

1 May 2025

Planning Department
Shire of Wyndham–East Kimberley
PO Box 614
Kununurra, WA 6743

Re: Formal Objection to Proposed Commercial and Residential Development – Lot 208 River Farm Road, Kununurra

To Whom It May Concern,

We, the owners and residents of Lot 207 River Farm Road, Kununurra, hereby submit a formal objection to the development application for Lot 208 River Farm Road. The proposal seeks to establish a large-scale operation comprising two 6.3-metre-high seed propagation sheds, multiple offices and meeting rooms, cool rooms, extensive car parking, communal gathering areas, and residential accommodation facilities including permanent ablution blocks, three permanent kitchen/living areas, and eight bedrooms intended for workers' camp-style accommodation.

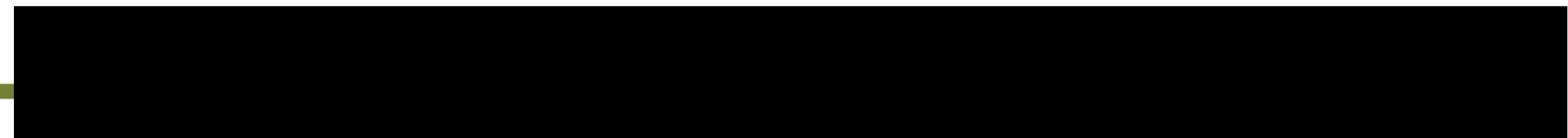
This proposal is fundamentally inconsistent with the objectives and permissible uses under the *Rural* zoning as defined by the Shire of Wyndham–East Kimberley Local Planning Scheme. The Rural zone is intended to support low-density agricultural activity and rural residential living—not high-density staff housing, permanent worker accommodation, or large-scale commercial or institutional operations.

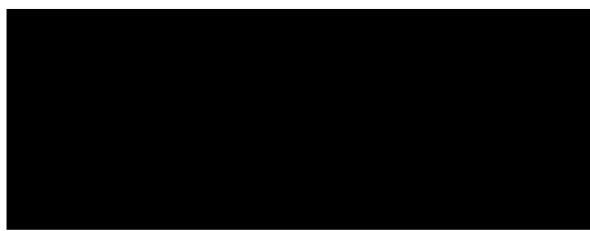
The proposed development represents an intensive land use characterised by significant built infrastructure, workforce occupancy, and operational complexity more appropriately situated in a commercial or industrial zone. Furthermore, the proposal explicitly mentions future activities, suggesting that additional commercial or industrial operations will be carried out on the site in the future. Approval of this development would result in substantial and ongoing adverse impacts to local amenity, environmental quality, and the rights and expectations of neighbouring landowners.

Our specific grounds for objection are detailed below:

1. Inappropriate Residential Development – Multiple Dwellings Not Permitted

The proposal includes multiple permanent residential dwellings, as well as staff accommodation in the form of workers' camp facilities. We note that the property already contains two existing permanent residential buildings, one of which is not identified in the application materials provided. The inclusion of further residential buildings and workers' quarters exceeds the density typically allowed in Rural zones. This raises concerns regarding the transparency and accuracy of the proposal and its compatibility with zoning controls.





2. Zoning and Land Use Incompatibility

The proposed development would introduce high-intensity activities—including offices, ceremonial spaces, and staffing operations for up to 20 personnel—into a Rural zone. This is a scale of development more suitable to industrial or special-purpose zoned areas and would significantly and detrimentally alter the character and amenity of the surrounding rural-residential environment. Furthermore, the operation of seed cleaning machinery and associated activities would generate considerable waste by-products, such as seed husks, dust, and other materials, which would accumulate and cause environmental degradation. These by-products, if not properly managed as has previously occurred, attract pests such as rodents and insects, creating further disruption and pose biosecurity risks on neighbouring rural properties

3. Non-Compliance with Landscape Screening Conditions

Our property maintains a 10-metre building setback from the shared boundary. While the Shire required a 20-metre setback for Lot 208 as part of previous approvals, a reduced 10-metre setback was agreed to by us on the clear condition that adequate landscape screening would be installed along the boundary. That screening was never installed.

This breach of agreed conditions has resulted in direct and ongoing impacts on our privacy, visual amenity, and quiet enjoyment of our land. It also reflects a broader pattern of non-compliance.

4. Poor Condition of Existing Shade House and Windblown Debris

The current shade house on Lot 208 is in a dilapidated condition—ripped, torn, and unsightly. In storm events and strong winds, debris such as polycarbonate roofing sheets, plastic sheeting, potting bags and shade cloth regularly enters our property, creating an ongoing hazard. This situation is current and recurring, not hypothetical.

5. Uncontrolled Stormwater and Irrigation Runoff

Water from irrigation and storm events is not properly managed or retained onsite at Lot 208. Runoff continues to leach onto our land, contributing to erosion, waterlogging, and contamination with invasive plant seeds. This is a known issue we have previously raised with the landowners, and it has not been resolved.

6. Spread of Invasive Weeds and Plant Pests

The uncontrolled spread of invasive species—such as prickly weeds, neem trees, and other pest flora—originating from Lot 208 is occurring and affecting neighbouring land. These seeds are likely dispersed by wildlife and water flow. This presents an unacceptable biosecurity risk and should be rectified before any further development is contemplated.

7. Ongoing Noise Impacts

Noise generated from past activities on the site, including loud music and early-morning operations, has disrupted the peaceful enjoyment of nearby properties. The operation of machinery and seed processing equipment adds to the noise and dust burden. Approval of further development without a formal noise management plan would exacerbate this issue.



8. Unauthorised Access and Lack of Site Security

There have been past instances of trespass from Lot 208 onto our land. Secure fencing and clear boundary demarcation are lacking and have not been maintained. This raises serious concerns regarding privacy, safety, and site management.

9. Boundary Fence Damage Due to Vegetation Neglect

We have independently installed fencing to protect our property and prevent unauthorised access. However, due to unmanaged vegetation on Lot 208, this fencing is being compromised. The failure to manage vegetation growth represents a negligent risk to neighbouring property assets and land security.

10. Overdevelopment, Increased Traffic, and Community Impacts

This proposal includes significant infrastructure to support an estimated 20+ staff, the use of heavy machinery, and communal ceremonial facilities. This scale of activity far exceeds that which is intended for or suitable to small rural holdings. It would result in increased vehicle traffic, dust, noise, and environmental disturbance. Furthermore, the inclusion of public gathering spaces implies regular group events, which raises concerns about crowding, event management, and land use intensity inconsistent with the surrounding low-density rural environment.

Conclusion

This proposal does not constitute a minor rural business expansion. Rather, it is a large-scale commercial operation seeking to function from a site zoned for rural and residential use. It:

- Is not permissible under the Rural zoning provisions;
- Conflicts with the purpose and objectives of the zone;
- Will result in unacceptable impacts on neighbouring properties in terms of amenity, traffic, noise, dust, and security; and
- Reflects a pattern of non-compliance and inadequate site management by the proponent.

In light of the above, we respectfully request that the Shire of Wyndham–East Kimberley **refuse the application** in its current form and enforce compliance with existing development conditions.

Thank you for your attention to this matter.

Yours sincerely,



From: Noelene Green <NoeleneKGreen@outlook.com>
Sent: Thursday, 19 June 2025 8:30 AM
To: Nick Kearns <NickK@masterplan.com.au>
Subject: Re: Objection to DA12/25 Riverfarm Road Kununurra

Re: Formal Objection to Proposed Commercial and Residential Development – Lot 208 River Farm Road, Kununurra

Dear Nick,

Thank you for your email and for information regarding the development application on the neighbouring property.

I wish to formally reiterate my objection to the proposal. The issues outlined in my original submission remain unresolved, and I am concerned that the proposed development being industrial in scale is inappropriate for the land zoning.

The number of proposed transportable offices and ablution facilities suggests a significant level of occupation and intensity that exceeds what would typically be expected in an agricultural setting. Furthermore, the application references this as only the *first phase* of development, which raises serious concerns about the future scale and impact of the activities on the site.

While I appreciate that the new owners are willing to address some of the historical issues on the property (such as weed control, runoff, and screening), these do not mitigate the fundamental concern that the nature and scale of the proposed use is inconsistent with the intended zoning of the land.

I ask that Council give serious consideration to these concerns and ensure the zoning and character of the area are respected.

Regards,

Noelene Green | Director

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