

SCHEDULE OF MODIFICATIONS

Schedule of Modifications: Chinatown-Old Broome Precinct Structure Plan

The Structure Plan is to be modified in accordance with the following Schedule of Modifications and the modified Structure Plan is to be resubmitted to the WAPC for consideration.

| NO. | REFERENCE | MODIFICATION | REASON |
|------------------------------|--|--|--|
| GENERAL MODIFICATIONS | | | |
| 1. | Text | Undertake minor editorial amendments throughout all documents including grammatical and formatting corrections to text and figures. | Minor editorial modifications are required throughout the body of the Structure Plan to improve language, address grammatical errors, correct use of acronyms. |
| 2. | Text | Undertake the following general amendments: <ul style="list-style-type: none"> All references to State Planning Policy 7.3 – Residential Design Codes to be updated. | Shire identified modification to align with changes to the State Planning Framework. |
| 3. | Text and Maps | Update figure numbers and associated cross-references throughout both documents. | Shire identified modification to ensure figure numbers and cross references are accurate. |
| STRUCTURE PLAN MAPS | | | |
| 4. | P1 - Figure 2: COBPSP - Structure Plan Map (Page 16) | The Structure Plan Map (P1-Figure 2) to be modified as shown per Attachment 1 to this Schedule, and outlined below as follows: <ul style="list-style-type: none"> All Category 1 and Category 2 heritage sites (as per the Shire's Heritage List) to be shown on P1-Figure 2 and in the legend. Change zoning of Lot 57 (No. 10) Weld Street from 'Residential' to 'Mixed Use'. Change zoning of Lots 71 and 72 (No. 51) Frederick Street from 'Residential' to 'Mixed Use'. Change zoning Lot 1 (No. 29) Weld Street, Lot 12 (No. 7) Haas Street, Lot 11 (No. 31) Weld Street, and Lot 10 (No. 33) Weld Street from 'Residential' to 'Mixed Use'. | Numerous mapping updates are proposed in response to Submissions No.11, No. 13, No. 14, No. 16, No. 17, No. 21. |

ATTACHMENT NO 2 – SCHEDULE OF MODIFICATIONS

| NO. | REFERENCE | MODIFICATION | REASON |
|-----|--|---|---|
| | | <ul style="list-style-type: none"> • Change the zoning of Lot 360 (No. 15) Hopton Street, Lots 361 (No. 84) and 362 (No. 86) Walcott Street, and Part Lot 3 (No. 21) Hopton Street from 'Residential' to 'Mixed Use'. • Change zoning of Lot 435 Chapple Street from 'Foreshore Reserve' and 'Residential' to 'Regional Centre'. • Change zoning of Lots 2076 (No. 14), 2075 (No. 16), and 2074 (No.18) Chapple Street from 'Foreshore' reserve to 'Residential'. • Add an Additional Use to the properties located at Lot 92 (No.22) Weld Street and Lot 193 (No. 10) Barker Street. • Change zoning of Lot 2080 (No. 6) Gray Street, Lot 2079 (No 1) Chapple Street, Lot 3 (No. 3) Chapple Street, Lot 100 (No. 6) Chapple Street, Lot 484 (No. 2) Chapple Street, Lot 10 (No 2078) Chapple Street and Lot 2077 (No 12) Chapple Street, from 'Residential R10' to 'Regional Centre'. | |
| 5. | P1 - Figure 5: COBPSP – Residential Density Plan (Page 18) | <p>The Residential Density Plan Map (P1-Figure 5) to be modified as shown per Attachment 2 to this Schedule, and outlined below as follows:</p> <ul style="list-style-type: none"> • All Category 1 and Category 2 heritage sites (as per the Shire's Heritage List) to be shown on P1-Figure 5 and in the legend. • Change zoning of Lot 57 (No. 10) Weld Street from 'Residential R50' to 'Mixed Use R50'. • Change zoning of Lots 71 and 72 (No. 51) Frederick Street from 'Residential R50' to 'Mixed Use R50'. • Change zoning of Lot 203 (No. 6) Louis Street, Lot 2 (No. 44) and Lot 1 (No. 46) Robinson Street from 'Residential R30' to 'Residential R50'. | <p>In response to Submissions No.11, No.12, No.13, No. 14, No. 17, No.21</p> <p>In response to Submission No 18</p> |

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|-----------------|--|--|---|
| | | <ul style="list-style-type: none"> • Change zoning of Lot 1 (No. 29) Weld Street, Lot 12 (No. 7) Haas Street, Lot 11 (No. 31) Weld Street, and Lot 10 (No. 33) Weld Street from ‘Residential R50’ to ‘Mixed Use R50’. • Change the zoning of Lot 360 (No. 15) Hopton Street, Lots 361 (No. 84) and 362 (No. 86) Walcott Street, and Part Lot 3 (No. 21) Hopton Street from ‘Residential R50’ to ‘Mixed Use R50’. • Change zoning of Lots 197 (No. 17), 198 (No. 13), and Lot 199 (No. 11) Anne Street, from ‘Residential R30’ to ‘Residential R10’. • Remove ‘Residential’ zone from Part Lot 435 Chapple Street. • Change zoning of Lots 2076 (No. 14), 2075 (No. 16), and 2074 (No.18) Chapple Street to ‘Residential R10’. • Change zoning of Lot 2080 (No. 6) Gray Street, Lot 2080 (No. 6) Gray Street, Lot 2079 (No 1) Chapple Street, Lot 3 (No. 3) Chapple Street, Lot 100 (No. 6) Chapple Street, Lot 484 (No. 2) Chapple Street, Lot 10 (No 2078) Chapple Street and Lot 2077 (No 12) Chapple Street, from ‘Residential R10’ to ‘Regional Centre’. | |
| 6. | P1 - Figure 1: COBSP – Sub-Precincts (Page 15) | Figure to be modified to align with proposed minor sub-precinct boundary changes. | To align with mapping changes in Modifications No. 3 and No.3. |
| PART ONE | | | |
| 7. | Executive Summary (Pages VII) | Structure Plan Summary Table to be modified to reflect changes to zoning and land use in Modification No.2. | Shire identified modification to align with Modification No. 3. |
| 8. | Section 1.2.2 Interpretations (Page 6) | <p>Introduce new definition for ‘Consolidated Site’ as follows:</p> <p><i>Consolidated Site refers to any property or properties that form part of a single development application. This can include more than one site where it can be demonstrated that the properties are in sole ownership and/or that an agreement has been reached between all individual landowners who form part of the development application”.</i></p> | In response to Submission No.16 and No.17. |

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| 9. | Section 2.2.2 Building Heights (Page 17) | <p>Modify the wording of Clause (3) as follows:</p> <ul style="list-style-type: none"> • (f) Demonstrate how existing mature vegetation can be retained and co-located within soft landscaping deep soil areas. • (i) Development contributes to an enhanced streetscape by upgrading adjoining verge spaces through newly planted trees and integration of WSUD landscape features. <p>Modify the wording of Clause (4) as follows:</p> <ul style="list-style-type: none"> • <i>To promote adaptability for future uses, any ground floor residential development in the Regional Centre or Mixed Use zone must have a ground floor height of at least 4.2m. This will be measured from the top of the ground floor slab to the bottom of the first-floor slab.</i> | Shire identified modification to improve clarity on how this clause is to be applied. |
| 10. | Section 2.2.5 Streetscape P1-Table 7: COBPSP Streetscape Requirements (Pages 19-20) | <p>Introduce new row labelled All Frontage Types (excluding Main Street) and include following information:</p> <ul style="list-style-type: none"> • All proposals on land zoned Mixed Use, Residential R50, and Residential R30, Residential, Dot Point 3 to be replaced as follows: • <i>Solid fencing is not permitted within the primary street setback. All fences within the primary street setback area shall be no higher than 1.8m and minimum 80% permeable to allow airflow to pass through unobstructed.</i> <p>Laneway Edge, new dot point to be added as follows:</p> <ul style="list-style-type: none"> • <i>Landowners may control public access in dedicated laneways or mid block connections where they pass wholly through privately owned property. Managed public access during agreed hours is permitted to ensure safety and security after hours.</i> | In response to Submission No.16 and No.17. |
| 11. | Section 2.2.7 Landscape and Deep Soil | Section 2.2.7 to be updated as follows: | Shire identified modification to ensure better alignment with the now operational R-Codes |

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| | (Page 21) | <ul style="list-style-type: none"> • Introduce new clause which states ‘Residential development to be in accordance with the R-Codes. Landscape requirements for non-Residential development requirements are set out in Clauses 2.2.7 (1) – (3). <p>Modify P1 - Table 8: COBPSP Landscaping, Deep Soil and Tree Requirements by removing the rows relating to ‘Residential Development’.</p> <p>Introduce new sub-section called ‘Verges’ and include the following information:</p> <p><i>For all land zoned Regional Centre, Mixed Use, Residential R50 and Residential R30 in P2 – Hamersley Street, P3 – Town Beach-Guwarri, P4 – Commercial, and P5 – Old Broome the following applies:</i></p> <ul style="list-style-type: none"> • Landscaping of the adjacent road reserve is a requirement for new development. • The landscaping must include the provision of street trees within the adjoining verge at a minimum rate of: <ul style="list-style-type: none"> ○ One tree per 10 linear metres of street frontage for non-residential developments. ○ One tree per 15 linear metres for residential developments. <p>Tree species and planting must be to a satisfactory standard which aligns with the Shire’s Verge Maintenance Policy.</p> <ul style="list-style-type: none"> • Developments must incorporate landscaping with consideration for water-sensitive urban design (WSUD) elements such as bioswales. • Prior to occupation of the development, a deed of agreement between the landowner and the Shire must be prepared at the landowner’s cost, under which the owner agrees to maintain the road reserve landscaping. The landowner must also lodge a caveat on the Certification of Title to notify prospective landowners of this requirement. | Volume 1 and to ensure character/landscaping outcomes for new developments. |
| 12. | Section 2.2.9 Car Parking and Vehicle Access | Introduce new Clause 3 (c) as follows: | In response to Submission No.16 and No.17. |

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| | (Page 22) | <ul style="list-style-type: none"> Off-site parking may be considered is can demonstrate alignment with the Shire’s Local Planning Policy – Parking. | |
| 13. | Section 2.2.12 Heritage Management (Page 24) | <p>Introduce new sub-clause as follows:</p> <p><i>Where a property shares a boundary with a heritage building shown on P1 - Figure 2, applications for development approval must demonstrate via a Heritage Impact Assessment:</i></p> <p><i>a) How the development complements or harmonises with existing heritage structures, how it maintains visual continuity and prevents jarring contrasts in the streetscape. This may be achieved through setbacks, landscape edges and architectural features.</i></p> <p><i>b) How building scale is managed to complement the character of existing heritage buildings.</i></p> | In response to Submission No.14. |
| 14. | Section 3.1 P1 – Chinatown Core (Page 30) | <p>P1-Figure 6: Chinatown Sub-Precinct Requirements to be modified as follows:</p> <ul style="list-style-type: none"> The urban block bounded by Carnarvon / Gray / Short Streets and Dampier Terrace to be updated to show 1 x north-south; and 1 x east-west laneway edges (midblock connection). The zoning of Lot 435 Chapple Street is to be changed to ‘Regional Centre’. Change zoning of Lots 2076 (No. 14), 2075 (No. 16), and 2074 (No.18) Chapple Street from ‘Foreshore’ reserve to ‘Regional Centre’. Change zoning of Lot 2080 (No. 6) Gray Street, Lot 2079 (No 1) Chapple Street, Lot 3 (No. 3) Chapple Street, Lot 100 (No. 6) Chapple Street, Lot 484 (No. 2) Chapple Street, Lot 10 (No 2078) Chapple Street and Lot 2077 (No 12) Chapple Street, from ‘Residential R10’ to ‘Regional Centre’. Cross hatch to be removed from Public Open Space areas to align with legend. | <p>In response to Submission No.16</p> <p>Zoning change to align with Modification No. 4.</p> |
| 15. | Section 3.2 P2 – Hamersley Street | P1-Figure 9: Hamersley Street Sub-Precinct Requirements to be modified as follows: | In response to Submission No.13 |

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| | (Page 34) | <ul style="list-style-type: none"> • Change zoning of Lot 10 (29 Weld Street), Lot 3 (7 Haas Street), Lot 11 (31 Weld Street), and Lot 160 (33 Weld Street) from 'Residential R50' to 'Mixed Use R50'. • LDP1 is to be removed from the figure. <p>P1-Table 10: P2 Hamersley Street Built Form Controls to be modified as follows:</p> <ul style="list-style-type: none"> • Residential R50: Lot Boundary Setbacks to be adjusted to be in accordance with the R-Codes Volume 1. | Zoning change to align with Modification No. 4. |
| 16. | Section 3.3 P3 – Town Beach-Guwarri (Page 36) | <p>P1-Figure 10: Town Beach Sub-Precinct Requirements to be modified as follows:</p> <ul style="list-style-type: none"> • Change the zoning of Lot 360 (No. 15) Hopton Street, Lots 361 (No. 84) and 362 (No. 86) Walcott Street, and Part Lot 3 (No. 21) Hopton Street from 'Residential R50' to 'Mixed Use R50'. <p>P1-Table 11: Town Beach-Guwarri Sub-Precinct Requirements to be modified as follows:</p> <ul style="list-style-type: none"> • Mixed Use: 5 storeys may be considered on sites which are located on Robinson Street subject to Clause 2.2.2 (2). • Residential R50: Lot Boundary Setbacks to be adjusted to be in accordance with the R-Codes Volume 1. | <p>In response to Submission No.17</p> <p>Zoning change to align with Modification No. 4.</p> |
| 17. | Section 3.4 P4 – Commercial (Page 30) | <p>P1-Figure 11: Commercial Sub-Precinct Requirements to be modified as follows:</p> <ul style="list-style-type: none"> • The zoning of Lots 71 and 72 (No. 51) Frederick Street is changed to 'Mixed Use R50'. • The zoning of Lot 57 (No. 10) Weld Street is changed to 'Mixed Use R50'. | <p>In response to Submissions No.11, No.21</p> <p>Zoning change to align with Modification No. 4.</p> |
| 18. | Section 3.5 P5 – Old Broome (Page 40) | <p>P1-Figure 12: Old Broome Residential Sub-Precinct Requirements to be modified as follows:</p> <ul style="list-style-type: none"> • Change zoning of Lot 203 (No. 6) Louis Street, Lot 310 (No. 44) and Lot 311 (No. 46) Robinson Street to 'Residential R50'. | <p>In response to Submissions No.12,</p> <p>Zoning change to align with Modification No. 4.</p> |

| NO. | REFERENCE | MODIFICATION | REASON | | | | | | | | |
|--|---|--|--------------------------|----------------------------------|----------------|--------------------|--|---|-------------------------|--------------------------|---|
| | | <ul style="list-style-type: none"> Change zoning of Lots 197 (No. 17), 198 (No. 13), and Lot 199 (No. 11) Anne Street, from 'Residential R30' to 'Residential R10'. Add an Additional Use to the properties located at Lot 92 (No.22) Weld Street and Lot 193 (No. 10) Barker Street. Lots 71 and 72 (No. 51) Frederick Street and Lot 57 (No. 10) Weld Street are removed from Figure to align with Modification No. 6. <p>P1-Table 13: P5 Old Broome <i>Residential Built Form Controls</i> to be modified as follows:</p> <ul style="list-style-type: none"> Residential R50, R30, R20: Lot Boundary Setbacks to be adjusted to be in accordance with the R-Codes Volume 1. | | | | | | | | | |
| 19. | <p>Section 4.1 Information to be Submitted</p> <p>P1-Table 14: Additional Information Requirements (Page 43-44)</p> | <p>Table to be updated with new / updated rows as follows:</p> <table border="1" data-bbox="542 823 1547 1414"> <thead> <tr> <th data-bbox="542 823 707 884">Development Type</th> <th data-bbox="707 823 1238 884">Additional Information / Purpose</th> <th data-bbox="1238 823 1397 884">Approval Stage</th> <th data-bbox="1397 823 1547 884">Responsible Agency</th> </tr> </thead> <tbody> <tr> <td data-bbox="542 884 707 1414">Any Development where clearing is proposed</td> <td data-bbox="707 884 1238 1414"> <p>Environmental Management Plan A flora and fauna survey should be considered to ground-truth TEC occurrence within the area if clearing is proposed within the bounds of the site where remnant vegetation is found.</p> <p>If the clearing of remnant vegetation within the site is planned, development of an Environmental Management Plan (EMP) at development stage will be required detailing mitigation strategies, triggers and contingency actions. Early engagement with the Shire of Broome is required to determine if an Environmental Management Plan is required. Where native vegetation clearing exemptions apply under the Environmental Protection Act 1986, the following principles should be applied to clearing activities:</p> </td> <td data-bbox="1238 884 1397 1414">Development Application</td> <td data-bbox="1397 884 1547 1414">Shire of Broome and DWER</td> </tr> </tbody> </table> | Development Type | Additional Information / Purpose | Approval Stage | Responsible Agency | Any Development where clearing is proposed | <p>Environmental Management Plan A flora and fauna survey should be considered to ground-truth TEC occurrence within the area if clearing is proposed within the bounds of the site where remnant vegetation is found.</p> <p>If the clearing of remnant vegetation within the site is planned, development of an Environmental Management Plan (EMP) at development stage will be required detailing mitigation strategies, triggers and contingency actions. Early engagement with the Shire of Broome is required to determine if an Environmental Management Plan is required. Where native vegetation clearing exemptions apply under the Environmental Protection Act 1986, the following principles should be applied to clearing activities:</p> | Development Application | Shire of Broome and DWER | <p>In response to Submission No.14. to set out the requirements for when a Heritage Impact Assessment will be required.</p> <p>In response to Submission No.23. to set out the requirements for when an Environmental Management Plan will be required.</p> |
| Development Type | Additional Information / Purpose | Approval Stage | Responsible Agency | | | | | | | | |
| Any Development where clearing is proposed | <p>Environmental Management Plan A flora and fauna survey should be considered to ground-truth TEC occurrence within the area if clearing is proposed within the bounds of the site where remnant vegetation is found.</p> <p>If the clearing of remnant vegetation within the site is planned, development of an Environmental Management Plan (EMP) at development stage will be required detailing mitigation strategies, triggers and contingency actions. Early engagement with the Shire of Broome is required to determine if an Environmental Management Plan is required. Where native vegetation clearing exemptions apply under the Environmental Protection Act 1986, the following principles should be applied to clearing activities:</p> | Development Application | Shire of Broome and DWER | | | | | | | | |

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| | | | <p>a) avoid the clearing of native vegetation; b) minimise the amount of native vegetation to be cleared; and c) reduce the impact of clearing on any environmental value.</p> <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>Development on or Abutting Heritage Sites shown on P1-Figure 2.</p> | <p>Heritage Impact Statement (HIS) Prepare a HIS in accordance with the Heritage Council HIS Guide. The HIS should be a clear and concise account of the proposed work that addresses:</p> <ul style="list-style-type: none"> • How will the proposed works affect the significance of the place or area? • What measures (if any) are proposed to ameliorate any adverse impacts? • Will the proposal result in any heritage conservation benefits that might offset any adverse impacts? | <p>Development Application</p> | <p>Shire of Broome and DPLH</p> | |
| PART TWO | | | | | | |
| 20. | Section 1.1.2 Local Planning Framework (Pages 10-11) | <p>P2-Table 2: Local Planning Framework Summary as follows:</p> <ul style="list-style-type: none"> • Shire of Broome Local Planning Strategy to updated to reflect current approved status. • Chinatown-Old Broome Development Strategies reference to be updated explaining that the COBPSP will supersede these documents upon approval. | | | Shire identified modification | |

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| 21. | Section 1.2.5 Culture Values and Identity (Pages 28-29) | P2-Figure 8: Culture, Values Identity to be updated as follows: <ul style="list-style-type: none"> • Include local heritage sites (Category 1 and 2) to align with the legend. • Include the Old Broome Special Character Area. • Include ‘Kennedy Hill’ and ‘Morgan’s Camp’ as culturally sensitive sites. | In response to Submission No.14, and to correct a drafting error as local heritage is shown in the legend but not on the figure. In response to Submission No.21 to identify culturally significant sites. |
| 22. | Section 1.3.7 Built Form Character (Page 56) | Section to be updated to include additional commentary which provides specific references to the Old Broome Special Character Area. | In response to Submission No.14, to provide further clarity on the Old Broome Special Character Area. |
| 23. | Section 1.3.10 Development Potential (Pages 66-69) | Under “Assessment Methodology” include an additional dot point: <ul style="list-style-type: none"> • <i>Tenure - which assessed lots based on their land ownership and tenure.</i> • <i>Lot Size - which assessed lots based on their size.</i> • <i>Existing Use - which assessed whether a lot is vacant or developed.</i> • <i>Age / Condition - which assessed the age and condition of existing development (if present).</i> • Heritage – assess the heritage significance of a property. P2-Figure 22- Development Potential Assessment to be updated as follows: <ul style="list-style-type: none"> • Illustrate relevant heritage properties on the map and update their development potential ratings accordingly. • Update the Development Potential Assessment to include Lot 203 (No. 6) Louis Street, Lot 2 (No. 44) and Lot 1 (No. 46) Robinson Street as high. | In response to Submission No.14, to update the development potential assessment to better reflect the existing heritage significant of properties throughout the precinct. |
| 24. | Section 4.1.4 Heritage (Page 97) | Section to be updated to include additional commentary which provides specific references to the Old Broome Special Character Area. P2-Figure 25: Urban Ecology Plan to be updated accordingly. | In response to Submission No.14, to provide further clarity on the Old Broome Special Character Area. |
| 25. | Section 4.3.1 POS Network (Page 110) | P2-Table 14: POS Types and Function as follows: <ul style="list-style-type: none"> • Streeter’s Jetty POS reference to be removed. | Shire identified modification in response to Submission No.16 |

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| 26. | Section 4.5 Land Use | <p>P2-Figure 33: Land Use and Density Plan to be updated as follows:</p> <ul style="list-style-type: none"> • Zoning and density changes to be modified to align with Modification No.3. <p>P2-Table 15: Land Use Zones to be updated as follows:</p> <ul style="list-style-type: none"> • Zoning and land use changes to be updated to align with mapping changes in Modification No.3. <p>P2-Table 17: COBPSP Land Use Mix to be updated as follows:</p> <ul style="list-style-type: none"> • Areas to be updated to align with mapping changes in Modification No.3. <p>P2-Table 18: Residential Yield to be updated as follows:</p> <ul style="list-style-type: none"> • Yields to be updated to align with mapping changes in Modification No.3. | Shire identified modification to align with Modification No.3. |
| TECHNICAL APPENDICES | | | |