensible and standard detailed design. The road authority would need to approve such designs for any future development applications prior to their implementation, which ensures that appropriate safety measures will be incorporated into the road environment.</li> <li>Whilst some vegetation will be removed to facilitate the developments detailed in the Structure Plan, and directly in response to bushfire requirements under the Planning Regulations, all endeavours will be considered to retain trees of significant size wherever possible and accommodated in the design of the development. A Flora and Fauna study has been completed as part of the Structure Plan with a corresponding management plan being established for the remainder of the site.</li> <li>Refer to (d)</li> <li>Refer to (d)</li> <li>The proponent recognises that there is a strong architectural vernacular that is present in both the retail centre of Chinatown and to a lesser extent the residential area of Old Broome. However, this vernacular is not reproduced in other areas of the town (with some minor hotel / hospitality exceptions), and that in fact the opposite is the prevailing condition. The development as proposed under the Structure Plan however will present the opportunity for a consistent and unified architectural treatment for a larger consolidated site. In addition to this, the provision of an extensive landscape buffer to Gubinge Road will provide significant vegetation screening to that frontage.</li> <li>Refer to (g).</li> <li>Refer to (g).</li> </ol>
<p>9. Inconsistent with strategic documents which have undergone community consultation and adopted by Council, including:</p> <ol style="list-style-type: none"> <li>Local Planning Strategy</li> <li>Local Commercial Strategy.</li> <li>Should not be considered reactively but part of whole of town / shire plans.</li> <li>Support officers recommendation from OCM 26 May 2016</li> <li>Airport relocation is foreshadowed</li> </ol>	<p>In general terms, the key points of the Service Commercial Structure Plan are as follows:</p> <ul style="list-style-type: none"> <li>The basis to proceed with this structure plan was set by Council resolution of 26 May 2016 in accordance with the requirements of the Development Zone. This Resolution is in accordance with the Local Planning Scheme of Broome - the highest statute applicable to this site with the same force and effect as the Planning and Development Act 2005.</li> <li>The Development Zone enables development in accordance with an approved structure plan, a requirement of the Planning Scheme.</li> <li>The Local Planning Strategy (August 2014) is out dated.</li> <li>The Western Australian Planning Commission has not considered the Local Commercial Strategy (LCS) of 2017.</li> <li>The development proposed via the Structure Plan will provide the Shire of Broome with a composite Service Commercial site to enable the expansion of existing, constrained large format retail sites.</li> </ul>

	<p>In relation to the specific items raised, the proponent provides the following responses.</p> <p>a) Local Planning Strategy (LPS – 2014):</p> <ul style="list-style-type: none"> <li>The LPS illustrates the changing nature of planning assumptions and that the planning framework must be flexibly applied to ensure that worthwhile opportunities are not lost. Instead, planning should responsively adapt to changing circumstance.</li> <li>This is reinforced by sections 1.4.1, 1.5, 2.1, 3.2 commentary and Section 5 of <b>urbanplan's</b> structure plan and the Local Planning Principle No. 2 in the LCS (Encourage Economic Growth) – 'Land use and development should be designed as far as possible to accommodate a range of activities whilst minimising conflicts in land uses and providing for continued economic growth and business opportunities in areas designated as such'.</li> <li>In this context the LPS is a guiding document. It is a strategic plan that is to be given due-regard but is also non-binding.</li> <li>The LPS acknowledges that planning strategies have a timeframe of 5 years before review. The current Planning Strategy was endorsed by the WAPC in August 2014. It is therefore appropriate and expected that planning circumstances and assumptions should have changed over this time – and decision making should reflect this.</li> </ul> <p>The proposal is also consistent with the following objectives and strategies of the LPS:</p> <ul style="list-style-type: none"> <li>Broome townsite: <ul style="list-style-type: none"> <li>Strategy: Cluster retail, employment, recreational and other activities within the townsite to minimise the need to travel. <ul style="list-style-type: none"> <li>NBY Comment: The proposal reinforces the range of land uses within the town to the benefit of residents and ensuring that they do not need to travel elsewhere for bulky goods or purchase them online.</li> </ul> </li> </ul> </li> <li>Retail, Commercial and Activity centres: <ul style="list-style-type: none"> <li>Objective: To provide for a range of retail and commercial uses to support the economic and population growth of the Shire. <ul style="list-style-type: none"> <li>NBY comment: The proposal enhances the range of goods on offer in Broome, providing for economic growth and employment as evidenced in Attachment 2. Economic growth opportunities are important for the town given that some economic growth assumptions such as the James Price Point processing facilitate are not proceeding.</li> </ul> </li> <li>Objective: To promote Chinatown as the primary activity centre for Broome NBY comment <ul style="list-style-type: none"> <li>NBY comment: Refer previous comments.</li> </ul> </li> <li>Strategy: Revitalise Chinatown as the primary centre with a focus on retail, commercial and entertainment uses, as considered in the Chinatown Development Strategy. <ul style="list-style-type: none"> <li>NBY comment: This reinforces that the primary centre of Broome is not to provide the uses facilitated by the draft Structure Plan and it is appropriate they are located 'out of centre' as proposed.</li> </ul> </li> </ul> </li> </ul> <p>b) Local Commercial Strategy (2017):</p> <ul style="list-style-type: none"> <li>The LCS should be flexibly applied and is not intended to frustrate appropriate land use/development. This is acknowledged in the executive summary of the LCS-that states that that the document provides guidance only. It also states that its recommendations are not binding and will be subject to further investigations.</li> <li>The proposal is consistent with the following objectives of the LCS:</li> </ul>
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	<ul style="list-style-type: none"> <li>Establish a sustainable mix, distribution and scale of additional retail and commercial uses to accommodate the projected floorspace demand to 2031 and 2051, whilst being mindful of the long-term uncertainty. <ul style="list-style-type: none"> <li>NBY comment: The proposal meets the Town's bulky goods needs in a logical location, earlier than what can be delivered in the alternate location identified in the LCS. It would do so in a manner that doesn't compromise the delivery of core LCS outcomes.</li> </ul> </li> <li>Maintain the integrity of 'Chinatown – Town Centre' as the primary commercial centre for Broome. <ul style="list-style-type: none"> <li>NBY comment: The types of uses proposed by the draft Structure Plan are not planned or appropriate for Chinatown. The proposal therefore maintains the primacy of the Chinatown centre.</li> </ul> </li> <li>The LCS assumes a low demand for bulky goods that could be accommodated within existing premises (refer section 3.2 of <b>urbanplan</b>'s structure plan). However, <b>urbanplan</b> has identified that it can sustainably and feasibly develop a bulky goods site outside of existing premises. It is not the role of planning – including the LCS – to limit the location of land use and development based on an assumed feasibility. Instead, that is a matter for the developer. The purpose of the planning framework is simply to ensure that land use and development occurs in a manner that is capable and suitable in terms of amenity, servicing, access and the like. That the LCS did not anticipate the feasible delivery of a bulky goods development outside of existing premises is not a sufficient reason for refusal.</li> <li>The LCS identifies that bulky goods retail in industrial areas should relocate to Frederick Street between the Boulevard Shopping Centre and Chinatown. The subject land is able to deliver a bulky goods precinct earlier than anticipated by the LCS, providing a consolidated site with better access than Frederick St (refer commentary in section 3.2 of structure plan). Whether bulky goods are located on the LCS nominated land or a small distance further along Frederick Street makes no material difference to LCS outcomes.</li> </ul> <p>-</p> <ul style="list-style-type: none"> <li>c) The Structure Plan takes into account all relevant Shire and State documents in a "whole of town" manner, and mounts its arguments in support of the development as such.</li> <li>d) Whilst the Council Officers made specific recommendations at the May 2016 meeting, the Councillors, as is their remit, resolved to support the development in principle. This Structure Plan submission is a direct result of their resolution.</li> <li>e) As previously detailed, there is no prevailing case for the relocation of the airport in the short, medium or long term. Recent and current redevelopment activities at the airport (construction of the RFDS hangar, reconfiguration and improvements to the terminal and carparks) confirm that this is the case.</li> </ul>
10. Inadequate consultation <ul style="list-style-type: none"> <li>a. Timing over Christmas / New Year</li> <li>b. Consultation with youth</li> </ul>	The Structure Plan was submitted and was subject to the normal timeframes (including advertising) of the processes of the Shire of Broome. The advertising period was conducted for the maximum amount of time as allowed for under legislation.
11. Heat island / thermal mass concerns particularly relating to large car park areas, concerns over inadequate landscaping.	Landscaping details are the subject of the development application phase not structure plan requirements given in the Planning Local Government Regulations 2015.
12. Structure plan is confusing and inconsistent in how different matters are addressed.	<ul style="list-style-type: none"> <li>Although it would not change the intent or purpose of the document the WAPC could request the Draft Structure Plan be</li> </ul>



	re-formatted in accordance with the table of contents that is open to use (page 16) of the Guidelines.
13. Financial security / reward is not a relevant planning consideration	<p>The proponent notes that this submission is in some ways contradictory to other concerns raised relating to lack of economic benefit or demand, and contends that this assertion is incorrect. Local Planning Principle No. 2 in the LCS (Encourage Economic Growth) stipulates – 'Land use and development should be designed as far as possible to accommodate a range of activities whilst minimising conflicts in land uses and providing for continued economic growth and business opportunities in areas designated as such. This principle directly contradicts the submission made.</p> <p>This development will enable the development of service commercial land uses to support Nyamba Buru Yawuru in its vision to deliver cultural and economic services for Yawuru and other Indigenous Australian people, and is a practical example of indigenous people activating and using their native title. Developing their assets and capabilities to Achieve financial sustainability that underpins Indigenous self-determination.</p>
14. Concerns development / profit making business will be administered from rate exempt location on Reid Road	It is important to note that this assertion is patently incorrect – NBY pays rates on all of its properties that are used for commercial purpose, including 55 Reid Rd, Cable Beach.
15. Concern that community will not get an opportunity to comment on the development application when submitted	Yes, it is standard procedure for development applications to be advertised as defined by state planning laws.
<b>Specific Agency Submissions</b>	•
<p><b>CASA</b> Would benefit from more detailed information on potential aviation impacts</p> <ol style="list-style-type: none"> <li>Construction impacts including tall temporary structures and machinery</li> <li>Windshear and turbulence impacts of future built form</li> <li>Response to Civil Aviation Safety Regulations 1998 Part 139 Manual of Standards</li> <li>Response to National Airports Safeguarding Framework</li> </ol>	<ul style="list-style-type: none"> <li>With reference to CASA submission, the level of detail sought is appropriate for the development application stage of the planning process not the structure plan process.</li> <li>Architectural assessment drawings achieved for the proposed built form building heights demonstrates separation flight contours.</li> <li>(a) the town planning scheme will ensure that any structure will be below the flight contours, as detailed architectural drawings that assessed ground contour and flight contour details, as provided to the shire by <b>urbanplan's</b> submission.</li> <li>Recommend a specialist consultant be employed to assess this during the development application phase so as to provide information to CASA.</li> <li>An aviation consultant has reviewed the CASA submission and provided a detailed analysis, Attachment A refers.</li> </ul>
<p><b>Water Corporation</b></p> <ol style="list-style-type: none"> <li>No objection</li> <li>Site can be serviced with reticulated water and sewerage</li> <li>Prior to undertaking any subdivision / development, proponent to contact Water Corporation's Development Services Unit.</li> </ol>	Refer Water Corporation's letter advising of service mains connections.
<p><b>Department of Biodiversity, Conservation and Attractions</b></p> <ol style="list-style-type: none"> <li>Potential weed invasion threat to Monsoon Vine Thickets</li> <li>Potential secondary stormwater impacts on</li> </ol>	<p>Refer to Porter Consulting Engineer's LWMS and responses to DWER's submission.</p> <p>Note, DBCA acknowledge the use of the Gubinge ECC for drainage purposes.</p>

<p>Minyirr Park:</p> <ul style="list-style-type: none"> <li>i. Chemical runoff</li> <li>ii. Nutrient enrichment</li> <li>iii. Weed invasion</li> </ul> <p>c) Support proposed environmental cultural corridor and drainage swale along Gubinge Road</p>	
<p><b>Department of Water and Environmental Regulation</b></p> <p><i>Pit and pipe system for road drainage.</i></p> <p>It is advised to avoid or minimise the pit and pipe drainage systems within road reserves where practical noting that the area is within a tropical climatic region. Pit and pipe drainage system can be avoided or minimised by designing median and/or road side swales with provision of overland flow paths (executive summary).</p> <p><i>Interpretation of small rainfall event management criteria.</i></p> <p>The interpretation of the small rainfall event management criteria (as defined in the Department's Decision Process for Stormwater Management in Western Australia 2017) by the LWMS appears to be incomplete. The LWMS is to list and update the criteria throughout the document as provided below and address accordingly:</p> <ul style="list-style-type: none"> <li>* Manage — retain and/or detain, and treat (if required) — stormwater runoff from constructed impervious surfaces generated by the first 15 mm of rainfall at-source as much as practical; and</li> <li>* Maintain pre-development peak flow rates and total volume runoff from the outlets of the development area for the critical 1 exceedance per year (EY) event.</li> </ul> <p><i>LWMS – Figure 2.</i></p> <p>Clarify whether figure 2 can be improved by avoiding overflow bubble up pit, and pit and pipe drainage system of road reserve. Lot swale can be designed just enough to manage runoff generated by small rainfall event. Provision can be made to have overland flowpath/sheet flow of runoff from lot swale to road side swale for the event greater than small rainfall event (page 11, figure 2).</p> <p><i>Hydraulic investigations. The LWMS states "It would appear and assumed from the imagery that the depression is able to contain 1% AEP".</i></p> <p>Part 1: The LWMS states "It would appear and assumed from the imagery that the depression is able to contain 1% AEP event. Therefore, flows from the Airport are assumed not to contribute to the proposed service commercial development flows for events up to the 1%AEP" (page 13, 1<sup>st</sup> paragraph,</p>	<p><b>Response from Porter Consulting Engineers</b></p> <p><i>Pit and pipe system for road drainage.</i></p> <p>The LWMS does seek to minimise the use of pit and pipe drainage systems, whereby there is relatively short lengths of pit &amp; pipes of lengths ranging from 70ms to 225m, with the majority of the pipes being around the order of 100m long.</p> <p>There may be opportunity to further reduce the length of pit and pipe systems if necessary where practicable.</p> <p>See the pdf mark-up at the bottom of this table, Figure 1, illustrating the relatively short lengths of pipe drainage.</p> <p><i>Interpretation of small rainfall event management criteria.</i></p> <p>Regarding the first 15mm of rainfall to be managed at source as much a practical, Refer to section 5.1.1 of the LWMS that notes, "Each stage of development will have lot swales to retain and infiltrate the first 15mm of rainfall from constructed impervious surfaces." Also refer to the lot swale diagram of Figure 2.</p> <p>Regarding maintaining the pre-development peak flow rates and volume runoff for the 1EY, rainfall events greater than the 15mm will overflow into the bubble pits within the lot swales as illustrated in Figure 2. Roads will drainage to the swales within the drainage reserves. Small check dams (weirs) within the swales will detain flows to predevelopment peak discharge. The check dams will also reduce flow velocity to minimise erosion, and promote infiltration high in the catchment (Refer to section 5.2.3, page 14 of the LWMS)</p> <p><i>LWMS – Figure 2.</i></p> <p>PCE: The LWMS intentionally did not dimension the width or depth of the lot swale other than the first flush volume to be provided within the swale, so to offer flexibility to each respective lot on how to achieve the required volume. I.e, a deeper lot swale so to take up less land area, or a shallower lot swale that will take up a larger area.</p> <p>Nevertheless, it is supported that the lot swale diagrams be updated to also include provision for an overland flow path from the lot swale to the roadway drainage for events greater than the 15mm for possible consideration by the reader of the LWMS.</p> <p>The overland flow path from the lot swale would be subject to the final lot swale geometry and levels that would typically take place during the detailed design/UWMP phase.</p> <p>Where an overland flow path from the lot swale is not practical, a pipe from the lot swale to the road drainage would be considered. Therefore, the lot swale diagram &amp; LWMS could be updated whereby the</p>

<p>section 5.2.1 predevelopment catchment area). Please be advised that at the LWMS stage of the development, it should be confirmed by conducting conceptual hydrologic and hydraulic investigation/modelling rather than the assumptions as stated above to protect the downstream property from flooding.</p> <p>Part 2: The report states "However, as part of the Urban Water Management Plan, a more detailed assessment should be made of the Broome TAFE catchment and the south-west portion of the Broome Airport catchment to confirm they are not contributing flows up to the 1%AEP event" (page 13, 7<sup>th</sup> paragraph, post-development catchment). Please be advised that 'whether the upstream catchments contribute runoff or not' should be confirmed at the LWMS stage with appropriate investigations.</p> <p>Part 3: Regarding the hydrologic and hydraulic investigation/modelling of the catchments including pre-and post-development flows, sufficient information is not provided in the report (page 15, section 5.2.4). Refer to the relevant sections of the WAPC's Better Urban Water Management 2008 and DWER's Interim: Developing a local water management strategy 2008. The elements applicable to the proposed development site are to be included. The catchment investigation/modelling, including drainage modelling, is to be consistent with the latest version of the Australian Rainfall and Runoff (ARR).</p> <p><i>Land area required for management of stormwater</i></p> <p>The 'Determine the land area requirements to fit the stormwater management infrastructure' is to be allocated at the LWMS stage (page 17, section 7.0, d.).</p>	<p>reader would consider the possibility for an overland flow path or a pipe (as currently documented) from the lot swale to the road drainage, with the reader/designer evaluating which option would be most cognisant with the lot swale geometry.</p> <p><i>Hydraulic investigations. The LWMS states "It would appear and assumed from the imagery that the depression is able to contain 1% AEP".</i></p> <p>Part 1: From personal communication with Broome Airport Administration, the depression was formed by Broome Airport some years ago for a borrow material pit, which by default now forms a drainage function. It is intended to progressively filling the depression with inert material at which point the drainage function will be lost.</p> <p>The LWMS and calculations would need to be updated to include this contributing flows and requires a feature survey of this area to assist giving a clearer understanding of contours as this assessment is based on 1m contours.</p> <p>Part 2: The basin to the east has a nominal base level of 14m AHD, and assumed top of basin nominally 16m AHD, based on the 1m LiDAR contours. Based on a desktop assessment from the contours, it appears that this basin is overtopped around the five year storm event.</p> <p>This assessment is a high level review without any formal network modelling. There appears there are numerous swales in between the buildings of the TAFE site that greatly assist in the drainage performance of the TAFE site. Personal communications with Broome TAFE administration has indicated that during rainfall events the swales between the buildings collects water and drains away quickly.</p> <p>A better understanding of the TAFE could be achieved if a more detailed assessment is to be undertaken such as a site visit, feature survey, and is possible original drawings of the drainage assets within the site (or at least the basin). Upon receipt of additional survey/information, further reviews and amendments to the LWMS should take place in the following 2-3 weeks.</p> <p>Part 3: As noted in section 2.3 of the LWMS, the Better Urban Water Management and among other reference documents have been referred to inform the water management principles of the LWMS.</p> <p><i>Land area required for management of stormwater</i></p> <p>The Drainage reserve land is sufficient to accommodate the open drain/swale, as demonstrated by Section B on drawing 19-11-148/803 Revision B within Attachment 4 of the LWMS. If DWER is seeking for the pit &amp; pipe drainage within the remaining road reserves is to be replaced with roadside swales, then further reviews will need to be had to determine the required road reserve widths. If reviews of road reserve widths are to be undertaken, then consideration should be had to accommodate a swale within the Stage 3 drainage easement so that the reserve is widened to nominally 16m wide to accommodate a swale. A present the Stage 3 drainage easement is not sufficiently wide to suitably accommodate a suitably wide swale as noted in page 15 of the LWMS.</p>
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**List of Attachments**

**Attachment A: Response to CASA**

**Attachment B: Urbis Economic Review**

**Attachment C: Figure 1: Porter Consulting LWMS Drainage Diagram**



Mr Peter Fitzgerald  
Urbis Pty Ltd  
Level 14, 1 William Street  
Perth, WA 6000

By email: [pfitzgerald@urbis.com.au](mailto:pfitzgerald@urbis.com.au)

Our ref: 063501-01

Dear Peter

**Re: Lot 3082 Cable Beach Road East Structure Plan – Preliminary Aviation Assessment**

Please find in this correspondence a preliminary aviation assessment (desktop) report for the proposed structure plan for Lot 3082 Cable Beach Road East, Broome (Project). The land abuts Broome International Airport and is held in Freehold title by Nyamba Buru Yawuru. The assessment has been requested by Urbis to submit to Development WA and Shire of Broome for the proposed Project.

**1.1. Situation**

Nyamba Buru Yawuru is proposing to develop a large format commercial retail warehouse precinct at Lot 3082 (102) Cable Beach Road East, Broome. It shares a north eastern boundary with Broome International Airport. Nyamba Buru Yawuru wishes to develop the project in stages, with construction phases involving the use of cranes and erection of temporary tall structures within the Project site.

**1.2. Project description**

The proposed Project will eventually comprise of a large format retail development exemplified by hardware, white goods and electronic stores, showrooms and fast food outlets.

**1.3. Scope**

The scope of work is to prepare a high-level pre-feasibility review of aviation aspects of the Project, based on the relevant requirements of MOS 139 *Aerodromes*, and the National Airports Safeguarding Framework (NASF) in response to correspondence from the Civil Aviation Safety Authority about the proposal.

**1.4. Task methodology**

The task was performed according to the steps outlined below:

- Review supplied client material;
- Review and set out the planning context;
- Prepare an aviation assessment;
- Prepare a draft letter report for client review; and

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## AVIATION PROJECTS

- Prepare a final letter report for client acceptance.

### 1.5. Client material

Urbis provided the following materials for the purposes of this assessment:

- CASA, Letter regarding Lot 3082 Cable Beach Road East, reference GI19/938, dated 7 January 2020;
- Urban Plan, Appendix 7 ground survey and flight paths, dated January 2011; and
- Urban Plan, Lot 3082 Cable Beach Road East Service Commercial Structure Plan, dated December 2019;

### 1.6. References

References used or consulted in the preparation of this report include:

- Airservices Australia, Aeronautical Information Package; including AIP Book, Departure and Approach Procedures, and En Route Supplement Australia effective 07 November 2019;
- Broome International Airport, Airport Development Plan, dated February 2012;
- Civil Aviation Safety Authority, Manual of Standards Part 139 – Aerodromes, version 1.14: dated January 2017;
- National Airports Safeguarding Framework, Guideline B: *Managing the Risk of Building Generated Windshear and Turbulence at Airports*, version 2.2.5, dated May 2018;
- National Airports Safeguarding Framework, Guidelines E: *Managing the Risk of Distractions to Pilots from Lighting in the Vicinity of Airports*, version 5.1.4, dated 27 October 2014;
- National Airports Safeguarding Framework, Guidelines Guideline F: *Managing the Risk of Intrusions into the Protected Airspace of Airports*, version 5.1.3, dated 15 July 2012;
- National Airports Safeguarding Framework, Guidelines G: *Protecting Aviation Facilities - Communications, Navigation and Surveillance (CNS)*, version 1, dated November 2016;
- National Airports Safeguarding Framework, Guidelines Guideline F: *Managing The Risk In Public Safety Areas At The Ends Of Runways*, version 1, dated November 2018;
- Shire of Broome, Local Planning Scheme No 6, Amendment 5, dated 09 November 2019; and
- OzRunways, aeronautical navigation chart, dated 01 January 2020; and
- other references as noted.

### 1.7. Regulatory context

CASA regulates aviation activities in Australia. Applicable requirements include the Civil Aviation Regulations 1988 (CAR), Civil Aviation Safety Regulations 1998 (CASR) and associated Manual of Standards (MOS) and other guidance material.

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## AVIATION PROJECTS

### 1.8. Broome International Airport

Broome International Airport (YBRM) is a Code 4, non-precision approach aerodrome, operated by Broome International Airport Group.

The airport has one grooved runway (runway 10/28) which is 2404 m long and 45 m wide. The published runway strip width is 150 m – this forms the basis of parts of the Obstacle Limitation Surface (OLS).

Figure 1 shows the Broome International Airport runway layout (source: Airservices Australia, Aerodrome Chart, FAC\_YBRM, 07 November 2019).

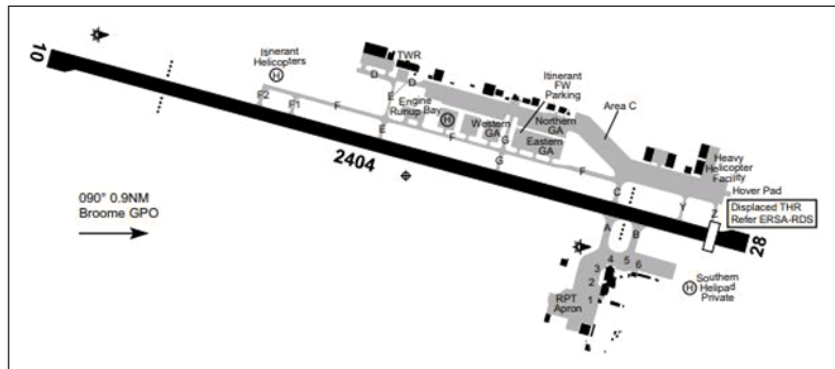


Figure 1 Broome International Airport layout

The aerodrome and instrument procedure charts, which are designed by Airservices Australia (AsA) and The Airport Group (TAG) as noted, are detailed in Table 1.

Table 1 Broome International Airport aerodrome and procedure charts

Chart name	Effective date
AERODROME CHART PAGE 1 (AsA)	7 November 2019 (BRMAD01-161)
AERODROME CHART PAGE 2 (AsA)	7 November 2019 (BRMAD02-161)
NOISE ABATEMENT PROCEDURES PAGE 1 (TAG)	7 November 2019 (BRMNA01-161)
NOISE ABATEMENT PROCEDURES PAGE 2 (TAG)	7 November 2019 (BRMNA02-161)
BROOME CAT H DEP (RNAV) RWY 10 & 28 (TAG)	7 November 2019 (BRMDP01-161)
DME or GNSS Arrival (AsA)	7 November 2019 (BRMDG01-161)
NDB-Y RWY 10 (AsA)	7 November 2019 (BRMNB03-161)
NDB-Y RWY 28 (AsA)	7 November 2019 (BRMNB04-161)
NDB-Z RWY 10 (AsA)	7 November 2019 (BRMNB01-161)



Chart name	Effective date
NDB-Z RWY 28 (AsA)	7 November 2019 (BRMNB02-161)
RNAV-Z (GNSS) RWY 10 (AsA)	7 November 2019 (BRMGN01-161)
RNAV-Z (GNSS) RWY 28 (AsA)	7 November 2019 (BRMGN02-161)
RNAV-Z (GNSS) 250 (AsA)	7 November 2019 (BRMGN03-161)
RNAV-U (RNP) RWY 10 PAGE 1	7 November 2019 (BRMGN04-161)
RNAV-U (RNP) RWY 10 PAGE 2	7 November 2019 (BRMGN05-161)
RNAV-U (RNP) RWY 28 PAGE 1	7 November 2019 (BRMGN06-161)
RNAV-U (RNP) RWY 28 PAGE 2	7 November 2019 (BRMGN07-161)

### 1.9. Obstacle Limitation Surfaces

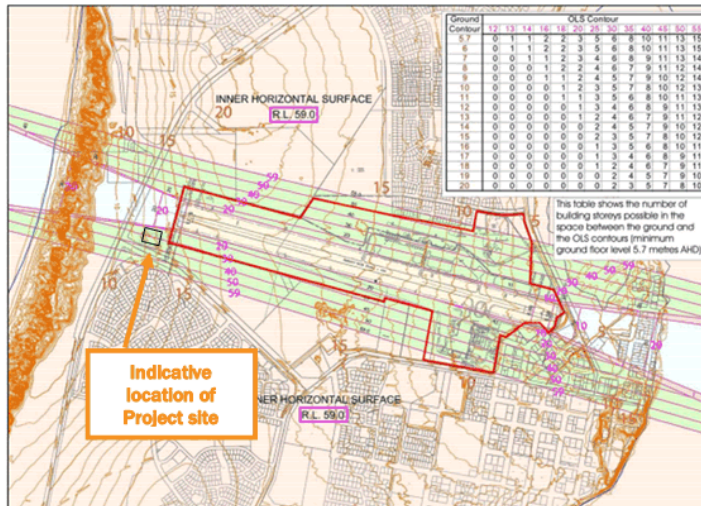
According to En Route Supplement Australia - Runway Distance Supplement (ERSA RDS), Runway 10/28 at Broome International Airport is a Code 4, non-precision approach runway. According to MOS 139 Chapter 7, the critical obstacle limitation surfaces (OLS) for a non-precision, Code 4 runway are as follows:

- Conical surface 100 m in height at 5% slope;
- Inner horizontal surface 4000 m in radius and up to 45 m in height;
- Approach and take-off surfaces of nominated characteristics; and
- Transitional surface – at 14.3% slope from the edge of the runway strip.

NASF Guideline F *Managing The Risk Of Intrusions Into The Protected Operational Airspace Of Airports*, provides guidance to state and local governments as well as airport operators to jointly address the issue of intrusions into the operational airspace of airports by tall structures, such as buildings and cranes, as well as trees in the vicinity of airports.



Figure 2 shows mapping of the OLS of Broome International Airport with an indicative location of the Project site (source: Broome Airport Development Plan, Westralian Airports Corporation, BIA and Shrapnel Urban Planning, February 2012).





The Project site is located within the lateral extents of the approach surface for runway 10, the take-off surface of runway 28 and the southern transitional surface.

The ground elevation of the proposed Project site varies from 10 m AHD to 15 m AHD. Some vertical development will be permissible according to the actual height of the overlying controlling surface.

Buildings within the Project site should be limited to below the height of the controlling surface of the OLS.

#### 1.10. Airspace

Broome International Airport is located within Class D airspace which operates from surface level to 2600 ft AMSL.

Figure 4 illustrates the location of the proposed Project relative to Class D airspace (source: OzRunways).

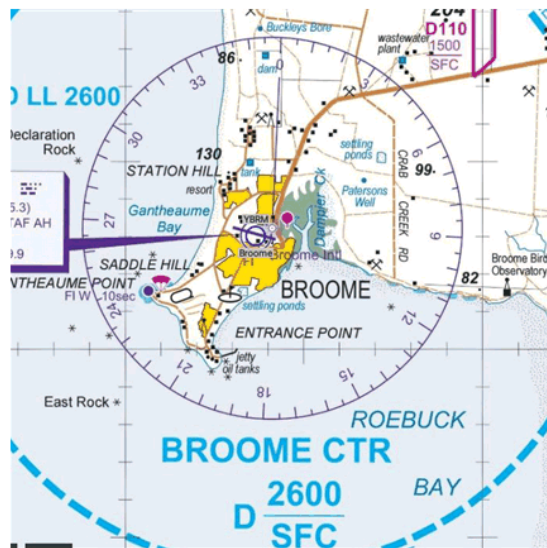


Figure 4 Airspace overview

The Project will not impact on the designated airspace associated with Broome International Airport.

#### 1.11. Building generated windshear and turbulence

NASF Guideline B *Managing the Risk of Building Generated Windshear and Turbulence at Airports* provides details on mitigation of risk by building siting and location.

Figure 5 provides a copy of Figure 1 of Guideline B that shows the assessment trigger areas around runways, within which building should be assessed.

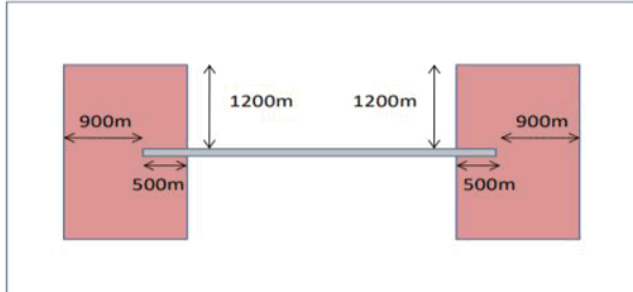


Figure 5 Figure 1 – NASF Guideline B

The proposed Project is located within a rectangular 'assessment trigger area' around the runway ends and therefore any structures within the Project area could potentially pose a safety risk by generating windshear.

Paragraph 51 of NASF Guideline B states the following requirements for the assessment, which is provided below:

*51. For buildings within the assessment trigger area, the first step is to consider the height of the building to determine its acceptability. The rule adopted in Australia is based on one developed in the Netherlands. This proposes that buildings should not penetrate a 1:35 surface extending perpendicular from the runway centreline (or extended runway centreline within the assessment trigger area). As the 1:35 surface extends from the runway centreline, when considering buildings against the 1:35 surface the building height should be measured above runway level*

The image at Figure 6 shows the location of the assessment trigger area at the western end of runway 10/28 (source: NASF Guideline B).

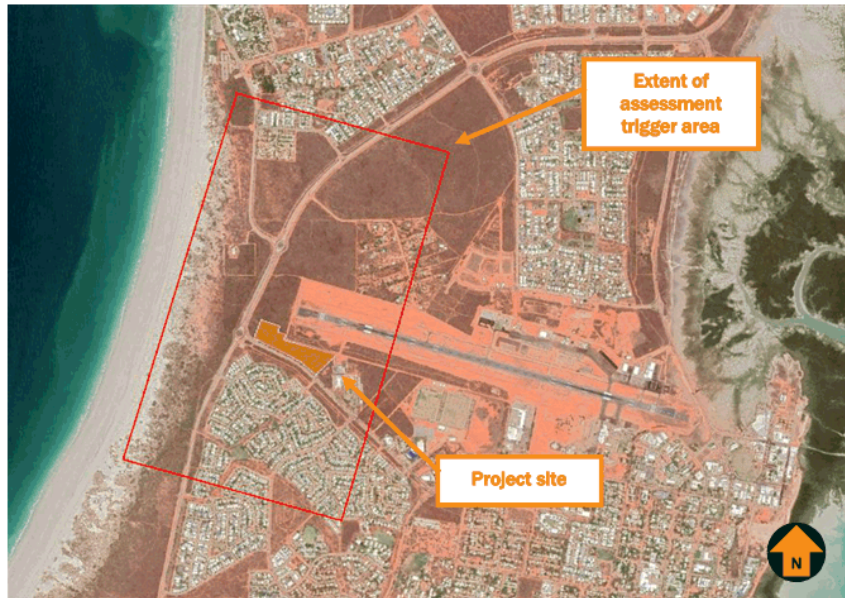


Figure 6 Building generated windshear assessment trigger area – western end

Any development within the Project area would need to be assessed for the potential to induce building generated windshear.

#### 1.12. Lighting in the vicinity of airports

NASF Guideline E - *Managing the Risk of Distractions to Pilots from Lighting in the Vicinity of Airports* and Manual of Standards Part 139 - *Aerodromes* establish a restriction to lighting within the vicinity of an airport which, by reason of its intensity, configuration or colour, might endanger the safety of an aircraft. The vicinity of the airport can be taken to be within a 6 km radius of the airport.

Both NASF Guideline E and MOS 139 establish four zones with nominal maximum intensity of light sources measured at 3° above the horizontal.

There are four light control zones (A, B, C and D) within a 6 km radius of Broome International Airport. NASF Guideline E - *Managing the Risk of Distractions to Pilots from Lighting in the Vicinity of Airports*, provides situations where lights are to be installed within a 6 km radius of an aerodrome.

Section 9.21 of the MOS 139 establishes a restriction to lighting within the vicinity of an airport which, by reason of its intensity, configuration or colour, might endanger the safety of an aircraft.

A copy of Figure 9.21-1 Maximum lighting intensities of four control zones is provided in Figure 7 (source: MOS 139).

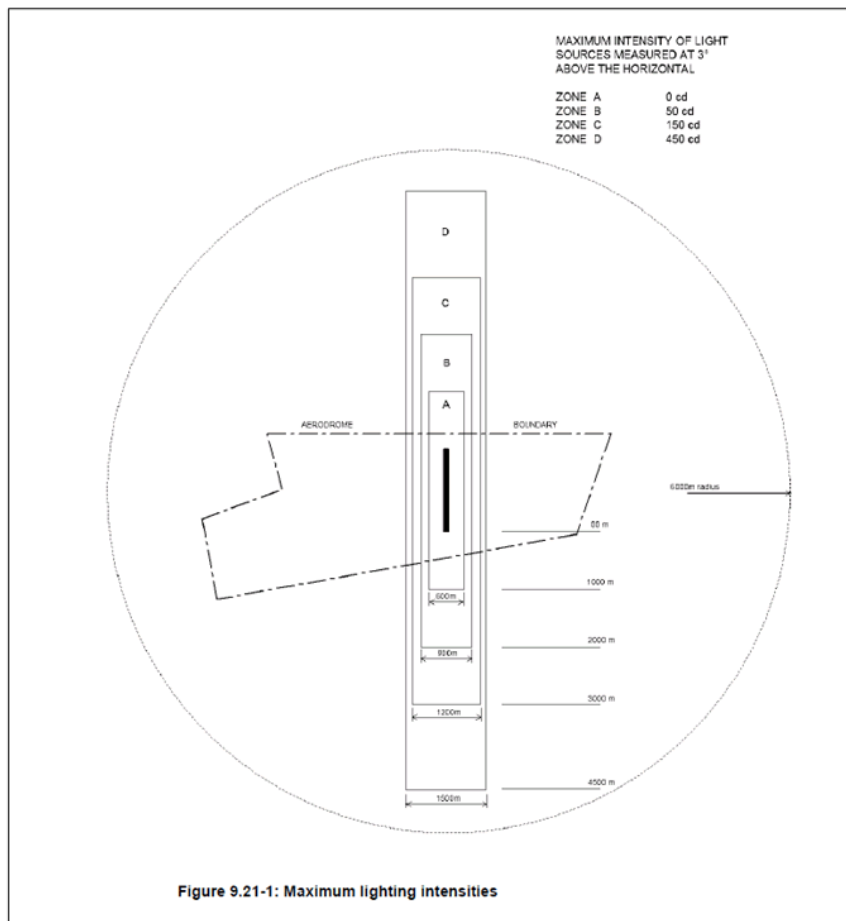


Figure 7 Copy of Figure 9.21-1

The proposed Project is located within a 6 km radius of Broome International Airport.



## AVIATION PROJECTS

Figure 8 shows a 6 km radius light restriction zone of Broome International Airport, relative to the proposed Project highlighted in red colour (source: Google Earth).



Figure 8 Broome International Airport 6 km light restriction zone

The proposed Project is located within Zone A of the light intensity control zone. Any lighting within the Project site should be conditioned to ensure it conforms to the requirements of Section 9.21 of the MOS 139.

## AVIATION PROJECTS

### 1.13. Aviation facilities

NASF Guideline G - *Protecting Aviation Facilities Communication, Navigation And Surveillance (CNS)*, provides land use planning guidance to better protect CNS facilities which support the systems and processes in place by Airservices Australia, or other agencies under contract with the Australian Government, to safely manage the flow of aircraft into, out of and across Australian airspace.

Around each aviation facility there is a Building Restricted Area (BRA), which is defined as a space where development has the potential to cause unacceptable interference to CNS facilities. The extent of the BRA depends on the type of CNS facility, but can extend up to 15 km from an aviation facility.

Broome International Airport is equipped with aviation navigation facilities, which include a non-directional (radio) beacon (NDB), distance measuring equipment (DME), very high frequency (VHF), and an Automatic Dependent Surveillance Broadcast (ADS-B).

#### Non-Directional Beacon

The NDB is used in non-precision approaches and aircraft holding patterns. The BRA around the NDB includes the following zones:

- Zone A: 0-60 m radius;
- Zone A/B: 60-300 m radius; and
- Area of interest – n/a.

Figure 9 shows the Project site in relation to the BRA Zone A/B radius of the NDB.

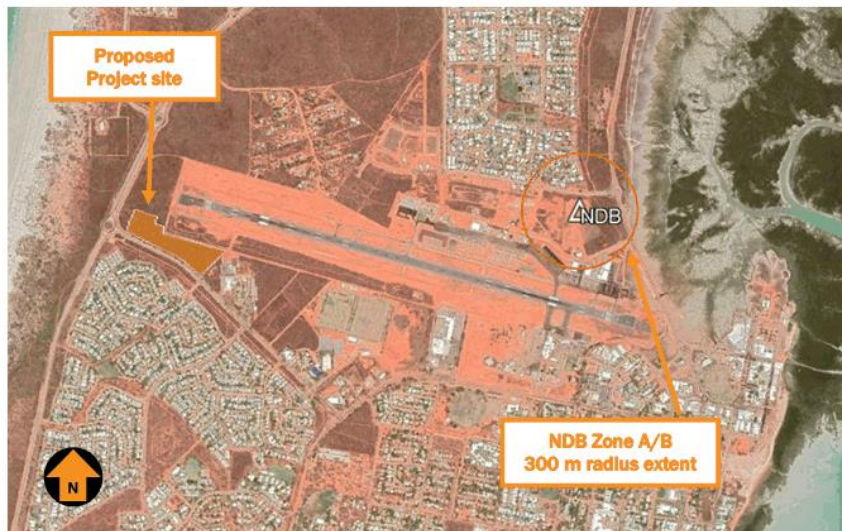


Figure 9 NDB in relation to the Project site

## AVIATION PROJECTS

### Distance Measuring Equipment

DME measures the slant range between an aircraft and the DME antenna. The BRA around the DME includes the following zones:

- Zone A: 0-100 m radius;
- Zone A/B: 100-1500 m radius; and
- Area of interest – n/a.

Figure 10 shows the Project site in relation to the BRA Zone A/B radius of the DME.



Figure 10 DME in relation to the Project site



## AVIATION PROJECTS

### Very High Frequency tower

VHF is used for air to ground voice communications and allows aircraft and air traffic control to communicate effectively. The BRA around the VHF tower includes the following zones:

- Zone A: 0-100 m radius;
- Zone A/B: 100-600 m radius; and
- Area of interest: 100-2000 m radius.

Figure 11 shows the Project site in relation to the BRA Area of Interest radius of the VHF tower.

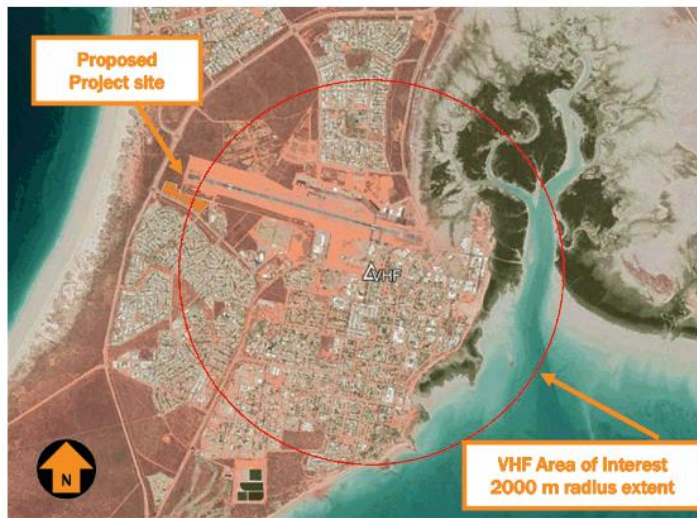


Figure 11 VHF tower BRA area of interest in relation to the Project site

## AVIATION PROJECTS

### Automatic Dependent Surveillance Broadcast

ADS-B is an air traffic surveillance technology that enables aircraft to be accurately tracked by air traffic controllers and other pilots without the need for conventional radar. The following BRA zones are identified around the ADS-B:

- Zone A: 0-100 m radius;
- Zone A/B: 100-1500 m radius; and
- Area of interest: n/a.

Figure 12 shows the Project site in relation to the BRA Zone A/B radius of the ADS-B.

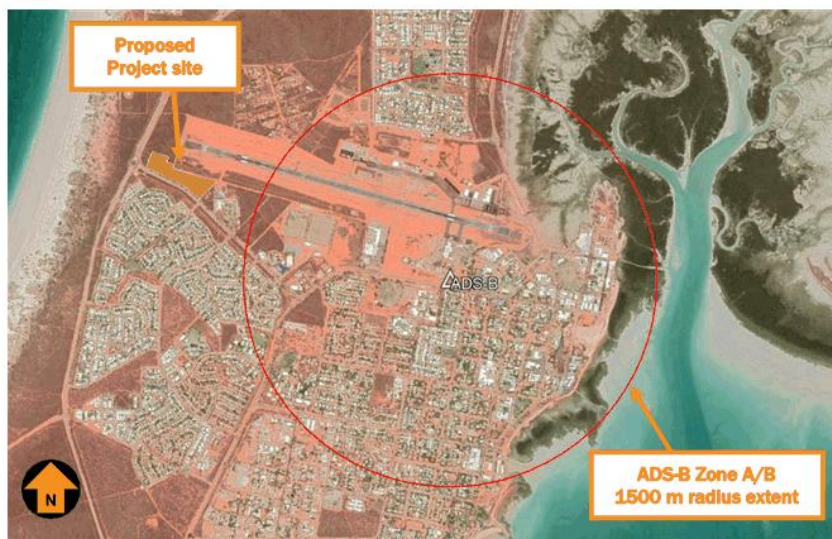


Figure 12 ADS-B in relation to the Project site

### Summary

The project site is located outside of the area of concern for the NDB, DME, and ADS-B and will therefore not interfere with the aviation facilities. However, part of the Project site is located within the radial extent of the Area of Interest for the VHF tower located at Broome International Airport. For developments located within Area of Interest of a VHF tower, NASF Guideline G advises that there are no actions required, Airservices Australia should be advised of proposals for large obstructions.

Therefore, none of the aviation facilities located at Broome International Airport will be impacted by the proposed Project.



#### 1.14. Public safety areas

A public safety area (PSA) is a defined area at the end of an airport's runway where there is potentially an increased risk of an aircraft accident occurring.

The public safety area defines the area in which development should be restricted in order to protect the safety of both aircraft passengers, property and people on the ground in the event of an aircraft accident during landing or take-off.

NASF Guideline I – *Managing The Risk In Public Safety Areas At The Ends of Runways* provides guidance to states and local governments on the assessment and treatment of potential increases in risk to public safety which could result from an aircraft incident or development proposal in areas near the end of an airport runway.

Western Australia does not currently have any rules or regulations in place regarding public safety areas at airports or aerodromes within the state.

#### 1.15. Crane operations

Shire of Broome Local Planning Scheme 6, Section 5.2.1 Existing Broome International Airport Environs (SCA 1), details the land use within the Special Control Area which is detailed as follows:

*5.2.1.3 All new development including towers, antennae, and any alterations to roof lines and any increase to building heights on land must not exceed the height restrictions in the Broome Airport Obstacle Limitation Surface Plan contained in Schedule 11.*

*5.2.1.4 In determining applications for approval, the local government may consult the Civil Aviation Safety Authority and the operator of the airport.*

*5.2.1.5 In relation to advertisements above a roof line, flashing lights on buildings or land within the approach areas to the airport which are situated within the Town Centre Zone or Coastal Reserve, the local government may consult the Civil Aviation Safety Authority and the operator of the airport.*

The planning scheme does not have any provisions for crane assessments and other tall temporary structures. It is recommended that any cranes and other tall temporary structures that are used during construction within the Project site are subject to operational assessment by the airport operator.

#### 1.16. Summary

As a result of this preliminary aviation assessment, the following conclusions are made:

1. The proposed project on Lot 3082 (102) Cable Beach Road East, Broome will be located within the lateral extents of the approach surface to runway 10, the take-off surface of runway 28 and the southern transitional surface of Broome International Airport. Buildings within the Project site should be limited to below the height of the controlling surface of the OLS.
2. The Project will not impact on the designated airspace associated with Broome International Airport.
3. The Project site is located within a recommended rectangular building generated windshear 'assessment trigger area', so any development within the Project area would need to be assessed for the potential to induce building generated windshear.



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## AVIATION PROJECTS

4. The proposed Project is located within Zone A of the light intensity control zone. Any lighting within the Project site should be conditioned to ensure it conforms to the requirements of Section 9.21 of Manual of Standards Part 139—Aerodromes.
5. None of the aviation facilities located at Broome International Airport will be impacted by the proposed Project.
6. Western Australia does not currently have any rules or regulations in place with respect to Public Safety Areas (PSA) at airports or aerodromes within the state.
7. Any cranes and other tall temporary structures that are used during construction within the Project site should be subject to operational assessment by the airport operator.

If you wish to clarify or discuss the contents of this correspondence, please contact me on 0417 631 681.

Kind regards



Keith Tonkin  
Managing Director  
24 January 2020



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ABN 50 105 256 228



19 December 2019

Mr Paul Hope  
Business Development Manager  
Nyamba Buru Yawuru Ltd  
PO Box 425  
Broome WA 6725

Dear Paul,

## LOT 3082 CABLE BEACH ROAD EAST SERVICE COMMERCIAL STRUCTURE PLAN: ECONOMIC REVIEW

Thank you for the opportunity to provide this advice to inform decision making regarding the proposed Lot 3082 Cable Beach Road East Service Commercial Structure Plan (the project).

This technical note provides a summary of the expected economic benefits of the project. Particular focus was afforded to assessing the expected impacts of the development and economic activity enabled by the project (i.e. the structure plan).

### BACKGROUND AND PURPOSE

Analysis undertaken in 2016 for the subject site demonstrated the sharp deterioration in economic activity and employment prospects in Broome following the decision to cease planning for the LNG processing plant at James Price Point and broader conditions in the oil and gas sector<sup>1</sup>.

As employment opportunities dried up, strong population growth turned into contraction and this had flow on negative impacts for broader business conditions and the local property market that remain today.

The analysis nonetheless found that forecast population and spending growth and an undersupply of appropriate quality showroom retail and service commercial offerings supported the viability of Lot 3082 to accommodate these needs. The analysis found that there was a medium- and long-term opportunity to accommodate approximately 15,000 square metres (sq.m) of floorspace within the site.

More recently, exploration activity has increased and this is supporting improved confidence however employment conditions have yet to recover. According to the Commonwealth Government, unemployment levels in the Shire of Broome increased to 9.6% as of mid-2019<sup>2</sup>. There is therefore an imperative to progress this staged development opportunity.

<sup>1</sup> RPS Group (2016) LOT 3082 (102) Cable Beach Road East Commercial and Economic Study

<sup>2</sup> Department of Employment, Skills, Small and Family Business <<http://employment.gov.au/small-area-labour-markets-publication>>

191219 Lot 3082 Cable Beach Road - Economic Review\_NBY

As such, Nyamba Buru Yawuru (NBY) prepared a structure plan which proposes the following three stages.

- Stage one – the homemaker centre (1.45 ha)
- Stage two – fast food outlets, carwash and tyre service centre (0.886 ha) and a large format showroom warehouse site (1.379 ha)
- Stage three – a large format showroom warehouse site (1.686 ha)

The structure plan identifies a range of benefits of the project. Namely, it will provide a sustainable income for NBY to deliver cultural and economic services.

To support decision making by the Shire of Broome's Councillors and the Western Australian Planning Commission, this technical note provides a summary of the expected economic benefits that the project would generate.

### ECONOMIC IMPACT ASSESSMENT

#### Approach

Developments influence a range of economic, social and environment outcomes in communities. This technical note provides an assessment of the likely positive economic impacts from the implementation of the project across two phases:

- Construction phase, where the economic effect is due to the development and construction activity; and
- Operational phase, where the economic effect is due to the activity generated by the retail and commercial operations.

Furthermore, there are a range of flow-on benefits which are expected to have positive impacts on the Broome community which were assessed qualitatively.

#### Construction Activity

This study used an Economic Impact Assessment (EIA) approach to estimate the impact of the construction activity enabled by the project. At the core of EIAs are Input-Output (IO) tables which are part of the national accounts by the Australian Bureau of Statistics and provide detailed information about the supply and use of products in the Australian economy, and the structure of and inter-relationships between Australian industries. IO tables are converted, through statistical analysis, into a series of economic multipliers. These multipliers represent the relationship between the direct expenditure associated with a project and the additional effects from further rounds of spending in the supply chain and a consumption effect resulting from consumer spending generated by the additional income in the region.

Based on high level estimates of development costs, the estimated impacts are summarised below.

- **Economic Contribution:** The project will create positive flow on effects for both upstream and downstream suppliers. The direct effect on economic output is projected to be around \$57 million. Combined with the flow-on benefits, the construction phase of the project is expected to support economic output equivalent to \$143 million.
- **Employment:** The project is expected to support equivalent to 74 full-time equivalent job years directly and total employment of 291 full-time equivalent job years.

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2





### Estimated Construction Phase Impact

Lot 3082 Cable Beach Road East Service Commercial Structure Plan Table 1

	Direct Effect	Supply Chain Effect	Consumption Effect	Total Effect
Economic Activity (\$m)*	56.6	56.9	29.3	142.8
Employment (FTE Job Years)	74	132	85	291
Value Added (\$m)	15.7	22.0	15.5	53.2

Source: DVC; NBY; Urbis

\* Development cost based on \$1,900 per sq.m plus regional price inflation of 50% (Rawlinsons)

NBY is expected to prioritise local contractors and Aboriginal employment and training outcomes. This will ensure that local employment outcomes are optimised.

### Ongoing Employment and Economic Activity

Importantly, the project is expected to generate substantial ongoing, sustainable local economic and employment opportunities. Based on average employment ratios for the proposed uses, the project could support approximately 242 ongoing employment opportunities which are expected to vary from manager to entry level and support a range of needs in Broome. This will help address.

### Estimated Ongoing Employment

Lot 3082 Cable Beach Road East Service Commercial Structure Plan Table 2

	Estimated Floorspace (sq.m)	Assumed Floorspace per Job (sq.m)*	Estimated Employment
<b>Stage One</b>			
Hardware	7,522	79	95
<b>Stage Two</b>			
Retail / Showrooms	4,600	110	42
Tyre / Car Wash Services	850	115	7
Fast Food	380	11	35
Service Station <sup>^</sup>	N/A	-	4
<b>Stage Three</b>			
Showrooms	6,500	110	59
<b>TOTAL</b>	<b>19,852</b>		<b>242</b>

Source: DVC; NBY; DPLH Land Use and Employment Survey; Urbis

\* Based on detailed land use and employment estimates for Perth and Peel (DPLH)

<sup>^</sup> Based on average service station employment

The proposed scale and mix of development is additionally expected to generate flow-on benefits for suppliers and other businesses in Broome. At a minimum floorspace productivity of \$3,000 per sq.m, the project could support an estimated \$60 million of annual economic activity directly. Using the EIA approach, this level of economic activity could support an additional 200 jobs through supply chain and consumption effects.



### Other Benefits

The project includes many uses that are expected to help address some of the economic challenges noted above and support the ability of NBY to deliver sustainable cultural and economic initiatives for the community. In particular, this project is expected to support additional benefits such as:

- **Improved business confidence and investment** which will have flow-on patronage to existing local businesses;
- **Improved retail offering** which will encourage population attraction and retention;
- **Diverse employment and training opportunities** which will address persistently high unemployment and underemployment that is translating into high levels of welfare dependency<sup>3</sup>;
- **Sustainable income streams** will equip NBY with the financial capacity to deliver initiatives for the local community; and
- **Improved development capacity** which will support the activation of future development sites owned by NBY.

### CONCLUSIONS

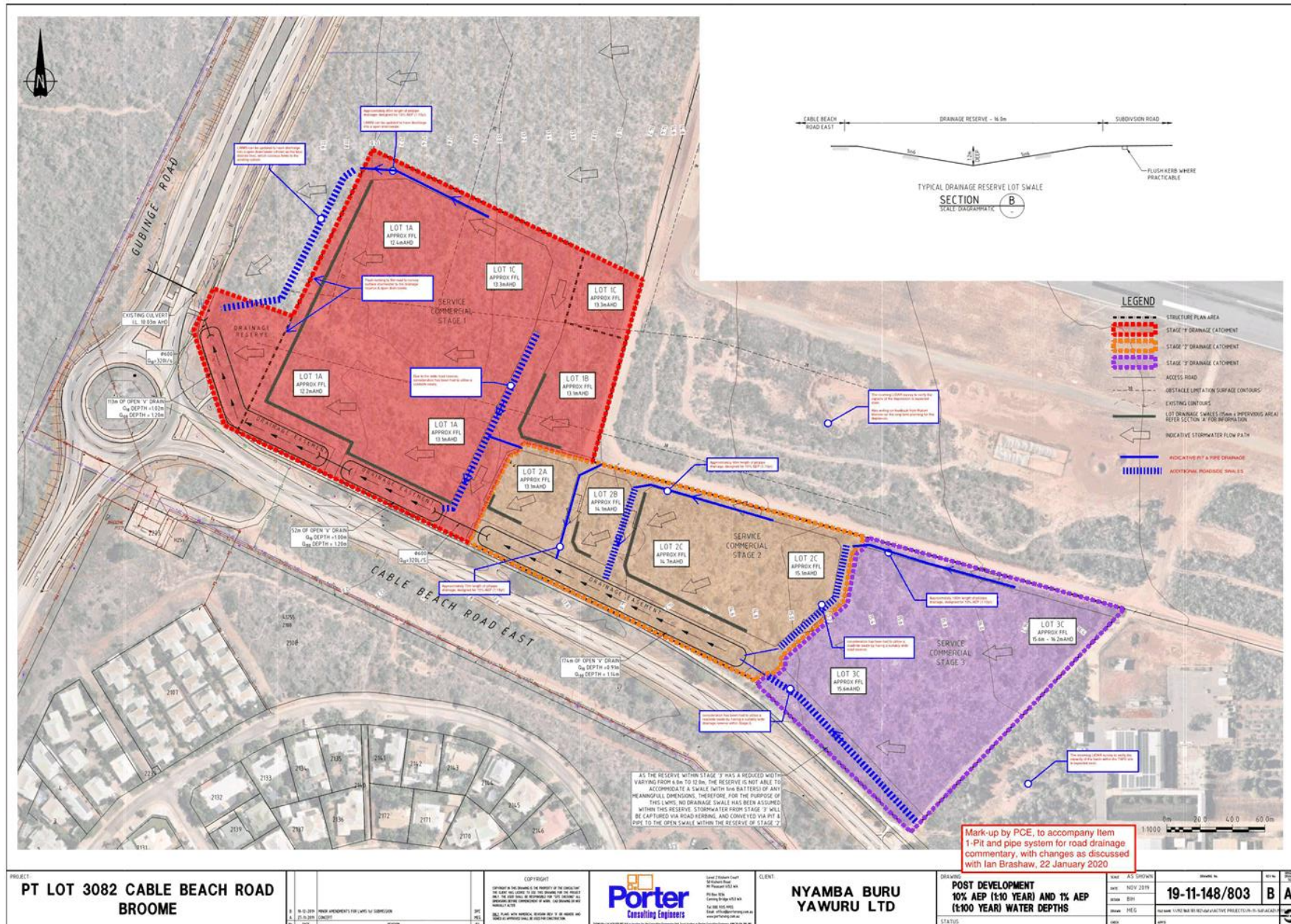
In summary, the economic analysis found that the project is expected to result in significant economic activity and employment opportunities through the development phases and at completion. It will additionally deliver needed additional retail amenities to accommodate current needs and future growth forecasts.

Furthermore, the project will provide NBY with the financial sustainability required to positively transform the Broome community.

Kind regards,

Tim Connoley  
Director  
0437 847 710  
tconnoley@urbis.com.au

<sup>3</sup> The extent of people in the Shire of Broome receiving unemployment benefits is nearly double that of Western Australia as a whole (9.5% compared to 5.6%), with 7.8% of these people receiving this welfare for longer than six months (source: Torrens University)





Schedule of Modifications – Lot 3082 Service Commercial Structure Plan

No.	Clause	Currently Proposed	Reason	Modification
Appendix 3 - Bushfire Management Plan				
1.	Vegetation Classification Map (Page 19 of the BMP)		<p>Classification Map</p> <p>The Post-development Vegetation Classification Map (Page 19 of the BMP) has not followed the methodology outlined in Appendix 3 of the Guidelines. An aerial image of the vegetation assessment area would be more appropriate and should form the base map and overlaid with the following information: • areas of classified vegetation and excluded vegetation in the form of vegetation plots. • Areas of Council managed drainage swales should be indicated on this map and verified by decision makers. • land contours for slope calculation. • areas where vegetation is proposed to be cleared or revegetated (if applicable). • photo points to indicate where images of vegetation have been taken. • any other features of the subject site that are relevant bushfire considerations. • canopy crown density information should be provided for vegetation classifications that do not apply the worst-case scenario.</p>	BMP to be updated to address DFES comments.
2.	Vegetation Exclusions (pages 25, 31 and 33 of the BMP)		<p>Drainage Swales – Insufficient information</p> <p>Insufficient evidence has been supplied to support the vegetation exclusion applied to drainage swales as depicted in pages 25, 31 and 33 of the BMP. It is unclear if the Shire of Broome has made an in-principle agreement to manage vegetation within these areas to a low threat state. If unsubstantiated, the bushfire impact on future urban development may be inaccurate.</p>	BMP to be updated to address DFES comments. Note: drainage swales cannot be included as excluded vegetation. Swales are required to be vegetated to achieve urban water quality principles and prevent erosion. Drainage swales cannot be maintained to meet the 'low-threat' vegetation within the Australian Standard.
3.	Vegetation Management		<p>Figure 2 of the BMP depicts areas outside the site boundary as indicative APZ's. Bushfire management strategies should be achievable within the subject lot</p>	BMP to be updated to address DFES comments.



Schedule of Modifications – Lot 3082 Service Commercial Structure Plan

No.	Clause	Currently Proposed	Reason	Modification
	(Figure 2 of the BMP)		boundary. There is no mechanism to enforce clearing and maintenance of the vegetation within the adjoining areas in perpetuity.	
4.	BAL Contour Map input		The indicative BAL ratings cannot be validated. The inputs (i.e. slope/actual separation distances/vegetation classification) need to be included in the BMP to demonstrate the methodology applied to determine the BAL outputs within the Contour Map. This would generally be provided in a table. The BAL contours should extend from all areas of classified vegetation.	BMP to be updated to address DFES comments.
5.	Location & Siting and Design		A1.1 & A2.1 – not demonstrated The BAL ratings applied cannot be validated as described in the table above.	BMP to be updated to address DFES comments.
6.	Endorsement		Guidelines require that a BMP prepared to support a structure plan is endorsed by Level 2 Bushfire Practitioner.	Report is to be updated to show endorsement table and BPAD accreditation number. Must be a Level 2 Bushfire Practitioner.
Appendix 6 - Local Water Management Strategy				
7.	(executive summary)	Pit and pipe system for road drainage	It is advised to avoid or minimise the pit and pipe drainage systems within road reserves where practical noting that the area is within a tropical climatic region. Pit and pipe drainage system can be avoided or minimised by designing median and/or road side swales with provision of overland flow paths (executive summary).	LWMS to be updated to reflect DWER comments.
8.		Interpretation of small rainfall event management criteria	<p>The interpretation of the small rainfall event management criteria (as defined in the Department's Decision Process for Stormwater Management in Western Australia 2017) by the LWMS appears to be incomplete. The LWMS is to list and update the criteria throughout the document as provided below and address accordingly:</p> <ul style="list-style-type: none"> <li>Manage — retain and/or detain, and treat (if required) — stormwater runoff from constructed impervious surfaces generated by the first 15 mm of rainfall</li> </ul>	LWMS to be updated to reflect DWER comments.

Schedule of Modifications – Lot 3082 Service Commercial Structure Plan

No.	Clause	Currently Proposed	Reason	Modification
			<p>at-source as much as practical; and</p> <ul style="list-style-type: none"> <li>Maintain pre-development peak flow rates and total volume runoff from the outlets of the development area for the critical 1 exceedance per year (EY) event.</li> </ul>	
9.	LWMS - Figure 2 (page 11, figure 2)		Clarify whether figure 2 can be improved by avoiding overflow bubble up pit, and pit and pipe drainage system of road reserve. Lot swale can be designed just enough to manage runoff generated by small rainfall event. Provision can be made to have overland flowpath/sheet flow of runoff from lot swale to road side swale for the event greater than small rainfall event (page 11, figure 2).	LWMS to be updated to reflect DWER comments.
10.	Hydraulic investigations		The LWMS states "It would appear and assumed from the imagery that the depression is able to contain 1% AEP event. Therefore, flows from the Airport are assumed not to contribute to the proposed service commercial development flows for events up to the 1%AEP" (page 13, 1st paragraph, section 5.2.1 predevelopment catchment area). Please be advised that at the LWMS stage of the development, it should be confirmed by conducting conceptual hydrologic and hydraulic investigation/modelling rather than the assumptions as stated above to protect the downstream property from flooding.	Delete reference to 'clause 11.2' and replace with 'clause 11.2'.
11.	Hydraulic investigations (page 13, 7th paragraph, post-development catchment)	However, as part of the Urban Water Management Plan, a more detailed assessment should be made of the Broome TAFE catchment and the south-west portion of the Broome Airport catchment to confirm they are not contributing flows up to the 1%AEP event	Please be advised that 'whether the upstream catchments contribute runoff or not' should be confirmed at the LWMS stage with appropriate investigations.	LWMS to be updated to reflect DWER comments.
12.	Hydraulic investigations		Regarding the hydrologic and hydraulic investigation/modelling of the catchments including pre-and post-development flows, sufficient information is	LWMS to be updated to reflect DWER comments.

Schedule of Modifications – Lot 3082 Service Commercial Structure Plan

No.	Clause	Currently Proposed	Reason	Modification
	(page 15, section 5.2.4)		not provided in the report (page 15, section 5.2.4). Refer to the relevant sections of the WAPC's Better Urban Water Management 2008 and DWER's Interim: Developing a local water management strategy 2008. The elements applicable to the proposed development site are to be included. The catchment investigation/modelling, including drainage modelling, is to be consistent with the latest version of the Australian Rainfall and Runoff (ARR).	
13.	Land area required for management of stormwater  (page 17, section 7.0, d.).		The 'land area required for managing stormwater' is to be allocated at the LWMS stage (page 17, section 7.0, d.).	LWMS to be updated to reflect DWER comments.



**BUSHFIRE MANAGEMENT PLAN  
STRUCTURE PLAN AREA  
For Part of Lot 3082  
Cable Beach Road East**

**November 2019**



**BUSHFIRE MANAGEMENT PLAN  
STRUCTURE PLAN AREA  
For Part of Lot 3082  
Cable Beach Road East**

**November 2019**

**BUSHFIRE MANAGEMENT PLAN  
STRUCTURE PLAN AREA  
For Part of Lot 3082  
Cable Beach Road East**

**November 2019**

**By urbanplan and Ecosystems Solutions**

On behalf of Nyamba Buru Yawuru

Approved by: .....

Signed / Date : .....

Position: .....

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## 1. INTRODUCTION

urbanplan has prepared a

On behalf of Nyamba Buru Yawuru (NBY) urbanplan has prepared a BAL Assessment as input to this Bushfire Management Plan (BMP) for part of Lot 3082 (102) Cable Beach Road East, Broome, to assist facilitation of a structure plan for the proposed service commercial uses. The structure plan proposal is in three stages. At this juncture, the known components of the structure plan commence with a stage one large format service commercial retail outlet to be constructed in steel fabrication to an industrial standard. In accordance with clause 6.3 (a) (ii) of SPP 3.7, Pre-development and Post-development BAL Contour Maps have been created for the 'known development' only of Stage One.

This BMP commences with a Bushfire Attack Level Assessment, undertaken on 1 October 2019, of the vegetation in its current state. This site-specific method applies bushfire management requirements in accordance with *Guidelines for Planning in Bushfire Prone Areas*. urbanplan has sought the input of a qualified Level 3 Practitioner, **Ecosystems Solutions**, to oversee performance principle management measures of the BMP. Accordingly, urbanplan proposes where necessary suitable alternative bushfire management approaches in order to balance the effective management outcomes to be undertaken by NBY with future management to be undertaken by that organisation.

### 1.1 DESCRIPTION OF PROPOSED STRUCTURE PLAN

#### 1.1.1 PROPOSED STRUCTURE PLAN TO SUPPORT SERVICE COMMERCIAL

Part of Lot 3082 (102) Cable Beach Road East, Broome is held in Freehold title by Nyamba Buru Yawuru (NBY) a not for profit company owned by the Yawuru native title holders through their corporate group structure.

The subject site has frontage to Cable Beach Road East, abuts the Broome Airport to the north east and the Broome TAFE to the east.

No access can be gained to the subject site from Gubinge Road.

#### 1.1.2 STAGE ONE SERVICE COMMERCIAL HOME MAKER CENTRE

The structure plan proposes to facilitate steel constructed, large format retail warehouse outlets including a fast food outlets, car wash, and tyre service centre and showroom warehouse uses.

There is no known detail for the subsequent stages. However, conceptual future land uses occur in three notional sites ranging in size from 8,860m<sup>2</sup> to 1.686 hectares with access only from Cable Beach Rd East. The current staging plan commences with large format service commercial retail subsequently allowing for two stages of development over 15 years with a view to leasing sites to commercial tenants, however this will be governed by market demand.



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## 2. ENVIRONMENTAL CONSIDERATIONS

There is one Environmentally Sensitive Area (ESA) that intersects the survey area. However, this was not considered representative of any Commonwealth or State listed Threatened or Priority Ecological Communities, other significant vegetation as defined by the EPA (2004a) nor considered to be growing in association with watercourses or wetlands. Accordingly, no Department of Parks and Wildlife (DPAW) conservation reserves or estate intersects the survey area.

The ESA is likely aligned with the Roebuck Bay mudflats Threatened Ecological Community and is common to the entirety of Broome and the surrounding area.

### 2.1.1 FLORA

No flora taxa listed under the Environment Protection and Biodiversity Conservation Act 1999 or Wildlife Conservation Act 1950 were recorded within the survey area, however, three Department of Parks and Wildlife Priority listed flora taxa, *Polymeria* sp. Broome (K.F. Kenneally 9759) (Priority 1), *Aphyllodium parvifolium* (Priority 1) and *Phyllanthus eremicus* (Priority 3) were recorded.

### 2.1.2 FAUNA

Eight fauna species of conservation significance were recorded or are likely to occur in the survey area: Northern Brushtail Possum (*Trichosurus vulpecula arnhemensis*), Rainbow Bee-eater (*Merops ornatus*), Peregrine Falcon (*Falco peregrinus*), Osprey (*Pandion haliaetus*), Little North-western Mastiff Bat (*Ozimops cobourgiensis*), Grey Falcon (*Falco hypoleucos*), Dampierlands Slider (*Lerista separanda*) and Dampierland Burrowing Snake (*Simoselaps minimus*).

Of the fauna species listed above the Peregrine Falcon, Osprey, Little North-western Mastiff Bat and Grey Falcon are likely to utilise the survey area opportunistically. The survey area is unlikely to provide breeding habitat for any of these species, therefore the habitat within the survey is not considered important habitat for these species. The remaining species, the Rainbow Bee-eater, Northern Brushtail Possum, Dampierlands Slider and Dampierlands Burrowing Snake may persist in the survey area and utilise the habitat in the Broome peninsula for foraging and/or breeding.

The Level 2 Flora and Fauna environmental assessment by GHD is at Annex 4.

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### 3. BUSHFIRE HAZARD ASSESSMENT

#### 3.1 OVERVIEW

To commence the assessment, **urbanplan** undertook a rigorous Bushfire Attack Level Method 1 BAL assessment to gauge the vegetation structure and fuel layers immediately adjacent part Lot 3082. This was later used to inform the nature and extent of the proposed management.

With reference to AS3959 - 2018, the following vegetation classifications are identified:

- Class A Forest (low closed forest of 80% coverage with dense Scrub understorey and trees to 10 metres),
- Class D Scrub (continuous horizontal and vertical vegetation structure greater than two metres in height) and
- Low threat excluded vegetation plot (within Broome Airport runway).

The FDI 80 rating was applied against the vegetation classifications in a BAL contour map to inform the standard of building construction. Initial results of the vegetation in its current state indicate a significant fire threat that will require separation and improved serviceable access to effect the steel industrial construction standards.

#### 3.2 VEGETATION CLASSIFICATION

Vegetation within 100 metres of the subject site, part of Lot 3082, was classified in accordance with clause 2.2.3 and Table 2.3 of AS 3959-2018 as undertaken on 1 October 2019. Two BAL Contour Maps have been created: Pre-development BAL Contour Map and a Post-development BAL Contour Map. Each distinguishable vegetation plot with potential to determine the Bushfire Attack Level is identified below; those plots that are excluded are highlighted on the Pre-development BAL Contour Map.

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Photo ID:	1a	Plot:	A
Vegetation Classification or Exclusion Clause			
Class A Forest			
Description/ Justification for Classification			
<p>Low closed savannah forest with trees to 10 metres and 80% coverage over dense scrub understorey characterised by a continuous horizontal and vertical vegetation structure greater than two metres in height (refer Table 2.3 of AS3959-2018).</p>			

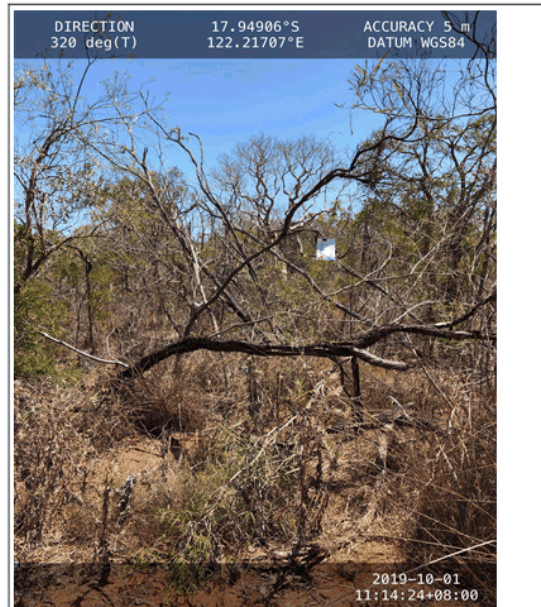


Photo ID:	1a	Plot:	B
Vegetation Classification or Exclusion Clause			
Class A Forest			
Description/ Justification for Classification			
<p>As Above</p>			



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Photo ID:	1a	Plot:	C
Vegetation Classification or Exclusion Clause			
Class A Forest			
Description/ Justification for Classification			

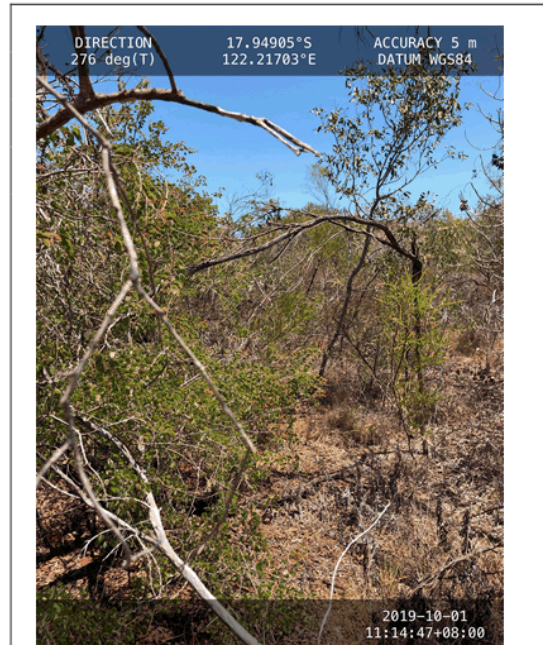


Photo ID:	1b	Plot:	A
Vegetation Classification or Exclusion Clause			
Class A Forest			
Description/ Justification for Classification			
<p>Low closed savannah forest with trees to 10 metres and 80% coverage over dense scrub understorey characterised by a continuous horizontal and vertical vegetation structure greater than two metres in height (refer Table 2.3 of AS3959-2018).</p>			





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Photo ID:	1b	Plot:	B
Vegetation Classification or Exclusion Clause			
Class A Forest			
Description/ Justification for Classification			
As above			



Photo ID:	1b	Plot:	C
Vegetation Classification or Exclusion Clause			
Class A Forest			
Description/ Justification for Classification			
As above			



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Photo ID:	1c	Plot:	A
Vegetation Classification or Exclusion Clause			
Class A Forest			
Description/ Justification for Classification			
<p>Low closed savannah forest with trees to 10 metres and 80% coverage over dense scrub understorey characterised by a continuous horizontal and vertical vegetation structure greater than two metres in height (refer Table 2.3 of AS3959-2018).</p>			



Photo ID:	1c	Plot:	B
Vegetation Classification or Exclusion Clause			
Class A Forest			
Description/ Justification for Classification			
<p>As Above</p>			



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Photo ID:	1c	Plot:	C
Vegetation Classification or Exclusion Clause			
Class A Forest			
Description/ Justification for Classification			
As above			



Photo ID:	1d	Plot:	A
Vegetation Classification or Exclusion Clause			
Class A Forest			
Description/ Justification for Classification			
Low closed savannah forest with trees to 10 metres and 80% coverage over dense scrub understorey characterised by a continuous horizontal and vertical vegetation structure greater than two metres in height (refer Table 2.3 of AS3959-2018).			





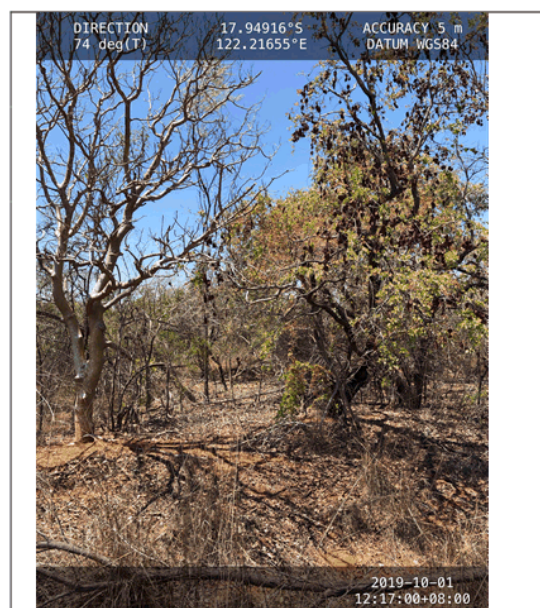
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Photo ID:	1d	Plot:	B
Vegetation Classification or Exclusion Clause			
Class A Forest			
Description/ Justification for Classification			
As above			



Photo ID:	1d	Plot:	C
Vegetation Classification or Exclusion Clause			
Class A Forest			
Description/ Justification for Classification			
As above			





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Photo ID:	2	Plot:	A
Vegetation Classification or Exclusion Clause			
Class D Scrub			
Description/ Justification for Classification			
<p>Scrub characterised with a continuous horizontal and vertical vegetation structure greater than two metres in height.</p>			

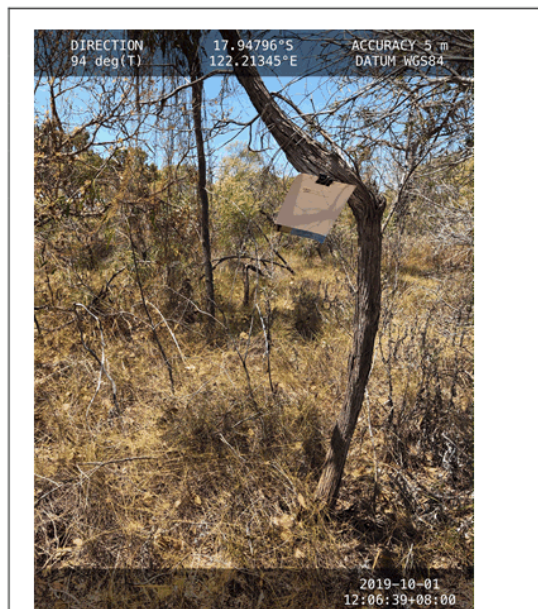
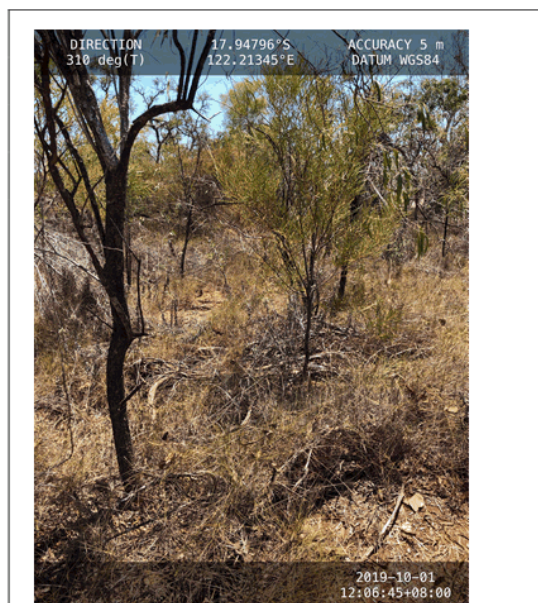


Photo ID:	2	Plot:	B
Vegetation Classification or Exclusion Clause			
Class D Scrub			
Description/ Justification for Classification			
<p>As above</p>			



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Photo ID:	2	Plot:	C
Vegetation Classification or Exclusion Clause			
Class D Scrub			
Description/ Justification for Classification			
As above			

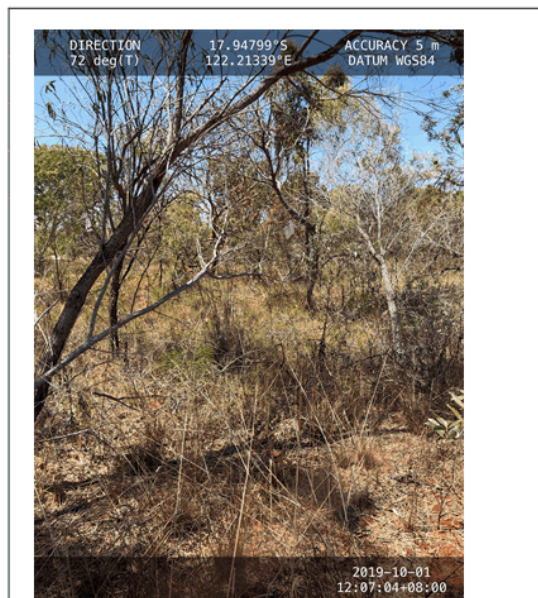


Photo ID:	2	Plot:	D
Vegetation Classification or Exclusion Clause			
Class D Scrub			
Description/ Justification for Classification			
As above			



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Photo ID:	3	Plot:	A
Vegetation Classification or Exclusion Clause			
Excluded as Cleared			
Description/ Justification for Classification			
<p>Excluded as non-vegetated area used as Airport runway under 2.2.3.2 (e)</p>			

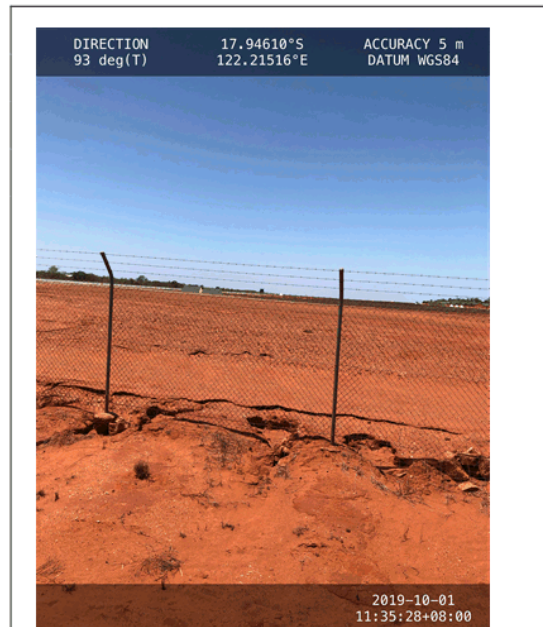
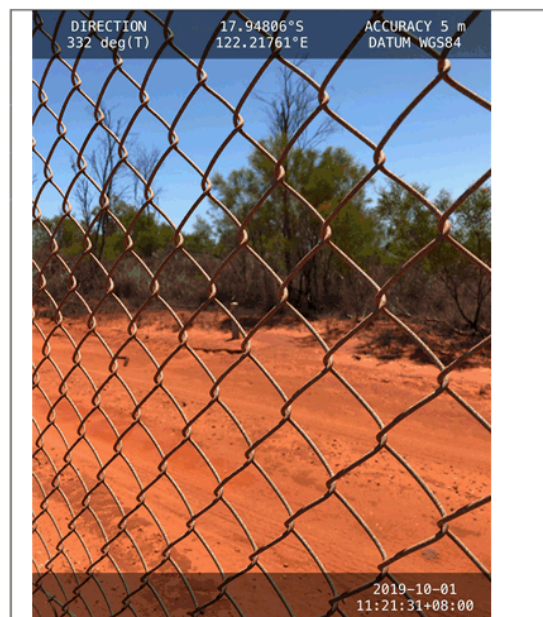


Photo ID:	4	Plot:	A
Vegetation Classification or Exclusion Clause			
Class D Scrub			
Description/ Justification for Classification			
<p>Scrub characterised with a continuous horizontal and vertical vegetation structure greater than two metres in height.</p>			





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Photo ID:	4	Plot:	B
Vegetation Classification or Exclusion Clause			
Class D Scrub			
Description/ Justification for Classification			
As above			

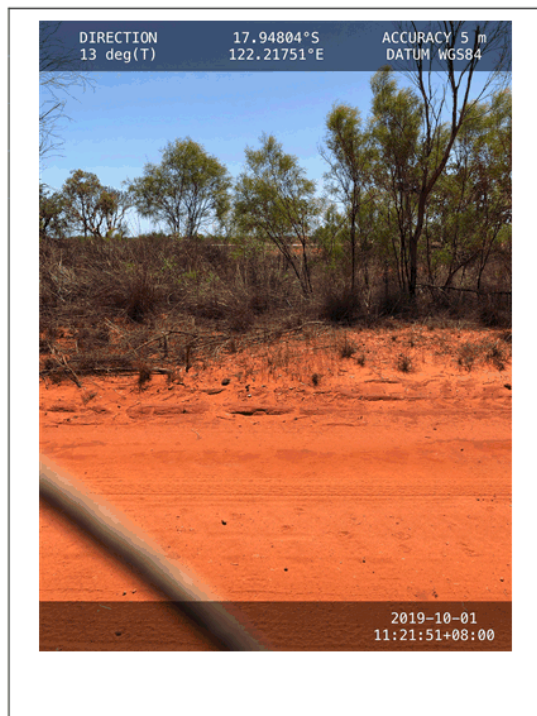
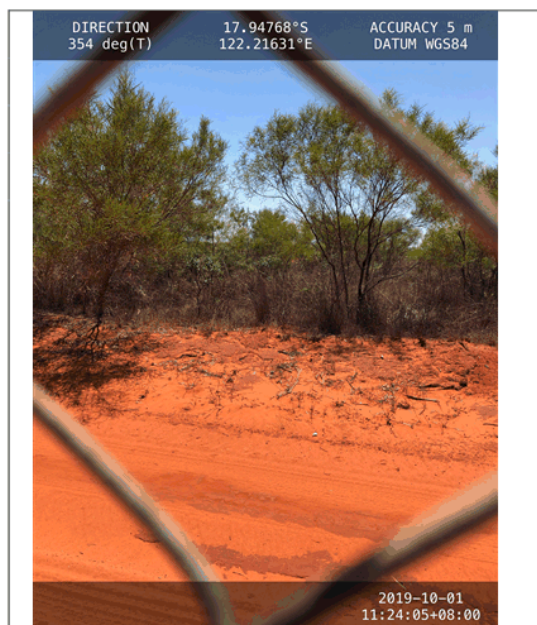


Photo ID:	4	Plot:	C
Vegetation Classification or Exclusion Clause			
Class D Scrub			
Description/ Justification for Classification			
As above			



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Photo ID:	5	Plot:	A
Vegetation Classification or Exclusion Clause			
Class A Forest			
Description/ Justification for Classification			
<p>Low closed savannah forest with trees to 10 metres and 80% coverage over dense scrub understorey characterised by a continuous horizontal and vertical vegetation structure greater than two metres in height (refer Table 2.3 of AS3959-2018).</p>			



Photo ID:	5	Plot:	B
Vegetation Classification or Exclusion Clause			
Class A Forest			
Description/ Justification for Classification			
<p>As above</p>			



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Photo ID:	5	Plot:	C
Vegetation Classification or Exclusion Clause			
Class A Forest			
Description/ Justification for Classification			
As above			



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### 3.3 BUSHFIRE ASSESSMENT RESULT

Vegetation of the service commercial on part of Lot 3082 was classified as either Savannah Forest or Scrub in accordance with clause 2.2.3 of AS 3959-2018. Pindan country scrub vegetation is characterised with a continuous horizontal and vertical vegetation structure greater than two metres in height with sections of trees greater than 10 metres in height. Each distinguishable vegetation plot with potential to determine the Bushfire Attack Level is identified below in its current vegetated state and highlighted on the BAL Contour Map.

Table 1: Method 1 Determination

Plot	Applied Vegetation Classification	Effective Slope Under the Classified Vegetation (degrees)	Separation Distance to Structure Plan (metres)	BAL Contour
1	Class A Forest (Savannah)	Flat	0	BAL FZ
2	Class D Scrub	Flat	25	BAL 19
3	Managed as Cleared Runway	Flat	40	Excluded
4	Class D Scrub	Flat	5	BAL FZ
5	Class A Forest (Savannah)	Flat	8	BAL FZ

#### 3.3.1 BAL CONTOUR PLAN

The Pre-development BAL Contour Map at Annex 1 represents contours devised for the vegetation in its current state. It shows subject site being part of Lot 3082 with a focus on the known development only for the proposed Stage One large format retail development. To achieve a nominal BAL 29 rating at completion of development of Stage One large format retail will require an additional 12 metre separation between the proposed building and vegetation to be undertaken as part of site preparation and serviceable vehicle access routes. This 12 metre separation is shown on the Bushfire Management Plan at Annex 3.

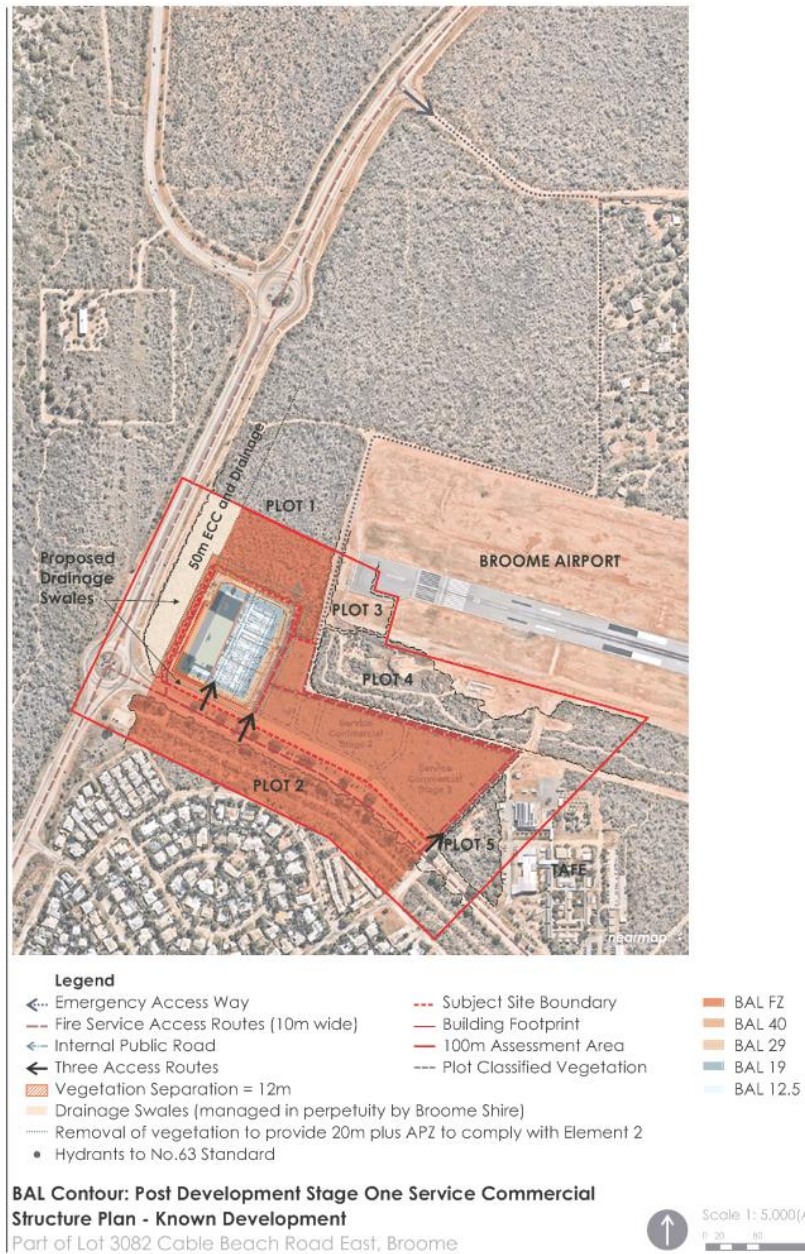
A representation of the Post-development BAL Contour Map at Annex 2 is given on Table 2 that estimates the maximum BAL rating for the known large format service commercial retail development of stage one recognising separation of the steel constructed buildings from classified vegetation.

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urban plan | design development



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Table 2 Highest estimated BAL rating for Stage One large format service commercial retail

Structure Plan Stage 1 Plots	Highest BAL Rating Post Development
1	BAL-29
2	BAL-29
3	BAL-29
4	BAL-29
5	BAL-29

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#### 4. BUSHFIRE PROTECTION CRITERIA AND MANAGEMENT

This section addresses the relevant aspects of the *Guidelines for Planning in Bushfire Prone Areas* (Version 1.3, December 2018) and applies the bushfire protection criteria (Appendix 4): siting and design, vehicle access and water supply and references the Bushfire Guidance BMP Check List (Appendix 5). The following tabular analysis provides recommended approaches to bushfire management. This tabular analyses and the approach to bushfire management demonstrates that bushfire protection criteria can be achieved through various management measures to achieve a BAL Rating.

Bushfire protection criteria	Method of Compliance	Proposed bushfire management actions
	Acceptable solutions	
<b>Element 1: Location</b>	<b>A1.1 Development location</b> The strategic planning proposal is located in an area that is or will, on completion, be subject to either a moderate or low bushfire hazard level, or BAL-29 or below.	Land is suitable for intensification because it is demonstrated a bushfire rating of BAL 29 or less can be achieved for the service commercial structure plan area, comprising industrial standard steel construction, for part of Lot 3082. As shown in the Bushfire Management Plan.

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<b>Element 2: Siting and design</b>	<p><b>A2.1 Asset Protection Zone</b></p> <p>Every habitable building is surrounded by, and every proposed lot can achieve, an APZ depicted on submitted plans, which meets the following requirements:</p> <ul style="list-style-type: none"> <li>•Width: Measured from any external wall or supporting post or column of the proposed building, and of sufficient size to ensure the potential radiant heat impact of a bushfire does not exceed 29kW/m<sup>2</sup> (BAL-29) in all circumstances.</li> <li>•Location: the APZ should be contained solely within the boundaries of the lot on which the building is situated, except in instances where the neighbouring lot or lots will be managed in a low-fuel state on an ongoing basis, in perpetuity.</li> <li>•Management: the APZ is managed in accordance with the requirements of 'Standards for Asset Protection Zones'.</li> </ul>	<p>An Asset Protection Zone is provided:</p> <ul style="list-style-type: none"> <li>• along the road reserves as created by unvegetated drainage swales,</li> <li>• by access and parking to Stage One,</li> <li>• by separating vegetation with a 10 metre wide serviceable access route around the entire boundary of part of Lot 3082,</li> <li>• Removal of vegetation to provide an additional 12 metre separation (total greater than 20 metre separation) from classified vegetation and the stage one building to achieve an APZ.</li> </ul>
<b>Element 3: Vehicular access</b>  <b>To accord with Table 6 of the Guidelines below</b>	<p><b>A3.1 Two access routes</b></p> <p>Two different vehicular access routes are provided, both of which connect to the public road network, provide safe access and egress to two different destinations and are available to all residents/the public at all times and under all weather conditions.</p>	<p>Three constructed public access routes are available from Cable Beach Road East and Gubinge Road/ Djagwan Road.</p>
	<p><b>A3.2 Public road</b></p> <p>A public road is to meet the requirements in Table 6, Column 1 (Figure 1).</p>	<p>Two public roads with frontage to Lot 3082 comply with public Road specifications and link to an internal public road within part of Lot 3082 and will be constructed to meet the requirements of the Guidelines by the Developer.</p>

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	<p><b>A3.3 Cul-de-sac (including a dead-end-road)</b> Where no alternative exists (i.e. the lot layout already exists, demonstration required):</p> <ul style="list-style-type: none"> <li>•Requirements in Table 6, Column 2 (Figure 1);</li> <li>•Maximum length: 200 m (if public emergency access is provided between cul-de-sac heads maximum length can be increased to 600 m provided no more than eight lots are serviced and the emergency access way is no more than 600 m); and</li> <li>•Turn-around area requirements, including a minimum 17.5 metre diameter head.</li> </ul>	Not Applicable
	<b>A3.4 Battle-axe</b>	None applied
	<b>A3.5 Private driveway longer than 50 m.</b>	None applied
	<p><b>A3.6 Emergency access way</b> Where no alternative exists (demonstration required), an emergency access way is to be provided as an alternative link to a public road during emergencies:</p> <ul style="list-style-type: none"> <li>•Requirements in Table 6, Column 4 (Figure 1);</li> <li>•No further than 600 m from a public road;</li> <li>•Provided as right of way or public access easement in gross to ensure accessibility to the public and fire services during an emergency; and</li> <li>•Must be signposted.</li> </ul>	Proposed Emergency Access Way is provided from an existing Djagwan Road from Gubinge Road and another from Cable Beach Road East.
	<b>A3.7 Fire service access routes (perimeter roads)</b>	Fire Service Access routes are to occur within and around whole of the boundary of the service commercial area part of Lot 3082 to achieve standards of Table 6 of the Guidelines. The FSA along the northern boundary of part Lot 3082 is to be 10 metres in width.

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	<b>A3.8 Firebreak width</b> Lots greater than 0.5 ha must have an internal perimeter firebreak of a minimum width of 3 m or to the level as prescribed in the local firebreak notice issued by the local government.	An internal 4 metres fire break to perimeter of Lot 3082.
<b>Element 4: Water</b>	<b>A4.1 Reticulated areas</b> The subdivision, development or land use is provided with a reticulated water supply in accordance with the specifications of the relevant water supply authority and Department of Fire and Emergency Services.	As per standard water reticulation requirements The Site will be reticulated. Reticulated water will be supplied in accordance with the Water Corporation's No. 63 Water Reticulation Standard. Fire hydrants supplied to roads within Stage One subdivision to Water Corporation requirements.
	<b>A4.2 Non-reticulated areas</b>	None applied
	<b>A4.3 Individual lots within non-reticulated areas</b> (Only for use if creating 1 additional lot and cannot be applied cumulatively)	Note applicable.

TECHNICAL REQUIREMENTS	1 Public road	2 Cul-de-sac	3 Private driveway	4 Emergency access way	5 Fire service access routes
Minimum trafficable surface (m)	6*	6	4	6*	6*
Horizontal clearance (m)	6	6	6	6	6
Vertical clearance (m)	4.5	N/A	4.5	4.5	4.5
Maximum grade <50 metres	1 in 10	1 in 10	1 in 10	1 in 10	1 in 10
Minimum weight capacity (t)	15	15	15	15	15
Maximum crossfall	1 in 33	1 in 33	1 in 33	1 in 33	1 in 33
Curves minimum inner radius (m)	8.5	8.5	8.5	8.5	8.5
*Refer to E3.2 Public roads: Trafficable surface					

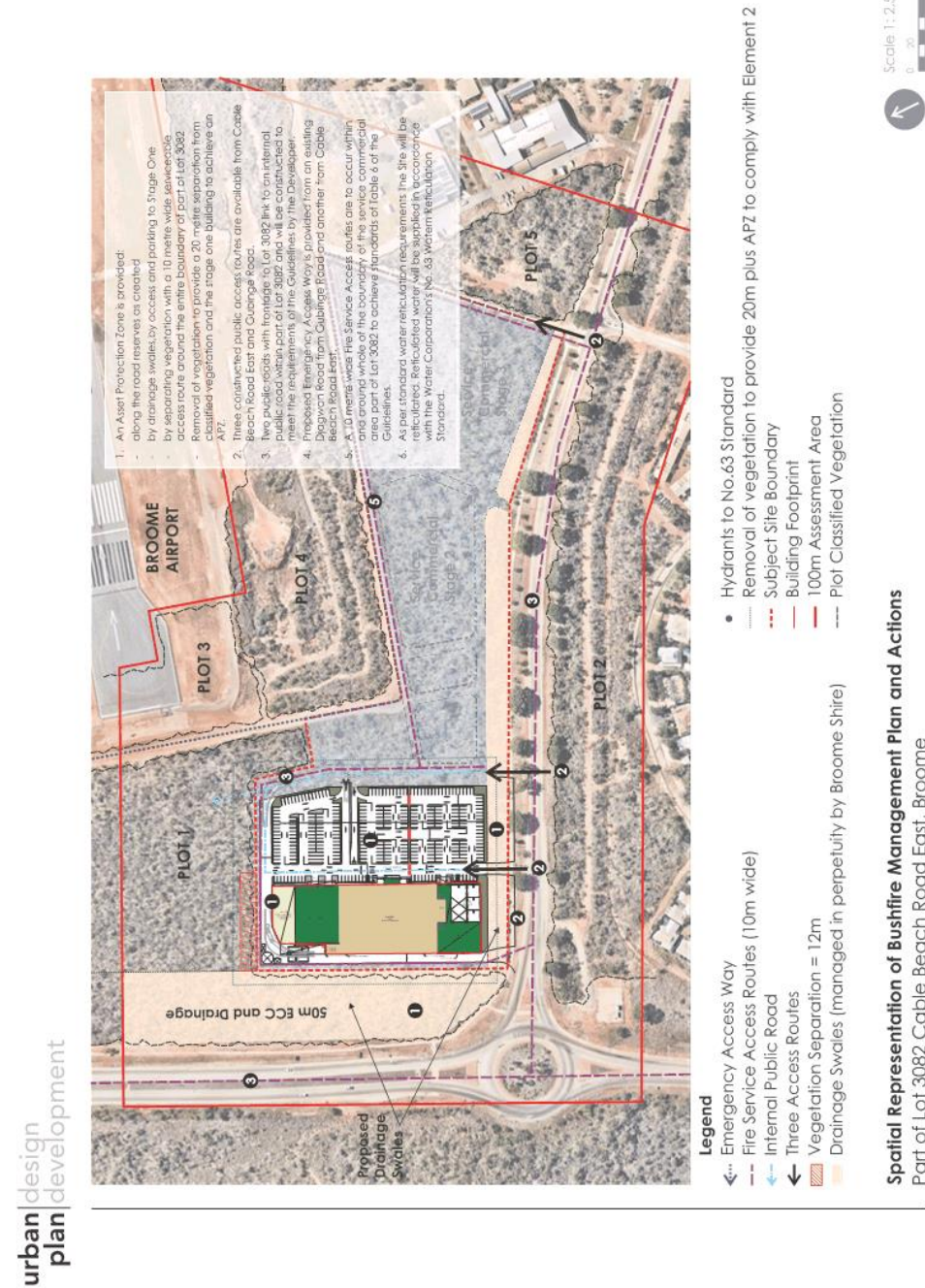
Figure 1: Vehicular access requirements (Guidelines for Planning in Bushfire Prone Areas Table 6)



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Figure 2: Spatial Representation of Bushfire Management Plan and Actions - Stage One



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Construct a 10 metre wide compacted aggregate serviceable access way around the entire periphery of the structure plan area as defined by the boundary of part of Lot 3082 in accordance with Table 6 of the Guidelines for Planning in Bushfire Prone Areas.

**Implementation Responsibilities**

The responsibility of implementation of this Bushfire Management Plan essentially lies with Nyamba Buru Yawuru in unison with the stage one proponent

No.	Action	Implementation	Timing	On-going Maintenance	Timing	Check Box
1	Establish the Asset Protection Zone (APZ) to the standard of 2.2.3.2 (f) by the removal of a 20 metre wide strip of vegetation surrounding the Stage One building of part of Lot 3082.	NBY Stage One Proponent/ Wesfarmers	Prior to Building Clearance	NBY	In-perpetuity	
2	Construct vehicular access routes within the Stage One and to boundary of Structure Plan area (part of Lot 3082) to the required surface condition and clearances in the BMP as per Table 6 of the Guidelines.	NBY	Prior to Building Clearance	NBY	In-perpetuity	
3	Removal of vegetation to provide a 20 metre separation from classified vegetation and the stage one building to achieve an APZ as per Element 2 of the guidelines.	NBY Stage One Proponent/ Wesfarmers	Prior to Building Clearance	NBY	In-perpetuity	
4	Removal of vegetation from the on-site constructed open unlined drainage swales and the Gubinge Road ECC Drain	NBY Stage One Proponent/ Wesfarmers	Prior to Building Clearance	NBY	In-perpetuity	
5	Removal of a 12 metre wide strip of vegetation from the Gubinge Road ECC Drain to the standard of 2.2.3.2 (f)	NBY Stage One Proponent/ Wesfarmers	Prior to Building Clearance	Shire of Broome	In-perpetuity	
6	As per standard water reticulation requirements The Site will be reticulated. Reticulated water will be supplied in accordance with	Stage One Proponent/	Prior to Building Clearance	NBY	Before Hand-over	

**4.1 PERFORMANCE BASED SOLUTIONS**



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The Site assessment was conducted in accordance with AS 3959-2018 simplified procedure (Method 1). The Proposal meets all the compliance requirements for the four Bushfire Protection Criteria Elements. There are no performance-based solutions proposed.

#### 4.2 SUMMARY OF THE ASSESSMENT OUTCOMES

This plan provides acceptable solutions and responses to the performance criteria outlined in the *Guidelines for Planning in Bushfire Prone Areas* (WAPC, Dec 2017).

The layout of the structure plan for part of Lot 3082 is such that no structure will be exposed to a radiant heat flux in excess of 29kW/m<sup>2</sup> (BAL-29) provided the management as outlined in this Plan is adopted; as individual specifications for the proposed steel constructed service commercial units is known, reassessment of the bushfire ratings may be required.

#### 4.3 CERTIFICATION BY BUSHFIRE CONSULTANT

The signatory declares that all elements of the Bushfire Management Plan meets the requirements of State Planning Policy 3.7.

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

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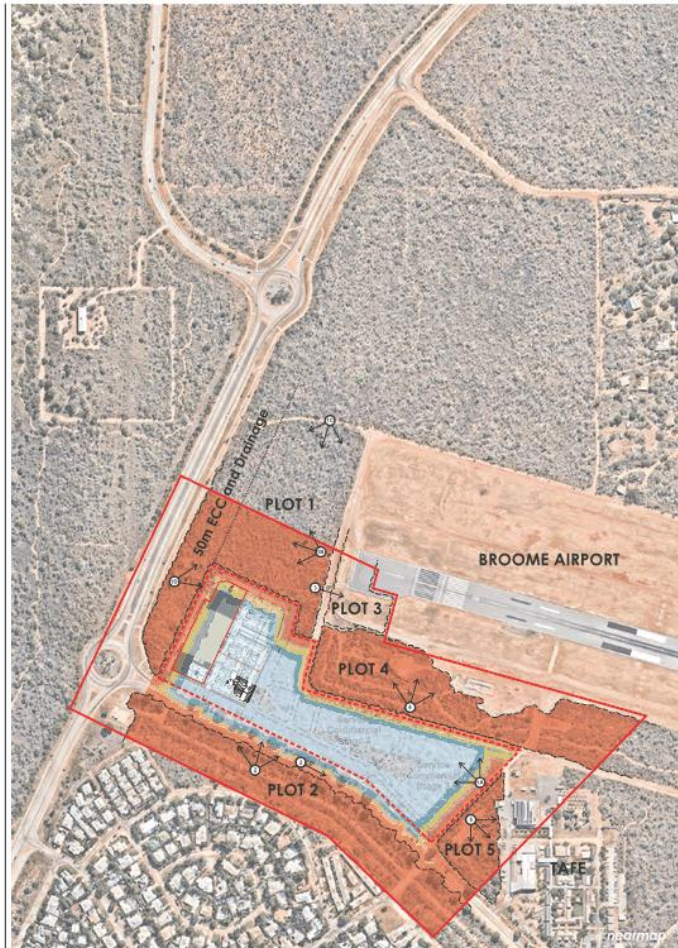
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ANNEX 1

Pre-Development BAL Contour Map

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urban plan | design  
development



Legend		Vegetation Classification	
--- Subject Site	BAL FZ	Plot 1 A Forest	
--- Stage One Potential Footprint	BAL 40	Plot 2 D Scrub	
--- 100m Assessment Area	BAL 29	Plot 3 Excluded Scrub	
--- Plot Classified Vegetation	BAL 19	Plot 4 D Scrub	
Photo of plot with transect of effective slope beneath vegetation plot	BAL 12.5	Plot 5 A Forest	

**BAL Contour Plan: Pre Development Service Commercial Structure Plan - Known Development**  
Part of Lot 3082 Cable Beach Road East, Broome

Scale 1: 5,000 (A3)  
0 20 40 200

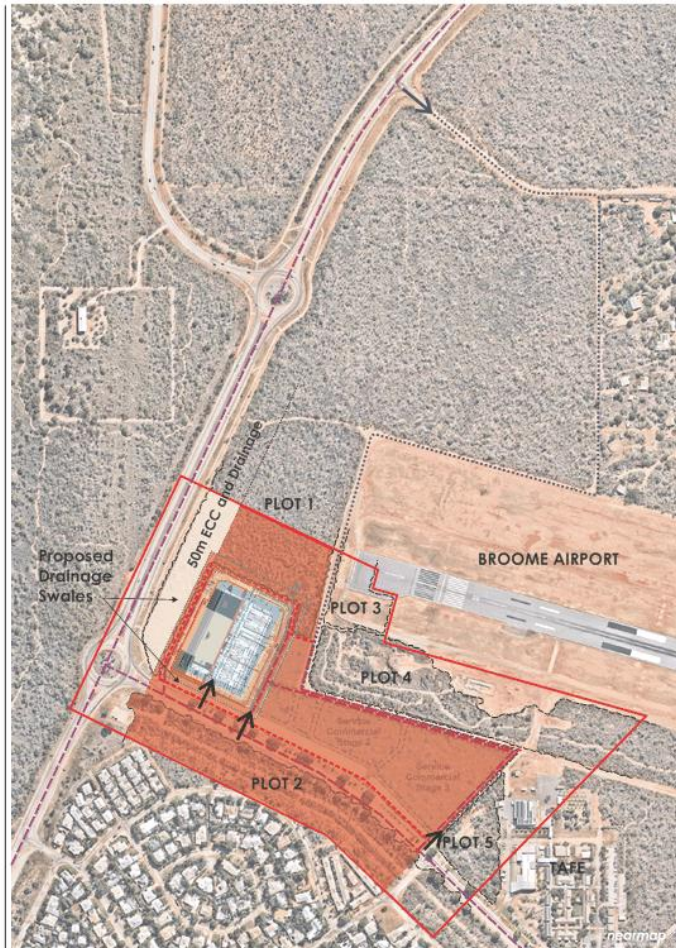
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ANNEX 2

Post-Development BAL Contour Map

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urban plan | design  
development



#### Legend

- |  |                                |          |
|--|--------------------------------|----------|
| --- Emergency Access Way   | --- Subject Site Boundary      | BAL FZ   |
| --- Fire Service Access Routes (10m wide)                              | --- Building Footprint         | BAL 40   |
| --- Internal Public Road   | --- 100m Assessment Area       | BAL 29   |
| --- Three Access Routes  | --- Plot Classified Vegetation | BAL 19   |
| Vegetation Separation = 12m  |                                | BAL 12.5 |
| Drainage Swales (managed in perpetuity by Broome Shire)                |                                |          |
| Removal of vegetation to provide 20m plus APZ to comply with Element 2 |                                |          |
| Hydrants to No.63 Standard   |                                |          |

**BAL Contour: Post Development Stage One Service Commercial  
Structure Plan - Known Development**  
Part of Lot 3082 Cable Beach Road East, Broome



Scale 1: 5,000 (A3)



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### ANNEX 3

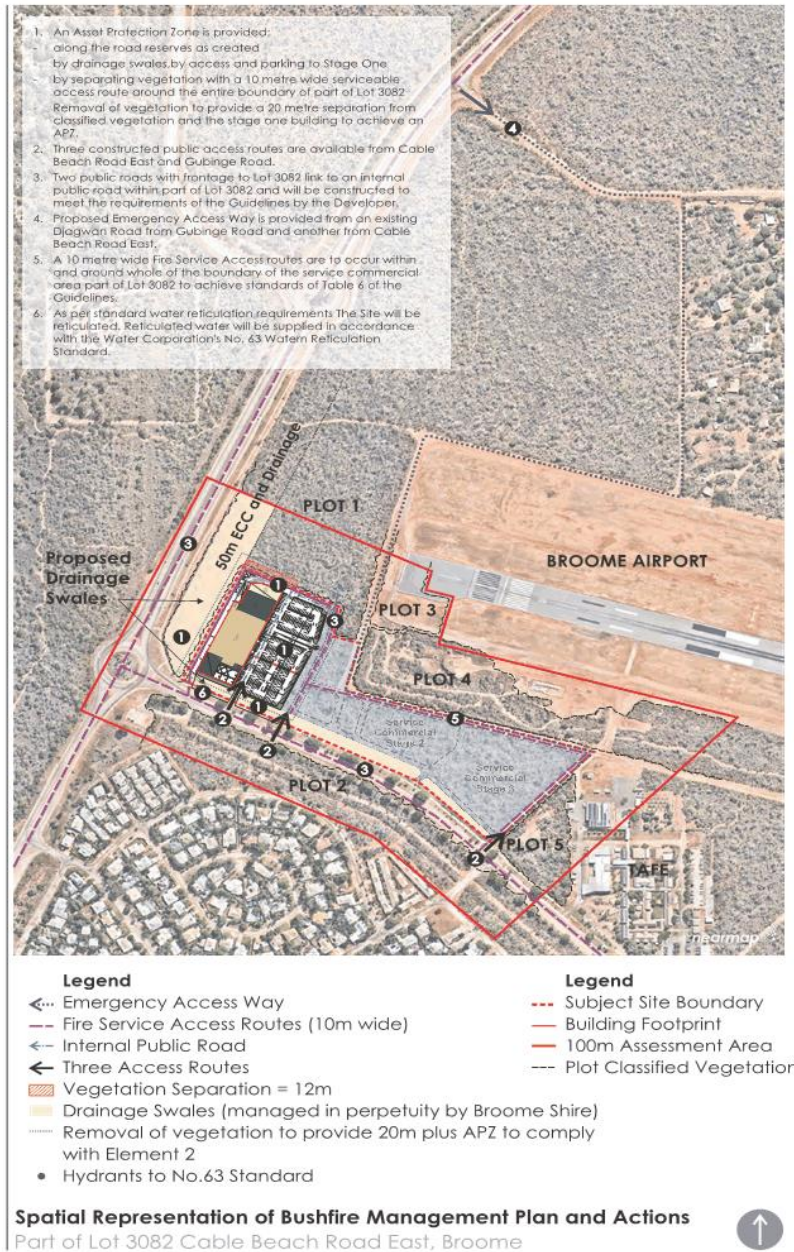
Bushfire Management and Actions Plan



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ANNEX 4

GHD Level 2 Flora and Fauna Assessment



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**LOCAL WATER MANAGEMENT  
STRATEGY REPORT**

**LOT 3082  
CABLE BEACH ROAD,  
BROOME**

# Porter



**REPORT PREPARED FOR**  
**NYAMBA BURU YAWURU LTD**

Prepared by	<b>Porter Consulting Engineers</b>
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Date	11 December 2019
Our reference	R52.19
Job number:	19-11-148
Checked	BH

**HISTORY AND STATUS OF THE DOCUMENT**

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Rev A	6 Dec 2019	M. Cook	Nyamba Buru Yawuru Ltd c/o Urbanplan	Preliminary draft.
Rev B	10 Dec 2019	M. Cook	Nyamba Buru Yawuru Ltd c/o Urbanplan	1 <sup>st</sup> submission

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**ATTACHMENT 1 – Structure Plan Map (Map No.01)**

**ATTACHMENT 2 – Survey**

**ATTACHMENT 3 – Geotechnical Study**

**ATTACHMENT 4 – Site Plan, Catchment and Post Development Drawings**

## 1.0 EXECUTIVE SUMMARY

Porter Consulting Engineers (PCE) was engaged by Nyamba Buru Yawuru Ltd to prepare a Local Water Management Strategy (LWMS) to support a Structure Plan for a large format service commercial zone to part of lot 3082 Cable Beach Road East, which is located immediately to the west of the Broome International Airport.

The outcomes of the LWMS are noted below:

- Water conservation:
  - Water efficient fixtures.
  - Minimise landscaping and irrigation areas.
  - Waterwise landscaping techniques.
  - Landscape planting of varieties endemic to Broome.
  - Consider use of rainwater tanks for a non-potable water supply.
- Stormwater quantity:
  - Maintain discharge flow rates to be consistent pre-development rates.
  - Maintain flow paths and direct the stormwater to linear open swales.
  - Pits and pipes within road reserve designed to the 10% (1:10 year) AEP event directing flows to open swales.
  - Linear open swales for conveyance of major stormwater flows.
  - The 10% AEP contained within the linear open swales.
  - The 1% AEP conveyed within linear swales and road reserves.
  - 400mm freeboard to finished floor levels (FFL).
  - A 175mm maximum water depth within the road reserve for the 1% AEP.
- Stormwater quality:
  - First flush (15mm) runoff from constructed impervious surfaces retained and infiltrated within lot swales.
  - Promote infiltration of stormwater to lot swales and linear open drains as high as possible in the catchment to activate the water quality treatment train.
  - Erosion and sediment control by minimising the longitudinal grade of the swales and reducing velocity.
- Groundwater levels and quality:
  - Capture and treat stormwater to allow for infiltration of drainage to lot swales and linear open drains as early as possible.
  - Groundwater recharge via infiltration.

## 1.1 Department of Water Checklist

The following checklist summarises this Local Water Management Strategy (LWMS) content for quick referencing.

Local water management strategy item	Deliverable	Reference	Notes
<b>Executive Summary</b>			
Summary of the development design strategy, outlining how the design objectives are proposed to be met	Checklist	1.1	
<b>Introduction</b>			
Total water-cycle management – principles and objectives Planning background Previous studies		2.1, 2.2, 2.3	
<b>Proposed Development</b>			
Structure plan, zoning and land use Key landscape features Previous land use	Structure Plan	Attachment 1 2.0, 2.1	
Landscape – proposed public open space areas, public open space credits, water source, bore(s), lake details, irrigation areas (if applicable)		4.5	
<b>Design Criteria</b>			
Agreed design objectives and source of objectives		2.2, 4.0, 5.5	
<b>Pre-development Environment</b>			
Existing information and more detailed assessments (monitoring).  How do the site characteristics affect the design?		5.2.1, 5	
Site conditions – existing topography/contours, aerial photo underlay, major physical features	Survey	Attachment 2 3.0	
Geotechnical – topography, soils including acid sulfate soils and infiltration capacity, test pit locations	Geotechnical Plan	Attachment 3 3.3	
Environmental – areas of significant flora and fauna, wetlands and buffers, waterways and buffers, contaminated sites	Flora & Fauna study	3.4.1, 3.4.2, 3.4.3	
Surface water – topography, 100- year floodways and flood fringe areas, water quality of flows entering and leaving (if applicable)	Pre-development area	Attachment 4 3.5	
Groundwater – topography, pre-development groundwater levels and water quality, test bore locations		3.6	
<b>Water Sustainability Initiatives</b>			

Our Ref: R52.19 – Local Water Management Strategy Report, Lot 3082 Cable Beach Road, Broome

2

Local water management strategy item	Deliverable	Reference	Notes
Water efficiency measures – private and public open spaces including method of enforcement		4.4, 4.5	
Water supply (fit-for-purpose) strategy, agreed actions and implementation		4.1, 4.2	
Wastewater management		4.3	
<b>Stormwater Management Strategy</b>			
Flood protection – peak flow rates, volumes and top water levels at control points, 100-year flowpaths and 100-year detention storage areas	100-year-event plan	Attachment 4 5.1.3, 5.2.3, 5.2.4	
Manage serviceability – storage and retention required for the critical 10- year ARI storm events  Minor roads should be passable in the 10-year ARI event	10-year-event plan	Attachment 4 5.1.2, 5.2.3, 5.2.4	
Protect ecology – detention areas for the first flush (15mm), areas for water quality treatment and types of agreed structural and non-structural best management practices and treatment trains (including indicative locations)  Protection of waterways, wetlands (and their buffers), remnant vegetation and ecological linkages	Typical cross sections	Attachment 4 5.1.1, 5.2.3	
<b>Groundwater Management Strategy</b>			
Post-development groundwater levels, existing and likely final surface levels, outlet controls, and subsoil drain areas/exclusion zones		6.1	
Actions to address acid sulfate soils or contamination		3.3.1	
<b>The Next Stage – Subdivision and Urban Water Management Plans</b>			
Content and coverage of future urban water management plans to be completed at subdivision. Include areas where further investigations are required before detailed design.		7.0	
<b>Monitoring</b>			
Recommended future monitoring plan including timing, frequency, locations and parameters, together with arrangements for ongoing actions		7.1	
<b>Implementation</b>			
Development commitments		7.1	
Roles, responsibilities, funding for implementation		7.1	
Review		7.1	

## 2.0 INTRODUCTION

The lot 3082 (102) Cable Beach Road East Service Commercial Structure Plan is located in the western portion of Broome, and is bound by Cable Beach Road to the south, Gubinge Road to the west, Djiagween Road to the north, Djiagween Community, Broome International Airport and Broome TAFE to the east, with a total area of 33.04ha, as shown in **Figure 1**.

The proponent, the Nyamba Buru Yawuru Ltd, is seeking to redevelop part of lot 3082 to create a service commercial zone, consisting of three stages as shown on the structure plan map in **Attachment 1**.



Figure 1: Lot 3082

## 2.1 Planning Context

The Shire of Broome Local Planning Scheme No.6 (LPS6) classifies the site as a Development Zone, requiring the development to be guided by a structure plan. Urbanplan has prepared a Structure Plan<sup>1</sup> on behalf of Nyamba Buru Yawuru Ltd with the structure plan proposing to facilitate large format retail warehousing, hardware, showrooms, fast food outlets, carwash, and tyre service centre across three stages.

The Structure Plans summarises the stages:

- Stage 1 comprising of a large format retail warehouse, with lease options currently under negotiations (1.45ha).
- Stage 2 consists of fast food outlets, carwash and tyre service centre (0.886ha) and a large format showroom warehouse site (1.379 hectares) and;
- Stage 3 consists of a large format showroom warehouse site (1.686 hectares).

<sup>1</sup> Urbanplan, Lot 3082 Cable Beach Road East Service Commercial Structure Plan to facilitate Stage 1 Homemaker Centre Development (October 2019)



## 2.2 LWMS Objectives

This LWMS has been prepared to support the Structure Plan to facilitate a proposed service commercial zone by outlining the water management principles, design criteria and details on how the objectives can be achieved. The major objectives being:

- Provide a broad level stormwater management outline to support the development.
- Incorporate appropriate best management practices (BMPs) into the drainage system that address the environmental and stormwater management issues identified.
- Minimise development construction costs.
- Minimise ongoing operation and maintenance cost for the lot owners and Shire of Broome.
- Gain support from the Department of Water and Shire of Broome for the proposed method to manage stormwater within the site.

## 2.3 Previous Studies and Relevant Guidelines

The following documents have been used to inform the water management principles and design criteria outlined in this LWMS:

- Better Urban Water Management<sup>2</sup>
- Decision process for stormwater management in Western Australia<sup>3</sup>.
- Broome North Structure Plan Stage 2 Local Water Management Strategy<sup>4</sup>.
- Lot 3082 Gubinge Road Broome, opportunity and constraints report<sup>5</sup>.
- Flora and Fauna Assessment<sup>6</sup>.
- Geotechnical study<sup>7</sup>.
- IPWEA-WA, Subdivisional Guidelines<sup>8</sup>.

## 3.0 PRE-DEVELOPMENT ENVIRONMENT

### 3.1 Climate

Broome has a tropical climate with two distinct seasons; the 'wet' and the 'dry' season. The wet season usually occurs from December to March and the dry season from April to November. The nearest weather station to the site is the Broome Airport station. The mean annual minimum temperature range varies between 13.7°C in July and 26.5°C in December, and mean annual maximum temperature range varies between 29.0°C in July and 34.3°C in April<sup>9</sup>.

Mean annual rainfall in Broome is 628.1 mm with 35.2 mean rain days with the majority of the rainfall received during the 'wet season' months from December to March.

<sup>2</sup> Western Australian Planning Commission, *Better Urban Water Management* (October 2008)

<sup>3</sup> Department of Water and Environmental Regulation 2017, *Decision process for stormwater management in Western Australia*, Department of Water and Environmental Regulations, Perth.

<sup>4</sup> GHD, *Broome North Structure Plan Stage 2 Local Water Management Strategy* (December 2016)

<sup>5</sup> Pritchard Francis, *Lot 3082 Gubinge Road Broome, opportunity and constraints report (Revision 2, 29 April 2016)*

<sup>6</sup> GHD, *Cable Beach Road East, Flora and Fauna Assessment* (July 2016)

<sup>7</sup> Galt Geotechnics, *Report on Geotechnical study proposed subdivision lot 3082 Gubinge Road, Broome* (11 February 2011)

<sup>8</sup> Institute of Public Works Engineering Australasia – Western Australia, *Local Government Guidelines for Subdivisional Development* (November 2017)

<sup>9</sup> Bureau of Meteorology, *Climate statistics for Australian Locations, Broome Airport (site 003003)*, viewed 3 December 2019, <  
[http://www.bom.gov.au/climate/averages/tables/cw\\_003003.shtml](http://www.bom.gov.au/climate/averages/tables/cw_003003.shtml)>

### 3.2 Landform

Based on the Flora and Fauna study, the site is covered with vegetation typical of Pindan Scrub for the area.

The topography of the site falls with a nominal 1% grade from 16m AHD by the eastern boundary to 11m AHD by Gubinge Road to the west, grading towards the existing culvert under Gubinge Road as shown by the survey plan of the site within **Attachment 2**. The existing culvert's upstream invert level is 10.03m AHD.

### 3.3 Soils and Geology

The geotechnical report notes that the area is underlain by silty sands locally known as "Pindan Sand" and is described as homogenous red, fine grained, sub-rounded quartz, variable silt content.

The site was given a Class "P" (in accordance with AS2870-1996) with soil profile characteristics of a loose nature within the upper two metres and the collapsible nature of the soil. For development to occur in the future, the report recommended compaction to achieve a Class "S" classification.

There was no groundwater encountered in the test pits to a depth of 3.3m. On this basis, perched groundwater is unlikely to occur.

Numerous permeability testing was undertaken at three test locations, with values ranging from 1.2m to 4.8m /day. For the purpose of calculations as part of this LWMS, a permeability rate of 1.2m / day has been assumed.

#### 3.3.1 Acid Sulphate Soils

The geotechnical report noted that it would appear that the site does not have any of the indicators of Potential Acid Sulphate Soils (PASS) or Actual Acid Sulphate Soils (AASS).

#### 3.3.2 Contaminated Sites

A search of the Contaminated Sites Database<sup>10</sup> did not identify any known contamination on the site.

### 3.4 Environmental

The following is taken from the Structure Plan based on the Flora and Fauna assessment undertaken by GHD in 2016.

#### 3.4.1 Environmentally Sensitive Areas

There is one Environmentally Sensitive Area (ESA) that intersections the survey area. However, this was not considered representative of any Commonwealth or State listed Threatened or Priority Ecological Communities, other significant vegetation as defined by the EPA (2004a) nor considered to be growing in association with watercourses and wetlands. Accordingly, no

<sup>10</sup> Department of Water and Environmental Regulation, *Contaminated Sites Database*, viewed 3 December 2019, <  
<https://dow.maps.arcgis.com/apps/webappviewer/index.html?id=c2ecb74291ae4da2ac32c441819c6d47>>

Department of Biodiversity, Conservation and Attractions conservation reserves or estate intersects the survey area.

The ESA is likely aligned with the Roebuck Bay mudflats Threatened Ecological Community and is common to the entirety of Broome and the surrounding area.

### 3.4.2 Flora

No flora taxa listed under the Environment Protection and Biodiversity Conservation Act 1999 or Wildlife Conservation Act 190 were recorded within the survey area. However, the Department of Biodiversity, Conservation and Attractions priority listed flora taxa, *Polymeria* sp. Broome (K.F. Kenneally 9759) (Priority 1), *Aphyllodium parvifolium* (Priority 1) and *Phyllanthus eremicus* (Priority 3) were recorded.

### 3.4.3 Fauna

Eight fauna species of conservation significance were recorded or are likely to occur in the survey area: north Brushtail Possum (*Trichosurus vulpecula arnhemensis*), Rainbow Bee-eater (*Merops ornatus*), Peregrine Falcon (*Falco peregrinus*), Osprey (*Pandion haliaetus*), Little North-western Mastiff bat (*Ozimops cobourgianus*), Grey Falcon (*Falco hypoleucos*), Dampierlands Slider (*Lerista separanda*) and Dampierlands Burrowing Snake (*Simoselaps minimus*).

Of the fauna species listed above the Peregrine Falcon, Osprey, Little North-Western Mastiff Batt and Grey Falcon are likely to utilise the survey area opportunistically. The survey area is unlikely to provide breeding habitat for any of these species, therefore the habitat within the survey is not considered important habitat for these species.

The remaining species; the Rainbow Bee-eater, Northern Brushtail Possum, Dampierlands Slider and Dampierlands Burrowing Snake may persist in the survey area and utilise the habitat in the Broome peninsula for foraging and/or breeding.

## 3.5 Surface Water

The site is identified to be within the Cape Leveque Coast drainage basin and is not within a proclaimed surface water management area<sup>11</sup>.

Surface drainage is typically in the form of surface sheet flow over much of the Dampier Peninsula, with no wetlands or watercourses within the site area. The surface water to the site generally flows towards existing culverts by Gubinge Road.

Due to the sheet flow nature of the drainage, there is limited opportunity to obtain baseline surface water sampling from the site. However, it is expected that surface water quality will be similar to samples analysed as part of the Broome North Structure Plan Stage 2 Local Water Management Strategy (GHD, 2016) some 3km north-east of the site, as noted in Table 1.

**Table 1: Surface Water Quality from the Broome North Structure Plan**

Parameter	ANZECC Guideline – Tropical lowland river (ANZECC 2000)	Median Value	Observed Range	Count
pH (Lab)	6 - 8	6.93	3.28 - 7.23	5

<sup>11</sup> Department of Water and Environmental Regulations, *Proclaimed Area Maps (Surface Water Proclamation Areas 2009)*, viewed 4 December 2019, < <http://www.water.wa.gov.au/maps-and-data/maps/proclaimed-area-maps> >

Parameter	ANZECC Guideline – Tropical lowland river (ANZECC 2000)	Median Value	Observed Range	Count
TSS (mg/L)		24	20 – 451	5
Total nitrogen (mg/L)	0.3	0.7	0.4 – 9.9	5
Ammonia-N (mg/L)	0.01	0.06	0.02 – 0.1	5
Nitrite+Nitrate-N (mg/L)	0.01	0.03	0.02 – 9.44	5
Dissolved organic N (mg/L)		0.2	0.2	2
Total phosphorus (mg/L)	0.01	0.105	<0.05 – 0.13	5
Filterable reactive P (mg/L)	0.004	0.015	<0.01 – 0.02	5
Arsenic (mg/L)	0.013	0.0015	<0.001 – 0.003	5
Cadmium (mg/L)	0.0002	0.0001	<0.0001 – 0.0001	5
Chromium (mg/L)	0.001	0.004	0.002 – 0.013	5
Copper (mg/L)	0.0014	0.002	0.002 – 0.013	5
Nickel (mg/L)	0.011	0.005	0.002 – 0.008	5
Lead (mg/L)	0.0034	0.0015	<0.001 – 0.004	5
Zinc (mg/L)	0.008	0.012	0.007 – 0.153	5
Mercury (mg/L)	0.00006	<0.0001	<0.0001	5

The Department of Water's Geographic Data Atlas indicates that there are no public drinking water sources within the vicinity of the site, with the nearest public drinking water source being approximately 8km north-east of the site.

### 3.6 Groundwater

The study area falls within the Cable Beach groundwater sub area. The most utilised aquifer is the Broome sandstone which is unconfined and is separated from underlying (confined) aquifers, Alexander formation and the Wallal sandstone, by an aquiclude, the Jarlemai siltstone (GHD, 2016).

Groundwater in the Broome area moves westwards towards the ocean and south towards Roebuck Bay under gravity<sup>12</sup>. The Dampier Peninsula Groundwater resource review<sup>13</sup>, noted groundwater levels in the Broome area of less than 3m AHD. The geotechnical study to lot 3082 reported that groundwater was at a greater depth of 3.3m below the surface during test pit investigations.

A search of the Department of Water and Environmental Regulation (DWER) WIN database<sup>14</sup> identified a bore approximately 370m south-west of the site with a groundwater level record of

<sup>12</sup> Department of Water, *Broome Water Reserve, Drinking water source protection plan, Broome Town water supply*, December 2012.

<sup>13</sup> Department of Water, *Groundwater resource review Dampier Peninsula*, March 2012

<sup>14</sup> Department of Water and Environmental Regulation, *Water Information Reporting*, viewed 9 December 2019, <<http://wir.water.wa.gov.au/Pages/Water-Information-Reporting.aspx>>

1.64m AHD from 11 November 1989 (WIN bore 80119564). This bore is located at the base of the coastal dunes, which is a natural recharge area for the Broome peninsula. There were other WIN bores in the vicinity; however, no groundwater level data was available. It is expected that the clearance to groundwater from the ground surface is approximately 9.8m.

## **4.0 WATER SUSTAINABILITY INITIATIVES**

### **4.1 Potable Water**

The existing town of Broome is supplied by groundwater from the local Water Corporation production bore field in Reserve 25716 located to the north-east of the Broome Township (GHD, 2016).

The service commercial development to part of lot 3082 Cable Beach Road will utilise scheme water that is reticulated throughout the development, connecting to the existing Water Corporation 200mm water main in Cable Beach Road East.

It is expected that the development will utilise water efficient fixtures and waterwise landscaping techniques to reduce water use within the development.

### **4.2 Rainwater**

Due to the seasonal nature of rainfall within Broome, rainwater is not a reliable year round water source. Individual lot owners may wish to install rainwater tanks for private use, however, the use of rainwater tanks for potable water has not been considered further within this LWMS.

However, the use of rainwater tanks could be considered by lot owners for non-potable use. The current trends in large format retail warehousing are moving towards installation of large rainwater tanks; this could occur within this service commercial zone.

### **4.3 Wastewater**

Wastewater will be collected via a traditional gravity sewer pipe network throughout the development that will be connected to the existing Water Corporation 225mm sewers in Cable Beach Road East.

### **4.4 Water Efficient Fixtures**

It is expected that the development will utilise water efficient fixtures and waterwise landscaping techniques to reduce water use within the development as a building permit condition.

### **4.5 Waterwise Gardens**

Water use can be reduced by employing waterwise gardening measures and minimising soft landscape areas along with:

- Improve soil with conditioner certified to Australian Standard AS4454 to a minimum depth of 150mm where turf is to be planted and a minimum depth of 300mm for garden beds.
- Use of Broome endemic plant varieties.
- Design and install an irrigation system according to best water efficiency practices:
  - Emitters disperse coarse droplets and/or be subterranean.
  - Utilise subsoil irrigation where appropriate.



- Minimise turf areas.
- Mulch garden beds to 75mm with a product certified to Australian Standards AS4454.
- Minimise use of fertiliser and utilise slow release fertilisers.

#### **Lot Irrigation and Landscaping**

Considering the proposed land use of large format commercial/retail, the lot landscaping is expected to be minimal. Rainwater tanks are expected to be installed as a non-potable water source which could be used as a source of irrigation water, as a condition of a building permit.

#### **Development Irrigation and Landscaping**

Existing vegetation to the drainage easement areas will be removed to facilitate the installation of open swales. Furthermore, to achieve the Bushfire Attack Level (BAL) rating of 29 or less, vegetation will generally be removed to provide a 20m separation to buildings. Therefore, for bush fire management requirements the drainage easements will not be replanted with extensive landscaping. At most sparse ground shrubs no greater than 100mm in height will be planted. No irrigation is proposed.

### **5.0 STORMWATER MANAGEMENT STRATEGY**

#### **5.1 Proposed Stormwater Management Strategy**

The stormwater management strategy has been developed with consideration to the 'Shire of Broome Structure Plan and Subdivision Local Planning Policy 5.22', documents listed in part 2.3 of this document, along with the site constraints and proposed land use. The overarching stormwater management principles are:

- Retain and treat stormwater runoff from constructed impervious surfaces generated by the first 15mm of rainfall onsite.
- Maintain pre-development flow rates leaving the site at existing discharge locations.
- Maintain flow paths and direct water to proposed open unlined swales.

The stormwater management strategy has three distinct components:

1. Lot drainage
2. Road drainage
3. Development drainage

##### **5.1.1 Lot Drainage**

Each stage of development will have lot swales to retain and infiltrate the first 15mm of rainfall from constructed impervious surfaces.

Rainfall events greater than the first 15mm will overflow via a 'bubble in pit' structure and be piped to the road drainage as shown in **Figure 2**. The pipework from the lot swale to the road drainage is to be designed for a 10%(1:10 year event) Annual Exceedance Probability (AEP).

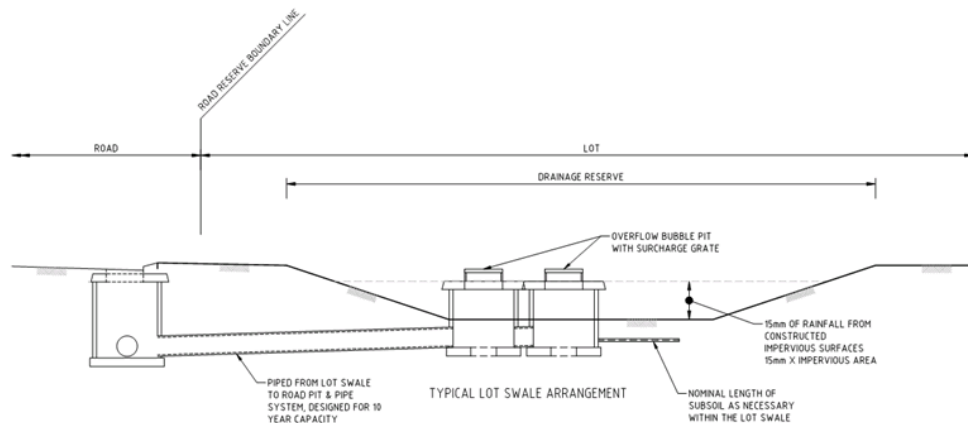


Figure 2: Lot Swale Diagram

To further promote infiltration it is suggested that a nominal length of subsoil pipework be installed beneath the invert of the lot swales and connected to pits.

### 5.1.2 Road Drainage

Roads throughout the development will be kerbed (typically semi-mountable kerbing) with pits and pipes to convey the 10% AEP (1:10 year) event, consistent with the design interval for industrial/commercial developments noted within the IPWEA guidelines. Flush kerbing shall be used on roads adjacent to the drainage easement where practicable to discharge to the open swale system.

Stormwater conveyed from the road reserve shall discharge into an open unlined swale system located in the drainage easement along the southern boundary of the site. Outlets into the open swale will be as high as possible in the catchment to activate the water quality treatment train as soon as possible.

### 5.1.3 Development Drainage

The open unlined swale system shall be located in the drainage easement along the southern boundary of the site.

The open swale system shall be designed to contain the 10% AEP (1:10 year) event within the open swale system, and the 1% AEP (1:100yr) within the road reserve, with a maximum water depth within the road reserve of 175mm. Finished Floor Levels (FFL) for all buildings shall have a minimum 400mm above the 1% AEP flood level.

The use of small check dams (weirs) within the open swale system and culverts at road crossing will control the respective catchments post-development flow rates to pre-development rates, promote sedimentation and infiltration.

A summary of the stormwater strategy for the difference stormwater events is noted:

#### First flush (15mm)

- Lot swales to have a volume capacity to contain the 15mm rainfall applied to the constructed impervious areas.
- Impervious areas within lots to drain into the lot swales.
- Roads will drain to the open unlined swale system in the drainage easement.

#### **10% AEP (1:10 year)**

- Lots and roads will drain to the open swale system.
- Small check dams (weirs) and culverts at road crossings will detain flows.

#### **1% AEP (1:100 year)**

- Lots and roads will drain to the open swale system.
- Lot levels and FFL set 400mm (LPP 5.22) or greater above 1% AEP flood level.

## **5.2 Stormwater Design**

### **5.2.1 Catchment Areas**

#### Pre-development Catchment Area

There are three catchment areas immediately upstream of proposed service commercial development area to part of lot 3082, as shown in **Attachment 4**:

- the North Regional TAFE site;
- the south-west portion of the Broome Airport; and
- the remaining northern portion of lot 3082.

The North Regional TAFE site at 68 Cable Beach Road East is immediately west of the proposed service commercial zone. The TAFE site is understood to have an existing drainage basin located in the south-west corner of the site with a capacity for the 1%AEP (1:100 year). Overflow from this basin is directed to Cable Beach Road. Therefore, flows from the TAFE site do not contribute to the proposed service commercial development.



**Figure 3: Existing depression at the western end of the airport runway<sup>15</sup> (assumed overland flow direction represented by the blue arrows. Image taken on 18 May 2018)**

<sup>15</sup> Nearmap, Nearmap, < <https://www.nearmap.com/us/en> >



The stormwater runoff to the south-west portion of the Broome Airport flows to a nearby depression as evident by flow paths, darkened soils (assumed to be moist) and erosion observable on the aerial imagery shown in **Figure 3**. It would appear and is assumed from the imagery that the depression is able to contain the 1%AEP (1:100 year). Therefore, flows from the Airport are assumed not to contribute to the proposed service commercial development flows for events up to the 1%AEP (1:100 year).

The remaining northern portion of lot 3082 (north of the proposed service commercial development) is approximately 25.0ha, relatively flat with a nominal 1% grade and well vegetated. There are no natural streams or apparent channels based on the feature survey, suggesting overland sheet flowing to Gubinge Road. The formation of Gubinge Road directs runoff to existing culverts under Gubinge Road.

Runoff to the remaining northern portion of lot 3082 drains to the existing culverts by the Cable Beach Road West / Gubinge Road intersection and the Gubinge Road / Cable Beach Road East intersection before influencing flows from the proposed service commercial development. Therefore, flows from the remaining northern portion of lot 3082 do not contribute to the proposed service commercial development flows.

Flows from Cable Beach Road East are contained within a swale between the existing footpath within the northern verge and the road formation, with flows conveyed towards the existing culvert under Gubinge Road near the intersection with Cable Beach Road East, and therefore do not contribute to the proposed service commercial development flows.

The catchment of the service commercial development is approximately 134.3ha, relatively flat with a nominal 1% grade and well vegetated.

#### Post-development Catchment Area

As the Broome TAFE catchment, the south-west portion of the Broome Airport catchment, and the remaining northern portion of lot 3082 do not appear to be contribution flows up to the 1% AEP (1: 100 year) to the proposed service commercial development, this LWMS will focus on the contributing catchment confined by the proposed service commercial development within part of lot 3082.

However, as part of the Urban Water Management Plan, a more detailed assessment should be made of the Broome TAFE catchment and the south-west portion of the Broome Airport catchment to confirm they are not contributing flows up to the 1%AEP (1:100 year) event. Consideration should be had to provide an overland flow path from the depression within the south-west portion of the airport catchment, to provide a safe flow route should the depression overflow during major storm events. The overland flow path could be in the form of carparking areas within lot 1B as shown in drawing 19-11-148/802 in **Attachment 4**.

The post development catchment areas within the service commercial development are divided into 3 sub-catchments that generally aligned with the staging boundary for the development.

### **5.2.3 Detention Systems**

The detention system for the development utilises a combination of lot swales and a linear open swale system within the drainage easements.

### Lot Swales

As previously noted in this document, the lot swales are to be sized to retain the first 15mm of rainfall from the constructed impervious surface from the respective lot. Rainfall events greater than 15mm will overflow the lot swales via a 'bubble in pit' and be piped to the road drainage which conveys to the linear open swale system in the drainage easements along the southern boundary.

Water below the bubble-in pit will infiltrate into the soil.

Lot swale storage requirements are noted in Table 2.

**Table 2: Lot Swales First Flush (15mm) volume**

Lot Parcel	Lot Size (m <sup>2</sup> )	Coefficient of Runoff (commercial/industrial)	First Flush (15mm) Volume to be provided within lot swales (m <sup>3</sup> )
1a	21553	0.9	323
1b	3366	0.9	50
1c	1741	0.9	26
2a	2157	0.9	32
2b	1434	0.9	22
2c	8166	0.9	122
3a	11762	0.9	176

### Open Swales within the Drainage Easements

The linear arrangement of the open swales high in the catchment will activate the water quality treatment train and promote infiltration and sedimentation as soon as possible. The open swales will be located in the drainage easement along the southern boundary and then to swales within a drainage reserve by Gubinge Road linking continuing to a existing culvert under Gubinge Road.

Consistent with the Shire of Broome's policy to open drains (LPP 5.22), the key elements of the linear open swale include:

- Batter slopes of the swale 1(v): 6 (h)
- The depth of the swale being relatively shallow, with a maximum water depth of 1.2m.
- Small check dams (weirs) to be utilised to minimise the longitudinal grade of the swale (1:700 or flatter), reduce flow velocity to minimise erosion, and promote infiltration high in the catchment.
- Use of culverts at road crossings.
- The 1% AEP (1:100 year) top water level will over top the swales and extend into the adjacent roadways, with a maximum water depth of 175mm above the road pavement.
- Due to the bush fire risk management requirements, the open swales in the easement and reserve areas shall be sparsely planted and maintained with ground cover being no greater than 100mm in height.

The drainage easement width along the southern boundary within Stage 1 and Stage 2 is nominally 16m wide. However, the drainage easement within catchment 3 has a reduced width, ranging from 6m to 12m wide. This reduced width would only allow for a notional shallow swale with 1:6 batters.

For the purpose of this LWMS and the calculations, it has been assumed that a formal swale is not to be located within the drainage easement of Stage 3, and that the flows from Stage 3 are directed to the swale within the easement of Stage 2 by kerb, pits and pipe. However, as part of future detailed designs and the Urban Water Management Plan (UWMP) process, there may be consideration to widen the easement within Stage 3 to accommodate a suitably wide swale or if the easement is not widened in Stage 3, the UWMP may seek to allow for a nominal shallow swale in this easement.

The preliminary storage volumes required for the open linear swales to the respective sub catchments is noted in **Table 3**.

**Table 3: Storages for Open Linear Swales**

Structure	Total Swale length (m) (base length)	10% AEP (10 year)		1% AEP (100 year)	
		Depth of Water (m)	Volume (m <sup>3</sup> )	Depth of Water (m)	Volume (m <sup>3</sup> )
Swales within drainage easement in Stage 1	165	1.0m	1101	1.2	1661
Swales within drainage easement in Stage 2 (for runoff for Catchment 2 & 3)	174	0.91	1034	1.14	1608

#### 5.2.4 Pre and Post Development Flows

The following parameters were used for determining the pre and post development flows as noted in **Table 4**.

**Table 4: Pre and Post Development Coefficient of Runoff**

Land use	Coefficient of Runoff <sup>a</sup>	
	Pre-development	Post-Development
Lots (commercial/industrial)	0.3	0.9
Road reserves	0.3	0.9
Drainage easements / reserves	0.3	0.3

<sup>a</sup> values as per the Shire's LPP5.22

The 10 year pre-development discharge rate was utilised for the preliminary sizing of the post development storage requirements of the open unlined swale system for the respective sub-catchments.

The Kinematic Wave method was utilised to determine time of concentrations and the peak predevelopment flow rates for the sub-catchments in accordance with the Shire of Broome's policy design parameters (LPP 5.22).

Note that the Stage 2 and 3 catchments have been combined as no allowance has been made in this LWMS for an open swale located in the easement within Stage 3 due to its narrow width.

Post development flow rates at the culverts for the respective sub-catchments are noted below in **Table 5**.

**Table 5: Post Development Flows**

Location	Diameter (mm)	10% AEP (10 year)	
		Pre-Development (L/s)	Post-Development (L/s)
Culvert 1 (Stage 1)	600	353	320
Culvert 2 (Stage 2)	600	365	330

### 5.2.5 Finish Floor Levels

The 10% (10 year) and 1% (100 year) AEP depths for water within the open swales are compatible with Finished Floor Levels (FFL) noted within the Opportunity and Constraints report prepared by Pritchard Francis in providing the minimum freeboard. However, as part of future design development and during the UWMP process, further evaluation of the water levels and clearance to the FFL should be undertaken. The drawing in **Attachment 4** notes the FFL.

### 5.3 Stormwater Quality

The strategies to assist with stormwater quality appropriate for this type of development are listed below:

1. Lot scale:
  - Treat and infiltrate the first flush 15mm rainfall to constructed impervious areas to the lot swales.
  - Minimise use of fertilisers and utilise slow release fertilisers.
  - Drought tolerant plant species that require minimal water and nutrients (Planting subject to fire management plan requirements).
  - Sweeping of carpark areas should there be dust/debris to the carpark surface.
  - Maintenance of the system, removal of silt build up.
2. Road scale:
  - Silt traps below the inverts of pipes in drainage pits to capture the silt and prevent transportation downstream. Pits to have open bases to allow water to infiltrate from below the invert.
  - Street sweeping of the road pavement.
  - Drought tolerant plant species that require minimal water and nutrients for plants within the road reserves.
  - Minimise use of fertilisers and utilise slow release fertilisers.
  - Maintenance of the system, removal of silt build up.
3. Development scale:
  - Drought tolerant plant species that require minimal water and nutrients for plants within the road reserves.
  - The use of small check dams (weirs) within the open swales to allow for relatively flat longitudinal grades to the swale, to limit flow velocities and promote sedimentation and infiltration.
  - Stormwater to discharge into the open swales as early as possible in the catchment to activate the water quality treatment train as soon as possible.
  - Promote infiltration as early as possible in the catchment.
  - Minimise use of fertilisers and utilise slow release fertilisers.
  - Maintenance of the system, removal of silt build up.

### 5.4 Disease Vector and Nuisance Insect Management

In accordance with the Shire of Broome's policy (LPP 5.22) regarding open drains, the designs allow water bodies not to hold stagnant water for more than 72 hours, by grading the open swales and allowance for infiltration.

## 6.0 MONITORING

### 6.1 Groundwater

As there is expected to be minimal impact on groundwater, no groundwater monitoring is proposed.

### 6.2 Surface Water

A monitoring regime similar to that outlined for the Broome North Stage 2 development is suggested with:

1. Monitoring samples collected at the upstream end of the open swales, mid-point and outlet (by Gubinge Road).
2. Sampling would be expected to occur during the wet season months, with samples for the first flush event, and additional samples during the storm event.
3. Monitoring should be undertaken nominally 3 times during the wet season period.
4. A three year monitoring period would be typically expected following completion of the subdivisional and stormwater infrastructure.

## 7.0 THE NEXT STAGE – SUBDIVISION AND URBAN WATER MANAGEMENT PLANS

The next stages of water management are expected to be lot planning through subdivisional approvals which will be supported by an Urban Water Management Plan (UWMP). The UWMP will further develop the preliminary concept designs expressed in this LWMS document to detailed designs for approvals and ultimately to construction. As part of further design development and also as part of the UWMP process the following should be addressed:

- a. Confirm flow rates and water levels at critical locations up to 1% AEP (1: 100 year) event.
- b. Further investigate and confirm the capacity of the depression within the south-west. Provide an overland flow path from the depression to safely egress downstream.
- c. Further investigate and confirm the capacity of the Broome TAFE basin, and its overland flow path to Cable Beach Road East.
- d. Determine the land area requirements to fit the stormwater management infrastructure.
- e. Consideration to accommodate a swale within the Stage 3 drainage easement, and widen the easement accordingly.
- f. Proposed lot levels and FFL to be cognisant to the site surrounds and constraints, utility servicing requirements, road design requirements, and stormwater designs.
- g. Locations, level and dimension to the drainage structures such as kerbs, pits, pipes, lot swales, linear open swales and small check dams (weirs).
- h. Implementation plan, including roles and responsibilities.
- i. Identification of monitoring locations and reporting timeframes.

### 7.1 Roles and Responsibilities

The roles and responsibilities for further stormwater management tasks to support future planning for the development are set out in **Table 6**.



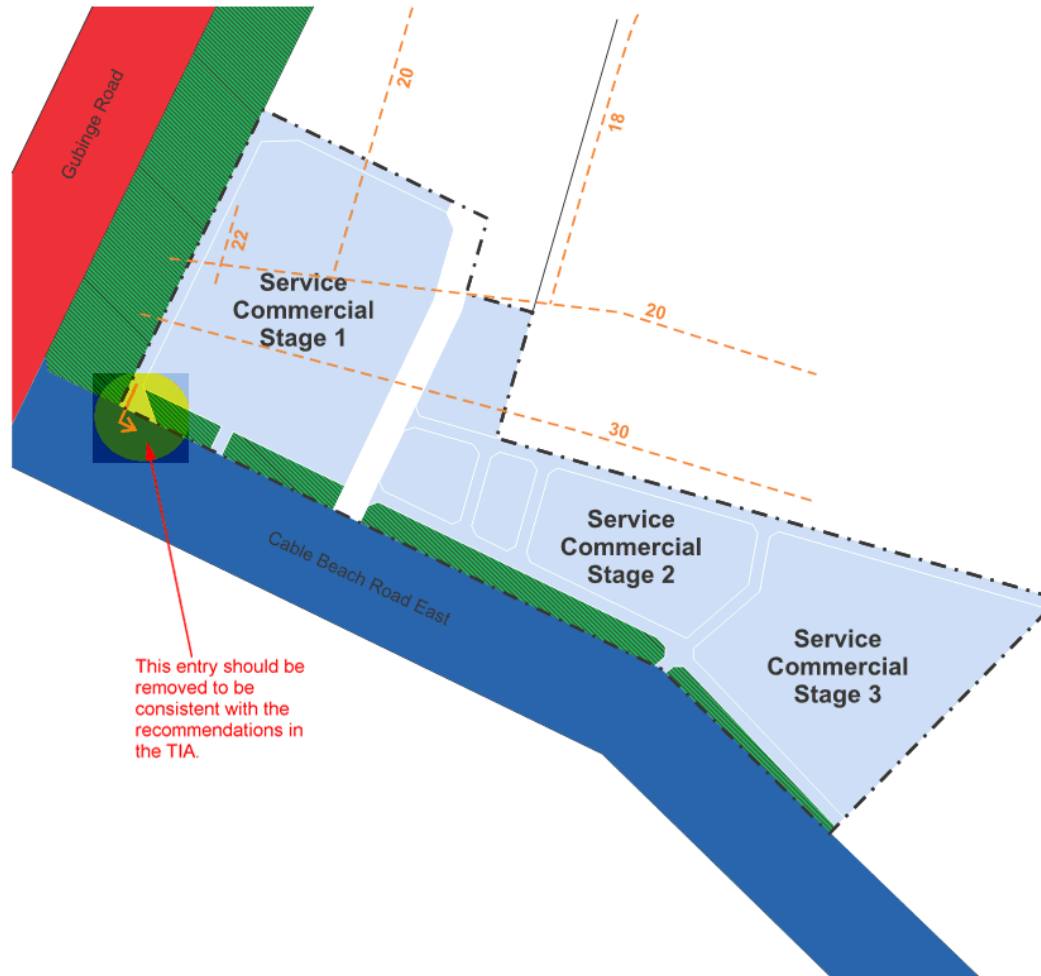
Table 6: Roles and Responsibilities

Role	Responsibility	Requirement and Period
Prepare an UWMP, demonstrating compliance with the LWMS.	Developer	In conjunction with the detailed design, as part of the subdivisional approvals process.
Design and construction of the stormwater system in accordance with the UWMP.	Developer	In conjunction with the detailed design, as part of the subdivisional approvals process. The construction to be to Shire of Broome's satisfaction.
Rectification of any defects or omission to the stormwater system during the 12 months defects liability period after the date of practical completion.	Developer	Rectify of any defects or omission to the stormwater system during the 12 months defects liability period after the date of practical completion.
Maintenance of the stormwater system after the conclusion of the 12 months defects liability period.	Shire of Broome	Maintain the stormwater system into perpetuity after the conclusion of the 12 months defects liability period.
Implementation of post development monitoring	Developer	A three year monitoring period would be typically expected following completion of the subdivisional and stormwater infrastructure.
Sweeping of streets and carpark areas	<ul style="list-style-type: none"> <li>▪ Developer during construction and defects liability period</li> <li>▪ Lot owners for private carparks</li> <li>▪ Shire for roadways</li> </ul>	Sweeping to roads and carpark areas as needed for the removal of debris, sand, silt and litter.

**ATTACHMENT 1 – Structure Plan Map (Plan No.01)**

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urban  
plan | design  
development



- Legend**
- Structure Plan Area
  - Highways and Major Roads
  - Arterial Road
  - Proposed Service Commercial Zone
  - Drainage
  - Access Road
  - Internal Access
  - Left Out Only
  - Obstacle Limitation Surface Contours

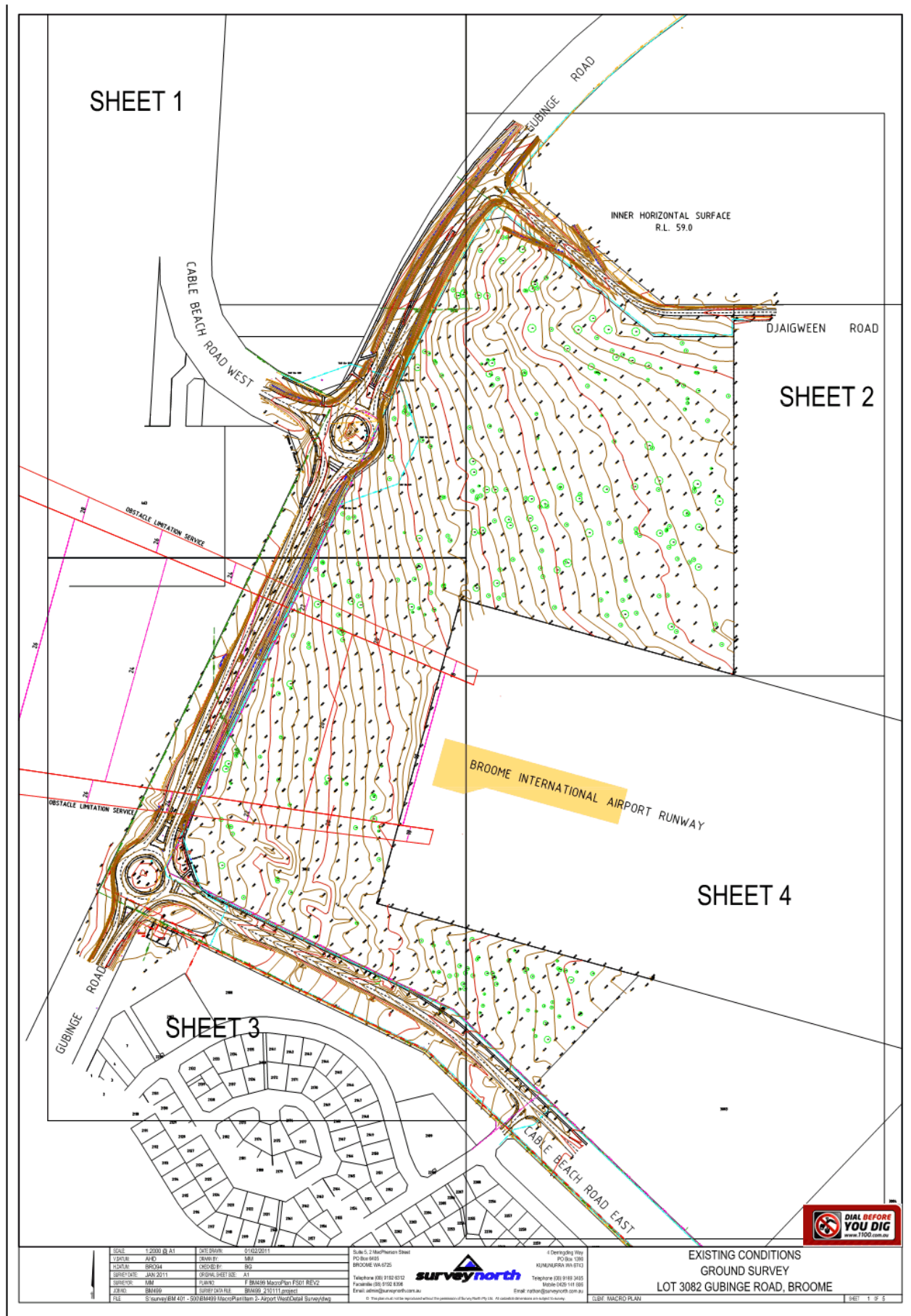
Notes:  
Local development plan to be developed  
Reserve widths as scaled

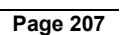
**Structure Plan Map: Plan No.1**  
Part of Lot 3082 Cable Beach Road East, Broome

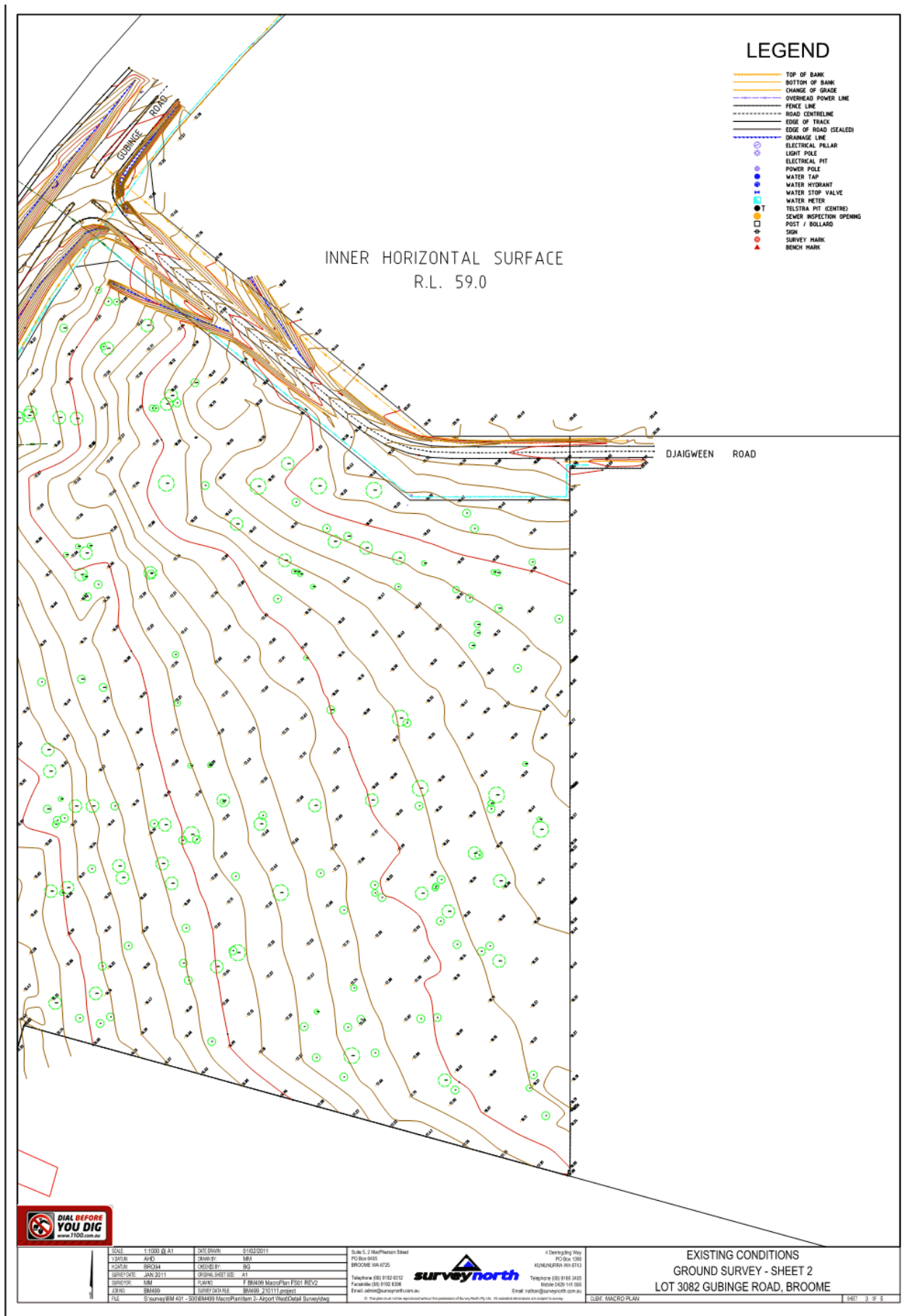
Scale 1: 2,500 (A3)  
0 20 100



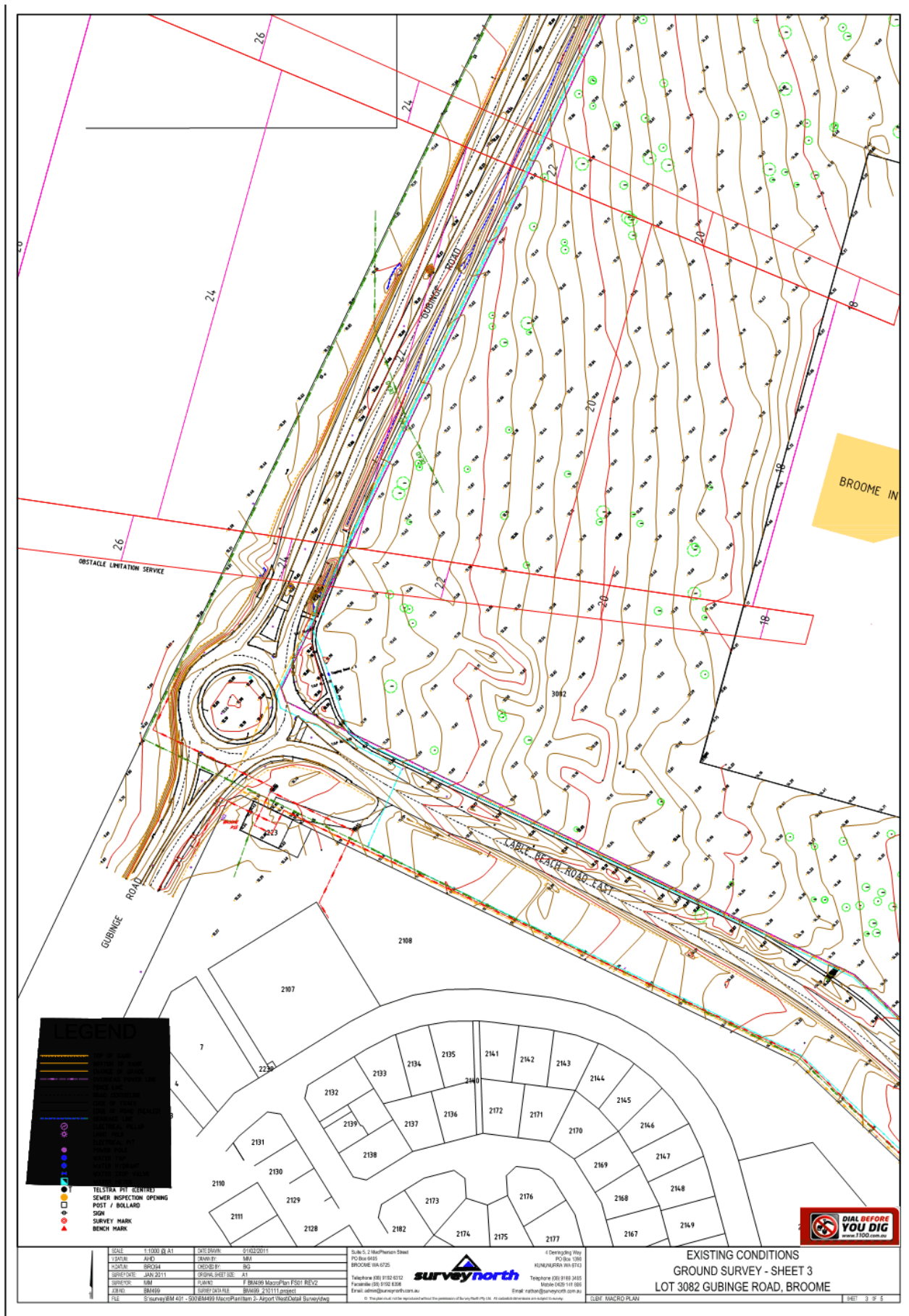
ATTACHMENT 2 – Survey

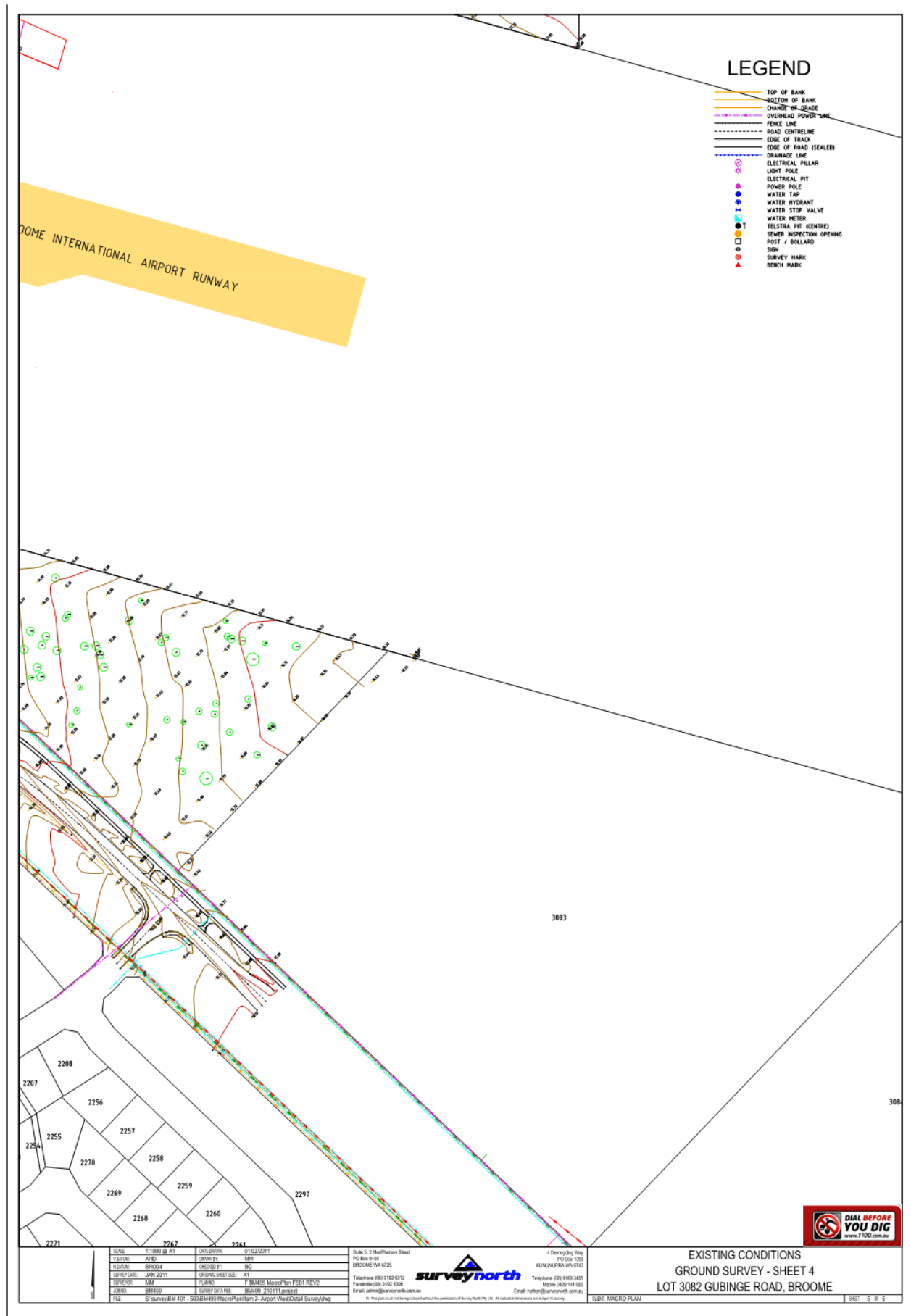






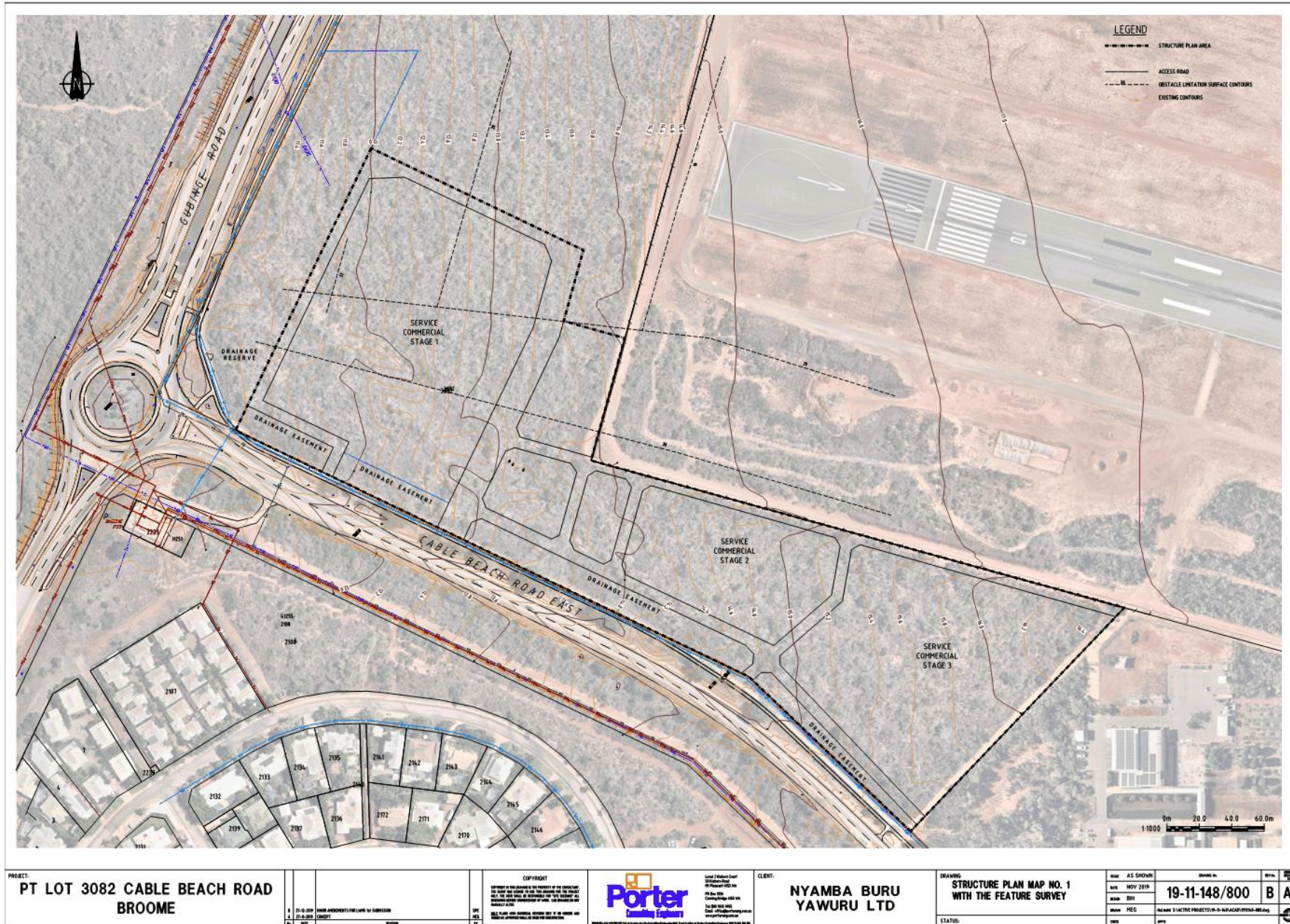




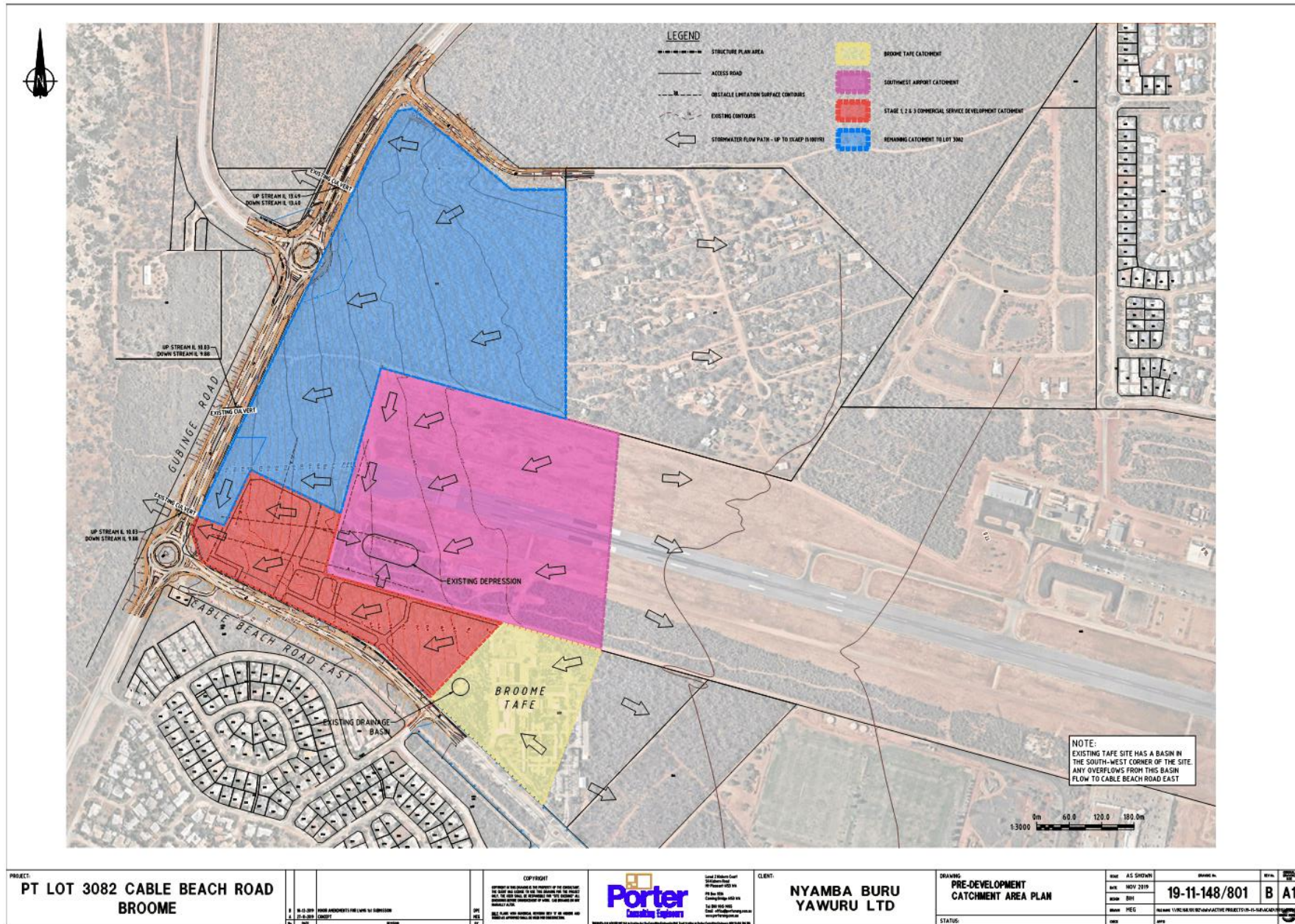


**ATTACHMENT 4 – Site Plan, Catchment and Post Development Drawings**

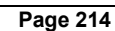




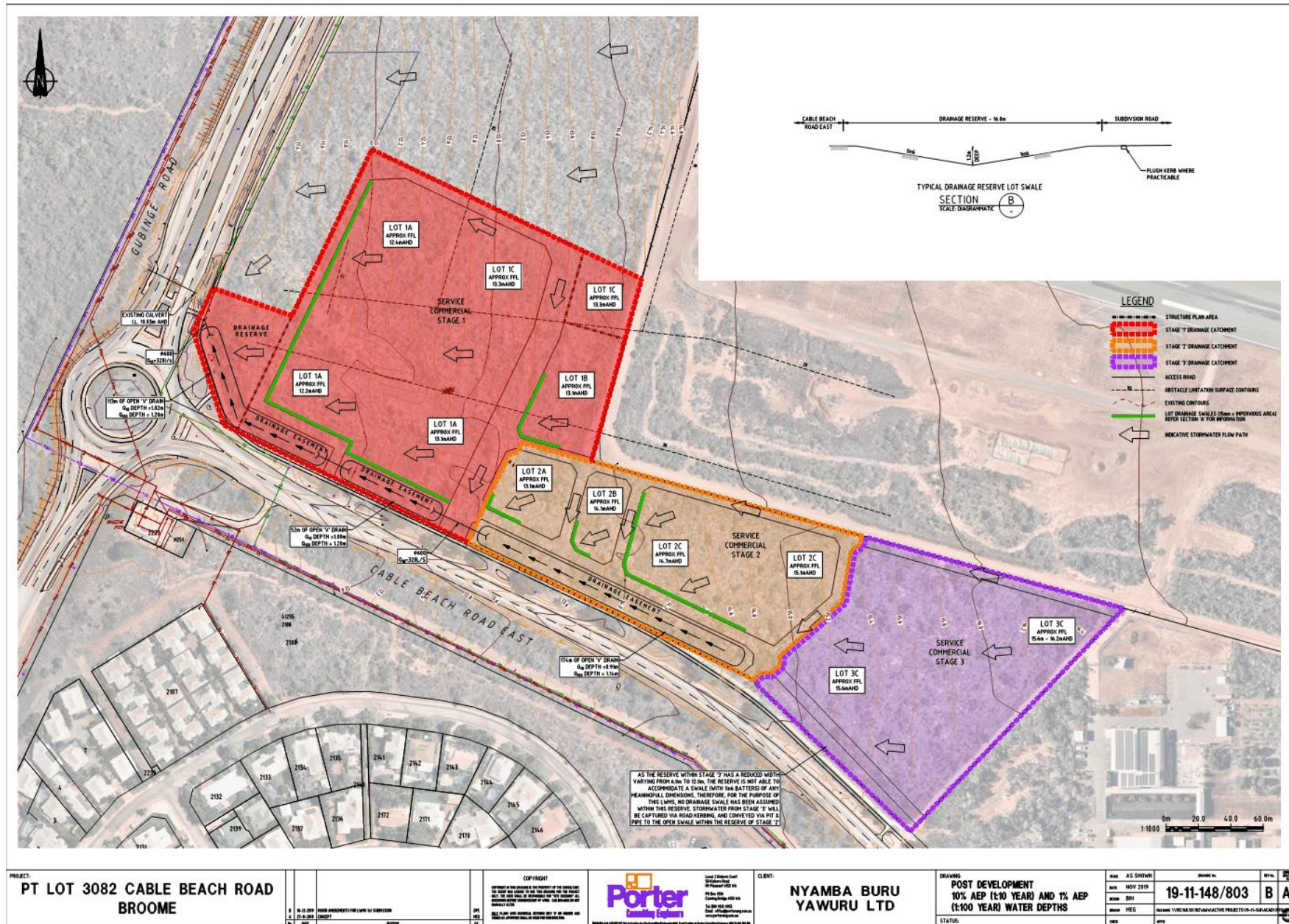














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December 2019

Final Revision 2

Broome Homemaker Centre, Cable Beach Road East, Broome

Prepared For: Nyamba Buru  
Yawuru



Structure Plan Transport Impact  
Assessment  
Report

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Client: Nyamba Buru Yawuru  
Project: Broome Homemaker Centre



#### DOCUMENT ISSUE AUTHORISATION

Issue	Rev	Date	Description	Prepared By	Checked By	Approved By
0	0	19/09/2019	Draft Report	CHS	DNV	DNV
1	0	26/09/2019	Final Report	CHS	DNV	DNV
1	1	8/11/19	Final Report Response to Shire Queries	CHS	DNV	DNV
1	2	05/12/19	Final Report Minor Edits	CHS	CHS	CHS

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Donald Veal Consultants Pty Ltd

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Project: Broome Homemaker Centre



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## **1. INTRODUCTION**

### **1.1 BACKGROUND**

Nyamba Buru Yawuru Ltd is a not for profit company owned by the Yawuru native title holders and is tasked with generating income from the Yawuru's capital assets. One of these assets is Lot 3082 (102) Cable Beach Road East in Broome. The site is approximately 33 hectares (Ha) in size, located approximately 4km to the west of the Broome Chinatown and 3km north of Broome Port. The site wraps around the western end of the Broome Airport.

There are plans to relocate Broome Airport but the timing for this is at best very long term. Donald Veal Consultants (DVC) understands that until the airport is relocated the residential component of the development is not possible due to noise restrictions. Nyamba Buru Yawuru has therefore commissioned DVC to prepare this Transport Impact Assessment in support of a Structure Plan amendment for a 7 Ha portion of the site to contain a mixture of retail and commercial developments.

The development of this 7 Ha portion will be divided into 3 stages to be completed within the next 10-15 years.

### **1.2 SCOPE OF THIS REPORT**

The structure and scope of this Transport Impact Assessment is in accordance with the WAPC's Transport Impact Assessment Guidelines (August 2016).

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## 2. EXISTING SITE CONDITIONS

### 2.1 LOCATION

The development site lies to the north east of the Gubinge Road / Cable Beach Road East intersection. The general locality is shown in **Figure 2.1**, with the site location shown in more detail in **Figure 2.2**.

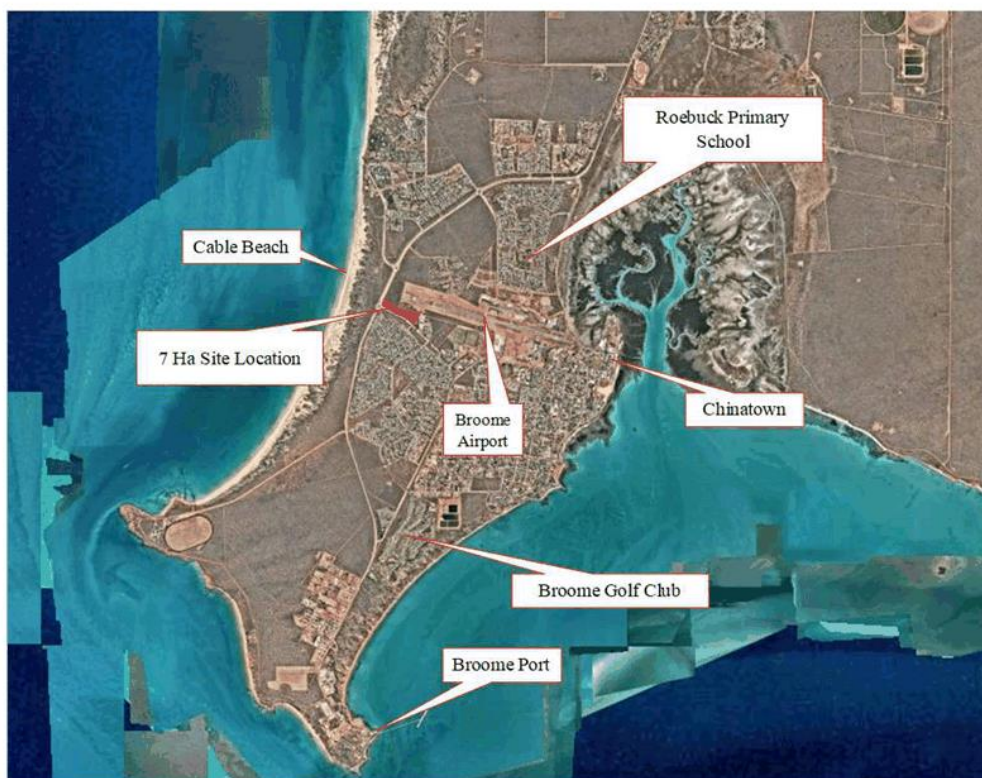


Figure 2.1: General Locality Plan. Source: Nearmap

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Figure 2.2: Site Location. Source: Nearmap

## 2.2 CURRENT LAND USES

The site is currently undeveloped. Immediately to the east of the site is the North Regional TAFE. To the south and on the other side of Cable Beach Road East is the residential suburb of Cable Beach. Northeast of and adjacent to the site is Broome Airport, while immediately to the west is Gubinge Road and Cable Beach itself a further 500m west.

## 2.3 EXISTING SITE ACCESS

There is currently no formal access to the site.

## 2.4 ADJACENT ROAD NETWORK

The road network adjacent to the site comprises Gubinge Road to the west and Cable Beach Road East to the south.

Gubinge Road is constructed as a 4-lane, dual carriageway road and links the main arterial road into Broome to the Broome Port. It is located on the western side of the Broome 'peninsula' and most major intersections along it are controlled by roundabouts, including the intersections with Cable Beach Road East and Cable Beach Road West. The posted speed limit on Gubinge Road is 70km/h.

Cable Beach Road East and Cable Beach Road West are connected by a short section of Gubinge Road and link the resort and residential areas to the north west with the main business areas in east Broome. Cable Beach Road East is currently constructed as a single carriageway, two-way road within a 65m



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wide road reserve. Intersections along Cable Beach Road East are controlled by a combination of give-ways and roundabouts. The posted speed limit on Cable Beach Road east is 60km/h.

Gubinge Road is classified as a Primary Distributor in the Main Roads WA (MRWA) road hierarchy as shown in **Figure 2.3**. It is managed by MRWA and is part of the Restricted Access Vehicles (RAV) network for all categories of Tri-drive vehicles. Cable Beach Road East is classified as a Local Distributor in the MRWA road hierarchy but is not part of the RAV network.



Figure 2.3: MRWA Road Hierarchy

## 2.5 EXISTING TRAFFIC VOLUMES

The traffic count information for the adjacent road network as shown in **Table 2.1** and **Figure 2.4** combines data supplied by the Shire of Broome (see **Appendix A**) with some sourced from the MRWA Traffic Map.

Location	Source and Date	5-Day Average PM Peak Hr 16:00-17:00	7-Day Average PM Peak Hr 16:00-17:00	Saturday Peak Hour	Average Weekday Traffic
Cable Beach Rd East (east of Reid Rd)	Shire of Broome August 2015	975 vph	857 vph	929 vph	10,422 vpd
Cable Beach Rd East (east of Charles Rd)	MRWA Traffic Map 2018	528 vph	523 vph	n/a	5,540 vpd
Gubinge Rd (south of Murray Rd)	MRWA Traffic Map 2015	543 vph	483 vph	n/a	5,898 vpd
Frederick St (west of Herbert St)	MRWA Traffic Map 2018	1,420 vph	1,193 vph	n/a	15,056 vpd
Reid Rd (south of De Marchi Rd)	MRWA Traffic Map 2018	249 vph	220 vph	n/a	2,666 vpd

Table 2.1: Traffic Count Data

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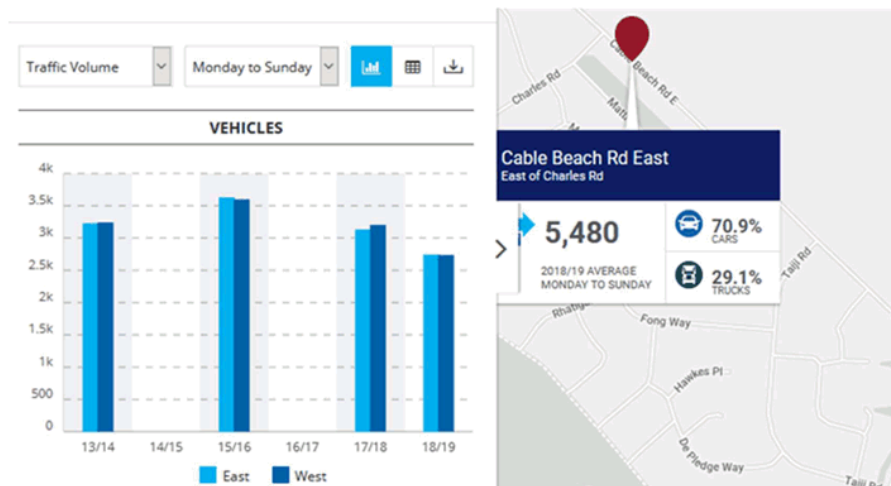


Figure 2.4: Traffic Count Data. Source: MRWA Traffic Map

## 2.6 CRASH HISTORY

A search of the MRWA CARS database along the length of Cable Beach Road East showed thirteen crashes in the 5-year recording period, from 2014 to 2018 inclusive (see Appendix B). Of the thirteen crashes, ten occurred at intersections and only three midblock. There were no fatalities and only one instance requiring medical treatment, with the remainder being mainly major property damage only (PDO). The location, cause and severity of the crashes is summarised in **Table 2.2**.

Location	Type of Crash	Severity
Intersection of Port Drive/ Cable Beach Road East	4 x Rear End	3 x PDO Major 1 x Medical
Midblock	3 x Rear End	3 x PDO Major
Intersection of Reid Road/Cable Beach Road East	2 x Rear End 1 x Hit Object 1 x Side	2 x PDO Minor 1 x PDO Major 1 x PDO Minor
Intersection of Charles Road/ Cable Beach Road east	1 x Rear End	1 x PDO Major
Intersection of Gubinge Road/ Cable Beach Road East	1 x Rear End	1 x PDO Major

Table 2.2: Crash History Summary

## 2.7 PLANNED CHANGES TO THE ROAD NETWORK

There are no known imminent changes planned for the road network in this vicinity.

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### 3. PROPOSED DEVELOPMENT

#### 3.1 GENERAL

The proposed development consists of three separate stages as described in **Table 3.1**.

Stage	Description	Gross Building Area (GBA) m <sup>2</sup> – (unless otherwise stated)
Stage 1: 0-5 years	Major Hardware	7,522
<b>Stage 1 Total</b>		<b>7,522</b>
Stage 2: 5-10 years	Commercial Retail e.g. Harvey Norman	1,500
	Commercial Retail e.g. JB HiFi	600
	Tyre and Muffler Store	500
	Car Wash	350 (6 Bays)
	Service Station & Convenience Store	380 (plus 8 bays)
	Fast Food Outlet	380
	Showrooms	2,500
<b>Stage 2 Total</b>		<b>5,830</b>
Stage 3: 10-15 years	Showrooms	6,500
	<b>Stage 3 Total</b>	<b>6,500</b>
<b>All Stages Total</b>		<b>19,852</b>

Table 3.1: Proposed Staging of Land Uses Development

Figure 3.1 shows the general layout of the proposed development and indicative access arrangements.

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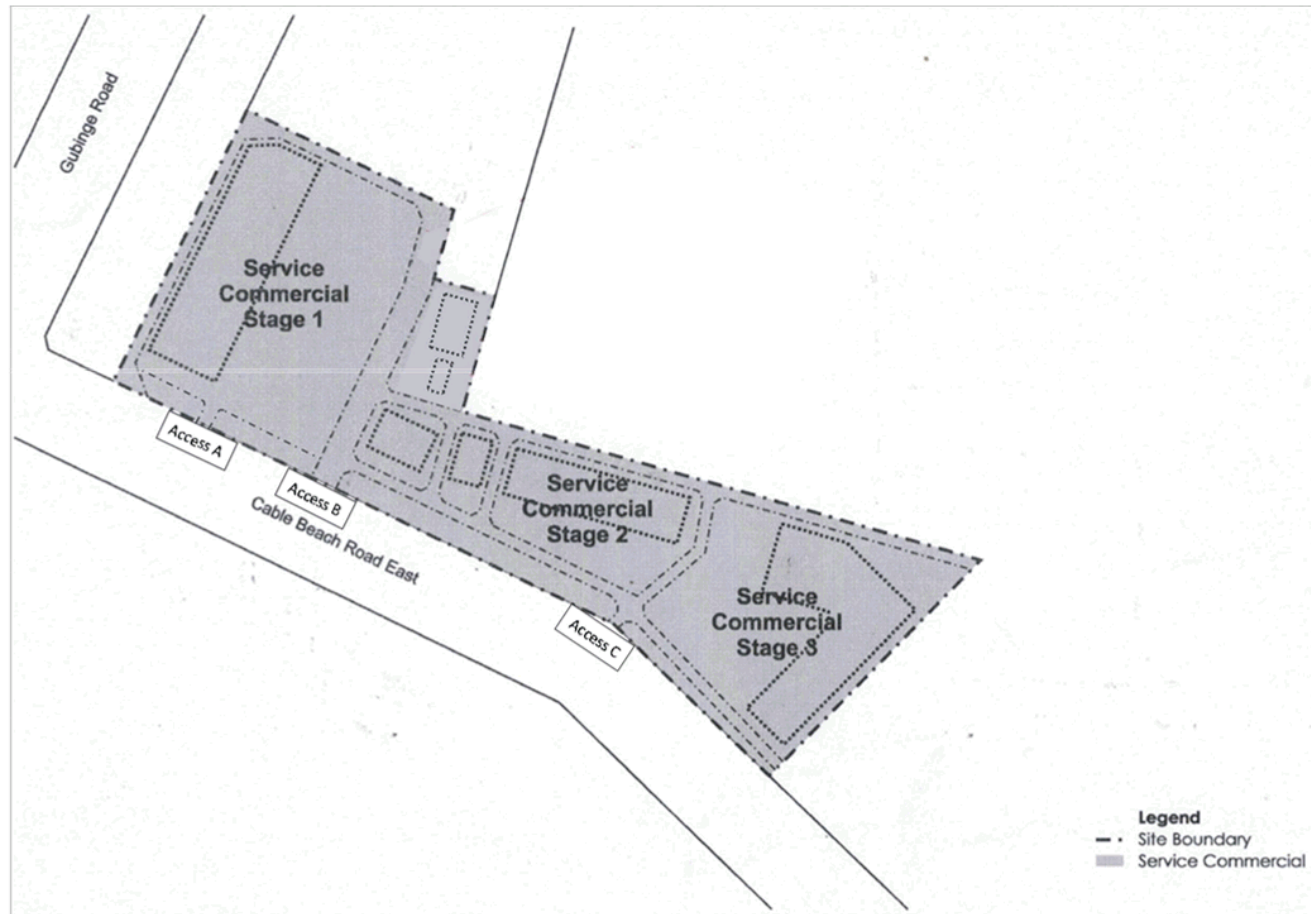


Figure 3.1: Proposed Development Layout

Source: urbanplan



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### 3.2 PUBLIC ACCESS ARRANGEMENTS

Three public accesses are proposed off Cable Beach Road East are shown in **Figure 3.1**. Access A to the west of the site provides left-in, left-out and right-out access to the Bunnings carpark. Right-in turns are not proposed here as westbound vehicles will enter at Access B.

Access B is the main entry point to the development and is connected to a service road along the eastern side of the Bunnings car park. All turning movements would be permitted at the Access B intersection.

Accesses A and B would be constructed in Stage 1.

In the very long-term future, the Access B road may link to future residential development to the north of this development and west of the airport (once it has been relocated). As noted previously no residential development is permissible while the airport operates at its current location and therefore only local development traffic will use the Access B Road in the foreseeable future. Once the airport is relocated, additional road infrastructure is planned as documented and endorsed by the Shire as part of the Broome Airport Development Plan. This infrastructure includes an east-west boulevard linking Cable Beach to Chinatown via the Cable Beach Road West intersection on Gubinge Road, and the southern extension of Jigal Drive to Port Drive.

DVC has discussed the access off Gubinge Road at Cable Beach Road West with MRWA (Gary Bradshaw, September 2019). MRWA agrees that a fourth leg at this intersection is acceptable, sensible and acknowledged as part of the long-term road planning for Broome. What would not be acceptable to MRWA is an additional access off Gubinge Road somewhere between Cable Beach Road East and Cable Beach Road West as proposed in the August 2011 Transcore report.

The proposed east-west boulevard link will also connect (only once the airport is relocated) to any new residential areas west of the airport. Traffic from these areas will use the east-west boulevard to travel directly to Chinatown and (via the Jigal Drive southern extension) to attractions east of Port Drive. Access to Broome Port would be via Gubinge Road. Very little traffic from new residential areas west of the airport would therefore be expected to use the less direct, internal link via Access B Road. The major traffic desire lines are shown schematically in **Figure 3.2**.

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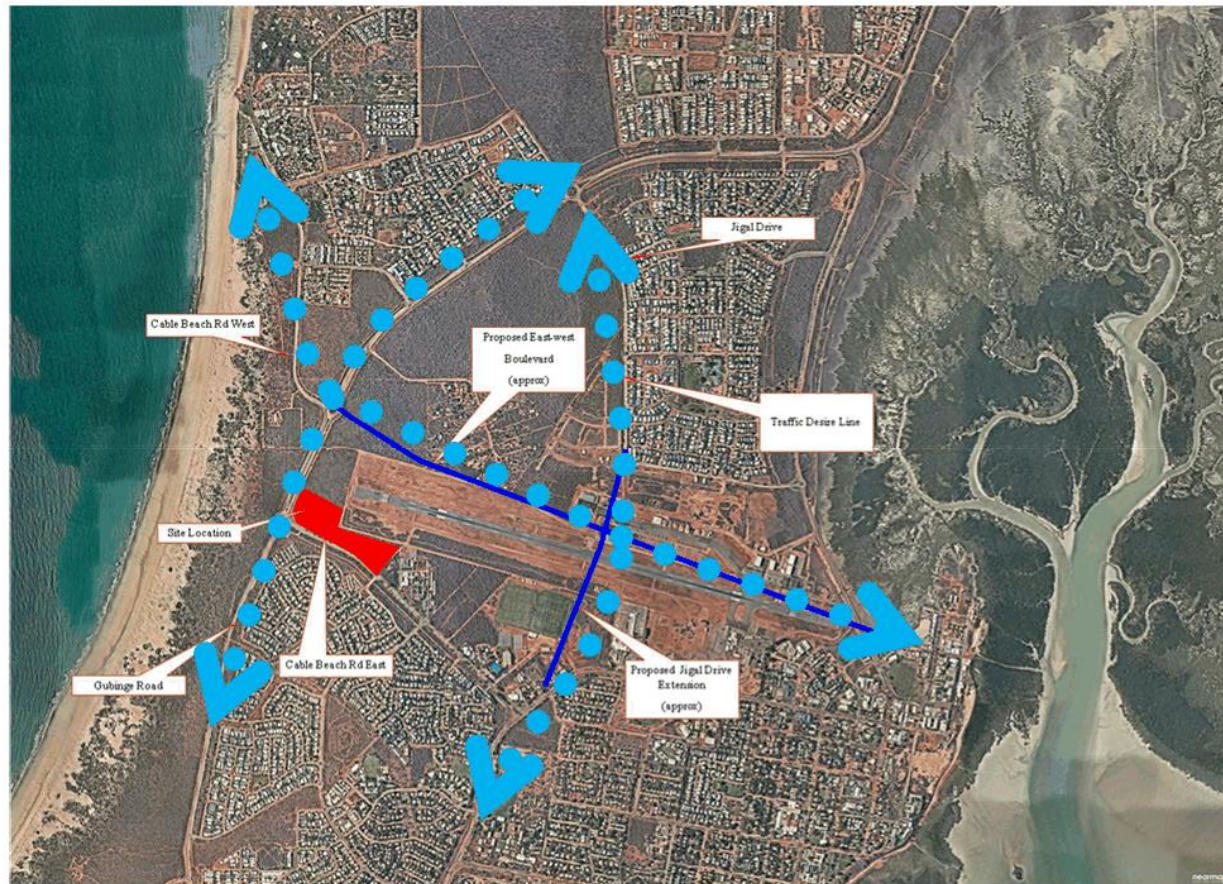


Figure 3.2: Major Traffic Desire Lines *Source: nearmap*

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In the long term future the new east-west boulevard and Jigal Drive will also have the effect of removing significant through-traffic from Cable Beach Road East in the vicinity of the subject site. Traffic from Cable Beach to and from Chinatown will use the more direct east-west boulevard and traffic north of the airport to Port Drive can be expected to use the more direct Jigal Drive. Thus, Cable Beach Road East can be expected to serve mainly local traffic in the long-term as better, more direct routes service the through-traffic once the airport is relocated.

In summary, no residential development can occur west of the airport until the airport is relocated, at which time alternative east-west and north-south routes will be constructed. These will be the most attractive routes for through-traffic and DVC therefore considers that Access B road will carry mostly local traffic to local attractions such as provided at the subject site. In addition, through-traffic along Cable Beach Road East is likely to reduce as the alternative routes are provided.

The road reserve for Access B Road is currently shown as being a nominal 17m wide. Under the WAPC's Liveable Neighbourhoods (2009) this would be defined as an Access Street B as shown in **Figure 3.3**, with a 5.5m carriageway, on-street parking and 4m wide verges. Broome appears to have adopted a slightly larger road reserve in residential areas (typically 20m) which may need to be adopted through residential areas of the structure plan area in the long-term and as more detailed planning progresses. Through the subject site where no on-street parking and verges are not required, a 17m road reserve is considered adequate for the Access B Road to accommodate the local development and residential traffic through the car parks.

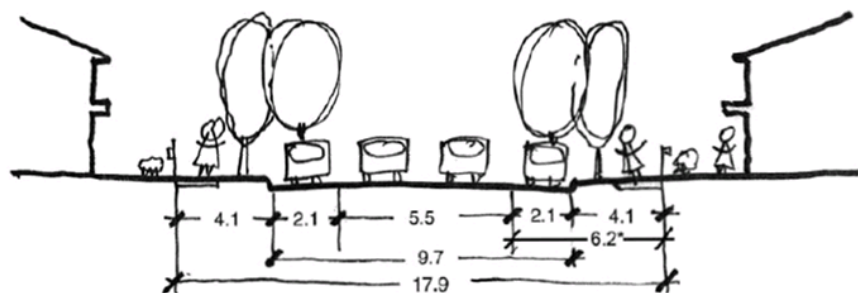


Figure 3.3: Access Street B – Typical Cross-section Source: WAPC Liveable Neighbourhoods.

Access C would provide the easternmost access to the development and would allow all turning movements. It is envisaged that Access C be constructed when Stage 2 is developed.



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## 4. TRAFFIC AND TRANSPORT ANALYSIS

### 4.1 TRIP GENERATION

The trip generation assessment was based on rates from the WAPC Transport Impact Assessment Guidelines, Volume 5, Table 1, and Trip Generation Manual, 8th Edition, Institution of Transportation Engineers, USA (2003). Bunnings Group Limited has also provided trip making characteristics used for the development of its Maddington store in Perth, which have also been used. The trip generation rates provided are different for each of the components of the Bunnings store, i.e. main warehouse, outdoor nursery, bagged goods and building materials. In the absence of detailed floor areas, a weighted average trip rate has been applied to the proposed Broome store.

The Bunnings store would be the largest trip generator at the site. Trip generation rates for Bunnings on a Saturday are almost double those for the weekday pm peak hour. The traffic counts provided by the Shire of Broome show that the Saturday am peak hour (11:00am to 12:00 midday) is almost as high as the weekday pm peak hour. While the Saturday peak hour may not be the busiest for some of the other land uses e.g. the fast food outlet, because of the presence of Bunnings, the Saturday peak has been adopted as the critical peak hour. There is likely to be a significant level of trip sharing between the various land uses of the development i.e. trips to Bunnings might also be combined with a visit to the fast food outlet, or a trip to an electrical goods retailer might also involve a visit to Bunnings. This combining of trips has not been taken into account and trip generation has been considered only in isolation for each land use. For these reasons DVC considers this to be a worst-case scenario.

The trip generation for the site is summarised in **Table 4.1**. The table shows that Stage 1 is expected to generate about 173 inbound trips and about 154 outbound trips during the Saturday peak hour. Similarly, Stage 2 will generate an additional 279 inbound and 289 outbound trips during the same period. The Stage 3 showrooms will generate a further 130 trips inbound and a similar number outbound.

The WAPC Transport Impact Assessment Guidelines Volume 5 identify that not all trips attracted to the development will be new to the surrounding road network. The guidelines identify three categories of trips namely, pass-by, diverted and new trips. Pass-by trips are those that simply turn in to the development before continuing their trip. Good examples of these are service stations and fast food outlets.

For the purposes of this assessment DVC has assumed that 20% of trips attracted to the development will be pass-by trips. **Table 4.1** identifies that the development over all stages will attract some 583 inbound trips in the peak hour. Pass-by trips are assumed to be 20% of this i.e. 116 trips and have been subtracted from the background traffic volumes in the intersection analysis.

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Stage	Land Use	Site Area (Ha)	Development	Units	WAPC Classification	Trip Generation Rate (per 100m <sup>2</sup> GFA)		Trips	
						In	Out	In	Out
Stage 1	Hardware*	2.17	7522	m <sup>2</sup>	Non-food retail	2.31	2.05	173	154
								Total	173 154
Stage 2	Retail e.g. Harvey Norman	1.379	1500	m <sup>2</sup>	Non- food retail	2	2	30	30
	Retail e.g. JB HiFi		600	m <sup>2</sup>	Non- food retail	2	2	12	12
	Showrooms		2500	m <sup>2</sup>	Non- food retail	2	2	50	50
	Tyre	0.886	500	m <sup>2</sup>	Commercial	0.40	1.60	2	8
	Carwash		350	m <sup>2</sup>	Commercial	0.40	1.60	1	6
	Service Stn & Convenience Store		8	Browsers**	Special	13.40	13.40	107	107
	Fast Food		380	m <sup>2</sup> ***	Special	20.00	20.00	76	76
			5830					Total	279 289
Stage 3	Showrooms	1.686	6500	m <sup>2</sup>	Non- food retail	2	2	130	130
								Total	130 130

Table 4.1: Trip Generation Data

Key:

\* As provided by Bunnings for Cannington

\*\* Based on ITE Rate

\*\*\* See TIA Vol 5 WAPC Guidelines Part B Derivation of Technical Data

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## 4.2 TRIP DISTRIBUTION

Trip distribution identifies where trips to and from the proposed development might originate. DVC has discussed this with the Shire of Broome and agreed that a reasonable assumption for the trip distribution is as follows:

- Traffic from the eastern and southern suburbs of Broome approaching from the eastern end of Cable Beach Road East = **50%**
- Traffic from the northern suburbs including Bilingurr /Djugun/Resort area approaching from western end of Cable Beach Road East = **45%**
- Traffic from south along Gubinge Road = **5%**

## 4.3 INTERSECTION ANALYSIS

Analysis of the three intersection accesses to the site off Cable Beach Road East was undertaken using the computer software SIDRA Intersection 6.1.

SIDRA is a commonly used intersection modelling tool in the field of traffic engineering. Outputs for four standard measures of operation performance can be obtained, being Degree of Saturation (DoS), Average Delay, Queue Length, and Level of Service (LoS).

**Degree of Saturation** is a measure of how much physical capacity is being used with reference to the full capability of the particular movement, approach, or overall intersection. A DoS of 1.0 equates to full theoretical capacity although in some instances this level is exceeded in practice. SIDRA uses maximum acceptable DoS of 0.90 for signalised intersections for its Design Life analysis. Design engineers typically set a maximum DoS threshold of 0.95 for new intersection layouts or modifications.

**Average Delay** reports the average delay per vehicle in seconds experienced by all vehicles in a particular lane, approach, or for the intersection as a whole. For severely congested intersections the average delay begins to climb exponentially.

**Queue Length** measures the length of approach queues. In this document we have reported queue length in terms of the length of queue at the 95th percentile (the maximum queue length that will not be exceeded for 95 percent of the time). Queue lengths provide a useful indication of the impact of signals on network performance. It also enables the traffic engineer to consider the likely impact of queues blocking back and impacting on upstream intersections and accesses.

**Level of Service** is a combined appreciation of queuing incidence and delay time incurred, producing an alphanumeric ranking of A through F. A Loss of A indicates an excellent level of service whereby driver delay is at a minimum and they clear the intersection at each change of signals or soon after arrival with little if any queuing. Values of B through D are acceptable in normal traffic conditions. Whilst values of E and F are typically considered undesirable, within central business district areas with

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significant vehicular and pedestrian numbers, corresponding delays/queues are unavoidable and hence, are generally accepted by road users.

#### 4.4 MODELLED SCENARIOS AND SIDRA INPUTS

It is proposed that the site be developed in three stages starting with western end of the site. The opening years of each of the three stages was assumed as follows:

- Stage 1 Opening – 2021;
- Stage 2 Opening – 2026; and
- Stage 3 Opening – 2031.

For traffic testing purposes the following scenarios have been tested:

- Scenario 1: 2026 Background Traffic + Stage 1;
- Scenario 2: 2031 Background Traffic + Stage 1 + Stage 2 + Stage 3.

Recent traffic modelling (Jacobs 2016) suggested that traffic on Cable Beach Road East could grow up to 500% between 2016 and 2031. Recent traffic counts however indicated that there has been a decrease in traffic over the last 3 years. This disparity was discussed with the Shire of Broome and it was agreed that a more realistic growth rate of 1.5% per annum compounded would be appropriate for forecasting and has been adopted in this report for background traffic growth on Cable Beach Road East.

Access to the site would be via the three access points described in section 3.2. Access A, as shown on **Figure 3.1**, is proposed as the westernmost access and is assumed to have a left-in turn, a left-out turn and a right-out turn from the development. A right-in turn to the access is assumed unnecessary as all development traffic would use Access B instead. Access B, the central access, is assumed to cater for all turning movements. Accesses A and B would be constructed for Stage 1 of the development. Access C, the easternmost Access, is assumed to accommodate all turning movements with construction occurring as part of the Stage 2 works.

Turning volumes at each of these accesses were forecast based on the assumed distribution and traffic generation. The turning volumes used in the SIDRA analysis are shown in Appendix A.

#### 4.5 SIDRA RESULTS

The initial SIDRA analyses assume that a turning pocket would be introduced for right-turn traffic off Cable Beach Road East (the do-minimum network option, see **Figure 4.1**) at Access B.

The critical Level of Service (LoS) for each intersection for each scenario is shown in **Table 4.2** for the Do-minimum network. Full SIDRA results for each Scenario and each intersection, including the turning movements are contained in **Appendix C**. The results indicate that for Stage 1 of the development at 2026 the Accesses at A and B operate well with the critical delay 17seconds at Access B. The WAPC





Client: Nyamba Buru Yawuru

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guideline threshold for priority intersections is <35secs average delay per vehicle on the non-priority leg.

The results for all Accesses are forecast to operate well at the 2031 scenario with the right-turn out turning movement at Accesses B and C experiencing delays of about 30seconds.

Scenario (Year)												
	Access A				Access B				Access C			
	DoS	Delay	QL	LoS	DoS	Delay	QL	LoS	DoS	Delay	QL	LoS
1 (2026)	0.08	13	2	B	0.16	17	4	C	N/A	N/A	N/A	N/A
2 (2031)	0.29	29	7	D	0.51	33	16	D	0.69	30	32	D

**Table 4.2: SIDRA Analysis Results - Do Minimum Network Option**

Note: DoS = Degree of Saturation

Delay = Critical Average Delay in sec/veh

QL = 95% queue length in metres

LoS = Level of Service

DVC notes that this modelling likely to be conservative (overestimates traffic demand and delays) as the modelled scenarios represent a worst case situation where no trip-sharing has been accounted for.

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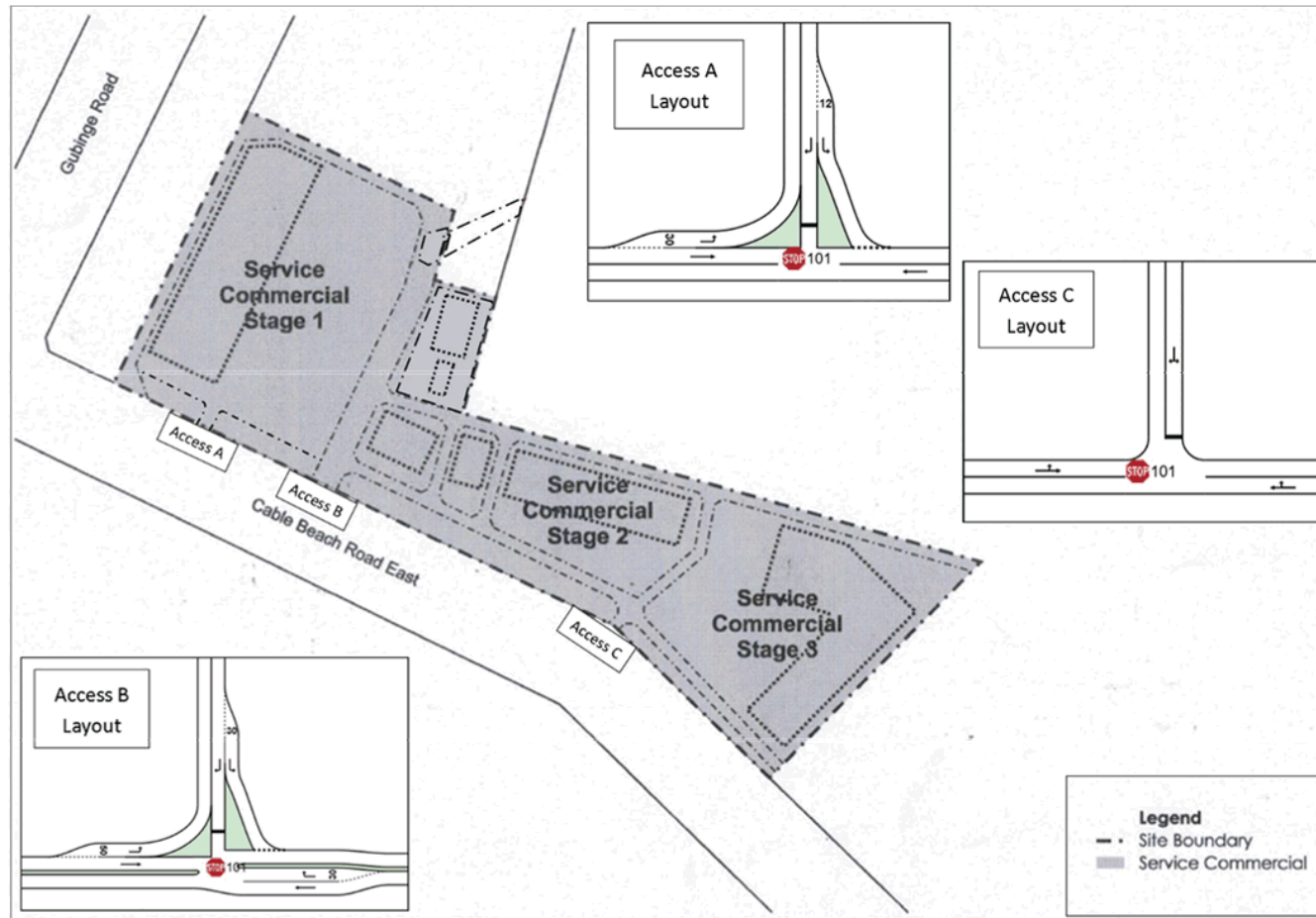


Figure 4.1: Intersection Configuration Assumptions

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Project: Broome Homemaker Centre



#### 4.6 SERVICE VEHICLES

Service access to the development is proposed as follows:

**Stage 1** – Service vehicles (potentially including B-doubles) are likely to enter via Access B and enter the rear service road to the north of the Bunnings building in anti-clockwise direction. Vehicles could exit using the service lane to the west of the building, travel around the southern face of the building and exit eastbound onto Cable Beach Road East at Access A. DVC has undertaken a swept path assessment of the exit located at Access A and considers it capable of accommodating B-double trucks., By locating the service exit at Access A, adequate separation is provided from the intersection of Gubinge Road and Cable Beach Road East.

**Stage 2** – Service vehicles will be able to enter via Access B or Access C. A service road is located between the rear of the buildings and the airport fence line and is connected to the Access B road and the Access C road.

**Stage 3** – Service vehicles to Stage 3 buildings will enter via Access C and enter a service road to the north of the building footprint. There is adequate space provided behind the buildings for vehicles to turn without having to reverse.

Under these arrangements, and if larger service vehicles such as B-doubles are used by Bunnings and others for deliveries, it will be necessary to reclassify or obtain dispensation to use Cable Beach Road East as part of the Restricted Access Vehicle (RAV) network.

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## 5. CAR PARKING

### 5.1 PARKING REQUIREMENT

The parking provision rates shown in the Shire of Broome's Town Planning Scheme 6 result in the parking bay requirements shown in **Table 5.1**.

A final parking design is not part of this Structure Plan. However, DVC has seen preliminary concept parking layouts for the development which show adequate parking supply and are included in **Table 5.1**. DVC is confident that adequate parking can be provided in future. It is however, important at the more detailed development application stage that parking is provided in accordance with the town planning scheme and that the parking layout meets the relevant Australian Standards.

TPS6 also specifies the number of bicycle parking places to be provided for each land use. Parking for bicycles has not been shown in **Figure 3.1** but can readily be accommodated for on site. DVC notes that given the 'bulky goods' nature of the proposed development it is not expected that cycling will be a major transport mode for shoppers although it may be used by some staff members.

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Land Use	Rate	Quantity	No. Parking bays required	No. Parking bays provided
<b>Warehouse</b>	1 bay per 50m <sup>2</sup> of NLA	7522m <sup>2</sup> GFA	150	272
<b>Motor Vehicle Repairs</b>	1 bay per 30m <sup>2</sup> sales area and 1 bay per service bay	Assume 60m <sup>2</sup> sales and 4 service bays	10	195
<b>Carwash</b>	Na			
<b>Service Station</b>	1 bay per employee and 1 bay per 20m <sup>2</sup> NLA	Assume 1 employee and 380m <sup>2</sup> GLA	20	
<b>Fast Food Outlet</b>	1 bay per employee and 2 bays per 2m <sup>2</sup> counter area	Assume 6 employees and 10m <sup>2</sup> counter space	16	
<b>Bulky Goods Showroom</b>	1 bay per 50m <sup>2</sup> of NLA	1500m <sup>2</sup> GLA	30	
<b>Electronic Goods Retail</b>	1 bay per 20m <sup>2</sup> NLA	600m <sup>2</sup> GLA	30	
<b>Showroom (Stage 2)</b>	1 bay per 50m <sup>2</sup> of NLA	2500m <sup>2</sup> GLA	50	206
<b>Showroom (Stage 3)</b>	1 bay per 50m <sup>2</sup> of NLA	6500m <sup>2</sup> GLA	130	
<b>Total</b>			<b>436</b>	<b>673</b>

Table 5.1: Parking bay requirements

Client: Nyamba Buru Yawuru  
Project: Broome Homemaker Centre



## 6. SUSTAINABLE TRANSPORT

### 6.1 PEDESTRIANS AND CYCLISTS

There is currently a 2m wide footpath which extends all the way from the Chinatown in the east, past the subject site and then north to the residential and resort areas. The path runs on the northern side of Cable Beach Road East and on the eastern side of Gubinge Road adjacent to the site. The proposed development is unlikely to attract a high number of pedestrians and cyclists due to the nature of the shops (eg hardware and bulky goods). However, the existing footpath is an excellent facility and DVC considers that it would more than adequately provide for the needs of the proposed development.

Logical pathway links into the development should be established off Cable Beach Road East frontage at both the eastern and western end of the site.

### 6.2 PUBLIC TRANSPORT

The Broome Explorer (Be) is a scheduled bus service in Broome which operates along Cable Beach Road East as shown in **Figure 6.1**. The route joins the Cable Beach resort area to Chinatown and a little further south to the water Park and site of the old Jetty.

The service has a frequency of 1 bus per hour in each direction between approximately 7:23am and 6:45pm. Bus stops 16, 17, 28 and 29 are directly opposite the proposed development site on Cable Beach Road East. DVC assumes that the service is mainly intended as a tourist service as it links key tourist areas. However, it also has some catchment of local residential areas and may offer a limited 'commuter' role, in a town which is largely car centric.



Figure 6.1: Broome Explorer Bus Route and Stops. Source: Broome Explorer Bus web site.

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## **7. SUMMARY AND CONCLUSION**

### **7.1 SUMMARY**

DVC has prepared this Transport Impact Assessment report to support the Structure Plan Application being made to the Shire of Broome on behalf of Nyamba Buru Yawuru regarding the retail and commercial development of Lot 3082 Cable Beach Road East in Broome.

The proposed development consists of a Bunnings store, a tyre store, a carwash, a service station, a fast food outlet, a bulky goods retailer, an electrical goods retailer and two large bulky goods showrooms. It is proposed that the developed is divided into 3 stages starting with the Bunnings store, the tyre store and carwash, the service station and fast food outlet. Stage 1 is likely to start immediately with Stage 2 adding further retail space following 5-years later and Stage 3 adding further capacity a further 5-years after that.

Based on published trip generation rates it is estimated that all stages of the development would generate some 1,150 Saturday peak hour trips. However, given the likely level of trip sharing between the land uses, this represents a worst-case scenario.

The site would be serviced by three public accesses off Cable Beach Road East. Access B will be the main access point and will permit all turning movements. Access C also permits all turning movements but will not attract as much traffic as Access B. Access A will not require a right turn in to the development off Cable Beach Road East.

The parking provision rates shown in the Shire of Broome's Town Planning Scheme No. 6 result in a minimum requirement for 436 parking bays. A concept parking layout indicates that over 600 bays could be provided. Parking should conform to the town planning scheme requirement in future development applications.

Access for service vehicles will be provided via Accesses B and C. If larger delivery vehicles are used then Cable Beach Road East will need to be included in the RAV network for Broome.

There is an excellent bicycle and pedestrian path network adjacent to the site which links the resort areas to the old Broome area to the east. Given the generally bulky goods nature of the proposed development it is unlikely that cycling or walking will be popular modes of transport to the site, although the fast food outlet and electrical goods retailer may attract some such customers. Employees may also choose to cycle or walk to and from the site. Good links into the development are therefore recommended.

### **7.2 CONCLUSION**

The results of this study show that the development can be accommodated with the proposed accesses off Cable Beach Road East at the 2031 horizon. Service vehicle access can be accommodated but must be designed at the detailed stage so as not to affect the Gubinge Road roundabout or development accesses. DVC therefore supports the structure plan application in terms of the forecast transport impact of the proposal.



Client: Nyamba Buru Yawuru  
Project: Broome Homemaker Centre

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## APPENDIX A: CRASH HISTORY DATA

Client: Nyamba Buru Yawuru

Project: Broome Homemaker Centre

Detailed Crash History

Road	Road Name	SLK	DMY	True Dist	Intersection	Date	Day	Time	Severity	Crash No.	Type	Light Cond	Road Cond	Speed Limit	Traffic Control	Road Feature	Road Alignment	Speed Factor	MR Nature	Location	RUM	Unit	Unit Type	From Dir	To Dir	Veh/Ped Move	First Object Hit	Second Object Hit	Third Object Hit	Target Impact Point	
00100 01	Cable Beach Rd West	0.00	S	0.00	CABLE BEACH RD WEST RTY (104453)	20/04/2014	Sunday	1345	PDO Major	20147 27855	Intersection	Daylight	Dry		Give Way Sign	Roundabout	Curve		Hit Object	On Left Verge After Leaving Cway	84-Off Path On Curve: Off Left Bend In Obj	Colliding	Utility	S - CABLE BEACH RD WEST RTY	N - CABLE BEACH RD WEST RTY	Swerving: To Avoid Animal	Drainage Ditch				
00100 01	Cable Beach Rd West	0.60	S	0.60		21/03/2015	Saturday	1935	PDO Major	20150 85185	Midblock	Dark - Street Lights On	Dry		No Sign Or Control		Straight		Sideswipe Same Dim	On Cway	84-On Path: Open Car Door	Colliding	Four Wheel Drive (Not Car Design)	S	N	Straight Ahead: Not Out Of Control					
00100 01	Cable Beach Rd West	0.60	S	0.60		21/03/2015	Saturday	1935	PDO Major	20150 85185	Midblock	Dark - Street Lights On	Dry		No Sign Or Control		Straight		Sideswipe Same Dim	On Cway	84-On Path: Open Car Door	Target		S	N	Stopped: Other					Side
00100 01	Cable Beach Rd West	0.81	S	0.81	MURRAY RD (079027)	01/05/2014	Sunday	1040	PDO Major	20148 25843	Intersection	Daylight	Dry		No Sign Or Control	3-way Intx (T-junction)	Straight		Rear End	On Cway	31-Same Dim: Same Lane Rear End	Colliding	Station Wagon	N - CABLE BEACH RD WEST	S - CABLE BEACH RD WEST	Straight Ahead: Not Out Of Control					
00100 01	Cable Beach Rd West	0.81	S	0.81	MURRAY RD (079027)	01/05/2014	Sunday	1040	PDO Major	20148 25843	Intersection	Daylight	Dry		No Sign Or Control	3-way Intx (T-junction)	Straight		Rear End	On Cway	31-Same Dim: Same Lane Rear End	Target	Car	N - CABLE BEACH RD WEST	S - CABLE BEACH RD WEST	Straight Ahead: Not Out Of Control					Rear
00100 01	Cable Beach Rd West	1.20	S	1.20	SANCTUARY RD (018357)	07/10/2014	Tuesday	0655	PDO Minor	20140 24133	Intersection	Daylight	Dry		Give Way Sign	Roundabout	Curve		Right Angle	On Cway	12-Intx: Right - Thru	Colliding	Car	S - CABLE BEACH RD WEST	N - CABLE BEACH RD WEST	Straight Ahead: Not Out Of Control					
00100 01	Cable Beach Rd West	1.20	S	1.20	SANCTUARY RD (018357)	07/10/2014	Tuesday	0655	PDO Minor	20140 24133	Intersection	Daylight	Dry		Give Way Sign	Roundabout	Curve		Right Angle	On Cway	12-Intx: Right - Thru	Target	Moped	E - SANCTUARY RD	N - CABLE BEACH RD WEST	Turning: To Make Right Turn					Side

Client: Nyamba Buru Yawuru  
Project: Broome Homemaker Centre



Detailed Crash History																													
00102 22	Cable Beach Rd East	0.00	S	0.00	PORT DR & FREDERICK ST (009012)	26/03/ 2014	Wednesd ay	0845	PDO Major	20146 94626	Intersection	Daylight	Dry		Give Way Sign	Roundabo ut	Straight		Rear End	On Cway	32: Same Dim: Same Lane Left Rear	Colliding		N - CAB LE BEA CH RD EAST T	E - FRE DERICK ST	Straight Ahead: Not Out Of Control			
00102 22	Cable Beach Rd East	0.00	S	0.00	PORT DR & FREDERICK ST (009012)	26/03/ 2014	Wednesd ay	0845	PDO Major	20146 94626	Intersection	Daylight	Dry		Give Way Sign	Roundabo ut	Straight		Rear End	On Cway	32: Same Dim: Same Lane Left Rear	Target	Station Wagon	N - CAB LE BEA CH RD EAST T	E - FRE DERICK ST	Stopped: By Traffic Control			Rear
00102 22	Cable Beach Rd East	0.00	S	0.00	PORT DR & FREDERICK ST (009012)	20/09/ 2014	Saturday	1220	PDO Major	20140 40261	Intersection	Daylight	Dry		Give Way Sign	Roundabo ut	Straight		Rear End	On Cway	31: Same Dim: Same Lane Rear End	Colliding	Car			Straight Ahead: Not Out Of Control			
00102 22	Cable Beach Rd East	0.00	S	0.00	PORT DR & FREDERICK ST (009012)	20/09/ 2014	Saturday	1220	PDO Major	20140 40261	Intersection	Daylight	Dry		Give Way Sign	Roundabo ut	Straight		Rear End	On Cway	31: Same Dim: Same Lane Rear End	Target	Car			Stopped: By Traffic Control			Rear
00102 22	Cable Beach Rd East	0.00	S	0.00	PORT DR & FREDERICK ST (009012)	24/03/ 2017	Friday	1700	PDO Major	20170 97522	Intersection	Daylight	Dry		Give Way Sign	Roundabo ut	Straight		Rear End	On Cway	33: Same Dim: Same Lane Right Rear	Colliding	Station Wagon	E - FRE DERICK ST		Straight Ahead: Not Out Of Control			
00102 22	Cable Beach Rd East	0.00	S	0.00	PORT DR & FREDERICK ST (009012)	24/03/ 2017	Friday	1700	PDO Major	20170 97522	Intersection	Daylight	Dry		Give Way Sign	Roundabo ut	Straight		Rear End	On Cway	33: Same Dim: Same Lane Right Rear	Target	Four Wheel Drive (Not Car Design)	E - FRE DERICK ST	N - CAB LE BEA CH RD EAST T	Stopped: By Traffic Control			Rear
00102 22	Cable Beach Rd East	0.00	S	0.00	PORT DR & FREDERICK ST (009012)	18/06/ 2017	Sunday	1050	Medical	20171 93411	Intersection	Daylight	Dry		Give Way Sign	Roundabo ut	Straight		Rear End	On Cway	33: Same Dim: Same Lane Right Rear	Colliding	Utility	E - FRE DERICK ST		Straight Ahead: Not Out Of Control			
00102 22	Cable Beach Rd East	0.00	S	0.00	PORT DR & FREDERICK ST (009012)	18/06/ 2017	Sunday	1050	Medical	20171 93411	Intersection	Daylight	Dry		Give Way Sign	Roundabo ut	Straight		Rear End	On Cway	33: Same Dim: Same Lane Right Rear	Target		E - FRE DERICK ST	N - CAB LE BEA CH RD EAST T	Stopped: Prepared To Turn Right			Rear

Client: Nyamba Buru Yawuru  
Project: Broome Homemaker Centre



Detailed Crash History																													
00102 22	Cable Beach Rd East	0.07	S	0.07		01/06/ 2016	Wednesd ay	1430	PDO Major	20161 63096	Midblock	Daylight	Dry		No Sign Or Control		Straight		Rear End	On Cway	31: Same Dim: Same Lane Rear End	Colliding	Motor Cycle	S	N	Straight Ahead: Not Out Of Control			
00102 22	Cable Beach Rd East	0.07	S	0.07		01/06/ 2016	Wednesd ay	1430	PDO Major	20161 63096	Midblock	Daylight	Dry		No Sign Or Control		Straight		Rear End	On Cway	31: Same Dim: Same Lane Rear End	Target	Statio n Wago n	S	N	Straight Ahead: Not Out Of Control			Rear
00102 22	Cable Beach Rd East	0.11	S	0.11		31/07/ 2015	Friday	1545	PDO Major	20152 53804	Midblock	Daylight	Dry		No Sign Or Control		Straight		Rear End	On Cway	31: Same Dim: Same Lane Rear End	Colliding	Utility			Straight Ahead: Not Out Of Control			
00102 22	Cable Beach Rd East	0.11	S	0.11		31/07/ 2015	Friday	1545	PDO Major	20152 53804	Midblock	Daylight	Dry		No Sign Or Control		Straight		Rear End	On Cway	31: Same Dim: Same Lane Rear End	Target	Utility			Straight Ahead: Not Out Of Control			Rear
00102 22	Cable Beach Rd East	0.31	S	0.31		05/09/ 2015	Saturday	0955	PDO Major	20151 96205	Midblock	Daylight	Dry		No Sign Or Control	Driveway	Straight		Rear End	On Cway	33: Same Dim: Same Lane Right Rear	Colliding	Utility	S	N	Straight Ahead: Not Out Of Control			
00102 22	Cable Beach Rd East	0.31	S	0.31		05/09/ 2015	Saturday	0955	PDO Major	20151 96205	Midblock	Daylight	Dry		No Sign Or Control	Driveway	Straight		Rear End	On Cway	33: Same Dim: Same Lane Right Rear	Target	Car	S	E	Stopped: Prepared To Turn Right			Rear
00102 22	Cable Beach Rd East	0.69	S	0.69	REID RD (018353)	12/07/ 2014	Saturday	1249	PDO Major	20147 72341	Intersection	Daylight			No Sign Or Control	Driveway		Hit Object	On Left Verge After Leaving Cway	76: Loss Of Control: Left Turn - Intx	Colliding	Four Wheel Drive (Not Car Desig n)	N - CAB LE BEA CH RD EAS T	E	Out Of Control: Other	Kerb When Stated As Cause	Fixed Object Other		
00102 22	Cable Beach Rd East	0.69	S	0.69	REID RD (018353)	09/07/ 2016	Saturday	1415	PDO Minor	20162 00152	Intersection	Daylight	Dry		Give Way Sign	Roundabo ut	Straight		Rear End	On Cway	31: Same Dim: Same Lane Rear End	Colliding	Car	N - CAB LE BEA CH RD EAS T	S - CAB LE BEA CH RD EAS T	Straight Ahead: Not Out Of Control			
00102 22	Cable Beach Rd East	0.69	S	0.69	REID RD (018353)	09/07/ 2016	Saturday	1415	PDO Minor	20162 00152	Intersection	Daylight	Dry		Give Way Sign	Roundabo ut	Straight		Rear End	On Cway	31: Same Dim: Same Lane Rear End	Target	Car	N - CAB LE BEA CH RD EAS T	S - CAB LE BEA CH RD EAS T	Stopped: By Traffic Control			Rear

Client: Nyamba Buru Yawuru  
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Detailed Crash History																																	
00102 22	Cable Beach Rd East	0.69	S	0.69	REID RD (018353)	22/08/ 2017	Tuesday	1700	PDO Minor	20172 73255	Intersection	Daylight	Dry		Give Way Sign	Roundabo ut	Straight		Rear End	On Cway	31.Same Dim. Same Lane Rear End	Colliding	Station Wagon	S - CAB LE BEA CH RD RD EAS T	N - CAB LE BEA CH RD RD EAS T	Out Of Control: Sun Glare							
00102 22	Cable Beach Rd East	0.69	S	0.69	REID RD (018353)	22/08/ 2017	Tuesday	1700	PDO Minor	20172 73255	Intersection	Daylight	Dry		Give Way Sign	Roundabo ut	Straight		Rear End	On Cway	31.Same Dim. Same Lane Rear End	Target	Four Wheel Drive (Not Car Design I)	S - CAB LE BEA CH RD RD EAS T	N - CAB LE BEA CH RD RD EAS T	Stopped: By Traffic Control							Rear
00102 22	Cable Beach Rd East	0.69	S	0.69	REID RD (018353)	21/11/ 2017	Tuesday	1500	PDO Minor	20173 63231	Intersection	Daylight	Dry	70	No Sign Or Control	3-way Intx (Tjunction)	Straight		Right Angle	On Cway	17.Intx. Thru - Left	Colliding	Utility	R - REID RD	N - CAB LE BEA CH RD RD EAS T	Turning: To Make Left Turn							
00102 22	Cable Beach Rd East	0.69	S	0.69	REID RD (018353)	21/11/ 2017	Tuesday	1500	PDO Minor	20173 63231	Intersection	Daylight	Dry	70	No Sign Or Control	3-way Intx (Tjunction)	Straight		Right Angle	On Cway	17.Intx. Thru - Left	Target	Car	S - CAB LE BEA CH RD RD EAS T	N - CAB LE BEA CH RD RD EAS T	Straight Ahead: Not Out Of Control							Side
00102 22	Cable Beach Rd East	1.02	S	1.02	CHARLES RD (018354)	29/01/ 2015	Thursday	0930	PDO Major	20150 02891	Intersection	Daylight			No Sign Or Control	3-way Intx (Tjunction)			Rear End	On Cway	33.Same Dim. Same Lane Right Rear	Colliding	Car	N - CAB LE BEA CH RD RD EAS T	S - CAB LE BEA CH RD RD EAS T	Straight Ahead: Not Out Of Control							
00102 22	Cable Beach Rd East	1.02	S	1.02	CHARLES RD (018354)	29/01/ 2015	Thursday	0930	PDO Major	20150 02891	Intersection	Daylight			No Sign Or Control	3-way Intx (Tjunction)			Rear End	On Cway	33.Same Dim. Same Lane Right Rear	Target	Utility	N - CAB LE BEA CH RD RD EAS T	S - CHA RLE S RD	Stopped: Prepared To Turn Right							Rear
00102 22	Cable Beach Rd East	1.57	S	1.57	CABLE BEACH RD EAST RTY (164455)	25/08/ 2015	Tuesday	1615	PDO Major	20151 69631	Intersection	Daylight	Dry		Give Way Sign	Roundabo ut	Curve		Rear End	On Cway	32.Same Dim. Same Lane Left Rear	Colliding	Utility	S - CAB LE BEA CH RD RD EAS T	N - CAB LE BEA CH RD RD EAS T	Straight Ahead: Not Out Of Control							
00102 22	Cable Beach Rd East	1.57	S	1.57	CABLE BEACH RD EAST RTY (164455)	25/08/ 2015	Tuesday	1615	PDO Major	20151 69631	Intersection	Daylight	Dry		Give Way Sign	Roundabo ut	Curve		Rear End	On Cway	32.Same Dim. Same Lane Left Rear	Target	Four Wheel Drive (Not Car Design I)	S - CAB LE BEA CH RD RD EAS T	N - CAB LE BEA CH RD RD EAS T	Stopped: By Traffic Control							Rear

Client: Nyamba Buru Yawuru  
Project: Broome Homemaker Centre

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## **APPENDIX B: SHIRE OF BROOME TRAFFIC COUNT DATA**

Client: Nyamba Buru Yawuru  
Project: Broome Homemaker Centre



### Weekly Vehicle Counts (Virtual Week)

VirtWeeklyVehicle-244

Site: 001\_000222\_000560.0.0E  
Description: Cable Beach Road East 130m Southeast of Reid Road C#1  
Filter time: 0:00 Saturday, 1 August 2015 => 7:42 Thursday, 13 August 2015  
Scheme: Vehicle classification (AustRoads94)  
Filter: Cls(1 2 3 4 5 6 7 8 9 10 11 12 ) Dir(NESW) Sp(10,160) Headway(>0) Span(0 - 100)

	Mon	Tue	Wed	Thu	Fri	Sat	Sun	Averages 1 - 5	1 - 7
<b>Hour</b>									
0000-0100	26.0	27.0	36.0	21.5	22.0	58.0	70.5	27.0	38.5
0100-0200	10.5	6.5	13.5	16.0	19.0	29.5	37.0	12.4	18.8
0200-0300	4.0	8.0	12.0	9.5	15.0	15.0	21.0	9.1	11.8
0300-0400	11.0	10.0	8.5	13.5	26.0	21.0	29.0	12.4	16.3
0400-0500	21.5	23.0	33.5	22.0	25.0	20.0	23.0	23.0	23.9
0500-0600	89.5	92.0	100.0	99.5	104.0	54.0	42.0	96.2	81.4
0600-0700	250.0	233.5	247.5	252.0	251.0	125.0	103.0	246.3	205.6
0700-0800	633.0	604.5	607.0	467.5	633.0	305.0	206.5	584.1	483.1
0800-0900	656.0	613.0	645.5	632.0	641.0	585.5	395.0	637.8	588.6
0900-1000	694.5	662.5	660.0	611.0	678.0	828.5	541.5	662.9	670.3
1000-1100	761.5	735.5	697.0	699.0	731.0	928.5	758.5	727.3	766.0
1100-1200	746.5	753.5	749.0	708.0	774.0	921.5	754.5	747.5	777.7
1200-1300	863.5	808.5	826.0	735.0	842.0	904.5	720.0	821.6	818.5
1300-1400	761.5	788.0	736.0	718.0	773.0	793.5	679.0	757.8	750.6
1400-1500	861.5	793.5	840.5	848.0	878.0	737.5	634.0	839.6	788.3
1500-1600	852.0	790.0	831.0	824.0	869.0	694.0	622.0	829.9	772.6
1600-1700	984.0	893.5	1067.0	996.0	915.0	683.5	563.0	975.0	857.8
1700-1800	897.5	858.0	956.0	852.0	912.0	674.5	534.5	895.9	798.8
1800-1900	617.0	642.0	600.0	668.0	612.0	491.5	510.5	624.8	583.5
1900-2000	318.0	322.5	324.0	352.0	374.0	362.5	264.0	331.9	325.7
2000-2100	189.5	233.5	262.0	214.0	267.0	247.0	287.5	231.4	243.3
2100-2200	129.5	184.0	178.5	166.0	228.0	233.5	157.0	172.3	179.9
2200-2300	75.5	106.0	103.5	102.0	167.0	171.5	107.0	104.9	116.3
2300-2400	38.5	59.5	43.0	38.0	77.0	102.5	63.5	49.6	60.8
<b>Totals</b>									
0700-1900	9308.5	8942.5	9215.0	8758.5	9258.0	8548.0	6919.0	9104.0	8655.6
0600-2200	10195.5	9916.0	10227.0	9742.5	10378.0	9516.0	7730.5	10085.8	9610.1
0600-0000	10309.5	10081.5	10373.5	9882.5	10622.0	9790.0	7901.0	10240.3	9787.2
0000-0000	10472.0	10248.0	10577.0	10064.5	10833.0	9987.5	8123.5	10422.5	9978.0
<b>AM Peak</b>	1000	1100	1100	1100	1100	1000	1000		
	761.5	753.5	749.0	708.0	774.0	928.5	758.5		
<b>PM Peak</b>	1600	1600	1600	1600	1600	1200	1200		
	984.0	893.5	1067.0	996.0	915.0	904.5	720.0		

\* - No data.



Client: Nyamba Buru Yawuru  
Project: Broome Homemaker Centre

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## APPENDIX C: SIDRA DATA

Client: Nyamba Buru Yawuru

Project: Broome Homemaker Centre

## MOVEMENT SUMMARY

 **Site: 101 [Access A Scenario 1 Final]**

Access B

Stop (Two-Way)

Movement Performance - Vehicles											
Mov ID	OD Mov	Demand Flows Total veh/h	HV %	Deg. Satn v/c	Average Delay sec	Level of Service	95% Back of Queue Vehicles veh	Distance m	Prop. Queued	Effective Stop Rate per veh	Average Speed km/h
East: RoadName											
5	T1	420	6.0	0.224	0.0	LOS A	0.0	0.0	0.00	0.00	60.0
Approach		420	6.0	0.224	0.0	NA	0.0	0.0	0.00	0.00	60.0
North: RoadName											
7	L2	40	2.0	0.032	4.2	LOS A	0.1	0.9	0.34	0.54	51.7
9	R2	28	2.0	0.077	13.3	LOS B	0.3	1.9	0.67	1.00	30.4
Approach		68	2.0	0.077	8.0	LOS A	0.3	1.9	0.48	0.73	44.3
West: RoadName											
10	L2	68	2.0	0.037	5.6	LOS A	0.0	0.0	0.00	0.53	41.5
11	T1	274	6.0	0.146	0.0	LOS A	0.0	0.0	0.00	0.00	60.0
Approach		342	5.2	0.146	1.1	NA	0.0	0.0	0.00	0.11	57.8
All Vehicles		831	5.3	0.224	1.1	NA	0.3	1.9	0.04	0.10	58.0

Site Level of Service (LOS) Method: Delay (SIDRA). Site LOS Method is specified in the Parameter Settings dialog (Site tab).

Vehicle movement LOS values are based on average delay per movement.

Minor Road Approach LOS values are based on average delay for all vehicle movements.

NA: Intersection LOS and Major Road Approach LOS values are Not Applicable for two-way sign control since the average delay is not a good LOS measure due to zero delays associated with major road movements.

SIDRA Standard Delay Model is used. Control Delay includes Geometric Delay.

Gap-Acceptance Capacity: SIDRA Standard (Akçelik M3D).

HV (%) values are calculated for All Movement Classes of All Heavy Vehicle Model Designation.

Client: Nyamba Buru Yawuru

Project: Broome Homemaker Centre

## MOVEMENT SUMMARY

 Site: 101 [Access A Scenario 2 Final]

Access B

Stop (Two-Way)

Movement Performance - Vehicles											
Mov ID	OD Mov	Demand Flows Total veh/h	HV %	Deg. Satn w/c	Average Delay sec	Level of Service	95% Back of Queue Vehicles veh	Distance m	Prop. Queued	Effective Stop Rate per veh	Average Speed km/h
East: RoadName											
5	T1	623	6.0	0.332	0.0	LOS A	0.0	0.0	0.00	0.00	59.9
Approach		623	6.0	0.332	0.0	NA	0.0	0.0	0.00	0.00	59.9
North: RoadName											
7	L2	40	2.0	0.040	5.1	LOS A	0.1	1.1	0.46	0.62	50.7
9	R2	49	2.0	0.290	29.4	LOS D	1.0	7.2	0.88	1.03	19.7
Approach		89	2.0	0.290	18.6	LOS C	1.0	7.2	0.69	0.85	32.6
West: RoadName											
10	L2	68	2.0	0.037	5.6	LOS A	0.0	0.0	0.00	0.53	41.5
11	T1	464	6.0	0.247	0.0	LOS A	0.0	0.0	0.00	0.00	59.9
Approach		533	5.5	0.247	0.7	NA	0.0	0.0	0.00	0.07	58.6
All Vehicles		1245	5.5	0.332	1.7	NA	1.0	7.2	0.05	0.09	57.4

Site Level of Service (LOS) Method: Delay (SIDRA). Site LOS Method is specified in the Parameter Settings dialog (Site tab).

Vehicle movement LOS values are based on average delay per movement.

Minor Road Approach LOS values are based on average delay for all vehicle movements.

NA: Intersection LOS and Major Road Approach LOS values are Not Applicable for two-way sign control since the average delay is not a good LOS measure due to zero delays associated with major road movements.

SIDRA Standard Delay Model is used. Control Delay includes Geometric Delay.

Gap-Acceptance Capacity: SIDRA Standard (Akçelik M3D).

HV (%) values are calculated for All Movement Classes of All Heavy Vehicle Model Designation.

Client: Nyamba Buru Yawuru

Project: Broome Homemaker Centre

## MOVEMENT SUMMARY

 Site: 101 [Access B Scenario 1 Final]

Access B

Stop (Two-Way)

Movement Performance - Vehicles												
Mov ID	OD Mov	Demand Flows Total veh/h	HV %	Deg. Satn v/c	Average Delay sec	Level of Service	95% Back of Queue Vehicles veh	Distance m	Prop. Queued	Effective Stop Rate per veh	Average Speed km/h	
East: RoadName												
5	T1	339	6.0	0.181	0.0	LOS A	0.0	0.0	0.00	0.00	60.0	
6	R2	92	2.0	0.065	6.4	LOS A	0.3	2.1	0.36	0.59	49.4	
Approach		431	5.1	0.181	1.4	NA	0.3	2.1	0.08	0.12	57.4	
North: RoadName												
7	L2	41	2.0	0.040	6.7	LOS A	0.1	1.0	0.33	0.57	50.6	
9	R2	53	2.0	0.156	17.3	LOS C	0.6	4.0	0.70	1.00	34.7	
Approach		94	2.0	0.156	12.6	LOS B	0.6	4.0	0.54	0.81	42.4	
West: RoadName												
10	L2	23	2.0	0.013	5.6	LOS A	0.0	0.0	0.00	0.53	48.8	
11	T1	252	6.0	0.134	0.0	LOS A	0.0	0.0	0.00	0.00	60.0	
Approach		275	5.7	0.134	0.5	NA	0.0	0.0	0.00	0.04	59.3	
All Vehicles		799	5.0	0.181	2.4	NA	0.6	4.0	0.10	0.18	56.1	

Site Level of Service (LOS) Method: Delay (SIDRA). Site LOS Method is specified in the Parameter Settings dialog (Site tab).

Vehicle movement LOS values are based on average delay per movement.

Minor Road Approach LOS values are based on average delay for all vehicle movements.

NA: Intersection LOS and Major Road Approach LOS values are Not Applicable for two-way sign control since the average delay is not a good LOS measure due to zero delays associated with major road movements.

SIDRA Standard Delay Model is used. Control Delay includes Geometric Delay.

Gap-Acceptance Capacity: SIDRA Standard (Akçelik M3D).

HV (%) values are calculated for All Movement Classes of All Heavy Vehicle Model Designation.

Client: Nyamba Buru Yawuru

Project: Broome Homemaker Centre

## MOVEMENT SUMMARY

 **Site: 101 [Access B Scenario 2 Final]**

Access B

Stop (Two-Way)

Movement Performance - Vehicles											
Mov ID	OD Mov	Demand Flows Total veh/h	HV %	Deg. Satn v/c	Average Delay sec	Level of Service	95% Back of Queue Vehicles veh	Distance m	Prop. Queued	Effective Stop Rate per veh	Average Speed km/h
East: RoadName											
5	T1	465	6.0	0.248	0.0	LOS A	0.0	0.0	0.00	0.00	59.9
6	R2	164	2.0	0.119	6.5	LOS A	0.5	3.9	0.38	0.61	49.3
Approach		629	5.0	0.248	1.7	NA	0.5	3.9	0.10	0.16	56.8
North: RoadName											
7	L2	117	2.0	0.116	6.9	LOS A	0.4	3.1	0.36	0.61	50.5
9	R2	105	2.0	0.510	33.1	LOS D	2.2	16.0	0.89	1.11	25.5
Approach		222	2.0	0.510	19.3	LOS C	2.2	16.0	0.61	0.84	37.9
West: RoadName											
10	L2	96	2.0	0.052	5.6	LOS A	0.0	0.0	0.00	0.53	48.8
11	T1	267	6.0	0.142	0.0	LOS A	0.0	0.0	0.00	0.00	60.0
Approach		363	4.9	0.142	1.5	NA	0.0	0.0	0.00	0.14	57.6
All Vehicles		1215	4.4	0.510	4.9	NA	2.2	16.0	0.16	0.28	52.8

Site Level of Service (LOS) Method: Delay (SIDRA). Site LOS Method is specified in the Parameter Settings dialog (Site tab).

Vehicle movement LOS values are based on average delay per movement.

Minor Road Approach LOS values are based on average delay for all vehicle movements.

NA: Intersection LOS and Major Road Approach LOS values are Not Applicable for two-way sign control since the average delay is not a good LOS measure due to zero delays associated with major road movements.

SIDRA Standard Delay Model is used. Control Delay includes Geometric Delay.

Gap-Acceptance Capacity: SIDRA Standard (Akçelik M3D).

HV (%) values are calculated for All Movement Classes of All Heavy Vehicle Model Designation.

Client: Nyamba Buru Yawuru

Project: Broome Homemaker Centre

## MOVEMENT SUMMARY

 **Site: 101 [Access C Scenario 2 Final]**

Access B

Stop (Two-Way)

Movement Performance - Vehicles											
Mov ID	OD Mov	Total veh/h	Demand Flows HV %	Deg. Satn v/c	Average Delay sec	Level of Service	95% Back of Queue Vehicles veh	Distance m	Prop. Queued	Effective Stop Rate per veh	Average Speed km/h
East: RoadName											
5	T1	486	6.0	0.401	1.7	LOS A	2.3	17.1	0.38	0.18	55.5
6	R2	142	2.0	0.401	9.3	LOS A	2.3	17.1	0.38	0.18	52.5
Approach		628	5.1	0.401	3.4	NA	2.3	17.1	0.38	0.18	54.8
North: RoadName											
7	L2	144	2.0	0.693	17.1	LOS C	4.5	32.1	0.75	1.26	38.6
9	R2	144	2.0	0.693	29.8	LOS D	4.5	32.1	0.75	1.26	30.2
Approach		288	2.0	0.693	23.4	LOS C	4.5	32.1	0.75	1.26	35.0
West: RoadName											
10	L2	142	2.0	0.282	5.6	LOS A	0.0	0.0	0.00	0.16	52.6
11	T1	384	6.0	0.282	0.0	LOS A	0.0	0.0	0.00	0.16	57.8
Approach		526	4.9	0.282	1.5	NA	0.0	0.0	0.00	0.16	56.8
All Vehicles		1443	4.4	0.693	6.7	NA	4.5	32.1	0.32	0.39	50.5

Site Level of Service (LOS) Method: Delay (SIDRA). Site LOS Method is specified in the Parameter Settings dialog (Site tab).

Vehicle movement LOS values are based on average delay per movement.

Minor Road Approach LOS values are based on average delay for all vehicle movements.

NA: Intersection LOS and Major Road Approach LOS values are Not Applicable for two-way sign control since the average delay is not a good LOS measure due to zero delays associated with major road movements.

SIDRA Standard Delay Model is used. Control Delay includes Geometric Delay.

Gap-Acceptance Capacity: SIDRA Standard (Akçelik M3D).

HV (%) values are calculated for All Movement Classes of All Heavy Vehicle Model Designation.

**8. REPORTS OF COMMITTEES**

Nil.

**9. MATTERS BEHIND CLOSED DOORS**

*No matters were considered behind closed doors.*

**10. MEETING CLOSURE**

*There being no further business the Chairman declared the meeting closed at 1:57pm.*

These minutes were confirmed at a meeting held Thursday, 26 March 2020, and signed below by the Presiding Person, at the meeting these minutes were confirmed.

A handwritten signature in dark ink, consisting of a large, stylized 'A' or 'H' shape with a long horizontal stroke extending to the right.

Signed: