

No.	Submitter Address	Summary of Submission	Local Government Response	Local Government Recommendation
1.	Martin Johnson	<p>Bus Movement' is critical to Broome's Economy in every way. Vital importance & planning sense for planners to Proactively engage existing Bus Service Operators to enable better Bus solutions to benefit All.</p> <p>Recommend Key Planners & Decision Makers also Walk, Bike, Bus around each Precinct during both Wet & Dry seasons to better appreciate planning challenges and where Theory meets Actual.</p> <p>PRIORITY 1: Cable Beach Precinct Activation: 'BeBus MOVEMENT' = Everyone WINS</p> <p>I have been involved in most community workshops surrounding Cable Beach Foreshore & Cable Beach (CB) Precinct planning.</p> <p>Latest planning instils much faith in process of stakeholder & community engagement, however the importance of 'Bebus co-ordination' in driving Precinct economic growth is still underestimated : Greater Visitor \$spend, experience, satisfaction is achievable at little extra cost.</p> <p>I live part year (including some hot, wet + dry times) at Oaks Cable Beach and ride a push bike everyday from the Oaks along Sanctuary road to Cable Beach foreshore returning via Millington road or sometimes via Murray road for variety. 2000-5000 Visitors each night stay adjacent to these 3 roads, depending upon 'the season'. (Wet season - less people).</p> <ul style="list-style-type: none"> • Try walking 1km to & from the Beach in 35 + heat & little shade at age 30 , let alone ages 50+ (50% Visitor demographic) • Try walking in 38 + humidity or in the drenching rain of the wet...with young children. • Try walking at night after dinner & drinks along poorly lit poor pathways particularly after 'visitor safety warnings'. • Try driving home on dark unfamiliar roads after a night at Divers Tavern...Better still Try getting a Taxi. <p>OR Just Forget it!... Stay home, Spend nothing and watch TV with limited choices. (Majority do)</p> <p>Undoubtedly Precinct planning involving future connections, pathways and streetscape upgrades are initiatives which will significantly assist Visitor movements & connection particularly during daylight hours and dry season for some demographic types.</p> <p>I am a frequent supporter of BeBus & know the route backwards to get the best out of it... 85% of visitors are simply unaware of it's scope. Just add 1 Stop @Cable Beach foreshore to the existing 'BeBus Cable Beach to Town route' and Foreshore Visitor frequency, \$Spend, Experience will increase by minimum of 30%. Requires 1 timetable change + marketing/communication. Timing can be almost immediate.</p> <p>All CB Precinct Visitor 'BIG Accommodations' are adjacent to the existing BeBus CB route....as are all CB Precinct Venues: Cable Beach Club: Sunset Bar & Restaurants, Cable Beach House, Surf Club Ocean View Bar, Millies, Spinifex Brewery, Wharf Restaurant, Zookeepers, Divers Tavern, Cable Beach general store, Bali Hai Restaurant, Kimberley Sands Restaurant.</p> <p>A wonderful opportunity exists to CONNECT Big Visitor numbers to Precinct Venues by BeBus. Whilst existing Bus services & fare options are adequate, also consider 1 x 8.30pm after dinner service during peak ... Just needs Marketing & Communication co-ordination to Launch.</p> <p>Immediate Bi-product is BIG increases in Visitor \$Spend, Stay Experience, Satisfaction + CBP Growth..... EVERYONE \$WINS.</p>	<p>PRIORITY 1 - Improved Bus Services</p> <p>Noted and agree with comments made around improving bus services within Cable Beach.</p> <p>The ability for the CBPSP to directly impact the bus service is limited, as it is operated by a private company. One of the movement actions identified in P1 – Table 4 advocates for improved public transport within the CBP and the Broome Townsite.</p> <p>The Broome Explorer currently has stops throughout the CBP including the Cable Beach Foreshore, Sanctuary Road, Millington Road and Murray Road.</p>	<p>That the submission be noted.</p> <p>No changes recommended.</p>

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		<p>PRIORITY 2: Cable Beach Precinct : Key Local Roads & Pathways: Pedestrian, Bike, E-Scooter 'MOVEMENT'</p> <p>Sanctuary Rd between Oryx Rd & Cable Beach West Rd, Cable Beach West Rd from Murray Rd to foreshore, Murray Rd, Millington Rd. These are all Priority Access, Connection Local Roads with adjoining Pathways, currently inadequate for efficient, safe 'Movement'.</p> <p>Priority Roadways. Carry many varieties of Vehicles, including Public, Public Transport, Service, Bicycle, E-Bicycle, E-Scooters (Growing use). Often visiting drivers and passengers are distracted, looking for certain destinations & roadways, whilst negotiating the traffic.</p> <ul style="list-style-type: none"> • Priority Local Roads should All be zoned 50kmh maximum speed limit for safety. • Highly recommended to have 1m -1.5m combined Bike & E-Scooter lanes, on each left side with maximum speed 25kmh. • Road Lighting & markings need be upgraded for better safety. • Signage needs to be upgraded to make speed, destination & wayfinding information quicker and easier. (Internationally understandable) <p>Pedestrian volumes - moving to & from Cable Beach foreshore can be unusually high particularly around sunset. Sharing Pathways with much Faster moving Bikes & E-Rideables is impractical & dangerous, particularly considering future Foreshore & Precinct upgrades. Solution is to create, Bike/E-Rideable lanes either side of selected Priority Local Roadways identified within the Precinct.</p> <ul style="list-style-type: none"> • Priority pathways need be in good condition, at least 2m wide with a dividing line down middle to encourage groups to keep left. • Sharing Priority pathways with faster moving E-Bikes & Rideables should be discouraged. (Use lanes on Priority Local Roadways) • Maximum 'pathways speed' for mobile vehicles is 10kmh. Signage is needed for speed, give-way & bell warning for pedestrian safety. • Pathways need be well lit, with shade where possible, pram & mobility vehicle friendly + flush exit & entry curbs at crossings. <p>Adherence to Helmet, Pathway, Road laws around Cable Beach precinct is currently 30% approx. This is certain to become a serious Shire 'risk management' issue if not addressed going forward, particularly given Cable Beach foreshore redevelopment.</p> <p>Bike & E-Ridable Parking - is currently poorly provisioned at some key Foreshore & Precinct destinations. Needs upgrade.</p> <p>Cable Beach Foreshore Redevelopment - Logical opportunity to introduce Priority Road & Pathway MOVEMENT initiatives recommended</p>	<p>PRIORITY 2: Improved Active Transport</p> <p>Noted and agree with comments made around improving active transport within Cable Beach.</p> <p>The CBPSP advocates for improved pedestrian and cyclist infrastructure, with a focus on providing dedicated paths and shade. A number of streetscape upgrades are recommended to improve walkability and active transport.</p> <p>All roads within the CBPSP currently have a speed limit of 50km/hr, with the exception of a portion of Cable Beach Road West (70km/hr) and the northern extent of Lullfitz Dr (80km/hr). Traffic calming is also proposed along Sanctuary Rd to improve safety for pedestrians and cyclist in key areas.</p>	
2.	Peter Cribb Bastion Management Pty Ltd	<p>Further to my discussion with Shire Planner, I am writing to make a submission regarding the proposed draft Cable Beach Structure Plan (Structure Plan) that has been issued for public comment.</p> <p>I am the owner and operator of the Divers Tavern Broome, situated at Lot 100 (12) Cable Beach Road West, Broome WA. I have owned this business for over 20 years and have made a significant contribution to the Broome community over that time.</p> <p>My property is currently designated at Cable Beach Mid under the Structure Plan, however the adjoining land from the corner of Sanctuary Road and Cable Beach Road West to the boundary</p>	<p>The intent is the Cable Beach High zoning is to focus more intensive development in key areas, particularly along Sanctuary Road and Cable Beach Road West.</p> <p>Given this site's prominent location on a key corner, it is considered appropriate to increase the zoning from Cable Beach Mid to High, promoting development, activity and visual prominence on a key corner.</p>	<p>That the submission is noted.</p> <p>CBPSP - Sub-Precinct and Density Plan</p> <p>Amend Lot 100 (12) Cable Beach Rd West, Cable Beach to 'Cable Beach High'.</p>

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		<p>of Divers Tavers is designated as Cable Beach High with preferred uses as Tourist Development / Hotel / Multiple Dwelling / Restaurant / Café / Shop / Small Bar.)</p> <p>After looking and studying the Structure Plan, scheme objectives and preferred land uses I would like to request that Lot 100 Cable Beach Road West Broome is also designated as Cable Beach High. There is no material difference between Lot 100 and the adjoining properties along Cable Beach Road West. They all have similar characteristics and for consistency I believe that Lot 100 should also be designated as Cable Beach High in the final structure Plan in the interests of proper and orderly planning of the area.</p>		
3.	Ann Duley Plantation Resort	<p>Because of the extreme permanent housing shortage in Broome, blocks of land under 2 hectares should not be zoned tourism. Permanent housing has been lost to AirBNB, Booking.com etc. Many people are turning permanent residential into holiday accommodation right through Broome. This has become an Australia wide problem.</p> <p>You need to rethink this immediately.</p> <p>Cable Beach needs more locals and permanents to keep the area alive in the off season. Why is the best area of Broome kept only for tourists? Surely this is discrimination against the local people. The permanent people pay for all the infrastructure and can't live there. Why's this fair? Commonsense needs to prevail here.</p>	<p>The CBP has been identified as a strategic tourism area within Western Australia, and therefore it's important that the precinct retains its primary tourism function.</p> <p>The issue of housing availability, population seasonality and lack of development in the CBP has been a key driver of this Precinct Structure Plan, with the aim to appropriate balance tourism and permanent residents land uses. The CBPSP seeks to provide greater flexibility for the provision residential development to address housing shortages, seasonality of the precinct and promote development within Cable Beach. It is anticipated that the planning framework changes would result in a greater delivery of development, including permanent residential housing.</p>	<p>That the submission is noted.</p> <p>No change recommended.</p>
4.	Renee Young Element Advisory on behalf of Paspaley Properties Pty Ltd and Pearls Pty Ltd (Paspaley)	<p>Introduction and context</p> <p>Element Advisory has prepared this submission on behalf of Paspaley Pearls Properties Pty Ltd and Pearls Pty Ltd (Paspaley) on the Cable Beach Precinct Structure Plan (CBPSP), Chinatown - Old Broome Precinct Structure Plan (COBPSP) and the Shire of Broome Local Planning Scheme No. 7 - Scheme Amendment No. 1, all of which are currently being advertised by the Shire of Broome (the Shire).</p> <p>Paspaley is a significant local landowner with longstanding interests in the Broome townsite with numerous properties within Chinatown, Old Broome and Cable Beach and therefore, the advertised planning documents are of significant interest to Paspaley. The particulars of the Paspaley owned land within Cable Beach are (note properties also owned in the Chinatown/Old Broome PSP, but not listed below):</p> <ul style="list-style-type: none"> • 8 Murray Road (Vacant Land) • 10 Murry Road (Kimberley Sands Resort). <p>Paspaley has a number of proposed plans for its various landholdings within the areas affected by the proposed CBPSP, COBPSP and Scheme Amendment No. 1 and has therefore reviewed these documents to ascertain how these will impact both on Paspaley's current property interests as well as their future plans. Paspaley has a common interest with the Shire in ensuring Broome continues to grow as a thriving Regional City.</p> <p>We respectfully request that consideration be given to the comments and proposed changes outlined below.</p> <p>Paspaley support the Shire's vision to retain and promote the tourism character and land use within Cable Beach whilst providing for complimentary residential development. Despite this, Paspaley considers that the CBPSP falls short in making sufficient changes to the planning framework to encourage new development activity. Development in Cable Beach has stagnated for over a decade and fundamental change is needed to stimulate new development. Paspaley's comments on the specific parts of the CBPSP are detailed below.</p>	Noted.	That the submission is noted.

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		<p>a. P1 – Table 6: CBPSP Land Use Permissibility Single House should not be a prohibited use in the Cable Beach Mid and Cable Beach High Sub-Precincts. Notably there is land (including Paspaley’s property at 8 Murray Road, Cable Beach) which adjoins single residential properties in an R10 coded area. No.8 Murray Street is ideally located to provide residential development to the northern part of this site which could potentially include single houses to interface with the existing R10 Codes area. A “D” discretionary land use permissibility would be more appropriate and would allow individual development applications to be considered on merit.</p> <p>Workforce accommodation is noted as an “I” incidental use only. It is submitted that a “D” discretionary land use permissibility would be more appropriate as it would provide greater flexibility (if required) in delivering workforce accommodation on sites that are separate to existing tourism operations (such as the Kimberley Sands Resort which is owned by Paspaley) rather than having to integrate these on and within tourism sites.</p> <p>b. 2.1.2 Residential Land Uses Given the challenges associated with financing new tourism developments in Broome it is considered that there are several elements in Clause 2.1.2 which will continue to potentially stifle new development opportunities. These include sub clause (b) which requires that any development application include both the tourism and the residential developments for the whole of the site rather than enabling a development application for residential land uses to be considered in isolation. It also includes sub clause (f) which provides that in any staged development the residential development is not to proceed the tourism development.</p> <p>The CBPSP needs a more sophisticated planning approach which cumulatively assesses the land use mix across all the tourism sub precincts. This would enable some sites to potentially deliver 100% residential development whilst others may deliver 100% tourism development (or workforce accommodation in support of the tourism development). Provided that the land use mix across the whole of the tourism sub precincts maintain a predominant tourism focus, the vision and objectives of the CBPSP will be achieved. Requiring the land use mix to be achieved on a site by site basis will continue to stifle new opportunities. A cumulative assessment approach may include a requirement that each new development application made under the CBPSP include an assessment of the current land use mix of the precinct to demonstrate that it will not jeopardise the predominant tourism function of the precinct.</p>	<p>a. P1 – Table 6: CBPSP Land Use Permissibility The intent of a Single House being an ‘X’ land use in the Cable Beach Mid and Cable Beach High sub-precincts is to prevent the wholesale subdivision of these lots. This is consistent with provision 2.2.2(1) which restricts freehold subdivision to create lots less than 10,000m². By allowing grouped dwelling development only, there is the ability for more consistent built form outcome and for development and subdivision to occur in an integrated manner. The request to amend the single dwelling land use classification is therefore not supported.</p> <p>Providing workforce accommodation is a key challenge facing Broome, and a critical component to providing and sustaining tourism development. Workforce accommodation is typically a lower amenity from both a built form and landscaping perspective. A standalone workforce accommodation development (noting that the definition allows for mining camp developments) could significantly alter the character of the precinct and not achieve the vision established in the Precinct Structure Plan. Workforce accommodation can still be undertaken on sites, but needs to be incidental. A standalone workforce accommodation land use in this precinct is not considered to align with the vision or existing character. Changing the land use permissibility is therefore not supported.</p> <p>b. 2.1.2 Residential Land Uses The intent of the requirement for a Development Application for both the tourism and residential component is to ensure residential development is compatible with tourism and that the interface is appropriately managed to maintain amenity for both tourists and residents. Section 3.1 also requires applicants to provide Integrated Tourism/Residential Development Requirements consisting of:</p> <ul style="list-style-type: none"> • A design statement which demonstrates how the development (including any residential or commercial component) responds to the predominant tourism character of the CBP. • A strata management plan which demonstrates how tourism and residential components of the development will be managed. • A proposed plan of subdivision which demonstrates the spatial arrangement of lots, public open space, and roads. • A servicing infrastructure strategy which demonstrates how all essential utilities / infrastructure will be implemented. <p>It is considered that clause 2.1.2 (1) (b) is important to ensure development is able to deliver an integrated and coherent design solution, and achieve the objectives of the CBPSP, and therefore should be retained.</p> <p>It is acknowledged that the requirement for the tourism development to proceed the residential component may restrict development, with the preference for delivery of residential first to stimulate development in Cable Beach.</p> <p>To allow for flexibility in the delivery of residential and tourism development in Cable Beach and promote development to occur, it is recommended that clause 2.1.2 (1) (f) is removed. However, in order to limit poor built form and streetscape outcomes where new development does not front onto the street, leaving vacant</p>	<p>P1 – Table 6: CBPSP Land Use Permissibility No changes recommended.</p> <p>2.1.2 Residential Land Uses Modify Clause 2.1.2 (1) f) to allow for flexibility in the delivery of residential and tourism development in Cable Beach.</p> <p>Provide additional wording to ensure quality landscape/ streetscape will be maintained where staged approach leads to vacant land fronting the street.</p>

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This is because there are only circa four (4) undeveloped lots in the whole of this sub precinct which are less than the 7,500m² lot size threshold for this provision.</p> <p>In Paspaley’s view, the opportunity to prepare a development application that does not include Tourist Development or Hotel land uses should be available to land within the Cable Beach Low, Medium and High Sub-Precincts irrespective of lot size and provided that the development can demonstrate it will not have a negative impact on the primary tourism, character or amenity of the Cable Beach Precinct when considered holistically.</p> <p>d. 2.2.1 Development and Density Clauses 2.2.1 (3) notes that multi-storey hotel/motel tourism development will be considered ‘multiple dwellings’ and must be developed in accordance with the relevant density and built form standards of the R-Codes. It is noted that the R-Codes typically do not apply to short stay accommodation or non-permanent residential development and there are a number of standards in the R-Codes (such as visual privacy, solar access, natural ventilation, storage etc) that are not directly relevant to tourism development. These controls would pose a significant impediment on the construction feasibility of a tourism development, particularly in remote WA. Clarification may be needed in these provisions to ensure that it is clear what the relevant built form standards of the R Codes are for multi-storey hotel/motel tourism development (given the already detailed built form controls proposed in the CBPSP).</p> <p>e. P1 – Table 8: CBPSP Built Form Controls <u>Site Cover</u> The maximum site cover percentages are considered to be very low - 35% in the Cable Beach Low Sub-Precinct; 35% in the Cable Beach Mid Sub-Precinct and 45% in the Cable Beach High Sub- Precinct. These maximum site cover percentages are well below the maximum of 55% which is currently provided for development in the Tourism Zone in Local Planning Scheme No.7 (LPS7).</p>	<p>sites in key streetscapes, it is recommended that additional streetscape and/or landscape provisions be included to assist with the built form transition.</p> <p>The ability to apply the land use flexibility over the entire precinct, allowing whole lots to be developed as residential does not align with the strategic tourism intent of the Cable Beach precinct. It is not considered that the cumulative precinct-wide approach to providing a tourism/residentially split of land use would provide a fair and equitable approach in delivering the tourism intent of the CBPSP. Landowners who are in a position to deliver residential development quickly could use the prescribed residential allocation, leaving other landowners with less flexibility in developing their land. The proposed approach provides balanced and equitable solution to proving greater land use flexibility and promoting development, while retaining the tourism important of the precinct.</p> <p>No changes to the application of residential land use is recommended.</p> <p>c. P1 – Table 7: CBPSP Residential Permissibility The intent of this clause is to encourage development of vacant lots along Sanctuary Road, where an activated mixed-use character is desired. The ability to provide an integrated tourism and residential development is also more difficult to achieve given the site area and dimensions. Applying this provision to all land within the CBPSP does not align with the tourism intent and not supported.</p> <p>d. 2.2.1 Development and Density As part of the Tourism Approach outlined in section 4.5.1 of Part Two, clear controls for the calculation of tourism/residential yields and ratios, using either site area or number of dwellings, but not both as previously has been the case where recommended. In order to balance the tourism/residential split using a number of dwellings approach, an overall yield for each lot is required. The intent of applying a R-Code density to tourism development was included to assist in clearly identifying the tourism/residential land use split.</p> <p>However, land use split could still be determined by number of dwellings/units without the need for R-Code densities applying to tourism development. If residential development proceeded the tourism component, a minimum number of tourism units may be required at future stages.</p> <p>Upon review of multiple submissions, it is considered that it is appropriate to remove the application of an R-Code density for tourism development. Tourism development and yield should instead be determined the built form and development controls of the CBPSP.</p> <p>e. P1 – Table 8: CBPSP Built Form Controls</p>	<p>2.2.1 Development and Density Remove Clauses 2.2.1 (2) and (3).</p> <p>P1 – Table 8: CBPSP Built Form Controls <u>Site Cover</u> Increase the maximum site cover to the following: - Cable Beach Mid – 45% - Cable Beach High – 55%</p>

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		<p>Paspaley objects to such a significant drop in the maximum allowable site cover from the current LPS7 provisions. An allowance of a minimum of 50% is considered to be more appropriate and feasible, offering flexibility in design across all Sub-Precincts. For example, Kimberley Sands Resort is located in the Cable Beach Mid Sub-Precincts and is identified as having a maximum site cover of 45%, yet the CBPSP provides for a maximum of 35% site cover in the Cable Beach Mid Sub-Precinct. This means that development like the Kimberley Sands Resort can no longer be replicated within the Cable Beach Mid Sub-Precinct. It is noted that there are no contemporary tourism developments within Cable Beach to benchmark site cover against, as development has stagnated over the last decade or more. A performance based approach including a recommended range (up to 50%) as guidance would be more appropriate in the CBPSP.</p> <p><u>Landscaping</u> The minimum soft landscaping percentages for all land use types are considered to be high (i.e. 35% minimum soft landscape requirement in the Cable Beach Mid Sub Precinct) and are expected to impact on the feasibility of development. These do not appear to have been benchmarked or tested. It is respectfully requested that the minimum soft landscaping requirements be reduced and/or refined to relate to percentages within particular setback areas (i.e. the front setback) or to more narrowly defined parts of the site rather than blanket percentages which apply to the total site area. These comments regarding the soft landscaping percentages also relate to the soft landscaping provisions as set out in P1- Table 11: CBPSP Landscaping, Deep Soil and Tree Requirements. P1 – Table 10: CBPSP Streetscape Requirements</p> <p><u>Street fencing</u> It is noted that the residential fencing provisions state that all fences within the primary street setback areas shall be no higher than 1.2m. Provided that the 80% minimum permeability provision is achieved it is considered strongly desirable, noting the need for security and privacy, that higher fencing be permitted. Front fences within the primary street setback area should be visually permeable above 1.2m of natural ground level. Not that the overall fence height is limited to 1.2 metres. Safety and security are highly valued in Broome and therefore taller front fences should reasonably be permitted.</p> <p align="center">f. 2.2.15 Infrastructure Requirements – Pedestrian/Cycle Connections</p>	<p><u>Site Cover</u> The site cover and soft landscaping controls have been carefully considered to retain the landscape character of Cable Beach, allow for natural ventilation and breezes to flow between buildings, and help manage water runoff. Site cover analysis has been undertaken on a range of tourism developments to assist with setting appropriate site cover requirements.</p> <p>During design testing processes undertaken in Part 2 of the CBPSP, it is acknowledged that the site cover of Kimberley Sands (45%) exceeds the Cable Beach Mid site cover maximum of 35%. While a number of other existing developments can achieve the 35% site cover requirement, in order to add greater flexibility of tourism typologies, it is considered appropriate to increase the maximum site cover to 45% to allow for new development with a similar footprint to the Kimberley Sands. As a result, it is also recommended that the Cable Beach High site cover is increased to 55%, allowing for a more intensive form of development.</p> <p>While it is appropriate to increase the site cover, retaining the proposed soft landscaping provisions are critical in retaining the landscape character of the CBP.</p> <p><u>Landscaping</u> The green landscape character of the CBP was identified as one of the most important design elements during community and stakeholder engagement. In response, site cover and soft landscaping were a primary focus of the built form strategy for the CBPSP. Minimising site cover and maximising soft landscaping is essential in maintaining high quality tree canopy in the private realm, assisting with water management, and contributing to local character.</p> <p>Given the size of the lots in the CBP, it is important for the soft landscaping to be disbursed throughout the sites, and not just provided in setback areas. The benefits of soft landscaping and canopy in providing shade, cooling and assisting in stormwater management should be integrated into the development for both residential and tourism land uses.</p> <p>If individual landowners wish to vary these requirements, then this is to be managed and justified through the development application process. However, modifications to the CBPSP's proposed soft landscaping standards are not supported.</p> <p><u>Street Fencing</u> The intent of this matter is understood and supported. The 80% permeability requirement will be required to be retained from a climatic design perspective. However, increasing the maximum fence height to 1.8m to align with the now gazetted R-Codes Volume 1 is supported.</p> <p>A modification to P1 - Table 10: CBPSP Streetscape Requirements to reflect this change is therefore proposed.</p> <p align="center">f. 2.2.15 Infrastructure Requirements – Pedestrian/Cycle Connections</p>	<p><u>Landscaping</u> No changes recommended.</p> <p><u>Street Fencing</u> Modify maximum fence height to align with R-Codes. Retain permeability requirements.</p> <p>2.2.15 Infrastructure Requirements – Pedestrian/Cycle Connections</p> <p>Replace Clause 2.2.15 (4) (a)</p> <p>Landowners may control public access in dedicated pedestrian / cycle connections where they pass wholly through privately owned property. Managed public access during agreed hours is permitted to ensure safety and security after hours.</p>

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		<p>The CBPSP requires publicly accessible pedestrian and cycle connections provided and constructed by the landowner as shown on P1 – Figure 6.</p> <p>Sub clause (a) requires that these be provided as public access easements. Paspaley strongly objects to these being provided as public access easements. A public access easement required unfettered access to any member of the public on a 24/7 basis which is not considered appropriate within a tourism (or strata residential development) having regard to the security issues in Broome. It is submitted that any through block pedestrian and cycle connections should reasonably be provided as privately owned pathways that are publicly accessible only during agreed hours and that outside of these hours the links can be secured.</p> <p>Conclusion</p> <p>We trust the comments provided will assist the Shire in reviewing the advertised documents. We urge the Shire to make amendments and the PSPs provide for an appropriately flexible and robust planning framework that provides the necessary impetus to guide much needed growth within Cable Beach.</p> <p>We welcome any feedback on this submission and would be happy to arrange a meeting to discuss in greater detail. Should you have any queries or require clarification on the above matter, please do not hesitate to contact either Nick Hanigan on 0419 992 069 or the undersigned on 0429 102 079.</p>	<p>It is noted and agreed that this section needs to be reviewed for clarity. The intent of providing pedestrian/cycle connections in key locations is to enable better connectivity through Cable Beach’s large blocks and sites, connecting up areas of tourism /residential with areas of activity. Due to the single ownership of land where these connections are proposed, it is considered appropriate that these connections could be provided as private connections, provided they are accessible by the public during key hours. Opening hours should be considered during the Development Application process and agreed to by both the landowner and the Shire.</p> <p>Recommend wording is reviewed to remove requirement for a public access easement to be in place, and enable ability for connections to be in private ownership provided they are publicly accessible.</p>	
5.	Renee Young Element Advisory on behalf of Hawaiian Group	<p>Introduction and context</p> <p>Element Advisory has prepared this submission on behalf of Hawaiian Group (Hawaiian) on the Cable Beach Precinct Structure Plan (CBPSP), Chinatown-Old Broome Precinct Structure Plan (COBPSP) and the Shire Of Broome Local Planning Scheme No. 7 - Scheme Amendment No. 1, all of which are currently being advertised by the Shire of Broome (the Shire).</p> <p>Hawaiian has a long association with Broome and most notably Cable Beach. Hawaiian is a major landowner in the area, owning approximately 17.8 hectares of land in Broome, 16.6 hectares of which is within the Cable Beach Precinct. Development in Cable Beach has stagnated over the last 20 years and there is currently around 40 hectares of undeveloped land in Cable Beach that is currently zoned for tourism, including over seven (7) hectares of undeveloped land which is owned by Hawaiian.</p> <p>Hawaiian has reviewed the CBPSP, the COBPSP and Scheme Amendment No. 1 to ascertain how these will impact both on Hawaiian’s current property interests as well as their future plans. Hawaiian has a common interest with the Shire in ensuring Cable Beach continues to be a tourism destination of choice in Western Australia and that Broome continues to grow as a thriving Regional City.</p> <p>Hawaiian would also like the opportunity to realise feasibly development opportunities on their vacant land in the Cable Beach Precinct. The particulars of the Hawaiian owned land in Cable Beach (not properties also owned in the Chinatown/Old Broome PSP, but not listed below):</p> <ul style="list-style-type: none"> • 5 Millington Road, Cable Beach (Cable Beach Resort); • Lot 1005 Millington Road, Cable Beach (Cable Beach Resort); • 4 Millington Road, Cable Beach (Blue Body Buddha Sanctuary); • 6 Millington Road, Cable Beach (Vacant Land); • 5 Sanctuary Road, Cable Beach (predominantly vacant); • 1 Sanctuary Road, Cable Beach (Cable Beach Resort); 	<p>Noted. The Shire acknowledges and thanks the Hawaiian Group for preparing and supplying the Tourism Accommodation Study, which has been reviewed in preparing the Precinct Structure Plan.</p> <p>See further comments below.</p>	<p>That the submission be noted.</p> <p>2.1.2 Residential Land Uses Modify Clause 2.1.2 (1) f) to allow for flexibility in the delivery of residential and tourism development in Cable Beach.</p> <p>Provide additional wording to ensure quality landscape/ streetscape will be maintained where staged approach leads to vacant land fronting the street.</p> <p>2.2.1 Development and Density Remove Clauses 2.2.1 (2) and (3).</p> <p>P1 – Table 8: CBPSP Built Form Controls</p> <p><u>Site Cover</u> Increase the maximum site to the following: <ul style="list-style-type: none"> - Cable Beach Mid – 45% - Cable Beach High – 55% </p> <p><u>Landscaping</u> No changes recommended.</p> <p><u>Street Fencing</u></p>

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		<ul style="list-style-type: none"> • 3 Sanctuary Road, Cable Beach (Cable Beach Resort); <p>As the Shire is aware, Hawaiian commissioned a Tourism Accommodation Study of Broome in November 2022. This study has informed Hawaiian’s views on the CBPSP. It revealed that:</p> <ul style="list-style-type: none"> • there is an existing land area of 460,000m²+ for hotel/motel development in Broome; • <u>existing tourism accommodation development</u> has an average plot ratio of 0.17, which is a very low intensity of development, representing underdevelopment of most properties <u>and</u>, indicating significant opportunity for redevelopment; • demand for accommodation in Broome is expected to grow in the medium term, returning to pre-Covid-19 levels and then maintaining a growth rate on par with historic growth over the next 10 years; • on the basis of maintaining a market equilibrium, the Broome accommodation market could support approximately 350 additional accommodation units by 2031 comprised of: <ul style="list-style-type: none"> - Hotel/Motel – 172 Rooms; - Caravan Park – 112 Sites; - Vacation Rentals – 51 Rooms (20 units); - Backpackers – 16 Rooms/Beds; - Cable Beach has approximately 40 hectares of undeveloped land zoned for tourism; and - A yield analysis found that the undeveloped tourism zoned land in Cable Beach is able to accommodate approximately 22 additional hotels and 3 additional caravan parks – this represents a doubling of the current supply of hotels in Broome and a doubling of the supply of Caravan Parks in Cable Beach. <p>Based on these findings, it is clear that the stock of undeveloped tourism zoned land in Cable Beach is abundant and is excessive given the modest outlook for demand growth in the medium term.</p> <p>a. Cumulative precinct based tourist development approach</p> <p>We acknowledge that the Shire has sought to provide more flexibility for a mix of land uses in the Cable Beach Precinct and Hawaiian understands and respects the need to protect tourism accommodation sites from residential development. However, the requirement for most lots in Cable Beach to deliver some proportion of tourism development is the most critical factor which contributes to the inflexible planning regulations in Cable Beach.</p> <p>The Cable Beach Precinct needs to be considered more holistically and on a cumulative assessment basis rather than a lot by lot basis. These comments are reflected in the specific commentary on the CBPSP set out below.</p> <p>We respectfully request that consideration be given to the comments and proposed changes outlined below.</p> <p>Hawaiian fully supports the Shire in the need to update the planning framework that controls development in Cable Beach to seek to stimulate new development and activate the area. As the Shire is aware, private investment in Cable Beach has stagnated for over 20 years.</p> <p>Hawaiian believes that there is a strong need to promote greater land use diversity to improve activation of the precinct, particularly during off-peak tourism periods, which is a significant</p>	<p>a. Cumulative precinct based tourist development approach</p> <p>Cable Beach has long been identified as a strategic tourism precinct through a range of State frameworks, and allowing for broad residential development throughout the precinct is not supported at State level.</p> <p>The intent of the CBPSP is to provide a balanced and equitable solution to proving greater land use flexibility and promoting development, while retaining the tourism importance of the precinct. While it is acknowledged that the Shire has not undertaken a detailed tourism demand/supply analysis, the proposed provisions have been developed to balance a range of private and government stakeholder interests.</p> <p>It is considered that the proposed approach allows for sufficient flexibility to encourage development, increase the year round population within the CBP, and maintain the strategic tourism intent by ensuring sufficient land is available for tourism development into the future. No changes to the land use approach are recommended.</p>	<p>Modify maximum fence height to align with R-Codes. Retain permeability requirements.</p> <p>2.2.15 Infrastructure Requirements – Pedestrian/Cycle Connections</p> <p>Recommend wording is reviewed to remove requirement for a public access easement to be in place, and enable ability for connections to be in private ownership provided they are publicly accessible.</p>

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		<p>portion of the year. However, this lack of private investment will not change without meaningful alterations to the statutory planning framework applicable to the area.</p> <p>Whilst it is acknowledged that the Shire has tried to introduce greater flexibility and opportunity for residential development in the area in the CBPSP, the opportunities for residential development are still intrinsically linked to the development and delivery of new tourism development on a site by site basis.</p> <p>This approach does not appear to have been based on any detailed tourism planning (as is recommended in the Department of Planning Lands and Heritage's (DPLH) <i>Planning for Tourism and Short-term Rental Accommodation Guidelines</i> (November 2023)).</p> <p>An accommodation demand/supply study and analysis could help the Shire in demonstrating that there is a need to fundamentally change the manner in which tourism land uses are provided for in the Cable Beach Precinct.</p> <p>Hawaiian does not believe that the new controls will have any of the desired impacts of stimulating new development.</p> <p>Hawaiian's comments on the specific parts of the CBPSP are detailed below.</p> <p>b. 2.1.1 Land Use Permissibility Sub clause 3 provides that within the Cable Beach High Sub-Precinct retail/commercial development may be considered without a short-stay accommodation component where it is a hospitality use (such as a brewery, restaurant/cage, tavern), with each tenancy limited to a maximum of 800m² of floor area and where each tenancy provides activation to Sanctuary Road whilst also meeting the built form objectives of the CBPSP.</p> <p>Hawaiian submits that 'shop' uses should also reasonably be provided for as an allowable use that may be considered without a short-stay accommodation component under sub clause 3 of clause 2.1.1. The average provision of supermarket floor space in Australia (m² per 1,000 people) is 328m. Accordingly, based on the population of the Cable Beach Precinct being 3,934 persons, a supermarket of between 800m² and 1,200m² could readily be supported in Cable Beach, providing the tourism precinct with a convenience and amenity that it currently lacks, improving the tourism experience within the Cable Beach Precinct. A limited floorspace supermarket of this size would also avoid impacting the primacy of Chinatown.</p> <p>Hawaiian submits that a limited floorspace supermarket on the corner of Millington and Sanctuary Roads could serve both the local Cable Beach residents and tourists alike and add significant amenity to the precinct. Timing of development in Broome North is uncertain and a limited floorspace supermarket in Cable Beach is supported based on the current Cable Beach population. It would also consolidate infrastructure and improve the tourist experience of Cable Beach. We also understand that DevelopmentWA supports the relocation of floorspace from Broome North to Cable Beach in the case that the Shire is concerned that there was insufficient capacity in the market for local centres at both locations.</p> <p>c. P1 – Table 6: CBPSP Land Use Permissibility Single House should not be a prohibited use in the Cable Beach Mid and Cable Beach High Sub-Precincts. A "D" discretionary land use permissibility would be more appropriate and would allow individual development applications to be considered on merit.</p>	<p>b. 2.1.1 Land Use Permissibility Both the Shire of Broome's Local Planning Strategy and Local Commercial Strategy identify a future Local Centre in Broome North, with the location identified in the Broome North Local Structure Plan No. 3 (on the corner of Gubinge Rd and Fairway Dr). This location is considered appropriate to service both the needs of future residential in Broome North, but also the tourist and residential needs of Cable Beach.</p> <p>Commercial and retail land uses within the CBPSP have been considered in line with the Local Commercial Strategy which identifies Cable Beach as future convenience retail. Increased commercial/retail floorspace within the CBP is not supported by any strategic framework and not consider proper and orderly planning, given the future development of a Local Centre in Broome North. DevelopmentWA have confirmed that it does not support the relocation of floorspace from Broome North to Cable Beach. No changes to land use are recommended.</p> <p>c. P1 – Table 6: CBPSP Land Use Permissibility The intent of a Single House being an X land use in the Cable Beach Mid and Cable Beach High sub-precincts is to prevent the wholesale subdivision of these lots. This is consistent with provision 2.2.2(1) which restricts freehold subdivision to create lots less than 10,000m². By allowing grouped dwelling development</p>	

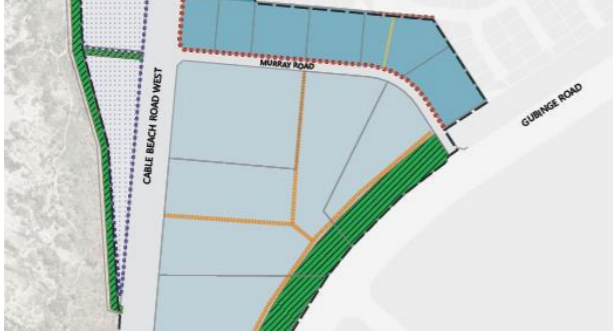
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		<p>The Cable Beach area is highly desirable for residential development and a greater permanent residential population in Cable Beach will be able to support business throughout the year, lead to activation of the precinct year round and lead to better commercial viability for all Cable Beach businesses. The street block bounded by Millington Road, Oryx Road and Sanctuary Road, which is sited away from the prime beachfront tourism areas and contains a number of longstanding vacant or underdeveloped lots could readily support residential subdivision and single house development without compromising the predominant tourism focus of the Cable Beach Precinct.</p> <p>Workforce accommodation is noted as an "I" incidental use only. It is submitted that a "D" discretionary land use permissibility would be more appropriate as it would provide greater flexibility (if required) in delivering workforce accommodation on sites that are separate to existing tourism operations (such as the land to the rear of the Cable Beach Club on Millington Road) rather than having to integrate these on and within tourism sites.</p> <p>d. 2.1.2 Residential Land Uses</p> <p>Given the challenges associated with financing new tourism developments in Broome it is considered that there are several elements in Clause 2.1.2 which will continue to potentially stifle new development opportunities. These include sub clause (b) which requires that any development application include both the tourism and the residential developments for the whole of the site rather than enabling a development application for residential land uses to be considered in isolation. It also includes sub clause (f) which provides that in any staged development the residential development is not to proceed the tourism development.</p> <p>Enabling residential land uses to only occur in conjunction with and following tourist development in Cable Beach is a flawed approach. The excessive abundant stock of undeveloped tourism zoned land in Cable Beach indicates a clear case for wholesale rezoning for residential land use.</p> <p>In addition, the CBPSP needs a more sophisticated planning approach which cumulatively assesses the land use mix across all the tourism sub precincts. This would enable some sites to potentially deliver 100% residential development whilst others may deliver 100% tourism development (or workforce accommodation in support of the tourism development). Provided that the land use mix across the whole of the tourism sub precincts maintain a predominant tourism focus, the vision and objectives of the CBPSP will be achieved. Requiring the land use mix to be achieved on a site by site basis will continue to stifle new opportunities.</p> <p>A cumulative assessment approach may include a requirement that each new development application made under the CBPSP include an assessment of the current land use mix of the precinct to demonstrate that it will not jeopardise the predominant tourism function of the precinct.</p> <p>e. P1 – Table 7: CBPSP Residential Permissibility</p> <p>Whilst not directly relevant to Hawaiian’s properties, it is noted that the provisions in the Cable Beach High Sub-Precinct which enable consideration of developments that do not include Tourist or Hotel Development on lots less than the 7,500m² will have limited impact on new development in the Cable Beach Precinct. This is because there are only circa four (4) undeveloped lots in the whole of this sub-precinct which are less than the 7,500m² lot size threshold for this provision.</p>	<p>only, there is the ability for more control of the built form outcome and for development and subdivision to occur in an integrated manner.</p> <p>Providing workforce accommodation is a key challenge facing Broome, and a critical component to providing and sustaining tourism development. Workforce accommodation is typically a lower amenity from both a built form and landscaping perspective. A standalone workforce accommodation development (noting that the definition allows for mining camp developments) could significantly alter the character of the precinct and not achieve the vision established in the Precinct Structure Plan. Changing the land use permissibility is not supported.</p> <p>d. 2.1.2 Residential Land Uses</p> <p>The intent of the requirement for a DA for both the tourism and residential component is to ensure residential development is compatible with tourism and that the interface is appropriately managed to maintain amenity for both tourists and residents. Section 3.1 also requires applicants to provide Integrated Tourism/Residential Development Requirements consisting of:</p> <ul style="list-style-type: none"> • A design statement which demonstrates how the development (including any residential or commercial component) responds to the predominant tourism character of the CBP. • A strata management plan which demonstrates how tourism and residential components of the development will be managed. • A proposed plan of subdivision which demonstrates the spatial arrangement of lots, public open space, and roads. • A servicing infrastructure strategy which demonstrates how all essential utilities / infrastructure will be implemented. <p>It is considered that clause 2.1.2 (1) (b) is important to ensure development is able to deliver an integrated and coherent design solution, and achieve the objectives of the CBPSP, and therefore should be retained.</p> <p>It is acknowledged that the requirement for the tourism development to proceed the residential component may restrict development, with the preference for delivery of residential first to stimulate development in Cable Beach.</p> <p>To allow for flexibility in the delivery of residential and tourism development in Cable Beach and promote development to occur, it is recommended that clause 2.1.2 (1) (f) is removed. However, in order to limit poor built form and streetscape outcomes where new development does not front onto the street, leaving vacant sites in key streetscapes, it is recommended that additional streetscape and/or landscape provisions be included to assist with the built form transition.</p> <p>The ability to apply the land use flexibility over the entire precinct, allowing whole lots to be developed as residential does not align with the strategic tourism intent of the Cable Beach precinct. It is not considered that the</p>	

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		<p>In Hawaiian’s view, the opportunity to prepare a development application that does not include Tourist Development or Hotel land uses should be available to land within the Cable Beach Low, Medium and High Sub-Precincts irrespective of lot size and provided that the development can demonstrate it will not have a negative impact on the primary tourism, character or amenity of the Cable Beach Precinct when considered holistically.</p> <p>f. 2.2.2 Development and Density Clauses 2.2.1 (3) notes that multi-storey hotel/motel tourism development will be considered ‘multiple dwellings’ and must be developed in accordance with the relevant density and built form standards of the R-Codes. It is noted that the R-Codes typically do not apply to short stay accommodation or non-permanent residential development and there are a number of standards in the R-Codes (such as visual privacy, solar access, natural ventilation, storage etc) that are not directly relevant to tourism development and nor are these appropriate given the nature of tourism developments and the different expectations of those that stay short term.</p> <p>Clarification may be needed in these provisions in the CBPSP to ensure that it is clear what the relevant built form standards of the R Codes are for multi-storey hotel/motel tourism development (given the already detailed built form controls proposed in the CBPSP).</p> <p>g. P1 – Table 8: CBPSP Built Form Controls</p> <p><u>Site Cover</u></p> <p>The maximum site cover percentages are considered to be very low - 35% in the Cable Beach Low Sub-Precinct; 35% in the Cable Beach Mid Sub-Precinct and 45% in the Cable Beach High Sub- Precinct. These maximum site cover percentages are well below the maximum of 55% which is currently provided for development in the Tourism Zone in Local Planning Scheme No.7 (LPS7).</p> <p>Hawaiian objects to such a significant drop in the maximum allowable site cover from the current LPS7 provisions. An allowance of a minimum of 50% is considered to be more appropriate and feasible, offering flexibility in design across all Sub-Precincts. It is noted that</p>	<p>cumulative precinct-wide approach to providing a tourism/residentially split of land use would provide a fair and equitable approach in delivering the tourism intent of the CBSP. Landowners who are in a position to deliver residential development quickly could use the prescribed residential allocation, leaving other landowners with less flexibility in developing their land. The proposed approach provides balanced and equitable solution to proving greater land use flexibility and promoting development, while retaining the tourism importance of the precinct.</p> <p>No changes to the application of residential land use is recommended.</p> <p>e. P1 – Table 7: CBPSP Residential Permissibility The intent of this clause is to encourage development of vacant lots along Sanctuary Road, where an activated mixed-use character is desired. The ability to provide an integrated tourism and residential development is also more difficult to achieve given the site area and dimensions. Applying this provision to all land within the CBPSP does not align with the tourism intent and not supported.</p> <p>f. 2.2.2 Development and Density As part of the Tourism Approach outlined in section 4.5.1 of Part Two, clear controls for the calculation of tourism/residential yields and ratios, using either site area or number of dwellings, but not both as previously has been the case where recommended. In order to balance the tourism/residential split using a number of dwellings approach, an overall yield for each lot is required. The intent of applying a R-Code density to tourism development was included to assist in clearly identifying the tourism/residential land use split.</p> <p>However, land use split could still be determined by number of dwellings/units without the need for R-Code densities applying to tourism development. If residential development proceeded the tourism component, a minimum number of tourism units may be required at future stages.</p> <p>Upon review of multiple submissions, it is considered that it is appropriate to remove the application of an R-Code density for tourism development. Tourism development and yield should instead be determined the built form and development controls of the CBPSP.</p> <p>g. P1 – Table 8: CBPSP Built Form Controls</p> <p><u>Site Cover</u></p> <p>The site cover and soft landscaping controls have been carefully considered to retain the landscape character of Cable Beach, allow for natural ventilation and breezes to flow between buildings, and help manage water runoff. Site cover analysis has been undertaken on a range of tourism developments to assist with setting appropriate site cover requirements.</p> <p>During design testing processes undertaken in Part 2 of the CBPSP, it is acknowledged that the site cover of Kimberley Sands (45%) exceeds the Cable Beach Mid site cover maximum of 35%. While a number of other existing developments can achieve the 35% site cover requirement, in order to add greater flexibility of tourism typologies, it is considered appropriate to increase the maximum site cover to 45% to allow for new development with a similar</p>	

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		<p>there are no contemporary tourism developments within Cable Beach to benchmark site cover against, as development has stagnated over the last decade or more.</p> <p><u>Landscaping</u> The minimum soft landscaping percentages for all land use types are considered to be high (i.e. 25% minimum soft landscape requirement in the Cable Beach High Sub Precinct) and are expected to impact on the feasibility of development. These do not appear to have been benchmarked or tested. It is respectfully requested that the minimum soft landscaping requirements be reduced and/or refined to relate to percentages within particular setback areas (i.e. the front setback) or to more narrowly defined parts of the site rather than blanket percentages which apply to the total site area. These comments regarding the soft landscaping percentages also relate to the soft landscaping provisions as set out in P1- Table 11: CBPSP Landscaping, Deep Soil and Tree Requirements. P1 – Table 10: CBPSP Streetscape Requirements</p> <p><u>Fencing</u> It is noted that the residential fencing provisions state that all fences within the primary street setback areas shall be no higher than 1.2m. Provided that the 80% minimum permeability provision is achieved it is considered strongly desirable, noting the need for security and privacy, that higher fencing be permitted. Front fences within the primary street setback area should be visually permeable above 1.2m of natural ground level. Not that the overall fence height is limited to 1.2 metres. Safety and security are highly valued in Broome and therefore taller front fences should reasonably be permitted.</p> <p>h. 2.2.15 Infrastructure Requirements – Pedestrian/Cycle Connections The CBPSP requires publicly accessible pedestrian and cycle connections provided and constructed by the landowner as shown on P1 – Figure 6.</p> <p>Sub clause (a) requires that these be provided as public access easements. Hawaiian strongly objects to these being provided as public access easements unless they are being delivered as part of freehold subdivision. A public access easement within a tourism or strata development requires unfettered access to any member of the public on a 24/7 basis which is not considered appropriate having regard to the security issues in Broome. Unless these are delivered through freehold subdivision of land it is submitted that any through block pedestrian and cycle connections should reasonably be provided as privately owned pathways that are publicly accessible only during agreed hours and that outside of these hours the links can be secured.</p> <p>Conclusion</p>	<p>footprint to the Kimberley Sands. As a result, it is also recommended that the Cable Beach High site cover is increased to 55%, allowing for a more intensive form of development.</p> <p>While it is appropriate to increase the site cover, retaining the proposed soft landscaping provisions are critical in retaining the landscape character of the CBP.</p> <p><u>Landscaping</u> The green landscape character of the CBP was identified as one of the most important design elements during community and stakeholder engagement. In response, site cover and soft landscaping were a primary focus of the built form strategy for the CBPSP. Minimising site cover and maximising soft landscaping is essential in maintaining high quality tree canopy in the private realm, assisting with water management, and contributing to local character.</p> <p>Given the size of the lots in the CBP, it is important for the soft landscaping to be disbursed throughout the sites, and not just provided in setback areas. The benefits of soft landscaping and canopy in providing shade, cooling and assisting in stormwater management should be integrated into the development for both residential and tourism land uses.</p> <p>If individual landowners wish to vary these requirements, then this is to be managed and justified through the development application process. However, modifications to the CBPSP's proposed soft landscaping standards are not supported.</p> <p><u>Street Fencing</u> The intent of this matter is understood and supported. The 80% permeability requirement will be required to be retained from a climatic design perspective. However, increasing the maximum fence height to 1.8m to align with the now gazetted R-Codes Volume 1 is supported.</p> <p>A modification to P1 - Table 10: CBPSP Streetscape Requirements to reflect this change is therefore proposed.</p> <p>h. 2.2.15 Infrastructure Requirements – Pedestrian/Cycle Connections It is noted and agreed that this section needs to be reviewed for clarity. The intent of providing pedestrian/cycle connections in key locations is to enable better connectivity through Cable Beach's large blocks and sites, connecting up areas of tourism /residential with areas of activity. Due to the single ownership of land where these connections are proposed, it is considered appropriate that these connections could be provided as private connections, provided they are accessible by the public during key hours. Opening hours should be considered during the Development Application process and agreed to by both the landowner and the Shire.</p> <p>Recommend wording is reviewed to remove requirement for a public access easement to be in place, and enable ability for connections to be in private ownership provided they are publicly accessible.</p>	

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		We trust the comments provided will assist the Shire in reviewing the advertised documents.		
6.	<p>Amanda Butterworth , Allerding & Associates</p> <p>On behalf of RAC Tourism Assets</p>	<p>We provide this submission on behalf of RAC Tourism Assets Pty Ltd (RAC), owner of Lot 2785 (1) Murray Street, Cable Beach and operator of RAC Cable Beach Holiday Park (RAC Holiday Park).</p> <p>The RAC Holiday Park site has provided accommodation at Cable Beach for over 25 years. The RAC Holiday Park provides a variety of accommodation options including powered caravan sites and a variety of self-contained cabins. The property at 1 Murray Road also accommodates the Cable Beach General Store and Café.</p> <p>The RAC Holiday Park is presently zoned Tourism and is a registered Caravan Park with the Shire of Broome. We note that presently a Tourism zone does not have an R Code applied and the number of caravan sites and/or cabins is subject to compliance with the requirements of a Planning Approval and Caravan Park Licence. The RAC Holiday Park has:</p> <ul style="list-style-type: none"> • Planning Approval as a Caravan Park and Tourist Development; and • A Caravan Park Licence for a total of 236 short term sites and 5 camp sites. <p>We note that the Shire is seeking comment on both Scheme Amendment 1 the Shire of Broome Local Planning Scheme No 7 and also the draft Cable Beach Precinct Structure Plan. This submission provides comment on both Amendment 1 and the draft Cable Beach Precinct Structure Plan.</p> <p>Whilst RAC do not object to the introduction of a Precinct Structure Plan to apply to the Cable Beach area, there are a number of provisions within the Precinct Structure Plan that we seek to be amended.</p> <p>a. Urban Development objectives</p> <p>The vision of the Cable Beach Precinct Structure Plan (CBPSP) is supported as it is noted that it seeks to “retain and promote tourism character and land use”, this is similar to the objective of the Tourism zone under LPS7.</p> <p>However, we highlight that this vision is inconsistent with the objectives of the Urban Development zone. Therefore, it is our submission that it is to better amend the objectives of the Urban Development zone such that one of the objectives of the Urban Development zone is aligned with the vision of the CBPSP.</p> <p>b. Section 1.2: Operation</p> <p>Section 1.2.2 of the CBPSP provides “unique definitions”. Section 2.2.1: Development and Density, sub section 2 uses the term “freestanding units” and states that “<i>tourism development in the form of freestanding units will be considered ‘grouped dwellings’.</i>” The term “freestanding units” is not a term that is defined under the current planning framework or the CBPSP. The term free standing unit needs to be defined under Section 1.2.2 of CBPSP. If the term freestanding unit is to include cabins or self- contained accommodation within a Tourism Development, we would strongly object to such a provision.</p> <p>c. Section 1.2.3</p> <p>Variation to the R Codes clearly states that the R Codes applies to all single houses, grouped dwellings developments and multiple dwelling developments. Tourist accommodation, such as that offered at RAC Cable Beach Holiday Park are not single houses, grouped dwellings or multiple dwellings. Therefore, the R Codes and the density provisions of the R Codes should not apply to Tourist Developments, such as RAC Holiday Park.</p>	<p>Noted, please see comments below.</p> <p>a. Urban Development objectives</p> <p>Noted. DPLH were not supportive of amending the objectives of the Tourism zone, which would be required to allow greater land use flexibility for residential development to occur. After consultation with DPLH, it was recommended that the Urban Development zoning would be the most appropriate zoning to allow for vision to be realised, and appropriate land uses allocated through the CBPSP. Recommend retaining current zoning.</p> <p>b. Section 1.2: Operation</p> <p>Noted and agreed that further clarity on the definition of freestanding units should be included in the CBPSP if this term is to be retained. However, the Shire’s preference is to remove Clauses 2.2.1 (2) and (3) instead (refer to point g). This will remove the need for a definition as the term ‘freestanding units’ will be removed.</p> <p>c. Section 1.2.3</p> <p>As part of the Tourism Approach outlined in section 4.5.1 of Part Two, clear controls for the calculation of tourism/residential yields and ratios, using either site area or number of dwellings, but not both as previously has been the case where recommended. In order to balance the tourism/residential split using a number of dwellings approach, an overall yield for each lot is required. The</p>	<p>That the submission be noted.</p> <p>2.2.1 Development and Density Remove Clauses 2.2.1 (2) and (3).</p> <p>P1 - Figure 3: CBPSP - Built Form and Streetscape Plan</p> <p>P1 - Figure 6: CBPSP - Infrastructure and Public Realm Upgrades</p> <p>Realignment of future road connection on NBY land adjacent to Lot 2785.</p> <p>P1 – Table 6 Land Use Permissibility</p> <p><u>In Cable Beach Low</u></p> <ul style="list-style-type: none"> • Amend <u>Small Liquor Store</u> to A use • Amend <u>Small Bar</u> to A use <p>2.2.12 Solar Access and Natural Ventilation Additional provision be provided that addresses shading of tourism developments, providing design solutions such as window hoods or external shading devices as an alternative to requiring eaves.</p> <p>2.3.2 Environmental Considerations Additional</p> <p>3.1 Information to be Submitted Additional wording to clarify that it will be at the Shire’s discretion as to whether a Noise Management Plan is required.</p>

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		<p>d. Section 1.3: Purpose All three objectives under Clause 1.3.5: Land use are supported including the first objective of "Ensure the predominate use of the precinct is for tourism related development". We again reiterate that this objective is not consistent with the current objectives of the Urban Development zone which the area is proposed to be rezoned to. This again highlights our concerns that the objectives of the Urban Development zone, ought to be modified to include that tourism land uses are to be promoted and provided in areas identified for tourism under an approved Precinct Structure Plan. Other objectives are generally supported.</p> <p>e. Section 1.4: Staging It is accepted that the staging of development will be largely based on the timing and willingness of individual landholders to develop their sites. Under P1 – Table 2: Urban Structure Actions, it states in the medium term "where a development application is proposed, liaise with landowners to enable public connections through large development blocks as identified in P1 – Figure 3." An extract of Figure 3 is shown in Figure 1 of this submission.</p> <p>It is noted that a connection point is identified along the eastern boundary of the RAC Holiday Park. No details are provided as to the form of that future connection and whether the land will be purchased. It would be of concern if there was an expectation to cede the land, particularly as a connection is not required for RAC Holiday Park as it has frontage to two streets being Cable Beach Road West and Murray Road.</p> <p>In addition, the street upgrades referred to in P1 – Table 4: Movement Actions would be supported only on the basis that all upgrades were implemented at the cost of the Shire of Broome. If conditions were sought to be placed on future development approvals for the upgrading of Murray Road and Cable Beach Road West, this would also be of concern.</p>	<p>intent of applying a R-Code density to tourism development was included to assist in clearly identifying the tourism/residential land use split.</p> <p>However, land use split could still be determined by number of dwellings/units without the need for R-Code densities applying to tourism development. If residential development proceeded the tourism component, a minimum number of tourism units may be required at future stages.</p> <p>It is agreed that the use of a density code for caravan park development may be problematic, with a mix of cabins and camping sites (regulated by DoH).</p> <p>Upon review of multiple submissions, it is considered that it is appropriate to remove the application of an R-Code density for tourism development. Tourism development and yield should instead be determined the built form and development controls of the CBPSP.</p> <p>d. Section 1.3: Purpose While the objectives of the Urban Development Zone reference planning for residential development, it does not state that residential development needs to form the primary land use, and that a structure plan is best placed to guide future land use. As per DPLH advice, it is recommended that the land use intent of the CBPSP is consistent with the Urban Development zoning.</p> <p>e. Section 1.4: Staging Clause 2.2.15 (3) provides clarity that it is the landowners responsibility to construct any roads / future connections identified on P1 - Figure 3: CBPSP - Built Form and Streetscape Plan.</p> <p>The intent would therefore be that this requirement for future road connections would be the responsibility of NBY as the sole landowner of the undeveloped land.</p> <p>The alignment of these connections is flexible and those shown on P1-Figure 3 and P1-Figure 6 are indicative only. The concerns about the connection adjacent to Lot 2785 are understood, it is not the intention that any ceding of this land would be required.</p> <p>It is recommended that this connection is removed from P1-Figure 3 and P1 - Figure 6: CBPSP - Infrastructure and Public Realm Upgrades.</p>	

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		 <p>Figure 1: Extract of Figure 3 of CBPSP</p> <p>f. 2.1: Land Use zones and Reserves</p> <p><u>Density</u> The RAC Holiday Park is proposed to be within the “Cable Beach Low – R20” Precinct as identified in P1 – Figure 2 – Sub Precinct and Density Plan. The preferred uses for the Cable Beach Low are supported. The use of the term “lower intensity tourism uses” is not defined and, in our submission, could reasonably be tourism uses of 1-2 storeys, however applying a density coding to equate to “low intensity” is not supported.</p> <p><u>Land use permissibility</u> In regard to P1 – Table 6 Land Use Permissibility the following comment is provided:</p> <ul style="list-style-type: none"> i. A small liquor store is currently a Discretionary land use on the Tourism zone. However, is proposed to be a Prohibited land use under the CBPSP. In order to provide a variety of complementary land uses within a Tourism Development, it is our submission that a small liquor store be an “A” use, as is presently the case in the Tourism zone. ii. A small bar is currently a permitted land use on the Tourism zone. However, is proposed to be a Prohibited land use under the CBPSP. Given that a Tavern land use is proposed to be an “A” use, it is considered that a small bar would have a lesser impact as compared to a Tavern land use. In order to provide a variety of complementary land uses within a Tourism Development, it is our submission that a small bar be an “A” use, similar to a Tavern land use. iii. A renewable energy facility is an “X” use in all zones. Given the objectives in Section 1.3.1 to “adopt an environmentally sustainable approach” if a Tourist Development was to propose a renewable energy facility then this may not be permitted. It is our submission that a renewable energy facility ought to be an “I” land use being a land use that is “naturally attaching, appertaining or relating to the predominant use of the land.” <p>g. 2.1.2 Residential Density</p> <p>The provisions of Section 2.1.2 to limit permanent residential development in the Cable Beach Low Sub Precinct is supported, including that it is to be demonstrated that residential development will not have a negative impact on the primary tourism character or amenity of the CBP.</p> <p>h. 2.2: General Requirements Noting that the RAC Holiday Park is located within the “Cable Beach Low – R20” Precinct, Section 2.2.1, Sub Section 2 states:</p>	<p>f. 2.1: Land Use zones and Reserves</p> <p><u>Density</u> As described above, it is recommended that the application of a density code to tourism development is removed.</p> <p><u>Land use permissibility</u></p> <ol style="list-style-type: none"> 1. It is recognised that small liquor store is currently a D use within the tourism zone of LPS7 and an A use. Recommend amending from X to A to align with current land use permissibility and allow flexibility for complementary land uses. 2. It is recognised that small bar is currently a D use within the tourism zone of LPS7 and that Tavern use is currently an A use in this sub precinct. Recommend amending from X to A to align with current land use permissibility and allow flexibility for complementary land uses. 3. The definition of a renewable Energy Facility means ‘<i>premises used to generate energy from a renewable energy source and includes any building or other structure used in, or relating to, the generation of energy by a renewable resource. It does not include renewable energy electricity generation where the energy produced principally supplies a domestic and/or business premises and any on selling to the grid is secondary.</i>’ It is suggested that any incidental renewable energy in the CBP would be produced principally to supply development on that land, and would therefore not classified as a Renewable Energy Facility. Recommend retaining this land use as an X prohibited use. <p>g. 2.2.1 Residential Density Support for limiting residential development is noted.</p> <p>h. 2.2: General Requirements As described above, it is recommended that the application of a density code to tourism development is removed.</p>	


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		<p><i>Tourism development in the form of freestanding units will be considered 'grouped dwellings' and must be developed in accordance with the relevant density set out in the R-Codes and built form standards of the CBPSP.</i></p> <p>This submission strongly objects to any provision which equates a self-contained tourist cabin to a grouped dwelling. The provisions of the R Codes are clearly not intended to apply to self-contained tourist cabins. The R Codes define a dwelling as:</p> <p>DWELLING - a building or portion of a building being used, adapted, or designed or intended to be used for the purpose of human habitation on a permanent basis by a single person, a single family, or no more than six persons who do not comprise a single family.</p> <p>It is our submission that a "Tourist Development" does not include dwellings and the number of cabins/chalets or any form of Tourist Developments should not be limited in terms of the number of cabins/chalets etc by an R Coding as an R Coding applies only to single houses, grouped and multiple dwellings.</p> <p>If the R Coding of R20 were to apply to the RAC Holiday Park, with a lot area of 4.1285 hectares, this would restrict the total number of "free standing units" to 92. RAC Holiday Park, which is considered to be developed to a very low density for Tourism accommodation has a Caravan Park Licence for a total of 183 sites (including caravan sites and cabins/chalets). This clearly shows that imposition of residential density to a Tourist Development is not appropriate. Imposition of residential density to Tourism Development is likely to make Tourism Development financially unviable, which then undermines the vision of the CBPSP, which is to "retain and promote tourism character and land use".</p> <p>It is our submission that Sub Section 2 and 3 of Section 2.2.1 should be deleted as Tourist Development are not dwellings and imposition of these clauses has the potential to undermine the vision of the CBPSP.</p> <p>i. Section 2.2.3 Building Height</p> <p>The building height provisions detailed in Section 2.2.3 are generally supported.</p> <p>j. P1 Table 8 CBPSP Built Form Controls</p> <p>P1 Table 8 details other built form controls, including landscaping, which includes a development standard of a minimum of 35% soft landscaping for the Cable Beach Low Precinct. Whilst RAC endeavour to provide as much landscaping as possible and have a number of trees throughout the RAC Holiday Park, much of the landscaping areas, other than the street frontages, are grassed and provision of grassed areas to any greater extent would not be consistent with the objectives under Section 1.3.1: Urban Ecology including to "adopt an environmentally sustainable approach to development with the CSP ...". We object to the minimum requirement of 35% soft landscaping as this is not always achievable for sites that include tourist development and caravan parks, particularly for the RAC Cable Beach Holiday Park.</p> <p>k. 2.2.6 Built Form Character</p> <p>The built form character statements are generally supported.</p> <p>l. 2.2.7 Streetscape</p>	<p>i. Section 2.2.3 Building Height</p> <p>Support for building height is noted.</p> <p>j. P1 Table 8 CBPSP Built Form Controls</p> <p>The definition of soft landscaping (provided in the R-Codes) includes grassed areas and therefore would be considered in the 35% requirement. It is not considered that the overarching urban ecology objectives of providing an environmentally sustainable approach to development would exclude the provision of grassed areas. It is considered that there is sufficient flexibility if soft landscaping treatments to adequately achieve the 35% minimum requirement. No changes are recommended to the soft landscaping requirements.</p> <p>k. 2.2.6 Built Form Character</p> <p>Support for built form character is noted.</p> <p>l. 2.2.7 Streetscape</p> <p><u>Landscaping of adjacent road reserve</u></p>	

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		<p>Section 2.2.7: Streetscape details that landscaping of the adjacent road reserve is required for all new development and that a landowner is to enter into an agreement to maintain the landscaping within the road reserve. The CBPSP does not detail the landscaping required for the road reserve. With the RAC currently abutting both Cable Beach Road West and Murray Road, together with the proposed road connection, imposition of this condition would require RAC to provide and maintain landscaping on all three road frontages. In this regard, we seek further clarification on the likely landscaping requirements in order to provide comment on this proposed development provision.</p> <p>No comment is provided on the development standards relating to carparking and vehicle access as well as bicycle parking and end of trip facilities.</p> <p>m. Section 2.2.10: Landscaping, Deep Soil and Tree Canopy</p> <p>In relation to Section 2.2.10: Landscaping, Deep Soil and Tree Canopy, we reiterate our earlier comments in relation to the development standard of proviso 35% soft landscaping within the Cable Beach Low Sub Precinct. We reiterate that whilst RAC endeavour to provide as much landscaping as possible and have a number of trees throughout the RAC Holiday Park, much of the landscaping areas, other than the street frontages, are grassed and provision of grassed areas to any greater extent would not be consistent with the objectives under Section 1.3.1: Urban Ecology including to “adopt an environmentally sustainable approach to development with the CSP ...”.</p> <p>In regard to point 6 of Section 2.2.10 we also reiterate that the CBPSP does not detail the type and extent of landscaping required for the road reserve. With the RAC currently abuts both Cable Beach Road West and Murray Road, together with the proposed road connection, imposition of this condition would require RAC to provide and maintain landscaping on all three road frontages. In this regard, we seek further clarification on the likely landscaping requirements in order to provide comment on this proposed development provision.</p> <p>n. 2.12 Solar Access and Natural Ventilation</p> <p>Section 2.2.12 details development standards in relation to solar access and natural ventilation. Points 4-9 are identified as applying to Tourist Development. Point 5 details a standard for an eave overhang.</p> <p>The proposed cabins and chalets at RAC Holiday Park are modular built and the width of the eave to 900mm is too restrictive when using buildings of a modular build design. It is our submission that the provisions of 2.2.12 in relation to shading and eaves, should only apply to custom built buildings constructed on site and not to buildings of a modular design.</p> <p>o. 2.2.15 Infrastructure Requirements</p> <p>Section 2.2.15: Infrastructure Requirements details that portions of the identified lots are to be vested in the local government for Public Open Space. However, the provisions of the Structure Plan do not detail, if the land was developed for tourism accommodation and not permanent residential accommodation, whether the Public Open Space would be purchased by the Shire, given that there is no requirement to provide Public Open Space if the land is developed for Tourism purposes.</p> <p>Similarly, with the provisions of point 3 of 2.2.15, clarification is sought to confirm that if the entire lot was being developed for Tourism, that the “proposed future connections” shown in</p>	<p>RAC currently provide landscaping of adjacent road reserve, Murray Road providing a particularly good example of this. It is expected that this level of landscaping would meet the expectations of this provision, and that ongoing maintenance of this area would be maintained. No changes are recommended.</p> <p>Refer previous discussion around new connections.</p> <p>m. Section 2.2.10: Landscaping, Deep Soil and Tree Canopy</p> <p>Refer previous comments.</p> <p>n. 2.2.12 Solar Access and Natural Ventilation</p> <p>It is understood that mandating eave depths can be problematic for when providing modular units, however the importance of appropriate shading is relevant for both tourists and residents.</p> <p>Recommend that an additional provision be provided that addresses shading of tourism developments, providing design solutions such as window hoods or external shading devices as an alternative to requiring eaves. This would allow greater flexibility for tourism development, while still maintaining a level of amenity for tourists using the accommodation.</p> <p>o. 2.2.15 Infrastructure Requirements</p> <p>The requirement to provide POS only applies where permanent residential is proposed and for the purpose of a linear park depicted in P1 - Figure 6: CBPSP - Infrastructure and Public Realm Upgrades.</p>	

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		<p>Figure 6 would not be required to be provided and/or constructed by the landowner other than providing an easement of 6 metres in width.</p> <p>p. line of sight modelling - direct and indirect lighting impacts</p> <p>Point 3a of 2.3: Other requirements appears to require all Development Applications to provide “line of sight modelling” to determine from what location direct and indirect light (including sky glow) would be visible from Cable Beach. It is our submission that this is an onerous requirement for all Applications subject of the CBPSP particularly as no detail is provided in regard to the location within Cable Beach to which this modelling is to be prepared nor the extent of sky glow that would be visible from Cable Beach. We consider that this provision should be applied to specific lots whereby it is identified by the Shire that light to Cable Beach has the potential to be an issue, rather than the blanket requirement for every Applicant to demonstrate that this standard can be satisfied.</p> <p>The requirement under section 3.1 for all development to provide line of sight modelling in relation to direct and indirect lighting to Cable Beach and a Lighting Management Plan is considered to be a significant burden for Applicants, particularly for minor development or development that will not result in light (direct or indirect) to Cable Beach. A requirement to provide a line of sight modelling and a Light Management Plan should be assessed on a case by case basis and not blanketly applied.</p> <p>q. 3.1: Information to be Submitted</p> <p>Table 12 of Section 3.1: Information to be submitted appears to require a Noise Management Plan for all development other than single houses, including a requirement to take into account development that could be impacted upon by development generating noise and/or development that has the potential to generate noise. However, the table does not provide for a Noise Management Plan not to be required for a Tourist Development nor for an Application for development of a minor nature, such as replacement of a caravan site with a cabin. A requirement to provide a Noise Management Plan should be assessed on a case by case basis and not blanketly applied.</p> <p>Conclusion</p> <p>In summary, whilst RAC do not have objection to a Precinct Structure Plan applying to this area, the provisions of the Precinct Structure Plan should be designed to achieve the vision of the CBPSP which includes to “promote tourism character and land use ...”. This submission details a number of concerns with the draft CBPSP which we consider, if adopted, would stymy achieving the vision of promoting Tourism character and land use.</p>	<p>p. line of sight modelling - direct and indirect lighting impacts</p> <p>Noted and agreed that providing line of sight modelling for all developments within the CBP is not required, only where there is the potential to impact on turtle nesting. The following amendments are recommended to Clause 2.3.2 (3):</p> <ul style="list-style-type: none"> • Only require line of sight modelling where development has the potential to have direct light spill onto Cable Beach (removing indirect and skyglow), at the discretion of Shire of Broome • A Lighting Management Plan is only required where line of sight modelling indicates potential light spill onto Cable Beach, at the discretion of Shire of Broome. <p>To be consistent with the above amendment, it is also proposed to updated the description of the ‘development type’ in Table 12 to clarify when a line of sight and lighting management plan will be need to accompany a development application.</p> <p>q. 3.1 Information to be Submitted</p> <p><u>Noise Management Plan</u></p> <p>A Noise Management Plan will only be required for:</p> <ul style="list-style-type: none"> • Developments that have the potential to generate noise to a level that could impact amenity; and/or • Developments that could be impacted upon by such development generating noise <p>It will be at the Shire’s discretion as to whether a Nosie Management Plan is required. Suggest additional wording is provided to clarify.</p>	
7.	Kevin Purcher Senior Planner Water Corporation	<p>Thank you for your letter dated 30 September 2024. We offer the following comments regarding this proposal.</p> <p>a. Water</p> <p>Reticulated water is currently available to the subject areas. Due to the increase in development density, upgrading of the current system may be required to prevent existing customers being affected by the future development. We will need to review our scheme planning to determine if our infrastructure needs upgrading due to the increase in development density. We have initiated that review, but it may take some time to get a result.</p>	<p>The Shire acknowledges the intent of the submission provided by the Water Corporation. The following responses are raised:</p> <p>Water Supply</p> <p>The Shire appreciates the insights provided regarding the existing availability of reticulated water and notes the additional information from the Water Corporation confirming that the increase in densities will not trigger headwork upgrades.</p> <p>Wastewater</p> <p>The Shire appreciates the insights provided regarding the existing availability of reticulated sewerage and notes the additional information from the Water</p>	<p>That the submission be noted.</p> <p>No changes recommended.</p>

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		<p>Any upgrading of our headworks infrastructure will be undertaken at the cost of the Water Corporation. But all reticulation upgrades need to be borne by the future developer.</p> <p>If it is determined that our reticulated infrastructure needs upgrading it is recommended that a developer contribution scheme be established by the Shire of Broome. This is so a coordinated development approach is taken instead of individual landowners being responsible for the significant upgrades that may make their development unaffordable.</p> <p>All water main extensions, if required for the future development, must be laid within the existing and proposed road reserves, on the correct alignment and in accordance with the Utility Providers Code of Practice.</p> <p>b. Wastewater</p> <p>Reticulated sewerage is currently available to the subject areas. Due to the increase in development density, upgrading of the current system may be required to prevent existing customers being affected by the future development. We will need to review our scheme planning to determine if our infrastructure needs upgrading due to the increase in development density. We have initiated that review, but it may take some time to get a result.</p> <p>Any upgrading of our headworks infrastructure will be undertaken at the cost of the Water Corporation. But all reticulation upgrades need to be borne by the future developer.</p> <p>If it is determined that our reticulated infrastructure needs upgrading it is recommended that a developer contribution scheme be established by the Shire of Broome. This is so a coordinated development approach is taken instead of individual landowners being responsible for the significant upgrades that may make their development unaffordable.</p> <p>All water main extensions, if required for the future development, should be laid within the existing and proposed road reserves, on the correct alignment and in accordance with the Utility Providers Code of Practice.</p> <p>It should be noted that existing sewerage mains are located within private property in the subject areas. Some are protected by Water Corporation easements. Due consideration will be required when developing in these areas. The developer is required to fund the full cost of protecting or modifying any of the existing infrastructure which may be affected by any future development. In accordance with Section 90 of the Water Services Act 2012 whenever development is proposed near Water Corporation assets the applicant/developer/owner needs approval prior to construction. This should be done by submitting an Approval of Works application. For information about this application please follow this link: https://www.watercorporation.com.au/home/builders-and-developers/working-near-our-assets/approval-for-works</p> <p><i>Note: Water Corporation provided updated information since the close of the comment period. Water Corporation have advised that the increase in densities proposed Water Corporation headworks will not need to be upgraded.</i></p> <p><i>Individual developers could be required to undertake some reticulation works (new works) for their individual developments if they require large services such as a fire service. But until the developer provides their service request at the time of development we cannot determine if any new works are required. Those works if required would be funded by the developer.</i></p>	<p>Corporation confirming that the increase in densities will not trigger headwork upgrades.</p>	

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		<p><i>The density increases will therefore not impact existing customers.</i></p>		
8.	Urbis, on behalf of Pindana Pty Ltd	<p>Introduction/Context Thank you for the opportunity to provide a submission on the Shire of Broome Cable Beach Precinct Structure Plan (CBPSP). Urbis has prepared the following submission on behalf of its client, Pindana Pty Ltd (Pindana), the registered proprietor (the owners) of Lot 2 (No. 12) Millington Road and Lot 995 (No. 45) Oryx Road, Cable Beach (the subject sites).</p> <p>On behalf of the owners, we commend the Shire of Broome’s initiative to review the existing planning framework applicable to the Cable Beach Precinct and recognise the Shire’s vision to support future urban growth within the Broome Townsite and activate its existing activity nodes.</p> <p>As the Shire will appreciate, activation of the Cable Beach Precinct requires the identification of areas of greatest opportunity and greater flexibility in the local planning framework to stimulate development. The owners request that the Shire:</p> <ol style="list-style-type: none"> 1. Include the subject sites within the area identified as ‘Cable Beach High’ to leverage its high amenity, large land size, few constraints and strategic location, and increase the density coding to a minimum of R80, improving the likelihood of tourism outcomes. 2. Lift the residential use restrictions, allowing developments to be 100% permanent residential, whilst maintaining Tourism as a permitted use. This allows flexibility for owners, both developers and owners of/in completed developments, to respond and adapt to changes in residential and tourism markets, and the seasonal nature of the Broome region. 3. Lift the staging and development constraints. Lifting the requirement for residential development to not precede tourism development and removing all restrictions on maximum length of stay for tourism accommodation improves the likelihood of development in the Cable Beach Precinct. Same as #2 above, this allows flexibility to respond and adapt to changes in residential and tourism markets, and the seasonal nature of the Broome region. 4. Allow flexibility in the location of the pedestrian access way. <p>Inclusion of these requests in the CBPSP position the subject sites with the potential to deliver the Shire’s vision for the Cable Beach Precinct. The following submission provides further detail in support of this request.</p> <p>a. Change site to Cable Beach High sub precinct and increase density to R80</p> <p>Site Context: The subject sites are located less than 500m east of the Cable Beach foreshore with frontages to Millington Road and Oryx Road (refer Figure 1). The site is presently underdeveloped, only accommodating two single houses. Hotels, resorts and other forms of short stay accommodation surround the site, with the Pearle of Cable Beach and the Tarangau Caravan Park located directly north of the site, and the Cable Beach caravan park to the south.</p> <p>Figure 1 – Subject Sites</p>	<p>Introduction/Context Noted and comments on relation to each of the four points raised addressed under the headings below.</p> <p>a. Change site to Cable Beach High sub precinct and increase density to R80</p> <p>The intended approach to density and built form is focus higher density/intensity development along key activity areas such as Sanctuary Rd and Cable Beach West. Increasing the density of these sites would be inconsistent with both the land use and built form approach of the CBPSP.</p> <p>As noted in earlier responses, it is proposed to remove the density requirements for tourism development, allowing greater development flexibility provided the built form is consistent with the development controls. This would result in the R20 density applying only to the residential component, allowing the tourism component to be development at a higher density.</p>	<p>That the submission be noted.</p> <p>2.1.2 Residential Land Uses Modify Clause 2.1.2 (1) f) to allow for flexibility in the delivery of residential and tourism development in Cable Beach.</p> <p>Provide additional wording to ensure quality landscape/ streetscape will be maintained where staged approach leads to vacant land fronting the street.</p> <p>2.2.15. Infrastructure Requirements</p> <p>The existing note on P1 - Figure 6: CBPSP - Infrastructure and Public Realm Upgrades to be updated to ensure flexibility on the exact location of any future connections.</p> <p>Modify P1 – Figure 3 Built Form and Streetscape to include the same note as P1- Figure 6.</p> <p>2.2.5 Setbacks – Table 8 CBPSP Built Form Controls Amend the lot boundary setbacks.</p>

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		 <p>REQUESTED MODIFICATIONS</p> <p>1. Alter designation of the subject sites to be included in the 'Cable Beach High' Sub- Precinct and increase density code to R80 minimum.</p> <p>The CBPSP proposes to designate the subject sites as 'Cable Beach Low - R20' with the following character statement:</p> <ul style="list-style-type: none"> • <i>Low rise tourism/residential development with a dispersed built form separated by high quality landscaping that adds shade and amenity to occupants.</i> • <i>Large buildings may be appropriate for communal facilities or related commercial development such as restaurants and cafes.</i> • <i>Street edges should provide high quality landscaping, while allowing opportunities for casual passive surveillance from units/dwellings onto the street.</i> <p>The proposed Cable Beach Low – R20 sub-precinct allocation significantly undervalues the development potential of the subject sites and is not considered economically viable. The request to designate the subject sites within the Cable Beach High sub-precinct is considered appropriate for the following reasons:</p> <p>Alignment with the Shire of Broome Local Planning Strategy:</p> <ul style="list-style-type: none"> • The Shire's Local Planning Strategy explicitly aims to activate Cable Beach as a key precinct. The CBPSP presents a strategic opportunity to address this objective by facilitating the growth of the subject sites and the broader Cable Beach Precinct. By leveraging the site's high amenity and proximity to other developments, the CBPSP can significantly contribute to the activation and vibrancy of the area. • The subject sites are currently zoned 'Tourism' under the Shire of Broome Local Planning Scheme No. 7 (LPS 7), with an R40 density code. The proposed down coding of the subject sites through the CBPSP is counterproductive and does not reflect the objectives of the Shire's Local Planning Strategy. Increasing the density is crucial to align with the strategic vision for the area. • Increasing the density of the subject sites to Cable Beach High directly aligns with the CBPSP's vision to support urban growth, activate existing nodes, promote housing diversity, limit urban sprawl, and alleviate housing shortages in the Shire. <p>Flexibility of the local planning framework:</p> <ul style="list-style-type: none"> • The CBPSP and Amendment No. 1 to LPS 7 aim to provide future flexibility within the local planning framework. This flexibility is crucial for offering more housing options, 	<p>While it is noted that the previous Development Strategy provides an R40 density coding, the CBPSP provide greater flexibility for delivering significantly more residential. Built form and density analysis of surrounding residential areas, including Frangipani Estate, demonstrates residential densities of R10-R20. The intent is the Cable Beach Low sub-precinct would result in similar residential densities to maintain the built form and landscape character of Cable Beach. Given the significant increase in residential permissibility, it is considered that the R20 density is appropriate for the area.</p> <p>In regards to the built form controls for the Cable Beach Low sub-precinct, some of the key objectives of the CBPSPS are to:</p> <ul style="list-style-type: none"> • Enhance the precinct's landscape character by ensuring high quality green spaces and tree canopy within development sites, to reduce the impacts of climate for occupants, mitigate the impact of climate change and minimise the urban heat island effect. • Built form enhances the distinctive characteristics of a local area, contributing to sense of place and tourism character with strong activation and surveillance of public places. • Development responds to the specific nature of Broome's climate and environmental conditions in order to reduce heat radiation build up during the day and maximise ventilation cooling during the day and night. • Development optimises internal and external amenity for occupants, visitors and neighbours, contributing to living and working environments that are comfortable and productive. • Development recognises that landscapes and buildings operate as an integrated and sustainable system, within a broader ecological context resulting in well-integrated, engaging places that contribute to local identity and streetscape character. <p>The R-Codes, while a state-wide policy, have largely been developed to respond to housing requirements of Perth. Due to the climatic conditions of Broome, it is considered necessary to amend the R-Codes to ensure housing is being delivered in a way that responds to these climatic conditions. The setback controls have been reviewed and existing residential and tourist developments have been examined to inform this. It is recommended that the primary street setbacks in Table 8 are maintained, however the lot boundary setbacks are reduced. This is would be consistent with the development controls under the current provisions of LPS7 and the landscaping character will still be maintained through the site coverage and landscaping controls.</p> <p>No changes to the sub-precinct, density or built form controls are recommended for these sites.</p>	

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		<p>activating precincts, and improving the commercial viability of new developments. The development standards and controls outlined in the CBPSP are key to delivering a more flexible planning framework.</p> <ul style="list-style-type: none"> The built form controls proposed by the CBPSP for R20 development are more restrictive than the provisions of the Residential Design Codes (R-Codes) Volume 1. These controls include increased setback requirements, reduced maximum site cover, and additional deep soil area requirements. Collectively, these restrictions limit opportunities for lot and building product diversity, contrary to the goals of providing flexible and diverse housing options. Less restrictive development standards allow the potential for the subject sites to be appropriately planned. The deviation from the R-Codes is not considered reasonable noting they were recently reviewed and updated through the State Government's <i>Action Plan for Planning Reform</i> to be contemporary and fit for purpose. The proposed R20 controls in the CBPSP are more restrictive, and do not align with these updated standards. Given the more onerous Cable Beach Low - R20 development requirements proposed by the CBPSP, the requested Cable Beach High designation will offer greater flexibility for innovative and diverse development outcomes and will support land activation in proximity to the Cable Beach foreshore. <p>Improving development potential of the site</p> <ul style="list-style-type: none"> Tourism development has stagnated over the last decade in the Cable Beach Precinct. The amount of underdeveloped and vacant land indicates that factors other than land supply are limiting development activity. The existing density coding of R40 is restrictive, and an increase to R60 is not expected to be sufficient to stimulate development activity. Increasing the density coding to a minimum of R80, improves the likelihood of tourism outcomes, and allows the use of the provisions in the Residential Design Codes Volume 2 for multiple dwellings. There is an opportunity to incorporate higher density development above 2 storeys, in the order of 5 storeys or more on the subject sites. The site's attractive location, proximity to the beach and the Broome North District Centre to the east provides an opportunity for multi storey development without compromising views to the Cable Beach foreshore. There is a need to ensure that the development of the site acknowledges the seasonal nature of the Broome Region, and the need to allow for large discrepancies between peak season and low season. <p>b. Residential Use Restrictions</p> <p>The CBPSP only permits residential land uses in accordance with the following:</p> <ul style="list-style-type: none"> <i>Permanent residential development must not occupy more than:</i> <ul style="list-style-type: none"> 50% of the total number of units/dwellings; or 50% of the total lot area. <i>The proportion of permanent residential development may be increased to 70% where:</i> <ul style="list-style-type: none"> Public connections are provided through the site in accordance with P1 - Figure 6; and 	<p>b. Residential Use Restrictions</p> <p>Allowing whole lots to be developed as residential does not align with the strategic tourism intent of the Cable Beach precinct, and is inconsistent with the Planning for Tourism and Short-term Rental Accommodation Position Statement. The proposed approach provides balanced and equitable solution to proving greater land use flexibility and promoting development, while retaining the tourism important of the precinct. It is not recommended that land be development for the sole purpose of residential.</p>	

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		<p>- <i>It can be demonstrated that residential development will not have a negative impact on the primary tourism character or amenity of the CBP.</i></p> <p>The proposed percentage caps on permanent residential development are restrictive and does not provide flexibility for owners, both developers and owners of/in completed developments, to respond and adapt to changes in residential and tourism markets. The request to remove the above restrictions allowing developments to be 100% permanent residential, whilst maintaining Tourism as a permitted use is considered appropriate for the following reasons:</p> <ul style="list-style-type: none"> As mentioned above, tourism development in Cable Beach Precinct has stagnated over the last decade. Whilst we appreciate the Shire’s desire to maintain achieve tourism outcomes in the precinct, removing the percentage caps entirely increases opportunities for investment and enables owners to adapt more swiftly to changing market conditions, ensuring that the development aligns with current and future market needs. Given that tourism developments are not viable year-round, they often result in underutilised properties. Allowing for more flexibility in uses can fill this gap, ensuring that properties are utilised more effectively throughout the year and effectively responding to market demands. This will likely not only address housing supply issues, but also has the potential to contribute to greater affordability in the housing market, and further activate the Cable Beach Precinct. <p>c. Lifting of staging and development constraints</p> <p>The CBPSP further constrains owners adapting to changing market conditions and the seasonal nature of the Broome region, reducing flexible development outcomes by stipulating the following must be achieved for development to proceed:</p> <ul style="list-style-type: none"> <i>Prior to subdivision or development occurring, a development application which includes both the tourism and residential components, must be provided for the entire site.</i> <i>If the development is to be staged, the residential development is not to precede tourism development land uses.</i> <i>Where strata titling is proposed, a management statement is registered at the same time the strata or survey strata plan is registered that restricts the maximum length of stay to three months in any twelve-month period applied to the tourism accommodation.</i> <p>The above staging and development requirements further reduce the viability of development under the CBPSP and create additional hurdles for investment. It is requested that the above requirements are removed for the following reasons:</p> <ul style="list-style-type: none"> Predetermining the sequence of development phases can undermine the financial viability of an entire project. Furthermore, residential development can drive the provision of essential infrastructure and services, such as roads, utilities, and public amenities, ahead of the establishment of tourist development – and thereby increase the capacity for tourism outcomes to succeed. Forcing tourism development to precede residential development removes the flexibility to respond to market demand, leading to the potential for underutilised tourism facilities and delayed or stalled residential projects. Allowing development to proceed in any order can help establish a stable population base that supports local businesses and 	<p>c. Lifting of staging and development constraints</p> <p>It is also acknowledged that the requirement for the tourism development to proceed the residential component may restrict development, with the preference for delivery of residential first to stimulate development in Cable Beach.</p> <p>Recommend removing these requirements to allow for flexibility in the delivery of residential and tourism development in Cable Beach.</p>	


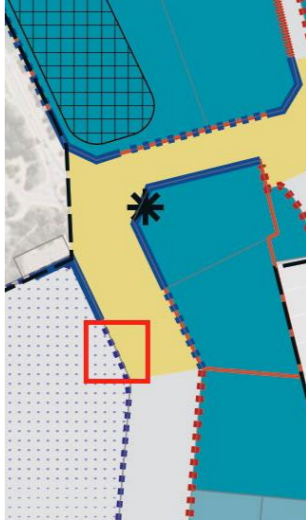
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		<p>services, creating a more active and attractive environment for future tourism development.</p> <ul style="list-style-type: none"> The inability to offer flexible accommodation options with no cap on lengths of stay might make properties in the CBPSP area less competitive compared to other destinations. This could possibly lead to reduced investment in the Cable Beach Precinct area, hindering economic growth and the development of new tourism infrastructure. This may result in financial strain for property owners and operators, potentially leading to neglected properties and a decline in the overall quality of tourism accommodations. Removing restrictions on lengths of stay allows for owners, both developers and owners of/in completed developments, to respond and adapt to changes in residential and tourism markets. <p>d. Flexibility of pedestrian access way location The CBPSP identifies a fixed location for the provision of a Pedestrian Access Way (PAW) along the southern boundary of the subject sites, from Oryx Road to Millington Road, as follows:</p> <ul style="list-style-type: none"> <i>A portion of the lots to be vested to the local government for the purpose of POS in accordance with the linear park identified in P1 – Figure 6.</i> <i>Vested land to be a minimum 10m width for the length of the applicable boundary and can form part of DCP 2.3 POS requirements.</i> <p>The determination of the PAW location constrains the design of the subject sites and is not supported for the following reasons: Implications of proposed location on safety and social outcomes</p> <ul style="list-style-type: none"> Unless development is designed to front the PAW, the location proposed can become a hotspot for anti-social behaviour due to inadequate surveillance and lighting. Flexibility in the location of the PAW can ensure it is integrated into the design of future developments, it is strategically located to enhance accessibility and encourages positive and safe social interactions. <p>Reduced useability of the PAW in comparison to consolidated areas of open space.</p> <ul style="list-style-type: none"> While the proposed PAW seeks to offer pedestrian connectivity, the location proposed does not provide a meaningful link between destinations and its usability in the Broome climate will likely be limited compared to larger, consolidated areas of Public Open Space (POS). A consolidated POS can better incorporate shade structures, trees, recreational activities and community events that PAWs cannot support. Removing the fixed location of the PAW gives developers the freedom to design functional and attractive POS areas that respond to the community's needs. <p>Opportunities to co-locate green spaces and road infrastructure.</p> <ul style="list-style-type: none"> Integrating green spaces with road infrastructure presents unique opportunities for urban enhancement. Providing flexibility for the location of the PAW creates opportunities for this to be explored and will contribute to the aesthetics and functionality of future developments. <p>Conclusion We trust the information outlined in this submission justifies the inclusion of the subject sites within the Cable Beach High Sub-Precinct and an increased density coding to R80 and provides cogent evidence to reduce the controls around residential development. The requested changes</p>	<p>d. Flexibility of pedestrian access way location The intent is that the proposed location of future connections shown on P1 - Figure 3 is indicative only and that the exact location can be determined subject to a concept being developed. There is an existing note on the plan which explains this intent, however, this could be strengthened further.</p> <p>Note: the PSP does not request the provision of PAW's, it call for the delivery of linear park, which would serve as the public open space contribution if the site is developed for residential purposes. The design of the space would not deliver a PAW configuration which would raise crime prevention through environmental design concerns. The linear park is generally aligned to the POS created through Sunset Park.</p>	

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		<p>position the subject sites with the potential to deliver the Shire’s vision for the Cable Beach Precinct.</p> <p>We would be pleased to discuss this further with the Shire. Should you have any queries, please don’t hesitate to contact the Tim Dawkins or Farida Farrag.</p>		
9.	Tourism Western Australia	<p>Thank you for your correspondence dated 30 September 2024, inviting Tourism Western Australia (Tourism WA) to comment on the following documents currently being advertised by the Shire of Broome (the Shire):</p> <ul style="list-style-type: none"> • Cable Beach Precinct Structure Plan (CBPSP); • Chinatown-Old Broome Precinct Structure Plan (COBPSP); and • Shire of Broome Local Planning Scheme No. 7, Scheme Amendment No. 1 (Scheme Amendment). <p>Located in the Kimberley region on Yawuru land, around 1,700km north-east of Perth, Broome / Rubibi is an internationally recognised destination. The 22km long west-facing Cable Beach is arguably the most iconic regional beach in Western Australia and the precinct has developed over time to capitalise on this attraction with the expansion of short stay accommodation offerings forming an established tourism precinct. The addition of direct international flights from Singapore in June 2024, as well as a growing expedition cruise sector, highlight the strategic importance of Broome as a tourism destination for the State.</p> <p>The tourism industry is of critical importance to Broome’s economy and a major contributor to its vibrancy and attraction as a place to live. Data from Tourism Research Australia demonstrates that in 2023, the Shire of Broome received 277,000 overnight visitors who stayed more than 1.6 million nights and contributed \$464 million to the local economy. Holidays account for the vast majority of domestic and international visitor nights. Further, the data suggests that international visitation is continuing to recover to pre-COVID numbers, with 18,000 international overnight visitors arriving in Broome in 2023.</p> <p>In 2024 Tourism WA released a Broome Accommodation Study (the Study) which assessed the supply and demand of short-stay accommodation in Broome. The Study identified the potential for significant future growth in visitor nights, with a key market gap in the luxury accommodation segment. The projected growth highlighted that 573 additional rooms will be required over the next decade. Retaining high-quality, tourism zoned land is critical to enable the development of new offerings to meet this demand.</p> <p>It is understood that the Shire is seeking to update its planning framework to balance the appropriate urban growth of Broome while continuing to support the growth of tourism, one of Broome’s key advantages and industries. Tourism WA provides the following comments for the Shire’s consideration:</p> <p>a. Rezoning to Urban Development</p> <p>It is noted that the Shire’s revised planning framework includes rezoning the Cable Beach Precinct from ‘Tourism’ to ‘Urban Development’ and that implementation of the Scheme Amendment will allow the Shire to consider development applications where tourism is not the predominant land use.</p> <p>The wholesale rezoning of ‘Tourism’ land is not supported by Tourism WA, particularly given Cable Beach is one of Western Australia’s most iconic regional tourism precincts. It is also acknowledged that the proposal is inconsistent with the Western Australian Planning Commission’s <i>Position Statement – Planning for Tourism 2023</i> (the position statement) which</p>	<p>Noted, see comments below.</p> <p>a. Rezoning to Urban Development</p> <p>While the CBPSP proposes to changed the zoning from Tourism to Urban Development, it is considered that the tourism intent still remains through the precinct objectives and land use restrictions and permissibility.</p> <p>The review of the tourism land use within the CBP has been undertaken with consideration for the policy objectives and measures outlined in the WAPC’s Position Statement: Planning for Tourism and Short-Term Rental Accommodation (refer to Part 2 of the CBPSP), ensuring the following:</p>	<p>That the submission be noted.</p> <p>2.2.1 Development and Density Remove Clauses 2.2.1 (2) and (3).</p>

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		<p>establishes that areas used exclusively for strategic tourism precincts, such as Cable Beach, are to be zoned 'Tourism'.</p> <p>b. Zoning of caravan parks</p> <p>It is further noted that the Shire's proposal is inconsistent with the position statement regarding the zoning of caravan parks, as these are also proposed to be rezoned to 'Urban Development'. As per the position statement, caravan parks are to be located in either 'Tourism' or 'Special Use' zones. Tourism WA has concerns that the rezoning of these affordable short-stay tourism assets will incentivise redevelopment for (predominantly) residential purposes.</p> <p>c. Tourist/Residential Spilt</p> <p>It is understood that the ratio of tourism accommodation and permanent residential land uses is proposed to be amended to 50:50 within the CBPSP area. Where certain provisions are met (including maintaining the tourism character and amenity of the precinct), permanent residential development to 70 per cent of a site or number of units may be approved.</p> <p>This is not supported as:</p> <ul style="list-style-type: none"> - There are concerns that it will result in residential becoming the predominant land use in the Cable Beach Precinct. 	<ul style="list-style-type: none"> • Tourism (and tourism related development) remains the primary function of the CBP and is located in areas of high amenity. • Adequate separation and/or tourism/residential interfaces are appropriately managed to protect amenity for both land uses. • Incorporate a mix of land uses appropriate to the tourism function of the precinct. • Statutory controls both in the Scheme and the CBPSP work together to appropriately guide discretion. • Ensure future capacity of tourism zoned land is maintained and able to respond to future tourism demand. <p>The Shire originally sought to maintain the Tourism zoning with an adjustment to the objectives of the Tourism zone to deliver the planning framework changes through the Precinct Structure Plan (i.e. so that the predominant development did not need to be Tourist development which is restricting development from occurring in the precinct). However the Shire was unable to amend the objectives of the Tourism zone, due to the State's consistent planning schemes mandate. Therefore to deliver on the intent of the Precinct Structure Plan, an alternative zone was required to be used.</p> <p>While the position of Tourism WA to maintain the Tourism zoning it noted, this would mean that the planning framework changes proposed through the Precinct Structure Plan would be incapable of being delivered. Ultimately no change to the planning framework is unlikely to deliver more tourist development due to financial feasibility.</p> <p>Based on the above, no changes to the Urban Development zoned recommended.</p> <p>b. Zoning of caravan parks</p> <p>The Shire acknowledges that these caravan parks perform an essential role in the tourism market, however, rezoning the existing caravan parks to Tourism on the premises that they are Caravan Parks would not ensure their ongoing operation as a Caravan Park as the zone would enable Tourist Developments. Identifying the Caravan Parks sites as Special Use sites is also not supported, given the strategic location and size of the Parks within the precinct, to have a zone in place that only allows a Caravan Park is not considered appropriate, No change recommended.</p> <p>c. Tourist/Residential Spilt</p> <p>Over the last 10 years, very little development has occurred in the precinct, with large areas of vacant land. The current development of Spinifex Brewery on Sanctuary Road is the first significant development in the area since the introduction of the Cable Beach Development Strategy in 2016. The last tourist development delivering accommodation units is the Kimblery Sands (2005) and the Billi (2010). The engagement process noted there was an oversupply of tourism zoned land and not enough demand.</p>	

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		<p>- The tourism character and amenity of the Cable Beach Precinct has not been defined. Tourism WA has concerns that in the absence of defined and measurable criteria, the proportion of tourism accommodation will be effectively reduced to 30 per cent.</p> <p>d. Density Part 2 of the CBPSP outlines that there is a notable lack of smaller medium-high density dwellings, however approximately 61 hectares (46 per cent) of land in the CBPSP area has been allocated a density of R20 (i.e. low-density). This density is not considered to be consistent with the Shire’s justification for proposing a higher proportion of residential land uses within an established and important tourism precinct.</p> <p>e. Relationship between tourism and residential land uses The Shire may wish to reconsider the proposed relationship between residential and tourism land uses as: <u>Strata – titling:</u> Tourism WA has had a long-standing position against the strata-titling of tourist accommodation due to the inconsistent approach to their quality, operation and management.</p> <p><u>Density:</u> Using the Residential Design Codes to determine density of tourism accommodation is not considered appropriate, as the size of tourism developments should be informed by financial viability and operational considerations, rather than a residential density measure. Design guidelines can be used to guide built form bulk, scale and amenity matters.</p> <p>f. Land use permissibility</p>	<p>The proposed approach provides greater flexibility in delivering alternative land uses (residential and commercial) which can be the catalyst for future tourism development. The allowance for greater residential development provides flexibility for land use changes over time and adapts to a range of tourism delivery options.</p> <p>The proposed approach to the tourism/residential split allows significantly greater flexibility to encourage development and investment in the area. No changes recommended.</p> <p>d. Density The current R40 density applies to the entire structure planned area, with application to both the residential and tourism components. Through the structure plan process, densities have been refined to allow a more nuanced approach. Higher densities of R60 have been focused in key areas of activity along Sanctuary Road and Cable Beach Road West, providing a transition outwards from R40 to R20. This provides a diversity of density and dwelling types across the CBP.</p> <p>While the density of Cable Beach Low has been reduced from R40 to R20, the residential permissibility has been significantly increased allowing for greater residential opportunities. It is also proposed to remove the density code associated with tourism development, allowing greater flexibility in tourism yields.</p> <p>In addition, give the size of the lots, and a comparison on residential development both in Cable Beach and the wider Broome townsite, R20 is considered an appropriate density for the context of Cable Beach Low sites.</p> <p>No changes to the density recommended.</p> <p>e. Relationship between tourism and residential land uses <u>Strata – titling:</u> Strata titling (either built or survey strata) is critical to ensure control over the both the built form outcomes and land use mix, when applying the tourism/residential split. No changes recommended.</p> <p>Note the Shire’s Strata Titling of Tourist Development in the Tourist zone (which will require administrative amendments if the zoning is changed) provides guidance that addresses the concerns of TWA, if strata titling was proposed.</p> <p><u>Density:</u> Noted and agreed. It is proposed the use of R-Code densities for tourism development is removed, using built form and development controls to guide development.</p> <p>f. Land use permissibility</p>	

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		<p>As per the Land Use Permissibility table contained in the CBPSP, residential development is proposed to be limited to:</p> <ul style="list-style-type: none"> • 'Single House' as a discretionary use in the Cable Beach Low sub-precinct; • 'Grouped Dwelling' as a discretionary use in the CBPSP area, subject to Section 2.1.2; • 'Holiday House' as a permitted use in the Cable Beach Low and Cable Beach Mid sub-precincts, and a discretionary use in the Cable Beach High sub-precinct; and • 'Bed and Breakfast' as a discretionary use in the CBPSP area. <p>The Shire may wish to consider the permissibility of 'Bed and Breakfast' and 'Holiday Home' and whether there is a risk that these could be used to secure approval for a new 'Single House' in a sub-precinct where it would otherwise not be permissible.</p> <p>g. Section 2.1.2 - subdivision With regards to Section 2.1.2(1)(b) of the CBPSP, it is recommended that this is reworded to require developments to be approved and for works to be substantially commenced before subdivision being considered.</p> <p>h. Broome Accommodation Study – zoning of sites identified In February 2024, Tourism WA released the <i>Broome Accommodation Study</i>. The Study was undertaken in consultation with a range of stakeholders, including the Shire, and identified three preferred development sites in the Cable Beach Precinct to address known gaps in Broome's tourist accommodation stock. These were:</p> <ul style="list-style-type: none"> • Lots 2790 & 2791 Cable Beach Road West; • Lots 705 and Lot 703 Murray Beach Road; and Lot 704 Cable Beach Road; and • 7 Millington Road (Broome Camp School). <p>It is acknowledged that all three of these sites have been included under the 'Urban Development' zoning and it is recommended that the Shire considers the appropriateness of this zoning, particularly in relation to the Broome Camp School which is arguably the most desirable site in the precinct from a tourism perspective.</p> <p>i. PSP boundary clarifications The boundaries of the CBPSP are inconsistently shown in figures within Part 1 and Part 2, specifically land bound by Sanctuary Road, Lullfitz Drive, Coucal Street, and Fairway Drive. It is recommended that the Shire reviews and confirms the land proposed to be subject to the CBPSP.</p> <p>Summary Notwithstanding the overall intent of the CBPSP, it is considered that the proposed planning framework will have a detrimental impact to the future growth of tourism both in the Cable Beach precinct and the Shire. It is noted that there are a number of residential areas within the Shire that could be investigated for densification to increase its housing supply without the need to target tourism land for this purpose.</p> <p>Thank you again for providing Tourism WA an opportunity to comment on the proposed changes to the Shire's planning framework. If you have any queries or would like to meet to discuss our comments, please contact Sean O'Connor, Planning Manager, on 0409 549 455 or via email at sean.oconnor@westernaustralia.com</p>	<p>Bed and Breakfast and Holiday House are important land use types in the CBP and provide popular tourist accommodation options. They would also enable the change of use from residential back to tourism if the demand required. It is recommended that these land uses remain as discretionary uses.</p> <p>g. Section 2.1.2 - subdivision Cost of construction and development feasibility is a key issue facing regional areas such as Broome. While the intent of requiring substantial development to occur prior to subdivision is acknowledged, it is considered that this would have impact the ability for development to occur. No changes recommended.</p> <p>h. Broome Accommodation Study – zoning of sites identified Refer to previous comments.</p> <p>Regarding the protection of strategic sites for tourism development, the Shire agrees that 7 Millington Road (Broome Camp School) should be included under Clause 2.1.2 (2) which limits the ability for residential development. Lots 2790 & 2791 Cable Beach Road West are already covered under this provision.</p> <p>i. PSP boundary clarifications Some figures in Part 2 of the PSP are broader than the immediate PSP boundaries to consider integration and connection with adjacent land uses. This is important context and background which has informed the PSP provisions. No change is recommended in this regard.</p>	

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10.	Nyamba Buru Yawuru Ltd (NBY)	<p>Context NBY has interests in the following sites in the precinct:</p> <ul style="list-style-type: none"> • Lots 2790 and 2791 Cable Beach Road West; and • Lots 703, 704 and 705 Murray Road. <p>a. Extension of Primary Active Edge along Sanctuary Road/Cable Beach Road</p> <p>NBY would like consideration to be made on extending the primary active edge along Sanctuary Road/Cable Beach Road West (P1 – Figure 3: CBPSP – Built Form and Streetscape Plan) to include portions of Lot 2790 & 2791.</p> <p>Consideration to extend the primary active edge to the same length matching the streetscape upgrades (shown in yellow on the legend below) to establish a more cohesive public realm/experience for those using the space.</p> <p>This would allow for NBY lots to be included in the proposed triangle activation and extend the boundary for better facilitation of the active edge within the precinct plan and allow more development opportunities.</p>  <p>b. Inclusion of road reserve Lots 2790 & 2791 Cable Beach Road West.</p> <p>NBY would like consideration for the road reserve verge along Cable Beach Road West to be reduced and to be included in Lots 2790 & 2791 Cable Beach Road West. This will allow for the development for these lots to be more cohesive public realm/experience for those using the space and allow more development opportunities.</p> <p>c. Increase density of Lots 703, 704 and 705 Murray Road</p>	<p>Noted.</p> <p>a. Extension of Primary Active Edge along Sanctuary Road/Cable Beach Road</p> <p>The primary active edge has been identified to concentrate activity in key locations along Sanctuary Rd and Cable Beach Road West. It is considered appropriate to extend the length better facilitation of the active edge within the precinct plan and allow more development opportunities in this location.</p> <p>b. Inclusion of road reserve Lots 2790 & 2791 Cable Beach Road West.</p> <p>The request for the road reserve verge along Cable Beach Road West to be reduced and to be included in Lots 2790 & 2791 Cable Beach Road West is noted, however the CBPSP is not the right mechanism for this to occur.</p> <p>c. Increase density of Lots 703, 704 and 705 Murray Road</p>	<p>That the submission be noted.</p> <p>P1 - Figure 3: CBPSP - Built Form and Streetscape Plan Extend the primary active edge as shown below.</p>  <p>2.3 Additional Requirements Additional clause to be added to require engagement with the Yawuru Park Council where development is proposed that directly adjoins a Conservation Estate.</p>

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		<p>NBY would like consideration on the zoning and density allocation for the lots, with preference being for medium density or above to accommodate resort style/short stay developments that NBY may wish to explore as part of the updated Cable Beach precinct structure plan.</p> <p>The Cable Beach Precinct Structure Plan identify the lots as being within the Cable Beach Mid sub-precinct and allocates a density zoning of R40 for the lots with a maximum building height limit of 2 storeys.</p> <p>Request for Lot 705 (the most southern site) residential density to be increased to a high-density zoning (suggested R80) and mark the site as a prominent corner/landmark site. The site is the most southern site within the Precinct area, at the entrance of one of the key arterial roads, and has clear, unobstructed views to the west towards the ocean. There are key factors which make it a key site for high level density development whilst being a good transition into the precinct to the north and Gubinge Rd to the east.</p> <p>d. Conservation Estate Engagement As the proposed developments also affect conservation areas surrounding the proposed development, NBY request that the Shire of Broome and any relevant consultants engage with NBY where appropriate regarding these areas prior to any developments being undertaken.</p> <p>The Shire of Broome’s Local Planning Strategy articulates an action plan for Culture and Heritage opportunities, where a key objective/direction is to;</p> <p>“Ensure future development proposals consider cultural heritage values to protect and preserve Aboriginal and non-Aboriginal significant places and landscapes, that make the Dampier Peninsula and Shire so unique”</p> <p>The indicated timeframe associated with the above action is noted as “Ongoing – short term (1 – 5 years). The Cable Beach PSP provisions towards Heritage Management (Clause 2.2.14) detail development provisions to ensure protection of existing heritage listed buildings however misses an opportunity to incorporate cultural and heritage design provisions and process to enhance culturally significant areas into Part 1 of the PSP e.g. incorporate indigenous heritage public art provision, landscape responses, place narratives etc.</p> <p>e. Drainage Consideration should be given to the impact that future developments have on drainage in the area. NBY request that the Shire of Broome and any relevant consultants engage with NBY where appropriate regarding the impact of drainage prior to any developments being undertaken.</p>	<p>The intended approach to density and built form is focus higher density/intensity development along key activity areas such as Sanctuary Rd and Cable Beach West. Increasing the density of these sites would be inconsistent with both the land use and built form approach of the CBPSP.</p> <p>As noted in earlier responses, it is proposed to remove the density requirements for tourism development, allowing greater development flexibility provided the built form is consistent with the development controls. This would result in the R20 density applying only to the residential component, allowing the tourism component to be development at a higher density.</p> <p>d. Conservation Estate engagement Currently, the only land adjoining the Conservation Estate is owned by NBY. However in order to future proof any changes to land composition and development, an additional clause can be added to require engagement with the Yawuru Park Council where development is proposed that directly adjoins a Conservation Estate.</p> <p>e. Drainage Engagement with NBY (including conversations on drainage) has been undertaken in the preparation of the CBPSP, as well as the preparation of a Water Management Strategy to accompany the CBPSP (Refer to Appendix 2). It is not feasible for every development application to engage with NBY individually on drainage and therefore no requirement is recommended.</p>	
11	Allan Griffiths	<p>I have been involved in many industries in Broome from managing the Roebuck Bay Hotel through major expansion in over 500% increase in revenue through the late 1980's. I was the Managing Director of Kimberley Explorer Cruises which pioneered the Kimberly coastal cruising industry in the more luxury vessels. I was responsible for the concept planning, land acquisition and the design and initial operation of the Fitzroy River Lodge and have served as a Broome Shire Councillor, Chairman of the (then) Kimberley Tourism Association (during the PATA Study), President of the Broome Tourist Bureau and founding President of the Broome Chamber of Commerce so I believe and can present a submission, not just based on "planning ideals and visions" that will take many years to promote new projects, if they ever do, but on the commercial facts that must be considered if any developer is to take any risk and comply with local policies. The Hames Sharley developed document does refer to many of the issues that</p>	<p>The lack of development activity in the CBP has been a key driver of this Structure Plan, with the aim to appropriately balance tourism and permanent residential land uses. The CBPSP seeks to provide greater flexibility for the provision residential development to address housing shortages, seasonality of the precinct and promote development within Cable Beach.</p> <p>The impact of public realm upgrades on Shire’s maintenance budget has been noted, however it is up to the Shire to seek additional funding and ensure any proposed upgrades have appropriate maintenance budgets to ensure their ongoing success.</p>	<p>That the submission be noted.</p> <p>No changes recommended.</p>

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		<p>have been the reason that no significant development has taken place in the precinct for the past 25 years but fails to consider commercial realities and evidence such as the only major one undertaken in that time has been sold on a number of occasions for much less than the initial development costs.</p> <p>Unfortunately this has been the situation with all "resort" properties, i.e. Cable Beach Club Resort, Oaks Broome, Mangrove Hotel, Continental Hotel, Roebuck Bay Resort, Pinctada (Kimberley Sands" Resort. Surely this "commercial" evidence must be considered when reviewing Planning Policies that have as one of their initiatives the promotion of development opportunities to increase both the population base and rate revenue required to maintain public amenities and facilities. In locations such as Broome this should be a major priority as the costs associated with employing staff and living in such a remote location is increasing at a very rapid and significant rate, e.g. insurance is now beyond the reach of many.</p> <p>Broome/Cable Beach needs increased permanent population to assist in spreading the costs and not restrictive policies that have not promoted any significant rates contributing accommodation development over the effective life of existing precinct policies.</p> <p>The improvements in the public facility in Cable Beach and Chinatown will add significantly to the Shire's maintenance budget in coming years and there are no new initiatives to attract and promote development in the town and in fact headwork charges alone are major financial obstacle.</p>		
12.	Department of Planning, Lands and Heritage	<p>The proposed Scheme Amendment and Precinct Structure Plans have been considered for their potential impact on heritage places within the Scheme area and the following advice is given:</p> <ol style="list-style-type: none"> 1. We recommended that the Shire develop a specific Local Planning Policy (LPP) for P291 Chinatown Conservation Area that underpins the strategy for the conservation and future development of the area. The LPP would be used to guide the formation of new development proposals and specify design considerations and criteria against which development proposals will be assessed. 2. 'Local Planning Policy 5.4 – 'Heritage List – Development of Listed Places', is referred extensively in the COBPSP. Given the potential impact on heritage places within the COBPSP area, the Shire should consider strengthening this policy and reviewing it against the current Heritage Council guidelines. 3. As there are no State Registered Heritage Places within Cable Beach (Planning Area C), there is no objection to the Cable Beach Precinct Structure Plan from a historic heritage perspective. <p>We hope that these comments are of value in the development of the proposed Scheme Amendment and Precinct Structure Plans and welcome further discussions regarding an LLP for the area and the possible delegation policy.</p>	The Shire acknowledges that no objections / modifications are proposed to the Cable Beach Precinct Structure Plan.	<p>That the submission be noted.</p> <p>No changes recommended.</p>
13.	Department of Water and Environmental Regulation	<p>The Department of Water and Environmental Regulation (the Department) has reviewed the scheme amendment and the Precinct Structure Plans. Detailed comments were provided in an attached table.</p> <p>For the Cable Beach Precinct Structure Plan, the following advice was provided:</p> <p>a. Potential irrigation water requirements for Lots greater than 1 ha</p> <p>Groundwater in the Cable Beach area has high salinity levels resulting from salt water intrusion. Adequate consideration must be given to non-potable water supply requirements for potential subdivision of lots to 1ha or greater (that may not require more detailed planning). Increased groundwater extraction for lawns and gardens could result, and some of these uses may be exempt from water licencing requirements under the Rights in Water and Irrigation Act 1914.</p>	<p>The Shire has undertaken a review of the considerations identified by the Department of Water and Environmental Regulation. Responses to those relevant to the CBPSP are summarised below.</p> <p>a. Potential irrigation water requirements for Lots greater than 1 ha</p> <p>Noted.</p>	<p>That the submission be noted.</p> <p>3.1 Information to Be Submitted Clarify that the intent is to provide a UWMP at either the subdivision or development application stage, not both.</p> <p>2.3.3. Urban Water Management The LWMS recommends 0.4m freeboard to the 1% AEP flood</p>

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		<p>Exempt domestic use was estimated and accounted for in the current groundwater allocation limits for the Cable Beach subarea. The potential for the rezoning to alter these previous estimations can be reviewed in conjunction with the Water Management Strategy review.</p> <p>b. Public Open Space (POS) Water supplies Fit for purpose POS water supply planning (water balance) for irrigation should be considered to ensure the water conservation methods proposed in CBPSP – Part 2 can meet demand.</p> <p>c. Environmental Management Plan Where native vegetation clearing exemptions apply under the <i>Environmental Protection Act 1986</i>, the Department recommends the following principles be applied to clearing activities;</p> <ol style="list-style-type: none"> avoid the clearing of native vegetation; minimise the amount of native vegetation to be cleared; and reduce the impact of clearing on any environmental value. <p>Proponents should also keep records of:</p> <ul style="list-style-type: none"> clearing exemption that was used to undertake the clearing activities the location where the clearing occurred the date that the area was cleared; the size of the area cleared (in hectares); photograph evidence of the area cleared before and after <p>The above principles could be incorporated into the Environmental Management Plans required by the Shire at development stage.</p> <p>d. Urban Water Management Plan This section requires a UWMP at both the subdivision and development application stages. This should be clarified. Ideally UWMP's should be required to support the subdivision application, or where an endorsed LWMS exists, as conditions of the subdivision.</p> <p>It is acknowledged there may be situations where a UWMP is relevant to development application (e.g. large scale tourism accommodation development not requiring lot subdivision), however the wording of this requirement should be reconsidered to avoid approval duplication or clarify the type of water management information required at the different stages.</p> <p>e. Waste This section discusses a program to provide re-purposed infrastructure for a replacement non-potable irrigation scheme servicing 43 hectares of green space in the Shire. Please clarify if this is a wastewater reuse initiative associated with Broome North Waste Water Treatment Plant upgrades, or groundwater abstraction from the Town Water Reserve previously proposed to meet POS water demands.</p> <p>f. Water Management Strategy appendices not provided The Department is generally supportive of the water management principles however needs to conduct a formal review of the Water Management Strategy (WMS) before the CBPSP and WMS can be endorsed.</p> <p>g. Flood risk mitigation New developments are proposed to have 0.3m freeboard to the 1% AEP flood levels. The Department generally advises that habitable floor levels be a minimum of 0.5m above the 1% AEP flood level. This can be considered further through the WMS review.</p>	<p>b. Public Open Space (POS) Water supplies Noted. This will be considered through more detailed planning of POS.</p> <p>c. Environmental Management Plan The intent of this recommendation is supported, the Shire proposes to modify the requirements for Environmental Management Plans expanding the requirements to include the items identified by the Department of Water and Environmental Regulation.</p> <p>d. Urban Water Management Plan Noted and agreed. Clarify that the intent is to provide a UWMP at either the subdivision or development application stage, not both.</p> <p>e. Waste This section provides context to the waste water treatment in Broome. Outlines that Broome North WWTP will be the only site in Broome treating waste water and given the closure of the Broome South WWTP, an alternative non-potable water supply will be provided to irrigate green spaces previously irrigated from the Broome South WWTP. No change required in this regard.</p> <p>f. Water Management Strategy appendices not provided A copy of the Water Management Strategy has been provided for review.</p> <p>g. Flood risk mitigation Noted. The LWMS recommends 0.4m freeboard to the 1% AEP flood levels. which is reflected in Clause 2.3.3 (3) of the CBPSP.</p>	<p>levels. Recommend amending this to align with the LWMS</p> <p>Technical Appendix: Water Management Strategy</p> <p>Water Management Strategy to include a water demand balance for non-potable supply requirements and sources within the precinct.</p>

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		<p>h. Water requirements The Department is generally supportive of the harvesting of surface runoff to limit potable use, though its not clear if/how this would apply to residential lots, or if it just relates to Shire managed POS.</p> <p>If it is not already included in the WMS, the Shire should include a water demand balance for non-potable supply requirements and sources within the precinct.</p>	<p>No change recommended.</p> <p>h. Water requirements Review of Water Management Strategy to include a water demand balance for non-potable supply requirements and sources within the precinct.</p>	

**ATTACHMENT NO 1 - SCHEDULE OF SUBMISSIONS
CABLE BEACH PRECINCT STRCUTRE PLAN**