



Our Ref: 101267: A118P: TP3256
Enquiries: Jennifer Ninnette

22 December 2014

Rob Storey and Vicky Biorac
PO Box 380
KUNUNURRA WA 6743

Dear Sir/Madam,

Planning Approval – Chalets – Lot 530 River Farm Road, Kununurra

I refer to your amended application to develop three chalets at the abovementioned property. This matter was considered by Council on 16 December 2014 (Minute No.10722) where it was approved subject to conditions. Accordingly a planning approval is attached, consistent with the above decision and setting out these conditions.

Please note that it is a requirement of the Planning and Development Act 2005 that ALL development must occur in accordance with the submitted plans unless otherwise required or directed by any conditions included in the approval. Any modifications to the approved development must be submitted to Council for re-assessment and issuance of a revised planning approval.

In accordance with Condition 3, a revised floor plan is required to be submitted for chalet 1 prior to applying for a building permit.

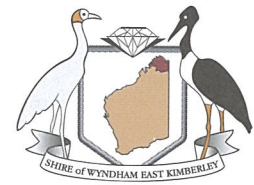
An application for an onsite effluent disposal system, along with the building permit application, is also required for this development.

Please do not hesitate to contact Council's Senior Planning Officer on 9168 4100 should you have any further enquiries regarding this determination.

Yours sincerely,


Jennifer Ninnette
Senior Planning Officer

Enc. Planning Approval 112/13



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SHIRE OF WYNDHAM - EAST KIMBERLEY

DECISION ON APPLICATION FOR PLANNING APPROVAL

Application/Delegated Authority No. 112/13

The Council or its delegated officer, having considered the application submitted by Robert Storey and Vicky Biorac for three Chalets at Lot 530 River Farm Road, Kununurra:

Hereby advises that it has decided to GRANT APPROVAL TO:

[ii] Commence development of: 3 x Chalets

Subject to the following conditions:

1. The proposed chalet development forming part of a tourist facility must only be used to accommodate short-stay guests, where occupation by any person is limited to a maximum of three (3) months in any twelve (12) month period. Any change of use will require consent from Council.
2. All development shall occur in accordance with the approved plans and these conditions of approval.
3. Prior to applying for a building permit, the Applicant is to submit a revised floor plan for chalet 1 which shows the correct external dimensions of the proposed structure.
4. The approved management plan must be implemented and reviewed on the basis set out in the approved management plan.
5. Prior to the construction of the proposed chalet development, all promotional information intended to be displayed must be submitted to the Shire for approval.
6. The Applicant is to provide the following disclosure statement to prospective guests at the time of booking. This disclosure statement must be provided as part of the terms and conditions provided to the prospective guest prior to booking taking place:

“You will be staying in an active agricultural area where normal farming practices may result in nuisances including odour, spray drift, noise, dust and smoke. These practices may be carried out by our farm or adjoining farms when you are staying in a chalet at the property.”

7. Prior to the use commencing (by way of initial occupation by any guests) of each of the chalets, relevant Shire Officers are to inspect that chalet to confirm compliance with the management plan.
8. The proposed chalet development must at all times remain subordinate in scale, scope and intensity to the predominant agricultural nature of the property.
9. By 30 July each year, the following information must be submitted to Council:
 - (a) The guest register showing the name, address and dates of occupation for each guest.
 - (b) Any documentation required to be provided under the approved management plan (if applicable) and the revised biosecurity measures, if any.
11. Each chalet should be provided with at least one parking space.
12. The Applicant is to implement planting generally in accordance with the landscaping plan, and must ensure that the landscaping at full growth provides:
 - A visually impermeable barrier between the chalets and River Farm Road;
 - A visually impermeable barrier in the locations shown on the landscaping plan to the east, along the existing driveway, to the west, along the existing firebreak, and to the north, adjacent to the existing shed;
 - Effective barriers to chemical spray drift from off-site chemical sources; and
 - That host plants are not to be located less than 10 metres to a chalet (measured from the closest edge of foliage to chalet building) to address biosecurity requirements.
13. The approved landscaping must be maintained, and vegetation replaced where required to ensure ongoing compliance with the landscaping plan throughout the life of the chalet use and while the chalet buildings are in place.
14. Potable water is to be supplied to each chalet.

ADVICE TO APPLICANT:

1. If the applicant and/or owner are aggrieved by this decision, as a result of a condition of approval or by a determination of refusal, you may have a right of review through the State Administrative Tribunal in accordance with section 252(1) of the Planning and Development Act 2005. The application for review must be lodged with the State Administrative Tribunal, Perth, within 28 days of the date of this decision.
2. Clause 11.7 of Town Planning Scheme No 7 – Kununurra & Environs provides that a Planning Approval can be amended or revoked. Accordingly, should the applicant consider that the Planning Approval, or a condition of the Planning Approval, is egregious, the applicant may, on written application from the landowner, request Council amend or revoke the planning approval or a condition thereof. Such application must be made prior to commencement of development or use of the land.
3. This approval is valid for a period of two (2) years. A new application will be required to be submitted if development has not been substantially commenced within this time.
4. A building permit is required prior to the commencement of development.

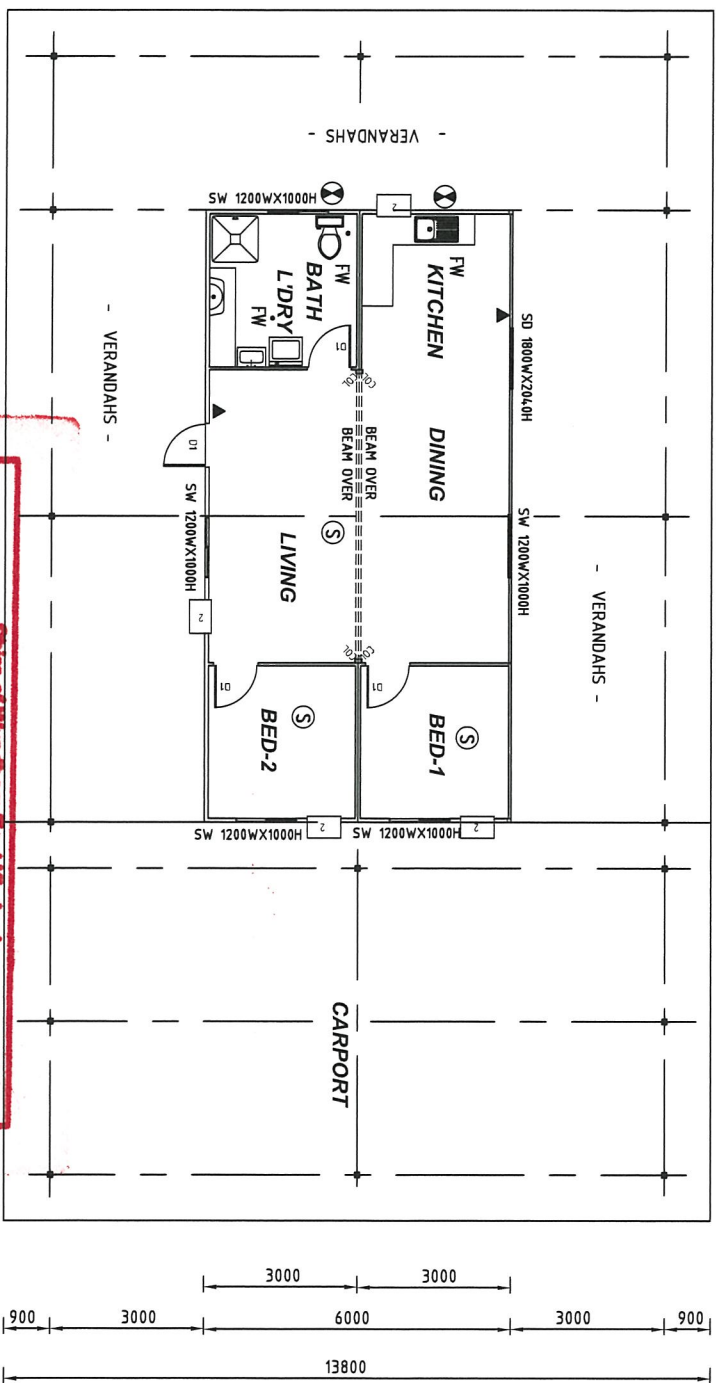
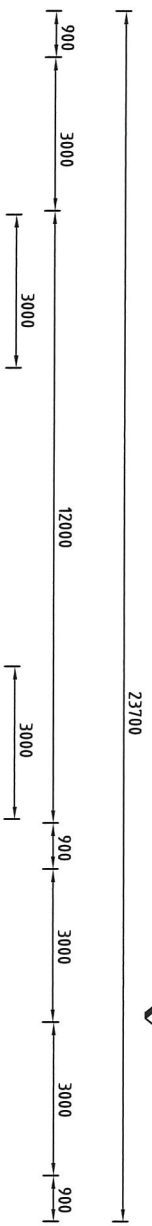
5. An application to connect to septic tank and leach drain system(s) in accordance with the *Health (Treatment of Sewage and Disposal of Effluent and Liquid Waste) Regulations 1974*, and AS/NZS 3500 is required.
 6. During the construction stage adjoining lots are not to be disturbed without the consent of the owner/s in writing.
 7. It is the responsibility of the applicant to ensure the building setbacks, including waste disposal facilities if appropriate, correspond with the legal description of the land. Council will not accept responsibility for incorrectly located buildings. It is the responsibility of the applicant to search the title of the property to ascertain the presence of any easements that in any case must not be built upon.
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Jennifer Ninnette
Senior Planning Officer

22 December 2014

Floor Plan - Chalet 2 & 3



- Ⓢ HARDWIRED SMOKE DETECTOR
- ⓧ MACHANICAL VENTILATION TO EXTERNAL AIR
- FW FLOOR WAIST
- ▲ PORTABLE FIRE EXTINGUISHER

State of Wyndham East Kimberly
Planning Approval
 The plan/ amended plan/ modification is approved in accordance here with the conditions of the Planning Approval granted.
 Appc. No. DA112/13
 22 Dec 2014
 NOTE: This Approval does not constitute a Building Permit
 Sheet of

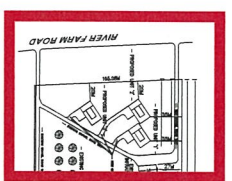
XXX	REFERENCE DRAWING TITLE	XXX-X-XXX	DRG. NO.	X	REV	06-11-13	DATE	ISSUED FOR APPROVAL	REVISIONS	MAKE	COO	APP	A3	APPROVED	DATE	6-11-13	CONTRACT NO.	TITLE	PROJECT	SECTION	DRG. NO.	REV.
																		PROPOSED ACCOMMODATION UNITS FOR ROB & VICKY LOT 530 RIVER FARM RD FLOOR PLAN	X	X	RV-RF-003	A

NORTHERN DESIGN CONSULTANTS


DO NOT SCALE - IF IN DOUBT ASK

1:100

River Farm Road



Scale NTS

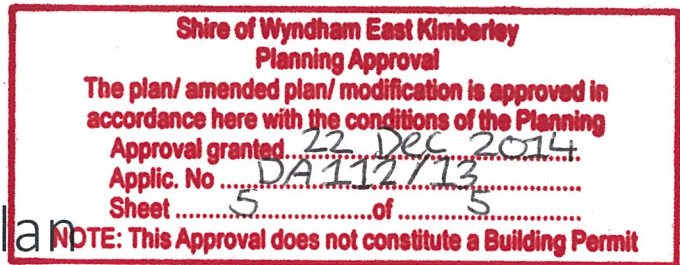
-  Mangifera indica (mango) at 6m centres
-  Banksia spinulosa var. collina (Golden Candlestick Banksia) at 8m centres
-  Acacia dunnii (Elephant Ear Wattle) at 8m centres
-  Bougainvillea brasiliensis (Raspberry Ice Bougainvillea) & Trachelospermum jasminoides (Star Jasmine) at 3m centres



State of Western Australia
Planning Approval

The plan/ amended plan/ modification is approved in accordance here with the conditions of the Planning Approval granted: **22 Dec 2014**
 Appc. No. **DA 112/13**
 Sheet **4** of **4**
NOTE: This Approval does not constitute a Building Permit

Landscape Plan
 Lot 530 River Farm Road, Kununurra



Chalet Management Plan

Lot 530 River Farm Road, Kununurra

Introduction

The purpose of this Management Plan is to regulate the approved Chalet use at Lot 530 River Farm Road, Kununurra. The Management Plan sets out the practices that must be employed to ameliorate any adverse amenity impacts that the Chalet use may have on the surrounding properties and the land uses to which those properties are put.

Pursuant to condition # of the planning approval issued on #, the Operator of the use is required to comply with the Management Plan.

Pursuant to condition # of the planning approval, the Management Plan is to be reviewed in accordance with the protocol set out in the Management Plan itself.

Dust

Standard

The operator is to ensure that the generation of dust is kept to a minimum by the Chalet use.

Justification

Dust can create an unpleasant living environment for residents, and may have adverse effects on the fruiting of crops.

Management Action

The generation of dust is to be managed by:

1. Construction and maintenance of existing and new internal roads with heavy gravel to attenuate dust generation.
2. Signs on internal roads advising to drive at a maximum of 5km an hour.
3. Counselling guests, should the operator witness guests driving in a manner to generate dust, or upon complaint from neighbouring properties.

Noise

Standard

The operator is to ensure that noise from the Chalet use is kept to acceptable levels.

Justification

People in 'holiday mode' are often less aware of their surroundings, and enjoy later and more convivial evenings with their fellow holiday makers.

Management Action

The Chalets have been sited at a maximum distance from existing dwellings on neighbouring properties.

The generation of noise is to be managed by:

1. Information included in the in-Chalet literature reminding Chalet guests that there are residents close by.
2. Counselling guests, should the operator experience guests generating unreasonable levels of noise, or upon complaint from neighbouring properties.

Biosecurity

Standard

The operator is to ensure that no fruits, vegetables or other fresh plant material is brought on to Lot 530 River Farm Road Kununurra from outside the Kununurra region.

Justification

The Ord River region of Western Australia enjoys special status because of the absence of certain insects which can be harmful to crops. These include, but are not limited to the Mediterranean Fruit Fly, and the Silverleaf White Fly.

While it is an offence under State law to bring plant material into the Ord River Irrigation Area (**ORIA**), policing of this law is patchy. It is therefore necessary for tourist operators to do what they can to ensure that tourists do not provide a vector for the introduction of these pests.

Management Action

Prior to booking – promotional material

1. The Operator will ensure that information is included in promotional material and at the time of booking that requires prospective guests to:
 - a. Not bring any plant material from outside the ORIA with them.
 - b. Expect that their vehicle will be inspected upon check-in to ensure that this requirement has been adhered to.
2. The form of information to be included in promotional material and at the time of booking should include the matters set out in Annexure 1.

Upon arrival

3. The Operator shall install signs at the gate of the property to remind Chalet guests of their biosecurity obligations. The signs will be similar to that which appears in **Annexure 1**.
4. Upon arrival for check-in, the Operator is to:
 - a. Reiterate the need to ensure no non-ORIA plant material has been brought to the site;
 - b. Physically undertake an inspection of the Chalet guest's car to confirm compliance with this requirement.
5. Guests will be asked to enter the property and meet the Operator at the Chalets, where the relevant Chalet will be unlocked for the Chalet guest. The inspection of the Chalet guest's car will occur at the Chalet. This is to ensure that a bin with a lockable lid is located close to where the inspection is taking place.
6. Where plant material is found, the Operator will ask the Chalet guest to produce documentary evidence (by way of tax invoice) to show where that plant material has been purchased.

7. Where the Chalet guest cannot produce this documentary evidence, the Operator will confiscate the plant material.
8. The plant material will be 'double-bagged' in 2 black plastic bags, and will be placed in a cage (to stop vermin from opening the bag) in the sunlight for 5 days.
9. At the end of 5 days, the bag will be disposed of in the normal way by transferral to the local rubbish tip.

During stay

10. The Operator will provide the information set out in **Annexure 1** affixed to the door of the refrigerator in each Chalet.
11. The Operator will include literature regarding biosecurity in each of the Chalets, including pamphlets or photographs of the insects that pose the major threat and a reminder to observe biosecurity measures.
12. Each Chalet will be provided with a separate bin for green waste which will be plastic-bag lined, and with a lockable lid. Bins will be emptied regularly by the Operator as part of the room-services provided.

Inspection

13. The Operator (and employees of the Operator) will remain vigilant during the cleaning of the Chalets, as well as during general farming duties, to identify suspected pest incursions.

Reporting

14. Should the Operator suspect a pest incursion, the Operator will make immediate contact with the Department of Agriculture and Food, Kununurra Office.
15. The Operator will provide the Shire, on an annual basis, with a log of the biosecurity measures taken in respect of each guest. That log will be in the form set out in **Annexure 3**.

Review dates

This Management Plan is to be reviewed biennially, using the following protocol:

1. The Operator is to provide a letter to the Shire advising of the operation of the Management Plan over the previous 2 year period.
2. The letter shall include improvements or variations to the Management Plan, based upon the experience gained over that period.
3. The Shire is to, within 60 days, reply in writing to the Operator and advise whether it accepts the Management Plan as proposed by the Operator, or requires further variations to be made.
4. Where the Shire does not respond within 60 days, the Management Plan and any proposed improvements or variations proposed by the Operator in its letter will be deemed acceptable by the Shire.
5. Where the Shire does require further variations or improvements and/or does not agree to the Operator's proposed variations or improvements, then the parties shall, acting reasonably, negotiate the variations and improvements to the Management Plan.
6. During this negotiation period, the existing Management Plan will continue to apply.

Annexure 1: Chalet Guest Information

Iterations of this information is to be included on Chalet website, as part of the information package upon booking confirmation, and available in each of the Chalets.

Working farm

Please note that you will be staying in an active agricultural area and there will be agricultural activities occurring on adjoining properties. At different times of the day and year, this may mean that your Chalet is exposed to noise, dust or agricultural spraying. Sometimes these activities can occur early in the early hours of the morning.

Biosecurity

The Chalets are located on a working farm in the Order River Irrigation Area (**ORIA**). The ORIA has special status as an area free of certain pests, including the Mediterranean Fruit Fly and Silverleaf White Fly. This means that we do not have to spray or treat our produce before sending it to market. It makes produce from the ORIA very valuable both in Australia and to export internationally.

We need to keep these pests out of the ORIA to maintain our livelihoods. That is why biosecurity is very important to us. As our guests, we ask you to agree to certain measures to help keep us, our neighbours and the rest of the ORIA pest free.

1. Do not bring any plant material (including fruit, vegetables or plant cuttings) to the Chalets upon arrival and check-in.
2. Upon arrival, you will be asked to allow your car, eskies and other belongings to be checked to ensure there is no plant material with you.
3. Where plant material is found, your hosts will ask you to provide evidence of where you purchased the plant material – by way of a docket or receipt.
4. Where you have purchased groceries in Kununurra, you are free to keep them.
5. If you cannot provide proof of location of purchase, you will be asked to surrender the plant material for disposal.
6. Once you are checked in, you are free to bring any groceries you wish to the Chalets that have been purchased within Kununurra, without the need for further checks.
7. We ask that during your stay, all green waste be disposed of in the designated bin that you will find within your Chalet, and that you keep the lid firmly closed.
8. While you are our guest, we ask that you keep an eye out for insects, and let us know. Every set of eyes helps! You will find some 'least wanted' information in your Chalet.

Annexure 2: Biosecurity Signage

VISITORS

**PLEASE RESPECT
FARM BIOSECURITY**

Please contact the manager before entering.

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**Do not enter property without prior approval.
Keep to roadways and laneways.**

