

SCHEDULE OF MODIFICATIONS
SHIRE OF BROOME DRAFT LOCAL PLANNING SCHEME No 7

Schedule of Modifications -Text

No.	Page	Section	Proposed Modification	Justification
1		General	Undertake grammatical and formatting modifications to Scheme Text and Maps to the satisfaction of the Shire of Broome.	To ensure grammatical and formatting issues are correct.
2.		Part 2: Reserves Table 1: Reserve Objectives	<p>Amend the scheme text accordingly including cl. 14 Local Reserves Table 1 – Reserve Objectives – Foreshore To make direct reference to environmental and cultural heritage objectives of the Conservation Estate.</p> <p>Modify Table 1 – Reserve objectives as follows; Propose that cl. 14 Local Reserves Table 1 – Reserve Objectives – Foreshore be reworded as follows:</p> <ul style="list-style-type: none"> • To provide for the protection of National heritage and natural values, and the environmental and cultural heritage objectives of the Conservation Estate. • To provide for a range of active and passive recreational uses, cultural and community activities, activities promoting community education of the environment, Aboriginal cultural tourism, eco-tourism and/or uses that are compatible with and/ or support the amenity of the reservation. 	<p>In response to submissions 13 and 22 as detailed within the schedule of submissions.</p> <p>Bold text is proposed inserted text.</p>
3.		Part 3: Zones and Uses of Land Table 2: Zone Objectives	<p>Modify Table 2 – Zone objectives as follows:</p> <p>Table 2 – Zone Objectives – Rural Zone first bullet point to be reworded as follows:</p> <ul style="list-style-type: none"> • To protect pastoral and broad acre agricultural activities such as cropping and grazing and intensive uses such as horticulture as primary uses, with other rural pursuits and rural industries as secondary uses in circumstances where they demonstrate compatibility with the primary use. (LPS 7, Page 9) <p>Amend the fifth bullet point to read as follows:</p>	<p>In response to submission 18 as detailed within the schedule of submissions.</p> <p>Bold text is proposed inserted text.</p>

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			<ul style="list-style-type: none"> • To provide for a range of non-rural land uses where they have demonstrated benefit and are compatible with surrounding rural uses 	
4.		Table 3: Zoning Table	Modify Table 3 - Zoning Table to amend the permissibility of Workforce Accommodation in Rural Smallholdings zone from “X” use to “I” use.	In response to submission 3 as detailed within the schedule of submissions
5.		Table 3: Zoning Table	<p>Modify Table 3 - Zoning Table by changing the permissibility of various uses as follows:</p> <ol style="list-style-type: none"> 1) Reorder airfield and amusement parlour uses in alphabetical order. 2) Amend the permissibility of Commercial Vehicle Parking use in the Rural, and Rural Smallholdings zone from ‘D’ use to ‘P’ 3) Amend the permissibility of Bulky Good retail in the Regional Centre, District Centre and Local Centre zones from ‘D’ use to ‘X’ use. 4) Amend the permissibility of Cinema Theatre in the District Centre zones from ‘X’ use to ‘D’ use. 5) Amend the permissibility of Corrective Institution in the Regional Centre, from ‘D’ use to ‘X’ use. 6) Include the permissibility of Family Day Care in the District Centre to ‘X’ use. 7) Amend the permissibility of Fast Food Outlet in the General Industry and Light Industrial zones from ‘D’ use to ‘X’ use. 8) Amend the permissibility of Lunch Bar in the Regional Centre, District Centre and Local Centre zones zone from ‘D’ use to ‘P’ use. 9) Amend use permissibilities in Rural zone: <ol style="list-style-type: none"> (i) Caravan Park from ‘A’ to ‘D’ 10) Amend use permissibilities in Cultural and Natural Resource Use zone: <ol style="list-style-type: none"> (i) Caravan Park from ‘A’ to ‘D’ (ii) Tourist Development from ‘A’ to ‘D’. (iii) Grouped Dwelling from ‘X’ use to ‘D’ use. 11) Amend the permissibility of Rural Pursuit/Hobby Farm in the Rural Residential and Rural Small Holdings zone from ‘D’ use to ‘P’ use. 	<p>Shire Officer level proposed modifications, justification for each outlined below:</p> <ol style="list-style-type: none"> 1) Typing error. 2) This land use is for parking of up to two commercial vehicles and preference is for these to be permitted land use in these zones. 3) Bulky goods retail is more appropriate in the Service Commercial zone. The Chinatown Development Strategy recommends that bulky good retail is not appropriate and therefore should be an ‘X’ use. 4) Is a land use that should be capable of being considered in this zone. 5) Not considered a land use appropriate in the Regional Centre zone. 6) Currently no land use permissibility is defined for this use in the zone.

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			<p>12) Amend the permissibility of 'Bed and Breakfast' in the Residential zone from 'D' to a 'P' use.</p>	<p>7) A Fast Food Outlet in industrial zones is not deemed appropriate and therefore should be an 'X' use.</p> <p>8) This land use is deemed appropriate in these zones and should not need development approval, therefore should be a 'P' use.</p> <p>9) To avoid the need to advertise a Caravan Park land use in the Rural zone which is deemed unnecessary.</p> <p>10) i) and ii) is to avoid the need to advertise these land uses which is deemed unnecessary. iii) is recommended as the land use of 'community living' has been removed from LPS7 and there are likely to be instances where some TO Groups will want to have on-country living for their members. With the removal of the 'community living' land use from LPS7, it is recommended that Grouped Dwellings are a discretionary land use in these zones to align with the intent of some TO groups.</p> <p>11) This land use is deemed appropriate in the Rural Residential zone without the need to obtain development</p>

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				approval, therefore recommended to be a P use. 12) This would have the effect of exempting hosted short stay accommodation which aligns with the WAPC draft Position Statement Planning for Tourism.								
-		<i>Part 4: General Development Requirements</i>	<i>Refer to Modification 9 to Schedule 4.</i>									
6.		Part 6: Terms Referred to in Scheme	Modify Division 1 – General definitions used in Scheme include definitions as follows:- (i) Site coverage: the proportion of a site that is covered by buildings and structures.	In response to submission 12 as detailed within the schedule of submissions. Bold text is proposed inserted text.								
7.			Modify Division 2 – Land use terms used in Scheme to include the following land use terms:- (i) Resource Recovery Facility – make consistent with LPS Regulations (Schedule 2) (ii) Winery - means premises used for the production of viticultural produce including fruit wines and associated sale of the produce.	Shire Officer level proposed modification In response to submission 18 as detailed within the schedule of submissions Bold text is proposed inserted text.								
8.		Schedule 1- Additional Use	Amend Schedule 1 – Additional Use to amend scheme text reference to A12 for Lots 213, 214 and 216 Hamersley St and Lot 215 Louis Street as follows: <table border="1" data-bbox="616 1230 1585 1412"> <thead> <tr> <th>No.</th> <th>Description of land</th> <th>Additional Use</th> <th>Conditions</th> </tr> </thead> <tbody> <tr> <td>A12</td> <td>Lots 213, 214 and 216 Hamersley St and Lot 215 Louis Street as indicated on the scheme maps.</td> <td>Grouped Dwellings and Multiple Dwellings</td> <td>As determined by the local government</td> </tr> </tbody> </table>	No.	Description of land	Additional Use	Conditions	A12	Lots 213, 214 and 216 Hamersley St and Lot 215 Louis Street as indicated on the scheme maps.	Grouped Dwellings and Multiple Dwellings	As determined by the local government	In response to submission 12 as detailed within the schedule of submissions. Bold text is proposed inserted text and struck through text to be removed.
No.	Description of land	Additional Use	Conditions									
A12	Lots 213, 214 and 216 Hamersley St and Lot 215 Louis Street as indicated on the scheme maps.	Grouped Dwellings and Multiple Dwellings	As determined by the local government									

No.	Page	Section	Proposed Modification	Justification								
			<table border="1"> <tr> <td></td> <td></td> <td>'D' 'P' Use</td> <td></td> </tr> </table> <p>Renumber additional uses, thereafter accordingly. Make Necessary Mapping updates accordingly.</p>			'D' 'P' Use						
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9.			<p>Amend Schedule 1 – Additional Use to included text reference to A9 for Lot 11 Walcott Street Service Station, as follows</p> <table border="1"> <thead> <tr> <th>No.</th> <th>Description of land</th> <th>Additional Use</th> <th>Conditions</th> </tr> </thead> <tbody> <tr> <td>A9</td> <td>Lot 11 Walcott Street as indicated on the scheme maps.</td> <td>Service Station a 'A' Use</td> <td>As determined by the local government</td> </tr> </tbody> </table> <p>Renumber additional uses, thereafter accordingly. Make necessary mapping updates accordingly (Additional Use number references).</p>	No.	Description of land	Additional Use	Conditions	A9	Lot 11 Walcott Street as indicated on the scheme maps.	Service Station a 'A' Use	As determined by the local government	<p>Bold text is proposed inserted.</p> <p>In response to submission 19 as detailed within the schedule of submissions.</p>
No.	Description of land	Additional Use	Conditions									
A9	Lot 11 Walcott Street as indicated on the scheme maps.	Service Station a 'A' Use	As determined by the local government									
11.		Schedule 4: Additional site and development requirements that apply to scheme area.	<p>Amend Schedule 4 as follows:</p> <ol style="list-style-type: none"> Clause 10 Height of Buildings in the Mixed Use, Tourism, Regional Centre and District Centre zone – Amend sub-clause 2 to read: <p><i>The height of mixed use and non-residential development may not exceed a wall height of ten (10) metres and a building height of fourteen (14) metres unless:</i></p> Clause 13 Regional Centre zone -Amend table to reference to Maximum plot ratio (deleting <i>As identified in the R Codes or adopted local planning framework and relevant design guidelines</i>) and insert building height provision as follows: <table border="1"> <tr> <td>Primary Street Setback (m)</td> <td>Secondary Street Setback (m)</td> <td>Side and Rear Setbacks (m)</td> </tr> <tr> <td colspan="3">Mixed Use and Residential Development</td> </tr> </table>	Primary Street Setback (m)	Secondary Street Setback (m)	Side and Rear Setbacks (m)	Mixed Use and Residential Development			<p>In response to submissions 9, 12,22 as detailed within the schedule of submissions</p> <p>Bold text is proposed inserted text.</p>		
Primary Street Setback (m)	Secondary Street Setback (m)	Side and Rear Setbacks (m)										
Mixed Use and Residential Development												

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			<p>All setbacks are to be in accordance with R-Codes unless otherwise identified in the adopted local planning framework and relevant design guidelines.</p> <p>Nil front setbacks may be provided where supported by the adopted local planning framework.</p>							
			<p>Non-Residential Development</p>							
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			<table border="1"> <thead> <tr> <th data-bbox="640 576 831 639">Maximum Site Coverage</th> <th data-bbox="831 576 1039 639">Maximum Plot Ratio</th> <th data-bbox="1039 576 1588 639">Building Height</th> </tr> </thead> <tbody> <tr> <td data-bbox="640 639 831 708">75%</td> <td data-bbox="831 639 1039 708">N/A</td> <td data-bbox="1039 639 1588 708">Schedule 4, Clause 10 (2) and (3) applies.</td> </tr> </tbody> </table>	Maximum Site Coverage	Maximum Plot Ratio	Building Height	75%	N/A	Schedule 4, Clause 10 (2) and (3) applies.	
Maximum Site Coverage	Maximum Plot Ratio	Building Height								
75%	N/A	Schedule 4, Clause 10 (2) and (3) applies.								
			<p>Landscaping</p> <p>As identified in the R-Codes unless otherwise identified in the local planning framework and relevant design guidelines.</p>							
			<p>3) Amend reference Australian Noise Exposure Forecast (ANEF) contours for the Broome International Airport from (Schedule 8) to (Schedule 6)</p>							
			<p>4) Clause 14 District and Local Centre zone - Amend table to reference to Maximum plot ratio (deleting <i>As identified in the R-Codes or adopted local planning framework</i>) and insert building height provision and amendment to landscaping standards as follows:</p>							
			<table border="1"> <thead> <tr> <th data-bbox="640 1174 1039 1286">Primary Street Setback (m)</th> <th data-bbox="1039 1174 1312 1286">Secondary Street Setback (m)</th> <th data-bbox="1312 1174 1588 1286">Side and Rear Setbacks (m)</th> </tr> </thead> <tbody> <tr> <td></td> <td></td> <td></td> </tr> </tbody> </table>	Primary Street Setback (m)	Secondary Street Setback (m)	Side and Rear Setbacks (m)				
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			<p>Mixed Use and Residential Development</p>							
			<p>All setbacks are to be in accordance with R-Codes unless otherwise identified in the local planning framework and relevant design guidelines</p>							
			<p>Non-Residential Development</p>							

No.	Page	Section	Proposed Modification			Justification	
			3		3	Nil*	
			Maximum Site Coverage	Maximum Plot Ratio	Building Height		
			50%	N/A	Schedule 4, Clause 10 (2) and (3) applies.		
			Landscaping				
			As identified in the R-Codes unless otherwise identified in the local planning framework and relevant design guidelines. Landscaping for all development shall be provided and maintained abutting the boundary of all street frontages to a minimum depth of 3 metres from the boundary. Where a nil setback is proposed landscaping is to be provided in the adjacent road reserve.				
			5) Clause 15 Mixed Use zone -Amend table to reference to Maximum plot ratio (deleting <i>As identified in the R-Codes unless otherwise identified in the local planning framework and relevant design guidelines</i>); insert building height provision and amend landscaping standards as follows:				
			Primary Street Setback (m)	Secondary Street Setback (m)	Side and Rear Setbacks (m)		
			Mixed Use and Residential Development				
			All setbacks for mixed use and residential development (including the residential component within mixed development) are to be in accordance with R-Codes unless otherwise identified in the local planning framework and relevant design guidelines.				
			Non-Residential Development				
			All setbacks are to be in accordance with R-Codes unless identified in the local planning framework and relevant design guidelines.				
			Maximum Site Coverage	Maximum Plot Ratio	Building Height		
			55%	NA	Schedule 4, Clause 10 (2) and (3) applies.		
			Landscaping				
			As identified in the R-Codes unless otherwise identified in the local planning framework and relevant design guidelines. Landscaping for all				

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			<p>6) Amend reference to Australian Noise Exposure Forecast (ANEF) contours for the Broome International Airport (Schedule 7) to (Schedule 6) and reference to Obstacle Limitation Surfaces (Schedule 7)</p>																									
			<p>7) Clause 17 Tourism zone -Amend table to reference to Maximum plot ratio (deleting <i>As identified in the R-Codes unless otherwise identified in the local planning framework and relevant design guidelines</i>) and insert building height provision as follows:</p>																									
			<table border="1"> <thead> <tr> <th data-bbox="638 679 1037 791">Primary Street Setback (m)</th> <th data-bbox="1037 679 1312 791">Secondary Street Setback (m)</th> <th data-bbox="1312 679 1585 791">Side and Rear Setbacks (m)</th> </tr> </thead> <tbody> <tr> <td colspan="3" data-bbox="638 791 1585 828">Mixed Use and Residential Development</td> </tr> <tr> <td colspan="3" data-bbox="638 828 1585 963">All setbacks for mixed use and residential development (including the residential component within mixed development) are to be in accordance with R-Codes (R40) unless otherwise identified in the local planning framework and relevant design guidelines.</td> </tr> <tr> <td colspan="3" data-bbox="638 963 1585 1000">Non-Residential Development</td> </tr> <tr> <td colspan="3" data-bbox="638 1000 1585 1219"> <ul style="list-style-type: none"> a) Nil side and rear setbacks adjoining Tourism zoned land. b) Buildings may be built from side boundary to side boundary for ground floor and first floor, except where required to provide access and parking. c) All other setbacks are to be in accordance with R-Codes unless otherwise identified in the local planning framework and relevant design guidelines. </td> </tr> <tr> <th data-bbox="638 1219 831 1283">Maximum Site Coverage</th> <th data-bbox="831 1219 1037 1283">Maximum Plot Ratio</th> <th data-bbox="1037 1219 1585 1283">Building Height</th> </tr> <tr> <td data-bbox="638 1283 831 1347">55%</td> <td data-bbox="831 1283 1037 1347">NA</td> <td data-bbox="1037 1283 1585 1347">Schedule 4, Clause 10 (2) and (3) applies.</td> </tr> <tr> <td colspan="3" data-bbox="638 1347 1585 1385">Landscaping</td> </tr> </tbody> </table>	Primary Street Setback (m)	Secondary Street Setback (m)	Side and Rear Setbacks (m)	Mixed Use and Residential Development			All setbacks for mixed use and residential development (including the residential component within mixed development) are to be in accordance with R-Codes (R40) unless otherwise identified in the local planning framework and relevant design guidelines.			Non-Residential Development			<ul style="list-style-type: none"> a) Nil side and rear setbacks adjoining Tourism zoned land. b) Buildings may be built from side boundary to side boundary for ground floor and first floor, except where required to provide access and parking. c) All other setbacks are to be in accordance with R-Codes unless otherwise identified in the local planning framework and relevant design guidelines. 			Maximum Site Coverage	Maximum Plot Ratio	Building Height	55%	NA	Schedule 4, Clause 10 (2) and (3) applies.	Landscaping			
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			<p data-bbox="640 188 1583 252">As identified in the R-Codes unless otherwise identified in the local planning framework and relevant design guidelines.</p> <p data-bbox="712 296 1583 323">8) Clause 15 Mixed Use zone delete subclause (1), (5) and (6) as follows:</p> <p data-bbox="759 368 1267 395">Structure and/or Local Development Plan</p> <p data-bbox="759 405 1570 539">(1) In the absence of an approved structure plan, and for the purposes of orderly and proper planning, the local government may require the preparation and adoption of a local development plan prior to consideration of a development application.</p> <p data-bbox="759 620 902 647">Subdivision</p> <p data-bbox="759 657 1583 754">(5) The local government will not support subdivision within the Mixed Use zone unless it is in accordance with an approved structure plan, local development plan or adopted local planning framework.</p> <p data-bbox="759 764 1570 861">(6) The local government may support the subdivision of land in the absence of an approved structure plan or local development plan, where the local government considers the proposed subdivision:</p> <p data-bbox="759 871 1189 898">(a) Is a minor boundary adjustment.</p> <p data-bbox="759 908 1357 935">(b) does not propose the creation of new lots; and</p> <p data-bbox="759 944 1570 1008">(c) the new lots are considered to be consistent with the subdivision pattern in the locality.</p> <p data-bbox="759 1018 1406 1045">Renumber subclauses (2) – (4), thereafter accordingly.</p> <p data-bbox="712 1090 1583 1187">9) Amend Clause 19 - Rural Zone, Rural Smallholdings Zone and Cultural and Natural resource use Zone to refer to Development Control (DC) Policy 3.4 Subdivision of Rural land.</p>	
13.		Schedule 6 - Australian noise exposure forecast contours	<p data-bbox="616 1268 1133 1295">(i) modify Schedule 6, Clause 5 as follows:</p> <p data-bbox="663 1340 1579 1437"><i>No new development shall take place in greenfield sites deemed unacceptable because such development may impact airport operations as it relates to the safe movement of aircraft as determined by CASA.</i></p>	In response to submission 22 as detailed within the schedule of submissions. Bold text is proposed inserted text.

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			(ii) Amend to include higher resolution/quality mapping	
14.		Schedule 7: Obstacle limitation surface	Amend to include higher resolution/quality mapping	In response to submission 22 as detailed within the schedule of submissions
15.		Schedule 8: Special control areas in the scheme – purpose, objectives and additional provisions.- SCA 3	Amend Schedule 8-SCA 3 to delete scheme text provisions for (1) Clementson Street Wastewater Treatment Plant subclauses (a) (b) (c) and references to Clementson Street Wastewater Treatment Plant WWTP and renumber the remained SCA 3 Essential Services Buffer sites accordingly.	In response to submission 20 as detailed within the schedule of submissions

Schedule of Modifications -Map Modifications

No.	Map Sheet		Proposed Modification	Justification
M1		Port Smith Caravan Park Port Smith Road, La Grange	Amend the Scheme Map to show SU18 designation over the whole leasehold for Caravan Park. Also boundaries need to be updated to reflect change in lease areas.	Shire Officer level proposed modification.
M2		Lot 1648 Frederick Street, Service Commercial Area	Amend the Scheme Map to align the Service Commercial zoning designation consistent with the approved Development Area Plan No. 8 (LDP) for Lot 1648 Frederick Street and portion of Lot 9050 Frederick Street.	In response to submission 1 as detailed within the schedule of submissions.
M3		McMahon Estate – Lot 2441 Reid Road	Amend the Scheme Map to: (i) Change the zoning of Lot 2441 Reid Road (Reserve 41551 -McMahon Estate) Broome from Residential R40 and Parks Recreation and	In response to submission 8 (COB) as detailed within the schedule of submissions. (Consistent with draft LPS recommendation for Planning Area O)

No.	Map Sheet		Proposed Modification	Justification
			Drainage reserve to the Urban Development zone;	
M4		Clementson St WWTP SCA 3 – Essential Services Buffer	Amend the Scheme Map to remove the WWTP- SCA 3 – Essential Services Buffer	In response to submission 20 as detailed within the schedule of submissions – Water Corporation
M5		Broome Depot site (located at 29 Blackman St).	Amend the Scheme Map to change Lot 1796 Blackman Street from Light Industrial zone to Public Purpose-water supply reserve	In response to submission 20 as detailed within the schedule of submissions – Water Corporation
M6.		Minyirr Buru Conservation Park - Lot 614 Buckley's Road	Amend the zoning of Lot 614 Buckley's Road from Rural Residential to Environmental Conservation and Cultural Corridor reserve.	In response to submission 22 as detailed within the schedule of submissions.