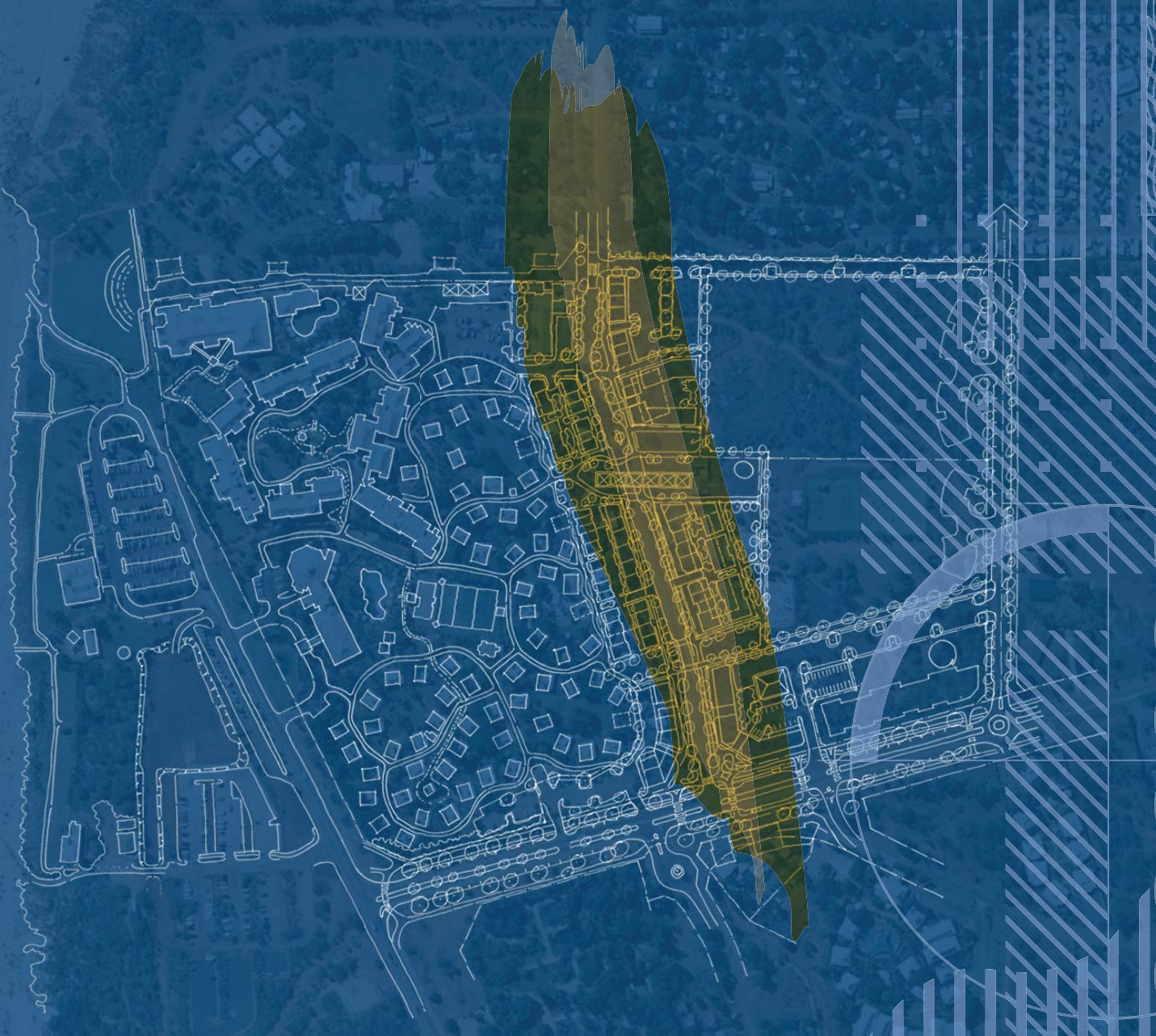


TAYLOR BURRELL BARNETT



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2009

MILLINGTON ROAD DEVELOPMENT PLAN

Part 1 - Statutory Planning

MILLINGTON ROAD DEVELOPMENT PLAN PART 1 – STATUTORY PLANNING

OCTOBER 2009

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PART ONE

STATUTORY PLANNING

1.0 STATUTORY PLANNING

1.1 Development Plan Area

This Development Plan shall apply to the land contained within the inner edge of the broken black line on the Millington Road Development Plan (MRDP).

The Development Plan area comprises of approximately 8.5 hectares, as outlined below.

Lot No.	Certificate of Title	Area
Portion of Lot 6	1943/253	3.3384 ha
Portion of Lot 2245	1943/254	1.0919 ha
Portion of Lot 2246	1792/66	2.6719 ha
Portion of Lot 981	1919/683	0.4459 ha
Portion of Lot 1005	1919/684	0.2773 ha
Portion of Lot 1216	1919/682	0.0318 ha
Portion of Lot 1217	1824/199	0.6617 ha
Total Area		8.5189 ha

NB. Total Area excludes proposed Millington Road and Sanctuary Road.

1.2 Development Plan Content

This Development Plan comprises:

- a) Statutory Planning Section (Part 1)
- b) Explanatory Report (Part 2)

1.3 Interpretation

The words and expressions used in this Development Plan shall have the respective meanings given to them in the Shire of Broome Town Planning Scheme No4 ("the Scheme"),

1.4 Operation Date

This Development Plan shall come into effect when it is adopted by the Council pursuant to sub-clause 4.25.3.4 of the Scheme and by the Western Australian Planning Commission (WAPC) pursuant to sub-clause 4.25.3.5(b) of the Scheme.

1.5 Relationship with the Scheme

This Development Plan has been prepared in accordance with clause 4.25.3 of the Scheme.

In the event of there being any inconsistencies or conflicts between the provisions, standards or requirements of the Scheme and the provisions, standards or requirements of the Development Plan, then the provisions, standards or requirements of the MRDP shall prevail.

The Development Plan is to be read in conjunction with the Cable Beach Development Plan (CBDP) adopted by the Shire and in the event of any inconsistency between the two plans the MRDP shall prevail.

2.0 ADDITIONAL PLANS, GUIDELINES AND STRATEGIES

Prior to the Shire granting development approval or supporting a subdivision application for land within the Development Plan area, the following additional plans, guidelines and strategies shall be prepared:

- Design Guidelines manual (Built Form)
- Landscape Master Plan
- Car Parking Strategy
- Cultural Engagement Strategy

The purpose and content of these additional plans and studies are set out in the Part 2 Explanatory Report.

3.0 DEVELOPMENT PLAN

The Development Plan includes the following plans:

Plan 1 – Land Use Precinct

Outlines land use precincts. All development should be generally in accordance with the aims, objectives and specific requirements of the appropriate Land Use precinct, as shown in Plan 1 and described in the corresponding section of this Part.

Plan 2 – Movement Network

Depicts the intended road and pedestrian movement network within, and adjacent to, the Development Plan area. All development should demonstrate consistency with the Movement Network Plan.

3.1 Tourist Precinct

The provisions, standards and requirements of the Tourist zone in the Scheme apply in this precinct, with the following exceptions.

3.1.1 *Aim and Objectives*

The aim of the Tourist precinct is to deliver high quality short stay accommodation in a variety of forms, and having a synergy with the Millington Road commercial strip.

The Tourist precinct objectives are to:

- encourage short stay accommodation as the predominant use, with permanent residential use being limited to essential manager/caretaker accommodation;
- encourage commercial synergy with the Tourist Commercial precinct by directing dining and resort shopping facilities into Millington Road in preference to the normal internal provision of such facilities; and
- control built form in accordance with the Design Guidelines.

3.1.2 *Land Use*

In addition to the uses permitted ('P') within the Zoning Table of the Scheme, the following additional uses are preferred within the Tourist Precinct:

- Restaurant

In addition to the not permitted ('X') uses within the zoning table of the Scheme, the following additional uses are non-preferred within the Tourist Precinct:

- Motor vehicle hire
- Museum
- Night club
- Office
- Retail premises – Shop
- Retail premises - Hire

Tourist development may be strata titled and self contained in accordance with WAPC Planning Bulletin 83 - Planning for Tourism.

3.1.3 *Site and Development Requirements*

Within the Tourist Precinct, the specific development requirements of short stay accommodation shall be determined in accordance with Clause 3(a) of Council's *Tourist Accommodation Developments (Excluding Caravan Parks) within the Tourist Zone* policy, with the exception of the following:

- Tourist Precinct setback requirements detailed below.

Setbacks

Setbacks for development in the Tourist Precinct shall be:

- Sanctuary Road - Nil;
- East Road – In accordance with R40 density code;
- Northern boundary - 4.0 m or to the limit of the existing sewer and drainage easement;
- Other boundaries - Subject to Council discretion.

Development adjacent to Sanctuary Road should, where possible, provide an active frontage to the street.

Landscaping

Landscaping within the Tourist Precinct shall be provided and maintained in accordance with an approved Landscape Master Plan to be prepared and submitted to the Shire prior to the issue of a Development Approval.

Car Parking

Car parking for tourist units (resort style, short stay residential) shall be provided in accordance with the approved Car Parking Strategy for the MRDP to be prepared and submitted to the Shire prior to the issue of a Development Approval.

Where appropriate, bus bays shall be provided on site for tour coaches unless alternative arrangements are approved by the Shire.

3.1.4 *Construction Funding – East Road*

The road carriageway of the future "East Road" from Sanctuary Road to the south, to the Pedestrian Lane/ Right of Way within the MRDP area to the north, shall be proportionately funded by those adjoining landowners deriving access from the road. If no other owner proposes access to the road, it will be fully funded by the landowner(s) within the MRDP area.

The verge treatment works and construction of street parking bays on the west side of the road shall also be fully funded by the landowner(s) within the MRDP area. The verge treatment works and construction of street parking bays on the east side of the road shall not be funded by the landowner(s) within the MRDP area.

3.2 Tourist Commercial Precinct

The provisions, standards and requirements of this precinct are in accordance with those applicable to the Local Centre zone in the Scheme, unless specified below.

3.2.1 *Aim and Objectives*

The aim of the Tourist Commercial precinct is to provide for retail, commercial and residential mixed use to complement the tourist character of the locality.

The objectives of the Tourist Commercial precinct are to:

- encourage mixed use development east and west of Millington Road, extending into Sanctuary Road, with the street edges fully activated;
- develop retail and commercial uses on the ground floor with residential and short stay tourist above. Some residential-only use will be permitted in the northern part of the Development Plan area adjacent to the Buddha Sanctuary; and
- control built form in accordance with the Design Guidelines.

3.2.2 *Land Use*

In addition to the uses permitted ('P') within the Zoning Table of the Scheme, the following additional uses are preferred within the Tourist Commercial precinct:

- Grouped Dwellings
- Multiple Dwellings
- Residential Building

In addition to the not permitted ('X') uses within the Zoning Table of the Scheme, the following additional uses are non-preferred within the Tourist Commercial precinct:

- Single House
- Service Station
- Veterinary Clinic

3.2.3 *Site and Development Requirements*

Residential Development

Grouped dwellings and multiple dwellings may be developed to a maximum density of the R50 Residential Density code within the Tourist Commercial precinct.

Multiple dwellings in a mixed use development may be developed to a maximum density of R60, in accordance with section 4.2.1 of the Residential Design Codes.

Setbacks

Setbacks in the Tourist Commercial precinct shall be:

- Millington Road and Sanctuary Road street boundaries - Nil
- Side and rear boundaries:
 - Residential only - As per R50 Residential Code
 - Mixed use Residential - As per R60 Residential Code

Landscaping

Landscaping within the Tourist Commercial precinct shall be provided and maintained in accordance with an approved Landscape Master Plan to be prepared and submitted prior to the issue of a Development Approval.

Car Parking

Car parking for residential use within the Tourist Commercial precinct shall be provided in accordance with a Car Parking Strategy, to be prepared and submitted prior to the issue of a Development Approval.

Car parking will not be permitted between a building and the street boundary of a lot.

Bus bays shall be provided on-street for tour coaches in the Tourist Commercial precinct.

3.3 Open Space Precinct

3.3.1 *Aim and Objectives*

The aim of the Open Space precinct is to provide a high quality setting of landscaped public spaces to enhance and punctuate the various tourist, commercial and cultural elements of the precinct.

The Open Space precinct objectives are to:

- define and connect, visually and physically, the various short stay accommodation areas with each other, with the Tourist Commercial precinct, and with the broader services and facilities of the Cable Beach precinct; and
- provide attractive, shaded spaces that provide opportunities for visitors to rest and to enhance the overall experience of visitors to the Millington Road precinct.

The Open Space precinct is divided into two parts; a northern open space, ('The Buddha Sanctuary') and a southern open space.

This precinct provides a green connection between the eastern and western sides of Millington Road and punctuates different street precincts within the Millington Road strip.

Landscaping within the Open Space precinct shall be provided and maintained in accordance with an approved Landscape Master plan.

The Open Space precinct shall remain in private ownership, and care, control and maintenance of the space will remain with the owner, unless suitable alternative arrangements are agreed between the owner and the Shire.

3.4 Millington Road Precinct

The Millington Road precinct encompasses the Millington Road reserve, as modified by the Development Plan, and extends from Sanctuary Road to the northern boundary of the Development Plan. It is the primary public realm precinct and its design should integrate with development within the adjacent Tourist Commercial precinct.

The Millington Road precinct shall be developed in three distinct stages, moving from south to north with the timing of construction corresponding with adjacent development in the Tourist Commercial precinct.

3.4.1 *Site and Development Requirements*

Development of the precinct shall be based on the general arrangement depicted in the Development Plan and include the following:

- road structure;
- services, (power, water, sewerage, telecommunications);
- drainage;
- landscaping (planting, reticulation and maintenance for two years from completion);
- on-street parking bays;
- street furniture;

-
- footpaths; and
 - street lighting.

Landscaping and road works within the Millington Road precinct shall be provided and constructed in accordance with an approved Landscape Master Plan and approved engineering drawings.

3.4.2 Construction Funding – Millington Road

The redevelopment of Millington Road, within the precinct boundary, will be fully funded by the landowner(s) within the MRDP area.

3.5 Sanctuary Road Upgrading

The section of Sanctuary Road within the MRDP area (extending south to the existing southern kerb line) shall be upgraded by the landowner(s) within the MRDP area. In addition to this, the East Road and Sanctuary Road intersection shall also be upgraded in its entirety by the landowner(s) within the MRDP area.

Sanctuary Road is a secondary public realm precinct and shall be integrated with the adjoining tourist development and tourist commercial development where required.

3.5.1 Upgrading Requirements

Upgrading of Sanctuary Road shall be based on the general arrangement depicted in the Development Plan and include the following:

- road works (two carriageways, median and northern verge);
- services, (power, water, sewerage, telecommunications – north side only);
- drainage (north side only);
- landscaping, (planting, reticulation and maintenance for 5 years from completion – north side only);
- on-street parking bays (north side only);
- street furniture (north side only);
- footpaths (north side only); and
- street lighting (north side only).

Landscaping and road works within the Sanctuary Road precinct shall be provided and constructed in accordance with an approved Landscape Master Plan and approved engineering drawings.

3.5.2 Construction Funding – Sanctuary Road

The cost of upgrading the section of Sanctuary Road described in clause 3.5 shall be fully funded by the landowner(s) within the MRDP area.

ADOPTION OF DEVELOPMENT PLAN

THE MILLINGTON ROAD DEVELOPMENT PLAN

WAS ADOPTED BY

RESOLUTION OF THE COUNCIL OF THE SHIRE OF BROOME ON

.....Date

AND THE SEAL OF THE MUNICIPALITY WAS PURSUANT
TO THE COUNCIL'S RESOLUTION HEREUNTO AFFIXED IN THE

PRESENCE OF:

.....
President, Shire of Broome

.....
Chief Executive Officer, Shire of Broome

..... Date

AND BY

RESOLUTION OF THE WESTERN AUSTRALIAN PLANNING COMMISSION ON

.....Date

Signed for and on behalf of the Western Australian Planning Commission

.....

an officer of the Commission duly authorized by the Commission pursuant to section 57 of the Western Australian Planning Commission Act 1985 for that purpose, in the presence of:

..... Witness

..... Date

LEGEND

- Tourist/Commercial Precinct
- Tourist Precinct
- Open Space Precinct
- Millington Road Precinct
- Development Plan Area



LEGEND



Integrator Arterial B



Neighbourhood Connector A



Neighbourhood Connector B



Planned Local Access Connection



Pedestrian Link



Possible Future Pedestrian Street
(in accordance with the Cable
Beach Development Plan)



Planned Pedestrian Link/ROW



Development Plan Area



Nominated connection points
(secure gates) between short
stay and mixed-use street.
Strategically positioned to
minimise conflict between
tourist pedestrians and
permanent residents.

