



**MINUTES OF ORDINARY MEETING OF COUNCIL
HELD ON 21 FEBRUARY 2012**

I hereby certify that the Minutes of the Ordinary Council Meeting held are a true and accurate record of the proceedings contained therein.

Shire President Confirmed

Date: _____

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**SHIRE OF WYNDHAM EAST KIMBERLEY
MINUTES
OF THE ORDINARY COUNCIL MEETING
HELD ON TUESDAY, 21 FEBRUARY 2012 AT 5:00 PM.**

1. DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS

The Deputy Shire President declared the meeting open at 5:07pm.

**2. RECORD OF ATTENDANCE / APOLOGIES / LEAVE OF ABSENCE
(PREVIOUSLY APPROVED)**

ATTENDANCE

Cr J Moulden	Shire President
Cr R Addis	Deputy Shire President
Cr J McCoy	Councillor
Cr K Torres	Councillor
Cr D Ausburn	Councillor
Cr R Dessert	Councillor
Cr A Horn	Councillor
Cr C Gore-Birch Gault	Councillor
Gary Gaffney	Chief Executive Officer
J Ellis	Director Corporate Services
K Hannagan	Director Infrastructure
K Apperley	Director Community Development
N Kearns	Director Development Services
K Tripp	Strategic Planner
J Ninyette	Planning Officer
D Pettit	Planning Officer
R Drew	Wyndham Area Services Manager
T Whalan	Executive Assistant
K Cripps	Environmental Health Officer
J McGuinness	Governance Support Officer (Minute Taker)

GALLERY

Peter Tushingam	Tush's Cabinets
Dominique Brieg	Pumphouse Restaurant

APOLOGIES

Note - the following persons were absent from the first four minutes of the meeting:

Gary Gaffney	Chief Executive Officer
Cr J Moulden	Shire President
Cr D Ausburn	Councillor

LEAVE OF ABSENCE PREVIOUSLY APPROVED

Cr J Parker

Councillor

3. DECLARATION OF INTEREST

- **Financial Interest**

Cr Adele Horn declares interest in Item 12.4.4 Alternative Parking Requirements for Café – Lot 987 Great Northern Highway, Wyndham, as the owner of the property.

Cr Ralph Addis declares interest in Item 12.4.6 Local Planning Strategy Review – Rural Residential and Rural Smallholdings development, as the owner of a property in the planning area.

- **Impartiality Interest**

Cr Di Ausburn declares interest in Item 12.4.2 Application for Temporary Caravan Park – Kununurra Agricultural Society as a life member of the Agricultural Society.

Cr Raymond (Spike) Dessert declares interest in Item 12.4.2 Application for Temporary Caravan Park – Kununurra Agricultural Society as a life member of the Agricultural Society.

- **Proximity Interest**

Nil

4. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil

5. PUBLIC QUESTION TIME

Nil

6. PETITIONS

Nil

7. APPLICATIONS FOR LEAVE OF ABSENCE

Nil

8. CONFIRMATION OF MINUTES

8.1 CONFIRMATION OF MINUTES OF ORDINARY COUNCIL MEETING OF 24 JANUARY 2012

RECOMMENDATION

That Council confirms the Minutes of the Ordinary Council Meeting held on 24 January 2012.

COUNCIL DECISION

Minute No. 9687

**Moved: Cr A Horn
Seconded: Cr J McCoy**

That Council confirms the Minutes of the Ordinary Council Meeting held on 24 January 2012.

Carried unanimously 6/0

8.2 CONFIRMATION OF MINUTES OF SPECIAL COUNCIL MEETING OF 30 JANUARY 2012

RECOMMENDATION

That Council confirms the Minutes of the Special Council Meeting held on 30 January 2012.

COUNCIL DECISION

Minute No. 9688

**Moved: Cr J McCoy
Seconded: Cr A Horn**

That Council confirms the Minutes of the Special Council Meeting held on 30 January 2012.

Carried unanimously 6/0

9. ANNOUNCEMENTS BY THE PERSON PRESIDING WITHOUT DISCUSSION

Nil

10. DEPUTATIONS / PRESENTATIONS / SUBMISSIONS

Nil

11. MINUTES OF COUNCIL COMMITTEE MEETINGS

Nil

12. REPORTS

12.1 REPORTS ARISING FROM COMMITTEES OF COUNCIL

12.2 CORPORATE SERVICES

12.2.1 List of Accounts Paid Under Delegation

DATE:	21 February 2012
PROPONENT:	Shire of Wyndham East Kimberley
LOCATION:	Shire of Wyndham East Kimberley
AUTHOR:	Paulette Strongman, Finance Officer Asanka Jayakody, Team Leader Financial Services
REPORTING OFFICER:	Jo-Anne Ellis, Director Corporate Services
FILE NO:	FM.09.5

PURPOSE

To present the listing of accounts paid from the Municipal Fund and Trust Fund in accordance with the requirements of the Local Government (Financial Management) Regulations 1996.

BACKGROUND

Council delegated to CEO the exercise of its power under Financial Management Regulation 12 to make payments from Municipal Fund and Trust Fund at the Ordinary Council Meeting of 16th August 2011.

STATUTORY IMPLICATIONS

Local Government Act 1995 – Section 5.42
Local Government (Financial Management) Regulations 1996 – Regulations 12 and 13

POLICY IMPLICATIONS

CD\GOV6113 – Payments from Municipal Fund and Trust Fund.

FINANCIAL IMPLICATIONS

Ongoing management of Council funds by providing Council with sufficient information to monitor and review payments made.

STRATEGIC IMPLICATIONS

Governance, Key Result Area 5,
Council's financial position and forward planning is sound

COMMUNITY CONSULTATION

Community consultation is not required in relation to this item.

COMMENT

In accordance with statutory requirements, each payment from the Municipal Fund or the Trust Fund is to be noted on a list compiled each month showing: the payee's name, amount of payment, date of payment and sufficient information to identify the transaction. The list is to be presented to Council at the next ordinary meeting of the Council following the

preparation of the list and is to be recorded in the minutes of the meeting at which it is presented.

ATTACHMENTS

Attachment 1 – List of Accounts Paid from Municipal Fund and Trust Fund

VOTING REQUIREMENT

Simple Majority

OFFICER’S RECOMMENDATION

That Council receives and accepts the listing of accounts paid from the Municipal and Trust fund, being:

Municipal EFT114150 – EFT114451 (05 Jan – 27 Jan 12)	\$ 1,464,103.63
Municipal cheques 40897 - 40979 (05 Jan – 27 Jan 12)	\$ 160,444.60
Trust cheques 270 - 282 (09 Jan – 24 Jan 12)	\$ 318,907.00
Trust EFT 500205 - 500222 (09 Jan – 30 Jan 12)	\$ 15,247.35
Payroll (03 Jan – 25 Jan 12)	\$ 374,342.51
Direct bank debits (01 Jan – 31 Jan 12)	<u>\$ 32,860.09</u>
TOTAL	\$ 2,365,905.18

COUNCIL DECISION

Minute No. 9689

Moved: Cr K Torres

Seconded: Cr J McCoy

That Council receives and accepts the listing of accounts paid from the Municipal and Trust fund, being:

Municipal EFT114150 – EFT114451 (05 Jan – 27 Jan 12)	\$ 1,464,103.63
Municipal cheques 40897 - 40979 (05 Jan – 27 Jan 12)	\$ 160,444.60
Trust cheques 270 - 282 (09 Jan – 24 Jan 12)	\$ 318,907.00
Trust EFT 500205 - 500222 (09 Jan – 30 Jan 12)	\$ 15,247.35
Payroll (03 Jan – 25 Jan 12)	\$ 374,342.51
Direct bank debits (01 Jan – 31 Jan 12)	\$ <u>32,860.09</u>
TOTAL	\$ 2,365,905.18

Carried unanimously 6/0

LIST OF ACCOUNTS SUBMITTED TO COUNCIL 21 FEBRUARY 2012

CHQ/EFT	DATE	NAME	DESCRIPTION	AMOUNT
EFT114150	05/01/2012	ATO CHILD SUPPORT AGENCY	PAYROLL DEDUCTIONS	171.83
EFT114151	05/01/2012	AUSTRAL MERCANTILE COLLEC. PTY LTD	LEGAL FEES - DECEMBER 2011	500.72
EFT114152	05/01/2012	AUSTSWIM LTD	SWIM TRAINING - TWS & INFANTS - STAFF MEMBER -KNX LEISURE CENTRE	545.00
EFT114153	05/01/2012	ALLGEAR MOTORCYCLES AND SMALL ENG.	SPARE PARTS - P356	384.90
EFT114154	05/01/2012	ANSTAT	ANNUAL SUBSCRIP. - FSANZ FOOD STANDARDS CODE & USER GUIDE -12/13	396.00
EFT114155	05/01/2012	ARGYLE MOTORS	TRACTOR HYDRAULIC OIL - KUNUNURRA AIRPORT	146.41
EFT114156	05/01/2012	AUSTRALIAN SERVICES UNION	PAYROLL DEDUCTIONS	216.00
EFT114157	05/01/2012	BOC GASES AUSTRALIAN LIMITED	DIFFERENCE IN LAST PAYMENT - WELDING GASES & BOTTLE RENTAL	0.01
EFT114158	05/01/2012	BUSBY INVESTMENTS T/A BUDGET RENTAL	HIRE CAR-2 STAFF -ASBESTOS COMPETENT TRAINING - 16 - 18/10/11	262.56
EFT114159	05/01/2012	C & S JOLLY ELECTRICS PTY LTD	INSTALLATION OF NEW FLUORESCENT LIGHTS - KNX SQUASH COURSE	2,288.00
EFT114160	05/01/2012	CARDNO (WA) PTY LTD	PROFESSIONAL SERVICES - REGIONAL BUSINESS PLANNING RCG	55,117.63
EFT114161	05/01/2012	EAGLE ELECTRICAL AND REFRIGE. SERVICES	REMOVAL - DEFECTIVE LIGHT POLES, REPAIR CIRCULATION PUMP - WYN POOL	2,101.00
EFT114162	05/01/2012	EAST KIMBERLEY HARDWARE	VARIOUS HARDWARE ITEMS - WYN & KNX DEPOT, KNX AIRPORT	740.65
EFT114163	05/01/2012	IBAC PLUMBING PTY LTD	REPAIR WATER LEAK - WATER METERS NEAR OLD FIRE STATION - KNX	210.43
EFT114164	05/01/2012	IRRIBIZ	RETICULATION MAINTENANCE - NOZZLE & SPRINKLERS - KUNUNURRA	192.01
EFT114165	05/01/2012	JSW HOLDINGS PTY LTD	BULK BAG CEMENT, CONCRETE, SAND - ARGYLE ROAD SPILLWAY BRIDGE REPAIR	17,213.06
EFT114166	05/01/2012	JAB INDUSTRIES	EXCAVATOR HIRE, SCREENING ROCKS - ARGYLE ROAD SPILLWAY BRIDGE REPAIR	67,369.50
EFT114167	05/01/2012	KUNUNURRA LOCK & KEY	NEW KEYS CUT - KUNUNURRA YOUTH CENTRE	429.00
EFT114168	05/01/2012	KUNUNURRA PANEL BEATING WORKS	RELOCATE ABANDON VEHICLE - MELALUECA ST, LAKESIDE TO SHIRE DEPOT	110.00
EFT114169	05/01/2012	KUNUNURRA REFRIDGERATION & AIR CON	AIR - CONDITIONER REPAIR - SQUASH COURT - KUNUNURRA LEISURE CENTRE	165.00
EFT114170	05/01/2012	KIMBERLEY COMMUNICATIONS	RESET CLASSIC FM - KNX, REPAIR FAULTY SBS & TRAVELLING - WYN	717.00
EFT114171	05/01/2012	KIMBERLEY KOOL REFRIGERATION & AIRCON	REPAIR AIRCONDITION - 1/57 RIVERFIG AVE, AIRPORT - KUNUNURRA	341.00
EFT114172	05/01/2012	KUNUNURRA COMMERCIAL BODY WORKS	SUPPLY & FIT WINDSCREEN - P472	440.00
EFT114173	05/01/2012	KUNUNURRA ENGINEERING	STAINLESS STEEL CORNER GUARDS, PAINT CHECKER PLATE COVERS -KNX AIRPORT	2,165.16
EFT114174	05/01/2012	KUNUNURRA FURNITURE REMOVALS	RELOCATE RESIDENCY - ZONE SECRETARIAT	2,640.00
EFT114175	05/01/2012	KUNUNURRA HOME & GARDEN	RETICULATION MAINTANCE ITEMS - MESSMATE WAY, KUNUNURRA	33.85
EFT114176	05/01/2012	L.G.R.C.E.U	PAYROLL DEDUCTIONS	17.40
EFT114177	05/01/2012	LGIS INSURANCE BROKING	ANNUAL INSURANCE - AQUATIC WEED HARVESTER & PLANT MOTOR VEHICLES	4,905.57
EFT114178	05/01/2012	MERCURE INN BROOME	ACCOMMODATION - MEETING GIBB RIVER EVACUATION - 6 - 07/10/11	455.00
EFT114179	05/01/2012	PAYMENT CANCELLED		-
EFT114180	05/01/2012	NJ GAFF & C YATES	PLANTS FOR YOUTH CENTRE GARDENS - KUNUNURRA YOUTH CENTRE	343.50
EFT114181	05/01/2012	OFFICE NATIONAL KUNUNURRA	OFFICE FURNITURE & STATIONERY - KUNUNURRA ADMINISTRATION	824.45

EFT114182	05/01/2012	ORICA AUSTRALIA PTY LTD	SUPPLY CHLORINE GAS - KUNUNURRA & WYNDHAM SWIMMING COMPLEX	3,271.40
EFT114183	05/01/2012	OLLIE'S IRRIGATIONS & PLUMBING SUPPLIES	IRRIGATION SUPPLIES - CHILDCARE BULDING, LANDFILL, CELEBR. PARK - KNX	255.47
EFT114184	05/01/2012	PETER AND PAUL	REPAIR TO MOSQUITO TRAP MOTOR - ENVIRONMENTAL HEALTH	22.85
EFT114185	05/01/2012	SHIRE OF WYNDHAM EAST KIMBERLEY	PAYROLL DEDUCTIONS	70.00
EFT114186	05/01/2012	SUE GAFFNEY	REIMBURSEMENT SUPPLIES FOR DISCO & YSPN MEETING - KNX YOUTH CENTRE	66.68
EFT114187	05/01/2012	SUNNY SIGN COMPANY PTY LTD	SIGNAGE - WYNDHAM PORT FORESHORE	185.90
EFT114188	05/01/2012	TNT AUSTRALIA PTY LIMITED	FREIGHT - WATER SAMPLES	252.06
EFT114189	05/01/2012	TOWN CARAVAN PARK	ACCOMMODATION - MANAGER ENGINEERING - 20/11/11 - 10/12/11	1,428.55
EFT114190	05/01/2012	VANDERFIELD MACHINERY PTY LTD	COOLANT - P355 - KUNUNURRA AIRPORT	73.47
EFT114191	05/01/2012	WA AQUATIC CLUB PTY LTD	OSPREY POLARISED STOCK - KUNUNURRA SWIMMING POOL	164.93
EFT114192	05/01/2012	WA LOCAL GOVERNMENT SUPER. PLAN	SUPERANNUATION CONTRIBUTIONS	24,138.12
EFT114193	05/01/2012	WYNDHAM SUPERMARKET	ITEMS FOR OPEN DAY - WYNDHAM SWIMMING COMPLEX - OCTOBER 2011	120.75
EFT114194	06/01/2012	MAXXIA	PAYROLL DEDUCTIONS	4,911.63
	12/01/2012	EFT114195 TO EFT114271	ALL PAYMENTS CANCELLED	-
EFT114271	12/01/2012	AIRPORT LIGHTING SPECIALISTS	SOLAR POWER PANELS , BATTERIES, CONTROLLER BOX - KNX AIRPORT	5,687.00
EFT114272	12/01/2012	4D LANDSCAPING SOLUTIONS	LANDSCAPING, CLEANING & REPAIR RETICULATION SYS - KWINANA ST, WYN	2,475.00
EFT114273	12/01/2012	A TASTE OF THE KIMBERLEY	CATERING SERVICES - SWEK CHRISTMAS PARTY	1,500.00
EFT114274	12/01/2012	ABCO PRODUCTS	CLEANING PRODUCTS - WYNDHAM ADMINISTRATION	166.72
EFT114275	12/01/2012	ATO CHILD SUPPORT AGENCY	PAYROLL DEDUCTIONS	171.83
EFT114276	12/01/2012	AUSFUEL AUSTRALIAN FUEL DISTRIBUTORS	FUEL SUPPLY - KUNUNURRA DEPOT - NOVEMBER & DECEMBER 2011	22,181.19
EFT114277	12/01/2012	AUSTRAL MERCANTILE COLLECT. PTY LTD	LEGAL CHARGES	982.90
EFT114278	12/01/2012	AUSTRALIAN TAXATION OFFICE	BAS - NOVEMBER 2011	51,068.00
EFT114279	12/01/2012	ALLCLEAN COMMERCIAL CLEANERS	OUTGOING CLEANING - END OF LEASE - 8 PLUM COURT, KUNUNURRA	400.00
EFT114280	12/01/2012	ALLGEAR MOTORCYCLES AND SMALL ENG.	VARIOUS SPARE PARTS & MINOR PLANT REPAIRS - KNX & WYN DEPOTS	1,366.80
EFT114281	12/01/2012	ARGYLE MOTORS	SERVICE - P467 & P106	778.55
EFT114282	12/01/2012	ASANKA JAYAKODY	REIMBURSEMENT TRAINING EXPENSES	175.91
EFT114283	12/01/2012	AUSTRALIAN SERVICES UNION	PAYROLL DEDUCTIONS	216.00
EFT114284	12/01/2012	CABCHARGE	CAB CHARGE - STAFF MEMBER - WALGA CONFERENCE - PERTH - 04 - 07/12/11	90.00
EFT114285	12/01/2012	CHEFMASTER AUSTRALIA	WHITE/PURPLE BIN LINERS - KUNUNURRA LEISURE CENTRE	1,750.00
EFT114286	12/01/2012	CORPORATE EXPRESS	VARIOUS PUBLIC CONVENIENCE SUPPLIES - VARIOUS LOCATIONS WYN & KNX	285.92
EFT114287	12/01/2012	CIVIC LEGAL	LEGAL CHARGES	6,000.92
EFT114288	12/01/2012	COLEMANS PRINTING	MANUAL RECEIPTING BOOKS - TIP & ADMINISTRATION - WYN & KNX	759.00
EFT114289	12/01/2012	COLIN WILKINSON DEVELOPMENTS	PROGRESS PAYMENT - WYN STAFF HOUSING & BELLA LANE KNX STAFF HOUSING	362,554.02
EFT114290	12/01/2012	DATA #3 LICENSING SOLUTIONS	ANNUAL SOFTWARE LICENCING FEE	6,306.85
EFT114291	12/01/2012	ESCO AUSTRALIA HOLDING P/L	SUPPLY SUPER V POINT & PINS - P354	2,068.88

EFT114292	12/01/2012	EAST KIMBERLEY HARDWARE	GRAFFITI REMOVER - WAR MEMORIAL - KUNUNURRA COUNCIL BUILDING	35.75
EFT114293	12/01/2012	EAST KIMBERLEY REAL ESTATE	WATER USAGE - 2/1 PLUM COURT, KUNUNURRA - 26/07 - 29/11/11	70.35
EFT114294	12/01/2012	FIX ALL MOBILE MECHANIC	SERVICE & REPAIR - P359	1,980.00
EFT114295	12/01/2012	FRANMOR CONSTRUCTIONS PTY LTD	REGLAZE LARGE GLASS WINDOW - KUNUNURRA ADMINISTRATION BUILDING	191.00
EFT114296	12/01/2012	GHD PTY LTD	PAYMENT # 4 - ENGINEERING CONSULTANCY - VICTORIA HWY UPGRADE DESIGN	4,114.55
EFT114297	12/01/2012	GLENEDA PASTORAL CO.	BUS HIRE	440.00
EFT114298	12/01/2012	HIDDEN VALLEY TOURIST PARK	ACCOMMODATION & ELECTRICITY - PROJECTS MANAGER - 16/10 - 18/11/11	639.31
EFT114299	12/01/2012	IBAC PLUMBING PTY LTD	WATER LEAKS REPAIR & PLUMBING SERVICES - KUNUNURRA LEISURE CENTRE	1,364.22
EFT114300	12/01/2012	ICE AGE REFRIGERATION & AIRCON.	AIR -CONDITIONER UNIT REPAIR - 3B DRYANDRA ST, KUNUNURRA	187.00
EFT114301	12/01/2012	BLACKWOODS ATKINS PTY LTD	CT18 TRUCK WASH -KNX DEPOT, SPARES -LANDFILL COMPRESSOR - KNX LANDFILL	223.94
EFT114302	12/01/2012	JASON SIGNMAKERS LTD	REPLACEMENT PLAQUES - CELEBRITY PARK KUNUNURRA	1,155.00
EFT114303	12/01/2012	KIMBERLEY MARKETING - CASH AND CARRY	VENDING MACHINE SUPPLIES - KUNUNURRA AIRPORT	151.86
EFT114304	12/01/2012	KIMBERLEY MOTORS	GENERAL MAINTENANCE SUPPLIES - DEPOT & SWIMMING POOL - WYN - OCT 11	436.10
EFT114305	12/01/2012	KIMBERLEY PARTY HIRE	LABOUR HIRE FOR WEED HARVESTER - CUMBUNGI MANAGEMENT - KNX	680.00
EFT114306	12/01/2012	KIMBERLEY TREE SERVICES PTY LTD	REMOVAL OF VERGE TREES - BARRINGTONIA ST & MANGALOO AVE - KNX	3,475.00
EFT114307	12/01/2012	KUNUNURRA CRUISES - THE BBQ BOAT	REFUND - CANCELLATION OF PLANNING APPLICATION	135.00
EFT114308	12/01/2012	KUNUNURRA LOCK & KEY	NEW CYLINDER ON ROLLER DOORS & 3 KEYS EACH -HIRE CAR BAYS -KNX AIRPORT	538.00
EFT114309	12/01/2012	KUNUNURRA REFRIDGERATION & AIR CON.	AIR CONDITIONER MAINTENANCE - 3B DRYANDRA ST & 28 EUGENIA ST - KNX	275.00
EFT114310	12/01/2012	KUNUNURRA SECURITY SERVICE	SECURITY SCREENING - KNX AIRPORT, CALL OUTS - KNX & WYN - NOV-DEC 2011	44,567.45
EFT114311	12/01/2012	KUNUNURRA TYREPOWER	BALANCE OF TYRES - P204	195.00
EFT114312	12/01/2012	KIMBERLEY COMMUNICATIONS	RE-SET TRIPLE J RADIO STATION - WYNDHAM	110.00
EFT114313	12/01/2012	KIMBERLEY HYDRAULICS	REPLACE MOTOR - WEED HARVESTER, REPLACE HYDRAULIC HOSE - P354	3,451.71
EFT114314	12/01/2012	KUNUNURRA DIESEL SERVICE	SERVICE & REPAIRS - P360	556.15
EFT114315	12/01/2012	KUNUNURRA HOME & GARDEN	BLUE BIG CHILL ESKYS - COMMUNITY SERVICES	221.75
EFT114316	12/01/2012	KUNUNURRA PEST MANAGEMENT	PEST CONTROL - INTERIOR & EXTERIOR - 6 EUGENIA ST - KUNUNURRA	250.00
EFT114317	12/01/2012	HEALTH SERVICE - KUNUNURRA HOSPITAL	APPOINTMENT - WORKPLACE INJURY	60.15
EFT114318	12/01/2012	L.G.R.C.E.U	PAYROLL DEDUCTIONS	17.40
EFT114319	12/01/2012	LANDGATE	VALUER CONSULTANCY FEE	2,132.65
EFT114320	12/01/2012	MCLEODS BARRISTERS AND SOLICITORS	LEGAL CHARGES	1,272.32
EFT114321	12/01/2012	MELLEN EVENTS PTY LTD	SPONSORSHIP - ARGYLE DIAMONDS ORD VALLEY MUSTER - 2012	27,500.00
EFT114322	12/01/2012	METAL ARTWORK CREATIONS	RETIRING COUNCILLORS GIFT	46.75
EFT114323	12/01/2012	MAXXIA	PAYROLL DEDUCTIONS	4,911.63
EFT114324	12/01/2012	NEC AUSTRALIA PTY LTD	SERVICIE AGREEMENT - TELEPHONE SYSTEM - KUNUNURRA ADMIN	4,090.77
EFT114325	12/01/2012	OFFICE NATIONAL KUNUNURRA	2012 YEAR PLANNERS & CALANDERS - KUNUNURRA AIRPORT & ADMINISTRATION	235.54
EFT114326	12/01/2012	ORDCO	CYDECTIN - KNX POUND, MAINTENACE ITEMS - KNX DEPOT	1,034.00

EFT114327	12/01/2012	ORIA ORCHARDS	2 X WEEKLY FLOWER DELIVERY - KUNUNURRA OFFICE	30.00
EFT114328	12/01/2012	ORIMATECH	REPLACEMENT BAG - POOL CLEANER - WYNDHAM POOL	114.40
EFT114329	12/01/2012	PACIFIC BIOLOGICS	COUGAR ULV FOGGER - ENVIRONMENTAL HEALTH	12,826.00
EFT114330	12/01/2012	PIVOTEL	SERVICE CHARGES - SATELLITE PHONES	105.00
EFT114331	12/01/2012	QUICK CORPORATE AUSTRALIA	STATIONERY SUPPLIES - KUNUNURRA ADMINISTRATION	375.84
EFT114332	12/01/2012	RED ELEVEN - RED 11 PTY LTD	IT UPGRADES & EQUIPMENT - WYNDHAM DEPOT & KUNUNURRA ADMIN	10,692.08
EFT114333	12/01/2012	RANNIT PTY LTD	SELF STORAGE CONTAINER FOR SHIRE FURNITURE STORAGE - JANUARY 2012	220.00
EFT114334	12/01/2012	ROD LIVERSIDGE	RELOCATION EXPENSES OPERATIONS MANAGERS - 29/05 & 24/06/11	662.00
EFT114335	12/01/2012	SETON AUSTRALIA PTY LTD	WHITEBOARD, WALL DISPLAY, FANS - SQUASH COURT - KNX LEISURE CENTRE	625.98
EFT114336	12/01/2012	SHIRE OF WYNDHAM EAST KIMBERLEY	PAYROLL DEDUCTIONS	70.00
EFT114337	12/01/2012	SUE GAFFNEY	REIMBURSEMENT CLEANING / FOODS SUPPLIES - KUNUNURRA YOUTH CENTRE	49.86
EFT114338	12/01/2012	SUNNY SIGN COMPANY PTY LTD	DIRECTIONAL SIGN EXTRUSION - WELCH STREET KUNUNURRA	148.50
EFT114339	12/01/2012	SURVEY NORTH	SURVEY SERVICES -AIRPORT, KOOLAMA ST, CASUARINA DR, MANGALOO ST - KNX	6,154.50
EFT114340	12/01/2012	THE KIMBERLEY GRANDE	CATERING - ORDINARY COUNCIL MEETING - 13/12/11 - KUNUNURRA	510.00
EFT114341	12/01/2012	TOTAL SAFETY & FIRE SOLUTIONS	NEW FIRE EXTINGUISHERS & 6 MONTHS SERVICES - KNX & WYN AIRPORTS	5,844.30
EFT114342	12/01/2012	TUCKERBOX STORES - KUNUNURRA	VARIOUS GROCERY ITEMS - KUNUNURRA OFFICE - NOVEMBER 2011	1,040.81
EFT114343	12/01/2012	URBIS PTY LTD	CONSULTING SERVICES - LOCAL PLANNING SCHEME REVIEW	12,187.88
EFT114344	12/01/2012	WA LOCAL GOVERNMENT SUPER. PLAN	SUPERANNUATION CONTRIBUTIONS	24,394.06
EFT114345	12/01/2012	WAYNE RICHARDS & REBECCA MORRALL	REIMBURSEMENT OF WORK CALLS ON PERSONAL PHONE	426.35
EFT114346	12/01/2012	WESTRAC EQUIPMENT PTY LTD	SUPPLY & DELIVER - HYDRAULIC HOSE - P350, SERVICE - P488	1,138.66
EFT114347	20/01/2012	AIR LIQUIDE WA PTY LTD	OXYGEN, ACETYLENE, MIGSHIELD CYL CYLINDERS ANNUAL CHARGES- 2012 - WYN	1,066.71
EFT114348	20/01/2012	ALL SEASONS KUNUNURRA	ACCOMMODATION - CANDIDATE FOR WYNDHAM YOUTH OFFICER 20 - 22/10/11	133.00
EFT114349	20/01/2012	ALLCLEAN COMMERCIAL CLEANERS	CLEANING - YOUTH CENTRE - DECEMBER 2011	1,203.00
EFT114350	20/01/2012	ARGYLE MOTORS	SERVICE - P379	469.60
EFT114351	20/01/2012	BERM BACKHOE HIRE	SLASHING & REACH MOWING - VARIOUS ROADS - KUNUNURRA	23,639.00
EFT114352	20/01/2012	BROADCAST AUSTRALIA PTY LTD	FACILITIES LEASING - 19/10 - 15/12/2011	58.28
EFT114353	20/01/2012	BROOME TAFE	RESTRICTED COXSWAINS CERTIFICATE - KUNUNURRA DEPOT STAFF	248.00
EFT114354	20/01/2012	CABCHARGE	CAB CHARGE - STAFF MEMBER - WALGA CONFERENCE - 04/12 - 07/12/11	19.00
EFT114355	20/01/2012	CENTURION TRANSPORT	VARIOUS FREIGHT	1,024.68
EFT114356	20/01/2012	CT MANAGEMENT GROUP	PROGRESS PAYMENT # 2 - ASSET MANAGEMENT IMPROVEMENT STRATEGY	3,300.00
EFT114357	20/01/2012	DIMENSION DATA LEARNING SOLUTIONS	COURSE & EXAM FEES - CCNA PACKAGE - IT OFFICER	5,489.00
EFT114358	20/01/2012	DANIEL COX	WATER SUBSIDY - 23/03 - 14/11/11	310.35
EFT114359	20/01/2012	DAVEY TYRE & BATTERY SERVICE	NEW BATTERY - P327 , NEW TYRE - P481	285.60
EFT114360	20/01/2012	DEAN PETTIT	WATER SUBSIDY - 20/07 - 29/08/11	99.42
EFT114361	20/01/2012	DOUGLAS ANDERSON	REIMB. -TRAVELLING- RESTRICTED COXSWAINS TRAINING - BROOME 21-25/11/11	278.50

EFT114362	20/01/2012	EAST KIMBERLEY HARDWARE	VARIOUS HARDWARE ITEMS - KNX, WYN DEPOTS & KNX LEISURE CENTRE	149.30
EFT114363	20/01/2012	FUJI XEROX AUSTRALIA P/L	VARIOUS PRINTING CHARGES -DEC 11 - ADMIN, LEISURE CENTRE & DEPOT - KNX	482.71
EFT114364	20/01/2012	FRANMOR CONSTRUCTIONS PTY LTD	REGLAZE WINDOWS AFTER VANDALISM - KNX LEISURE CENTRE & YOUTH CENTRE	1,909.95
EFT114365	20/01/2012	FULLY JUICED ELECTRICS	RE INSTATE POWER - MAIN RETICULATION PUMP - WYNDHAM	198.00
EFT114366	20/01/2012	GARY GAFFNEY	WATER SUBSIDY - 27/07/11 - 01/12/11	240.95
EFT114367	20/01/2012	GUERINONI & SONS	VARIOUS MACHINERY HIRE - LAKE ARGYLE SPILLWAY BRIDGE REPAIR	109,612.25
EFT114368	20/01/2012	HIDDEN VALLEY TOURIST PARK	ACCOMM. & ELECTRICITY - SENIOR PROJECTS MANAGER - 05/12/11 - 13/01/12	621.36
EFT114369	20/01/2012	IBAC PLUMBING PTY LTD	PLUMBING - WYN POOL, PETER REID HALL, KNX ADMIN, CELEBRITY PARK TOILETS	858.22
EFT114370	20/01/2012	ICE AGE REFRIGERATION & AIRCON.	AIR CON. MAINTENANCE - KUNUNURRA ADMIN	88.00
EFT114371	20/01/2012	INSTITUTE OF PUBLIC WORKS ENGIN. WA	MEMBERSHIP - 01/01/2012 - 31/12/2012	715.00
EFT114372	20/01/2012	JOHN ROXBOUGH	REFUND - RETURNED PURCHASE - LANDFILL SHOP	100.00
EFT114373	20/01/2012	JAB INDUSTRIES	HIRE VARIOUS HEAVY MACHINERY - LAKE ARGYLE SPILLWAY BRIDGE REPAIR	235,527.60
EFT114374	20/01/2012	JANET TAKARANGI	WATER SUBSIDY - 16/07 - 08/11/11	123.95
EFT114375	20/01/2012	JOHN DOUGLAS GAULT	WATER SUBSIDY - 31/03 - 27/07/11	52.80
EFT114376	20/01/2012	KIMBERLEY INDUSTRIES EQUIPMENT HIRE	HIRE CRANE, RIGGER, SUPPLY KIBBLE - LAKE ARGYLE SPILLWAY BRIDGE REPAIR	3,729.00
EFT114377	20/01/2012	KIMBERLEY WASTE SERVICES	SKIP EMPTIES - DECEMBER 2011 - KUNUNURRA LEISURE CENTRE	300.00
EFT114378	20/01/2012	KUNUNURRA BETTA ELECTRICAL & GAS	SUPPLY & DELIVER - REFRIDGERATORS - KUNUNURRA ADMIN BUILDING	1,698.00
EFT114379	20/01/2012	KUNUNURRA LOCK & KEY	REPAIR & REPLACE LOCKS & KEYS, REPLACE TURN SNIB - KNX LEISURE CNTR	641.50
EFT114380	20/01/2012	KUNUNURRA MOBILE WELDING SERVICE	WELDING REPAIRS & PAINTING OF DOUBLE GATES - WYN RECREATION CENTRE	2,194.50
EFT114381	20/01/2012	KUNUNURRA SECURITY SERVICE	SECURITY SERVICES - LEASE OF ALARMS AT WYN OFFICE - NOV 2011 & CALL OUT	321.00
EFT114382	20/01/2012	KUNUNURRA TYREPOWER	NEW TYRE - P338	107.00
EFT114383	20/01/2012	KIMBERLEY COMMUNICATIONS	ALARM SERVICE - WYN RECREATION CENTRE, RESET SBS & TRIPLE JJJ - WYN	778.00
EFT114384	20/01/2012	KUNUNURRA HOME & GARDEN	HOSE FITTINGS - KNX LEISURE CENTRE	76.56
EFT114385	20/01/2012	KUNUNURRA REFRIDGERATION & AIR CON	AIR CON. MAINTENANCE & REPAIRS - VARIOUS LOCATIONS - KNX & WYN	1,921.92
EFT114386	20/01/2012	LW PROPERTY CARE	SWIM BEACH BBQ CLEANING - DEC 2011 - JAN 2012	660.00
EFT114387	20/01/2012	LOCAL GOVERNMENT MANAGERS AUST.	LGMA MEMBERSHIP SUBSCRIPTION - 2011/2012	215.00
EFT114388	20/01/2012	MARSHALL BEATTIE AUTOMATION	REMOTE CONTROLS & BATTERIES - AUTOMATIC GATES - KUNUNURRA AIRPORT	282.38
EFT114389	20/01/2012	MARGARET GRUNSELL	STATIONERY SUPPLIES - KIMBERLEY ZONE EXECUTIVE	120.35
EFT114390	20/01/2012	METALAND KUNUNURRA	JOCKEY WHEEL & ACCESSORIES - FOGGER TRAILER - WYNDHAM	97.00
EFT114391	20/01/2012	NICK KEARNS	WATER SUBSIDY - 30/03 - 26/07/11	308.75
EFT114392	20/01/2012	NORTH WEST WELDING	REPIAR SAND FILTERS - CELEBRITY TREE PARK PUMP STATION - KUNUNURRA	1,124.20
EFT114393	20/01/2012	OFFICE NATIONAL KUNUNURRA	DIARIES, CALANDERS - KNX ADMIN, WHITEBOARD, CABINET - KNX AIRPORT	1,278.37
EFT114394	20/01/2012	ORDCO	BLUE LIQUID MARKING DYE - KNX DEPOT	330.00
EFT114395	20/01/2012	ORIA ORCHARDS	1 X WEEKLY FLOWER DELIVERY - KUNUNURRA OFFICE	15.00
EFT114395	20/01/2012	PAYMENTS CANCELLED		-

EFT114397	20/01/2012	ORION SOLAR PTY LTD	LED LUMINAIRE, ENGINE,POLE, FABRICATED CAGE -STREET LIGHT UPGRADES-KNX	20,142.10
EFT114398	20/01/2012	PLANNING INSTITUTE AUSTRALIA	MEMBERSHIP - DIRECTOR OF DEVELOPMENT SERVICES	540.00
EFT114399	20/01/2012	PROMOTION PRODUCTS PTY LTD	FREIGHT - LIBRARY BAGS - KNX LIBRARY	65.45
EFT114400	20/01/2012	RICK SPRY	TELEPHONE REIMBURSEMENT - 01/09 - 30/09/11	182.44
EFT114401	20/01/2012	RUBBER MULCH AUSTRALIA PTY LTD	LOOSE FILL ENDURO RUBBER MULCH - CELEBRITY TREE PARK PLAY GROUND	11,616.00
EFT114402	20/01/2012	SETON AUSTRALIA PTY LTD	POOL ENTRY WRISTBANDS - KUNUNURRA POOL	140.98
EFT114403	20/01/2012	THE CANVAS SHED	SUPPLY SUN SCREEN BLIND - MANAGERS OFFICE - KUNUNURRA AIRPORT	269.94
EFT114404	20/01/2012	TNT AUSTRALIA PTY LIMITED	FREIGHT - WATER SAMPLES	135.75
EFT114405	20/01/2012	TOLL EXPRESS	FREIGHT - PARTS - P354	189.51
EFT114406	20/01/2012	TOWN CARAVAN PARK	ACCOMMODATION - PROJECT MANAGER - WANDRRA WORK - 15/10 - 26/11/11	3,000.00
EFT114407	20/01/2012	TUCKERBOX STORES - KUNUNURRA	VARIOUS ITEMS - KUNUNURRA ADMIN - DECEMBER 2011	1,071.74
EFT114408	20/01/2012	TUSS CONCRETE PTY LTD	PROGRESS PAYMENT # 02 - M1 CONCRETE WORKS	13,167.00
EFT114409	20/01/2012	VANDERFIELD MACHINERY PTY LTD	2 X REGISTERED JOHN DEERE FRONT DECK MOWER - KNX DEPOT	36,125.00
EFT114410	20/01/2012	WA LOCAL GOVERNMENT ASSOCIATION	ADVERTISING - 22/12/11 - MOSQUITO FOGGING - WYNDHAM	255.44
EFT114411	20/01/2012	WAYNE RICHARDS & REBECCA MORRALL	WATER SUBSIDY - 20/07 - 15/11/11	96.55
EFT114412	20/01/2012	WYNDHAM SUPERMARKET	REFRESHMENTS - SCHOOL HOLIDAY PROGRAM - WYNDHAM	61.70
EFT114413	20/01/2012	WORLEYPARSONS SERVICES PTY LTD	PROF. ENGINEERING SERVICES - INSPECTION OF FACILITY - WYN BOAT RAMP	3,025.00
EFT114414	27/01/2012	ATO CHILD SUPPORT AGENCY	PAYROLL DEDUCTIONS	171.83
EFT114415	27/01/2012	AIRSERVICES AUSTRALIA	ERSA SPIRAL BOUND WITH RDS - 12 MONTH AMENDMENT SERVICE	122.00
EFT114416	27/01/2012	ALLCLEAN COMMERCIAL CLEANERS	CLEAN. -ADMIN, AIRPORT, LEISURE CNTR, DEPOT & PUBLIC TOILETS-KNX - DEC 11	26,897.50
EFT114417	27/01/2012	ATTORNEY-GENERAL'S DEPARTMENT	AUSCHECK ASIC CHECKS - 5 X EMPLOYEES AT KNX AIRPORT.	505.00
EFT114418	27/01/2012	AUSTRALIAN SERVICES UNION	PAYROLL DEDUCTIONS	216.00
EFT114419	27/01/2012	BOC GASES AUSTRALIAN LIMITED	CO2 GAS CYLINDERS, WELDING GAS & BOTTLE RENTAL - WYN - DECEMBER 2011	390.77
EFT114420	27/01/2012	CANNON HYGIENE AUSTRALIA PTY LTD	SANITARY UNIT SERVICE - ANNUAL CHAGES 2012 - VARIOUS LOCATIONS -KNX	5,674.08
EFT114421	27/01/2012	CENTURION TRANSPORT	VARIOUS FREIGHT	177.87
EFT114422	27/01/2012	EAST KIMBERLEY PLUMBING	WATER LEAK REPAIR - KUNUNURRA DEPOT	139.70
EFT114423	27/01/2012	FRONTIER POST & NEWS	PRINT CARTRIDGE, NEWSPAPERS, PRE CLEANUP NOTICE DELIVERIES - WYNDHAM	103.20
EFT114424	27/01/2012	FUJI XEROX AUSTRALIA P/L	VARIOUS PRINTING COSTS - WYNDHAM ADMINISTRATION - DEC 2011	97.36
EFT114425	27/01/2012	IBAC PLUMBING PTY LTD	REPAIR & PLUMBING WORKS - TOILETS - KUNUNURRA YOUTH CENTRE	398.53
EFT114426	27/01/2012	JANET TAKARANGI	STATIONERY SUPPLIES - ECONOMIC DEVELOPMENT OFFICER	54.30
EFT114427	27/01/2012	KIMBERLEY MOTORS	TOURIST INFORMATION SERVICES - NOVEMBER 2011	476.66
EFT114428	27/01/2012	KUNUNURRA MOBILE WELDING SERVICE	CHAINMESH (3 BARB) FENCE WITH DOUBLE GATE - WYNDHAM DEPOT	34,650.00
EFT114429	27/01/2012	KUNUNURRA RURAL TRADERS	RE-FILL ALL FIRE EXTINGUISHERS - AFTER BREAK IN - KUNUNURRA YOUTH CENTRE	1,643.45
EFT114430	27/01/2012	KUNUNURRA COURIERS	NEVERFAIL SPRING WATER - ADMINISTRATION & TIP - KUNUNURRA	136.50
EFT114431	27/01/2012	KUNUNURRA HOME & GARDEN	HYDROCHLORIC ACID - KUNUNURRA POOL	198.50

EFT114432	27/01/2012	KUNUNURRA NEIGHBOURHOOD HOUSE INC	ANNUAL COMMUNITY GRANT - 2011/2012	4,382.95
EFT114433	27/01/2012	L.G.R.C.E.U	PAYROLL DEDUCTIONS	17.40
EFT114434	27/01/2012	MEGAN JANCZYK	REIMBUSTMENT TRAVEL - 18/1/12 - WYNDHAM	115.92
EFT114435	27/01/2012	MAXXIA	PAYROLL DEDUCTIONS	4,911.63
EFT114436	27/01/2012	MOUSES ENGRAVINGS & MORE	SUPPLY & ENGRAVE GOLD PLAQUE - WYNDHAM JETTY OPENINGS	190.00
EFT114437	27/01/2012	ORD RIVER ELECTRICS	REFURBISH LIGHTS & FITTINGS - 16 HIBISCUS CLOSE & SHIRE OFFICE KUNUNURRA	414.51
EFT114438	27/01/2012	ORIA ORCHARDS	2 X WEEKLY FLOWER DELIVERY - KUNUNURRA OFFICE	30.00
EFT114439	27/01/2012	ORICA AUSTRALIA PTY LTD	STORAGE CHLORINE CYLINDERS - WYNDHAM SWIMMING POOLS - DEC 2011	471.70
EFT114440	27/01/2012	OLLIE'S IRRIGATIONS & PLUMBING SUPPLIES	SPRINKLERS -RETICULATION MAINTENANCE - KUNUNURRA	1,852.40
EFT114441	27/01/2012	PRITCHARD BOOKBINDERS	BINDING & POSTAGE - COUNCIL MINUTES & AUDIT COMMITTEE MINUTES	608.30
EFT114442	27/01/2012	SEARLES MECHANICAL REPAIRS	PUNCTURE REPAIR CORD - KUNUNURRA DEPOT	29.97
EFT114443	27/01/2012	SHELF SUPPLY	DOG FOOD - KNX POUNDS, WORK BOOTS - RANGERS & KNX DEPOT STAFF	752.50
EFT114444	27/01/2012	SHIRE OF WYNDHAM EAST KIMBERLEY	PAYROLL DEDUCTIONS	70.00
EFT114445	27/01/2012	TELFORD INDUSTRIES	CHEMICALS POOLS KNX&WYN	4,347.08
EFT114446	27/01/2012	VERSATILE CARPENTRY	REMOVAL OF ASBESTOS - KUNUNURRA AIRPORT TERMINAL EXPANSION	5,390.00
EFT114447	27/01/2012	WA LOCAL GOVERNMENT ASSOCIATION	INTRASTRUCTURE TENDER ADVERTISING - T06/T07/T08	159.82
EFT114448	27/01/2012	WA LOCAL GOVERNMENT SUPER. PLAN	SUPERANNUATION CONTRIBUTIONS	23,999.37
EFT114449	27/01/2012	WESTRAC EQUIPMENT PTY LTD	SERVICE - P350	628.82
EFT114450	27/01/2012	WYNDHAM SUPERMARKET	HOLIDAY PROGRAM REFRESHMENTS - WYNDHAM YOUTH CENTRE	59.14
EFT114451	27/01/2012	WYNDHAM PLUMBING & GAS PTY LTD	PLUMBING - WYN PORT TOILETS, GAS SERVICES - BASTION BBQ'S WYN	1,280.00
TOTAL MUNI EFT PAYMENTS				1,464,103.63

CHQ/EFT	DATE	NAME	DESCRIPTION	AMOUNT
40897	05/01/2012	AUST ETHICAL INVESTMENT & SUPER	SUPERANNUATION CONTRIBUTIONS	126.38
40898	05/01/2012	AUSTRALIAN SUPERANNUATION	SUPERANNUATION CONTRIBUTIONS	279.05
40899	05/01/2012	BT FINANCIAL GROUP	SUPERANNUATION CONTRIBUTIONS	99.51
40900	05/01/2012	BT LIFETIME PERSONAL SUPER	SUPERANNUATION CONTRIBUTIONS	196.25
40901	05/01/2012	CBUS	SUPERANNUATION CONTRIBUTIONS	184.28
40902	05/01/2012	COLONIAL - PERSONAL SUPER	SUPERANNUATION CONTRIBUTIONS	335.41
40903	05/01/2012	DEPARTMENT FOR PLANNING AND INFRAS.	ANNUAL REGISTRATION 11/12 -P113	273.15
40904	05/01/2012	GESB SUPER	SUPERANNUATION CONTRIBUTIONS	205.27
40905	05/01/2012	HORIZON POWER	VARIOUS ELECTRICITY CHARGES	1,477.82
40906	05/01/2012	HOSTPLUS SUPERANNUATION FUND	SUPERANNUATION CONTRIBUTIONS	604.32
40907	05/01/2012	LG SUPER	SUPERANNUATION CONTRIBUTIONS	1,325.05
40908	05/01/2012	LAKE ARGYLE SWIM INC.	ANNUAL COMMUNITY QUICK GRANT -11/12	6,000.00

40909	05/01/2012	LOCAL GOVERNMENT SUPER	SUPERANNUATION CONTRIBUTIONS	366.77
40910	05/01/2012	MLC NOMINEES PTY LTD	SUPERANNUATION CONTRIBUTIONS	206.89
40911	05/01/2012	QUADRANT	SUPERANNUATION CONTRIBUTIONS	304.67
40912	05/01/2012	REST SUPER	SUPERANNUATION CONTRIBUTIONS	1,065.00
40913	05/01/2012	ST JOHN AMBULANCE	AMBULANCE CALL OUT - KUNUNURRA LEISURE CENTRE- 18/12/11	443.00
40914	05/01/2012	SEAFARERS RETIREMENT FUND	SUPERANNUATION CONTRIBUTIONS	184.54
40915	05/01/2012	STATEWIDE SUPERANNUATION TRUST	SUPERANNUATION CONTRIBUTIONS	811.68
40916	05/01/2012	SUNSUPER	SUPERANNUATION CONTRIBUTIONS	384.90
40917	05/01/2012	TASPLAN	SUPERANNUATION CONTRIBUTIONS	171.71
40918	05/01/2012	THE TRUSTEE FOR HEADING SUPER FUND	SUPERANNUATION CONTRIBUTIONS	363.49
40919	05/01/2012	VICSUPER	SUPERANNUATION CONTRIBUTIONS	178.50
40920	05/01/2012	VISION SUPER	SUPERANNUATION CONTRIBUTIONS	2,178.17
40921	05/01/2012	WESTSCHEME	SUPERANNUATION CONTRIBUTIONS	426.24
40922	05/01/2012	WATER CORPORATION	VARIOUS WATER CHARGES	670.85
40923	12/01/2012	AUST ETHICAL INVESTMENT & SUPER	SUPERANNUATION CONTRIBUTIONS	127.59
40924	12/01/2012	AUSTRALIAN SUPERANNUATION	SUPERANNUATION CONTRIBUTIONS	466.77
40925	12/01/2012	AUSTRALIAN FLAG MAKERS	FLAGS WITH SHIRE LOGO	696.00
40926	12/01/2012	BT FINANCIAL GROUP	SUPERANNUATION CONTRIBUTIONS	191.47
40927	12/01/2012	BT LIFETIME PERSONAL SUPER	SUPERANNUATION CONTRIBUTIONS	205.27
40928	12/01/2012	CBUS	SUPERANNUATION CONTRIBUTIONS	180.51
40929	12/01/2012	COLONIAL - PERSONAL SUPER	SUPERANNUATION CONTRIBUTIONS	335.41
40930	12/01/2012	HORIZON POWER	VARIOUS ELECTRICITY CHARGES	28,464.75
40931	12/01/2012	HORIZON POWER - NON ENERGY	VEGETATION CLEARANCE	429.03
40932	12/01/2012	HOSTPLUS SUPERANNUATION FUND	SUPERANNUATION CONTRIBUTIONS	618.84
40933	12/01/2012	J V KIRBY & P G KIRBY	RATES REFUND - A7428	759.09
40934	12/01/2012	LG SUPER	SUPERANNUATION CONTRIBUTIONS	1,325.02
40935	12/01/2012	LOCAL GOVERNMENT SUPER	SUPERANNUATION CONTRIBUTIONS	329.48
40936	12/01/2012	MLC NOMINEES PTY LTD	SUPERANNUATION CONTRIBUTIONS	204.21
40937	12/01/2012	OUT OF REACH TREE SERVICES PTY LTD	TREE REMOVAL - VARIOUS ROADS, KUNUNURRA	7,600.00
40938	12/01/2012	QUADRANT	SUPERANNUATION CONTRIBUTIONS	304.67
40939	12/01/2012	REST SUPER	SUPERANNUATION CONTRIBUTIONS	1,013.99
40940	12/01/2012	SEAFARERS RETIREMENT FUND	SUPERANNUATION CONTRIBUTIONS	183.20
40941	12/01/2012	STATEWIDE SUPERANNUATION TRUST	SUPERANNUATION CONTRIBUTIONS	824.69
40942	12/01/2012	SUNSUPER	SUPERANNUATION CONTRIBUTIONS	386.33
40943	12/01/2012	TELSTRA	LANDLINE CHARGES - NOVEMBER 2011	11,800.04

40944	12/01/2012	TASPLAN	SUPERANNUATION CONTRIBUTIONS	189.02
40945	12/01/2012	THE TRUSTEE FOR HEADING SUPER FUND	SUPERANNUATION CONTRIBUTIONS	368.11
40946	12/01/2012	VICSUPER	SUPERANNUATION CONTRIBUTIONS	178.50
40947	12/01/2012	VISION SUPER	SUPERANNUATION CONTRIBUTIONS	2,178.17
40948	12/01/2012	WESTSCHEME	SUPERANNUATION CONTRIBUTIONS	385.10
40949	12/01/2012	WATER CORPORATION	VARIOUS WATER CHARGES	12,594.40
40950	19/01/2012	CASH - PETTY CASH KNX DEPOT	PETTY CASH REIMBURSEMENT	86.65
40951	19/01/2012	COCA-COLA AMATIL	CONSUMABLES FOR RE-SALE - KUNUNURRA LEISURE CENTRE	1,402.11
40952	19/01/2012	HORIZON POWER	VARIOUS ELECTRICITY CHARGES	24,880.83
40953	19/01/2012	STEVEN BROWN	REFUND - OVER PAYMENT OF ENTRY PASS - KNX LEISURE CENTRE	81.00
40954	19/01/2012	TELSTRA	MOBILE CHARGES - DECEMEBER 2011	2,800.02
40955	19/01/2012	WOODHOUSE LEGAL	LEGAL CHARGES	6,083.00
40956	27/01/2012	AUST ETHICAL INVESTMENT & SUPER	SUPERANNUATION CONTRIBUTIONS	127.59
40957	27/01/2012	AUSTRALIAN SUPERANNUATION	SUPERANNUATION CONTRIBUTIONS	423.91
40958	27/01/2012	BT FINANCIAL GROUP	SUPERANNUATION CONTRIBUTIONS	195.94
40959	27/01/2012	BT LIFETIME PERSONAL SUPER	SUPERANNUATION CONTRIBUTIONS	205.27
40960	27/01/2012	CBUS	SUPERANNUATION CONTRIBUTIONS	92.61
40961	27/01/2012	COLONIAL - PERSONAL SUPER	SUPERANNUATION CONTRIBUTIONS	268.34
40962	27/01/2012	FIRST CHOICE PERSONAL SUPER	SUPERANNUATION CONTRIBUTIONS	114.05
40963	27/01/2012	HORIZON POWER	VARIOUS ELECTRICITY CHARGES	16,573.78
40964	27/01/2012	HOSTPLUS SUPERANNUATION FUND	SUPERANNUATION CONTRIBUTIONS	725.41
40965	27/01/2012	LG SUPER	SUPERANNUATION CONTRIBUTIONS	1,325.05
40966	27/01/2012	LOCAL GOVERNMENT SUPER	SUPERANNUATION CONTRIBUTIONS	407.30
40967	27/01/2012	MLC NOMINEES PTY LTD	SUPERANNUATION CONTRIBUTIONS	207.57
40968	27/01/2012	QUADRANT	SUPERANNUATION CONTRIBUTIONS	304.67
40969	27/01/2012	REST SUPER	SUPERANNUATION CONTRIBUTIONS	1,099.13
40970	27/01/2012	SEAFARERS RETIREMENT FUND	SUPERANNUATION CONTRIBUTIONS	185.21
40971	27/01/2012	STATEWIDE SUPERANNUATION TRUST	SUPERANNUATION CONTRIBUTIONS	832.54
40972	27/01/2012	SUNSUPER	SUPERANNUATION CONTRIBUTIONS	388.34
40973	27/01/2012	TELSTRA	DEC 2011 PHONE ACCOUNT	6,530.47
40974	27/01/2012	TELSTRA CORPORATION	DAMAGE TO TELSTRA PIT - 16 DORRIGO RD, WYNDHAM	483.39
40975	27/01/2012	TASPLAN	SUPERANNUATION CONTRIBUTIONS	189.02
40976	27/01/2012	THE TRUSTEE FOR HEADING SUPER FUND	SUPERANNUATION CONTRIBUTIONS	368.11
40977	27/01/2012	VICSUPER	SUPERANNUATION CONTRIBUTIONS	178.50
40978	27/01/2012	VISION SUPER	SUPERANNUATION CONTRIBUTIONS	2,178.17

TOTAL CHEQUE PAYMENTS**160,444.60**

CHQ/EFT	DATE	NAME	DESCRIPTION	AMOUNT
270	09/01/2012	ECONOMY HOMES	BOND REFUND - FOOTPATH	500.00
271	09/01/2012	LENNOX WILDMAN	BOND REFUND - FOOTPATH	300.00
272	09/01/2012	BETHEL INC.	BOND REFUND - BUS HIRE	465.00
273	09/01/2012	SHIRE OF WYNDHAM EAST KIMBERLEY	BOND CLAIM - BUS HIRE FUEL COST	35.00
274	09/01/2012	CATH MENZIES	REFUND - SPECIAL NUMBER PLATES	230.00
275	09/01/2012	CHERISE LAUDER	BOND REFUND - LEISURE CENTRE EQUIPMENT HIRE	100.00
276	09/01/2012	DEPARTMENT FOR CHILD PROTECTION	BOND REFUND - LEISURE CENTRE EQUIPMENT HIRE	500.00
277	09/01/2012	PATSY GERRARD	BOND REFUND - LEISURE CENTRE EQUIPMENT HIRE	500.00
278	09/01/2012	WUNAN FOUNDATION INC.	BOND REFUND - LEISURE CENTRE EQUIPMENT HIRE	500.00
279	16/01/2012	ECONOMY HOMES	SERVICE PROVIDED - MG CORP (KIMBERLEY ZONE)	314,917.00
280	24/01/2012	CHRIS DANIEL	BOND REFUND - FOOTPATH	250.00
281	24/01/2012	DAVID CROSS	BOND REFUND - FOOTPATH	300.00
282	24/01/2012	DEPT OF TRANSPORT - PLATES SECTION	SPECIAL SERIES PLATES	310.00
TOTAL TRUST CHEQUE PAYMENTS				318,907.00

CHQ/EFT	DATE	NAME	DESCRIPTION	AMOUNT
500205	09/01/2012	TRUST DPI CLEARING	TRANSPORT CLEARING - 09/01/12	550.35
500206	04/01/2012	TRUST DPI CLEARING	TRANSPORT CLEARING - 04/01/12	2,965.25
500207	05/01/2012	TRUST DPI CLEARING	TRANSPORT CLEARING - 05/01/12	1,527.95
500208	06/01/2012	TRUST DPI CLEARING	TRANSPORT CLEARING - 06/01/12	400.65
500209	10/01/2012	TRUST DPI CLEARING	TRANSPORT CLEARING - 10/01/12	361.70
500210	11/02/2012	TRUST DPI CLEARING	TRANSPORT CLEARING - 11/01/12	24.00
500211	12/01/2012	TRUST DPI CLEARING	TRANSPORT CLEARING - 12/01/12	1,792.45
500212	13/01/2012	TRUST DPI CLEARING	TRANSPORT CLEARING - 13/01/12	1,339.05
500213	16/01/2012	TRUST DPI CLEARING	TRANSPORT CLEARING - 16/01/12	103.45
500214	17/01/2012	TRUST DPI CLEARING	TRANSPORT CLEARING - 17/01/12	2,029.95
500215	18/01/2012	TRUST DPI CLEARING	TRANSPORT CLEARING - 18/01/12	263.65
500216	19/01/2012	TRUST DPI CLEARING	TRANSPORT CLEARING - 19/01/12	461.80
500217	20/01/2012	TRUST DPI CLEARING	TRANSPORT CLEARING - 20/01/12	826.45
500218	23/01/2012	TRUST DPI CLEARING	TRANSPORT CLEARING - 23/01/12	578.70

500219	24/01/2012	TRUST DPI CLEARING	TRANSPORT CLEARING - 24/01/12	747.20
500220	25/01/2012	TRUST DPI CLEARING	TRANSPORT CLEARING - 25/01/12	416.10
500221	27/01/2012	TRUST DPI CLEARING	TRANSPORT CLEARING - 27/01/12	720.60
500222	30/01/2012	TRUST DPI CLEARING	TRANSPORT CLEARING - 30/01/12	138.05
TOTAL TRUST EFT PAYMENTS				15,247.35

DATE	NAME	DESCRIPTION	AMOUNT	
03/01/2012	PAYROLL	PAYROLL	2,964.14	
09/01/2012	PAYROLL	PAYROLL	2,673.23	
11/01/2012	PAYROLL	PAYROLL	183,639.99	
25/01/2012	PAYROLL	PAYROLL	185,065.15	
TOTAL PAYROLL PAYMENTS				374,342.51

DATE	NAME	DESCRIPTION	AMOUNT	
03/01/2012	DIRECT DEBIT	LEASE COSTS - 1 KOOJARRA STREET WYNDHAM	1,191.67	
03/01/2012	DIRECT DEBIT	LEASE COSTS - 11 KWINANA STREET WYNDHAM	1,386.00	
03/01/2012	DIRECT DEBIT	FEES - BPAY	108.02	
03/01/2012	DIRECT DEBIT	16B, PLUM COURT, KUNUNURRA	2,600.00	
10/01/2012	DIRECT DEBIT	MESSAGE ON HOLD	507.00	
16/01/2012	DIRECT DEBIT	FEES - BPOINT	29.01	
23/01/2012	DIRECT DEBIT	LEASE COSTS - 2/1 PLUM COURT KUNUNURRA	2,296.67	
25/01/2012	DIRECT DEBIT	LEASE COSTS - 16/33 KONKERBERRY DRIVE KUNUNURRA	2,253.33	
25/01/2012	DIRECT DEBIT	LEASE COSTS - 17/33 KONKERBERRY DRIVE KUNUNURRA	2,166.66	
27/01/2012	DIRECT DEBIT	LEASE COSTS - 12/33 KONKERBERRY DRIVE KUNUNURRA	2,166.67	
JAN 2012	DIRECT DEBIT	VISACARD	3,834.27	
JAN 2012	DIRECT DEBIT	MASTERCARD PAYMENT	8,971.70	
JAN 2012	DIRECT DEBIT	LEASE COSTS - 9B PLUM COURT KUNUNURRA	2,680.60	
JAN 2012	DIRECT DEBIT	BANK FEE	2,668.49	
TOTAL DIRECT DEBIT PAYMENTS				32,860.09

12.3 INFRASTRUCTURE SERVICES

12.3.1 Asset Management Policy

DATE:	21 February 2012
PROPONENT:	Shire of Wyndham East Kimberley
LOCATION:	Shire of Wyndham East Kimberley
AUTHOR:	Kevin Hannagan, Director Infrastructure
REPORTING OFFICER:	Kevin Hannagan, Director Infrastructure
FILE NO:	CM.10.02

PURPOSE

For Council to adopt a revised Asset Management Policy.

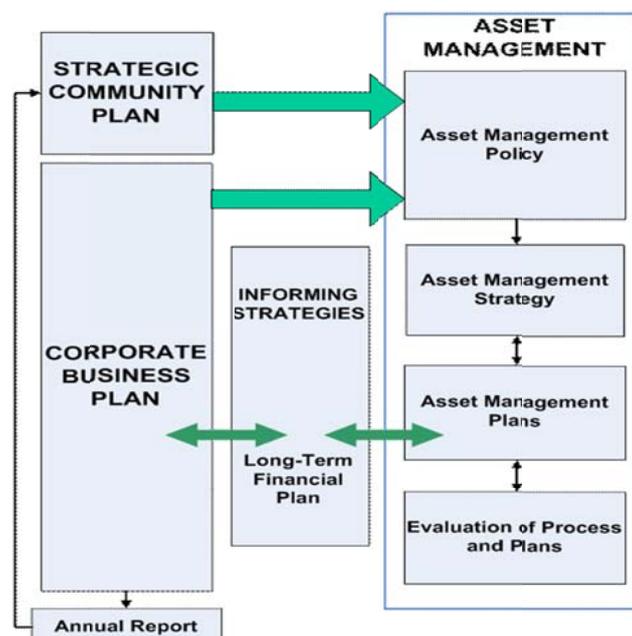
BACKGROUND

The State Government has adopted the Integrated Planning and Reporting (IPR) Framework and requires local governments to be compliant with the framework by June 30, 2013. The IPR Framework is supported by legislation through amendment to the Local Government (Administration) Regulations 1996 requiring local government to develop and adopt a new Plan for the Future comprising;

- A Strategic Community Plan
- A Corporate Business Plan

The legislation specifically requires the Corporate Business Plan to “Develop and integrate matters relating to resources, including asset management, workforce planning and long-term financial planning”.

As part of the IPR Framework, the Department of Local Government has developed an Asset Management Framework as follows;



The basic requirement to achieve the asset management framework is development and adoption of;

- An Asset Management Policy
- An Asset Management Strategy (Asset Management Improvement Strategy)
- Asset Management Plans covering key Infrastructure Asset Classes
- An Asset Management evaluation process

The Shire has been participating in the Western Australian Asset Management Improvement (WAAMI) Program since August 2008. One of the benefits of the WAAMI Program is access to template documentation such as an asset management policy template.

The attached draft Asset Management Policy is based on a WAAMI Program policy template and has been customised for the Shire of Wyndham – East Kimberley and aligned to the IPR Framework.

Importantly the draft policy contains key commitments that bind the organisation to ensuring that no decision is made to;

- Fund a new service and / or asset.
- Change the level of service of an existing service or asset
- Cease delivery of a service or dispose of an asset

Without first considering;

- Is the service or asset needed
- Does the service align with the Community Strategic Plan
- Does the service fit within the Corporate Business Plan
- Can the service be delivered by someone other than the Shire
- Does the service need an asset to underpin the delivery of the service
- What is the whole of life cost of the service and any asset required to underpin the service
- Does the whole of life cost fit within the Long Term Financial Plan
- Can an asset be renewed (either in part or in full) to deliver the service rather than acquiring a new asset
- Can we rationalise assets in order to afford a new asset

It is recognised that a lot of the documentation, systems and processes that will enable the Shire to undertake the above assessments, are yet to be developed. Nonetheless the policy assists in ensuring that resources are identified and allocated in order to develop the necessary documentation, systems and processes.

STATUTORY IMPLICATIONS

As noted in the body of the report, the Local government (Administration) Regulations 1996 require local governments to develop a new Plan for the Future that comprises a Corporate Business Plan that develops and integrates asset management. A key requirement of asset management is having an asset management policy in place to drive asset management and commit the organisation to developing documentation, systems and processes to implement appropriate practice asset management.

The Shire is required to meet the minimum standard of compliance by June 30, 2013. Having an appropriate asset management policy in place that integrates with other documentation required by the IPR Framework is an essential element.

POLICY IMPLICATIONS

The proposed policy binds the Council (via the CEO) to key commitments and to consider the allocation of resources to implement asset management.

FINANCIAL IMPLICATIONS

There are no direct financial implications in adopting the policy, however once the policy has been adopted, the CEO will be required to develop documentation that sets out the financial implication to comply with the key commitments. This will be done via the development of an Asset Management Improvement Plan and which will need to integrate with the annual budget process and the yet to be developed Corporate Business Plan and Long Term Financial Plan. Council has in its existing budget an allocation for Asset Management. This has also been complimented from funding from the Regional Councils Group. However Council will need to make further budget adjustment to fund the development of the Works Maintenance Plan development.

STRATEGIC IMPLICATIONS

This policy aligns fully with the State Government's Integrated Planning and Reporting Framework.

This report aligns with Council's focus on Infrastructure, Key Result Area 1, in the *Shire of Wyndham East Kimberley Strategic Plan 2008*.

- Sustainable asset management for infrastructure under the Shire's control

COMMUNITY CONSULTATION

Community consultation is not required in relation to this item.

ATTACHMENTS

Attachment 1 – Asset Management Policy

VOTING REQUIREMENT

Simple Majority

OFFICER'S RECOMMENDATION

That Council adopts the revised Asset Management Policy as per Attachment 1.

COUNCIL DECISION

Minute No. 9690

Moved: Cr K Torres

Seconded: Cr J McCoy

That Council adopts the revised Asset Management Policy as per Attachment 1.

Carried unanimously 6/0

Cr Moulden enters room at 5.11pm.

G Gaffney enters room at 5.12pm.

COUNCIL DECISION

Minute No. 9691

Moved: Cr R Addis

Seconded: Cr K Torres

That Council adjourn the meeting.

Carried unanimously 7/0

Cr R Addis vacates as chair and the meeting is adjourned at 5.13pm.

Meeting resumes at 5.20pm with Cr Moulden presiding as chair.

Cr D Ausburn enters meeting at 5.20pm.

Attachment 1 – Asset Management Policy



Shire of Wyndham East Kimberley

AP/CC 4562

Asset Management Policy

OBJECTIVE:

The objective of this policy is to ensure that the Shire of Wyndham – East Kimberley has sufficient structure, systems, processes, resources and organisational commitment in place to deliver service outcomes on a financially sustainable basis.

Service delivery may be via the provision of Shire owned Infrastructure Assets, in which case assets are to be optimally managed to support financially sustainable service delivery outcomes for the lowest whole of life cost.

Alternatively service delivery may be by via third party, in which case the Shire has a role in ensuring third party Infrastructure Assets are optimally provided and managed to achieve financially sustainable service delivery outcomes without the need to draw on Shire resources.

The policy also assists the Shire in compliance with the provisions of the State Government's Integrated Planning & Reporting Framework by having an integrated approach to Planning for the Future.

POLICY:

Scope & Limitations

This policy covers all service delivery of the Shire of Wyndham – East Kimberley and relates specifically to the management of infrastructure assets under the care, control and responsibility of the Shire that are used to deliver services or the infrastructure management regime of third parties where the Shire facilitates service delivery by a third party. This may include but is not limited to;

- Government Agencies
- Private Enterprise
- Contractors

Background

The community relies on the Shire of Wyndham – East Kimberley to deliver services. The Shire has finite resources and limited income streams that can be targeted to fund service delivery. The Shire must ensure that service delivery is well targeted and aligns with the Community's aspirations identified via the development of the Strategic Community Plan.

To ensure that scarce resources are optimally allocated, it is important informed decisions are made when considering the acquisition, ongoing ownership, management and disposal of infrastructure assets. The Shire also needs to continuously consider whether it needs to provide and / or own assets in order to deliver services or whether it can simply facilitate the provision of the service by a third party, i.e. non asset ownership service delivery.

To assist with making informed decisions in relation to this issue, the Shire will put in place the following;

- A Strategic Asset Management Framework that is consistent with National standards in Asset Management and Long Term Financial Planning (Nationally Consistent Approach).
- Maintain a contemporary Asset Management Policy that is regularly reviewed (this Policy).
- Develop, maintain and regularly review an Asset Management Improvement Strategy that clearly articulates a sustainable path for continuous improvement and identifies resources to implement via the budget process.
- Develop, maintain and regularly review Asset Management Plans that cover all key Infrastructure Asset Classes.
- Asset Management Plans will document the Council adopted level of service that applies to Infrastructure Assets which will be derived from Service Level Plans and the community engagement processes used to develop the Strategic Community Plan.
- Ensure processes are in place to train Councillors and Officers in key aspects of asset management and long term financial planning.

Guiding Statement

KEY COMMITMENTS

Prior to making a decision to either, deliver a new service, vary the current level of service (up or down) or cease the delivery of a service, the following key commitments are to be adhered to;

- The need for the service will be reviewed.
- The service must align with the Community Strategic Plan and fit within the Corporate Business Plan (A Capital evaluation process is to be developed and utilised to assess this).
- Options for the Shire to facilitate delivery of the service by a third party are to be identified and considered.
- If the service is needed and a third party cannot deliver the service, infrastructure assets that are required to deliver the service will be identified along with;
 - The whole of life cost of delivering the service
 - The whole of life planning, maintenance, operation, renewal and disposal cost of the asset required to support the service delivery.
- The service delivery and asset whole of life costs must fit within the 10 Year Long Term Financial Plan (once developed).
- Options to renew infrastructure asset before acquiring a new infrastructure assets are to be considered.
- Options to rationalise assets will be considered.
- A cross functional, multidisciplinary team will be established and maintained to develop the systems and processes to comply with the above key commitments.

Linkage to Integrated Planning and Reporting Framework (IPR)

The Shire has a corporate business plan linking to long term financial planning that integrates asset management, and specific council plans within the IPR.

Linkage to Other Council Policy

Nil.

RESPONSIBILITY AND REPORTING

Council - is responsible for approving (including amendments to) the following documents;

- Asset Management Policy
- Asset Management Improvement Strategy
- Asset Management Plans

Council is also responsible for ensuring (upon recommendation of the CEO) that resources are allocated to achieve the objectives of the above documents.

In adopting asset management plans, Council is also determining the Level of Service for each asset class.

Chief Executive Officer (CEO) - is responsible for ensuring that systems are in place to develop, maintain and regularly review Council's AM Policy, AM Improvement Strategy, AM Plans. The CEO reports to Council on all matters relating to Asset Management.

Executive Management Group (EMG) – is responsible for monitoring the implementation of asset management across the organisation. The EMG will ensure that strategies are put in place to remove barriers to the successful implementation of Asset Management. The Executive Management Group reports to the CEO on all matters relating to Asset Management.

Asset Management Working Group (AMWG) – will be established as a sub group of the Integrated Planning & Reporting Working Group (IP&RWG) and is responsible for ensuring that Council's Asset Management Improvement Strategy is achieved and that Asset Management Plans are prepared and maintained in line with Council's Policy on Asset Management. Where changes to Council's AM Policy, Improvement Strategy or Plans are identified, the AM Working Group is responsible for reporting this to the EMG for consideration. Where aspects of Council's Policy, Improvement Strategy or Plans are not being achieved or adhered to, the AM Working Group is responsible for reporting non-compliances to the EMG for corrective action. The Asset Management Working Group reports to the Executive Management Group on all matters relating to Asset Management via the IP&RWG.

Director Infrastructure (DI) – is responsible for resource allocation (from Council approved resources) associated with achieving Council's Asset Management Improvement Strategy. The DI reports to the CEO in relation to Asset Management resource allocation.

Asset Management Co-ordinator (AMC) – is responsible for supporting the AM Working Group and ensuring that resources are commissioned (where appropriate) to assist the AM Working Group achieve its objectives. The Asset Management Co-ordinator reports to the DI on all matters relating to Asset Management.

All Directors – are responsible for ensuring that resources under their control are appropriately allocated to resource asset management and in particular the Asset Management Working Group. All Directors report to the CEO on all matters relating to Asset Management under their area of control.

POLICY DEFINITIONS

“Asset” means a physical item that is owned or controlled by the Shire of Wyndham – East Kimberley, and provides or contributes to the provision of service to the community (in this context excluding financial, intellectual, and non-tangible assets).

“Asset Management” means the processes applied to assets from their planning, acquisition, operation, maintenance, replacement and disposal, to ensure that the assets meet the priorities of the Corporate Business Plan for service delivery.

“Asset Management Plan” means a plan developed for the management of an infrastructure asset or asset category that combines multi-disciplinary management techniques (including technical and financial) over the lifecycle of the asset.

“Council” means the elected council (comprising Councillors) of the Shire of Wyndham – East Kimberley.

“Infrastructure Assets” are fixed assets that support the delivery of services to the community. These include the broad asset classes of Roads, Drainage, Buildings, Parks and Bridges.

“Level of Service” means the combination Function, Design and Presentation of an asset. The higher the Level of Service, the greater to cost to deliver the service. The aim of asset management is to match the asset and level of service of the asset to the community expectation, need and level of affordability.

“Life Cycle” means the cycle of activities that an asset goes through while it retains an identity as a particular asset.

“Whole of life cost(s)” means the total cost of an asset throughout its life including planning, design, construction, acquisition, operation, maintenance, and rehabilitation and disposal costs.

“Maintenance” means regular ongoing day-to-day work necessary to keep asset operating and to achieve its optimum life expectancy.

“Operations” – means the regular activities to provide public health, safety and amenity and to enable the assets to function e.g. road sweeping, grass mowing, cleaning, street lighting and graffiti removal.

“New” means creation of a new asset to meet additional service level requirements.

“Resources” means the combination of plant, labour and materials, whether they be external (contractors/consultants) or internal (staff/day labour).

“Renewal” means restores, rehabilitates, replaces existing asset to its original capacity. This may include the fitment of new components necessary to meet new legislative requirements in order that the asset may achieve compliance and remain in use.

“Risk” means probability and consequence of an event that could impact on the Council’s ability to meet its Corporate objectives.

“Shire” means the collective Shire of Wyndham – East Kimberley organisation. The Chief Executive Officer of the Shire of Wyndham – East Kimberley is responsible for ensuring the Shire’s obligations and commitments are met.

“Stakeholders” are those people/sectors of the community that have an interest or reliance upon an asset and who may be affected by changes in the level of service of an asset.

“Upgrade” means enhances existing asset to provide higher level of service.

Outcomes

Adherence to this policy will ensure that the Shire will continue to deliver (or facilitate the delivery) of financially sustainable services aligned with the aspirations of the community.

POLICY ADMINISTRATION

Directorate		Officer Title			Contact:	
Infrastructure		Director Infrastructure			9168 4161	
Date Effective	x/02/2012					
Date Adopted	x/02/2012	Last Reviewed				
Risk Rating	High	Review Cycle	Annual	Next Due		
Statutory Compliance		Local Government (Administration) Regulations 1996				
Industry Compliance		Western Australian Asset Management Improvement Program (WAAMI) National Asset Management & Financial Planning Assessment Framework (NAMAF)				
Organisational Compliance		Integrated Planning Strategy				
Process Links						
Endorsed by EMT						
Approved by CEO						

12.3.2 Speed Limit Reduction - Ivanhoe Road, Kununurra

DATE:	21 February 2012
PROPONENT:	Shire of Wyndham East Kimberley
LOCATION:	Ivanhoe Rd, Kununurra
AUTHOR:	Kevin Hannagan, Director Infrastructure
REPORTING OFFICER:	Kevin Hannagan, Director Infrastructure
FILE NO:	TT.09.2 / N-4882

PURPOSE

To support a submission to Main Roads WA for a reduction of the current speed limit of;

1. 80km/hr to no higher than 60km/hr on a section of Ivanhoe Road in Kununurra between Victoria Highway and crossover M1 Channel / Ivanhoe Village,
2. 100km/hr to no higher than 80km/hr on a section of Ivanhoe Road in Kununurra between M1 Channel / Ivanhoe Village and Northern End Light Industrial Ivanhoe Road, and
3. Installation of 60km/hr signage at Northern and Southern intersections of Coolabah Drive entering Ivanhoe Road.

BACKGROUND

Due to the extension of Kununurra Hospital which includes the proposed construction of a new crossover on Ivanhoe Road, and the proposed temporary location of the Kununurra courthouse on a site with access from Ivanhoe Road approximately 130m north of the proposed hospital crossover, there will be a significant increase in the traffic generated by these two developments and the interaction with the existing transport network.

STATUTORY IMPLICATIONS

Road Traffic Act 1974 (Regulations) Section 111 (2a) (iii) allows the Governor of Western Australia to make regulations empowering Main Roads to erect traffic signs and traffic control devices. Main Roads Act 1930 Section 16 (1b) and (1c) the Commissioner is deemed to always having the authorisation to operate traffic signs and traffic control signals and similar devices. Local Government Act 1995 Section 9.46 (1) provides that roads vested under the control and management of a local government are to be considered property of the local government.

POLICY IMPLICATIONS

No policy implications apply in the preparation of this report.

FINANCIAL IMPLICATIONS

Costs associated with the erection of speed signage will be borne by Main Roads WA..

STRATEGIC IMPLICATIONS

The strategic implications of this report are overarching compliance to the *Shire Wyndham East Kimberley Strategic Plan 2008*

This report aligns with Council's focus on Infrastructure, Key Result Area 1, in the *Shire of Wyndham East Kimberley Strategic Plan 2008*.

Road network that is safe and meets its functional requirements

COMMUNITY CONSULTATION

Community consultation is not required in relation to this item.

COMMENT

The extension to Kununurra Hospital includes the proposed construction of a new crossover on Ivanhoe Road. This crossover will form a 3-way intersection with Ivanhoe Road. The hospital's proposed crossover will service 55 parking bays and is proposed to be used as a service vehicle entry.

The temporary courthouse will generate irregular traffic flow as the courthouse will be used by different types of courts on different weeks on a cyclic basis. A Traffic Impact Statement prepared by consulting transport engineers Shawmac for the proponent Department of Attorney General, has estimated the daily traffic generated by the courthouse will be around 160vpd. The temporary courthouse is proposed to gain access from Ivanhoe Road and the preferred method of access is to have individual access for each facility.

Ivanhoe Road is classified as a Local Distributor road under MRWA Road Information mapping System, is a two-lane, single carriageway cross section and a heavy haulage permit route for articulated vehicles provided total length is less than 53.5m and combined vehicle mass is less than 147.5 tonnes.

The Traffic Impact Statement concluded that a reduction of the speed limit to 60km/hr would have the following benefits:

- Reduction (20%) in the likelihood and severity of crashes
- Improve the safety for existing property access points and street intersections

Officers from the Shire's Engineering Services department have inspected the site to determine the suitability of the proposed speed reduction changes and the increase in development along Ivanhoe Road with the hospital extension and temporary location of the courthouse and the current classification of the road being a Heavy Haulage route up to 53.5m length road trains will have on the above.

The Commissioner of Main Roads is the sole authority that determines speed limits on all public roads.

The implementation of a reduced speed limit will greatly improve the safety of road users without impeding the primary role of Ivanhoe Road as part of the road network.

ATTACHMENTS

There are no attachments associated with this report.

VOTING REQUIREMENT

Simple Majority

OFFICER'S RECOMMENDATION

That Council requests Main Roads WA to reduce the current speed limit of:

1. 80km/hr to no higher than 60km/hr on a section of Ivanhoe Road in Kununurra between Victoria Highway and crossover M1 Channel / Ivanhoe Village,
2. 100km/hr to no higher than 80km/hr on a section of Ivanhoe Road in Kununurra between M1 Channel / Ivanhoe Village and Northern End Light Industrial Ivanhoe Road, and
3. Installation of 60km/hr signage at Northern and Southern exit intersections of Coolabah Drive entering Ivanhoe Road.

K Apperley leaves room at 5.21pm

Cr R Dessert moves the Officer's Recommendation with minor changes.

COUNCIL DECISION

Minute No. 9692

Moved: Cr R Dessert

Seconded: Cr D Ausburn

That Council requests Main Roads WA to reduce the current speed limit of:

1. **80km/hr to 60km/hr on a section of Ivanhoe Road in Kununurra between Victoria Highway and crossover M1 Channel / Ivanhoe Village,**
2. **100km/hr to 80km/hr on a section of Ivanhoe Road in Kununurra between M1 Channel / Ivanhoe Village and Northern End Light Industrial Ivanhoe Road, and**
3. **Installation of 60km/hr signage at Northern and Southern exit intersections of Coolabah Drive entering Ivanhoe Road.**

Carried unanimously 8/0

12.3.3 Waste Management Strategy – Total Waste Review

DATE:	21 February 2012
PROPONENT:	Shire of Wyndham East Kimberley
LOCATION:	Shire of Wyndham East Kimberley
AUTHOR:	Kevin Hannagan, Director Infrastructure
REPORTING OFFICER:	Kevin Hannagan, Director Infrastructure
FILE NO:	WM.12.1 / N-4885

PURPOSE

This report recommends to Council the adoption of the attached Scope of Works for the development of a Waste Management Strategy – Total Waste Review.

BACKGROUND

At the November meeting Council considered a budget amendment to provide funds to undertake a comprehensive Waste Management Strategy for the Shire. Council also included that expert assistance be engaged to prepare the 'scope of works' to be considered by Council at the February 2012, Ordinary Council meeting.

STATUTORY IMPLICATIONS

Council must comply with all statutory legislation associated with waste management. The Scope of works and resulting documentation will document Councils compliance procedures in accordance with associated legislation.

POLICY IMPLICATIONS

No policy implications apply in the preparation of this report.

FINANCIAL IMPLICATIONS

Council has already made budget amendment to fund the development of the Waste Management Strategy

STRATEGIC IMPLICATIONS

This report aligns with Council's focus on Infrastructure, Key Result Area 1, in the *Shire of Wyndham East Kimberley Strategic Plan 2008*.

- Sustainable asset management for infrastructure under the Shire's control
- Reduce the Shire's carbon footprint
- Compliance with legislative requirements

COMMUNITY CONSULTATION

Community consultation is not required in relation to this item. However community consultation will be undertaken during development of the strategy.

COMMENT

ASK Waste Management Consultancy Services were engaged to assist the Director Infrastructure to complete the draft scope of works and a presentation was given on the draft Scope of Works at the February Councillor Briefing Session.

ATTACHMENTS

Attachment 1 – Scope of Works

VOTING REQUIREMENT

Simple Majority

OFFICER'S RECOMMENDATION

That Council:

- 1) seeks quotations for development of a Waste Management Strategy – Total Waste Review; and
- 2) authorises the Chief Executive Officer to appoint a suitable consultancy within the adopted budget and in accordance with Council Policy.

K Apperley returns to meeting at 5.23pm

COUNCIL DECISION

Minute No. 9693

**Moved: Cr D Ausburn
Seconded: Cr K Torres**

That Council:

- 1) **seeks quotations for development of a Waste Management Strategy – Total Waste Review; and**
- 2) **authorises the Chief Executive Officer to appoint a suitable consultancy within the adopted budget and in accordance with Council Policy.**

Carried unanimously 8/0

Attachment 1 – Scope of Works



www.askwm.com

Project Title: SWEK Total Waste Review – Scope of works

Project No: 20122

Document: Scope of works framework

Document Control			
Version	Date	Description	Initials
0.A	15 Dec 2011	Copy for review by Kevin	
1.A	25 Jan 2012	Final version including feedback	
1.B	3 Feb 2012	Amended scope for audit	

INTRODUCTION

The following information is a proposed framework for the scope of works required for the Shire of Wyndham East Kimberley (SWEK) to tender for a consultant to complete a Total Strategic Review of the waste collection (including litter), recycling and disposal services in the Shire.

The suggested structure for the review is for the production of a number of reports / documents to ensure current waste management operations are optimised in line with regulations and best practice guidelines, while also providing an action plan for the future development of the services in the Shire.

REPORTS REQUIRED

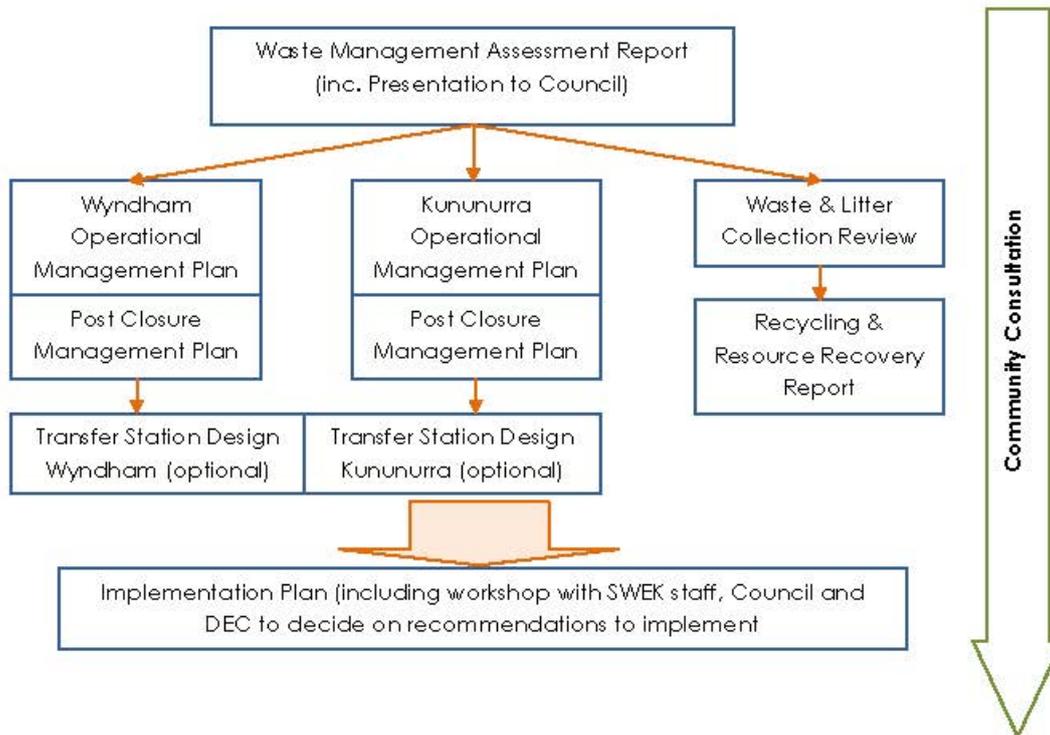
A diagram of the potential reports is shown below followed by a table that details the contents and deliverables for each report. The rationale behind the reports identified is a three stage process, firstly the Assessment Report, which would provide the baseline information of waste quantities and composition, current management, infrastructure and plant, together with a basic strategy that would consider the closure of existing sites, establishing a new waste disposal facility and transfer stations, etc.

The following reports would be integrated and make up the second stage of the project; the first group would provide management plans for the existing sites relating to the daily operations and ensuring the sites are managed towards achieving final contours and progressive rehabilitation (i.e. Operational Management Plans & Post Closure Management Plans). While two additional reports would review the kerbside waste / litter collection and the recycling/resource recovery options to develop recommendations to improve these services.

The third stage of the project will develop the future strategy for waste management. The findings and proposed recommendations from the reports produced for the Total Strategic Review will be presented at a workshop to stakeholders (SWEK officers, Councillors & DEC) to decide the recommendations that will be followed. The agreed recommendations will be expanded in an Implementation Plan, with a full schedule and budget for the tasks required. This will provide SWEK with a clear 'roadmap' for the next five years.

The project should include on-going community consultation throughout its duration to ensure the community are able to voice any ideas, concerns and opinions about the Shire waste management services and proposed changes resulting from the project.

Structure of project (based on reports required)



Report title and description	Actions / tasks	Deliverables / outcomes
<p>Assessment Report</p> <p>Determine baseline data and confirm with SWEK</p> <p>Analysis of data to provide information for other reports</p> <p>Map out basic strategy (i.e. site closures, transfer stations, new sites, etc)</p> <p>Identify potential opportunities for regional collaboration</p>	<ol style="list-style-type: none"> 1. Meetings with SWEK staff (confirm project scope, long term objectives for waste management and information gathering) 2. Assessment of Landfill operations against Rural Regs / Licence conditions & BPEM 3. Assessment of site staffing, plant and infrastructure 4. Complete a waste audit to determine composition and quantity of waste managed in the Shire. 5. Site surveys of contours and boundary (Shire will provide a list of approved surveyors in the region, if tenderer does not have surveying capabilities) 6. Quantification of waste / recyclables (gate house records and/or extrapolation) Optional waste audit (visual) 7. Characterisation of waste (waste streams / types) 8. Collect financial data for operations and 'whole of life' calculation 9. Estimate costs for transfer station establishment and operation 10. Financial analysis comparing landfill against transfer station 11. Define current recycling activity 12. Define current kerbside collection service and contract 13. Determine communities expectation for waste services & inform them about the project (See Community Consultation section) 14. Develop basic strategy for disposal sites 15. Present findings to SWEK Council 	<ol style="list-style-type: none"> A. Detail baseline operations (services, management, costs, services and issues) B. Define waste quantities and composition C. Projection of waste (& recyclable) quantities for 10 years D. Identify changes to operation required for compliance / best practice E. Develop final contours of landfills in line with BPEM and Shire requirements and calculate operational life remaining F. Define Whole of Life (WoL) costs for disposal at W & K for both current operations and 'compliant' operations G. Summarise possible options for site management (closure, expansion, transfer station (s), etc) H. Provide recommendations for future management of disposal sites I. Identify opportunities for regional collaboration J. Produce Assessment Report (draft) K. Present findings to Council/ Staff L. Collate feedback and finalise report

Report title and description	Actions / tasks	Deliverables / outcomes
<p>Operational Management Plans</p> <p>Develop Operational Management Plans (OPM) to reflect the licence conditions (or Rural Landfill Regs).</p> <p>PCMP can be included within OPM as a separate section.</p>	<p>1. Utilise information collected and analysed in Assessment report to provide appropriate OMP for each site based on rural landfill regs or licence conditions, together with appropriate best practice operations from BPEM</p>	<p>A. The production of a report to include (but not limited to):</p> <ul style="list-style-type: none"> • Landfill operation • Record keeping procedures • Complaints Register • Waste acceptance, placement, compaction and cover • Greenwaste management • Incident reporting & notification protocol • Landfill inspection program • Hardwaste and storage & recycling • Delivery options for re-use shop (considering local community groups) • Public access / site safety • Chemical and liquid storage • Signage, litter & vermin control • Dust, Noise & Odour • Landfill Gas • Groundwater & Surface water
<p>Post Closure Management Plans</p> <p>Produce PCMP's based on likely remaining operational life of each site. Will be in line with Regs and Guidelines to achieve approval from DEC.</p>	<p>1. Utilise information collected and analysed in Assessment report to produce PCMP.</p> <p>2. Liaise with DEC to ensure PCMP in line with regulatory requirements</p> <p>3. Determine quantities and cost for site capping and closure</p>	<p>A. The production of a report to include (but not be limited to):</p> <ul style="list-style-type: none"> • Produce pre and post settlement surface contours • Selection of capping materials and design • Cap vegetation recommendations • Leachate management • Surface water and drainage management • Landfill gas management • Carbon reporting and financial implications • Post closure monitoring requirements • Financial guarantees and funding post closure works (included estimated cost for site closure) <p>B. Liaison with DEC to ensure PCMP approval</p>

Report title and description	Actions / tasks	Deliverables / outcomes
<p>Transfer Station Design Develop a transfer station design appropriate for the communities to be serviced. Ensure similarities between TS's if more than one is required.</p>	<ol style="list-style-type: none"> 1. Determine volumes and type of waste likely to be received (based on assessment report) 2. Develop a layout and system applicable to community requirements and available plant 3. Produce a transfer station design 4. Cost the capex and opex for the transfer station (refined from assessment report) 	<p>A. Production of a report to provide:</p> <ul style="list-style-type: none"> • Design for transfer station & transport system • Cost estimate for construction and operation
<p>Waste Collection & Litter Review Review of current kerbside, public space and litter collection service.</p>	<ol style="list-style-type: none"> 1. Review of current kerbside contract 2. Review of current public space and litter collection management 3. Meetings with SWEK management, staff and contractors (completed during initial visit to Shire) 4. Determine issues and opportunities 5. List and assess options 6. Develop recommendations for collection services 	<ol style="list-style-type: none"> A. Establish baseline cost, staffing and equipment B. List of issues and opportunities C. Analysis of options D. Recommendations to improve the efficiency and standard of the collection services E. Production of report
<p>Recycling and Resource Recovery Report Assessment of recycling & RR services and options for SWEK. Aim to develop recycling services appropriate for SWEK given the unique factors faced.</p>	<ol style="list-style-type: none"> 1. Review current recycling service 2. Meeting with SWEK management, staff and stakeholders (completed during initial visit to Shire) 3. Establish recycling objectives 4. Determine issues and opportunities 5. List and financial assessment options 6. Develop recommendations for collection services 	<ol style="list-style-type: none"> A. Establish current services and cost B. List of options C. Analysis of options (Economic, technical, social & environmental) D. Consideration of regional collaboration E. Recommendation of options F. Production of report

Report title and description	Actions / tasks	Deliverables / outcomes
<p>Implementation Plan</p> <p>The production of a clear roadmap for SWEK to follow over the next five - ten years. This will be the 'action list' for the project.</p>	<ol style="list-style-type: none"> 1. Workshop with Shire Officers, Councillors and DEC to review outcomes of project to date, consider the options available and decide which will be implemented and priority. 2. Develop a clear implementation plan, including cost estimates and schedule of key tasks 	<ol style="list-style-type: none"> A. Facilitate workshop and record decisions B. Produce a concise implementation plan for the agreed recommendations C. Identify which tasks could or would need to include regional collaboration D. Produce budget estimates for each key recommendation E. Develop a realistic schedule for SWEK to implement the recommendations F. If a new waste disposal site is required, include the process / schedule for SWEK to follow (i.e. site identification, assessments, approvals, etc) G. Incorporate the estimates into a 10 year profit and loss projection for waste management services, including operational budget, revenues, funding, reserves, capital expenditure. This will provide SWEK with a clear picture for the economic management of waste management during the 'upgrading' of waste services. H. Review waste charges / gate fees in relation to funding of projected costs and identify any shortfall I. Produce the report J. Council to endorse plan

Report title and description	Actions / tasks	Deliverables / outcomes
<p>Community consultation To ensure there is 'two way' communication between the community and SWEK throughout and after the project</p>	<ol style="list-style-type: none"> 1. Two initial community workshops, one to invited guests and second advertised in community, to introduce the project and gather feedback about ideas/issues. 2. Provide information about the project to be included: <ul style="list-style-type: none"> • in the local paper • on the SWEK website • notices in town & landfills 3. Hold a community workshop following the development of the implementation plan to inform the community of the proposed changes and rationale. 4. Produce an on-going community awareness program to be delivered after the project 	<p>Aim to:</p> <ol style="list-style-type: none"> A. Determine community opinion of current services and facilities B. Community expectations for the future C. Inform the community of any issues / problems / opportunities with the current services D. Inform the community of final outcomes & rationale from the implementation plan E. Program for on-going community awareness

NUMBER OF VISITS / MEETINGS WITH SWEK

The cost and time involved in preparation, travel and delivery of face to face meetings and site visits is significant. They are of course very important to ensure the consultant has a comprehensive understanding of the situation and expectations of the customer. However, due to the cost involved, defining the number of visits expected will ensure all quotes are comparable.

Currently the scope includes:

1. Assessment visits / meetings at the beginning of the project – expected duration 3 – 5 days on site. (This would be likely to coincide with the waste audit which is likely to have an audit team on site for 5-10 days, depending upon the complexity of the audit).
2. Follow up on site meeting / site visits for clarification of any issues – expected duration 2 –3 days on site.
3. Presentation to SWEK of Assessment Report & initial community workshops.
4. Workshop with SWEK & DEC to agree final tasks for the implementation plan.
5. Community meeting to present implementation plan.

12.4 DEVELOPMENT SERVICES

12.4.1 Development Services Quarterly Report

DATE:	21 February 2012
PROPONENT:	Shire of Wyndham East Kimberley
LOCATION:	Shire of Wyndham East Kimberley
AUTHOR:	Julia Hall, Development Services Coordinator
REPORTING OFFICER:	Nick Kearns, Director Development Services
FILE NO:	GR.06.1

PURPOSE

For Council to note the Development Services December Quarterly Report for the period of 1 October 2011 to 31 December 2011.

BACKGROUND

The Shire's Development Services Department is responsible for enforcing compliance with Australian and Western Australian State Acts, Regulations and legislation on behalf of the Shire, including *the Environmental Protection Act 1994*, the *Planning and Development Act 1995*, *Building Code of Australia* and the *Food Act 2008*. Each quarter the Development Services Department provide a report of activities conducted within the quarter regarding the implementation aspects of these Acts and Regulations.

STATUTORY IMPLICATIONS

The statutory implications of this report are overarching compliance to the:

- *Local Government Act 1995*
- *Local Government (Miscellaneous Provisions) Act 1960*
- *Planning and Development Act 2005*
- *Town Planning Regulations 1967*
- *Planning and Development Regulations*
- *Local Planning Schemes*
- *Local Laws*
- *Environmental Protection Act 1994*
- *Environmental Protection and Biodiversity Act 1999*
- *Environmental Protection (Noise) Regulations 1997*
- *Building Regulations 1989*
- *Building Code of Australia*
- *Residential Design Codes Western Australia*
- *Food Act 2008*
- *Health Act Western Australia 1911*
- *Caravan and Camping Grounds Regulations 1997*
- *Food Regulations 2009*
- *Health (Aquatic Facility) Regulations 2007*
- *Dog Act 1976*
- *Control of Vehicles (Off-road areas) 1978*
- *Litter Act 1979*

POLICY IMPLICATIONS

The policy implications of this report are overarching compliance to the:

- *Local Planning Policies*
- *Council Policies*
- *Development control Policies*
- *Local Laws 2003*

FINANCIAL IMPLICATIONS

There are no financial implications associated with this item.

STRATEGIC IMPLICATIONS

The strategic implications of this report are overarching compliance to the

- *Shire of Wyndham East Kimberley Strategic Plan 2008*
- *Local Planning Strategy*
- *Strategic Planning Policies*

COMMUNITY CONSULTATION

Community consultation is not required in relation to this item.

COMMENT

Major projects within the December quarter included the Integrated Planning and Reporting Framework – particularly for the purpose of selecting the preferred consultant to assist the Shire in the preparation of the Community Strategic Plan. Consultants were also appointed to prepare the Masterplan for the East Kimberley Regional Airport. A workshop was also held with Councillors within this quarter for the preparation of the new Local Planning Scheme (LPS 8).

Councillors will note that whilst the value of building construction was double that for the same time last year, it is substantially down for the previous quarter, reflecting the general 'seasonal' nature of building approval lodgements. This was similarly reflected in the number of planning applications processed. Revenues mind you from both areas are achieving budgeted estimates.

A number of routine assessments of premises was carried out on food shops, itinerant food vendors, caravan parks and camping grounds, lodging houses, public buildings, hairdressers and beauty therapy businesses. Public swimming pools were sampled monthly in accordance with *Health (Aquatic Facility) Regulations 2007*. The Shire received 8 complaints in comparison with 15 for the previous quarter. Whilst most complaints were received in relation to construction noise, the Shire received far less complaints with respect to odour and nuisance.

The December 2011 quarter reflects previous trends in Ranger Services. Councillors will note an increase in the number of dogs impounded (and destroyed) within this period particularly in the month of November in Kununurra. The statistics for Kununurra also show a sharp increase in the number of campers moved on and rubbish bags collected in December and in Wyndham peaking in the month of October.

ATTACHMENTS

Attachment 1 – Development Services December 2011 Quarterly Report

VOTING REQUIREMENT

Simple Majority

OFFICER'S RECOMMENDATION

That Council notes the Development Services Quarterly Report for the period of 1 October 2011 to 31 December 2011.

COUNCIL DECISION

Minute No. 9694

Moved: Cr K Torres

Seconded: Cr C Gore-Birch Gault

That Council notes the Development Services Quarterly Report for the period of 1 October 2011 to 31 December 2011.

Carried unanimously 8/0

K Cripps enters room at 5.26pm

Attachment 1 – Development Services December 2011 Quarterly Report

Development Services Quarterly Report October - December 2011

Major projects and planning

Major projects and planning initiated and/or completed for the December 2011 quarter include:

- Integrated Planning and Reporting Framework (Strategic Community plan)
- Crossing Falls Rural Residential – preparation of Scoping Study.
- East Kimberley Regional Airport Masterplan – Consultant selected.
- Coolibah Estate – completed, houses being built.
- Lakeside Park Residential Estate expansion – roads, drainage and landscape plans approved. Planning completed now under construction.
- Weaber Plain (Stage 2) Industrial Estate – roads, drainage and landscape plans approved. Planning completed now under construction.
- Ord Expansion Area Rezoning – Scheme amendment required once sub division plans finalised. Lots released for EOI.
- Local Planning Scheme Review – Councillors workshops held. Draft LPS expected to be reported to March Ordinary Council Meeting.
- Local Planning Strategy - partial review for rural residential development. Proposed modifications expected to be reviewed February Ordinary Council Meeting.

Minor Projects and planning

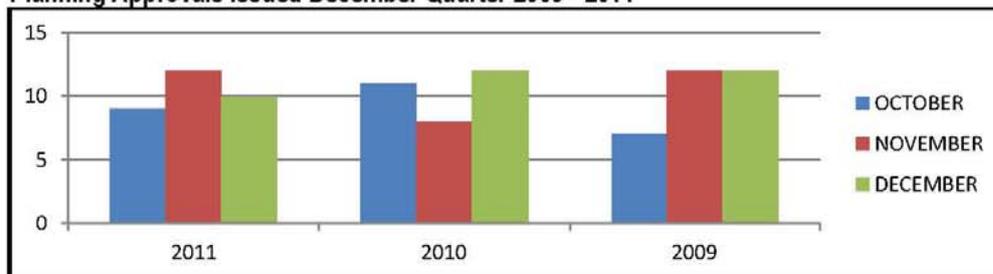
Minor projects and planning initiated and/or completed for the December 2011 quarter include:

- Request for quotations for plans to upgrade the Celebrity Tree Park Boat Ramps – quotes received, consultant engaged.
- Survey work and dealings with the Department of Regional Development and Lands to facilitate the development of the East Kimberley Volunteer Marine Rescue facility – survey completed waiting final notification from RDL.
- Commercial Boat Facility – Triple J planning and building approved. Alligator Airways and Kununurra Cruises still to submit planning applications. Correspondence sent.
- Water Lily Place concept plan review and determination of infrastructure costs.
- Community Leases – Negotiations commenced.

Planning Approvals

The Shire issued 31 planning approvals for the December 2011 quarter, which is consistent with the previous years.

Planning Approvals Issued December Quarter 2009 - 2011



Local Planning Scheme Review

Shire Officers have engaged with consultants to assist and prepare the Shire's new (consolidated) Planning Scheme which is proposed to be reported to a meeting within the next few months.

Amendments

Shire officers processed the following Amendments in the December 2011 Quarter:

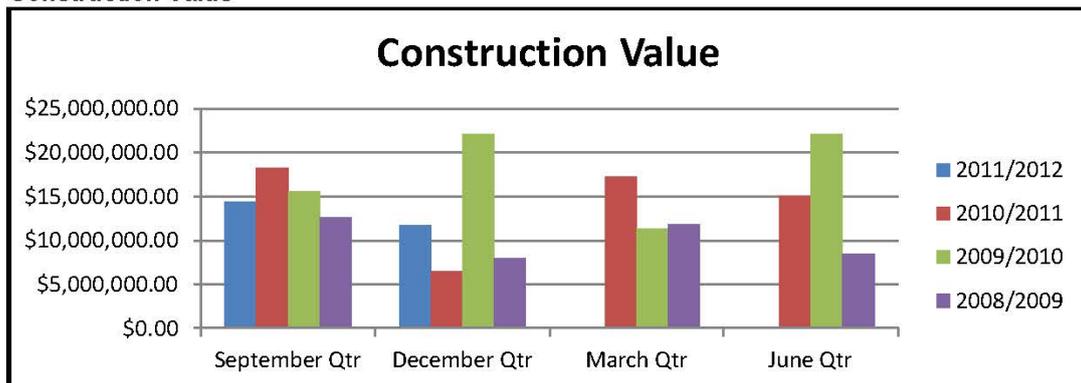
- Amendment 38 to TPS No 7 – Recoding Lots between Mistletoe Street and Barringtonia Avenue
- Amendment 39 to TPS No 7 – Modification to Scheme Text

Building

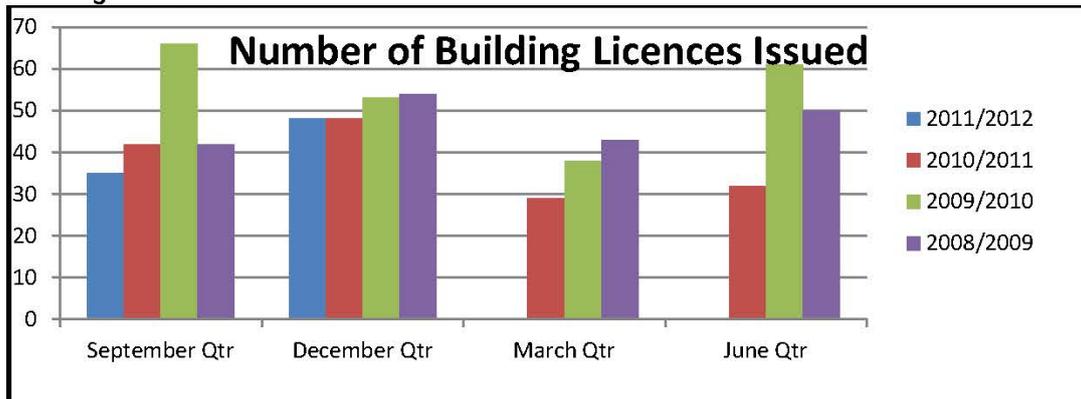
The construction value of the 48 Building Licences issued for the December Quarter was \$11,694,601.00.

In comparison with the figures for the same time last year, the construction value has almost doubled for this period whilst the number of building licences has remained the same. This is shown on the figures and tables below.

Construction Value



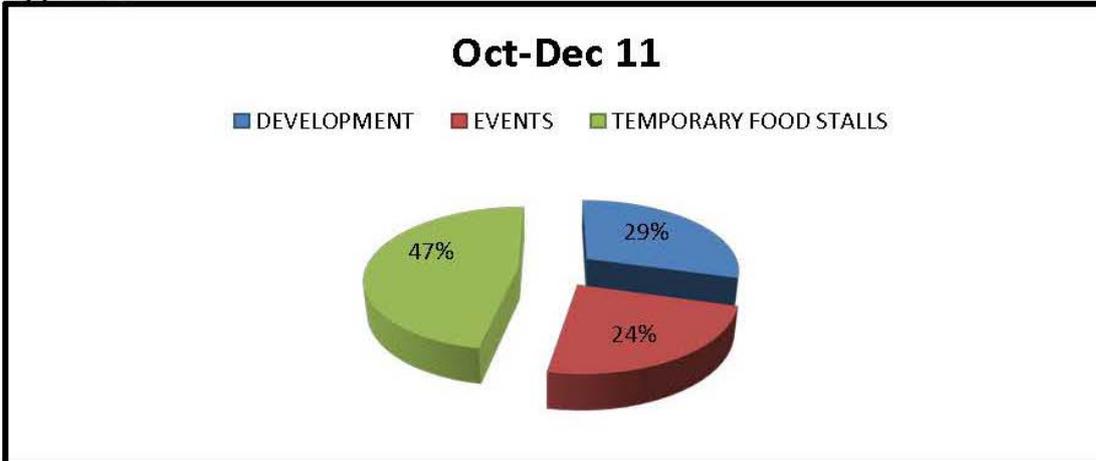
Building Licences Issued



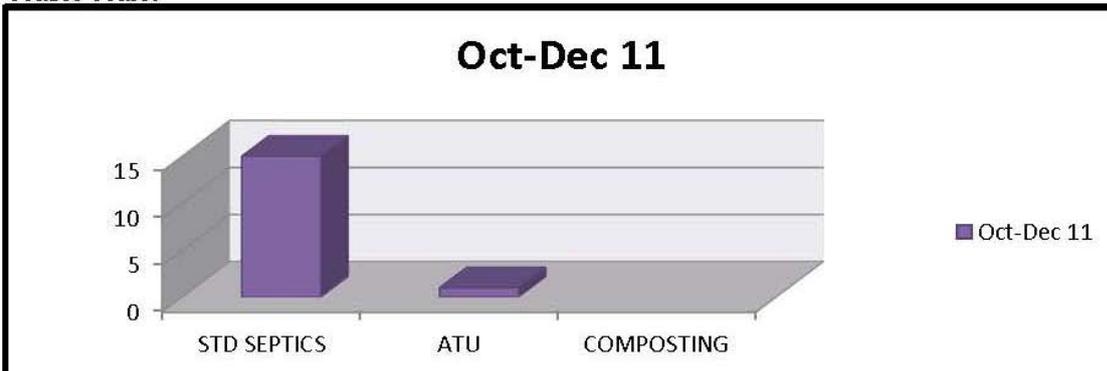
Environmental Health

Routine assessment of premises bound by the *Health Act 1911* and other health related legislation ensures high environmental health standards are maintained in the Shire. Those routinely assessed are food shops, itinerant food vendors, caravan park and camping grounds, lodging houses, public buildings, hairdressers and beauty therapy businesses. Frequency of assessment is determined by the potential health risk of business activities and past inspection history.

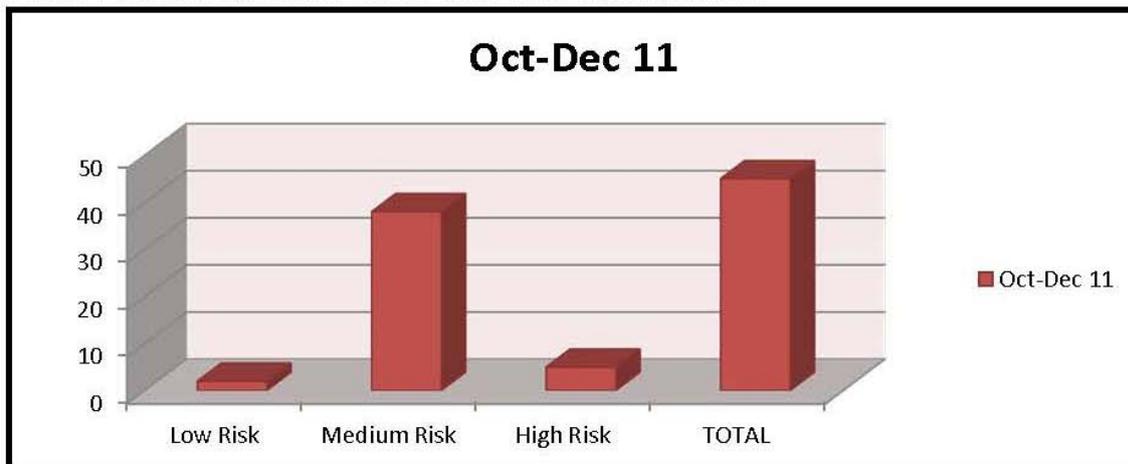
Approvals



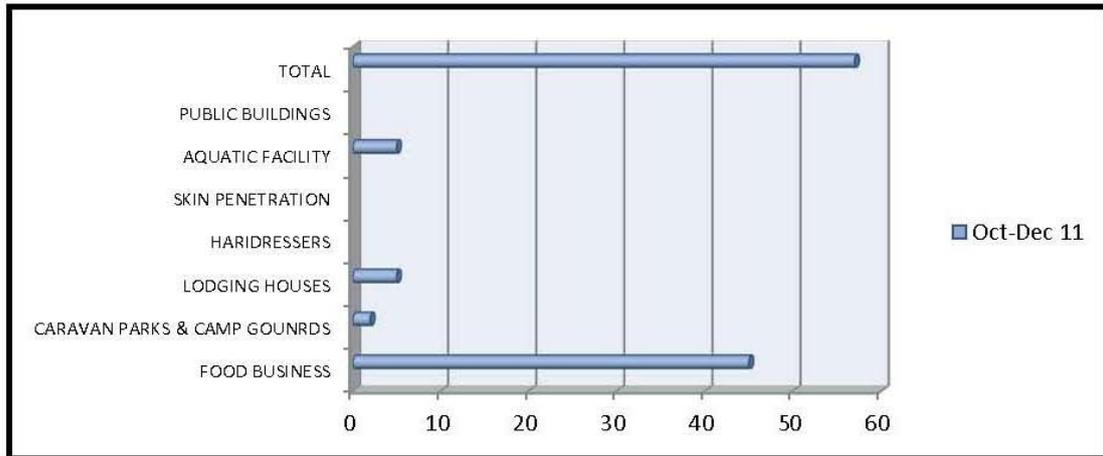
Waste Water



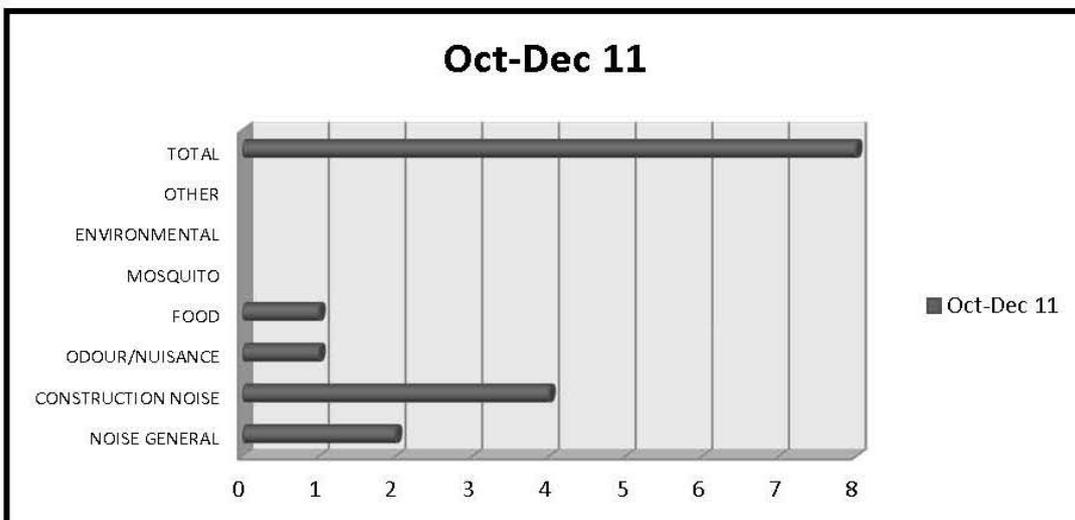
Food Premises Inspections - Initial and Follow Up inspections



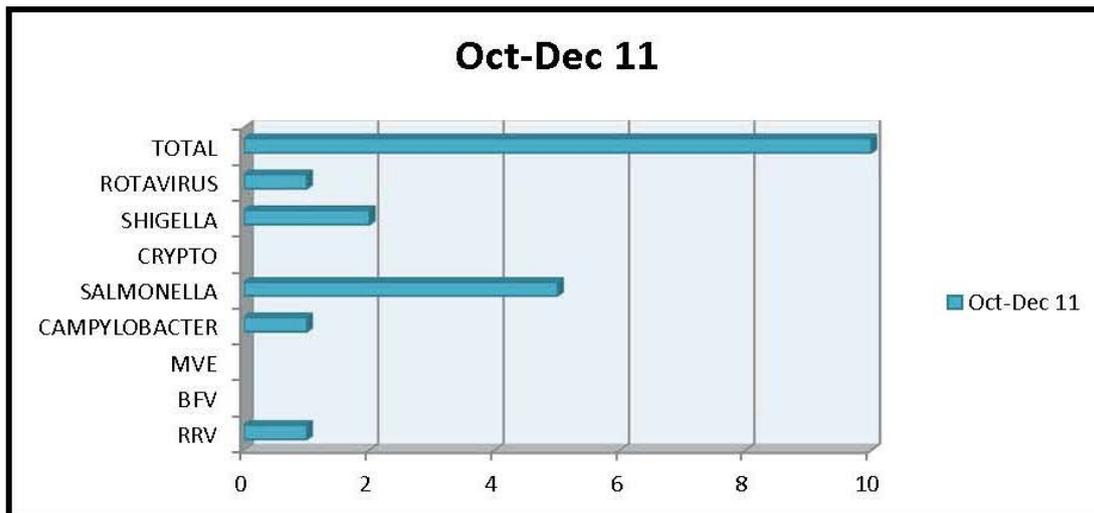
Health Inspections



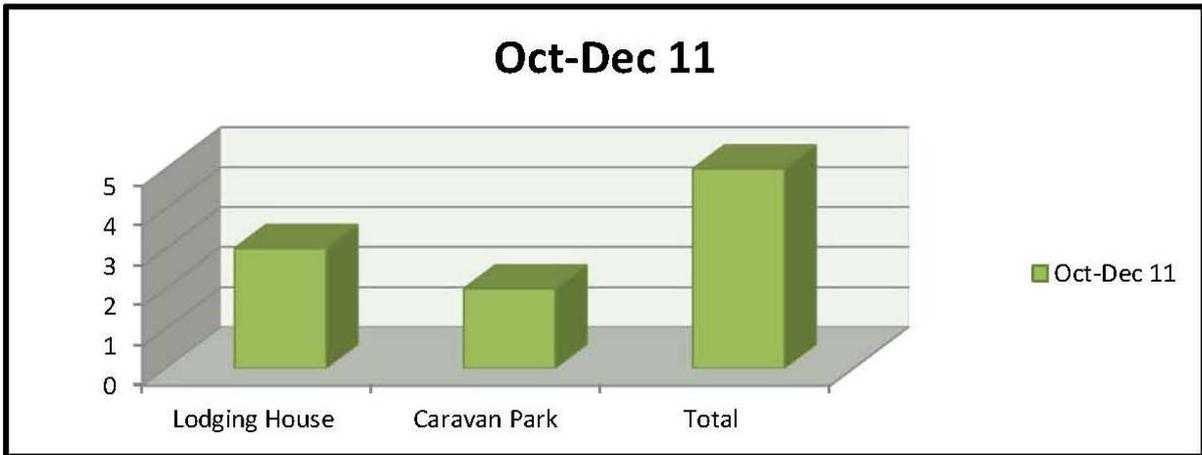
Complaints



Infectious Diseases



Caravan Park & Lodging House Inspections

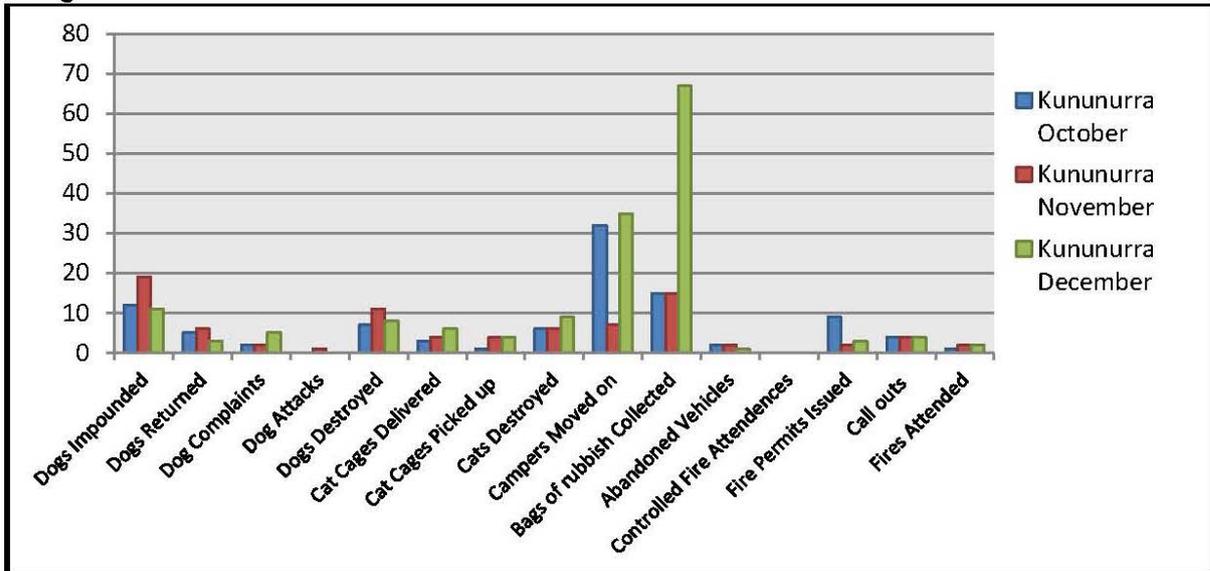


Overall there was an increase in the total number of standard septic applications processed since last quarter with a total of 15 applications processed. The total number of health statutory inspections increased with the addition of auditing aquatic facilities and undertaking follow up inspections. Over half the complaints received were related to noise and more than half of these were directly related to construction noise occurring outside of acceptable hours. All complaints have been actioned or are pending further investigation.

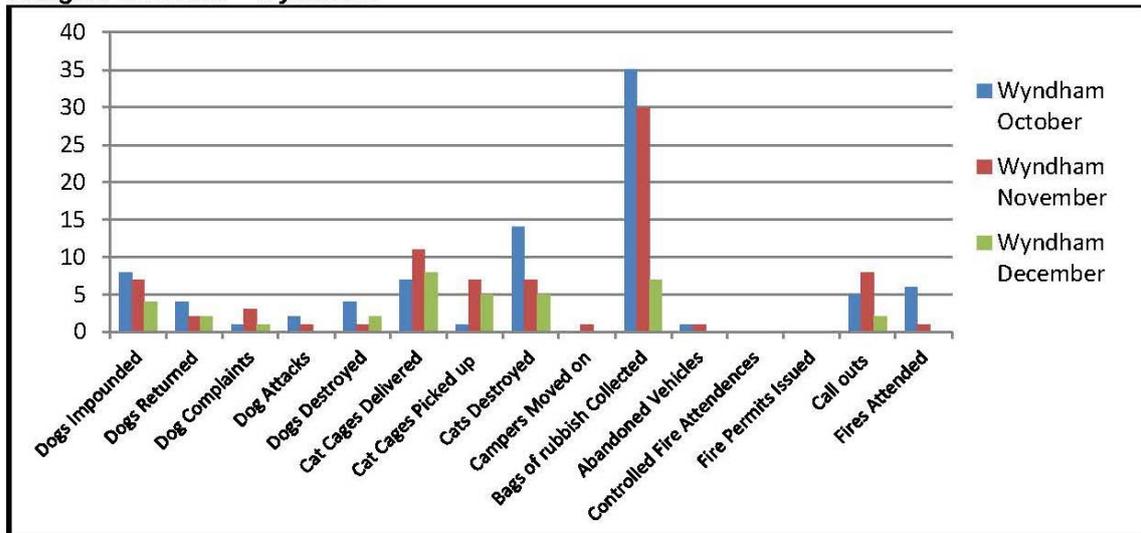
Rangers

The December 2011 quarter reflects previous trends in Ranger Services. Councillors will note an increase in the number of dogs impounded (and destroyed) within this period particularly in the month of November in Kununurra. The statistics for Kununurra also show a sharp increase in the number of campers moved on and rubbish bags collected in December and in Wyndham peaking in the month of October.

Rangers Services – Kununurra



Rangers Services – Wyndham



12.4.3 Outside School Hours Care Building – Lot 970 Coolibah Drive, Kununurra

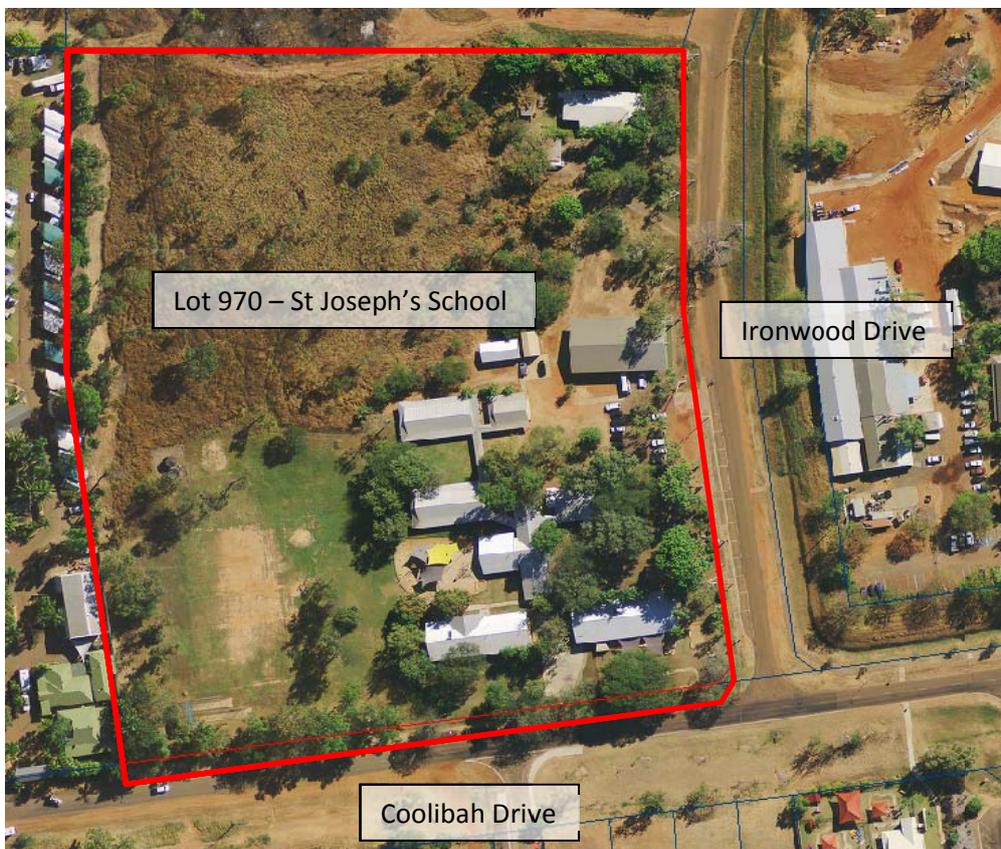
DATE:	21 February 2012
PROPONENT:	Engawa Architects on behalf of St Joseph's Primary School
LOCATION:	Lot 970 Coolibah Drive, Kununurra
AUTHOR:	Dean Pettit, Planning Officer
REPORTING OFFICER:	Nick Kearns, Director Development Services
FILE NO:	A1189P
ASSESSMENT NO:	A1189

PURPOSE

For Council to consider an application for planning consent for the development of an Outside School Hours Care Building at St Joseph's Primary School, Kununurra.

BACKGROUND

An application for planning consent was lodged on 4 January 2012 to make additions to the St Joseph's Primary School, Kununurra to operate an outside school hours care building (refer to **Attachment 1**). The land is 4.59 hectares in area and the development is located on the north side of Coolibah Drive, and on the corner of Ironwood Drive, as shown on Figure 1 below.



Proposal

The applicant proposes to build a new building for the school's outside school hours care program. The building and associated works will be completed over two stages.

Stage 1

Stage 1 will involve the development of a 195m² building. The building would be setback 4 metres from Coolibah Drive. It will consist of an indoor play area, separate male, female and universal access ablutions, a store room, office and an eight seat study room. Access to the building will be via a new pathway, proposed to be constructed off the existing footpath along Coolibah Drive. Signage, as shown on the submitted elevations, would be affixed to the facade of the building. Landscaping is proposed to be included in front of the building along Coolibah Drive.

Stage 2

Stage 2 of the development is proposed to include the following:

- 90m² roofed outdoor play area;
- Rear verandah;
- 7m² store room;
- 20m² work area;
- Play equipment area; and
- Fencing.

Plans of the proposal are provided at **Attachment 1**.

As part of the application the applicant submitted a proposal letter with additional information (refer to **Attachment 2**).

The building will be managed by St. Joseph's Primary School. A maximum of 3 staff will work in the building and a maximum of 37 children will be accommodated; based on *WA Child Services (Outside School Hours Care) Regulations 2006*. The applicant has stated the building will operate between 2pm to 6pm on school days.

Car Parking

There are 21 on-site parking bays on school grounds and a total of 20 bays along Coolibah Drive and Ironwood Drive within Shire's Road reserve.

The applicant has requested that no additional parking should be required for this development. The applicant has provided the below supporting reasons:

1. The hours of operation of the building are outside the normal school hours;
2. The number of existing bays on-site and in the area is sufficient to cater for the requirements of the building;
3. Children who attend St. Joseph's School, and who are also to attend the outside school hours care building, will be escorted to the building by school staff and won't require transport;
4. St. Josephs School will operate a bus service to pick children up from other locations who do not attend St. Joseph's School, before returning the children to the building for staff care.
5. The impact to traffic will be minimal given the staggered pick-up times of children.

STATUTORY IMPLICATIONS

Town Planning Scheme No. 7 – Kununurra and Environs

The land is zoned *Special Site - School* under the *Town Planning Scheme No. 7 – Kununurra and Environs*. The development of additions to the school subject to conditions.

8.1 Car Parking Requirements

- 8.1.1 Car parking shall be provided for each development in accordance with the requirements of the Residential Planning Codes and Table 2 of this Scheme. Table 2 lists the parking requirement for a child minding facility/kindergarten as one bay for every employee and one bay for every four children attending. The development is required to provide a minimum of 13 parking bays (10 bays for up to a maximum of 37 children and 3 bays for a maximum 3 staff).

Table 2 – Development Standards

Development standards for a *child-minding facility/kindergarten* are below:

1. 6 metre street, 3 metre side and 6 metre rear setbacks.
2. Landscaping requirements as applied by Council policy.
3. Special conditions – safe pickup and setdown areas shall be developed as directed by Council.
4. Car parking provision of one bay for every employee and one bay for every four children attending.

POLICY IMPLICATIONS

No policy implications apply in the preparation of this report.

FINANCIAL IMPLICATIONS

There are no financial implications associated with this item.

STRATEGIC IMPLICATIONS

There are no strategic implications associated with this report.

COMMUNITY CONSULTATION

Community consultation is not required in relation to this item.

COMMENT

The proposal satisfies all statutory requirements under this land use, except the front setback and for the parking.

It is considered that the reduced setback will not cause any issues or concerns, having regard to sight lines along this stretch of road. Neither would it create any unacceptable visual impact to the streetscape. The applicant has included a landscaping strip along the front of the building in response to this.

It is not considered that any additional on-site parking would warranted for this use, given that there are already set down and pickup parking spaces within Coolibah Drive, directly adjacent to the new building, and also that the staff will have access to onsite parking.

Conditions are recommended to ensure that the new building matches the existing buildings with respect to materials, colours and finishes; that area between the proposed building and the road be suitably landscaped, and that any damage to the verge or footpath as a result of the construction of the proposed pedestrian access be reinstated to the Shire's satisfaction at the builder's cost.

ATTACHMENTS

Attachment 1 – Development Plans (Stage 1 and 2)

Attachment 2 – Proposal letter (25 January 2012)

VOTING REQUIREMENT

Simple Majority

OFFICER'S RECOMMENDATION

That Council grants planning consent for the use and development of Lot 970 Coolibah Drive for additions to a School (Outside School Hours Care Building) subject to the following conditions:

- 1) All development shall occur in accordance with the submitted plans unless otherwise required or directed by the following conditions. Any modifications to the proposed development must be submitted to Council for re-assessment and issuance of a revised planning approval. The land and any buildings on the land shall not be used or occupied unless all conditions of planning consent have been and continue to be complied with.
- 2) The front elevation of the buildings shall be designed and/or complemented with landscaping to present an attractive façade to the street to the satisfaction of the local authority. As such:
 - a) A minimum 3 metre (wide) landscaping strip shall be provided across the frontage of the property; and
 - b) The buildings must not be occupied until the landscaping is completed in line with the approved landscaping plan and areas must be maintained thereafter to the satisfaction of the local government;
- 3) The school building being constructed of materials consistent in texture and colour/s with the existing buildings;
- 4) Adverse impact to motorists or pedestrians on Coolibah Drive during building construction will require lodgement of a Traffic Management Plan to be approved by SWEK prior to works commencing.
- 5) Damaged to verge, footpath, and/or kerbing on Coolibah Drive during building construction to be reinstated to the Shire's satisfaction at the builder's cost.

JA Ellis leaves room at 5.29pm.

JA Ellis returns to meeting at 5.30pm.

COUNCIL DECISION

Minute No. 9695

Moved: Cr D Ausburn

Seconded: Cr K Tripp

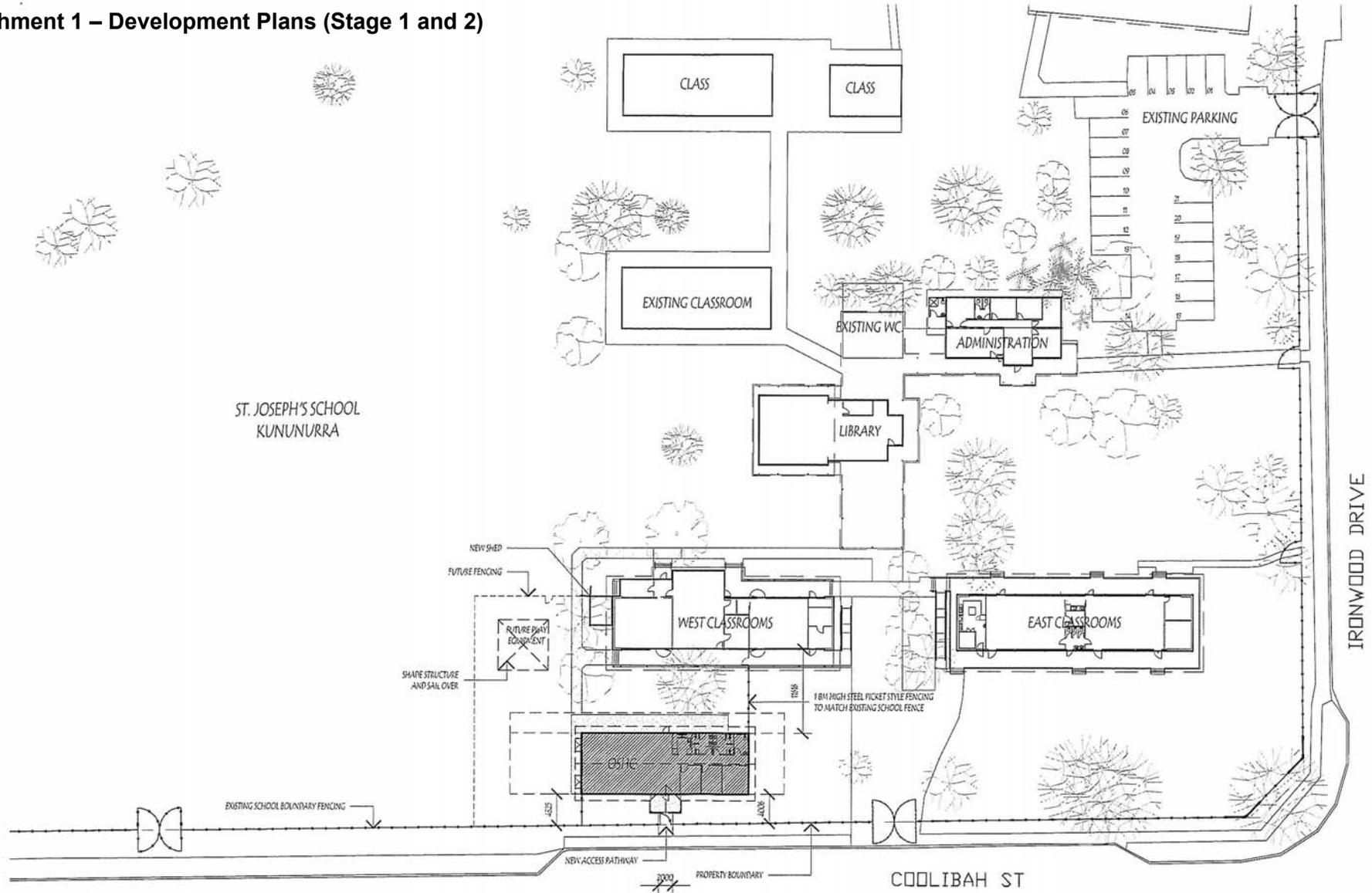
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- 1) All development shall occur in accordance with the submitted plans unless otherwise required or directed by the following conditions. Any modifications to the proposed development must be submitted to Council for re-assessment and issuance of a revised planning approval. The land and any buildings on the land shall not be used or occupied unless all conditions of planning consent have been and continue to be complied with.**
- 2) The front elevation of the buildings shall be designed and/or complemented with landscaping to present an attractive façade to the street to the satisfaction of the local authority. As such:**
 - a. A minimum 3 metre (wide) landscaping strip shall be provided across the frontage of the property; and**
 - b. The buildings must not be occupied until the landscaping is completed in line with the approved landscaping plan and areas must be maintained thereafter to the satisfaction of the local government;**
- 3) The school building being constructed of materials consistent in texture and colour/s with the existing buildings;**
- 4) Adverse impact to motorists or pedestrians on Coolibah Drive during building construction will require lodgement of a Traffic Management Plan to be approved by SWEK prior to works commencing.**
- 5) Damaged to verge, footpath, and/or kerbing on Coolibah Drive during building construction to be reinstated to the Shire's satisfaction at the builder's cost.**

Carried unanimously 8/0

Cr A Horn declares financial interest in Item 12.4.4 and leaves the meeting at 5.30pm.

Attachment 1 – Development Plans (Stage 1 and 2)



ST. JOSEPH'S SCHOOL
KUNUNURRA

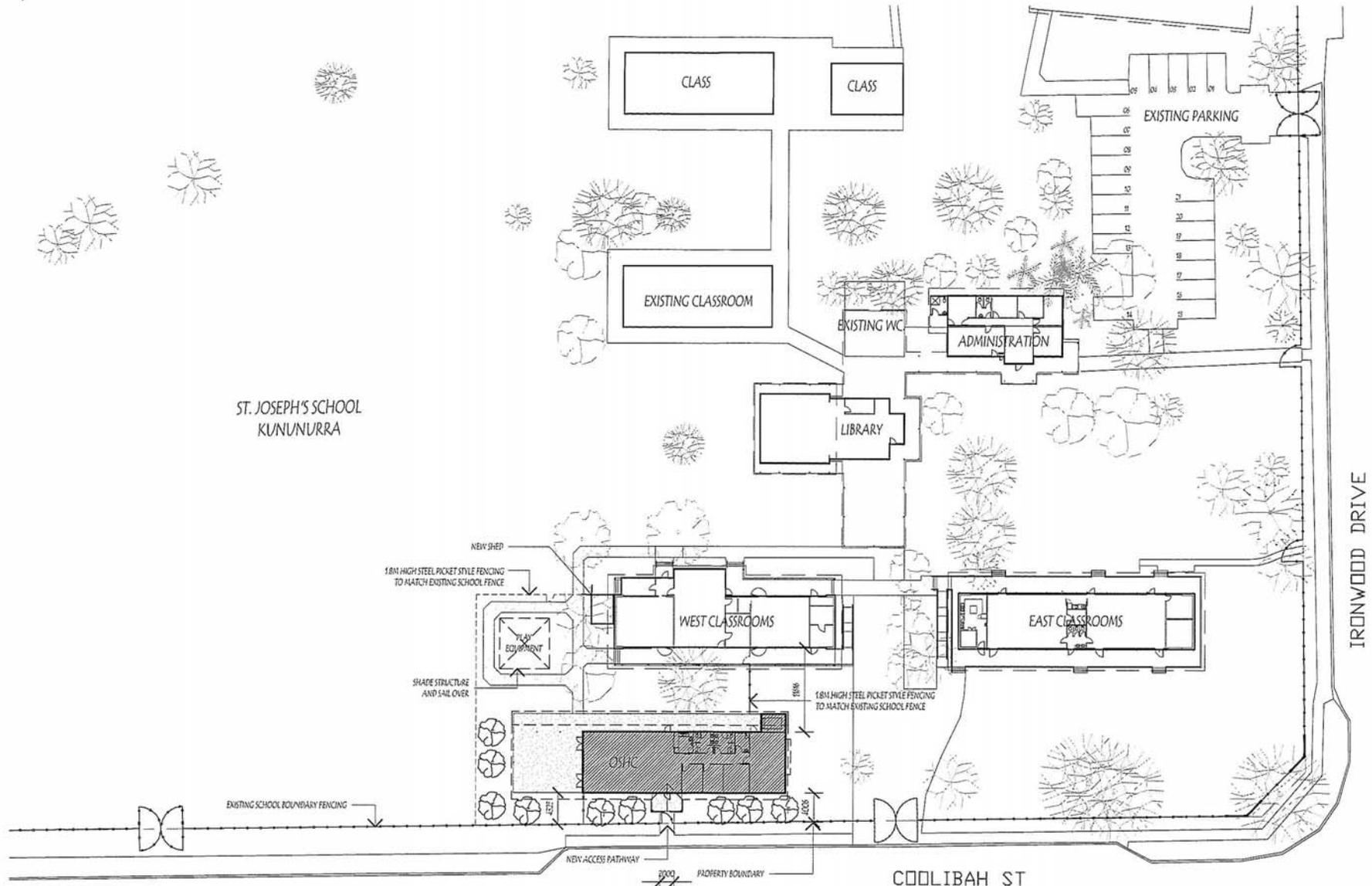
OSHC LOCALITY PLAN (STAGE ONE)
1:500 @ A3



REV	DATE	DESCRIPTION	DRAWN	ET	SCALE	1:500 @ A3
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F	16/12/11	ISSUED FOR PLANNING APPROVAL	PROJECT	OSHC BUILDING @	ST. JOSEPH'S SCHOOL KUNUNURRA	
E	08/12/11	ISSUED FOR INFORMATION	DRAWING TITLE	SITE LOCALITY PLAN (STAGE ONE)		
D	29/11/11	ISSUED FOR INFORMATION				
C	30/08/11	ISSUED FOR INFORMATION				

ABN: 93 156 186 992
Registration # 12326
PO BOX 5199
3800ME WA 6729
P (08) 9192 5550
F (08) 9193 3349
E office@engawa.com.au





ST. JOSEPH'S SCHOOL
KUNUNURRA

IRONWOOD DRIVE

COOLIBAH ST

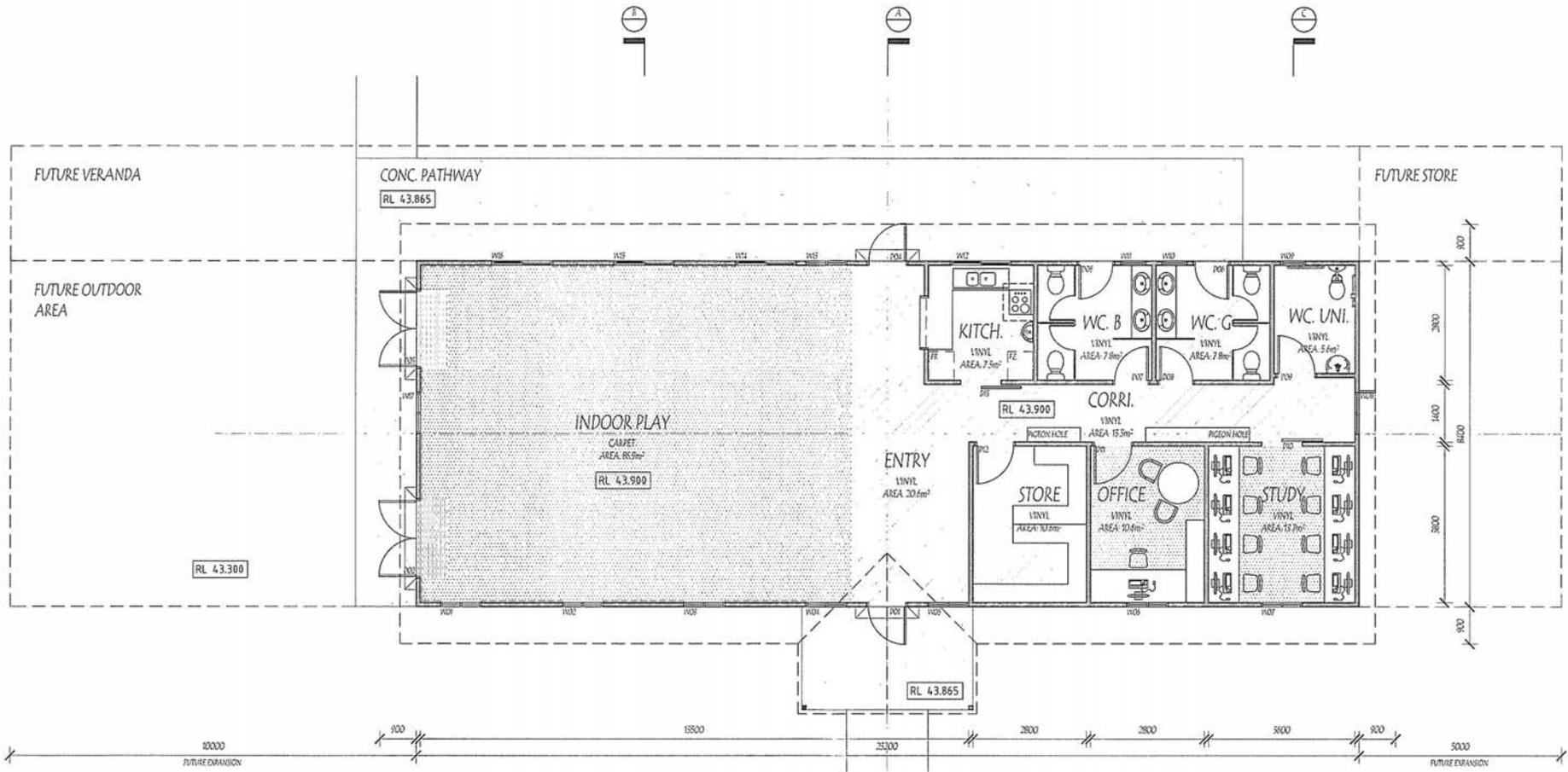
OSHC LOCALITY PLAN (STAGE TWO)
1:500 @ A5



REV	DATE	DESCRIPTION	DRAWN BY	CLIENT	PROJECT	SCALE	REGISTRATION #
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B	16/12/11	ISSUED FOR PLANNING APPROVAL			ST. JOSEPH'S SCHOOL KUNUNURRA	PROJECT # SJK 05	5499
A	08/12/11	ISSUED FOR INFORMATION					6722
							5550
							5549
							office@engawa.com.au

ABN: 93 156 283 992
Registration # 12326
PO BOX 5499
3 ROOME WA 6722
P (08) 9192 5550
F (08) 9192 5549
E: office@engawa.com.au





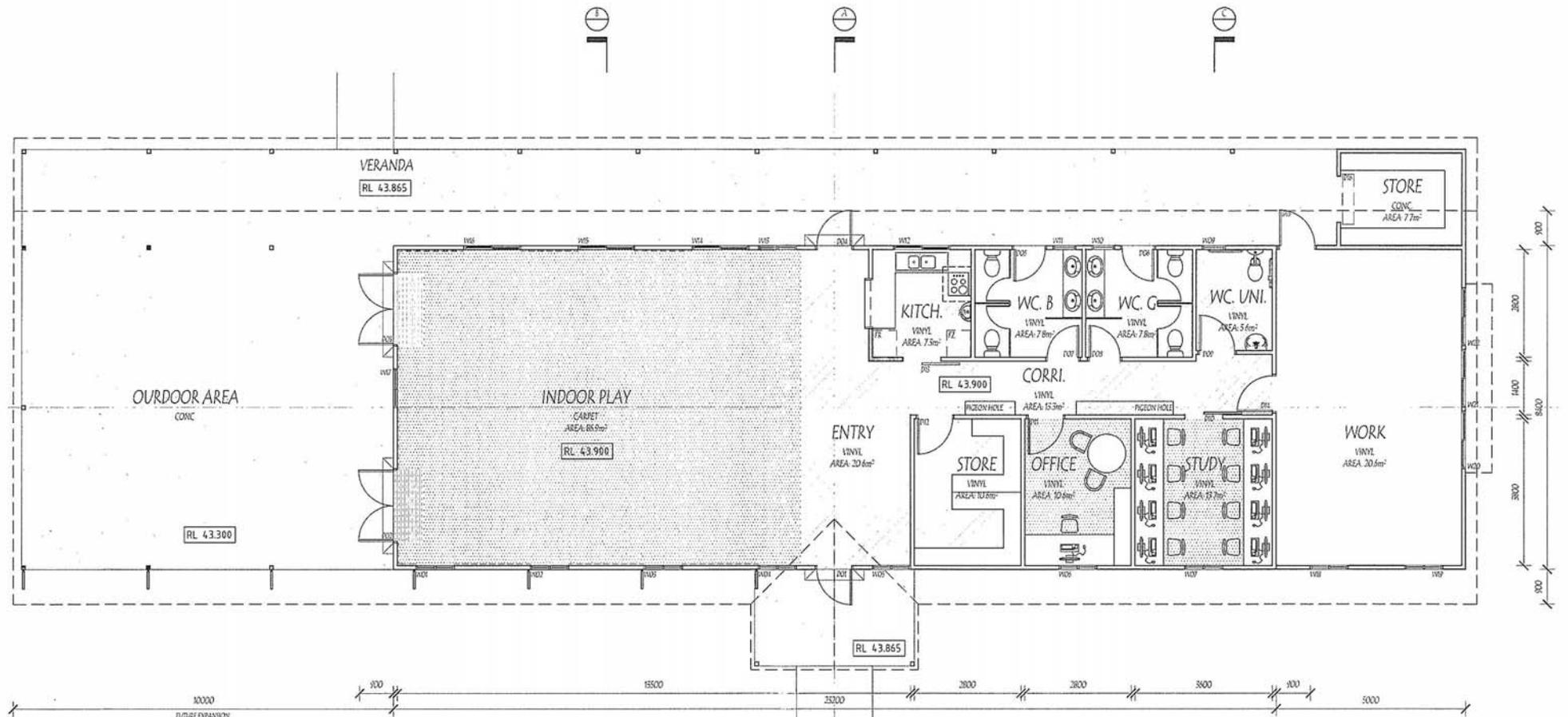
OSHC FLOOR PLAN (STAGE ONE)

SCALE BAR 1:100 @ A3
 0m 1m 2m 3m 4m 5m



E	15/11/11	ISSUED FOR PLANNING APPROVAL	DRAWN BY	SCALE 1:100 @ A3	ABN 91 156 181 997
D	08/11/11	ISSUED FOR INFORMATION	CLIENT	PROJECT #	Registration # 2826
C	29/11/11	ISSUED FOR INFORMATION	ST. JOSEPH'S SCHOOL KUNUNURRA	OSHC BUILDING@	PO BOX 5449
B	30/08/11	ISSUED FOR INFORMATION	PROJECT	ST. JOSEPH'S SCHOOL KUNUNURRA	PEROME WA 6725
A	18/08/11	ISSUED FOR INFORMATION	DRAWING TITLE	FLOOR PLAN (STAGE ONE)	PLOM1 9192 5450
REV	04/11	DESCRIPTION		A-101/E	PLOM1 9193 5449





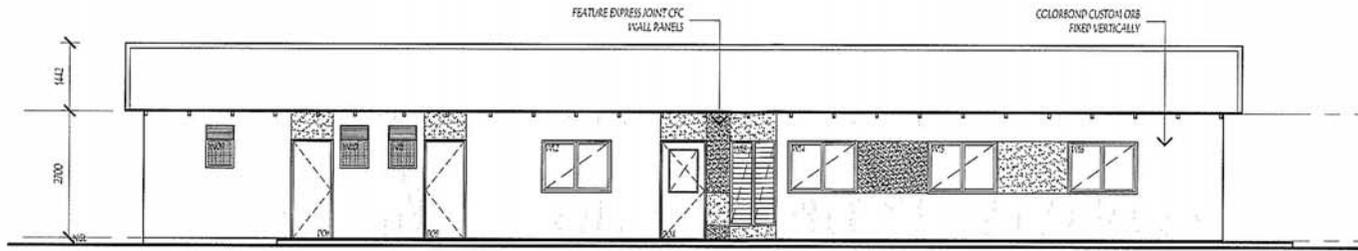
OSHC FLOOR PLAN (STAGE TWO)

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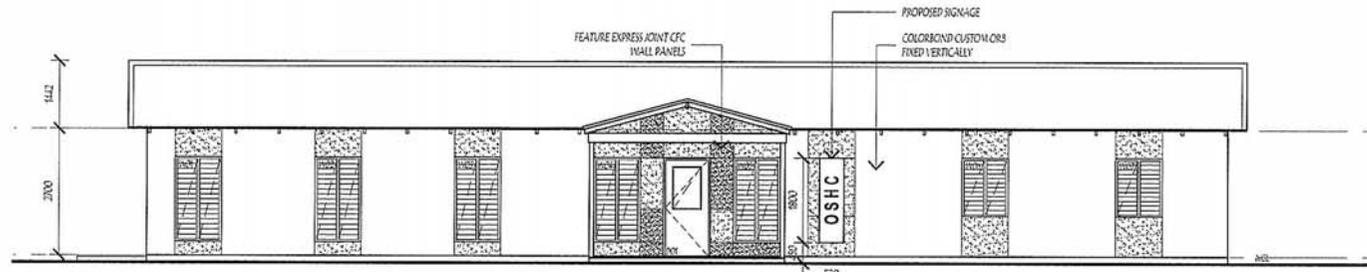
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CLIENT: ST JOSEPH'S SCHOOL KUNUNURRA		PROJECT #: SJR.OS	Registration #: 2526
PROJECT: OSHC BUILDING @ ST. JOSEPH'S SCHOOL KUNUNURRA		DRAWING TITLE: FLOOR PLAN (STAGE TWO)	PO BOX 5479
ISSUED FOR PLANNING APPROVAL		DATE: 16/12/11	BROOM WA 6225
ISSUED FOR INFORMATION		DATE: 08/12/11	P L O N T 0102 3440
DESCRIPTION: FLOOR PLAN (STAGE TWO)		DATE: 16/12/11	F L O N T 0105 3547
			t: office@pengam.com.au





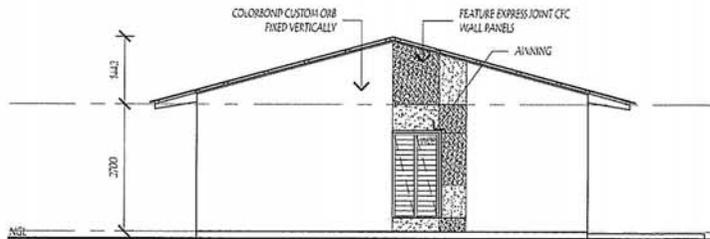
NORTH ELEVATION (STAGE ONE)

SCALE BAR 1:100 @ A3
0m 1m 2m 3m 4m 5m



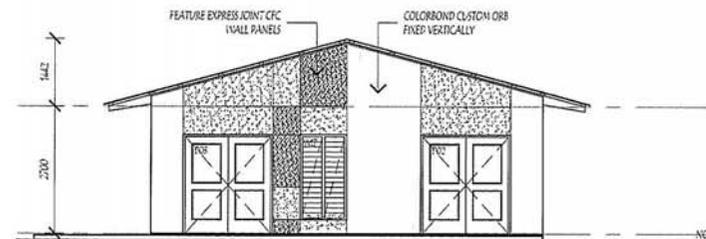
SOUTH ELEVATION (STAGE ONE)

SCALE BAR 1:100 @ A3
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EAST ELEVATION (STAGE ONE)

SCALE BAR 1:100 @ A3
0m 1m 2m 3m 4m 5m



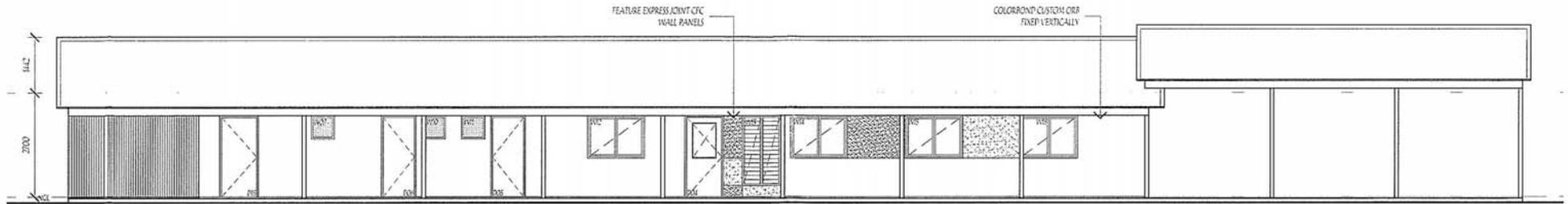
WEST ELEVATION (STAGE ONE)

SCALE BAR 1:100 @ A3
0m 1m 2m 3m 4m 5m

REV	DATE	DESCRIPTION	DRAWN BY	SCALE	PROJECT #	PROJECT TITLE
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D	16/12/11	ISSUED FOR PLANNING APPROVAL				ST. JOSEPH'S SCHOOL KUNUNURRA
C	06/12/11	ISSUED FOR INFORMATION				
B	29/11/11	ISSUED FOR INFORMATION				
ELEV						ELEVATIONS (STAGE ONE)

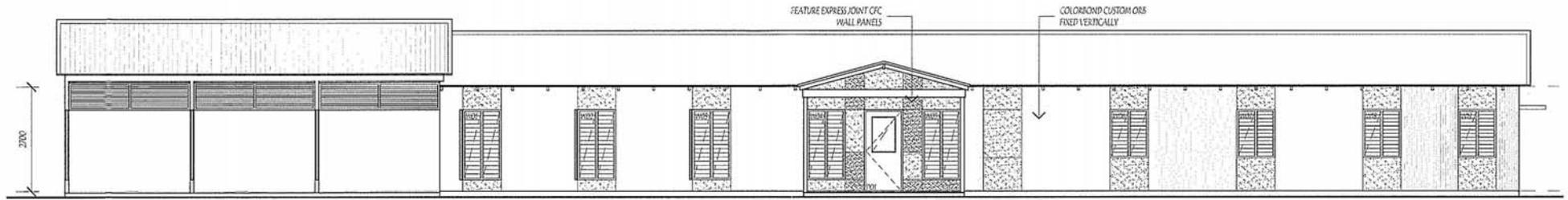
ABN: 95 156 282 992
Registration # 2526
PO BOX 5499
3 ROOME WA 6725
P: (08) 9192 5550
F: (08) 9192 5549
E: office@engawa.com.au





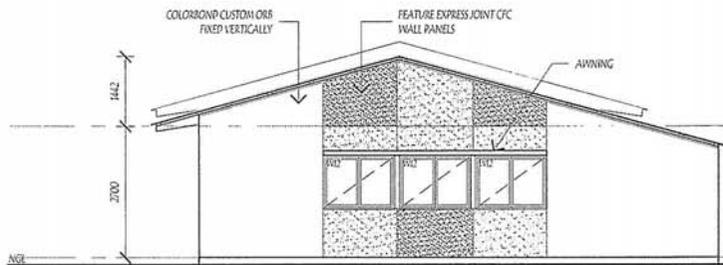
NORTH ELEVATION (STAGE TWO)

SCALE BAR 1:100 @ A3
0m 1m 2m 3m 4m 5m



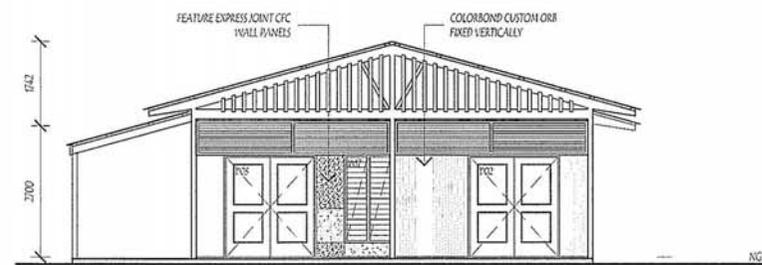
SOUTH ELEVATION (STAGE TWO)

SCALE BAR 1:100 @ A3
0m 1m 2m 3m 4m 5m



EAST ELEVATION (STAGE TWO)

SCALE BAR 1:100 @ A3
0m 1m 2m 3m 4m 5m



WEST ELEVATION (STAGE TWO)

SCALE BAR 1:100 @ A3
0m 1m 2m 3m 4m 5m

B 16/12/11 ISSUED FOR PLANNING APPROVAL A 08/12/11 ISSUED FOR INFORMATION REV DATE DESCRIPTION	DRAWN BY CLIENT ST JOSEPH'S SCHOOL KUNUNURRA PROJECT ST. JOSEPH'S SCHOOL KUNUNURRA	SCALE 1:100 @ A3 PROJECT # SJK 05 OSHC BUILDING@ ST. JOSEPH'S SCHOOL KUNUNURRA	ARB 04 156 184 992 Registration # 2526 PO BOX 1449 ROOM 1 WA 8225 P 081 9197 9450 F 081 9197 3849 E office@engawa.com.au
	DRAWING TITLE ELEVATIONS (STAGE TWO)	A-202/B	ARCHITECTS ENGAWA 



			DRAWN: ET	SCALE: N/A@A3	ABN: 95 136 388 992	ENGAWA ARCHITECTS 
			CLIENT: ST. JOSEPH'S SCHOOL KUNUNURRA	PROJECT #: SJK05	Registration # 12828	
			PROJECT:	OSHC BUILDING@	PO BOX 3488	
				ST. JOSEPH'S SCHOOL KUNUNURRA	BRIDGEMAN WA 6722	
					P. (08) 9192 8550	
C	16/12/11	ISSUED FOR PLANNING APPROVAL	DRAWING TITLE:	PERSPECTIVES (STAGE ONE)	F. (08) 9192 8550	
B	08/12/11	ISSUED FOR INFORMATION		A-901/c	E. (08) 9192 8550	
A	29/11/11	ISSUED FOR INFORMATION			E: office@engawa.com.au	
REV	DATE	DESCRIPTION				



REV.	DATE	DESCRIPTION	DRAWN: ET	CLIENT: ST. JOSEPH'S SCHOOL KUNUNURRA	PROJECT # SJK05	JCAL: N/A@A3	OSHC BUILDING@ ST. JOSEPH'S SCHOOL KUNUNURRA	ASB: 25 156 081 992	REGISTRATION # 2328	P.O. BOX 3438	3800ME WA 6725	F: (08) 9192 3550	F: (08) 9193 3549	E: office@engawa.com.au
C	16/12/11	ISSUED FOR PLANNING APPROVAL												
B	08/12/11	ISSUED FOR INFORMATION												
A	29/11/11	ISSUED FOR INFORMATION												
			DRAWING TITLE: PERSPECTIVES (STAGE TWO)		A-902/c									

Attachment 2 – Proposal letter (25 January 2012)

25th January 2012

Shire of Wyndham East Kimberley (Kununurra Office)
PO Box 614
Kununurra WA 6743



Attention: Dean Pettit

Dear Dean,

**RE: APPLICATION FOR PLANNING APPROVAL FOR ST. JOSEPH'S KUNUNURRA
New "Outside School Hours Care" OSHC BUILDING**

Please refer to the following notes in regards to how the OSHC (Outside School Hours Care) building will operate:

- The OSHC building will be managed by St Joseph's School, Kununurra.
- The hours of operation will be from 2.00pm-6.00pm (after school hours).
- The maximum number of children allowed for the building is: 37
This number is based on the WA Child Care Services (Outside School Hours Care) Regulations 2006 (Child Care Services Act 2007) of an "area of indoor space suitable for children's play of at least 3.25sqm multiplied by the number equal to the number of children specified in the licence." Clause 29.1a
- Preliminary details of proposed signage along Coolibah Street are attached. Refer to attached revised A201 Rev E – South Elevation.
- The children from St Joseph's School who attend the OSHC building after hours will be escorted to the building by the staff at St Joseph's School Kununurra. A bus services (operated by St Joseph's School) will be available to pick up children elsewhere who will require use of the OSHC Building at the school.
- Apart from a single bus service to drop off students from the District High School at the OSHC building, the staggered pick up times estimated between 4:30-6pm will be the only traffic load. We believe the staggered pick-up times for the OSHC building will be adequately served through use of the drop off bay in Coolibah St. immediately adjoining the site.
- There will be no impact on the existing parking from this development, as the OSHC Building will operate after school hours and managed by the staff employed by St Joseph's School Kununurra.

We look forward to your earliest comment/approval of this proposal. If you have any queries please do not hesitate to contact this office on Phone: (08) 9192 5350 or Email: edward@engawa.com.au.

Regards



Edward Tran
Engawa Architects Pty Ltd

12.4.4 Alternative Parking Requirements for Café – Lot 987 Great Northern Highway, Wyndham

DATE:	21 February 2012
PROPONENT:	Ben and Adele Horn
LOCATION:	Lot 987 Great Northern Highway, Wyndham
AUTHOR:	Dean Pettit, Planning Officer
REPORTING OFFICER:	Nick Kearns, Director Development Services
FILE NO:	A1894P
ASSESSMENT NO:	A1894

PURPOSE

For Council to consider an application for planning consent in relation to alternative parking requirements for a Café on Lot 987 Great Northern Highway, Wyndham.

BACKGROUND

An application for planning consent was lodged on 8 February 2012 for an alternative solution to parking requirements in relation to a Café extension on Lot 987 Great Northern Highway, Wyndham (refer to **Attachment 1**).

The development is located on the southern side of Great Northern Highway within the Three Mile Precinct of Wyndham, as shown on Figure 1 below.



Figure 1 – Site Location

History of the property

The property was formerly the Wyndham Bakery and has operated as an eating house for many years under various guises. The land is zoned Industrial under the *Town Planning Scheme No. 6 – Wyndham Townsite* and a restaurant is not a permitted use in this zone, however the bakery existed at the time of the Scheme coming into force, and therefore has non-conforming use rights.

The bakery was sold to its current owners in August 2009 and soon after the Shire received an application for the extension of a café. As part of this application the applicant planned to open up an area of land on Lot 987 to satisfy parking requirements. The renovation included the development of new ablutions, fencing, signage, parking and an alfresco area. At the 15 September 2009 Ordinary Council Meeting (Item 12.4.5), Council approved the renovation and extension of a café subject to conditions which included the following:

6. The provision of ten (10) car parking bays constructed to a minimum all weather seal coat standard to be maintained to the satisfaction of the local government.

7. The area set aside for the parking of vehicles, together with the associated access (including street crossover) as delineated on the endorsed plan shall:

(h) Be designed in accordance with AS2890.

Minute No. 8824

Moved: Cr R Boshammer

Seconded: Cr P Caley

CARRIED

The café has been renovated and extended and has been in operation for over two years. As of 14 February 2012 the above conditions of the planning approval have not been satisfied, and no on-site parking has been provided.

Shire Officers met with the applicant in October and November 2011 to discuss the non-compliance issue. The applicant has requested that Council reconsider the parking requirements under condition 6 of the planning approval. A new planning application was received by the Shire on 8 February 2012 (refer to **Attachment 1**) and the applicant submitted a plan and an accompanying letter outlining reasons why additional parking bays should not be required for the development (refer to **Attachment 2**). Reasons include:

- At least 15 existing parking spaces located within 50 metres of the cafe;
- Staff parking is contained on-site
- Five Rivers is the only business on the street and has only 40 seats; and
- No impacts on traffic or pedestrians were identified when the café was operating at full capacity.

The applicant has provided an alternative solution for not providing on-site parking bays. The applicant has offered to contribute towards the cost of line marking and signage for parking spaces within the slip road off Great Northern Highway, adjacent to the café. The Shire has contacted Main Roads WA and development of parking within the slip road does not require Main Roads WA approval or consultation.

Further liaison with Shire's Infrastructure Department will be required to determine the location, orientation and dimensions of bays and required signage.

STATUTORY IMPLICATIONS

Town Planning Scheme No. 6 – Wyndham Townsite

7.1 Car Parking Requirements

Any person shall not develop or use land or erect, use or adapt any building for any purpose unless car parking spaces of the number specified in Appendix 4 are constructed and maintained in accordance with the provisions of the Scheme.

In this table an Eating House/Restaurant is to provide one space for every 4 seats. The applicant proposes to provide 40 seats, representing a requirement for 10 parking spaces for customers.

7.2 Conditions of Planning Consent

When considering an application for Planning Consent the Council shall have regard to, and may impose conditions on the number and location of the car parking spaces to be provided.

In particular the Council shall have regard to:-

- a) the means of access to each parking space,
- b) the location of the spaces on the site and their affect upon the amenity of any adjoining properties,
- e) the location of the proposed public footpaths, vehicular crossings, and the effect of both pedestrian and vehicular traffic movements and safety.

7.3 Off Street Parking

Where public off street parking facilities are located or are proposed to be located in the near vicinity of land or building being the subject of an application for Planning Consent the Council may approve such application notwithstanding that the required number of car parking spaces are not to be provided on site subject to:

- a) the Council being satisfied that off street parking facilities are sufficient to cater for the requirements of the land or buildings,
- b) the applicant entering into an agreement with the Council to pay for the cost of providing and maintaining the required number of spaces as required.

7.4 Shared or Combined Parking

Where the number of car parking spaces proposed to be provided on land or in a building is subject to an application for Planning consent is less than the number required to be provided pursuant to the Scheme, the Council may approve the application if it can be demonstrated that off street parking facilities in the near vicinity are available to cater for the requirements of the proposal and that arrangements to the satisfaction of the Council have been made to enable those facilities to be used for that purpose.

POLICY IMPLICATIONS

No policy implications apply in the preparation of this report.

FINANCIAL IMPLICATIONS

There are no financial implications associated with this item.

STRATEGIC IMPLICATIONS

There are no strategic implications associated with this report.

COMMUNITY CONSULTATION

Community consultation is not required in relation to this item.

COMMENT

The current operation of the café is inconsistent with Council's September 2009 decision as the on-site provision of parking bays was a condition of the planning approval. The development meets all requirements of the Town Planning Scheme, except that which applies to parking, being with respect to a shortfall of 10 parking bays. The new application seeks to revise the requirement to provide 10 parking spaces on-site.

Having regard to Clause 7.3 Council may approve the application provided Council is satisfied off street parking facilities in the vicinity are sufficient to cater for the requirements of the Café, and the applicant agrees to enter into an arrangement to contribute to the cost of providing and the maintenance of the parking spaces.

The Shire considers the proposal is consistent with the orderly and proper planning of the locality. The Café is the only business in the vicinity and the request for parking to be contained within Shire's road reserve would not be considered to have any appreciable or adverse impact on nearby properties. There is a large area in the vicinity which could be used for vehicle parking. The current parking arrangement which in practice, but not formally approved, is considered to operate without any apparent issues. The Shire considers parking in the area will continue to operate well, if formally approved and clearly delineated.

It is recommended that the application be approved subject to conditions with respect to the applicant contributing to the cost of providing parking spaces and approval by Shire's Infrastructure Department. It is noted that if approved, this approval will supersede the original planning approval (DA 86/09) issued on 16 September 2009.

ATTACHMENTS

Attachment 1 – Development Plans
Attachment 2 – Applicant letter (February 2012)

VOTING REQUIREMENT

Simple Majority

OFFICER'S RECOMMENDATION

That Council grants planning consent for the use and development of Lot 987 Great Northern Highway, Wyndham, for a Café subject to the following conditions:

- 1) All development shall be in accordance with the attached approved plan(s) dated 21 February 2012 and subject to any modifications required as a consequence of any condition(s) of this approval. The endorsed plans shall not be modified or altered without the prior written approval of the local government.
- 2) The seating shall be limited to a maximum of 40 people, and shall not interfere with the pedestrian movement on the existing footpath.
- 3) The alfresco area shall be evenly paved including access between the footpath and proposed ablutions.
- 4) The alfresco seating area and ablutions shall be provided with adequate lighting to the satisfaction of the local government.
- 5) A landscaping plan shall be submitted prior to or at the time of application for a building licence with all land indicated as landscaped area on those plan(s) being developed prior to, or concurrently with the practical completion of the development and maintained thereafter to the approval of the local government.
- 6) The approved extensions and renovations shall be constructed of materials consistent in texture and colour/s with the existing building to the satisfaction of the local government.
- 7) No site earthworks or development shall occur that will cause additional runoff of stormwater to adjacent properties. Stormwater from runoff and any sealed areas shall should be mechanically directed into Council's stormwater system or disposed of onsite. Stormwater shall not be permitted to pond on the site, other than within designated detention basins, or against any buildings or structures. Details on the proposed method of control and disposal of stormwater from the site, including access roads, parking areas and roofs are to be confirmed with the Manager of Engineering and submitted with the building application.
- 8) Approval of parking plans by Shire's Infrastructure Department.
- 9) Council reserves the right to enforce the applicant to provide on-site parking if Council considers the applicant has failed to ensure:
 - a. Parking is laid out to provide for both the convenience and safety of customers;
 - b. Vehicular access from parking areas is so sited as to minimise hazards to passing traffic;
 - c. Traffic generation, access to and egress from the development is reasonable and not disruptive;
 - d. Safe pedestrian access and movements are maintained;
 - e. The development reasonably protects the amenity of residents; and
 - f. The development does not prejudice the orderly and proper planning of the locality.

COUNCIL DECISION

Minute No. 9696

Moved: Cr R Addis

Seconded: Cr R Dessert

That Council grants planning consent for the use and development of Lot 987 Great Northern Highway, Wyndham, for a Café subject to the following conditions:

- 1) All development shall be in accordance with the attached approved plan(s) dated 21 February 2012 and subject to any modifications required as a consequence of any condition(s) of this approval. The endorsed plans shall not be modified or altered without the prior written approval of the local government.**
- 2) The seating shall be limited to a maximum of 40 people, and shall not interfere with the pedestrian movement on the existing footpath.**
- 3) The alfresco area shall be evenly paved including access between the footpath and proposed ablutions.**
- 4) The alfresco seating area and ablutions shall be provided with adequate lighting to the satisfaction of the local government.**
- 5) A landscaping plan shall be submitted prior to or at the time of application for a building licence with all land indicated as landscaped area on those plan(s) being developed prior to, or concurrently with the practical completion of the development and maintained thereafter to the approval of the local government.**
- 6) The approved extensions and renovations shall be constructed of materials consistent in texture and colour/s with the existing building to the satisfaction of the local government.**
- 7) No site earthworks or development shall occur that will cause additional runoff of stormwater to adjacent properties. Stormwater from runoff and any sealed areas shall should be mechanically directed into Council's stormwater system or disposed of onsite. Stormwater shall not be permitted to pond on the site, other than within designated detention basins, or against any buildings or structures. Details on the proposed method of control and disposal of stormwater from the site, including access roads, parking areas and roofs are to be confirmed with the Manager of Engineering and submitted with the building application.**
- 8) Approval of parking plans by Shire's Infrastructure Department.**

9) Council reserves the right to enforce the applicant to provide on-site parking if Council considers the applicant has failed to ensure:

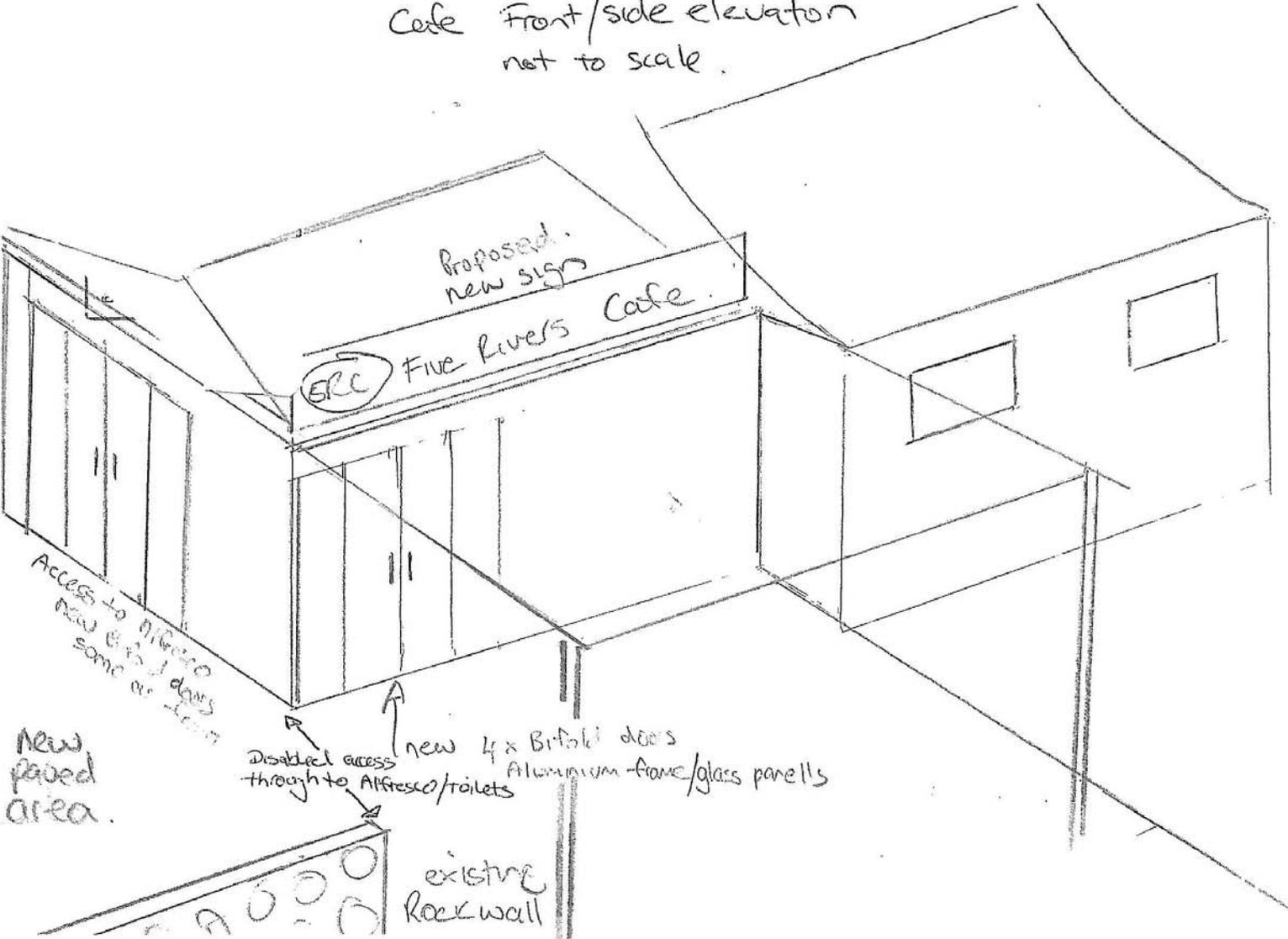
- a. Parking is laid out to provide for both the convenience and safety of customers;**
- b. Vehicular access from parking areas is so sited as to minimise hazards to passing traffic;**
- c. Traffic generation, access to and egress from the development is reasonable and not disruptive;**
- d. Safe pedestrian access and movements are maintained;**
- e. The development reasonably protects the amenity of residents; and**
- f. The development does not prejudice the orderly and proper planning of the locality.**

Carried unanimously 7/0

Cr A Horn returns to room at 5.36pm.

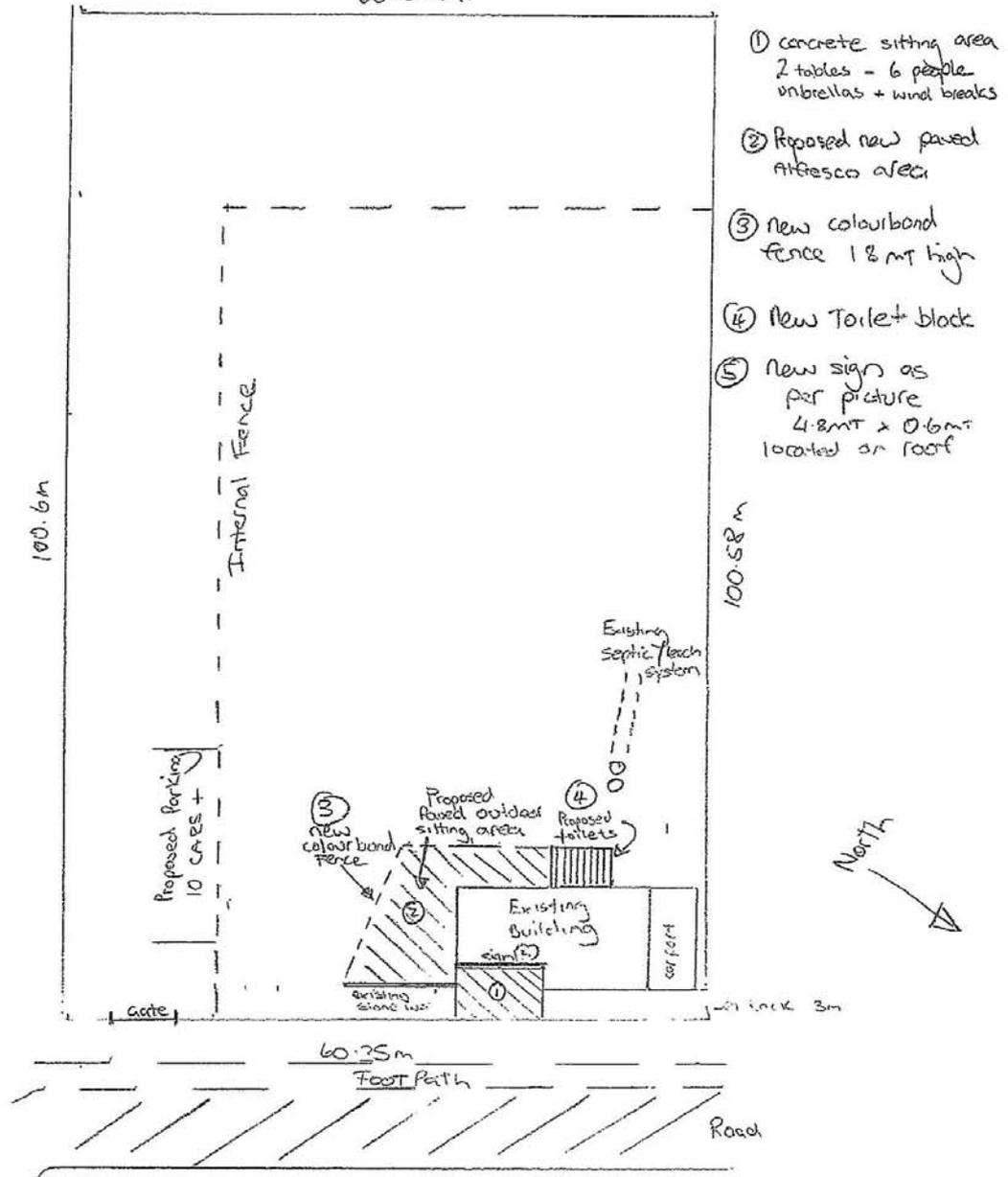
Attachment 1 – Development Plans

Cafe Front/side elevation
not to scale.



Scale
1:400

Five Rivers Cafe.
LOT 987 AT NTH HWY
WYNDHAM
Ben + Adele Horn
60.35m.



- ① concrete sitting area
2 tables - 6 people
umbrellas + wind breaks
- ② Proposed new paved
atresco area
- ③ new colourband
fence 1.8m high
- ④ New Toilet block
- ⑤ New sign as
per picture
4.8m x 0.6m
located on roof

Shire of Wyndham-East Kimberley
Planning Approval
The plan / amended plan / modification is approved
in accordance with the conditions of the Planning
Approval granted..No. 9.09
Applic. No. DAS6/09
Sheet 1 of 6
NOTE: This Approval does not constitute a Building
Licence

Attachment 2 – Applicant letter (February 2012)

7.2.12

Shire of Wyndham East Kimberley
PO Box 614
Kununurra WA 6743

Att: Nick Kearns

**RE: COMPLIANCE WITH PLANNING APPROVAL
5 RIVERS CAFÉ – LOT 987 GREAT NORTHERN HIGHWAY, WYNDHAM**

This letter is to request our planning be amended by removing the proposed parking on the adjoining block to the café.

Having traded at the café for nearly 3 years we now know that these extra parking requirements are not necessary due to the following reasons:

1. In total there are at least 15 car-parks available for customers within a 50m radius of the café. In addition to these large vehicles and caravans can park on the lanes marked on the edge of the highway when dining. We also have at least 4 car-parks for staff within the property.
2. As we are the only business on the street these car parks more than cater for our requirements of 40 seat capacity.
3. At full capacity the existing parking has been ample, with customers having to park no more than 50m from the café, and there has been no impact or complaints about traffic or pedestrian flow around the café.

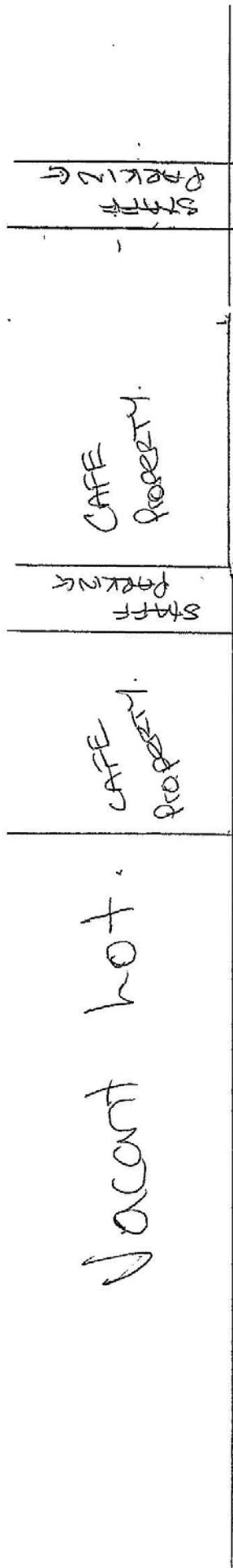
As the current parking on the street has insufficient bay marking and signage we would like to contribute towards the costs of rectifying this, which we believe will make the existing parking more efficient and safe.

Could this information please be considered at the next council meeting.

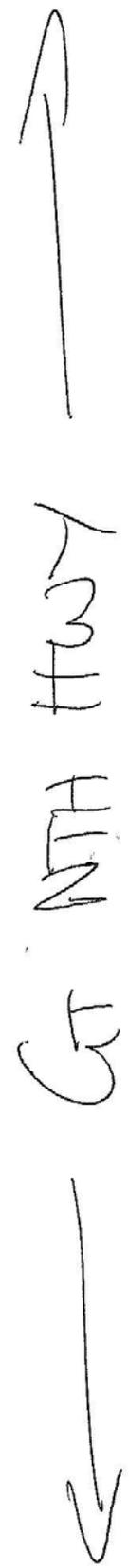
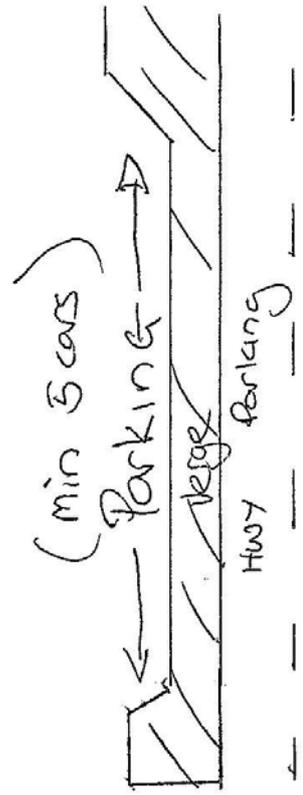
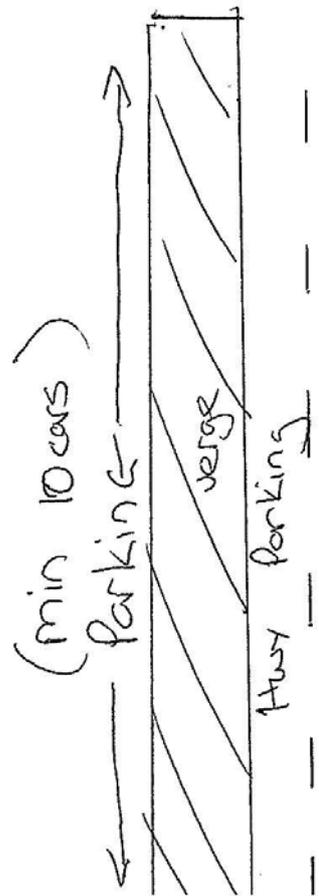
Regards



Adele and Ben Horn



Foot path.



12.4.5 Terms of Reference for the Lake Kununurra Foreshore Reference Committee

DATE:	21 February 2012
PROPONENT:	Shire of Wyndham East Kimberley
LOCATION:	Lake Kununurra
AUTHOR:	Katya Tripp, Strategic Planner
REPORTING OFFICER:	Nick Kearns, Director Development Services
FILE NO:	EM.17.1

PURPOSE

For Council to consider the Terms of Reference for the formation of the Lake Kununurra Foreshore Reference Committee.

BACKGROUND

The *Lake Kununurra Foreshore and Aquatic Use Plan* was adopted by Council on 16 August 2011 (Item 12.4.3). At this meeting, Council also resolved to:

Retain the Technical Working Group for the purpose of implementing the recommendations and for ongoing performance of the plan.

A draft Terms of Reference have been prepared in line with Council's previous resolution (see Attachment 1). The attached Terms of Reference have been adapted from the Terms of Reference that were used for the review of the original Lake Kununurra Foreshore Plan and outline purpose, membership, and meetings.

The purpose of the committee is to implement the Lake Kununurra Foreshore and Aquatic Use Plan and to ensure a holistic and coordinated approach to the management of Lake Kununurra and its foreshore. Several objectives are listed to guide the committee to help achieve this purpose.

The membership includes two Councillors, a representative for those government agencies responsible for implementing the plan as well as an industry representative and two independent community members. In addition, the Chair may invite individuals or representatives from organisations to provide advice to the Committee as required.

Meetings are to be held quarterly or as required. Administrative support is to be provided by the Shire of Wyndham East Kimberley. Members will be expected to report on progress against actions within the plan on which they play the lead role.

STATUTORY IMPLICATIONS

Any actions taken in regards to the management of Lake Kununurra and its surrounding land and waterways must abide by the *Environmental Protection Biodiversity Conservation Act 1999* and its associated regulations. In addition, the implementation of the recommendations, objectives and actions in the *Lake Kununurra Foreshore and Aquatic Use Plan* may require referral to State government agencies for permits and approvals such as Bed and Banks permits and jetty licences.

POLICY IMPLICATIONS

The updated *Lake Kununurra Foreshore and Aquatic Use Plan* recommends the development of a Council Planning Policy to ensure consistent development along the foreshore that enables public access, preservation of the foreshore and is in tune with the natural assets of the area. The development guidelines prepared and included in the plan would form the basis of this policy.

FINANCIAL IMPLICATIONS

There are no financial implications with the establishment of a Lake Kununurra Foreshore Reference Committee.

STRATEGIC IMPLICATIONS

The strategic implications of this report are overarching compliance to the *Shire Wyndham East Kimberley Strategic Plan 2008*.

This report aligns with Council's focus on Community, Key Result Area 2, and Environment, Key Result Area 4 in the *Shire of Wyndham East Kimberley Strategic Plan 2008*.

- Public open space provides for a range of activities
- A range of quality public facilities that meet a diversity of interests
- Town Planning that guides sustainable land use and development
- Council decisions are consistent with policies and strategies

COMMUNITY CONSULTATION

No community consultation is required in relation to this matter.

Community consultation occurred during the initial development of the plan and then throughout the review. As this item is regarding the implementation of the plan there is no need for additional community consultation.

The recommended committee includes two Councillors and the community group Ord Land and Water who is active in management of weeds on the Lake Kununurra foreshore. In addition, the recommended committee membership includes two independent community representatives. A call for nominations for these members will occur with two members selected by the Shire's Chief Executive Officer to join the committee.

When large projects or activities on the foreshore or water are further detailed and proposed for implementation then additional community consultation is recommended.

COMMENT

The intent of the *Lake Kununurra Foreshore and Aquatic Use Plan* is to provide a single comprehensive document to ensure a coordinated response to foreshore management. The plan outlines principles, values and actions to guide how the foreshore is managed. As there are many land owners and managers for the lands surrounding Lake Kununurra and due to the social, cultural, economic and environmental values of the Lake, there is a need to retain a reference committee to inform and guide decision making

The attached draft Terms of Reference outlines the purpose, membership and meeting rules for this committee. The committee will help to ensure that progress is made against actions of the plan and that this progress is reported to Council and community. The committee will also assist to expedite agency decisions and processes and build relationships as those involved in the management and regulation of the foreshore and the water will be present for guided group discussion.

If the Terms of reference are endorsed then the first committee meeting will be held in March 2012.

ATTACHMENTS

Attachment 1 – Terms of Reference

VOTING REQUIREMENT

Simple Majority

OFFICER'S RECOMMENDATION

That Council:

- 1) Endorses the Terms of Reference for the Lake Kununurra Foreshore Reference Committee as at Attachment 1
- 2) Seeks expressions of interest for the appointment of two community members to the Lake Kununurra Foreshore Reference Committee
- 3) Invites those members listed in the Lake Kununurra Foreshore Reference Committee Terms of Reference to join the committee.

COUNCIL DECISION

Minute No. 9697

**Moved: Cr D Ausburn
Seconded: Cr R Dessert**

That Council:

- 1) Endorses the Terms of Reference for the Lake Kununurra Foreshore Reference Committee as at Attachment 1**
- 2) Seeks expressions of interest for the appointment of two community members to the Lake Kununurra Foreshore Reference Committee**
- 3) Invites those members listed in the Lake Kununurra Foreshore Reference Committee Terms of Reference to join the committee.**

Carried unanimously 8/0

Attachment 1 – Terms of Reference

Lake Kununurra Foreshore Reference Committee TERMS OF REFERENCE (February 2012)

1. NAME

The Lake Kununurra Foreshore Reference Committee is to be known as the “Lake Kununurra Foreshore Reference Committee”.

2. PURPOSE

The purpose of the Lake Kununurra Foreshore Reference Committee is to implement the Lake Kununurra Foreshore and Aquatic Use Plan (2010) and to ensure a holistic and coordinated approach to the management of Lake Kununurra and its foreshore.

The Lake Kununurra Foreshore Reference Committee will focus on the following objectives:

- a) Ensure implementation of the recommendations, objectives and actions listed in the Lake Kununurra Foreshore and Aquatic Use Plan.
- b) Ensure that all new works are consistent with the recommendations, objectives and actions detailed in the Lake Kununurra Foreshore and Aquatic Use Plan.
- c) Review, and if necessary, recommend modifications to the recommendations, objectives and actions in Lake Kununurra Foreshore and Aquatic Use Plan.
- d) Ensure relevant foreshore and waterway land owners and managers are aware of any planned works, projects or changes to management programs which may affect their interest in the land.
- e) Develop management strategies/programs, policies and/or detailed plans for actions listed in the plans.
- f) Assist in broad community and stakeholder information, awareness and education including advertising of actions to be completed.
- g) Report to Council on the progress of implementing the Lake Kununurra Foreshore and Aquatic Use Plan.
- h) All other activities deemed relevant to the implementation of the Lake Kununurra Foreshore and Aquatic Use Plan.
- i) All other activities given or approved by Council.

In particular, the Lake Kununurra Foreshore Reference Committee is to prioritise those actions associated with:

- Consistency and currency of all Foreshore leases and licenced areas.
- The development of stage 2 of the commercial boating facility.
- The management of vegetation in Lake Kununurra and Lily Creek Lagoon.
- The provision of passive recreational activities along the foreshore.
- Any current management of activities of concern.

In general the Lake Kununurra Foreshore Reference Committee should aim for an outcome that fosters:

- Holistic and coordinated management and development of the foreshore and its waters that ensures protection and enhancement of its social, economic, cultural and environmental values.

3. MEMBERSHIP

Invitation for membership of the Lake Kununurra Foreshore Reference Committee will be extended to the following people/groups/agencies:

- 1) Cr (Council to nominate), Shire of Wyndham East Kimberley (Chair)
- 2) Cr (Council to nominate), Shire of Wyndham East Kimberley
- 3) Department of Water
- 4) Water Corporation
- 5) Department of Environment & Conservation
- 6) MG Corporation
- 7) Department of Transport
- 8) Ord Land and Water
- 9) Department for Regional Development & Lands
- 10) LandCorp
- 11) Kimberley Chamber Commerce and Industry
- 12) 2 x community members

Two community members will be selected by the Shire's Chief Executive Officer following a call for nominations.

The Chair reserves the right to co-opt representatives from other agencies or organisations as required.

4. MEETINGS

- a) Meetings of the Lake Kununurra Foreshore Reference Committee shall be held quarterly or as required to ensure implementation of the actions in a timely manner.
- b) At each meeting members will be expected to report on progress against actions in the Lake Kununurra Foreshore and Aquatic Use Plan for which they play the lead role.
- c) Meetings are usually held at the Shire's Kununurra Council Chambers but the Lake Kununurra Foreshore Reference Committee may by agreement decide to hold a particular meeting at a different location. Telephone conferencing may be necessary in some instances.
- d) Special meetings of the Lake Kununurra Foreshore Reference Committee may be convened by the Presiding member or Council. Notice of meetings will be no less than seven days with an agenda to be provided.
- e) Administrative support for the Lake Kununurra Foreshore Reference Committee shall be provided by the Shire.

5. QUORUM

The quorum for meetings of the Lake Kununurra Foreshore Reference Committee shall be at least half of the members plus one.

6. MEETING RULES

- a) *Meeting Procedure*

Procedures for meetings shall follow standard protocols except that in the event of a dispute, in which the Council's Local-laws relating to Standing Orders shall apply.

- b) *Invitees*

The Chair of the Lake Kununurra Foreshore Reference Committee may invite individuals or representatives from organisations to provide advice to the Lake Kununurra Foreshore Reference Committee on matters being considered by the Lake Kununurra Foreshore Reference Committee.

c) Public Attendance

The Lake Kununurra Foreshore Reference Committee will not have the power to make decisions on behalf of the Council. The meetings will not be open to members of the public.

d) Minutes

- I. Minutes shall be distributed to all members of the Lake Kununurra Foreshore Reference Committee.
- II. Minutes are to be accepted as true and correct at the beginning of every meeting by the attending members.

DRAFT

12.5 COMMUNITY DEVELOPMENT

12.5.1 Community Development Quarterly Report

DATE:	21 February 2012
PROPONENT:	Shire of Wyndham East Kimberley
LOCATION:	Shire of Wyndham East Kimberley
AUTHOR:	Karyn Apperley, Director Community Development
REPORTING OFFICER:	Karyn Apperley, Director Community Development
FILE NO:	CS.10.2

PURPOSE

For Council to note the Community Development Department's Quarterly Report for the period of 1 October 2011 to 31 December 2011.

BACKGROUND

The Shire's Community Development Department is responsible for the provision of services to the local community within the applicable legislative frameworks, resource allocation and staffing capacity and in response to identified community service needs. The Community Development Department's service provision assists Council to enhance and support communities through the provision of adequate, equitable and accessible services and facilities and ensure that these services and facilities are managed efficiently and effectively.

Each quarter the Community Development Department provides a report of activities conducted during that quarter, including previous years and year to date comparative data (where available) regarding the implementation of service provision and key achievements.

STATUTORY IMPLICATIONS

The statutory implications of this report are overarching compliance with the:

- Local Government Act 1995
- Health (Aquatic Facility) Regulations 2007, including the Code of Practice for the Design, construction, Operation, Management and Maintenance of Aquatic Facilities (May 2010)
- Fitness Industry Code of Practice 2005
- Food Act 2008
- Liquor Control Act 1988
- Health Act Western Australia 1911
- Dangerous Goods Safety Act 1984
- Library Board of Western Australia Act 1951
- Disability Services Act 1993
- The Working with Children (Criminal Record Checking) Act 2004
- Occupational Safety and Health Act 1984
- Child Care Services Act 2007
- Children and Community Services Act 2004
- Young Offenders Act 1994

POLICY IMPLICATIONS

The policy implications of this report are overarching compliance to Council and Administrative Policies including:

- CP/COM – 3580 Community Services Policy
- CP/COM – 3581 Council Community Facilities Policy

FINANCIAL IMPLICATIONS

The second Annual Community Grants round closed on 30 September 2011 with six applications received:

- Lake Kununurra Golf Club requested assistance with construction of a new ablution block (\$29,653.50 requested with \$22,735.50 granted)
- Lake Argyle Swim for a contribution toward the 2012 challenge (\$6000 requested and granted)
- Garnduwa Amboorny Wirnan for assistance with the Deadly Young Women in Sport, Health and Leadership program (\$20,000 requested with \$5,000 granted)
- Kununurra Neighbourhood House Family Support Service to assist with an upgrade and replacement of their equipment (\$4112.95 requested \$3984.50 granted)
- Kangaroo Haven Incorporated for assistance with the Education Centre and Housing (\$9184.07 with \$9,000 agreed - subject to an 8 year covenant on the property)
- Gelganyem Trust for assistance with the 2012 Barramundi Concert (10,000 requested and \$10,000 granted to be released in the mid-year budget in March 2012)

A total of \$56,720 was granted in this round with the total of \$80,120 granted in the Community Annual Grants 2012

The following Quick Grants were approved during the quarter:

Date Approved	Organisation	Project	Total Project Cost	Amount
13/10/2011	WELA Inc	To assist with costs for end of year Christmas party	\$4,199	\$500
20/10/2011	Kununurra Playgroup	Replace old bikes & trikes	\$639.61	\$500
13/10/2011	Kimberley Population Health	Ngowar Aerwah Flour Drum Cook Up	\$600	\$434
1/11/2011	Surfrider - Kimberley Branch	Blue Light Disco	\$1,740	\$500
1/11/2011	St Joseph's KNX	End of Year Concert	\$1,000	\$500
7/11/2011	St Josephs Catholic Primary School - Wyndham	Squash coaching session and swim.	\$405	\$250
21/12/2011	Hash House Harriers	Safety Equipment (F/Aid Kit & EPIRB)	\$1,350	\$500

The following grant applications were prepared and submitted by the Community Development department:

- National Youth Week – Department for Communities. \$1,000 (successful).
- Kimberley Writers Festival - Regional Events Scheme One Off Extraordinary Round. \$20,000 (unsuccessful).
- Trainee Scholarship (Children and Youth Services) – Department of Local Government. \$11,500 (successful).

STRATEGIC IMPLICATIONS

This report aligns with Council's focus on Community, Key Result Area 2, in the *Shire of Wyndham East Kimberley Strategic Plan 2008*.

- Facilitate community participation
- Public open space provides for a range of activities
- Quality child care facilities and services
- Partnerships in youth service delivery
- Partnerships addressing social issues in our community
- Equitable access to quality recreational facilities and services
- Provide and promote public library services

COMMUNITY CONSULTATION

Community consultation is not required in relation to this item.

COMMENT

Library:

The highlight of the second quarter 2011-12 was the announcement that Kununurra Community Library and the Kimberley Writers Festival Committee were finalists in the Regional Achievement & Community Awards in the Prime Super Community Group of the Year category. Karyn Apperley, Director Community Development and Joanne Roach, Library Manager, travelled to Perth for the Awards presentation.

Joanne Roach presented a paper at the 2nd International Joint Use Library Conference in Adelaide on 4 November 2011 highlighting the success of the Kimberley Writers Festival and the plans for the new joint use library.

There has been a marked increase in usage of the library during after school hours and school holidays by late primary and early secondary aged children. These children have been using the public PCs, watching DVDs and making use of the activity folder and board games available in the library. The library staff have introduced a sign in and reward system for appropriate behaviour and encourage participation in literacy activities. A grant was received from the Communities for Children program for School Holiday activities to further engage with these children and young people.

Kununurra Community Library hosted the morning tea for the graduating Year 7 class from KDHS and their parents.

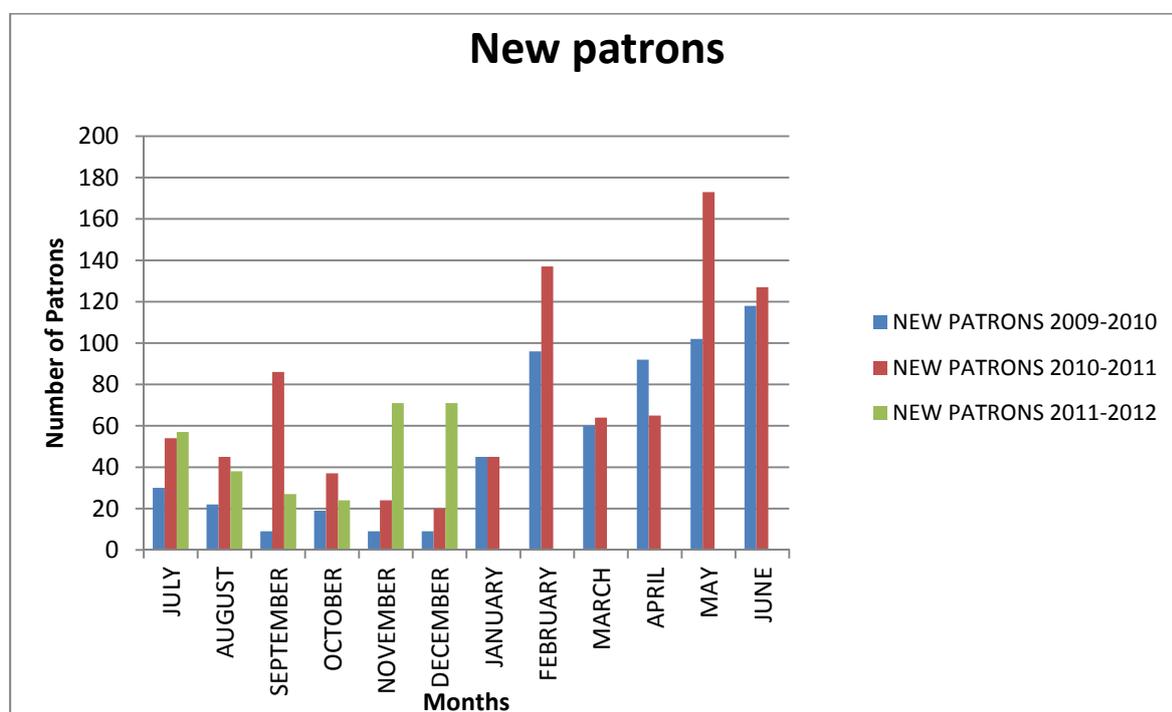
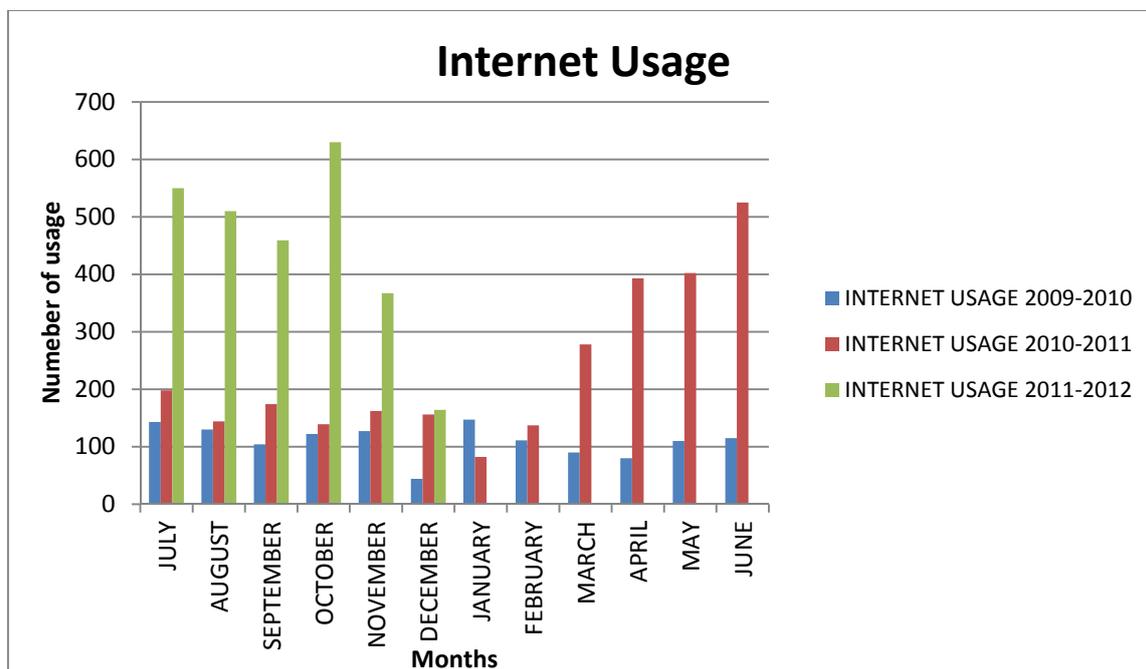
The position of Casual Library Officer was advertised to increase capacity for relief and school holiday coverage when the school employed library officers are unavailable. Six applications were received after shortlisting and interviews we welcomed Aurelia Evans and Rebecca Pogorzelski to the team. The other applicants agreed for their details to be kept on file should another position become available in the future.

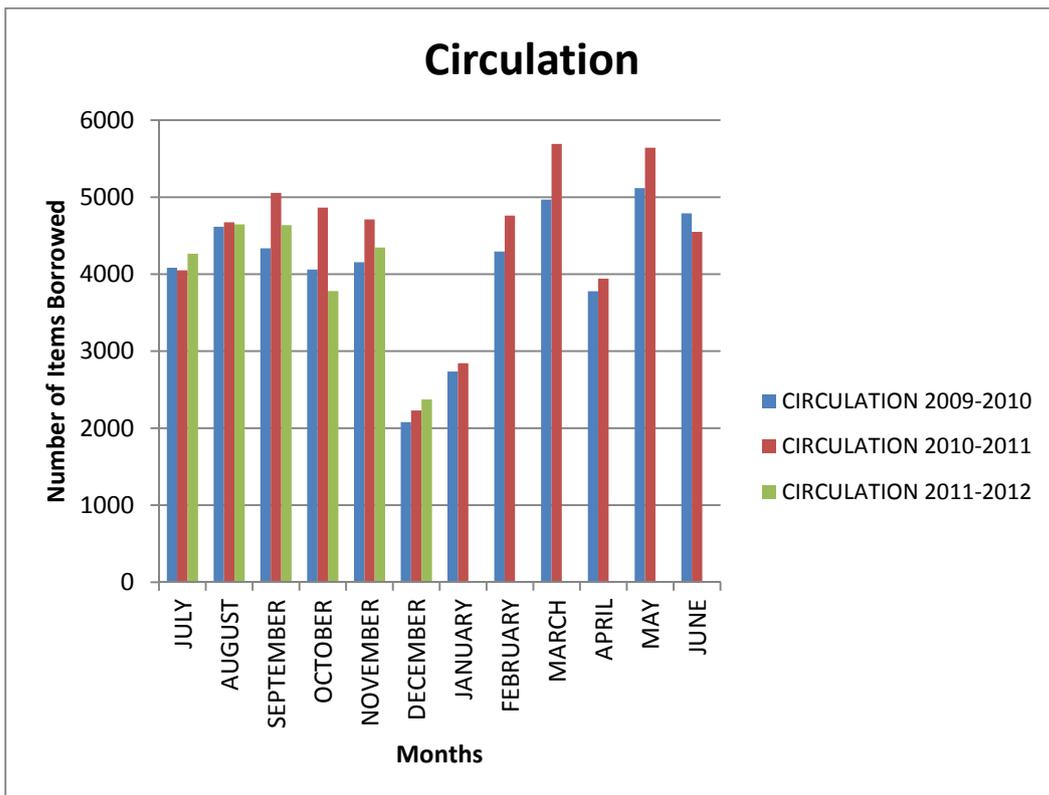
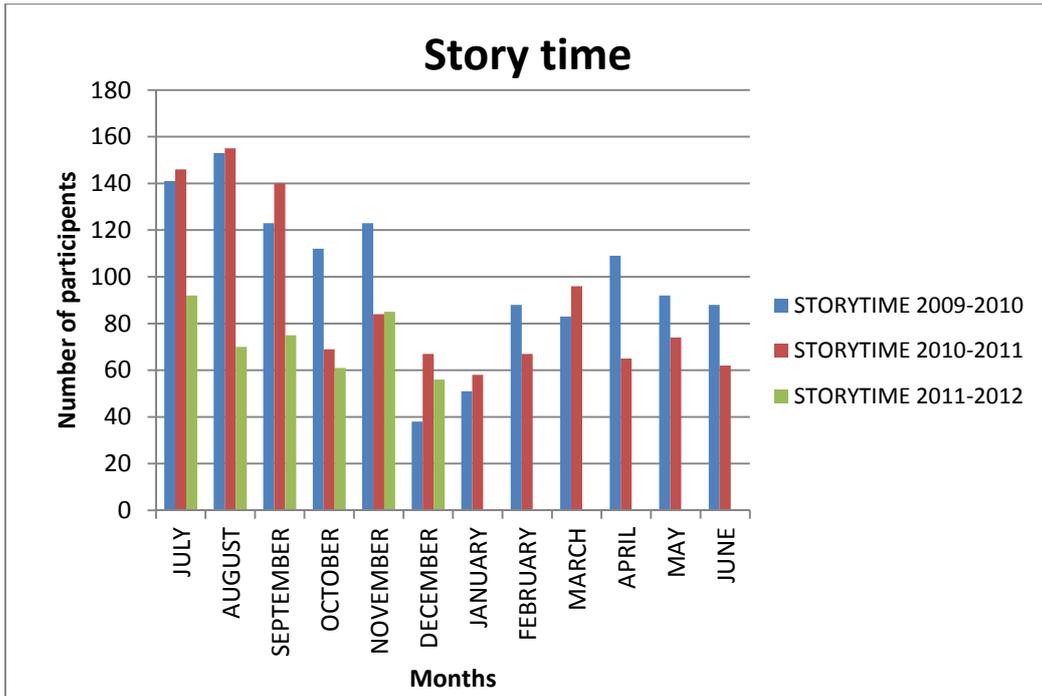
The following graphs demonstrate:

- Internet usage continues to be higher than previous years
- Library membership continues to increase
- Children's Story Time and Rhymetime scheduling will be assessed in early 2012 in an attempt to attract higher numbers. The timing of public sessions needs to consider the scheduling of KDHS classes in the library to minimise distraction and disruption to students. An out of school hours session for Rhymetime is being considered and

will be discussed with interested parents and carers as to the most convenient day and time.

- Circulation statistics remain steady.





Youth Services:

The Kununurra Youth Hub was subjected to 5 major acts of vandalism during October and November. Each occasion has resulted in partial re-glazing or boarding and cleaning which significantly increased Centre maintenance costs. However disruption to service delivery by collocated service providers was minimal. Investigation of a suitable audible alarm system was undertaken, with installation of the system in January 2012.

Program activities during the quarter included:

- Save the Children staff continued to transport 30 – 40 young people to the Hub for basketball and disco activities on Friday evenings and the October school holiday programs;
- The Young Girls group learned about sexual health and FADS from OVAHS staff during their Tuesday evening sessions;
- The Werlemen program continued to provide the girls education-bridging program Monday to Friday to a fluctuating class. Minimum attendance through school term 4 was only 2 students however the maximum was 17 students. Program attendance is impacted by many factors: health, family commitments, boarding school and includes the availability and capacity of staff to locate students. The SWEK youth officer continued efforts to transport students to the Hub in addition to encouraging the girls to remain throughout the day. Assistance with the supervision of young people has increased during the quarter with Kununurra Youth Justice officers working in conjunction with Werlemen, Save the Children and SkillHire staff to facilitate services to young people both at the Hub and throughout the larger community.
- SkillHire conducted an 8 week office administration training program for 7 young people, utilising the Youth Centre Hub IT room and facilities. Following issues with attendance and general conduct, a local indigenous peer leader, was engaged as a mentor to assist the young people to both attend and learn throughout the program. This proved a successful strategy with 5 young people completing their study requirements.



DEC school holiday face-painting activity as part of the Reptiles and Amphibians Workshop.

Following successful use of the Youth Centre Hub facilities during the October school holiday program, the Department of Environment and Conservation are investigating the relocation of their Bush Rangers program - a youth development program with a focus on practical nature conservation projects - from a classroom at Kununurra District High School to the Youth Centre commencing in 2012.

Wyndham Youth Services recruitment was underway during the period, with a Youth Officer commencing in late November 2011 and the second position being offered to a candidate who is yet to confirm their intent. Nevertheless, youth service delivery in Wyndham continued through the October school holiday program supported by the Shire's Recreation Services team and participation in the investigation of strategies and establishment of a Youth Patrol partnership with other local Wyndham agencies including Ngnowar Aerwah, the Police and the District High School.

Wyndham Child Care Centre:

During the quarter, Centre attendance was the same level as attendance for the same time last year. The number of families utilising the Centre increased by one family during the period, with a total of sixteen families catered for. The number of hours of care increased by 5.9% from 2977 hours to 3153 hours.

A casual staff member joined the team in October to assist in providing relief for staff leave and staff training. Storytime at the library was held to celebrate book week and WELA and families in the community attended also.

A water fun play day was arranged for the last day before the centre closed for the Christmas break with all children welcome to join in and attend with their parents.



The Child Care Centre combined with Wyndham Early Learning Centre for the end of year Christmas Party held on 6 December at the Peter Reid Memorial Hall.

Recreation Services:

Vacswim, organised and run by the Department of Education, was held during the October School Holidays with over 60 participants.

The Shire implemented Term 4 Swim School swimming lessons with approximately 80 participants in the Kununurra program and 17 participating in the Wyndham program.

A number of training courses were held during this second quarter including:

- Bronze Medallion (12 participants)
- Pool Lifeguard (12 participants)
- Austswim - Teacher of Swimming and Water Safety (6 participants)
- Austswim - Infant Instructor (6 participants)

The Kununurra Swimming Pool hosted two significant Christmas Parties during December with approximately 200 people attending each function. Argyle Diamonds and Argyle Motors held a joint Family Party and Save the Children and Gelganyem Trust jointly holding a Family Event.

While comparison attendance data is not available for previous years at Wyndham Swimming Pool, the attendance income for the first half of the



2011/12 year (\$6807) has exceeded the income for the whole of the 2010/11 financial year (\$6552). Therefore the attendance figures below are significantly higher than previous years:

October - 1666

November - 1002

December - 606 (includes 2 week closure)

During the October School Holiday period, the Wyndham Pool and Recreation Centre were able to secure the services of a qualified Pool Operator/Recreation Officer. This enabled the pool to open every day of the holidays as well as provide additional Recreation games and activities. This culminated in a Pool Party day with approximately 120 people attending.

ATTACHMENTS

There are no attachments associated with this report.

VOTING REQUIREMENT

Simple Majority

OFFICER'S RECOMMENDATION

That Council notes the Community Development Quarterly Report for the period of 1 October 2011 to 31 December 2011.

K Tripp leaves room at 5.40pm

COUNCIL DECISION

Minute No. 9698

Moved: Cr K Torres

Seconded: Cr D Ausburn

That Council notes the Community Development Quarterly Report for the period of 1 October 2011 to 31 December 2011.

Carried unanimously 8/0

12.6 CHIEF EXECUTIVE OFFICER

12.6.1 Use of the Common Seal

DATE:	21 February 2012
PROPONENT:	Shire of Wyndham East Kimberley
LOCATION:	Shire of Wyndham East Kimberley
AUTHOR:	Julie-Anne McGuinness, Governance Support Officer
REPORTING OFFICER:	Gary Gaffney, Chief Executive Officer
FILE NO:	GN.02.1

PURPOSE

For Council to receive this report on the application of the Shire of Wyndham East Kimberley Common Seal for the period 12 August to 15 September 2011.

STATUTORY IMPLICATIONS

Local Government Act 1995

Council's Standing Order Local Law makes reference to the application of the Common Seal.

POLICY IMPLICATIONS

No policy implications apply in the preparation of this report.

FINANCIAL IMPLICATIONS

There are no financial implications associated with this item.

STRATEGIC IMPLICATIONS

This report aligns with Council's focus on Governance, Key Result Area 5, in Council's Strategic Plan.

COMMENT

The following documents have had the Shire of Wyndham East Kimberley Common Seal applied:

Date of Use	Document
25/01/2012	Town Planning Scheme No 7 Amendment No 38 - Final Amendment Document for WAPC
25/01/2012	Town Planning Scheme No 7 Amendment No 39 - Final Amendment Document for WAPC
6/02/2012	Transfer of Land - Lot 181 on DP 55641 V2678 F136 - Transferror Benjamine James Mar \$685,000
13/02/2012	Financial Assistance Grant for Housing Construction Facility Project

ATTACHMENTS

There are no attachments associated with this report.

VOTING REQUIREMENT

Simple Majority

OFFICER'S RECOMMENDATION

That Council receives the report on the application of the Shire of Wyndham East Kimberley Common Seal for the period 13 December to 21 February 2012.

COUNCIL DECISION

Minute No. 9699

**Moved: Cr D Ausburn
Seconded: Cr K Torres**

That Council receives the report on the application of the Shire of Wyndham East Kimberley Common Seal for the period 13 December to 21 February 2012.

Carried unanimously 8/0

12.6.2 Delegated Authority Report

DATE:	21 February 2012
PROPONENT:	Shire of Wyndham East Kimberley
LOCATION:	Shire of Wyndham East Kimberley
AUTHOR:	Julie-Anne McGuinness, Governance Support Officer
REPORTING OFFICER:	Gary Gaffney, Chief Executive Officer
FILE NO:	PL.02.1

PURPOSE

To report to Council on the use of Delegated Authority by Officers for the period 1 January to 31 January 2012.

BACKGROUND

Use of Council approved Delegated Authority by Officers is reported to Council on a monthly basis.

The attached tables outline use of Delegated Authority by relevant Officers for the above period.

STATUTORY IMPLICATIONS

Local Government Act 1995 - Sect 5.46

5.46. Register of, and records relevant to, delegations to CEO's and employees.

- 1) The CEO is to keep a register of the delegations made under this Division to the CEO and to employees.
- 2) At least once every financial year, delegations made under this Division are to be reviewed by the delegator.
- 3) A person to whom a power or duty is delegated under this Act is to keep records in accordance with regulations in relation to the exercise of the power or the discharge of the duty.

POLICY IMPLICATIONS

No policy implications apply in the preparation of this report.

FINANCIAL IMPLICATIONS

There are no financial implications associated with this item.

STRATEGIC IMPLICATIONS

This report aligns with Council's focus on Governance, Key Result Area 5, in the *Shire of Wyndham East Kimberley Strategic Plan 2008*.

COMMUNITY CONSULTATION

Community consultation is not required in relation to this item.

COMMENT

The attached report outlines the use of Delegated Authority by relevant Council Officers for endorsement by Council.

ATTACHMENTS

Attachment 1 – Delegated Authority Report

VOTING REQUIREMENT

Simple Majority

OFFICER'S RECOMMENDATION

That Council receives the Delegated Authority Report for the period 1 January to 31 January 2012.

COUNCIL DECISION

Minute No. 9700

Moved: Cr D Ausburn

Seconded: Cr A Horn

That Council receives the Delegated Authority Report for the period 1 January to 31 January 2012.

Carried unanimously 8/0

Attachment 1 – Delegated Authority Report

BUILDING LICENCES ISSUED UNDER DELEGATED AUTHORITY – 1 – 31 JANUARY 2012

LIC#	DATE RECEIVED	DATE LICENCED	OWNER	BUILDER	LOCATION	DESCRIPTION	NEW/ADD	EST. VALUE	COMMENT / PROCESSING TIME – WORKING DAYS
001/2012	16/11/2011	4/01/2012	Indianna Lake Pty Ltd	Colin Wilkinson Developments Pty Ltd	Lot 2242 (16) Coolibah Drive Kununurra	Class 5 Commercial office space	New	\$1,050,000.00	
BAC 002/2012	9/12/2011	4/01/2012	Rosfaizal Bin Adom & Bianca Hallam	R B Dessert IV	Lot 757 (16) Silverbox Avenue Kununurra	Class 10A non-habitable shed	Exist	\$3,011.00	
003/2012	12/12/2011	10/01/2012	Chopperfarm Pty Ltd	Colin Wilkinson Developments Pty Ltd	Lot 24 Weaber Plain Road	Class 1A dwelling with attached Class 10A carport & outdoor living	New	\$463,623.00	
004/2012	11/11/2011	10/01/2012	Triple J Tours Lease - Shire of Wyndham East Kimberley	Triple J Tours Pty Ltd	Lot 506 Millington Drive Kununurra	Class 10A non-habitable shade structure	Exist	\$55,000.00	
HL 005/2012	11/01/2012	12/01/2012	Yawoorroong Miriuwung Gajerrong Yirrgeb Noog Dawang Aboriginal Corporation	Norbuilt Pty Ltd	Lot 8 (12) Bluegrass Avenue Kununurra	Hoarding Licence: 450 m2	TEMP	\$0.00	1/15 days
006/2012	13/09/2011	16/01/2012	Daniel Timson	Daniel Timson	Lot 1778 Koolama Street Wyndham	Class 1A Single dwelling with detached Class10A carport	New	\$300,000.00	

007/ 2012	13/01/2012	18/01/2012	Jonathon Howell	Jonathon Howell	Lot 1755 (33) Grevillea Avenue Kununurra	Class 1A - Alteration to existing dwelling - Ensuite Bathroom	Add	\$10,000.00	2/15 days
008/ 2012	2/11/2011	18/01/2012	Paul Royce & Matthew Pooley	Paul Royce & Matthew Pooley	Loc 453 Crossing Falls Road Kununurra	Class 1A transportable dwelling (2 storey)	New	\$200,000.00	
009/ 2012	17/11/2011	23/01/2012	Louise Stelfox	Maglion Enterprises	Lot 201 Chamberlain Drive Kununurra	Class 1A stumped dwelling with attached Class 10A verandah/deck	New	\$234,995.00	
010/ 2012	2/12/2011	24/01/2012	Richard Hewitt	Richard Hewitt	Hidden Valley Caravan Park Lot 250 Weaber Plain Road Kununurrs	2 x Class 10A ablution block with universal access cubicle in each	New	\$80,000.00	
011/ 2012	9/12/2011	24/01/2012	Ben Rybar	Maglion Enterprises	Lot 305 (12) Zamia Link Kununurra	Class 1A dwelling with attached Class 10A carport & outdoor living	New	\$458,750.00	
012/ 2012	11/11/2010	25/01/2012	Motocross Lease - Shire of Wyndham - East Kimberley	Kununurra Motocross Club	Lot 633 Ivanhoe Road Kununurra	Class 10A storage shed, leanto/ shelter and ablutions	New	\$80,000.00	
								\$2,935,379.00	

THERE WERE NO SIGN LICENCES ISSUED UNDER DELEGATED AUTHORITY – 1 – 31 JANUARY 2012

DEMOLITION LICENCES ISSUED UNDER DELEGATED AUTHORITY – 1 – 31 JANUARY 2012

DEMO LIC#	DATE APPLIC RECD	DATE LICENCED	ASSESS NO.	OWNER	BUILDER/ DEMOLITION CONTRACTOR	BUILDER ADDRESS	DEMO CLASS (1, 2 or 3 - WARA)	WAD CLASS/ LIC NO	LOCATION	Comments (Asbestos)
DL 001/ 2012	10/01/2012	10/01/2012	A80P	(Former Wyndham Work Camp Lease) Shire of Wyndham - East Kimberley	SilviCare Pty Ltd	PO Box 36 Kununurra WA 6743	WARA	WARA 232	Lot 468 Arthur Road Wyndham	Demolition - Class 1A dwelling
DL 002/ 2012	10/01/2012	11/01/2012	A427P	Department of Housing	SilviCare Pty Ltd	PO Box 36 Kununurra WA 6743	WARA	WARA 232	Lot 1093 (8) Dorrigo Street Wyndham	Demolition - Class 1A dwelling
DL 003/ 2012	10/01/2012	11/01/2012	A425P	Department of Housing	SilviCare Pty Ltd	PO Box 36 Kununurra WA 6743	WARA	WARA 232	Lot 1091 (4) Dorrigo Street Wyndham	Demolition - Class 1A dwelling
DL 004/ 2012	10/01/2012	11/01/2012	A335P	Department of Housing	SilviCare Pty Ltd	PO Box 36 Kununurra WA 6743	WARA	WARA 232	Lot 648 (11) Flinders Street Wyndham	Demolition - Class 1A dwelling
DL 005/ 2012	10/01/2012	11/01/2012	A423P	Department of Housing	SilviCare Pty Ltd	PO Box 36 Kununurra WA 6743	WARA	WARA 232	Lot 1086 (17) Dulverton Street Wyndham	Demolition - Class 1A dwelling

CERTIFICATES OF CLASSIFICATION ISSUED UNDER DELEGATED AUTHORITY – 1 – 31 JANUARY 2012

CERT CLASS#	DATE	Building Licence	ASSESS NO.	Building Class	OWNER	BUILDER	BRB / OB NO	LOCATION	DESCRIPTION
001/2012	25/01/2012	117/2011	A1084P	6	Warraminga Pty Ltd	Reg Abbott - Associated Shop Fitters		Lot 557 (112B) Coolibah Drive Kununurra	Class 6 - Shop fitout "Subways Franchise"
002/2012	25/01/2012	126/2011	A513P	1B	Argyle Diamond Mine	OTOC/Construct Joint Venture		Argyle Diamond Mine Site Loc 618 Lissadell Road	Class 1B accommodation - 120 room fly camp at Argyle Diamond Mine, 30 units with 4 rooms each and 2 x laundry units.

THERE WERE NO FORMAL NOTICES RAISED PURSUANT TO LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1960 FOR ISSUE BY THE CEO UNDER DELEGATED AUTHORITY – 1 – 31 JANUARY 2012

PLANNING DELEGATED AUTHORITY APPROVALS - 1 - 31 January 2012

Application / Delegation Number	Approval Type	Date Received	Applicant	Owner	Property Address	Proposed Development	Assess't Number	Approval Date	Comment
DA5/12	HOCC	27/01/2012	Paul Sharp	Ben Fraquhar	Lot 828 Barringtonia Avenue, Kununurra	Home Occupation - Kimberley Osteopathy	1139	31/01/2012	Approved by Nick Kearns

COMMUNITY QUICK GRANTS DELEGATED AUTHORITY APPROVALS – 1 January – 31 January 2012

Approval Date	Organisation	Purpose of Quick Grant	Total Project Cost	Amount Requested	Amount Approved
09/01/2012	Wyndham Tourism Committee	Contribution to new brochures	\$9750.00	\$500.00	\$500.00

12.7 ELECTED MEMBER REPORTS

Cr Ralph Addis

- 3 February East Kimberley Airport opening
- 4 February Wyndham Community Jetty opening
- 9-10 February Regional Development Council meeting, Perth

Cr Kenneth Torres

- 3 February East Kimberley Airport opening
- 4 February Wyndham Community Jetty opening

Cr D Ausburn

- 26 January Australia Day Swim Beach
- 6 January Integrated Planning Workshop, Kununurra
- 3 February Opening of the Kununurra Airport
- 4 February Opening of Anthon's Landing, Wyndham
- 7 February Briefing Wyndham
- 9 February KVC Board Meeting
- 14 February Playground Meeting Celebrity Tree Park
- 14 February Liquor Accord Meeting
- 14 February Launch of Books on Prescription Kununurra Library
- 15 February Meeting with Minister for Transport The Hon. Troy Buswell, MP
- 15 February FESA Bushfire Presentation
- 21 February Ordinary Council Meeting, Wyndham

COUNCIL DECISION

Minute No. 9701

Moved: Cr D Ausburn

Seconded: Cr C Gore-Birch Gault

That Council notes the Elected Member Reports for the period of 25 January to 21 February 2012.

Carried unanimously 8/0

12.8 CHIEF EXECUTIVE OFFICER REPORTS

The Chief Executive and Acting Chief Executive Officer attended the following meetings on behalf of Council:

26 January	Australia Day Swim Beach
24 January	Asset Management Workshop, Kununurra
24 January	Ordinary Council Meeting, Kununurra
1 February	Great Northern Highway Wyndham, Discussion with Main Roads
3 February	Meeting with Landcorp Opening of the Kununurra Airport
4 February	Opening of Anthon's Landing, Wyndham
6 February	Integrated Planning Workshop – Elected Members
7 February	Meeting with Murray Coates, Jawun Indigenous Corporate Partnerships
9 February	Department of Training and Workforce Planning, Broome Erin Park, ABC Inspected Broome North, Landcorp
13 February	Meeting with Nick Thomas, Wunan – 20 Coolibah Dve Yarworrong Building
14 February	Meeting with Michelle Pucci, Wunan - Regional Development Australia
15 February	Meeting with Minister for Transport The Hon. Troy Buswell, MP FESA Fire Briefing, Kununurra

COUNCIL DECISION

Minute No. 9702

Moved: Cr D Ausburn

Seconded: Cr C Gore-Birch Gault

That Council notes the Chief Executive Officer Reports for the period of 25 January to 21 February 2012.

Carried unanimously 8/0

13. MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN
14. QUESTIONS BY MEMBERS OF WHICH DUE NOTICE HAS BEEN GIVEN
15. URGENT BUSINESS APPROVED BY THE PERSON PRESIDING OR BY DECISION

COUNCIL DECISION

Minute No. 9703

Moved: Cr K Torres

Seconded: Cr D Ausburn

That Council moves behind closed doors to consider Items 16.1 Lease of Café being Part of the East Kimberley Regional Airport Terminal, 16.2 Lease of Office being Part of East Kimberley Regional Airport Terminal and 16.3 Request to Write Off Charges for Additional Waste Receptacle Charges – Rates Assessment A5209.

Carried unanimously 8/0

Council moves behind closed doors at 5.46pm.

16. MATTERS BEHIND CLOSED DOORS

16.1 Lease of Café Being Part of The East Kimberley Regional Airport Terminal

DATE:	21 February 2012
PROPONENT:	Shire of Wyndham East Kimberley
LOCATION:	Shire of Wyndham East Kimberley
AUTHOR:	Jo-Anne Ellis, Director Corporate Services
REPORTING OFFICER:	Jo-Anne Ellis, Director Corporate Services
FILE NO:	CM.16.19

The business of the meeting is of a confidential nature as it relates to the business affairs of a person. The item will be discussed Behind Closed Doors under Section 5.23 (2) (c) and (e) (ii) as this is a matter that affects:

- c) A contract entered into, or which may be entered into, by the local government and which relates to a matter to be discussed at the meeting.
- e) A matter that if disclosed, would reveal –
 - (ii) information that has a commercial value to a person.

PURPOSE

The purpose of this report is for Council to consider submissions received in relation to proposal to lease the café being part of the East Kimberley Regional Airport Terminal by a private treaty arrangement, to dispose of the property by way of lease and to authorise the common seal to be affixed to the lease and other documents relating to the lease negotiations.

VOTING REQUIREMENT

Simple Majority

JA Ellis Director of Corporate Services notes that the advertisement calling for submissions closed Friday 17 February 2012 with no submissions received.

Cr R Addis moves the Officer's Recommendation with minor adjustments.

COUNCIL DECISION

Minute No. 9704

Moved: Cr R Addis

Seconded: Cr K Torres

That Council:

- 1) Having given local public notice of the Shire's intention to dispose of property being the lease of the café being part of the East Kimberley Regional Airport Terminal for a period of five years notes that no submissions were received.
- 2) Applies the common seal to and authorises the Chief Executive Officer and Shire President to sign a deed of release between Shire of Wyndham East Kimberley and Everspring Holdings Pty Ltd agreeing that all negotiations and discussions between them with respect to Tender 14-10/11 for the lease of café and shop at East Kimberley Regional Airport are at an end and that the parties have not entered into any lease between themselves with respect to the café being part of the East Kimberley Regional Airport Terminal.
- 3) Disposes of café lease area at East Kimberley Regional Airport being the area shaded green on Attachment A to the lease document by leasing these premises to Lizard Lounge Pty Ltd for a period of five years commencing on 22 February 2012 at a rental inclusive of landlord outgoings but excluding utilities of power, water, telephone and gas, of Year 1 \$35,200 (incl GST), Year 2 \$37,290 (incl GST), Year 3 \$39,484 (incl GST), Year 4 \$41,789 (incl GST), Year 5 \$44,207 (incl GST).
- 4) Applies the common seal to the lease between the Shire of Wyndham East Kimberley and Lizard Lounge Pty Ltd being the lease of part of the East Kimberley Regional Airport for the permitted purpose of Café.

Carried unanimously 8/0

16.2 Confidential Item - Lease of Office Being Part Of East Kimberley Regional Airport Terminal

DATE:	21 February 2012
PROPONENT:	Shire of Wyndham East Kimberley
LOCATION:	Shire of Wyndham East Kimberley
AUTHOR:	Jo-Anne Ellis, Director Corporate Services
REPORTING OFFICER:	Jo-Anne Ellis, Director Corporate Services
FILE NO:	CP.16.44

The business of the meeting is of a confidential nature as it relates to the business affairs of a person. The item will be discussed Behind Closed Doors under Section 5.23 (2) (c) and (e) (ii) as this is a matter that affects:

- c) A contract entered into, or which may be entered into, by the local government and which relates to a matter to be discussed at the meeting.
- e) A matter that if disclosed, would reveal –
 - (ii) information that has a commercial value to a person.

PURPOSE

To dispose by way of lease the ground floor office being part of the East Kimberley Regional Airport Terminal to Civil Aviation Safety Authority.

VOTING REQUIREMENT

Simple Majority

T Whalan leaves room at 5.48pm.

T Whalan returns to room at 5.50pm.

K Hannagan leaves room at 5.50pm.

COUNCIL DECISION

Minute No. 9705

Moved: Cr D Ausburn

Seconded: Cr C Gore-Birch Gault

That Council dispose of part of the East Kimberley Regional Airport being the ground floor office to Civil Aviation Safety Authority by way of a three year lease with a two year option, to commence on the date of signing of the lease, at an initial rent of \$16,000 (GST exclusive) per annum plus electricity usage.

Carried unanimously 8/0

16.3 Confidential Item - Request to Write Off Charges for Additional Waste Receptacle Charges Rates Assessment A5209

DATE:	21 February 2012
PROPONENT:	Shire of Wyndham East Kimberley
LOCATION:	Shire of Wyndham East Kimberley
AUTHOR:	Heather Winter Senior Finance Officer
REPORTING OFFICER:	Jo-Anne Ellis, Director Corporate Services
FILE NO:	FM.11.5

The business of the meeting is of a confidential nature as it relates to the business affairs of a person. The item will be discussed Behind Closed Doors under Section 5.23 (2) (c) and (e) (ii) as this is a matter that affects:

- c) A contract entered into, or which may be entered into, by the local government and which relates to a matter to be discussed at the meeting.
- e) A matter that if disclosed, would reveal –
 - (ii) information that has a commercial value to a person.

PURPOSE

Council to consider a request to write of additional waste receptacle charges for rates assessment A5209, from the period 2007 to 2010

VOTING REQUIREMENT

Absolute Majority (for write off).

COUNCIL DECISION

Minute No. 9706

**Moved: Cr D Ausburn
Seconded: Cr J McCoy**

That Council resolves to refuse the request to write off the additional waste receptacle charges of \$1,526.80 on rates assessment A5209.

Carried unanimously 8/0

COUNCIL DECISION

Minute No. 9707

**Moved: Cr D Ausburn
Seconded: Cr R Addis**

That Council moves out from behind closed doors.

Carried unanimously 8/0

Council moves out from behind closed doors at 5.51pm.

K Hannagan returns to room at 5.51pm.

COUNCIL DECISION

Minute No. 9708

**Moved: Cr D Ausburn
Seconded: Cr R Addis**

That Council adjourn the meeting.

Carried unanimously 8/0

Meeting adjourned at 5.52pm to consider Item 12.4.2 Application for a Temporary Caravan Park and Item 12.4.6 Local Planning Strategy Review – Rural Residential and Rural Smallholdings Development.

Meeting recommences at 6.03pm (D Pettit and K Tripp do not return to meeting).

Peter Tushingham enters the Public Gallery at 6.03pm.

12.4.2 Application for Temporary Caravan Park - Kununurra Agricultural Society

DATE:	21 February 2012
PROPONENT:	Kununurra Agricultural Society Inc
LOCATION:	Reserve 29799, Lot 77 Coolibah Drive Kununurra
AUTHOR:	Kelly Cripps, Senior Environmental Health Officer
REPORTING OFFICER:	Nick Kearns, Director Development Services
FILE NO:	PH.12.5
ASSESSMENT NO:	2153

PURPOSE

For Council to consider an application by the Kununurra Agricultural Society to operate a temporary caravan park on Reserve 29799. The application is made with request to allow 6 long term sites, a variation of Council Policy CP/HTH-3762, Licensing of Temporary Caravan Parks and Camping Grounds.

BACKGROUND

An audit of all caravan parks in Kununurra and Wyndham was conducted in 2009 after inconsistencies were found in licensing during routine inspections. The audit found that many parks were operating more sites than was legally allowed under the *Caravan Park and Camping Ground Regulations 1997*. Since then, Shire's Environmental Health Officers have been working closely with operators to ensure all comply with the Regulations.

The Kununurra Agricultural Society's Camp Grounds came under particular attention during the audit as it was determined that they were operating outside of the approval granted on 21 November 2006.

Minute No 7557	
Moved: Cr K Wright	Seconded: Cr J Buchanan
1. That Council enter into negotiations with the Kununurra Ag Society to implement new licence subject to the following provisions:	
i.	The number of long term bays shall be no greater than 10.
ii.	The number of short term bays shall be no greater than 30.
iii.	The maximum stay for short term bays shall be three months [as per the Regulations].
iv.	The caravan park may operate between April 1st and November 30th. After this period the caravan park may only be occupied by the caretaker, and any caravaner or camper that cannot gain entry to another caravan park or camping ground due to ownership of pets or are vehicles are too large to gain entry to an alternate park.
v.	Only travellers with pets or large vehicles may occupy a bay at the caravan park /camping ground, except during the months of June, July and August when it shall not be necessary to have a pet or large vehicle to occupy the caravan park/camping ground.

- vi. Priority shall be given to owners of pets and/or large vehicles at all times the park is open.*
- 2. That Council direct Council officers to investigate compliance with the Caravan Parks and Camping Grounds Regulations 1997 for all other caravan parks in the Shire.*
- 3. Council delegate to CEO to achieve a negotiated outcome within the provisions of this recommendation.*
- Carried Unanimously: 7/0*

The matter was brought to Council to consider on 14 December 2010 and the following motion was passed.

COUNCIL DECISION

Minute No: 9369

Moved: Cr J Moulden
Seconded: Cr J Parker

That Council:

- 1. Issues the Kununurra Agricultural Society with a Caravan Park and Camping Ground License for 30 short term sites until 30 June 2011, subject to the approval of Minister for Regional Development and Lands.**
- 2. Advises the Kununurra Agricultural Society that prior to expiration of the license on 30 June 2011 it will be necessary for them to make application for approval to operate either;**
 - a. A caravan park and camping ground in accordance with the Act and Regulations; or**
 - b. A temporary park in accordance with Council policy.**

CARRIED UNANIMOUSLY: (7/0)

Representatives from the Kununurra Agricultural Society have since met with Council Officers on numerous occasions to address Council's decision.

On 21 December 2011 an application was received from the Kununurra Agricultural Society to operate a temporary park with 6 long term sites.

STATUTORY IMPLICATIONS

Caravan Parks and Camping Grounds Act 1995 (the Act)
Caravan Parks and Camping Grounds Regulations 1997 (the Regulations)

Clause 54 of the Regulations allows Local Government to license caravan parks with lesser facilities for a temporary period

POLICY IMPLICATIONS

Council Policy CP\HTH-3762, Licensing of Temporary Caravan Parks and Camping Grounds was adopted by Council at its ordinary meeting on 21 June 2011.

FINANCIAL IMPLICATIONS

The Kununurra Agricultural Society has paid the annual license fee of \$200.00 to operate a caravan park and camping ground in the 2011/2012 financial year. This fee is determined by the *Caravan Park and Camping Ground Regulations 1997*.

The fee for a temporary facility is also determined by the regulations and is \$100 or a pro rata amount payable for a normal license.

STRATEGIC IMPLICATIONS

The strategic implications of this report are overarching compliance to the *Shire Wyndham East Kimberley Strategic Plan 2008*.

This report aligns with Council's focus on Governance, Key Result Area 5, in the *Shire of Wyndham East Kimberley Strategic Plan 2008*.

- Council decisions are consistent with policies and strategies
- Council accepts responsibility for decisions

COMMUNITY CONSULTATION

Council Officers have had regular contact with members from the Kununurra Agricultural Society to assist them in preparing an application.

COMMENT

In the past 2 years Council has adopted 3 policies relating to caravan and camping legislation. The aim of this has been to minimise individual interpretations and set clear boundaries for what is expected from existing facilities and those wanting to provide an alternative camping solution.

With regard to the Kununurra Agricultural Societies application;

1. The ablutions are adequate for 40 sites in a temporary facility, which the Agricultural Society has applied for. All other amenities such as water, power, rubbish facilities, fire fighting equipment and setbacks have been met.
2. The application requests dates of operation to be from 1 April – 30 November each year (8 months). These dates were agreed to by Council in the initial approval on 21 November 2006.
3. The Agricultural Society has applied for 6 long term sites to be used all year round. The original approval from November 2006 stated that only those who could not gain entry to another caravan park or camping ground due to ownership of pets or large vehicles could remain at the grounds outside of the 1 April - 30 November. Some of the current long term occupants do not have pets and could fit at other parks, therefore there is no need for them to be at the Agricultural grounds.

With regard to pet ownership; there are now at least two caravan parks in Kununurra that accept pets.

On the matter of large vehicles; most parks have less than 50% occupancy of sites from 1st December to 31st March and therefore large vehicles should be able to be accommodated elsewhere.

In addition item 8.1 of Council Policy CP/HTH-3762 states;

“Only short stay and camp sites will be approved at a temporary caravan park and camping ground.

Long stay sites and overflow sites will not be approved at a temporary caravan park or camping ground.”

An important consideration when approving a temporary camping facility is the determination of ‘need’. This policy requires applicants to detail justification for the facility (why it is needed and who the main users are), and the impact it is likely to have on caravan parks and camping grounds within a 50km radius.

Previous justification for approving the Kununurra Agricultural Society as a camp ground was the need for a facility that could fit big rigs and allowed pets. This is no longer justified.

The need for a temporary facility could be justified from 1 April to 30 November due to peak tourist numbers and sites for seasonal workers. It should be noted however that the Agricultural Society requires occupants to vacate for a week during the peak tourist period in the July school holidays so they may run the annual Agricultural Show. This puts immense pressure on other caravan parks and creates illegal camping problems in other areas of town.

There is no mention of impact on other caravan parks and camping grounds in the Kununurra Agricultural Societies application.

The Kununurra Agricultural Society has indicated they would like to work towards an application for a permanent caravan park in the future however there are a number of matters that need to be addressed prior to this occurring;

1. A planning application for use of the site as a caravan park and camping ground must be submitted and approved.
2. Facilities need to be upgraded to ensure full compliance with the *Caravan Park and Camping Ground Regulations 1997*. This includes;
 - a. Provision of a hard stand for every long stay site;
 - b. Toilets and showers must be located within 90m of every site;
 - c. The ablutions provided would only allow for a maximum of 30 sites to be approved in accordance with the regulations. A 10 site reduction should they remain licensed as a temporary facility;
 - d. All long stay sites are to have a separate meter to record the electricity.
 - e. Each caravan site is to be no more than 10m from a sullage waste dump point and a camp site to be no more than 30;
 - f. In addition there are minor items such as providing recreational areas protected from the weather, showers to be provided with permanently affixed seats, an accessible baby’s bath and additional laundry troughs.

It should be noted that these are outstanding items from an inspection conducted in 2011 and some may have since been dealt with.

ATTACHMENTS

Attachment 1 – Application for a temporary camp ground park made by Kununurra Agricultural Society

Attachment 2 – Council Policy CP/HTH-3762, Licensing of Temporary Caravan Parks and Camping Grounds

VOTING REQUIREMENT

Simple Majority

OFFICER'S RECOMMENDATION

That Council:

- 1) Approves the Kununurra Agricultural Society to operate a Temporary Caravan Park in accordance with Council Policy CP/HTH-3762, Licensing of Temporary Caravan Parks and Camping Grounds from 1 April to 30 November each year, with a maximum of 40 short stay sites and 5 camp sites (as depicted on the site plan provided).
- 2) Refuses the application for long term sites, being inclusive of 1 December to 31 March each year, due to there being insufficient justification, in accordance with clause 8.1 of Council Policy CP/HTH-3762, Licensing of Temporary Caravan Parks and Camping Grounds.

Cr D Auburn and Cr R Dessert declare Impartiality Interest in the item as life members of the Kununurra Agricultural Society.

Dominique Breig enters the Public Gallery at 6.06pm.

Moved: Cr K Torres

Seconded: Cr R Addis moves the Officer's Recommendation with minor adjustments to include "This excludes any approved caretaker dwelling" at the end of dot point 1.

COUNCIL DECISION

Minute No. 9709

Moved: Cr K Torres

Seconded: Cr R Addis

That Council:

- 1. Approves the Kununurra Agricultural Society to operate a Temporary Caravan Park in accordance with Council Policy CP/HTH-3762, Licensing of Temporary Caravan Parks and Camping Grounds from 1 April to 30 November each year, with a maximum of 40 short stay sites and 5 camp sites (as depicted on the site plan provided). This excludes any approved caretaker dwelling.**
- 2. Refuses the application for long term sites, being inclusive of 1 December to 31 March each year, due to there being insufficient justification, in accordance with clause 8.1 of Council Policy CP/HTH-3762, Licensing of Temporary Caravan Parks and Camping Grounds.**

Carried unanimously 8/0

R Addis declared financial interest in Item 12.4.6 Local Planning Strategy Review – Rural Residential and Rural Smallholdings Development and leaves room at 6.08pm.

Attachment 1 – Application for a temporary camp ground park made by Kununurra Agricultural Society



KUNUNURRA AGRICULTURAL SOCIETY (Inc.)

PO Box 271
Kununurra WA 6743
Ph: 08 9168 2885
Fax: 08 9168 2886

Email: KnaAgS@westnet.com.au
Website: www.kas.org.au

President: Bruce Carey Ph: 0437 486 787
Support Officer: Fina Halmos-Byrneson Ph: 0407 320 816
Treasurer: Kerry Grandison Ph: 0438 863 014

Wednesday 21 December 2011

Kelly Cripps
Senior Environmental Health Officer
Shire of Wyndham East Kimberley
PO Box 614
Kununurra WA 6743

Dear Kelly

Application for a Temporary Caravan Park

Please find attached an application for a Temporary Caravan Park at the KAS site with specific requests for variation from Policy CP/HTH-3762.

It is the intention of the committee to work towards an application for a permanent caravan park in the near future, however in the interim we wish to operate as a Temporary Facility.

If you have any questions in relation to this matter please contact me on the number below.

Kindest Regards

Fina Halmos-Byrneson

Fina Halmos-Byrneson
Society Support Officer | Kununurra Agricultural Society
Phone: 08 9168 2885 | Email: knaags@westnet.com.au
PO Box 271, Kununurra, WA, 6743 | Website: www.kas.org.au
Office Attended: Mon - Fri 2pm-6pm

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The Kimberley Echo www.kimberleyecho.com
Kununurra Rural Traders / Kununurra Pest Management www.krtc.com.au

Application

Tenure – current lease expires 30 June 2012 - have commenced negotiations with Shire of Wyndham East Kimberley for a new lease – minimum 10 year tenure.

2 sets of accurately scaled plans, site layout and floor plans of associated buildings and facilities

Number of sites requested – 40, including caretaker and 6 long term sites to enable existing long term tenants to remain (as per the assurance of Council to maintain the status quo of the KAS and its caravan park)

Max number of people on site: as per the policy no more than 10 pax per site – at maximum 400 however based on previous year's experience we anticipate maximum onsite numbers of 250 at any given time.

Consultation: Local letters of support needed – KVC, Chamber of Commerce, Employers of long termers?

Dates of Operation:

- 1 July 2011 – 30 November except for 6 long term sites which we request year round (or as long as employed by a local employer + 4 weeks leeway)
- 1 April to 30 June except for 6 long term sites which we request year round (or as long as employed by a local employer + 4 weeks leeway)

7. Minimum Requirements:

7.1 Ablutions – provided in accordance with the policy 6 toilets, 4 showers and 4 hand basins. All ablutions are connected to deep sewerage.

7.2 Water – A centrally located tap with running water for use by all occupiers, no more than 90m from any site – as shown on the site plan. One source of non-potable water is clearly signed as per the policy

7.3 Electricity – Mains powered sites and non-powered sites offered

7.4 Rubbish – rubbish bins are provided and located within 90m of each site as per the site plan and emptied twice each week. Rubbish bins all have lids.

7.5 Fire Fighting Equipment – fire extinguishers are accessible at all times within 90m of each site

7.6 Setbacks

- Sites are clearly defined and marked as per the site plan.
- There shall be no more than **10 people** per site at any one time
- A maximum of one caravan, bus, campervan or tent is permitted per site
- A minimum of 3m is kept between caravans, buses, campervans and tents on different sites
- All sites are set back a minimum of **5m** from the road

7.7 Caretakers Residence – a caretaker will reside onsite for the period of the temporary licence and is the emergency point of contact for each occupier.

7.5 Advertising and Commercial Activities – the temporary facility is not advertised and patrons are not permitted to conduct commercial or profit making business activity within the facility.

Attachment 2 – Council Policy CP/HTH-3762, Licensing of Temporary Caravan Parks and Camping Grounds



Shire of Wyndham East Kimberley **Council Policy Number: CP/HTH-3762** **Licensing of Temporary Caravan Parks and Camping Grounds**

OBJECTIVE:

To provide guidelines on the approval of temporary caravan parks and camping grounds within the Shire of Wyndham East Kimberley

POLICY:

Scope & Limitations

This policy applies to all locations within the Shire of Wyndham East Kimberley.

The following are defined in the *Caravan Parks and Camping Grounds Regulations 1997*;

- 'Long Stay Site' means a site at a caravan park which is to be occupied consecutively by the one person or group of persons for any period of time
- 'Short Stay Site' means a site at a caravan park which is to be occupied consecutively by the one person or one group of persons, for no longer than 3 consecutive months
- 'Camp Site' includes to camp in a vehicle but not caravans.
- 'Overflow Site' may only be used with the approval of the local government, for a period of time specified in that approval, and in accordance with any conditions placed on that approval

Background

The *Caravan Park and Camping Grounds Regulations 1997* give discretion to Local Government on the granting of temporary licences for caravan parks and camping grounds.

Section 54 of the regulations states;

- " (1) A local government may grant a temporary licence for a facility which is to remain in force for such period of less than one year, as it provided in the licence.;
- (2) A local government is to endorse on a temporary licence for a facility as conditions of the licence-
- (a) The maximum number of sites that may be used at the facility;
 - (b) The maximum number of sites of particular types that may be used at the facility; and
 - (c) The services that are to be provided"

Guiding Statement

1. TENURE

An application for a temporary facility must demonstrate legal entitlement or signed written permission from the owner to occupy the land.

2. NEED

The applicant shall detail the need for a temporary facility with particular due regard to;

- Providing justification for the temporary facility (why it's needed, the main users)
- Impact on existing caravan park and camping grounds within a 50km radius.

3. ENVIRONMENT

The design and location of a temporary facility must be sensitive and complimentary to environmental areas. Where there are concerns regarding the impact of a proposal on environmentally sensitive areas, the Shire may seek comment from the Environmental Protection Authority, Department of Environmental and Conservation, or equivalent, prior to determining the application.

4. AMENITY

The Shire accepts that lower levels of amenity than those which could be typically expected within a permanent holiday or caravan park. However, all applications should as a minimum accord with standards prescribed in this policy and any other environment, health and building legislation.

5. SPECIFIC APPLICATION DETAIL

The following shall be provided with the application for a temporary facility licence;

- 2 sets of accurately scaled and dimensioned locality plans, site layout plans and floor plans of buildings or facilities
- The number of sites
- The maximum number of people expected to use the facility
- Information on how each of the minimum requirements set out in this policy are to be addressed and how the facility will be managed
- Details of any consultation with local businesses, community groups or government agencies
- Dates of operation

6. FEES

Fees for operating a temporary caravan and camping ground licence are determined in 'Schedule 3 - Fees' of the *Caravan Park and Camping Grounds Regulations 1997*.

7. MINIMUM REQUIREMENTS

Applications should demonstrate that the Temporary camping facility meets the following minimum requirements:

7.1 ABLUTIONS

Ablution facilities shall be provided in accordance with the following table;

Sites	Toilets	Showers	Handbasins
1-10	2	2	2
11-20	4	2	2
20-30	4	4	4
30-40	6	4	4
40-50	6	6	6
50-60	8	6	6

Ablutions may either be stand alone unisex facilities or split 50/50 for male and female use.

- Temporary ablutions must be pumped out on a regular basis.

- Permanent ablutions must be connected to an on-site effluent disposal system approved by Shire's Environmental Health Officer.

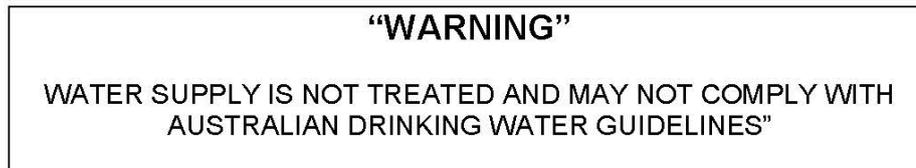
It is the responsibility of the facility licence holder to ensure that ablutions are maintained in a clean and suitable manner.

Laundry and washing up facilities are not required.

7.2 WATER

There must be a centrally located tap with running water for use by all occupiers. A tap must be no more than 90m from any campsite.

Where a potable supply of water cannot be provided, taps must be clearly signed with the following or similar.



Where drinking water is not provided, all occupants must be clearly notified prior to staying at the facility.

7.3 ELECTRICITY

Generators to 2kva are permitted between the hours of 7am and 9.30pm

7.4 RUBBISH

While rubbish bins are not required to be provided, advertising and notice to campers arriving at the park must be provided through approved signage advising that campers must take their own waste with them and where they may deposit it.

If bins are provided they shall be located within 90m of every site and emptied as necessary, but at least once a week.

Rubbish bins are to be sealed to prevent infestation from insects and vermin.

7.5 FIRE FIGHTING EQUIPMENT

Where a facilities water supply is not adequate to operate fire hoses effectively, the facility may have;

- i) fire extinguishers accessible at all times within 90m of every site; or
- ii) a portable fire fighting unit with a minimum capacity of 1000L, which must be full and easily accessible at all times. The operational capacity of a fire fighter unit shall be demonstrated upon request by the Shire's Fire Control Officer or a FESA representative.

7.6 SETBACKS

Camp area shall be clearly defined and marked so it is clear to users where they shall and shall not camp.

There shall be no more than ten (10) people permitted to camp on a site at any one time

A maximum of one caravan, bus, campervan or tent is permitted per site.

A minimum of 3m is required between caravans, buses, campervans and tents on different sites.

Caravans, buses, campervan and tents must be set back at least 5m from the road.

7.7 CARETAKER'S RESIDENCE

A caretaker may reside at the temporary facility for the term of the temporary license.

If a caretaker is not on-site then an emergency point of contact must be nominated and provided to each occupier of the facility.

7.5 ADVERTISING AND COMMERCIAL ACTIVITIES

Advertising the temporary facility is not permitted.

Patrons are not permitted to conduct commercial or profit making business activities within the temporary facility.

8. LICENCE

8.1 SITES

Only short stay sites and camp sites will be approved at a temporary caravan park and camping ground.

Long stay sites and overflow sites will not be approved at temporary caravan park and camping ground.

8.2 INSPECTION

Temporary facilities will only be issued a licence from the Shire of Wyndham East Kimberley once an Environmental Health Officer has inspected the site and determined that the facility meets minimum standards.

Outcomes

This policy has been developed to formalise existing temporary camp ground arrangements and provide guidance for their approval in the future. It aims to provide an acceptable standard of amenity for campers staying within a temporary facility. It provides guidance to staff, Councillors, government agencies, landowners, and the general public regarding the assessment of applications for temporary camp facilities.

GOVERNANCE REFERENCES

Statutory Compliance	<i>Caravan Parks and Camping Grounds Act 1995 Caravan Parks and Camping Grounds Regulations 1997</i>
Industry Compliance	
Organisational Compliance	Delegations Manual
Process Links	

POLICY ADMINISTRATION

Directorate		Officer Title		Contact:	
Development Services		Senior Environmental Health Officer		Ext: 175	
Date Effective	22 June 2011				
Date Adopted	21 June 2011	Last Reviewed	21 June 2011		
Risk Rating	Low	Review Cycle	Tri-Annual	Next Due	21 June 2014

12.4.3 Kununurra Agricultural Society's Caravan Park And Camping Ground License

DATE:	14 December 2010
PROPONENT:	Kununurra Agricultural Society
LOCATION:	Reserve 29799 Coolibah Drive
AUTHOR:	Kelly Cripps, Senior Environmental Health Officer
REPORTING OFFICER:	Nick Kearns, Director Development Services
FILE NO:	01.2153.03
ASSESSMENT NO:	A2153

PURPOSE

For Council to consider terms of the Caravan Park and Camping Ground License held by the Kununurra Agricultural Society on Reserve 29799.

BACKGROUND

Reserve 29799 is vested with the Shire for community and recreation purposes. The Kununurra Agricultural Society has a lease over the Reserve and the purposes listed on the lease include entertainment, recreation, equestrian and agricultural show activities.

In 2001, Council approved the Kununurra Agricultural Society's use of the oval surrounds as a caravan park and camping ground during the peak tourist season. Justification for the approval was to accommodate big rigs and people travelling with pets when all other parks were full.

The license was extended beyond its temporary nature in 2006 when at its Ordinary Meeting on 21 November 2006, Council resolved the following:

Minute No 7557	
Moved: Cr K Wright	Seconded: Cr J Buchanan
1. That Council enter into negotiations with the Kununurra Ag Society to implement new licence subject to the following provisions:	
i.	The number of long term bays shall be no greater than 10.
ii.	The number of short term bays shall be no greater than 30.
iii.	The maximum stay for short term bays shall be three months [as per the Regulations].
iv.	The caravan park may operate between April 1st and November 30th. After this period the caravan park may only be occupied by the caretaker, and any caravaner or camper that cannot gain entry to another caravan park or camping ground due to ownership of pets or are vehicles are too large to gain entry to an alternate park.
v.	Only travellers with pets or large vehicles may occupy a bay at the caravan park /camping ground, except during the months of June, July and August when it shall not be necessary to have a pet or large vehicle to occupy the caravan park/camping ground.

<p><i>vi. Priority shall be given to owners of pets and/or large vehicles at all times the park is open.</i></p> <p>2. That Council direct Council officers to investigate compliance with the Caravan Parks and Camping Grounds Regulations 1997 for all other caravan parks in the Shire.</p> <p>3. Council delegate to CEO to achieve a negotiated outcome within the provisions of this recommendation.</p> <p style="text-align: right;">Carried Unanimously: 7/0</p>

With regard to provisions listed in point 1 of the above motion:

CONDITION	COMMENT
i. The number of long term bays shall be no greater than 10	These two conditions have been wrongly interpreted by the Agricultural Society to mean they could be licensed for a total of 40 sites.
ii. The number of short term bays shall be no greater than 30	In actual fact ablution facilities at the show ground only permit it to be licensed for a total of 30 sites.
iii. The maximum stay for short term bays shall be 3 months (as per regulations)	This condition is unnecessary as the 3 month maximum for short term sites is a requirement of the regulations.
iv. The caravan park may operate between April 1 st and November 30 th . After this period the caravan park may only be occupied by the caretaker, and any caravaner or camper than cannot gain entry to another caravan park or camping ground due to ownership of pets or vehicles too large to gain entry to an alternate park.	<p>This point inadvertently approves the Agricultural Society to operate a caravan park and camping ground for a full year subject to conditions outside of 1st April to 30th November.</p> <p>Council leaves itself open to reprimand by licensing the Agricultural Society as a caravan and camping ground when it did not comply fully with the regulations.</p> <p>Outside the peak tourist season, the need to provide a facility for travellers with pets or large vehicles is not necessary as there are two caravan parks that accept pets and there are ample sites in the permanent caravan parks for large rigs so these conditions are not justified.</p>
v. Only travellers with pets or large vehicles may occupy a bay at the caravan park/camping ground, except during the months of June, July and August when it shall not be necessary to own a pet or have a large vehicle to occupy the caravan park/camping ground.	<p>Again, the need to provide a separate permanent facility for travellers with pets or large vehicles outside of the peak tourist season is not necessary as there are two caravan parks that accept pets and there are ample sites in the permanent caravan parks for large rigs.</p> <p>If the main issue is finding sites in the peak tourist season then it would be more appropriate to license the Agricultural Society to operate at temporary camp ground.</p>
vi. Priority shall be given to owners of pets and/or large vehicles at all times the park is open.	This condition is difficult for the Agricultural Society to monitor and enforce.

In relation point 2 of motion 7557, Licensed Caravan Parks and Camping Grounds within the Shire are inspected by Environmental Health Officers at least annually.

In 2009, staff undertook a thorough audit of caravan parks following concerns that many were operating outside of their license and in contravention of the regulations. Problems were found at most Caravan Parks and this was presented to Council at its briefing on 9 March 2010. Most issues related to the number of sites being occupied and this affected their licensing for 2010/2011. The Kununurra Agricultural Society caravan park was included in the audit and there were a number of non compliances identified. A follow-up inspection was carried out on 22 July 2010.

In August 2010, the Shire received three written complaints regarding the Agricultural Society's Caravan Park and Camping Ground License. The complainants question how a license was issued without compliance with the applicable Regulations, and why there is a need for them to operate outside of the peak tourist season.

The fact that the caravan park does not comply with the legislation and is operating for the entire year is an issue of concern for Council.

STATUTORY IMPLICATIONS

Caravan Parks and Camping Grounds Act 1995 (the Act)

Caravan Parks and Camping Grounds Regulations 1997 (the Regulations)

The resolution of 21 November 2006 has the effect of licensing the Kununurra Agricultural Society caravan park for a full year and this was done contrary to requirements of the legislation.

Section 7 of the Act sets out how an application for license as a caravan park must be made, being:

1. An application made to the local government on the prescribed form.
2. Payment of the prescribed fee.
3. Provision of any information that the local government reasonably requires for a proper consideration of the application.

In addition, Section 7 states that a local government may grant or renew a licence and at any time may impose conditions on that license.

Any application for a permanent caravan park, amendment to an existing license or addition to an existing caravan park would require the provision of properly drawn to scale plans and specifications detailing and showing that the proposed facility complies with the Act and Regulations.

Legal advice obtained specifically in relation to this matter is provided at Attachment 1.

POLICY IMPLICATIONS

Clause 54 of the Regulations allows a local government to license caravan parks with lesser facilities for a temporary period. A draft policy on the licensing of temporary camp grounds was brought to Council at its Ordinary Meeting on 20 April 2010. At that meeting approval was given to advertise the draft policy for comment. A copy of the draft policy CPTH-3762 Licensing of Temporary Camp Grounds is provided as Attachment 2.

Due to the comments received and sensitive nature of the matter, the policy has not yet been brought back to council for final adoption. Further consultation with existing caravan park operators will occur early in 2011 to review issues raised, prior to it being considered for adoption by Council.

FINANCIAL IMPLICATIONS

There are no financial implications associated with this matter.

STRATEGIC IMPLICATIONS

Governance: Compliance with legislative requirements.

COMMUNITY CONSULTATION

No community consultation has occurred with respect to this matter.

COMMENT

Outside the peak tourist season, the need to provide a facility for big rigs and travellers with pets is unnecessary as there are two caravan parks that accept pets and there are ample sites in permanent caravan parks for large rigs.

All caravan parks were visited by an Environmental Health Officer in the first week in September 2010 and it was clearly evident that there was ample room to accommodate large rigs. The caravan parks were also operating well below capacity. Therefore the need for the Kununurra Agricultural Society Caravan Park to be licensed for a full year to accommodate large rigs and pets cannot be justified.

The author of the agenda item of 21 November 2006 noted that there is no such category as a Temporary License in the legislation. Whilst this is correct, the Regulations do allow for Council to license a caravan park for a temporary period. This means that it is licensed as a Caravan Park and Camping Ground but the period of the license is restricted. A policy was developed earlier in the year to ensure consistency in the way temporary camp grounds were licensed. The draft policy can be used as a guide, but will be subject to revision early 2011.

The Kununurra Agricultural Society has not yet been issued with their Caravan Park and Camping Ground license for 2010/2011. Officers wanted to resolve the outstanding compliance matter before doing so.

ATTACHMENTS

Attachment 1 – Legal advice regarding the approval of the Agricultural Society as a Caravan Park and Camping Ground

Attachment 2 – Shire of Wyndham East Kimberley Draft Policy CPTH-3762 Licensing of Temporary Camp Grounds

VOTING REQUIREMENT

Simple Majority

OFFICER'S RECOMMENDATION

That Council:

1. Issues the Kununurra Agricultural Society with a Caravan Park and Camping Ground license for 30 short term sites until 30 June 2011.
2. Advises the Kununurra Agricultural Society that prior to expiration of the license on 30 June 2011 it will be necessary for them to make application for approval to operate either;
 - a. A caravan park and camping ground in accordance with the Act and Regulations; or
 - b. A temporary park in accordance with Council policy.

COUNCIL DECISION

Minute No: 9369

Moved: Cr J Moulden

Seconded: Cr J Parker

That Council:

1. Issues the Kununurra Agricultural Society with a Caravan Park and Camping Ground License for 30 short term sites until 30 June 2011, subject to the approval of Minister for Regional Development and Lands.
2. Advises the Kununurra Agricultural Society that prior to expiration of the license on 30 June 2011 it will be necessary for them to make application for approval to operate either;
 - a. A caravan park and camping ground in accordance with the Act and Regulations; or
 - b. A temporary park in accordance with Council policy.

CARRIED UNANIMOUSLY: (7/0)

12.4.6 Local Planning Strategy Review – Rural Residential and Rural Smallholdings Development

DATE:	21 February 2012
PROPONENT:	Shire of Wyndham East Kimberley
LOCATION:	Various
AUTHOR:	Jennifer Ninyette, Planning Officer
REPORTING OFFICER:	Nick Kearns, Director Development Services
FILE NO:	LP.05.1

PURPOSE

For Council to review the proposed modifications to its Local Planning Strategy, as that relates to rural residential and rural smallholding development, in light of submissions received.

BACKGROUND

At the Ordinary Council Meeting on 16 November 2010, Council formally considered initiating proposed modifications to its Local Planning Strategy (LPS), as recommended in the report titled 'Shire of Wyndham East Kimberley Local Planning Strategy Review – Rural Residential Development Summary Report of Investigations and Revised Local Planning Strategy Content', prepared by Urbis on behalf of the Shire, and resolved as follows:

COUNCIL DECISION

Minute No: 9336

Moved: Cr J Moulden

Seconded: Cr K Wright

That Council:

- 1. Resolves to initiate modifications of the Shire's Local Planning Strategy in respect to Rural Residential and Rural Smallholding development as identified in the 'Shire of Wyndham East Kimberley Local Planning Strategy Review – Rural Residential Development Summary Report of Investigations and Revised Local Planning Strategy Content' April 2010.**
- 2. Directs Shire staff to forward the proposed amendments to the LPS and associated information to the Western Australian Planning Commission (WAPC) and requests certification to advertise in accordance with Regulation 12 of the Town Planning Regulations (1967).**

CARRIED UNANIMOUSLY: (9/0)

The changes proposed to the LPS affect content relating to Rural Residential and Rural Smallholding development. In summary these changes:

- Are intended to remove inconsistencies with the LPS and the State Planning Policy Framework.

- Raise minimum lot sizes from 1ha to 4ha for properties in the Rural Residential Zone and 4ha to 40ha in the Rural Smallholding Zone and remove average lot size requirements for both zones.
- Protect Prime Agricultural Land through enhanced buffer provisions and by providing for more intense development on agricultural land deemed not viable.
- Provide opportunities for additional Rural Residential development where it is appropriate, with specific sites identified as best suited for this purpose.
- Provide for Rural Residential development around Wyndham, addressing the current absence of such development in Wyndham.

Accordingly, Shire Officers forwarded the proposed amendments to the LPS, and associated information; to the Western Australian Planning Commission (WAPC) to request consent to advertise.

The WAPC granted consent to advertise (Refer to Attachment 1) subject to additional information to be included in the final document, as outlined below:

- The revised Strategy states that if agriculture is deemed to be unviable and the land is not Prime Agricultural Land, then rural residential development may be considered as a viable alternative (to rural smallholdings). Protection of PAL is only one consideration when assessing the suitability of land for Rural Residential purpose. Other factors include locational characteristics, settlement hierarchy, sustainability, and environmental and landscape protection.
- It is important that the Department of Agriculture and Food WA (DAFWA) determine whether the land should be retained as agricultural land through the consultation process. This will enable the Shire to include this information within the Strategy and to give consideration of other relevant issues.
- The commission is willing to continue to support in principle, the development of lots less than 4 hectares without the provision of reticulated water. The Commission retains its right to reconsider this following advertising of the Strategy.
- The revised Strategy contains no updated information on demand for rural lifestyle blocks, existing occupied and vacant lots, and potential lot yield for the five subject areas. This information will need to form part of the final Strategy;
- The revised Strategy refers to, but does not provide discussion of the need to consider impact of smaller lots (1 hectare) on the river system or adjoining conservation/vegetated areas. It is important that comments are sought from the Department of Water (DOW) and Department of Environment and Conservation (DEC) in this regard during the advertising period and form part of the final document.
- The proposed additional rural residential lots at Wyndham adjoin the Wyndham airport and could potentially be within noise affected areas. Although State Planning Policy (SPP) 5.1 – Land Use Planning within the Vicinity of the Perth Airport, relates only to Perth, the key objectives of the policy can be undertaken to demonstrate that dwellings will be located outside of the recommended Australian Noise Contour for airports. This information will be required to support the final Strategy.

The proposed modifications to the LPS have been advertised, and Council is now requested to review these in light of the submissions received, as well as the further information requested by the WAPC.

STATUTORY IMPLICATIONS

The process for amending a LPS, pursuant to Regulation 12C (3) of the *Town Planning Regulations (1967)* is detailed as follows:

- 4) Shire prepares proposed amendment to LPS (12A (1) (a));
- 5) Shire forwards the proposed amendment to the Western Australian Planning Commission (WAPC) (12A (1) (b));
- 6) WAPC Reviews the amendment and gives certification to advertise (12B (1));
- 7) Amendment is advertised by Shire for 21 days (12B (2));
- 8) Shire reviews the amendment in light of submissions, and adopts it with or without modifications and submits a copy of the amendment to the WAPC for endorsement (12B (3)); and
- 9) If the WAPC endorses the amendment, the Shire publishes a notice of the endorsement.

The Western Australian Planning Commission has given certification to advertise the endorsed amendments, which were incorporated into the Local Planning Strategy, and the Shire is now required to review the amendment in light of submissions, and to adopt it with or without modifications, prior to submitting a copy to the WAPC endorsement.

POLICY IMPLICATIONS

Council adoption of the modifications to the LPS may have future implications for the review of, or preparation of, the Local Planning Policies which are required to be consistent with the LPS.

FINANCIAL IMPLICATIONS

There are no financial implications associated with this item.

STRATEGIC IMPLICATIONS

The Shire's Local Planning Strategy specifically addresses the matter of rural residential development within the Shire. The Strategy forms the guiding basis for detailed planning and development of land, specifically for rural residential and rural smallholding purposes. The Strategy provides a guide for Shire decision making and for the preparation of new policy and amendments to the Scheme.

COMMUNITY CONSULTATION

Certification to advertise was received from the Western Australia Planning Commission on 3 March 2011, and the Local Planning Strategy with proposed modifications was advertised for open to submissions for a period of 30 days, from the 31 March 2011 until 29 April 2011. An extended advertisement period (above the 21 days required) was given due to the Easter Public Holidays falling during this period, although the Shire has accepted submissions up to the date of this report.

A total of 31 submissions were received, with the majority supporting modifications to the LPS however many submissions recommended a number of changes and/or additions as discussed in the comments section. The submissions are summarised in the Schedule of Submissions at Attachment 2, and copies of each submission are provided as Attachment 3.

The Shire is required to consider the submissions received, and make additional modifications if required, prior to final submission to the WAPC.

COMMENT

The Shire's main intention in reviewing the rural residential sections in the LPS was primarily to:

- Include land within the vicinity of Wyndham Airport, which the Shire is currently investigating a proposal to rezone for rural-residential development, in order to allow the WAPC to consider the proposal in a strategy context prior to receiving a statutory application.
- Address several proposals received and/or subdivisions approved which are at variance to the recommendations of the LPS. These proposals have generally sought smaller lot sizes than provided for in the Strategy.
- Remove reference to the requirement for average lot sizes to enable further subdivision and promote consolidation of existing and identified rural residential land where appropriate, to meet demand in the relatively short term.

While the majority of the submissions supported the intent of modifying the Local Planning Strategy, there were a number of issues raised and recommendations offered. The main issues raised in the submissions were:

1. The documents are hard to read, and there are still a number of inconsistencies between the draft Local Planning Strategy, draft State Planning Policy and draft Development Control Policy, and the Town Planning Scheme(s).
2. There is strong support for the Jabiru Road and Packsaddle Road Precinct, and other areas to be identified as suitable rural residential.
3. The requirement for 4ha minimum lots adjacent to and or abutting agricultural and/or horticultural land uses was queried, with a couple of submissions recommending that separation buffers of 100m – 150m would be adequate in most instances.
4. A number of submissions queried whether agricultural viability included economic viability.

Inconsistencies between the draft LPS and draft State Planning Policies

In regard to the inconsistencies between the draft documents the WAPC has been in the process of reviewing State Planning Policy 2.5 and Development Control Policy 3.4, which were not available prior to the investigation and report on the proposed modifications to the LPS. Therefore while the proposed modifications are consistent with the current State Planning Policy 2.5 – Agricultural and Rural Land Use Planning, confusion has been raised through the terminology used in the draft State Planning Policy 2.5 – Land Use Planning in Rural Areas.

The draft SPP 2.5 and DC 3.4 were advertised for public comment until 31st July 2011, and have not been formally adopted to date, and this is not expected to occur for some time.

The main differences between the current State Planning Policy 2.5 and the draft SPP 2.5 is the terminology and the fact that the draft document has been streamlined.

The main difference between the current Development Control Policy 3.4 – Subdivision of Rural Land and the draft DC 3.4 policy again is terminology, however the draft policy outlines the requirement for connection to a reticulated water supply for new rural residential developments however the WAPC may consider an alternative sustainable water supply for existing rural residential zones where a reticulated water supply is not available or planned.

The current DC 3.4 policy allows for an alternative water supply to be considered where it is not practical or reasonable for lots to connect to a reticulated water supply, based on the cost differential between a reticulated and alternative water supply, and the reliability of an alternative water supply. This means that any new rural residential developments need to be connected to a reticulated water supply, unless a variance to this policy is outlined in the Local Planning Strategy, as currently is the case. In this regard, the WAPC stated in the consent to advertise that it is willing to continue to support in principle, the development of lots less than 4 hectares without the provision of reticulated water, however retains its right to reconsider this following advertising of the Strategy.

The draft LPS is consistent with the intent of the draft policies, and the only inconsistencies relate to the changes in terminology proposed. Shire Officers have liaised with the Department of Planning, and while it is acknowledged that the WAPC is trying to rationalise and simplify the terminology of the various zones within these draft State policies, this partial LPS review cannot accommodate these changes. Therefore the only modifications proposed are to use the terms 'rural residential' and 'rural small holdings' consistently in the sections of the LPS that have been advertised.

Packsaddle –Jabiru Road and other precincts for Rural Residential development

In regard to the support for the Packsaddle-Jabiru Road and River Farm Road precincts, these precincts were not reinvestigated in terms of its appropriateness for rural residential development, due to various complexities primarily due to possible conflicts with existing prime agricultural land. However, the Jabiru Road precinct is already acknowledged in the LPS (and draft LPS) as worthy of future investigation in the event other proposed Rural Residential areas prove unsuitable, while the River Farm Road precinct is acknowledged to have general intrusion of rural living uses. It is recommended that the LPS be amended to also state that the Jabiru Road precinct can be considered an area worthy of further examination in the event of other sites having already been developed for rural residential purposes.

Comment was sought from the Department of Agriculture and Food WA (DAFWA) during investigation, however no response was received prior to the report on proposed modifications being finalised and therefore no updated information on Priority Agricultural Land mapping was available in preparation of the initial recommendations report.

The advice received from the DAFWA during the advertising of the draft Local Planning Strategy also did not include any updated advice in regard to the Packsaddle-Jabiru Road and River Farm Road precincts, and instead stated that they support these remaining areas are not be suggested as potential rural living areas at this time to minimise the potential for land use conflict by further subdivision close to existing horticultural areas.

Suitable separation buffers and Lot sizes

The advice received from the Department of Agriculture and Food WA (DAFWA) is included in the Schedule of Submissions (Attachment 1) and a copy of the submission is included in Attachment 3.

This submission stated that the DAFWA uses the EPA's Guidance Statement No. 3 (2005) Separation Distances between Industrial and Sensitive Land Uses to recommend buffers and setbacks, and to ensure agricultural operations on land next to rezoned land areas are not restricted, DAFWA recommends minimum setbacks/buffers of 500 metres be incorporated into the rezoned areas in accordance with the abovementioned EPA guidelines.

The EPA's Guidance Statement No. 3 states that the generic separation distances within the document should be used when there has been no site specific technical study, and that potential land use conflicts are resolved through the land planning process following consideration of technical information and advice from relevant agencies.

It is considered that reference to specific separation buffer distances cannot be included within the proposed modifications to the LPS, however it is acknowledged that the proposed modifications do include the requirement for an appropriate buffer study to address separation between rural and residential uses where required.

The reference to a minimum lot size of 4ha for lots adjacent to and or abutting agricultural and/or horticultural land is identified specifically in relation to King Location 599 (Weero Road), as this was a decision of the Minister of Planning in approving the structure plan and subdivision for the Valentine Falls Estate. Accordingly, if it is considered that a smaller lot size would be adequate in other instances, the draft LPS allows for this to be determined and/or sufficiently justified through an appropriate buffer study.

Agricultural viability/suitability

In regard to the submissions which queried whether agricultural viability, included economic viability, the advice from the Department of Agricultural Food and WA in regards to agricultural viability are based on land capability, which includes lot size and environmental considerations. The protection of prime agricultural land (PAL) is based on it being a natural resource and therefore the intent is to retain PAL within lot sizes that are viable, and to ensure that changes to adjoining land uses do not unduly constrain the viability of the operation. As such the DAFWA has verbally acknowledged that agricultural viability should also take into consideration pressures and constraints caused by existing and/or approved adjoining land uses.

Notably, the DAFWA did provide specific advice in relation to Lot 1 Old Darwin Road, acknowledging that the suitability of Lot 1 Old Darwin Road for agriculture is greatly impacted/restricted by the existing rural residential land use to the east (Egret Close/Wilson subdivision) and the land set aside for rural small holdings to the west (Lot 2 Old Darwin Road). A copy of this advice is provided at Attachment 4.

Response to WAPC comments

In response to the additional information the WAPC advised is required to be included in the final document, the following advice is provided;

- Protection of PAL is only one consideration when assessing the suitability of land for Rural Residential purposes, and as such reference should be made to other factors such as locational characteristics, settlement hierarchy, sustainability, and environmental and landscape protection.
- The advice from the DAFWA has deliberately only focussed on those existing areas within the draft Local Planning Strategy that are identified as suitable for rural residential development, in regard to whether the land should be retained as agricultural land. However, this advice has acknowledged that errors are likely to exist and therefore more accurate surveys would be warranted before any decisions are made on future land use.
- The Shire has received updated comment from Landgate's Property and Valuation Branch in regard to demand for rural lifestyle blocks, as well as supporting sales information for the Shire from 2006 – 2010. Landgate has stated that comments previously provided by a Regional Valuer (and included in Appendix B of the current LPS), are still relevant. This advice stated that 'smaller agricultural lots, specifically closer to the river, sell at values in excess of their agricultural value, reflecting their popular use as rural residential type lots'. The Department of Planning has advised that only changes can be made to those sections of the draft LPS that has been advertised, and as Appendix B (Land Sales Information - Kununurra) was not advertised as proposed to be modified, this information has not been included in the proposed modifications, but is provided as additional information for the Department of Planning. This additional information includes details of existing occupied and vacant lots, and potential lot yield for the main subject areas, and is shown at Attachment 6.
- The Schedule of submissions has considered the comments provided by both the Department of Water (DOW) and the Department of Environment and Conservation (DEC) and it is proposed to include their recommendations to the draft Strategy. These comments include the need to consider impact of smaller lots on the river system or adjoining conservation/vegetated areas.
- The Shire acknowledges that the proposed additional rural residential lots at Wyndham adjoin the Wyndham airport and could potentially be within noise affected areas. Officers have reviewed the key objectives of SPP 5.1 – Land Use Planning within the Vicinity of the Perth Airport, and are confident that it can be demonstrated that dwellings will be located outside of the recommended Australian Noise Contour for airports, based on previous, current and projected aircraft movements at the Wyndham Airport. It is intended to acknowledge in the LPS the requirement to undertake adequate assessment in regard to potential noise impact as part of the Structure Planning process.

Therefore in light of the submissions received and advice from the WAPC, there are a number of further modifications recommended as identified in the Schedule of Modifications provided at Attachment 5.

As stated, the intent of the review was to primarily to include consideration of rural residential in Wyndham, address existing proposals received and/or subdivisions approved which are at variance to the recommendations of the current LPS, and to remove reference to the requirement for average lot sizes to enable further subdivision and promote consolidation of existing and identified rural residential land where appropriate, to meet demand in the relatively short term.

It is acknowledged that further investigation is required into areas not currently identified for future Rural Residential, and that the other sections of the LPS also need to be reviewed and updated. In this regard, it is acknowledged that a full review of the Local Planning Strategy will be required to be initiated in the medium term, and will fall in line with development and implementation of the integrated planning framework, in particular the Strategic Community Plan.

However, in the interim it is recommended that Council adopt the proposed changes to the Local Planning Strategy, with the further modifications as shown on the Schedule of Modifications, and in the Modified Content at Attachment 7.

ATTACHMENTS

- Attachment 1 – WAPC consent to advertise
- Attachment 2 – Schedule of Submissions
- Attachment 3 – Copies of Submissions
- Attachment 4 – Additional correspondence from DAFWA
- Attachment 5 - Schedule of Modifications
- Attachment 6 – Additional land supply and demand information
- Attachment 7 – Modified Content for LPS (following advertising)

VOTING REQUIREMENT

Simple Majority

OFFICER'S RECOMMENDATION

That Council:

- 1) Adopts amendments of the Shire's Local Planning Strategy in respect to Rural Residential and Rural Smallholding development as identified in the 'Shire of Wyndham East Kimberley Local Planning Strategy Review – Rural Residential Development Summary Report of Investigations and Revised Local Planning Strategy Content' April 2010, with modifications.
- 2) Forward the proposed amendments (with modifications) to the LPS and associated information to the Western Australian Planning Commission (WAPC) and requests endorsement in accordance with Regulation 12 of the Town Planning Regulations (1967).
- 3) Notifies all submitters with respect to the proposed changes to the revised local Planning Strategy.

COUNCIL DECISION

Minute No. 9710

Moved: Cr D Ausburn

Seconded: Cr A Horn

That Council:

- 1) Adopts amendments of the Shire's Local Planning Strategy in respect to Rural Residential and Rural Smallholding development as identified in the 'Shire of Wyndham East Kimberley Local Planning Strategy Review – Rural Residential Development Summary Report of Investigations and Revised Local Planning Strategy Content' April 2010, with modifications.**
- 2) Forward the proposed amendments (with modifications) to the LPS and associated information to the Western Australian Planning Commission (WAPC) and requests endorsement in accordance with Regulation 12 of the Town Planning Regulations (1967).**
- 3) Notifies all submitters with respect to the proposed changes to the revised local Planning Strategy.**

Carried unanimously 7/0

Cr Addis returns to room at 6.15pm.

Attachment 1 – WAPC consent to advertise



Our Ref: DP/10/00078/1
Your Ref: AM9336
Enquiries: June Wang (9264 7980)

03 MAR 2011

1-6793

LP.05.1

Chief Executive Officer
Shire of Wyndham-East Kimberley
P.O. BOX 614
KUNUNURRA 6743

ATTENTION : Nick Kearns

Dear Sir/Madam

REQUEST FOR THE WESTERN AUSTRALIAN PLANNING COMMISSION TO GRANT CONSENT TO ADVERTISE THE SHIRE OF WYNDHAM EAST KIMBERLEY LOCAL PLANNING STRATEGY

I refer to your correspondence dated 18 January 2011 regarding the above matter.

In this regard, the Western Australian Planning Commission has resolved to:

1. approve the Shire of Wyndham East Kimberley Local Planning Strategy for advertising;
2. advise the Shire of Wyndham East Kimberley that additional information is required to be included in the final document as outlined below:
 - The revised Strategy states that if agriculture is deemed to be unviable and the land is not Prime Agricultural Land, then rural residential development may be considered as a viable alternative (to rural smallholdings). Protection of Prime Agricultural Land is only one consideration when assessing the suitability of land for Rural Residential purposes. Other factors include locational characteristics, settlement hierarchy, sustainability, and environmental and landscape protection.
 - It is important that Department of Agriculture and Food determine whether the land should be retained as agricultural land through the consultation process. This will enable the Shire to include this information within the Strategy and to give consideration of other relevant issues.
 - The Commission is willing to continue to support in principle, the development of lots less than 4 hectares without the provision of reticulated water. The Commission retains its right to reconsider this following advertising of the Strategy.

Albert Facey House, 469 Wellington Street (cnr Forrest Place), Perth, Western Australia 6000
Tel: (08) 9264 7777; Fax: (08) 9264 7566; TTY: (08) 9264 7535; Infoline: 1800 626 477
e-mail: corporate@wapc.wa.gov.au; web address: <http://www.planning.wa.gov.au>
ABN 35 482 341 493



wa.gov.au

- The revised Strategy contains no updated information on demand for rural lifestyle blocks, existing occupied and vacant lots, and potential lot yield for the five subject areas. This information will need to form part of the final Strategy;
- The revised Strategy refers to, but does not provide discussion of the need to consider impact of smaller lots (1 hectare) on the river system or adjoining conservation/vegetated areas. It is important that comments are sought from Department of Water and Department of Environment and Conservation in this regard during the advertising period and form part of the final document.
- The proposed additional rural residential lots at Wyndham adjoin the Wyndham airport and could potentially be within noise affected areas. Although SPP 5.1 - Land Use Planning within the Vicinity of the Perth Airport, relates only to Perth, the key objectives of the policy can be applied to regional airports. Modelling should be undertaken to demonstrate that dwellings will be located outside of the recommended Australian Noise Contour for airports. This information will be required to support the final Strategy.

Yours faithfully



For Tony Evans
Secretary
Western Australian Planning Commission

22 February 2011

Albert Facey House, 469 Wellington Street (cnr Forrest Place), Perth, Western Australia 6000
Tel: (08) 9264 7777; Fax: (08) 9264 7566; TTY: (08) 9264 7535; Infoline: 1800 626 477
e-mail: corporate@wapc.wa.gov.au; web address: <http://www.planning.wa.gov.au>
ABN 35 482 341 493

Attachment 2 – Schedule of Submissions

Schedule of Submissions Local Planning Strategy Review

No.	Submitter, Address and Property (If applicable)	Summary of Submission	Planning Comment	Staff Recommendation
1	Peter Tushingham Lot 135 Whimbrel Road, KUNUNURRA	1.1 Proposed modifications supported on the basis that the submitter would like to subdivide his property.	1.1 Noted. Submitters property is zoned Rural Living, and hence modifications proposed in LPS review will allow for a minimum Lot size of 1ha.	No modifications recommended.
2	Lanny Garrett Lot 123 Weaver Plain Road KUNUNURRA	2.1 Proposed modifications supported.	1.1 Noted.	NA
3	John & Pauline Kirby Lot 200 Chamberlain Drive KUNUNURRA	<p>3.1 Considers that 8 hectares should not be referenced in the LPS for the rural residential designation of Lot 21 (KL 599), as a 4-8 hectare block is more suited to a “hobby farm – rural small holding” designation.</p> <p>3.2 Considers the 4ha minimum size block for land abutting or adjoining PAL should be flexible based on the costs, fire and weed management associated with the larger lots. Considers that there is no evidence to show that a 4ha block provides greater protection to PAL than a 2ha block which has an internal buffer (100m – 150m) disallowing residential buildings or plantings of non indigenous species.</p> <p>3.3 Submitters wish to subdivide their 7.2ha property (Lot 200 Chamberlain Drive) into two 3.6 ha lots in the future, which is slightly below the 4 ha minimum.</p>	<p>3.1 In s5.2.7 Future Rural Residential it is recommended that a variety of lots be provided for this area ranging from 1 ha – 8ha, however that a 4ha minimum is appropriate for lots abutting or adjoining horticultural activities. The reference to 8ha is within the current LPS, and the modifications proposed remove the requirement for an average lot size of 4ha, to reflect the approved structure plan and subdivision. The proposed amendments may allow for further potential subdivision of lots, and does not impose any requirement for any lot to be 8ha in area.</p> <p>3.2 The 4ha minimum lot size for land abutting or adjoin PAL (in this case, Lot 20) is in place to protect horticultural activities which are a priority land use, and was a decision of the Minister of Planning in approving the structure plan and subdivision for the Valentine Falls Estate.</p> <p>3.3 Noted. The WAPC may be prepared to consider minor variations to the 4ha minimum subject to sufficient justification being provided by the applicant.</p>	Modify section 6.4 to state that ‘A minimum lot size of 4ha will generally be applied where a proposed rural residential subdivision abuts PAL, a horticultural land use, environmental areas and/or areas of landscape significance, unless otherwise sufficiently justified through an appropriate buffer study”
4	Vince Durkin	4.1 Proposed modifications supported.	Noted.	NA

	Lot 117 Pardalote Close KUNUNURRA			
5	Brolga Wovodich Lot 1755 Great Northern Hwy WYNDHAM	5.1 Proposed modifications supported. 5.2 Concerned about any impacts on the cost of living and Shire rates and that landowners should bear costs for the proposal of this LPS.	5.1 Noted. 5.2 Cost of rezoning and subdivision will be at cost of landowners. Rates will only change significantly if land is rezoned. The LPS does not rezone land but provides a framework for future rezoning and/or subdivision to occur.	No modifications recommended.
6	Thomas & Dominique Brieg Lot 109 Kestrel Place KUNUNURRA	6.1 Proposed modification supported. 6.2 Considers that 1 ha lots are more suitable, as 2 ha is too big and expensive to maintain and too small for any commercial crop.	6.1 Noted 6.2 Noted	NA
7	Cindy Morris PO Box 88, Kununurra Lot 2 Old Darwin Road, KUNUNURRA	7.1 Proposed modifications supported, particularly relating to the Old Darwin Road precinct. 7.2 Consider that the amendment will allow them to apply for rural residential zoning in an area of the property that is not viable for agriculture and which is prime rural residential land whilst maintaining the rural smallholding zoning over the remainder of the property that is more suited to small agricultural pursuits.	7.1 Noted 7.2 Noted	NA
8	Ian Richard Lapworth Lot 1368 Great Northern Hwy WYNDHAM	8.1 Proposed modifications are supported on the basis that new provisions will support growth of Wyndham and increase subdivision potential for landowners. 8.2 Supports minimum lot size of 1 – 4ha and is interested in subdividing his property.	8.1 Noted. 8.2 Submitters property is zoned Special Rural, therefore proposed modifications will enable potential for subdivision.	NA
9	John Ireland 103 Mills Road KUNUNURRA	9.1 Proposed modifications supported.	9.1 Noted	NA
10	GHD Pty Ltd on behalf of Yeltara Developments Lot 1 Old Darwin Road, KUNUNURRA	10.1 Supports the intent of the proposed modifications to provide additional and appropriate rural residential land and encourage smaller and varied lot sizes. 10.2 Recommend that the LPS be modified to include opportunity to provide lot sizes less than 1 hectare in “special residential areas” areas as an alternative lifestyle opportunity for the community. 10.3 Recommend that the draft LPS be modified to identify Lot 1 Old Darwin Road for rural residential development, as it presents limited long term agricultural viability, however its location and amenity make it an appropriate location for rural residential use. 10.4 The owner can develop the land in a	10.1 Noted 10.2 This matter was explored within the LPS review by the consultant and the review concluded that a minimum lot size of 1ha should apply to rural lifestyle development. This minimum was established in accordance with s5.11.4 of the LPS, where it is acknowledged that visual amenity plays a key role in the feel and character of a locality. Lots less than 1ha will compromise the rural amenity of areas that are outside of designated Residential areas. 10.3 Noted. Proposed LPS modifications intend to include potential for the Old Darwin Road precinct to be considered for rural	Modify s5.2.8 for the Old Darwin Road Precinct to state 'While some land within this area may be suitable for agriculture, further investigation is required to determine the extent and capability of soils, and will also need to consider the impact of existing adjoining rural residential development on proposed agricultural usability. Upon further investigation, should the subject lots not be deemed suitable for

		<p>relatively short timeframe so as to respond to land demand.</p> <p>10.5 That the LPS be modified to specify that determination of agricultural viability should incorporate consideration of economic and environmental viability practices – in addition to agricultural capability.</p>	<p>residential uses, if agricultural uses are not suitable on the subject or surrounding lots. It is noted that recent advice from DAFWA, specifically in relation to Lot 1, states that given the size of the property, continued agricultural operation is likely to be impacted by the existing surrounding land use and land set aside for rural smallholding development.</p> <p>10.4 Noted</p> <p>10.5 Advice from DAFWA in regards to agricultural viability has been based on land capability, which includes environmental considerations. The protection of PAL is based on it being a natural resource and the intent is to retain PAL within lot sizes that are viable, and in locations that are not constrained by existing/approved adjoining land uses.</p>	<p>agricultural use then consideration could be given to rural residential development subject to land capability and other site constraints.'</p>
11	<p>Stan Smythe Yeltara Developments Lot 1 Old Darwin Road, KUNUNURRA</p>	<p>11.1 Does not support subdivision of areas such as Weero Road and Crossing Falls in advance of areas such as Old Darwin Road and King Location 647 given these areas are 14-15 from the town and do not have access to a potable water supply.</p> <p>11.2 Lot 1 Considers that Old Darwin Road should be considered as a prime rural residential area rather than Rural Smallholdings as the site will soon cease horticultural activities (due to soil conditions, insects and weeds on-site making future agricultural activity not viable), its proximity to Kununurra, servicing and amenable setting.</p>	<p>11.1 No staging requirements are included within the LPS. The LPS only reviews those land parcels which were previously identified as having subdivision potential, however this assessment has rated these based on suitability and desirability.</p> <p>11.2 The Old Darwin Road precinct is able to be considered for Rural Residential development if agricultural uses are not viable on the subject or surrounding lots under the draft LPS modifications proposed. It is noted that recent advice from DAFWA, specifically in relation to Lot 1, states that given the size of the property, continued agricultural operation is likely to be impacted by the existing surrounding land use and land set aside for rural smallholding development.</p>	<p>Modify s5.2.8 for the Old Darwin Road Precinct to state 'While some land within this area may be suitable for agriculture, further investigation is required to determine the extent and capability of soils, and will also need to consider the impact of existing adjoining rural residential development on proposed agricultural usability. Upon further investigation, should the subject lots not be deemed suitable for agricultural use then consideration could be given to rural residential development subject to land capability and other site constraints.'</p>
12	<p>A.L. McConnell Lot 1290 Great Northern Hwy WYNDHAM</p>	<p>12.1 Proposed modifications supported.</p>	<p>12.1 Noted.</p>	<p>NA</p>
13	<p>Pat Buchanan PO Box 507 KUNUNURRA Loc 447 Jabiru Road, KUNUNURRA</p>	<p>13.1 Considers that there is a lack of consistency in the use of terms and definitions, (rural residential and rural smallholding), between the State Planning Policy (SPP 2.5) and the SWEK draft LPS.</p>	<p>13.1 Noted. Submitter refers to the draft SPP 2.5 and draft DC 3.4, which were not available prior to the investigations and summary report being prepared. Proposed modifications are based on current SPP 2.5 and DC 3.4.</p>	<p>Officers have reviewed draft SPP 2.5 and DC 3.4, and have liaised with the Department of Planning. It is acknowledged that although the WAPC is</p>

		<p>13.2 Considers that the current TPS makes the reading of the LPS (draft) difficult, frustrating, confusing and time consuming.</p> <p>13.3 Difficult working with a 5 - 6 year old document with obvious lack of updated data and information from the review process.</p> <p>13.4 Disagrees with the recommendation for a preparation of a Local Planning Policy, as considers it may be an opportunity to fix up one of the deficiencies of one document by producing a document with a different title when a properly reviewed and prepared draft LPS and then TPS would seem capable of providing adequate guidance to all stakeholders.</p>	<p>13.2 & 13.3 Noted. Confusion exists because the terms used within the TPS, LPS and draft SPP2.5 and DC3.4 all differ slightly, and sometimes these terms (e.g. Rural Living, Rural Residential, Rural land) refer to a zone within the Scheme, or refer to a subset and/or overall category of land use. The intent should be to use consistent terminology throughout the draft LPS.</p> <p>13.4 Noted. Local Planning policies are generally used to clarify the intent and provisions of the LPS and/or Scheme, and would include more detail than can practicably be included within the LPS or Scheme.</p>	<p>trying to rationalise and simplify the terminology of the various zones, this partial LPS review cannot accommodate these changes.</p> <p>However modifications are proposed to use the terms 'rural residential' and 'rural small holdings' consistently in the sections of the LPS that have been advertised.</p> <p>Officers have verbally spoken to Mrs Buchanen in regard to this submission, but need to provide a formal response to her and her husband.</p>
14	<p>Lachlan & Craig Dobson PO Box 1231 Kununurra 6743 Lot 21 Weero Road, KUNUNURRA</p>	<p>14.1 Support creating a larger Rural Residential Precinct encompassing the entire length of Weero Road to Victoria Hwy.</p> <p>14.2 Expansion of the Weero Road precinct can be justified on the basis that it would support the provision of small-scale commercial development, such as a local store, with the possibility to support more facilities when the proposed heavy haulage route is constructed.</p> <p>17.4 Considers the precinct has the necessary topography, road system and services.</p>	<p>14.1 Noted</p> <p>14.2 The submitters proposed expansion area of the Weero road precinct primarily covers land currently used for intensive agricultural purposes and is therefore inconsistent with the intent of the LPS which prioritises agricultural land use.</p>	<p>No modification recommended.</p>
15	<p>Maxine Middap No Address Supplied (two separate forms received) Lot 588 Cole Avenue, WYNDHAM</p>	<p>15.1 Proposed modifications not supported in relation to Wyndham.</p> <p>15.2 Considers that airport land should be retained for airport and related uses, and raises concerns regarding noise impact on future residents.</p> <p>15.3 Considers the proposed lot sizes are too small, and should be a minimum of 2.5 hectares, and preferably 4ha.</p> <p>15.4 Considers that the proposed lots will be undesirable within proximity of the Prison Work Camp.</p> <p>15.5 Queries whether the land has been properly surveyed to consider issues such as natural water courses and drainage during the wet season.</p>	<p>15.1 Noted.</p> <p>15.2. The proposed subdivision of airport land is on the basis that the land is surplus to the requirement of the airport. Given the low intensity use of the airport it is not expected that unreasonable amenity impacts will be experienced by future residents.</p> <p>15.3 While a minimum lot size of 1ha is proposed, it is also recommended that a variety of lot sizes be provided. Lot sizes will be influenced by a number of factors including, appropriate separation from adjoining land uses, topography, geotechnical suitability and other environmental considerations, which will ensure this variety.</p> <p>15.4 The work camp will be taken into consideration during the Structure Planning in order to resolve any potential land use issues, and future residents will need to be made</p>	<p>Modify s5.2.7 to state 'Investigation of current and projected airport use will be required, including monitoring and consideration of noise impacts from the airport on adjacent land to demonstrate that potential dwellings will not be adversely affected by noise having consideration for the recommended Australian Noise Contour for airports, as part of the Structure Planning process'.</p>

			<p>aware of the work camps existence when determining whether to purchase land in this area.</p> <p>15.5 The proposed LPS acknowledges the presence of various creek lines on the site, and these can be appropriately addressed at the Structure Planning stage.</p>	
16	<p>Department of Water PO Box 625 KUNUNURRA</p>	<p>16.1 Agrees that information about water availability and the provision of a potable water supply should be provided in the Structure Plan accompanying applications for Town Planning Scheme amendments.</p> <p>16.2 Recommends that the statement (in s5.2.2) 'availability of ground water and provision of a potable water supply' be replaced with the following: 'Projected water use figures for the development and the identification of sustainable potable and non-potable water source(s) capable of meeting demand'.</p> <p>16.3 DOW will only support the variation of the requirement to connect lots under 4ha in size to a potable, reticulated water supply if alternative, sustainable water source(s), that meet the requirements for both potable and non-potable uses are identified early in the planning process.</p> <p>16.4 DOW state it should be noted that the use of water sources other than rainwater tanks is subject to DOW approvals including, but not limited to, licensing requirements under the Rights in Water and Irrigation Act 1914 (RIWI Act)</p> <p>16.5 DOW recommends the following changes be made to the following subsections in Section 5.2.7: Future Rural Residential:</p> <p>Crossing Falls – State that water extracted privately form the river is a non-potable source and use is subject to DOW requirements.</p> <p>Lot 21 King Location 599 (Weero Road) – Request removal of reference to bore water as this development area is underlain by a fractured rock aquifer where groundwater availability is unreliable. Also request amend statement that non-potable water could be available from the Ord River, subject to Water Corporation requirements to state that use of this water source is also subject to DOW requirements.</p>	<p>16.1 Noted</p> <p>16.2 Noted and agreed.</p> <p>16.3 Noted and agreed</p> <p>16.4 Noted and agreed</p> <p>16.5 Noted and agreed</p>	<p>Modify wording of section 5.2.2 to replace 'availability of ground water and provision of a potable water supply' be replaced with the following: 'Projected water use figures for the development and the identification of sustainable potable and non-potable water source(s) capable of meeting demand'.</p> <p>Include specific reference (section 5.2.6) to DOW only supporting variation of the requirement to connect lots under 4ha in size to a potable, reticulated water supply if alternative, sustainable water source(s), that meet the requirements for both potable and non-potable uses are identified.</p> <p>Modify s5.2.7 to identify that for Crossing Falls, water extracted privately from the river is a non-potable source and use is subject to DOW requirements.</p> <p>Modify s5.2.7 to remove reference to bore water being a potential source due to unreliability.</p> <p>Modify s5.2.7 to identify that for Lot 21 King Loc 599 that non potable water extraction from the Ord River is subject to water Corporation and DOW requirements.</p> <p>Modify s5.2.7 to identify that</p>

		<p>Packsaddle – Jabiru Road Precinct Request amending statement that non-potable water could be available from the Ord River, subject to Water Corporation requirements to state that use of this water source is also subject to DOW requirements.</p> <p>Licensing requirements - The area covered by the LPS is within the Canning-Kimberley groundwater area and the Ord River and Tributaries surface water area, both of which are proclaimed under the RIWI Act. The use of groundwater and surface water and the construction of bores may require a licence. A permit may be required for activities that interfere with the bed and banks of watercourses.</p>		<p>for for the Packsaddle – Jabiru Precinct 'Non-potable water can be drawn from the Ord River subject to Water Corporation and DOW requirements.</p> <p>Include reference in the LPS (section 5.2.6) that the use of groundwater, surface water and bore construction requires a license from the DOW.</p>
17	Sandra Phipps Lot 13 Weaber Plain Road KUNUNURRA	17.1 Proposed modifications are supported on basis of increasing supply of rural residential land in proximity to town, and consider 1 hectare is a good size for this option.	17.1 Noted	NA
18	Jocelyn Layton Lot 1708 Great Northern Hwy WYNDHAM	18.1 Uncertainty in regard to whether landowners will be encouraged to subdivide, or be charged additional rates on the basis of a lot having subdivision potential. 18.2 Does not wish to subdivide.	18.1 No landowners will be forced to subdivide their property, and the cost of subdivision is borne by individual landowners who wish to do so. Rates raised by the Shire are based on a set value in the dollar across each zone. 18.2 Noted	NA
19	Birgit Bradtke Lot 120 Pardalote Close KUNUNURRA	19.1 Proposed modifications supported on basis of increasing supply of rural residential blocks, and supports a minimum lot size of 1ha on the basis that it would be easier to maintain.	19.1 Noted	NA
20	John Buchanan Loc 477 Jabiru Road, KUNUNURRA	20.1 SWEK is encouraged to adopt the definitions and policy outlined in the draft State Planning Policy 2.5 in order to avoid continuing inconsistencies with State policy. This action would also align SWEK policy with the Development Control Policy 3.4 – Subdivision of Rural Land. 20.2 Recommends that the term Rural Agriculture 2 needs to be deleted and land currently zoned as such, be placed in a Rural Living zone in accordance with draft SPP 2.5 and its definitions. 20.3 Recommends that land within the Rural Living zone can be rezoned to Rural Smallholding zone (4ha to 40ha blocks) and Rural Residential	20.1 Submitter refers to the draft SPP 2.5 and draft DC 3.4, which were not available prior to the investigations and summary report being prepared. Proposed modifications are based on current SPP 2.5 and DC 3.4. 20.2 & 20.3 Rural Agriculture 2 is a zone within the scheme, as is Rural Living, which would need to be a change to the Scheme and not the Strategy. Confusion exists because the term 'rural living' within the draft SPP2.5 refers to both Rural Residential and Rural Smallholding, but within the scheme the zone Rural Living simply equates to Rural Residential. The new Scheme (LPS 8) intends	Officers have reviewed draft SPP 2.5 and DC 3.4, and have liaised with the Department of Planning. It is acknowledged that although the WAPC is trying to rationalise and simplify the terminology of the various zones, this partial LPS review cannot accommodate these changes. However modifications are proposed to use the terms 'rural residential' and 'rural small holdings' consistently in

		<p>zone (1ha – 4ha blocks) on application.</p> <p>20.4 Believes that land with a minimum size of 8ha and zoned Rural Agriculture 2 is no longer a viable area for either agricultural or horticultural purposes, however that people who wish to retain a 8 ha block have the choice to do so while people who don't require 8ha could apply to subdivide.</p> <p>20.5 Recommends that all lots adjacent to Rural Agriculture 1 land have a designated non-residential development buffer of a minimum of 100 metres, so that any new development is less likely to conflict with or reduce the primary production potential of the adjoining Rural Agriculture 1 land.</p>	<p>to use the term Rural Residential (in line with the model scheme text), which should alleviate this confusion.</p> <p>20.4 Noted</p> <p>20.5 Noted. The DAFWA has stated that minimum separation buffers are required to address noise impacts and spray drift, and have recommended minimum setbacks/buffers of 500 metres be incorporated into the rezoned areas in accordance with the EPA Guidance Statement No. 3. The EPA's Guidance Statement states that the generic separation distances within the document should be used when there has been no site specific technical study, and that potentially land use conflicts are resolved through the land planning process following consideration of technical information and advice from relevant agencies. The proposed modifications to the LPS includes the requirement for an appropriate buffer study to address separation between rural and residential uses where required.</p>	<p>the sections of the LPS that have been advertised.</p> <p>Officers have verbally spoken to Mrs Buchanen in regard to this submission, but need to provide a formal response to her and her husband.</p>
21	<p>Quentin Parker Lot 51 Jabiru Road, KUNUNURRA</p>	<p>21.1 Considers that lots on Jabiru Road should have smaller lot size minimums than 8ha (prefer 2ha) to enable current land owners to live on smaller pieces of land, to better manage and use the land, and provide more options.</p>	<p>21.1 The Jabiru Road precinct has not been designated as Rural Residential area in the LPS due to possible conflicts with PAL. However, the Jabiru Road precinct has also been acknowledged as worthy of future investigation in the event other proposed Rural Residential areas prove unsuitable, and is recommended to amend this to also include if the other areas proposed have already been developed for rural residential purposes.</p>	<p>Modify s5.2.7 for Packsaddle – Jabiru Precinct to state 'it is considered an area worthy of further examination in the event of other sites proving unsuitable, or having already been developed for rural residential purposes.</p>
22	<p>Valeria Baxter Lot 1290 Great Northern Hwy WYNDHAM</p>	<p>22.1 Would like to further review the proposal prior to providing a submission.</p>	<p>22.1 Noted. No further submission received to date.</p>	<p>NA</p>
23	<p>John and Pat Buchanan Loc 477 Jabiru Road, KUNUNURRA</p>	<p>23.1 Support the designation Rural Residential and/or Rural Smallholdings being applied to the Jabiru Road precinct to be consistent with the State Planning Policy terminology. State that the lots are no longer economically viable to be commercially farmed, and would not create an issue with other rural lands (or a 100m buffer could be imposed), infrastructure is already in place, is within 15 – 20 mins of Kununurra, and would meet the needs of people who want to live in the area.</p>	<p>23.1 The Jabiru Road precinct has not been designated as Rural Residential area in the LPS due to possible conflicts with PAL. However, the Jabiru Road precinct has also been acknowledged in the LPS as worthy of future investigation in the event other proposed Rural Residential areas prove unsuitable, , and is recommended to amend this to also include if the other areas proposed have already been developed for rural residential purposes.</p>	<p>Modify s5.2.7 for Packsaddle – Jabiru Precinct to state 'it is considered an area worthy of further examination in the event of other sites proving unsuitable, or having already been developed for rural residential purposes.</p>

24	Silke Becke Lot 31 Egret Close KUNUNURRA	24.1 Proposed modifications supported on the basis of simplifying the LPS while providing a diversity of living options and protecting PAL and other interests.	24.1 Noted.	No modifications recommended.
25	Department of Environment and Conservation PO Box 942 KUNUNURRA	25.1 States that the various options for Rural Residential Development are well planned in terms of future demand for these lots, services and potential conflicts with PAL. 25.2 Raise concerns around the management of buffer areas. DEC are concerned about: increased weeds and lack of weed management, vegetation clearing, boat access and fire prevention. They request that guidelines are developed for vegetation management of and access to buffers. 25.3 DEC would prefer that the Old Darwin Road and King Loc 647 be developed in preference to the riverside sites of Crossing Falls and Weero Road.	25.1 Noted 25.2 Noted. The proposed modifications in the LPS includes the requirement for Structure Planning (s 5.2.2) which outlines the requirement for : <ul style="list-style-type: none"> • general environmental considerations including flora and fauna impacts, wildlife corridors, natural features, pollution, groundwater quality and any other environmental issues identified by Council. This may include buffer areas from existing and future adjacent land use (in accordance with a buffer study which may be required on a case by case basis); • appropriate buffer studies to address separation between rural and residential uses where required. 25.3 Noted	Modify section 5.2.2 to include "Appropriate buffer studies to prevent address negative environmental impacts within buffer areas associated with residential and rural land use including weed management, feral animals, vegetation clearing, boat access and fire prevention.
26	Whelans PO Box 2283 BROOME 6725 On behalf of several owners within the Jabiru and Packsaddle Roads area.	26.2 The LPS review fails to allocate any new land within the Kununurra area for Rural Residential development, or make any recommendations on development of land within the identified Rural Residential Precincts. 26.3 The Crossing Falls precinct will take a substantial amount of time to be able to develop, whilst the Jabiru/Packsaddle Road precinct is subdividable within a relatively short period of time if the LPS is modified to allow for subdivision. 26.4 Recommend allowing the rezoning and subdivision of the Jabiru Road and Packsaddle Road foreshore lots for Rural Residential development, with a minimum lot area of 1 ha. Or, as a minimum, the land should be rezoned to Small Rural Holdings, allowing for lots with a minimum 4 hectares in size. This will not cause significant loss of agriculture, and will assist in providing a supply of Rural Residential land until such time as larger scale projects such as Crossing Falls can be developed. 26.5 LPS should address/identify proposed variances from SPP's	26.1 Noted 26.2 The scope of the review only required areas already identified in the LPS only to be re-examined and recommendations made based on a review of available information. 26.3 Noted 26.4 The Jabiru Road precinct has not been designated as Rural Residential area in the LPS due to possible conflicts with PAL. However, the Jabiru Road precinct has also been acknowledged in the LPS as worthy of future investigation in the event other proposed 26.5 Rural Residential areas prove unsuitable. The LPS review addresses existing policy and variances from policy e.g. water provision.	Modify s5.2.7 for Packsaddle – Jabiru Precinct to state 'it is considered an area worthy of further examination in the event of other sites proving unsuitable, or having already been developed for rural residential purposes.

27	<p>Whelans PO Box 2283 BROOME 6725</p> <p>On behalf of Neville Jones of Lot 501 Farm Hill Road, KUNUNURRA</p>	<p>27.1 Recommend allowing the rezoning and subdivision of Lot 501 Farm Hill Road with a minimum lot area of 1 hectare, as it will not be detrimental to adjoining agriculture uses. This will provide a land supply within close proximity to agricultural areas, similar to lots 10, 12 & 273 Weaber Plain Road, which provide a precedent for this type of subdivision.</p>	<p>27.1 The scope of the review only required areas already identified in the LPS only to be re-examined and recommendations made based on a review of available information. Lot 501 Farm Hill Road was recently rezoned to Special Site – Airport to ensure that a proposed residence on the land is associated with the existing airstrip use to avoid conflict in land use. It is also noted that Lots 10, 12 & Loc 273 Weaber Plain Road are all currently zoned Rural Agriculture 1.</p>	<p>No modifications recommended.</p>
28	<p>Whelans PO Box 2283 BROOME 6725</p> <p>On behalf of Ian & Diana Oliver, owner of Lot 600 Riverfarm Road and Lot 21 Ivanhoe Road.</p>	<p>28.1 Supports the reviews addition of Rural Residential land in Wyndham. 28.2 The LPS review fails to allocate any new land within the Kununurra area for Rural Residential development, or make any recommendations on development of land within the identified Rural Residential Precincts. 28.3 The Crossing Falls precinct will take a substantial amount of time to be able to develop, whilst the Jabiru/Packsaddle Road precinct is subdividable within a relatively short period of time if the LPS is modified to allow for subdivision. 28.4 They recommend allowing the rezoning and subdivision of the Riverfarm Road precinct (including Lot 600), with a minimum lot area of 1 hectare. 28.5 Recommend Lot 21 Ivanhoe Road be identified for Rural Residential with 1ha minimum lot size as it is close to Kununurra and able to be connected to a reticulated water supply, and will not cause significant loss of agriculture. Alternatively, as a minimum, the land should be rezoned to Composite Industry. 28.6 LPS should address/identify proposed variances from SPP's.</p>	<p>28.1 Noted 28.2 & 28.5 The scope of the review only required areas already identified in the LPS only to be re-examined and recommendations made based on a review of available information. 28.3 Noted. Comment that subdivision and consolidation of existing Rural Living zoned areas could also be achieved in a relatively short period of time. 28.4 The River Farm Road precinct has not been designated as a future Rural Residential area in the LPS due to possible conflicts with PAL, fragmented ownership and difficult nature of lot layout (long and narrow), however, has been acknowledged in the LPS as predominantly being used for rural living/horticultural pursuits. 28.6 The LPS review addresses existing policy and variances from policy e.g. water provision.</p>	<p>No modifications recommended.</p>
29	<p>Department of Agriculture and Food WA PO Box 19 KUNUNURRA</p>	<p>29.1 The DAFWA review was focussed on the appropriateness of areas proposed as Potential Rural Living Areas in Kununurra given the priority to protect agriculture, and considers the evaluation process undertaken by the Shire in assessing potential rural living areas is supported and the findings found to be sound. 29.2 DAFWA has not reviewed minimum lot size requirements for development in the Rural</p>	<p>29.1 Noted 29.2 Noted. It is the intent of the State Planning Policy 2.5 to retain PAL in viable lot sizes. 29.3 The EPA's Guidance Statement No. 3 states that the generic separation distances within the document should be used when there has been no site specific technical study, and that potentially land use conflicts are</p>	<p>Modify s5.2.8 for the Old Darwin Road Precinct to state 'While some land within this area may be suitable for agriculture, further investigation is required to determine the extent and capability of soils, and will also need to consider the impact of</p>

		<p>Residential Zone and Rural Smallholding Zone, but is concerned that recommending larger block sizes on the better soils will not necessarily be sufficient to protect PAL. Areas within PAL that are 20 – 30ha in area, generally end up as ‘lifestyle’ blocks, have no agriculture and basically alienate land from agriculture. PAL must be retained in block sizes that are viable in their own right for commercial agriculture and protected by adequate separation distances.</p> <p>29.3 DAFWA uses the EPA’s Guidance Statement No. 3 (2005) Separation Distances between Industrial and Sensitive Land Uses to recommend buffers and setbacks. Any changed land use on agricultural land needs to be include buffers on the re-zoned land to minimise land use conflict. To ensure agricultural operations on land next to rezoned land areas are not restricted, DAFWA recommends minimum setbacks/buffers of 500 metres be incorporated into the rezoned areas in accordance with the abovementioned EPA guidelines. These guidelines set out minimum separation distances for a range of agricultural activities including market gardens, orchards and dairies.</p> <p>DAFWA have provided the following information as at 2008:</p> <p><u>29.4 Crossing Falls</u> Contains significant areas of land with high suitability for agricultural land use. This type of land is in short supply in the ORIA, and is considered to be PAL. Assessment of the area was done as a part of a reconnaissance soil survey of the area, and a follow up soil survey to more accurately determine the extent of the highly suitable soils would be warranted before any decision is made on future land use. Acknowledges that these areas are also highly attractive for Rural Residential development, and a compromise between the two competing land uses will be required. Some areas with low to moderate suitability for agriculture land and could be considered for rural residential development. It should be noted that this area contains</p>	<p>resolved through the land planning process following consideration of technical information and advice from relevant agencies. The proposed modifications to the LPS includes the requirement for an appropriate buffer study to address separation between rural and residential uses where required.</p> <p>29.4 Noted. A more detailed environmental assessment, including soil survey will be required as part of structure planning process for any extension to the Crossing Falls precinct. Geotechnical suitability of the land is identified in the LPS as being required as part of structure planning.</p> <p>29.5 Noted.</p> <p>29.6 Loc 647 has been rezoned to Rural Smallholdings on the basis of this previous advice from the DAFWA. The proposed modification to allow this land to be considered for future rural residential was based on correspondence from the DAFWA during the rezoning process which stated that this land was ‘less than 50% suitable for potential for irrigated agriculture’.</p> <p>29.7Noted. More recent correspondence from DAFWA advises that the suitability of Lot 1 Old Darwin Road for agriculture is greatly impacted/restricted by the existing rural residential land use to the east (Egret Close/Wilson subdivision) and the land set aside for rural small holdings to the west (Lot 2 Old Darwin Road).</p> <p>29.8 Noted</p>	<p>existing adjoining rural residential development on proposed agricultural usability. Upon further investigation, should the subject lots not be deemed suitable for agricultural use then consideration could be given to rural residential development subject to land capability and other site constraints.’</p>
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		<p>significant areas of seasonally or permanently poor drainage, a factor which need to be considered in planning allotment size and location.</p> <p><u>29.5 Lot 21 King Location 599</u> Soils are very variable with significant areas of low suitability. The main area of PAL has already been excised from the eastern end of the area. DAFWA does not consider the area to be PAL and does not object to the proposed rezoning.</p> <p><u>29.6 Lot 647 Crossing Falls Road</u> Contains significant areas of cockatoo soils and cockatoo sands/levee soils with high suitability for agricultural production which should be preserved for that purpose. The other areas, with moderate to low suitability for agriculture, are not considered PAL and could be considered for rural residential development. Note that the area contains significant areas of seasonally or permanently poor drainage, a factor which need to be considered in planning allotment size and location. DAFWA does not object to the proposed rezoning provided soils with high suitability for agricultural production are retained in block sizes that are viable in their own right for commercial agriculture and protected by appropriate buffers.</p> <p><u>29.7 Old Darwin Road</u> Contains significant areas of Cockatoo sands with a high suitability for agricultural production which should be preserved for that purpose in block sizes that are viable in their own right for commercial agriculture. Areas of other soils, with moderate to low suitability are not considered prime agricultural land and could be considered for rural residential development. Note that the area contains significant areas of seasonally or permanently poor drainage, a factor which need to be considered in planning allotment size and location.</p> <p><u>29.8</u> In regard to the other areas, DAFWA notes that the ratings in the comparative site analysis for the remaining areas are considerably lower and that those areas have not been suggested as</p>		
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		potential rural living areas at this time. This position is supported to minimise the potential for land use conflict by further subdivision close to existing horticultural areas.		
30	Stuart Clegg Lot 112 Kestrel Way, KUNUNURRA	30.1 Supports the proposed modification on the basis that it provides the potential to subdivide his land.	30.1 Noted. Submitters property is zoned Rural Living.	NA
31	Bradley Callahan Lot 108 Kestrel Way, KUNUNURRA	31.1 Supports the proposed modification on the basis that it provides the potential to subdivide his land.	31.1 Noted. Submitters property is zoned Rural Living.	NA

04 APR 2011

Shire of Wyndham East Kimberley

Proposed Amendment to Shire of Wyndham East Kimberley Local Planning Strategy - Rural Residential Development

The Shire of Wyndham East Kimberley is proposing to amend its Local Planning Strategy (LPS) to change provisions relating to Rural Residential Development.

TO: THE CHIEF EXECUTIVE OFFICER
(PO Box 614, Kununurra WA 6743)

**SUBMISSION ON PROPOSED MODIFICATIONS TO THE LPS
SUBMISSIONS CLOSE AT 4.00PM ON FRIDAY 29th APRIL 2011.**

SUPPORT

DISAGREE

INDIFFERENT

COMMENTS: I WOULD LIKE TO SUBDIVIDE MY LAND.

NAME: PETER TUSHINGHAM

ADDRESS (Optional): 135 WHIMBREL ROAD KUNUNURRA

SIGNATURE: 

DATE: 1-4-11

06 APR 2011

Shire of Wyndham East Kimberley

Proposed Amendment to Shire of Wyndham East Kimberley Local Planning Strategy - Rural Residential Development

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SUPPORT

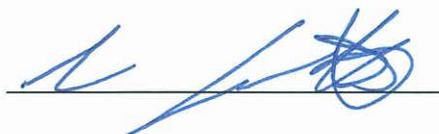
DISAGREE

INDIFFERENT

COMMENTS: _____

NAME: LANNY GARRETT

ADDRESS (Optional): 123 Weaver Plain Rd
Kununurra

SIGNATURE: 

DATE: 5/4/2011

Shire of Wyndham East Kimberley

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SUPPORT

DISAGREE

INDIFFERENT

COMMENTS: See Submission emailed 7/4/11

NAME: JOHN - PAULINE KIRBY

ADDRESS (Optional): PO Box 417
KUNUNURRA WA 6743

SIGNATURE: 

DATE: 7/4/11

Submission in relation to the text in the Local Planning Strategy -

7.4 Planning Policy – Rural Residential- KL 599 Lot 21 *(As a result of the potential conflict between PAL and the proposed rural residential uses, it is recommended that a variety of lots be provided within this site, ranging from 1 hectare to 8 hectares, with a minimum size of 1ha. A 4ha minimum lot size, required by the Scheme, is appropriate for buffer lots for lots abutting or adjoining horticultural activities)* we would like to submit the following comments:

8 hectares should not be recognized in the LPS for the “rural residential” designation of KL 599 Lot 21. An 8 hectares (20 ha) block is too large for a “rural residential” lot and is more suited to a “hobby farm – rural small holding” designation. It is not appropriate to have a mix of “hobby farms” (horse stables, cattle, horticultural activity) included with “rural residential”. If 4 - 8 hectares are desired there is appropriate sized land available at Packsaddle or within the “rural small holding” areas which will become available with subdivision of other areas.

The 4 ha minimum size block for land abutting or adjoining PAL should be flexible. For example 4ha (10acres) is more suited to the “hobby farmer” and not for “rural residential” for the following reasons”

- It is difficult and costly to maintain a larger area (4ha) with fire breaks.
- The control of introduced weed species of Caltrop, Parkinsonia, Mimosa, Hyptis Suaveolens (mint weed) and particularly Leucaena and Neem trees which are starting to dominate, is more demanding with a larger block. It is likely that eradication of these species on large blocks would be more costly and difficult to maintain to a satisfactory standard thus spreading to the rest of the precinct and possibly into PAL.
- There is no evidence to show that a 4 ha block provides greater protection to PAL than a 2ha block with has an internal buffer disallowing residential buildings or plantings of non indigenous species. A 2ha block is of sufficient size to provide internal buffers.

In the case of Lot 200 Chamberlain Drive which is a 7.2 ha block (due to an anomaly with planning exigencies existing at the time eg. drainage design problems) there is a major problem with this size block due to the above reasons plus the fact that the adjoining broad scale agricultural M.I.S scheme has failed economically and is in receivership. Consequently from operating with a budget greatly restrained by the receivers, noxious and prickly dominating weeds are spreading into Lot 200. Also it is a concern that if their irrigation and slashing regime is not fully maintained that it will constitute a clear fire hazard. The Valentine Falls precinct does not have access to a fire brigade service and it will be more difficult to control fire on a large block as compared to a 2ha block which would more likely to be fully cleared and developed. The economic cost and maintenance required for a 7ha residential block can be very difficult compared to a smaller block. We would like to have the opportunity to subdivide this block, sometime in the future, into two x 3.6ha blocks so we can build a smaller cottage suitable for our retirement. A 3.6ha block is not that much smaller than 4 ha and it would be easier to achieve our aim if the LPS didn't stipulate a minimum of 4ha and allowed flexibility for local existing conditions.

In the case of Lots 101-105 Chamberlain Drive there are adequate internal buffers preventing planting of non indigenous vegetation and building of houses. These blocks in addition are separated from the farming activities by a natural thick vegetative belt of over 150 metres width, and in some cases by another 150metre of the future new Highway, preventing any conflict with the activities of either party. These blocks could quite safely be of a 2ha size.

Thank you for the opportunity to comment

John & Pauline Kirby

7 April 2011

Jennifer Ninyette

From: Pauline & John Kirby [jpkirby42@bigpond.com]
Sent: Thursday, 7 April 2011 12:26 PM
To: Jennifer Ninyette
Subject: Submission on proposed amendment to LPS
Attachments: Submission.doc

Hello Jennifer

Attached is our submission on the proposed amendment to the LPS in relation to KL 599 Lot 21

Could you please acknowledge receipt of this email.

Regards

John & Pauline Kirby
PO Box 417
Kununurra
Mob: PK 0409 688570
JK 0438 369661

This email has been scanned by the MessageLabs Email Security System.
For more information please visit <http://www.messagelabs.com/email>

Jennifer Ninette

From: Pauline & John Kirby [jpkirby42@bigpond.com]
Sent: Thursday, 7 April 2011 12:31 PM
To: Jennifer Ninette
Subject: Emailing: objection.pdf
Attachments: objection.pdf

Scanned form attached

This email has been scanned by the MessageLabs Email Security System.
For more information please visit <http://www.messagelabs.com/email>

Shire of Wyndham East Kimberley

Proposed Amendment to Shire of Wyndham East Kimberley Local Planning Strategy - Rural Residential Development

The Shire of Wyndham East Kimberley is proposing to amend its Local Planning Strategy (LPS) to change provisions relating to Rural Residential Development.

TO: THE CHIEF EXECUTIVE OFFICER
(PO Box 614, Kununurra WA 6743)

**SUBMISSION ON PROPOSED MODIFICATIONS TO THE LPS
SUBMISSIONS CLOSE AT 4.00PM ON FRIDAY 29th APRIL 2011.**

SUPPORT

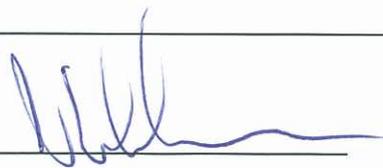
DISAGREE

INDIFFERENT

COMMENTS: _____

NAME: Vince Durkin

ADDRESS (Optional): lot 117 PARADISE ch

SIGNATURE:  DATE: 8-4-11

14 APR 2011

Shire of Wyndham East Kimberley

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- SUPPORT**
- DISAGREE**
- INDIFFERENT**

COMMENTS: IF THIS LPS IS GOING TO BE GOOD 4 THE TOWNSHIP
OF WYNDHAM AND MOVE US FORWARD INTO THE FUTURE BY ALL MEANS
LETS GO FOR IT.
I HOPE THAT THE LPS DOESN'T MEAN THAT THE COSTS
OF LIVING AND ALL SHIRE RATES DONT GO THROUGH THE
ROOF AND ALL CHARGES ARE ON WYNDHAM RESIDENCE TO
BEAR ALL THE COSTS 4 THE PREPOSIALK OF THIS LPS!

NAME: BRUKA WOVODICH

ADDRESS (Optional): LOT 1755 GREAT NORTHERN HIGHWAY
WYNDHAM

SIGNATURE: *Bruka Wovodich*

DATE: 11-4-2011

15 APR 2011

Shire of Wyndham East Kimberley

Proposed Amendment to Shire of Wyndham East Kimberley Local Planning Strategy - Rural Residential Development

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(PO Box 614, Kununurra WA 6743)

SUBMISSION ON PROPOSED MODIFICATIONS TO THE LPS
SUBMISSIONS CLOSE AT 4.00PM ON FRIDAY 29th APRIL 2011.

SUPPORT

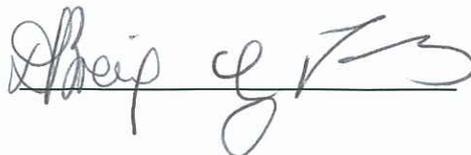
DISAGREE

INDIFFERENT

COMMENTS: the block size (2 hectares) is too big and expensive to maintain, and too small for any commercial crop. 1 hectare lots would be more suitable.

NAME: Thomas & Dominique BREIG

ADDRESS (Optional): Lot 109 Kestel place
Kununurra

SIGNATURE: 

DATE: 12/04/11

1 - 74 96
18 APR 2011

Shire of Wyndham East Kimberley

Proposed Amendment to Shire of Wyndham East Kimberley Local Planning Strategy - Rural Residential Development

The Shire of Wyndham East Kimberley is proposing to amend its Local Planning Strategy (LPS) to change provisions relating to Rural Residential Development.

TO: THE CHIEF EXECUTIVE OFFICER
(PO Box 614, Kununurra WA 6743)

**SUBMISSION ON PROPOSED MODIFICATIONS TO THE LPS
SUBMISSIONS CLOSE AT 4.00PM ON FRIDAY 29th APRIL 2011.**

SUPPORT

DISAGREE

INDIFFERENT

COMMENTS: See letter attached

NAME: Cindy Morris

ADDRESS (Optional): PO Box 88 KNX

SIGNATURE: E. Lehludje for
Cindy Morris

DATE: 18/4/2011

BOAB PARK
PO Box 88
KUNUNURRA WA 6743
PH: 08 91 693 019
email: cindymorris@westnet.com.au

8-4-11

Chief Executive Officer
Shire of Wyndham East Kimberley
PO Box 614
KUNUNURRA WA 6743

Dear Sir

We applaud the proposed amendment to Shire of Wyndham East Kimberley Local Planning Strategy – Rural Residential.

In particular we support the changes relating to the Old Darwin Road Precinct including section 5.2.9 *“Rural residential outcomes may however be considered pending the determination of the viability of agriculture. If agriculture is deemed to be unviable and the land not PAL, rural residential development may be considered as a viable alternative”*.

Our family first came to the Ord Valley 50 years ago and have lived on our rural property in the Old Darwin Rd Precinct since 1975. For our family the amendment comes at an opportune time as it will allow us to apply for rural residential zoning in an area of the property that is not viable for agriculture and which is prime rural residential land whilst we will maintain the small rural holdings zoning over the remainder of the property that is more suited to small agricultural pursuits.

We will submit this rezoning application concurrently with a subdivision application that we are currently completing. The rezoning of part of the subdivision will allow us to provide 16 rural residential lots compared to 8 if this area remained small rural holdings.

As a family with three generations living in the Kununurra area, we have a long term interest in the future of the region. We thank the SWEK for having the foresight to formally recognize Old Darwin Road Precinct as being suited to rural residential development. Therefore allowing us to release a greater number of lots, maximizing benefit to the community, and as we intend to remain in the area, financial benefits will be invested back into the community.

Yours sincerely



CINDY MORRIS.

21 APR 2011

Shire of Wyndham East Kimberley

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TO: THE CHIEF EXECUTIVE OFFICER
(PO Box 614, Kununurra WA 6743)

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- SUPPORT**
- DISAGREE**
- INDIFFERENT**

COMMENTS: It would be great to see more Rural Residential blocks available around Wyndham. I have looked into sub-dividing my own property but under the old LPS I am unable to due to the lot size requirements. The new LPS has lowered the lot size requirement to one to four hectare minimums, therefore I should be able to sub-divide my property. Wyndham is in a peak stage of growth and development and needs more blocks of land available to support this.

NAME: IAN RICHARD LAPWORTH

ADDRESS (Optional): LOT 1368 GREAT NORTHERN HWY
WYNDHAM

SIGNATURE: 

DATE: 18.4.11

21 APR 2011

Shire of Wyndham East Kimberley

Proposed Amendment to Shire of Wyndham East Kimberley Local Planning Strategy - Rural Residential Development

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(PO Box 614, Kununurra WA 6743)

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SUPPORT

DISAGREE

INDIFFERENT

COMMENTS: _____

NAME: JOHN IRELAND

ADDRESS (Optional): 103 MILLS RD
KUNUNURRA

SIGNATURE:  DATE: 20/4/11



21 April 2011

Attn: Jennifer Ninnette
Planning Officer
Shire of Wyndham East Kimberley
PO Box 614
Kununurra WA 6743

Our ref: 61/21678

Dear Jennifer

**Draft Local Planning Strategy
Yeltara Developments – Emu Creek Estate (Lot 1 Old Darwin Road)**

GHD, on behalf of Yeltara Developments (Lot 1 Old Darwin Road, Kununurra), congratulates the Shire of Wyndham East Kimberley (SWEK) on the recent release of the draft Local Planning Strategy (LPS) regarding rural residential development. The LPS is a vital document to the planning of SWEK, particularly with regard to ensuring provision and protection of valuable agricultural land whilst providing a range of lifestyle options to the community.

Background

Yeltara Developments previously submitted a Structure Plan application for Lot 1 proposing the development of lots on the subject site between 5,000m² and 1 hectare (see attached Appendix J from the Structure Plan Application). The development of these lots sizes fell between what is considered Residential and what is considered Rural Residential, and as a result of this, the proposed subdivision of the Emu Creek estate was referred to as a 'Special Residential' development.

The subject site was previously identified in the Draft Local Planning Strategy as suitable for Rural Residential development, meaning lots ranging from 1 to 4 hectares in area. On the publication of the Final Local Planning Strategy, however, the subject site was identified as being suitable for Small Rural Holdings only, meaning lots sizes from 4 to 40 hectares.

Subsequent discussion with the Shire resulted in an amended plan being developed which more generally met the requirements of a Rural Residential development under the Local Planning Strategy. The amended plan (8004 V5); dated July 2009 is attached.

In the following submission on the recently advertised draft LPS, Yeltara Developments would like to reconfirm their aspirations to deliver land to the Kununurra housing market in a variety of sizes to provide a peaceful, spacious and highly amenable rural residential development.



Demand for rural residential land

Yeltara Developments supports the recognition in the draft LPS that there is a need for rural residential land in Kununurra. Existing identified rural residential resources are unsuitable, with increasing demand for rural residential land in areas with access to the Ord River, Lake Kununurra and views to ranges.

Yeltara Developments supports the draft LPS's recognition that prime agricultural land requires protection. However, this should be balanced against the desire for rural residential lifestyle opportunities of the local community and the need to accommodate a growing population. As detailed in the draft LPS, the viability of agricultural land is affected by "de facto" rural living that occurs when insufficient or inappropriately located rural residential land is planned. Patterns of informal rural residential use inflate the value of rural land, making agricultural pursuits unviable in the longer term.

Yeltara Developments agrees that to ensure the continued development of viable agricultural assets, rural residential land should be planned in locations suitable to address demand and provide for lifestyle choices. Yeltara Developments submits that Old Darwin Road, with its declining viability of agricultural land, environmental sensitivity, proximity to services, positioning in relation to Kununurra, Emu Creek Lagoon, Kununurra Lake and views to ranges provides an opportunity for well placed and planned rural residential development.

Recommendation – that the intent of the draft Local Planning Strategy to provide additional and appropriate rural residential land be supported.

Varied rural residential lot sizes

Yeltara Developments supports the draft LPS's recognition that varied and smaller lots sizes should be provided in rural residential developments.

The cost of servicing rural residential development, such as provision of water connections and additional road infrastructure, is higher compared to rural and agricultural land. Increased lot numbers, through smaller and diverse lot sizes, increases the economy of service provision – in terms of initial outlay and future maintenance. Additional lot yield, as identified by the draft LPS, will better address demand and alleviate pressure on viable agricultural land compared to larger lot subdivision. In some instances, where services can be provided and land capability is supportive, lot sizes smaller than one hectare may be appropriate to provide an additional lifestyle opportunity for the local community.

Recommendation – that the intent of the draft Local Planning Strategy to encourage smaller and varied lot sizes for rural residential development be supported.

Recommendation – that the draft Local Planning Strategy be modified to include opportunity to provide lot sizes less than one hectare in "special residential" areas as an alternative lifestyle opportunity for the community.



Location of Identified Rural Residential Land

The draft Local Planning Strategy identifies the following land use intent for Old Darwin Road:

“Rural small holdings may occur on Lots 1, 2, 33, 34 & 35 along Old Darwin Road and King Location 647 subject to structure planning to provide for retention of areas suitable for horticulture. Rural residential outcomes may however be considered pending the determination of the viability of agriculture. If agriculture is deemed to be unviable and the land not PAL, rural residential development may be considered as a viable alternative.”

Yeltara Developments propose that Lot 1 Old Darwin Road be instead considered a prime location for ‘Rural Residential’ development in the shorter term rather than rural small holdings.

Lot 1 is located a short distance from the urban townsite of Kununurra, closer than other locations identified for rural residential use by the draft Local Planning Strategy, and would contribute to a more consistent and coordinated settlement pattern for the town. The subject land is well connected by road, is close to existing services and is surrounded by natural features which will contribute to the amenity of, and be integral to, the design of future development.

The Old Darwin Road area is not located with a major irrigation or agricultural precinct; extensive agricultural land is located west across Lake Kununurra and north west of the Kununurra townsite. The deteriorating quality of soil on Lot 1, as well as increasing waterlogging and salinity, is making agricultural practice less and less viable. Agricultural operations require significant and increasing irrigation and application of fertilisers. Such practices are not financially viable in the short to medium term, and cannot be considered environmentally viable in the long term as the property is located in very close proximity to internationally significant Ramsar listed wetlands.

Yeltara Developments are able to develop the subject site in a very short time frame and propose that the level of readiness for the development of this site can respond to immediate rural residential demand in the area.

Recommendation: That the draft Local Planning Strategy be modified to identify Lot 1 Old Darwin Road for rural residential development, as it presents limited long term agricultural viability, however its location and amenity make it an appropriate location for rural residential use.

Agricultural Viability Justification

The draft LPS requires justification and consideration of agricultural viability to support alternative land uses. The LPS should provide more guidance with regard to what justification would be required, and what Council would consider in determining whether an alternative land use is more appropriate.

Viability assessment should include consideration of elements in addition to agricultural capability. From an agricultural point of view, significant irrigation, drainage, and intensive nutrient and fertiliser use may enhance the capability of land. However, the financial and environmental cost of these practices should also be factored into the viability assessment. For example, demand for high amenity rural residential development is increasing rural land values, and where agricultural output requires high financial cost, it may not be financially viable in the longer term. Also, intensive agricultural practices, including water abstraction for irrigation and application of intensive fertilisers, to achieve agricultural viability may not be



environmentally viable near environmental sensitive areas where these practices have potential to impact environmental features.

Recommendation – That the draft Local Planning Strategy be modified to specify that determination of agricultural viability should incorporate consideration of economic and environmental viability of practices.

I hope the above information assists in the finalisation of the LPS. My team remains available for any queries you may have regarding this submission.

Yours faithfully
GHD Pty Ltd

A handwritten signature in blue ink, appearing to read 'AK', followed by a long horizontal line extending to the right.

Anna Kelderman

Service Group Manager Planning
6222 8775

(Secondary Contact: Colleen Murphy 6222 8144)

cc. Yeltara Developments

EMU CREEK ESTATE

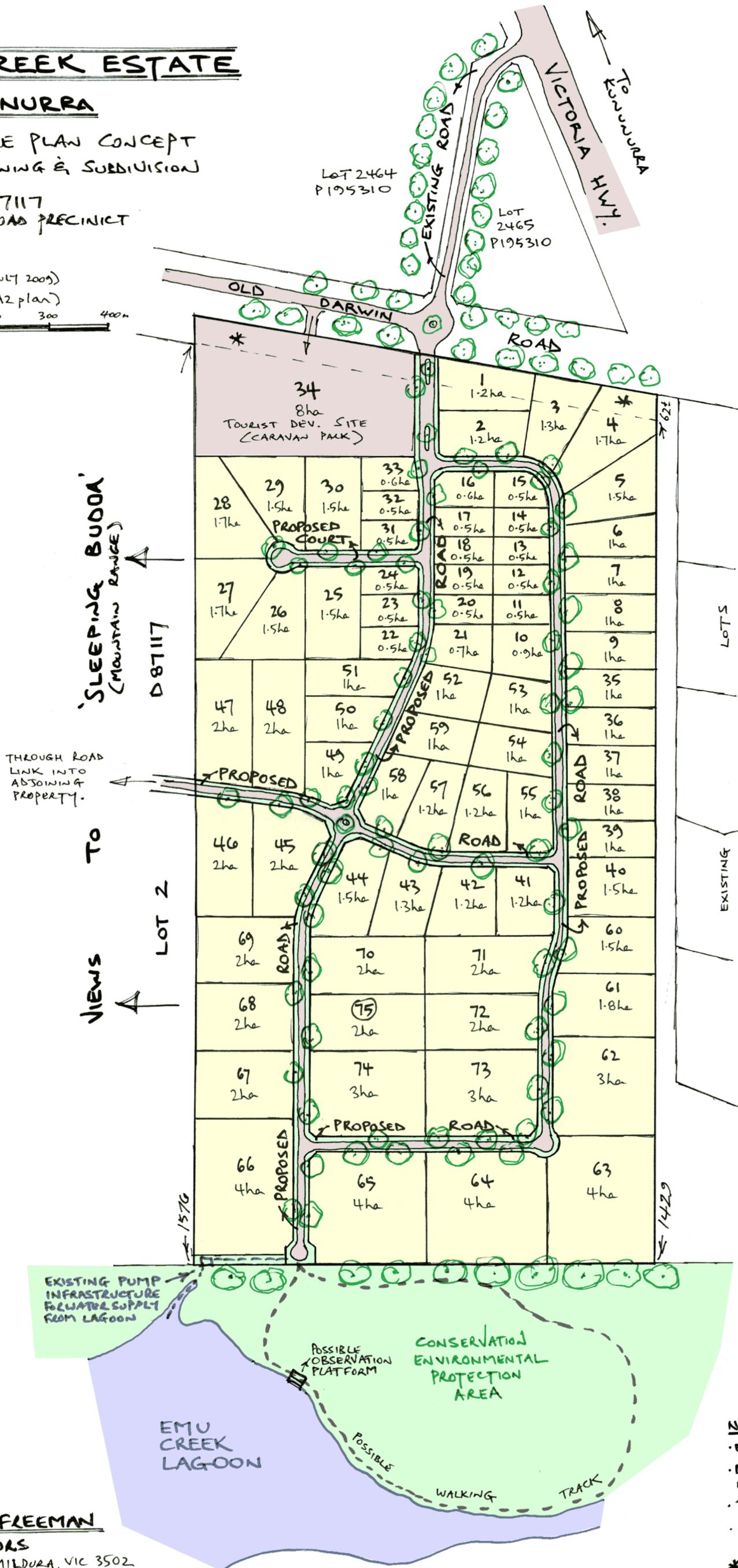
AT KUNUNURRA

STRUCTURE PLAN CONCEPT
PROPOSED ZONING & SUBDIVISION

LOT 1 DP 87117
OLD DARWIN ROAD PRECINCT
KUNUNURRA

REF: 8004 V.5 (JULY 2009)

SCALE 1:5000m (A2 plan)



FREEMAN & FREEMAN

LAND SURVEYORS
PO BOX 2135, MILDURA, VIC 3502
PH. 50 236 239 FX. 50 221 495
EMAIL: ffsurvey@ncable.com.au

NOTES:

- PLAN FOR PLANNING PURPOSES ONLY.
- DIMENSIONS & DETAILS APPROX ONLY.
- TOTAL SITE AREA 120ha.
- LOT AREA RANGE 0.5ha to 4ha, AS SHOWN.
- * DENOTES PART OF OLD DARWIN ROAD FENCED IN WITH PROPERTY & PROPOSED TO BE ACQUIRED.

Yeltara Developments

Yeltco Pty Ltd
A.C.N 076 058 734
A.B.N 35 537 837 676

ATF Stan Smythe Family Trust
P.O Box 469
MERBEIN VIC 3505
Phone: 03 50252790
Fax: 03 50253392
Mobile: 0427 502513

21 April 2011

Attn: Jennifer Ninyette
Planning Officer
Shire of Wyndham East Kimberley
PO Box 614
Kununurra WA 6743

Dear Jennifer

Draft Local Planning Strategy Yeltara Developments – Emu Creek Estate (Lot 1 Old Darwin Road)

Yeltara Developments (Lot 1 Old Darwin Road, Kununurra) would like to submit the following with regard to the recently released Draft Local Planning Strategy (draft LPS).

Background

Yeltara Developments have been preparing planning documentation for the above site for over 4 years. Various advice given has resulted in the submission of a structure plan proposing the development of lots on the subject site between 5,000m² and 1 hectare, which was consistent with advice from the Shire of Wyndham East Kimberley (SWEK) and slightly smaller than proposed in the previously released Draft Local Planning Strategy. However, on the publication of the Final Local Planning Strategy, the subject site was identified as being suitable for Small Rural Holdings only, meaning lots sizes from 4 to 40 hectares.

Subsequent discussion with the Shire resulted in an amended plan being developed which more generally met the requirements of a Rural Residential development under the Local Planning Strategy.

In the following submission on the recently advertised draft LPS, Yeltara Developments would like to reconfirm their aspirations to deliver land to the Kununurra housing market in a variety of sizes to provide a peaceful, spacious and highly amenable rural residential development.

Demand for rural residential land

Yeltara Developments supports the recognition in the draft LPS that there is a need for rural residential land in Kununurra. However, we question the identification of areas such as the Weero Road and Crossing Falls locations *in advance* of areas such as Old Darwin Road and even King Location 647; these identified rural residential resources are substantial distances to the town site of Kununurra and do not in any way contribute to the consistent and coordinated settlement pattern of Kununurra. They are some 15 and 14 km from the town site respectively and do not have access to potable water supply.

Yeltara Developments submits that Old Darwin Road, with its imminent cessation of horticulture, environmental opportunities, proximity to services, positioning in relation to Kununurra, Emu Creek

Yeltara Developments

Lagoon, Kununurra Lake and views to ranges and Carlton Ridge (Sleeping Buddha) provides an opportunity for well placed and planned rural residential development. In addition, Yeltara Developments have already committed to the extension of potable water services if appropriate lot sizes were approved.

Varied rural residential lot sizes

Yeltara Developments supports the draft LPS's recognition that varied and smaller lots sizes should be provided in rural residential developments.

The cost of servicing rural residential development, such as provision of water connections and additional road infrastructure, is higher compared to rural and agricultural land. Increased lot numbers, through smaller and diverse lot sizes, increases the economy of service provision – in terms of initial outlay and future maintenance. Additional lot yield, as identified by the draft LPS, will better address demand and alleviate pressure on viable agricultural land compared to larger lot subdivision. In some instances, where services can be provided and land capability is supportive, lot sizes smaller than one hectare may be appropriate to provide an additional lifestyle opportunity for the local community. Lot 1 Old Darwin Road can adequately supply this opportunity; adjacent blocks can also be considered (and have already commenced incremental subdivision of their land) and previous structure planning for Lot 1 Old Darwin Road considered holistic design in connecting roads through the separate lots to create a fully functioning rural residential precinct.

Location of Identified Rural Residential Land

The draft Local Planning Strategy identifies the following land use intent for Old Darwin Road:

“Rural small holdings may occur on Lots 1, 2, 33, 34 & 35 along Old Darwin Road and King Location 647 subject to structure planning to provide for retention of areas suitable for horticulture. Rural residential outcomes may however be considered pending the determination of the viability of agriculture. If agriculture is deemed to be unviable and the land not PAL, rural residential development may be considered as a viable alternative.”

Yeltara Developments propose that Lot 1 Old Darwin Road be instead considered a prime location for 'Rural Residential' development in the shorter term rather than rural small holdings.

Lot 1 is located a short distance from the urban townsite of Kununurra, closer than other locations identified for rural residential use by the draft Local Planning Strategy, and would contribute to a more consistent and coordinated settlement pattern for the town. The subject land is well connected by road, is close to existing services and is surrounded by natural features which will contribute to the amenity of, and be integral to, the design of future development.

The Old Darwin Road area is not located with a major irrigation or agricultural precinct; extensive agricultural land is located west across Lake Kununurra and north west of the Kununurra townsite. The deteriorating quality of soil on Lot 1, as well as increasing water logging and salinity, is making agricultural practice less and less viable. Agricultural operations require significant and increasing irrigation and application of fertilisers. Such practices are not financially viable in the short to medium term, and cannot be considered environmentally viable in the long term as the property is located in very close proximity to internationally significant Ramsar listed wetlands.

Yeltara Developments

Yeltara Developments are able to develop the subject site in a very short time frame and propose that the level of readiness for the development of this site can respond to immediate rural residential demand in the area.

Agricultural Viability Justification

The draft LPS requires justification and consideration of agricultural viability to support alternative land uses. Yeltara Developments request that the draft LPS provide more specific guidance with regard to what justification would be required, and what Council would consider in determining whether an alternative land use is more appropriate. Yeltara Developments have already outlaid substantial expenditure to monitor and assess the site and would ideally prefer to be able to utilise some of those studies in the assessment of the site.

Viability assessment should also include consideration of elements in addition to agricultural capability. From an agricultural point of view, significant irrigation, drainage, and intensive nutrient and fertiliser use may enhance the capability of land; this may be true of any parcel of land in Kununurra and was certainly identified as possible in the Weero Road location. However, the financial and environmental cost of these practices should also be factored into the viability assessment.

Continuing to farm land which does not produce adequate crop without costly intensive agricultural practices, including water abstraction for irrigation and application of intensive fertilisers, to achieve agricultural viability is not *financially* viable and will result in the quitting of the land in the short term; thus making the PAL identification of the land redundant. In addition, in the short term these practices are not *environmentally* viable near environmental sensitive areas where these practices have potential to impact environmental features.

Financial Viability

This letter has thus far indicated that we will be ceasing farming operations on the site in the short term. The points below provide some background to that decision and justify why future farming practices on the land are unlikely;

1. The land is mainly light sand (cockatoo sand) and contains few nutrients to support agriculture. The success of the melon growing has been because of added fertilizer through the drip systems. The cost of this fertilizer has been increasing to unsustainable levels. The nitrates used through the dripper will eventually contaminate the ground water.
2. Soil borne diseases such as fusarian wilt and sudden death wilt are now present because of intense farming and can only be restricted by the use of fumigation like Methyl Bromide (now unavailable) or Metham. Both the increased cost and continual use of Metham are unsustainable for the environment and viability of melon production.
3. The insect pressure in this region is high and since the introduction of forestry to the agriculture area many farms have had huge problems in the last few years from aphids which infect cucurbit crops with mosaic virus – this wipes out the crops. The now banned chemical Endosulphan was the most effective chemical to control these aphids and other pests like Heleothis Moth. Without this control by

Yeltara Developments

Endosulphan there will be greater pressure from insect pests and the viability of the crops grown at Lot 1, Old Darwin Road.

4. Weed and wildlife control. Because of the constant farming practice and no residual chemicals to control weeds in cucurbits then the buildup of weeds add a greater expense to produce our crops, hand weeding is very expensive and not efficient in these crops. Wildlife has increased on Lot 1 because of the reduction of cucurbits – melon and water melon growing in the area leaving Lot 1 to support the wildlife like corella cockatoo and magpie geese late in the season. They both have a devastating effect on crops.
5. Fuel costs for transport have also increased and getting fertilizer and cartons to our area has become very expensive, shipping the crops to Eastern and Southern markets ie: Sydney, Melbourne and Brisbane have increased the cost making them less likely to receive the produce. The markets in Perth and Adelaide find it difficult to return good prices because of extra supply.

In summary, we are incredibly supportive of the amendment of the LPS, but would like to impress upon the officers and Councillors of SWEK that the Old Darwin Road location is a prime rural residential opportunity in the Kununurra environs and represents a coordinated and consistent expansion to the Kununurra town site. Lot 1 Old Darwin Road, and the Old Darwin Road precinct are attractive both from an environmental and town site proximity perspective, have access to services and have wonderful viewsheds to Emu Creek Lagoon, the ranges and Carlton Ridge (Sleeping Buddha).

Cessation of farming practices are inevitable in this location and the PAL identification of the land will cease with this as the current value of the land is prohibitive to future farming investment. We urge you to consider the practicality of rural residential in this location.

I hope the above information assists in the finalisation of the LPS. I am available for any queries you may have regarding this submission.

Yours faithfully

Stan Smythe
Yeltara Developments
0427 502 513



cc. GHD Pty Ltd

02 MAY 2011

Shire of Wyndham East Kimberley

Proposed Amendment to Shire of Wyndham East Kimberley Local Planning Strategy - Rural Residential Development

The Shire of Wyndham East Kimberley is proposing to amend its Local Planning Strategy (LPS) to change provisions relating to Rural Residential Development.

TO: THE CHIEF EXECUTIVE OFFICER
(PO Box 614, Kununurra WA 6743)

**SUBMISSION ON PROPOSED MODIFICATIONS TO THE LPS
SUBMISSIONS CLOSE AT 4.00PM ON FRIDAY 29th APRIL 2011.**

SUPPORT

DISAGREE

INDIFFERENT

COMMENTS: _____

NAME: A. L. McCONNELL

ADDRESS (Optional): Lot 1290 Gt Nth Hwy
WYNDHAM WA 6470.

SIGNATURE:  DATE: 28/4/11

CEO
Shire of Wyndham East Kimberley
PO Box 614
Kununurra WA6743

27 APR 2011

Dear Sir

Thankyou for the opportunity to make comments on the proposed amendment to the Shire of Wyndham East Kimberley Local Planning Strategy – Rural Residential Development.

May I submit to the Council of the Shire of Wyndham East Kimberley the enclosed comments together with the recommendations below:

1. That Council halt the current LPS process forthwith.
2. That Council engage an alternate consultant to review the rural residential and rural smallholding sections of the Local Planning Strategy, and
- 3 That a new amendment to the LPS be prepared.

Please do not hesitate to contact me by email or by phone 0417 9955 71.

Yours faithfully

Pat Buchanan

Pat Buchanan

16 April 2011.

PO Box 507
Kununurra WA6743

Ph 0417 9955 71

Inconsistent, Confusing, Misleading

A response to the Proposed Amendment to Shire of Wyndham East Kimberley Local Planning Strategy re Rural Residential Development, as advertised Kimberley Echo 31 March, 2011.

Comments are made about examples of inconsistencies and confusion that create difficulty in reading and comprehending the document.

**State Planning Policy (SPP),
Notice of Amendment in Kimberley Echo 31 March 2011.
Shire of Wyndham East Kimberley Local Planning Strategy (LPS draft) and
Shire of Wyndham East Kimberley Local Planning Strategy, 4 Sept 2006 (LPS)**

Please note – The reading of these comments will be facilitated by access to and in the context of the relevant documents as listed above.

SPP and LPS can be found by searching the www.planning.wa.gov.au website.

LPS (draft) with proposed amendment is available on the SWEK website.

State Planning Policy (SPP) 2.5 Draft (Excerpt)

Terms and Definitions

Rural Living

A land use zone where residential is the predominant land use, generally characterized by.....1 to 40haincludes Rural residential,.....rural smallholdings,....zones.

Rural residential zone

A sub-set of rural living and a land use zone with land parcels from 1ha-4ha in size and generally provided with scheme water and power supply.

Rural Smallholding zone

A sub-set of rural living and a land use zone with land parcels from 4ha-40ha in size. May also be known as rural retreat.

Advertisement in Kimberley Echo 31 March 2011.

The proposed amendment is said to relate to “Rural Residential Development” and yet reference is also made to “Rural Smallholding zone” in the second dot point of intended changes, in the advertisement.

Comment – Using the term “Rural Residential” is confusing and possibly misleading as readers could assume this notice does not apply to “Rural Smallholdings”.

Comment - .The spelling of the term “Smallholding” as one word aligns with the SPP 2.5 (draft), however this convention has not been followed in the LPS (draft) text. Except for the cover page of the document the spelling is “Small Holding”.

Comment – The change has been made from Rural Residential Development to using both terms in the title of 6.4. However, the second dot point of the **Policy** section refers to “Rural residential development” when apparently both Rural Residential and Rural Small Holding zones are considered.

Comment – In most points in the section, **Policy**, it is unclear and confusing as to which type or types of development, Rural Residential and/ or Rural Small Holdings, reference is made.

7 **Implementation**

7.3 **Planning Scheme Changes – Rural Residential**

In this section, Reference is made to Rural Small Holdings as well as Rural Residential, while rezoning to Rural Small Holdings is included yet rezoning to Rural Residential has been omitted.

Comment – Lack of consistency causing confusion is evident.

7.4 **Planning Policy – Rural Residential**

This section includes reference to rural small holdings development while the section heading is “Rural Residential”.

Comment – Continuing confusion over the use of terms.

Appendix C of the LPS (draft)

Assessment of Potential Rural Living Areas within Kununurra

The assessment discussion and the majority of wording of this report, except for the addition of Wyndham issues, is copied from the former LPS document.

Comment – From the Amendment Notice, one would assume that there will be opportunities for additional development. There are none. Wyndham is listed as a separate change.

Conclusion

The lack of consistency in the use of terms and definitions, (rural residential and rural smallholding), between the SPP and the SWEK LPS (draft), and the current TPS makes the reading of the LPS (draft) difficult, frustrating, confusing and time consuming. Another difficulty is working with a 5-6 year old document with obvious lack of updated data and information from the review process. .

That there should be a recommendation for the preparation of a “Local Planning Policy” is most disturbing. This almost seems that it is seen as an opportunity to fix up the deficiencies of one document by producing another document with a different title when a properly reviewed and prepared LPS (draft) and then TPS would seem capable of providing adequate guidance to all stakeholders.

Pat Buchanan

11 April 2011

1-7567

Lachlan & Craig Dobson

20 APR 2011

P O Box 1231

Kununurra WA 6743

22 April 2011

Miss Jennifer Ninyette

Planning Officer

Shire of Wyndham East Kimberley

Re Local Planning Strategy – Revision to Rural Residential and Rural Smallholding Component

Dear Jen

There have, as can be seen in the town precinct and surrounding areas, poor planning decisions made in the past.

We congratulate the shire for addressing this issue in the present revision of the Rural Residential and Rural Smallholding Component of the Local Planning Strategy and welcome the opportunity to provide some input.

We would humbly suggest that this revision could be greatly improved by creating a larger Rural Residential Precinct, encompassing the entire Weero Rd. area and thus developing a vibrant, viable, high value precinct.

At the present, Lot 21 of KL 599 with 110 Rural Residential lots is not a viable size to support any commercial development, whereas if **all** the land along Weero Rd. were included in a Rural Residential Precinct it is possible that there would be sufficient development to support some commercial development such as “a local store” and other social infrastructure. Further, when the new by-pass road is built it is possible that a roadhouse, fuel stop or similar could be built in the vicinity.

This suggestion is based on the following

- a. The above properties along Weero Rd. already comply with the requirements of 5.2.2 Structure Planning
 - Topography – the topography of the area is similar to Lot 21, KL 599.
 - Existing road system –According to SWEK, Weero Rd. is due to be sealed by June 2011.
 - Population and lot yield – a range of lot sizes can be provided as required.
 - Existing and proposed services – 3 phase power is available along Weero Rd., Telstra have committed to supply of fibre optic cable along Weero Rd. to Lot 21, KL 599, a school bus services Weero Rd..
 - Any development could be staged as required.

- The land is geotechnically suitable for rural residential development - the soils and terrain are similar to Lot 21, KL 599.
- Availability of groundwater and provision of potable water supply – these properties are already using ground water and they are also pumping water from the Ord River for irrigation purposes. The existing irrigation infrastructure is quite capable of supplying water to each and every lot. Although the irrigation water is designated as non potable we are treating water that is used in the residences and packing shed with ultra violet light to provide potable water. The cost of ultra violet light treatment is not expensive.
- The properties have been laser levelled and are already well drained along natural water courses.
- The properties have approx. 4.5 km frontage to the Ord River foreshore reserve, with Lot 1006 (designation unknown) between the eastern boundary of the properties and the river. On the other side of the river is UCL. The southern boundary abuts UCL. The western boundary of Lot 10 and Lot 11 has approx. 3.5 km frontage to Weero Rd.. The land on the western side of the southern end of Weero Rd. is presently zoned as a grazing lease. The northern end of Weero Rd. and part of the northern end of Lot 10 and Lot 11 has been identified as the route for the proposed Kununurra By-pass highway. Lot 20, abuts Lot 21, KL 599 and will eventually abut the western side of the by-pass highway, and is opposite the Riverfarm Rd. precinct. Therefore, given the above boundaries, there should be no issue regarding buffer areas.
- Appropriate buffer studies – see above point.
- At present the properties are about 10 km. from the Kununurra town. When the by-pass road is completed the distance will be less.
- Foreshore treatment – should not be required given the nature of the land between the property and the river.
- Clearing exclusion zones – should not be required as the properties have already been cleared and because of the nature of the UCL adjoining the properties.
- We can supply any other information as required.

Finally, these properties if added to the 110 lot Valentine Falls Estate on Lot 21, KL 599 would present a significant, high value, vibrant Rural Residential precinct, close to the town of Kununurra.

For further details please contact the writers.

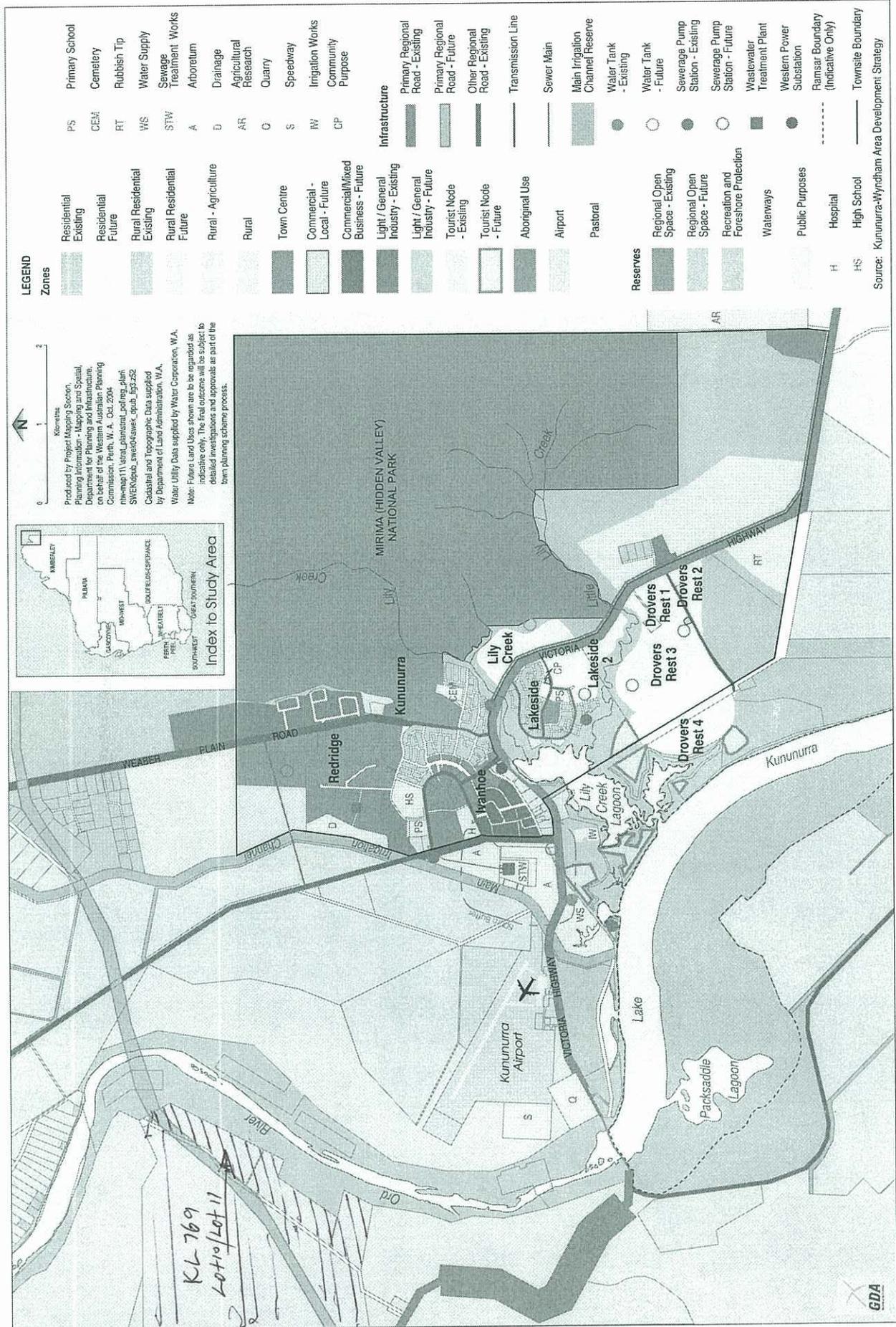
Yours sincerely



Lachlan Dobson (0417 174 763)



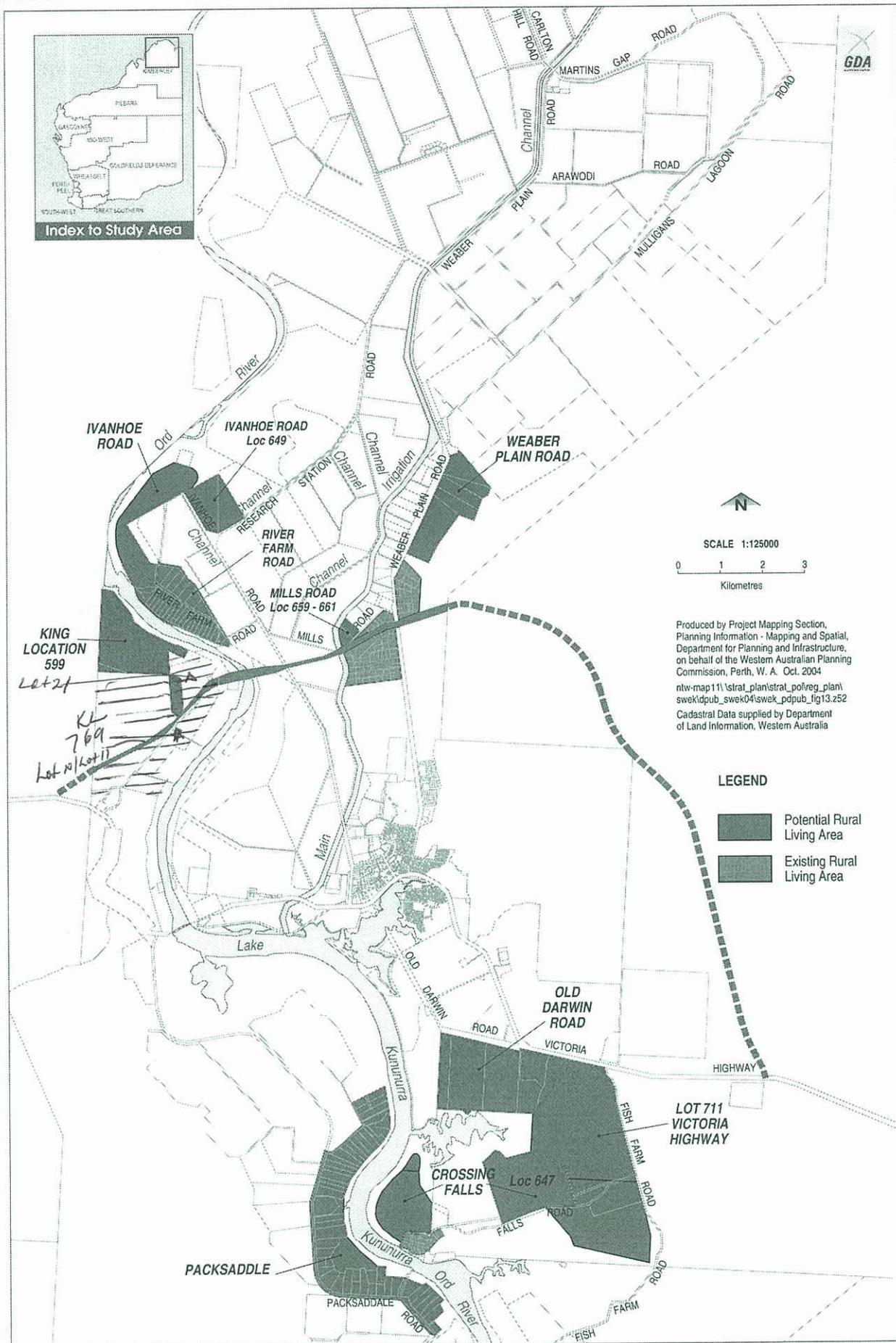
Craig Dobson (0408 325 256)



Kununurra Structure Plan (2000)

source : KWADS

Figure 3



Potential Rural Living Areas

Figure 13

- foreshore treatment;
- clearing exclusion zones and areas for revegetation; and
- any other information requested by Council.

5.2.3 Existing Rural Residential Land

Kununurra

Currently, rural residential development is permitted within the Rural Living zones of the Kununurra Town Planning Scheme, which are limited to the Crossing Falls, and the 'Brindley' subdivision in the vicinity of Weaber Plain and Mills Roads, and the initial releases of Weero Road.

The existing Crossing Falls rural residential area consists of 22 lots that were approved in 1984. The 'Brindley' subdivisional area consists of a total of 60 lots. Land releases in this area have occurred since 1992, until 2001. Due to separate ownership, land has been released intermittently since the initial land release in 1992, with 12 lots released in 1996, and with the exception of a recent re-subdivision of one of these lots, a ten lot subdivision in 2001 that completed the development of land in this locality designated for this use.

Both of these rural residential areas are sold out, and few lots within the 'Brindley' subdivisional area, if any, remain undeveloped. The initial stages of Weero Road have been developed and the subdivision is expected to be completed by late 2010.

More recently, a portion of land within the Old Darwin Road precinct was rezoned to Rural Small Holdings. The land has yet to be subdivided for this purpose.

The Kununurra Structure Plan (KWADS 2000) recognises the importance of servicing the demand for rural residential land, but limits any expansion of this type of land use to the Bull Run Road locality which KWADS earmarked for Future Rural Residential. This area is, however, subject to non-exclusive Native Title in accordance with the MG2 Native Title Determination, and a portion of the land is currently zoned Composite Industry. There is also a major fuel depot and refuelling facility utilised by the heavy haulage transport industry located in the centre of this area. The land in this vicinity is also characterised by minor excavations and inactive extractive industries (which may not have been licensed). In this context, a Scheme Amendment proposal has recently been



Release of land will potentially be limited in scale due to the need to obtain aboriginal heritage clearances and the requirement for structure planning prior to any development progressing.

5.2.2 Structure Planning

A Structure Plan is generally required to be prepared to support all applications for rezoning to the Rural Residential or Rural Small Holding zones.

Structure planning can be implemented through Part 6 (Overall Planning Areas) of the current Town Planning Scheme No. 7, or equivalent provisions in the new Scheme, and the following issues must be addressed in accordance with these provisions:

- the topography of the area;
- existing road system and location and standard of any future roads and overall access patterns;
- proposed population and lot yield, and demonstration that a range of lot sizes will be provided where appropriate;
- existing and proposed services;
- staging of the development;
- geotechnical suitability of the land for rural residential development;
- availability of ground water and provision of potable water supply;
- drainage considerations;
- general environmental considerations including flora and fauna impacts, wildlife corridors, natural features, pollution, groundwater quality and any other environmental issues identified by Council. This may include buffer areas from existing and future adjacent land use (in accordance with a buffer study which may be required on a case by case basis);
- appropriate buffer studies to address separation between rural and residential uses where required;
- location of shopping, community amenities and recreation areas consistent with the projected needs of the locality;



28 APR 2011

Shire of Wyndham East Kimberley

Proposed Amendment to Shire of Wyndham East Kimberley Local Planning Strategy - Rural Residential Development

The Shire of Wyndham East Kimberley is proposing to amend its Local Planning Strategy (LPS) to change provisions relating to Rural Residential Development.

TO: THE CHIEF EXECUTIVE OFFICER
(PO Box 614, Kununurra WA 6743)

**SUBMISSION ON PROPOSED MODIFICATIONS TO THE LPS
SUBMISSIONS CLOSE AT 4.00PM ON FRIDAY 29th APRIL 2011.**

SUPPORT

DISAGREE

INDIFFERENT

COMMENTS: Re Wyndham proposals only.

1/ Short sighted using airport land in that way. Does every Councillor know exactly what will happen over the next 20 years? Or do they think they know??

2/ Blocks are too small, definitely nothing under 2.5 hectares, people don't move out of town to be on top of their neighbour.

3/ Who wants to pay to live next door to a Prison Farm?

4/ Has that land been inspected properly for creeks drainage etc -- haven't seen anyone checking it over the wet season!

NAME: Maxine Midtop

ADDRESS (Optional): _____

SIGNATURE: *Maxine Midtop*

DATE: 21/4/11



Your ref: I-6793: LP.05.1:TPS1937

Our ref: RF8757

SRS29002

Enquiries: Kate Gole (9166 4117)

28 APR 2011

Gary Gaffney
Chief Executive Officer
Shire of Wyndham East Kimberley
PO Box 614
KUNUNURRA WA 6743

Attention: Jennifer Ninnette

Dear Gary

RE: COMMENTS ON THE PROPOSED AMENDMENTS TO THE SHIRE OF WYNDHAM EAST KIMBERLEY LOCAL PLANNING STRATEGY – RURAL RESIDENTIAL DEVELOPMENT

Thank you for the opportunity to comment on the proposed amendments to the Shire of Wyndham East Kimberley's (SWEK) Local Planning Strategy (LPS), which we received on 4 April 2011.

Department of Water (DoW) has reviewed the proposed changes to the provisions relating to rural residential development and has the following recommended changes and advice.

Structure Planning

DoW agrees that information about water availability and the provision of a potable water supply should be provided in the Structure Plan accompanying applications for Town Planning Scheme amendments (section 5.2.2).

However, we recommend that the statement 'availability of ground water and provision of a potable water supply' be replaced with the following:

'Projected water use figures for the development and the identification of sustainable potable and non-potable water source(s) capable of meeting demand'.

Water supply options

SWEK has proposed that the requirement for blocks under 4ha in size to be connected to a potable, reticulated water supply (as set out in State Planning Policy 2.5), be varied for the proposed rural residential developments identified in the LPS. It is also stated that this requirement be varied subject to the confirmation of an alternative water source.

DoW will only support the variation of this requirement if alternative, sustainable water source(s), that meet the requirements for both potable and non-potable uses, are identified early in the planning process.

It should be noted that the use of water sources other than rainwater tanks is subject to DoW approvals including, but not limited to, licensing requirements under the *Rights in Water and Irrigation Act 1914* (RIWI Act).

In light of the above advice, DoW recommends that the following changes are made to the following subsections in *Section 5.2.7: Future Rural Residential*.

Crossing Falls

It is correctly stated that water is extracted privately from the river but it should be stated that this is a non-potable source and use is subject to Department of Water requirements.

Lot 21 King Location 599 (Weero Rd)

In this subsection, it is stated that there is evidence that domestic potable water supplies would be possible by bores and tanks. This proposed development area is underlain by a fractured rock aquifer where groundwater availability is unreliable. Therefore, the reference to bore water should be removed.

Additionally, it is stated that non-potable water could be available from the Ord River, subject to Water Corporation requirements. This statement is incorrect as the use of this water source is also subject to Department of Water's requirements.

Packsaddle – Jabiru Road Precinct

It is stated that non-potable water can be drawn from the Ord River, subject to Water Corporation requirements. This statement is incorrect as the use of this water source is also subject to Department of Water's requirements.

Licensing requirements

The area covered by the LPS is within the Canning-Kimberley groundwater area and the Ord River and Tributaries surface water area, both of which are proclaimed under the RIWI Act. The use of groundwater and surface water and the construction of bores may require a licence. A permit may be required for activities that interfere with the bed and banks of watercourses. Information regarding licence and permit requirements can be obtained from the DoW's Kununurra office by telephoning 9166 4100.

If you have any queries in relation to the above matters please contact Kate Gole on (08) 9166 4117.

Yours sincerely



Jacinta Thompson

**A/Regional Manager
Kimberley Region**

21 April 2011

28 APR 2011

Shire of Wyndham East Kimberley

Proposed Amendment to Shire of Wyndham East Kimberley Local Planning Strategy - Rural Residential Development

The Shire of Wyndham East Kimberley is proposing to amend its Local Planning Strategy (LPS) to change provisions relating to Rural Residential Development.

TO: THE CHIEF EXECUTIVE OFFICER
(PO Box 614, Kununurra WA 6743)

SUBMISSION ON PROPOSED MODIFICATIONS TO THE LPS
SUBMISSIONS CLOSE AT 4.00PM ON FRIDAY 29th APRIL 2011.

SUPPORT

DISAGREE

INDIFFERENT

COMMENTS: MAKES LIFESTYLE BLOCKS THAT
ARE NOT SUITABLE FOR PRIMARY PRODUCTION
AVAILABLE TO MORE PEOPLE.
1 HECTARE IS A GOOD SIZE FOR THIS
OPTION.
INCREASES NUMBER OF THESE BLOCKS
THAT ARE STILL IN CLOSE PROXIMITY TO TOWN
AMMENITIES - EG RUBBISH COLLECTION,
SCHOOL BUS ETC ARE ALREADY AVAILABLE

NAME: SANDRA PHIPPS

ADDRESS (Optional): LOT 13 WEABER PLAINS RD,
KUNUNURRA, WA 6743

SIGNATURE: Sandra Phipps DATE: 28/04/11

Shire of Wyndham East Kimberley

Proposed Amendment to Shire of Wyndham East Kimberley Local Planning Strategy - Rural Residential Development

The Shire of Wyndham East Kimberley is proposing to amend its Local Planning Strategy (LPS) to change provisions relating to Rural Residential Development.

TO: THE CHIEF EXECUTIVE OFFICER
(PO Box 614, Kununurra WA 6743)

**SUBMISSION ON PROPOSED MODIFICATIONS TO THE LPS
SUBMISSIONS CLOSE AT 4.00PM ON FRIDAY 29th APRIL 2011.**

SUPPORT

DISAGREE

INDIFFERENT

COMMENTS: I WOULD LIKE TO KNOW HOW WE'LL BE AFFECTED
WILL WE BE ENCOURAGED TO SUBDIVIDE OUR BLOCKS? I
HAVE NO WISH TO DO THIS. IF THIS HAPPENS WITH OUR RATES
INCREASE BECAUSE WE HAVE THE POTENTIAL FOR "X" NUMBER
OF LOTS? FOR THOSE WHO DO WISH TO SUBDIVIDE DO THEY
HAVE TO BEAR THE COST? HALF OF MY BLOCK HAS WET
SEASON CREEKS WHICH WOULD MAKE IT UNSUITABLE FOR HOUSING.

NAME: JOCELYN LAYTON

ADDRESS (Optional): LOT 1708 GREAT NORTHERN HIGHWAY
WYNDHAM

SIGNATURE: J. Layton

DATE: 28.4.11

Shire of Wyndham East Kimberley

Proposed Amendment to Shire of Wyndham East Kimberley Local Planning Strategy - Rural Residential Development

The Shire of Wyndham East Kimberley is proposing to amend its Local Planning Strategy (LPS) to change provisions relating to Rural Residential Development.

TO: THE CHIEF EXECUTIVE OFFICER
(PO Box 614, Kununurra WA 6743)

**SUBMISSION ON PROPOSED MODIFICATIONS TO THE LPS
SUBMISSIONS CLOSE AT 4.00PM ON FRIDAY 29th APRIL 2011.**

SUPPORT

DISAGREE

INDIFFERENT

COMMENTS: From my experience after 16 yrs living
in Kununurra, the demand for rural blocks
outstrips supply by a huge margin, and the prices
are ridiculous as a result.

I can also very well relate to the reasoning that
the proposed minimum size of 1ha makes it
easier to maintain a rural living block.

I am the lucky owner of 2ha, and it is simply to big
for me, actually prompting me to sell it.

NAME: Birgit Bradtke

ADDRESS (Optional): Lot 120 Pardalote Cl.

SIGNATURE: B. Bradtke

DATE: 29/4/11

COPY of EMAIL SUBMISSION.
29-04-11.

LP.05.1
1-7705

06 MAY 2011

About inconsistencies

The Shire of Wyndham East Kimberley is encouraged to adopt the definitions and policy outlined in the Draft State Planning Policy 2.5 in order to avoid continuing inconsistencies with State policy. This action would also align SWEK policy with the Development Control Policy 3.4 - Subdivision of Rural Land.

Consequently, the term Rural Agricultural 2 needs to be deleted and land currently zoned as such, be placed in a Rural Living zone in accordance with State Planning Policy 5 (Draft) and its definitions.

Then, land within the Rural Living zone can be rezoned to Rural Smallholdings zone (4ha -40ha blocks) and Rural Residential zone (1ha-4ha blocks) on application.

Land with a minimum size of 8ha and previously zoned Rural Agricultural 2 is no longer a viable area for either agricultural or horticultural purposes.

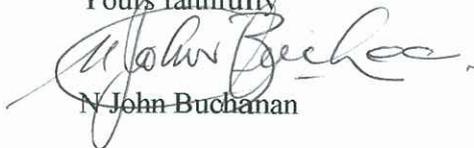
People who wish to hobby farm on an 8ha block have the choice to continue to use and retain their 8ha block while people who don't require 8ha for their 'lifestyle' could apply to subdivide. Thus extra families may also enjoy that lifestyle.

It is important that all lots adjacent to Rural Agriculture 1 land have a designated 'non-residential development' buffer of a minimum of 100m. Thus any new development is less likely to conflict with or reduce the primary production potential of the adjoining Rural Agriculture 1 land.

These comments are presented to Council with the recommendation:
"That the term 'Rural Living' replace Rural Agriculture 2."

May Council give this submission favourable consideration.

Yours faithfully


N John Buchanan

29 April 2011

Po Box 507
Kununurra WA.
6743.

(08) 9168 1779.

h



CEO (Gary Gaffney)

29 APR 2011

Shire of Wyndham East Kimberley

Box 614

Kununurra 6743

Proposed Amendment to Shire of Wyndham East Kimberley Local Planning Strategy - Rural Residential Development

Dear Gary and Councilors,

I moved to Kununurra in 1986 with a young family and took up land on Jabiru Rd on the Packsaddle Plains. After 25 years I can reflect on my time in the area and the understanding of what has happened in that time.

When we arrived we cleared the land and planted Bananas. We were one of some 52 Banana Farmers in those days. We also acquired more land on Jabiru Rd which was to try and make Horticulture a viable option for us at that time and at one stage also leased unwanted land on the joining 3 properties. We were however finally wiped out with a nasty Touch Down Tornado and were unable to recover financially. In order to survive we were forced into selling property, but always tried to hang on to some land on Jabiru Rd. I still have a half share in Lt 51 and dream of keeping it, but sometimes circumstances change and should I be forced into selling, I would like a few more options than are currently available

It has often been said to me that we should grow other crops as things may change from time to time. My comment to this is 'We can grow almost anything we like here, it is just a matter of whether we can get paid for our efforts'. As for Jabiru Rd blocks being Valuable Farming Land I wonder why there are no farmers on these blocks. Most people can't maintain the large areas of grass resulting in a few undesirable species growing wild and out of control. Most residents are using the properties as a place to live.

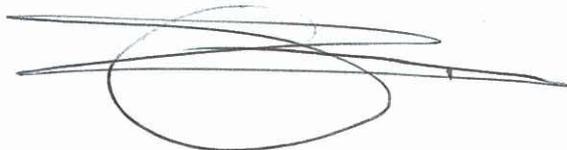
It has been commented that to subdivide would be undesirable as this would bring neighbours too close. The fact is however that most of the properties are only about 120m wide, but 700m long and if you look at how the housing has been built they are all cheek by jowl along the water front with only a few meters between them, the rest of the land is generally planted to Mango trees which these days are not very profitable.

The perception of how large an area of land should be varies greatly between individuals. Most people think 8ha is quite small, but when confronted with the property they soon learn that it is a major operation which takes lots of time and money to maintain. It is obvious that these land owners want the quiet and serenity of living away from town, however this can be achieved just as comfortably with smaller blocks, nicely kept than with bigger blocks overgrown with weeds and undesirables.

I am not advocating that we should have 5,000sq meter blocks nor am I applying for subdivision, I just think it is a shame to lock us into 8ha minimum lots when so much more could be done with the land. The work load could be shared by more people and also better configurations of the land and it's use could be made if you were to draw us into line with other parts of the State. In other words, would it not be wiser to give the current land owners the option to live on smaller pieces of land and make better use of their property.

For future planning I would suggest somewhere from 2 ha would enhance the possibilities for Jabiru Rd.

Yours in a Change for the Future,

A handwritten signature in black ink, appearing to be 'Quentin Parker', written over a large, light blue oval scribble.

Quentin Parker

Lt 51 Jabiru Rd

Kununurra 6743

ps: One of our early Family Farms was now known as Bicton which is now a nice suburb in the city of Perth.

I think we all understand change!

29 APR 2011

Shire of Wyndham East Kimberley

Proposed Amendment to Shire of Wyndham East Kimberley Local Planning Strategy - Rural Residential Development

The Shire of Wyndham East Kimberley is proposing to amend its Local Planning Strategy (LPS) to change provisions relating to Rural Residential Development.

TO: THE CHIEF EXECUTIVE OFFICER
(PO Box 614, Kununurra WA 6743)

SUBMISSION ON PROPOSED MODIFICATIONS TO THE LPS
SUBMISSIONS CLOSE AT 4.00PM ON FRIDAY 29th APRIL 2011.

SUPPORT

DISAGREE

INDIFFERENT

COMMENTS: I would like to look
into it a bit more - before I
give an answer. I am interested.

NAME: VALERIA BAXTER

ADDRESS (Optional): Lot 1290 GREAT NORTHERN HWY
Wyndham WA 6740

SIGNATURE: V. Baxter

DATE: 21.4.2011

Re proposed amendment to the Shire of Wyndham East Kimberley (SWEK) Local Planning Strategy (LPS)- Rural Residential Development

We write in support of the designation Rural Residential and/ or Rural Smallholdings being applied to the Jabiru Road precinct.

Jabiru Road precinct is bound by Jabiru Road from Packsaddle Plain Road to the end of Jabiru Road, with blocks, mostly about 8ha running at a gentle slope south or east towards Lake Kununurra (Ord River). Recently, the landowners were offered the purchase of foreshore land adjacent to their block and to 30m from the waterline of the Lake. This additional land will be amalgamated with their original block when the Lands Department has completed the process.

We believe that the area suits the needs of extra, new residents on smaller blocks in this precinct for the following reasons.

Jabiru Road precinct would appear to be still zoned Rural Agriculture 2. Converting the zoning to Rural Residential and/ or Rural Smallholdings would bring consistency with the State Planning Policy terminology.

Even though the soil is fertile, ranging from packsaddle red to levy soils, and can grow a wide range of crops eg bananas, mangoes, cucurbits, citrus, vegetables flowering and landscaping plants, the blocks no longer meet the economic viability criteria, if they ever did, having been released as ‘hobby blocks’ – for hobby farming, not as viable economic units.

Using KL 477 as an example:

When purchased in 1998 as a retirement block, it was planted to six different tropical fruits. For ease of management some of these were replaced by about an extra 600 mango trees of the new plant variety rights mango B57. B57 plantings in other states comprise 10,000 trees plus in order to gain economy of scale.

The fruit trees, which cover about 6 of the 8 ha of KL 477, do not provide a living income. Further, the annual income has varied widely year to year depending on the size of the crop and market price of the fruit. As such, KL477 is decidedly uneconomic, yet could provide a supplementary income in return for a considerable amount of hard work.

While not economically viable, the soil on KL477 together with irrigation water drawn from Lake Kununurra, provides wide scope for the growing of a wide range of garden fruit, vegetables and flowers for household use. Eg Fruits as above, pumpkins, zucchini, occra, eggplant, tomato, beans, landscaping plants and flowers – native and exotic as well as grazing a pony or horse, or couple of cows.

Current residents of Jabiru Road precinct do not suffer interference from nor have caused interference to farming activity on Rural Agriculture 1 land (also regarded as Priority Agricultural Land) on the opposite side of Jabiru Road, KL383. Mangoes were planted on this land 4-5 years ago. A natural physical buffer of approx 50 m is created by the irrigation channel, jeep track and Jabiru Road. An additional buffer area could be created by preventing any residential development within 100 m of the

boundary of KL 383. The majority of current residential development is near the opposite end of the blocks.

Infrastructure is in place, being already serviced by bitumen road, power, water and telephone.

All weather access to Kununurra is via bitumen road, about 15-20 minutes.

Power is already supplied to the area with a line running along the river end of blocks. Should there be Rural Residential development, underground power would be expected.

Water is received via irrigation water and can be filtered. With a gravel layer under much of the area, bores could provide u/v filtered water. Both of these can be used in conjunction with rain water tanks.

Telephone cabling, likely to be optic fibre, could also be supplied in the trench for underground power.

Current residents receive landline from the 'green box' at the corner of Jabiru and Packsaddle Plain Roads. As well, many receive broadband via satellite connection.

Waste water treatment plants for the disposal of effluent work well in the Jabiru Road precinct so there is no need for the installation of septic tanks and leach drains.

More people, as shown by the demand expressed to local real estate agents, want the opportunity to enjoy living in the Jabiru Road precinct. Conversion of the area to Rural Residential and/ or Rural Smallholdings for the above reasons would meet their desires.

Even though most current residents are prepared to accept new residents, unfortunately, paradoxically, one resident has been vehemently opposed to any changes despite this resident being the only person already living on a less than 8ha block – about 5ha.

There are residents in the Jabiru Road precinct who are prepared, now, or in the future, to give other people the opportunity to also reside on smaller size blocks in this precinct.

We forward these comments with the recommendation "that Jabiru Road precinct be designated Rural Residential and/ or Rural Smallholdings."

John and Pat Buchanan

29 April 2011

02 MAY 2011

Shire of Wyndham East Kimberley

Proposed Amendment to Shire of Wyndham East Kimberley Local Planning Strategy - Rural Residential Development

The Shire of Wyndham East Kimberley is proposing to amend its Local Planning Strategy (LPS) to change provisions relating to Rural Residential Development.

TO: THE CHIEF EXECUTIVE OFFICER
(PO Box 614, Kununurra WA 6743)

**SUBMISSION ON PROPOSED MODIFICATIONS TO THE LPS
SUBMISSIONS CLOSE AT 4.00PM ON FRIDAY 29th APRIL 2011.**

SUPPORT

DISAGREE

INDIFFERENT

COMMENTS: IF I UNDERSTAND THIS RIGHT AND IT'S
ABOUT MAKING RULES & REGULATIONS EASIER TO
FOLLOW AND TO APPLY, I SUPPORT THE AMENDMENTS.
I ALSO SUPPORT THE ATTEMPT TO PROVIDE A VARIETY
OF OPTIONS AND ATTRACTIVE LIVING CHOICES WITHIN SWEK,
BUT AT THE SAME TIME TO PROTECT PAL AND OTHER
INTERESTS.

NAME: SILKE BECKE

ADDRESS (Optional): LOT 31 EGRET CLOSE

SIGNATURE: S. Becke

DATE: 14/4/11



16 MAY 2011

Our Reference: 2008/005385
Enquiries: Erica Shedley (91684216)
Email: Erica.shedley@dec.wa.gov.au

1-7818

Chief Executive Officer
Shire of Wyndham East Kimberley
PO Box 614
Kununurra WA 6743

Dear Sir/Madam,

RE: Proposed amendment to Shire of Wyndham East Kimberley Local Planning Strategy – Rural Residential Development

The Department of Environment and Conservation has reviewed the information sent on 31st March 2011 with changes to the Rural Residential Development. We apologize for the late response to this draft document.

The various options for Rural Residential Development are well planned in terms of future demands for these lots, services and potential conflicts with Prime Agricultural Land. However, there seems to be little planning in terms of managing the weeds in these highly productive and disturbed environments. The buffer zones along the Ord River and Lake Kununurra already have a high weed burden that is not being adequately managed and this has the potential to significantly impact the quality of the associated Ramsar wetlands. DEC has concerns that the development of small semi-rural lots and additional buffers would stimulate further weed activity and require additional resources for managing this environmental impact on a long term basis.

The selection of additional lots along the river banks for favorable vistas places additional pressure on the foreshore vegetation which needs to be carefully managed to prevent large sections of river frontages being cleared to take advantage of this view. The width of this foreshore vegetation is currently being reduced by selling off strips to existing land owners which further limits the effectiveness of a vegetation buffer zone. The overall impacts on the foreshore vegetation buffer should be given greater consideration in the selection of areas for development. Clear guidelines on vegetation management along the foreshore buffer are required, including guidelines for boat access. For these reasons, DEC would prefer that the Old Darwin Road and King Loc 647 be developed in preference to the riverside sites of Crossing Falls and Weero Road.

The proposed buffer areas within the proposed Rural Residential Developments need to be designed so that the fire hazards can be adequately managed without having deleterious impacts on flora and fauna habitat values within those buffer areas.

DEC is happy to discuss these matters further with the Shire during future planning processes.

Yours sincerely

A handwritten signature in blue ink that reads "Erica Shedley". The signature is written in a cursive style with a large, looping 'E' and a long tail on the 'y'.

For: Daryl Moncrieff
Regional Manager
Kimberley Region

12th May 2011

Ref: 13461 : 902 : KW
29 April 2011

Nick Kearns
Shire of Wyndham East Kimberley
PO Box 614
KUNUNURRA 6743

Via Email: nick.kearns@swek.wa.gov.au

Dear Nick,

LOCAL PLANNING STRATEGY REVIEW - RURAL RESIDENTIAL PROVISIONS

We refer to the above described review, and provide the following comment on behalf of several landowners within the Jabiru and Packsaddle Roads area.

The Local Planning Strategy [LPS] was prepared to provide a strategic guide to land use and development within the whole shire. Addressing supply and demand issues of Rural Residential land was a critical component of the Strategy.

We make the following comments on the review:

The LPS has been in place for over 5 years. In this timeframe, Lot 21 Weero Road [Valentine Falls Estate] has been subdivided and released, and most lots have been sold within this Rural Residential area.

No progress has been made towards the rezoning or subdivision of the site identified as the most eminent for subdivision, Crossing Falls. It will take significant time before this land is 'development ready' - likely 3-4 years before all planning, environmental and infrastructure issues are resolved.

Some land within the Old Darwin Road & Loc 647 Crossing Falls Road precincts has been rezoned to allow for Small Rural Holdings subdivision, however, no significant subdivision has occurred of this land.

BROOME OFFICE:

Broome Airport Commercial Centre, Broome WA 6725
PO Box 2283, BROOME WA 6725
T: 08 9192 2299 F: 08 9193 7639
E: broome@whelans.com.au W: www.whelans.com.au

PERTH | KALGOORLIE | KARRATHA | BROOME | KUNUNURRA

WHELANS (WA) PTY LTD ACN 074 363 741
ASSOCIATED OFFICES: ADELAIDE | MELBOURNE | SYDNEY | BRISBANE

The price of land within the Shire has increased significantly, over all land use zones, including Rural Residential. There remains significant demand for land within the Shire, including for Rural Residential land.

The LPS determined clearly that [lack of] supply of Rural Residential land in the region was artificially inflating land prices. The LPS also concluded that land zoned and used for agriculture could not be subdivided due to the need to protect agriculture.

It is apparent that there have been significant changes within the region that affect the supply of Rural Residential and Agricultural land.

Significant agricultural land will soon be released as part of the Ord Expansion Project. This land will be utilised for large scale intensive agriculture.

The scale of intensive horticulture has reduced the capacity of small lots to be used viably for agriculture.

We support the reviews addition of Rural Residential land in Wyndham.

We make the following objections to the review:

The LPS review fails to allocate any new land within the Kununurra area for Rural Residential development, or make any recommendations on development of land within the identified Rural Residential Precincts.

The Crossing Falls precinct will take a substantial amount of time to be able to develop, while the Jabiru/Packsaddle Road precinct is subdividable within a relatively short period of time if the LPS is modified to allow for subdivision.

We make the following recommendations on the review:

Given the following circumstances:

- Persistent lack of supply;
- Increasing land prices;
- Inflationary effect of lack of supply on smaller Rural Agricultural Lots; and
- Decreased viability of smaller lots [20 hectares and less]

We recommend allowing the rezoning and subdivision of the Jabiru Road and Packsaddle Road foreshore lots for Rural Residential development, with a minimum lot area of 1 hectare.

Should this not be supported, then we believe that, at a minimum, the land should be rezoned to Small Rural Holdings, allowing for lots with a minimum 4 hectares in size.

We do not believe that this will cause significant loss of agriculture, and will assist in providing a supply of Rural Residential land until such time as larger scale projects such as Crossing Falls can be developed.

We note that part of the objective of the review was to remove inconsistencies between the LPS and State Planning Policy, and make the critical observation that SPP's are policy only, and do not [necessarily] require strict adherence. Indeed, it is recognised that not every locality or shire will be the same, and that variations are necessary in many instances.

It is within the LPS that variations to State Planning Policies are meant to be identified, and variations to SPP were identified and supported by the Western Australian Planning Commission [specifically related to Rural Residential land supply] when the LPS was developed and approved.

Any attempt to conform for the sake of conformity is misdirected and fails to recognise the unique circumstances of the Shire of Wyndham East Kimberley.

We thank you for the opportunity to comment.

Should you have any enquiries regarding this matter or require additional information, please contact me on 08 9192 2299.

Yours sincerely,

A handwritten signature in blue ink, appearing to read 'K Williams', written in a cursive style.

Keith Williams
Senior Town Planner

Ref: 13461-03 : 902 : KW
29 April 2011

Nick Kearns
Shire of Wyndham East Kimberley
PO Box 614
KUNUNURRA 6743

Via Email: nick.kearns@swek.wa.gov.au

Dear Nick

LOCAL PLANNING STRATEGY REVIEW - RURAL RESIDENTIAL PROVISIONS

We refer to the above described review, and provide the following comment on behalf of Neville Jones, owner of Lot 501 Farm Hill Road.

The Local Planning Strategy was prepared to provide a strategic guide to land use and development within the whole shire. Addressing supply and demand issues of Rural Residential land was a critical component of the Strategy.

We make the following comments on the review:

The LPS has been in place for over 5 years. In this timeframe, Lot 21 Weero Road [Valentine Falls Estate] has been subdivided and released, and most lots have been sold within this Rural Residential area. No other Rural Residential land supply is available.

No progress has been made towards the rezoning or subdivision of the site identified as the most eminent for subdivision, Crossing Falls. It will take significant time before this land is 'development ready' - likely 3-4 years before all planning, environmental and infrastructure issues are resolved.

Some land within the Old Darwin Road & Loc 647 Crossing Falls Road precincts has been rezoned to allow for Small Rural Holdings subdivision, however, no significant subdivision has occurred of this land.

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The price of land within the Shire has increased significantly, over all land use zones, including Rural Residential. There remains significant demand for land within the Shire, including for Rural Residential land.

The LPS determined clearly that [lack of] supply of Rural Residential land in the region was artificially inflating land prices. The LPS also concluded that land zoned and used for agriculture could not be subdivided due to the need to protect agriculture.

We make the following recommendations on the review:

Given the following circumstances:

- Persistent lack of supply;
- Increasing land prices;
- Inflationary effect of lack of supply on smaller Rural Agricultural Lots; and
- Decreased viability of smaller lots [20 hectares and less]

We recommend allowing the rezoning and subdivision of Lot 501 Farm Hill Road with a minimum lot area of 1 hectare. Rezoning and subsequent subdivision will not be detrimental to adjoining agricultural uses.

This will provide a land supply within close proximity to agricultural areas, similar to lots 10, 12 & 273 Weaber Plain Road, which provide a precedent for this type of subdivision.

Should you have any enquiries regarding this matter or require additional information, please contact me on 08 9192 2299.

Yours sincerely,

A handwritten signature in blue ink, appearing to read "K Williams".

Keith Williams
Senior Town Planner

Ref: 13461 - 01 : 902 : KW
29 April 2011



Nick Kearns
Shire of Wyndham East Kimberley
PO Box 614
KUNUNURRA 6743

Via Email: nick.kearns@swek.wa.gov.au

Dear Nick

LOCAL PLANNING STRATEGY REVIEW

We refer to the above described review, and provide the following comment on behalf of Ian & Diana Oliver, owner of Lots 600 Riverfarm Road and Lot 21 Ivanhoe Road.

The Local Planning Strategy was prepared to provide a strategic guide to land use and development within the whole shire. Addressing supply and demand issues of Rural Residential land was a critical component of the Strategy.

We make the following comments on the review:

The LPS has been in place for over 5 years. In this timeframe, Lot 21 Weero Road [Valentine Falls Estate] has been subdivided and released, and most lots have been sold within this Rural Residential area.

No progress has been made towards the rezoning or subdivision of the site identified as the most eminent for subdivision, Crossing Falls. It will take significant time before this land is 'development ready' - likely 3-4 years before all planning, environmental and infrastructure issues are resolved.

Some land within the Old Darwin Road & Loc 647 Crossing Falls Road precincts has been rezoned to allow for Small Rural Holdings subdivision, however, no significant subdivision has occurred of this land.

The price of land within the Shire has increased significantly, over all land use zones, including Rural Residential. There remains significant demand for land within the Shire, including for Rural Residential land.

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WHELANS (WA) PTY LTD ACN 074 363 741
ASSOCIATED OFFICES: ADELAIDE | MELBOURNE | SYDNEY | BRISBANE

The LPS determined clearly that [lack of] supply of Rural Residential land in the region was artificially inflating land prices. The LPS also concluded that land zoned and used for agriculture could not be subdivided due to the need to protect agriculture.

It is apparent that there have been significant changes within the region that affect the supply of Rural Residential and Agricultural land.

Significant agricultural land will soon be released as part of the Ord Expansion Project. This land will be utilised for large scale intensive agriculture.

Additionally, the scale of intensive horticulture has reduced the capacity of small lots to be used viably for agriculture.

We support the reviews addition of Rural Residential land in Wyndham.

We make the following objections to the review:

The LPS review fails to allocate any new land within the Kununurra area for Rural Residential development, or make any recommendations on development of land within the identified Rural Residential Precincts.

The Crossing Falls precinct will take a substantial amount of time to be able to develop, while the Riverfarm Road precinct is subdividable within a relatively short period of time if the LPS is modified to allow for subdivision.

We make the following recommendations on the review:

Given the following circumstances:

- Persistent lack of supply;
- Increasing land prices;
- Inflationary effect of lack of supply on smaller Rural Agricultural Lots; and
- Decreased viability of smaller lots [20 hectares and less]

We recommend allowing the rezoning and subdivision of the Riverfarm Road Precinct [including Lot 600], with a minimum lot area of 1 hectare. Rezoning and subsequent subdivision will not be detrimental to adjoining agricultural uses, and this is demonstrated by the existing Rural Residential nature of this precinct.

We also recommend rezoning of Lot 21 Ivanhoe Road to allow for Rural Residential subdivision. This lot is located within close proximity to the town site and services, and could be provided with a reticulated water supply. 1 Hectare lot sizes are also recommended for this land.

Should this not be supported, then we believe that, at a minimum, the land should be rezoned to Composite Industry.

We do not believe that this will cause significant loss of agriculture, as the land is unviable due to its size.

We note that part of the objective of the review was to remove inconsistencies between the LPS and State Planning Policy, and make the critical observation that State Planning Policies are policy only, and do not [necessarily] require strict adherence. Indeed, it is recognised that not every locality or shire will be the same, and that variations are necessary in many instances.

It is within the LPS that variations to State Planning Policies are meant to be identified, and variations to State Planning Policies were identified and supported by the Western Australian Planning Commission [specifically related to Rural Residential land supply] when the LPS was developed and approved.

Any attempt to conform for the sake of conformity is misdirected and fails to recognise the unique circumstances of the Shire of Wyndham East Kimberley.

We thank you for the opportunity to comment.

Should you have any enquiries regarding this matter or require additional information, please contact me on 08 9192 2299.

Yours sincerely,

A handwritten signature in blue ink, appearing to read 'K Williams', is written over a light blue horizontal line.

Keith Williams
Senior Town Planner



Department of
Agriculture and Food



Jennifer Ninnette
Planning Officer
Shire of Wyndham East Kimberley
Po Box 614
Kununurra WA 6743

Your Ref:
Our Ref:
Enquiries: Rod Safstrom
Date: 29 September 2011

Dear Jennifer

COMMENT: SHIRE OF Wyndham East Kimberley – LOCAL PLANNING STRATEGY REVIEW

Thank you for the opportunity to review the Draft Local Planning Strategy for the Shire of Wyndham East Kimberley.

The review by the Department of Agriculture & Food Western Australia (DAFWA) has focussed on the appropriateness of areas proposed as Potential Rural Living Areas in Kununurra given the priority to protect agriculture. The evaluation process undertaken by the Shire in assessing potential rural living areas is supported and the findings found to be sound.

DAFWA has not reviewed minimum lot size requirements for development in the Rural Residential Zone and Rural Smallholding Zone, but is concerned that recommending larger block sizes on the better soils will not necessarily be sufficient to protect prime agricultural land (Lot 647 Crossing Falls Rd and Old Darwin Road). Experience (e.g. along the existing Weber Plains Road) suggests that blocks that are in areas of prime agricultural land and that are 20 to 30 hectares in area, generally end up as "life style" blocks, have no agriculture, and basically alienate land from agriculture. Prime agricultural land must be retained in block sizes that are viable in their own right for commercial agriculture and protected by adequate separation distances.

The EPA's Guidance Statement No. 3 (2005) *Separation Distances between Industrial and Sensitive Land Uses* is used by DAFWA to recommend buffers and setbacks. Any changed land use on agricultural land needs to include buffers on the re-zoned land to minimise land use conflict. To ensure agricultural operations on land next to re-zoned areas are not restricted, DAFWA recommends minimum setbacks/buffers of 500 metres be incorporated into the re-zoned areas in accordance with the abovementioned EPA guidelines. These guidelines set out minimum separation distances for a range of agricultural activities including market gardens, orchards and dairies and are available on the EPA's website at www.epa.wa.gov.au/docs/1840_GS3.pdf.

Durack Drive, Kununurra Western Australia 6743
Postal address: PO Box 19 Kununurra, WA 6743
Telephone: (08) 91 664000 Facsimile: (08) 91 664066
21 February 2012

DAFWA has taken, as the basis of our comments below, the attached advice provided to Jo Barkla, Department of Planning, Broome, in September 2005 which clarifies the accuracy of the soils information available.

We offer the following for consideration:

Crossing Falls:

The area contains significant areas of land with high suitability for agricultural land use. This type of land is in short supply in the ORIA, and is considered by DAFWA to be prime agricultural land. The assessment of this area was done as part of a reconnaissance soil survey of the area, and follow up soil survey to more accurately determine the extent of the highly suitable soils would be warranted before any decision is made on future land use.

DAFWA acknowledges that these areas are also highly attractive for Rural Residential development, and a compromise between the two competing land uses will be required.

Other areas, with moderate to low suitability for agriculture, are not considered prime agricultural land and could be considered for rural residential development. Note that the area contains significant areas of seasonally or permanently poor drainage, a factor which need to be considered in planning allotment size and location.

Lot 21 King Location 599:

The soils are very variable with significant areas of low suitability. The main area of prime agricultural land has already been excised from the eastern end of the area. DAFWA does not consider the area to be of prime agricultural significance, and does not object to the proposed rezoning.

Lot 647 Crossing Falls Road:

This area contains significant areas of Cockatoo sands and Cockatoo sands/levee soils with a high suitability for agricultural production which should be preserved for that purpose. The other areas, with moderate to low suitability for agriculture, are not considered prime agricultural land and could be considered for rural residential development. Note that the area contains significant areas of seasonally or permanently poor drainage, a factor which need to be considered in planning allotment size and location.

DAFWA does not object to the proposed rezoning provided soils with high suitability for agricultural production are retained in block sizes that are viable in their own right for commercial agriculture and protected by appropriate buffers.

Old Darwin Road:

The area contains significant areas of Cockatoo sands with a high suitability for agricultural production which should be preserved for that purpose in block sizes that are viable in their own right for commercial agriculture. The other areas, with moderate to low suitability for agriculture are not considered prime agricultural land and could be considered for rural residential development. Note that the area contains significant areas of seasonally or permanently poor drainage, a factor which need to be considered in planning allotment size and location.

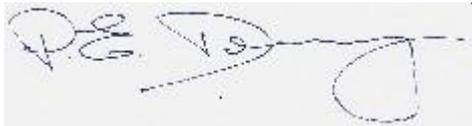
DAFWA does not object to the proposed rezoning provided soils with high suitability for agricultural production are retained in block sizes that are viable in their own right for commercial agriculture and protected by appropriate buffers.

Remaining areas:

DAFWA notes that the ratings in the comparative site analysis for the remaining areas are considerably lower and that these areas have not been suggested as potential rural living areas at this time. This position is supported to minimise the potential for land use conflict by further subdivision close to existing horticultural areas.

If you have queries regarding the comments, please contact Rod Safstrom on (08) 9368 3169 or myself (until 20th July) or Noel Wilson on (08) 91 664001.

Yours sincerely,

A handwritten signature in blue ink, appearing to read 'Paul Novelly', written over a light grey background.

Dr. Paul Novelly
Acting District Manager Kimberley
Department of Agriculture and Food (WA)

15TH JULY 2011

THE SHIRE OF WYNDHAM - EAST KIMBERLEY

TO - TOWN PLANNER

RE - SUB DIVISION OF SEMI RURAL BLOCKS.

I BELIEVE THE SHIRE IS LOOKING INTO
THE SUB DIVISION OF SEMI RURAL BLOCKS.

AS PART OWNER OF LOT 112 KESTREL WAY
KUNUNURRA I WOULD LIKE EXPRESS MY OPINION
I AM FOR THE APPROVAL OF SUB-DIVISION.

REGARDS



STUART CLEGG

0409117080

RICHARD

I AM FOR THE APPROVAL OF SUB-DIVISION

~~THE~~ SIGN

+ NAME



BRADY CALLAWAY Lot 108 Kestrel

Attachment 4 – Additional correspondence from DAFWA

1-10487
05 OCT 2011



Department of Agriculture and Food



Jennifer Ninyette
Planning Officer
Shire of Wyndham East Kimberley
PO Box 614,
Kununurra WA 6743

Your Ref: 01.0572.02:TP 1733
Our Ref:
Enquiries: Noel Wilson
9166 4000
Date: 29th September 2011

Dear Jennifer,

RE: Lot 1 Old Darwin Road Precinct request for comment – Shire of Wyndham-East Kimberley

Further to the information provided in letters dated 24th November 2010 and 25th August 2010 the only other comment that could be made in relation to this lot and the suitability for agriculture would be in relation to the rural small holding blocks adjoining this land.

To reduce conflict between agricultural land use and residential land use there is a need for areas to be set aside as buffers between the land use types. This allows for the agricultural activities to continue with minimal impact on the residential land use.

The land that has been set aside for rural small holdings around this property could make continued agricultural operation difficult in the future with possible conflict between land use for agriculture and residential requirements.

For this conflict to be minimised there would be a need for areas of land set aside for buffers between the two land uses and the area of agricultural land is not of sufficient size to allow this to be included in the current agricultural use.

This may impact on the agricultural use of this land into the future.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Noel Wilson'.

Noel Wilson
Manager
Department of Agriculture and Food
Kununurra District Office

Durack Drive, Kununurra, Western Australia 6743
Postal address: PO Box 19, Kununurra WA 6743
Telephone: (08) 9166 4000 Facsimile: (08) 9166 4000

Attachment 5 - Schedule of Modifications

Schedule of Modifications (following advertising)

Local Planning Strategy Review

No	Summary of Modification	Planning Comment
1	Modify the sections of the LPS that have been advertised to use the terms 'rural residential' and 'rural small holdings' consistently.	<p>The draft SPP 2.5 and draft DC 3.4 were not available prior to the investigations and summary report being prepared therefore proposed modifications were based on current SPP 2.5 and DC 3.4.</p> <p>It has been acknowledged by the Department of Planning that although the WAPC is trying to rationalise and simplify the terminology of the various zones, this partial LPS review cannot accommodate these changes. Therefore minor modifications are proposed simply to ensure consistency of terminology within the document.</p>
2	Modify s5.2.2 to replace 'availability of ground water and provision of a potable water supply' be replaced with the following: 'Projected water use for the development and the identification of sustainable potable and non-potable water source(s) capable of meeting demand'.	As per recommendation of the Department of Water, to strengthen the requirement to ensure provision of adequate water source(s).
3	Modify s5.2.2 to amend dot point to state 'general environmental considerations including flora and fauna impacts, wildlife corridors, natural features, pollution, groundwater quality and any other environmental issues identified by Council. This may include buffer areas from existing and future adjacent land use, and require	In response to WAPC and Department of Environment and Conservation (DEC) comment that there is a need to consider impact of smaller lots on the river system or adjoining conservation/vegetated areas.

	larger lots adjoining river systems or adjoining conservation/vegetation areas. (in accordance with a buffer study which may be required on a case by case basis);	
4	Modify s5.2.2 to amend dot point to state “Appropriate buffer studies to address separation between rural and residential uses where required, and prevent/address potential negative environmental impacts to buffer areas associated with these uses, including weed management, feral animals, vegetation clearing, fire prevention and access to waterways and conservation areas;	In response to concerns raised by DEC in regard to the management of buffer areas, including increased weeds and lack of weed management, vegetation clearing, boat access and fire prevention. DEC also request/recommend that guidelines are developed for vegetation management of and access to buffers.
5	Modify s5.2.6 to state “The provision of a suitable potable and non-potable water supply may be sourced from either, roof catchment, ground water and/or surface water extraction. The use of groundwater and surface water, and the construction of a bore is subject to approval by the Department of Water (DOW), and similarly to the WAPC, the DOW will only support variation of the requirement to connect lots under 4ha to a reticulated water supply if alternative sustainable water source(s), that meet the requirements for both potable and non-potable uses, are identified.	As per advice of the DOW that sustainable water source(s), that meet the requirements for both potable and non-potable uses need to be identified early in the planning process, and that the use of water sources other than rainwater tanks is subject to DOW approvals including, but not limited to, licensing requirements under the Rights in Water and Irrigation Act 1914 (RIWI Act).
6	Modify s.5.2.7 to identify that for Crossing Falls, ‘water extracted privately from the river is a non-potable source and use is subject to DOW requirements’.	As per recommendation of the Department of Water.
7	Modify s5.2.7 to identify that (for Lot 21 King Loc 599) ‘The locality is capable of being serviced by power and	As per DOW request for removal of reference to bore water being available in this locality, due to this development area being underlain by a fractured

	<p>there is evidence that domestic potable water supplies would be possible by roof catchment and rainwater tanks, and groundwater may be potentially used as a supplementary supply. Non-potable water could be available from the Ord, subject to Water Corporation and Department of Water requirements. At variance to SPP 2.5, it is proposed that a reticulated water supply not be required for this land, subject to there being a confirmed potable supply through other means, with the use of rain water tanks for domestic supply recommended.</p>	<p>rock aquifer where groundwater availability is unreliable., however have included statement that groundwater may be potentially used as a supplementary supply, as per advice provided by the Department of Water for subdivision of Valentine Falls Estate.</p> <p>Also as per DOW request to amend statement that non-potable water could be available from the Ord River, subject to Water Corporation and DOW requirements.</p>
8	<p>Modify s5.2.7 to identify that for Lot 21 King Loc 599 'A 4ha minimum lot size, required by the Scheme, is appropriate for buffer lots for lots abutting or adjoining horticultural activities, unless otherwise justified through an appropriate buffer study.</p>	<p>The (general) 4ha minimum lot size for land abutting or adjoin PAL is in place to protect horticultural activities which are a priority land use, and was a decision of the Minister of Planning in approving the structure plan and subdivision for the Valentine Falls Estate.</p> <p>This statement has been amended to acknowledge that the WAPC may be prepared to consider minor variations to the 4ha minimum subject to sufficient justification being provided by the applicant.</p>
9	<p>Modify s5.2.7 for Packsaddle – Jabiru Precinct to state that 'Non-potable water can be drawn from the Ord River subject to Water Corporation and DOW requirements.</p>	<p>As per DOW request to amend statement that non-potable water could be available from the Ord River, subject to Water Corporation requirements to state that use of this water source is also subject to DOW requirements.</p>
10	<p>Modify s5.2.7 for Packsaddle –Jabiru Precinct to state 'it is considered an area worthy of further examination in the event of other sites proving unsuitable, or having</p>	<p>This statement been amended to acknowledge that Lot 21 King Location 599 (Valentine Falls Estate) has already been developed, and to cater for</p>

	already been developed for rural residential purposes.	future demand for residential development once Crossing Falls (North) has been developed (if suitable).
11	Modify s5.2.7 to state 'Investigation of current and projected airport use will be required, including monitoring and consideration of noise impacts from the airport on adjacent land to demonstrate that potential dwellings will not be adversely affected by noise having consideration for the recommended Australian Noise Contour for airports, as part of the Structure Planning process'.	To acknowledge advice from the WAPC that there is the need to consider noise impacts from the adjacent airport on potential dwellings. N.B. The Shire has already engaged a suitably qualified airport consultant to undertake further modelling and investigation of land adjacent to the Wyndham airport.
12	Modify s5.2.8 for the Old Darwin Road Precinct to state 'While some land within this area may be suitable for agriculture, further investigation is required to determine the extent and capability of soils, and will also need to consider the impact of existing adjoining rural residential development on proposed agricultural usability. Upon further investigation, should the subject lots not be deemed suitable for agricultural use then consideration could be given to rural residential development subject to land capability and other site constraints.'	To acknowledge recent correspondence from DAFWA advising that the suitability of Lot 1 Old Darwin Road for agriculture is greatly impacted/restricted by the existing rural residential land use to the east (Egret Close/Wilson subdivision) and the land set aside for rural small holdings to the west (Lot 2 Old Darwin Road).
13	Modify s5.2.8 for the Old Darwin Road Precinct to state 'Should it be demonstrated that agriculture is not suitable on a certain lot and surrounding sites, due to land capability, lot size and/or existing adjoining land uses which compromise agricultural use, then a rural residential development outcome could be considered subject to consideration of other factors including: <ul style="list-style-type: none"> ▪ Locational characteristics; ▪ Settlement hierarchy; 	To acknowledge advice from WAPC that the protection of PAL is only one factor to consider when assessing the suitability of land for rural residential development, and DAFWA advice that agricultural use in this area has already been compromised by existing rural residential development.

	<ul style="list-style-type: none"> ▪ Sustainability; and ▪ Environmental and landscape protection. 	
14	<p>Modify s5.2.8 in relation to King Loc 647 to state “A Scheme Amendment to rezone the subject site to Rural Small Holdings is nearing final approval. During the process, correspondence has been obtained from the Department of Agriculture confirming that the site is not significant for agricultural production. Therefore, the scope exists to consider a future rezoning of the site for rural residential purposes, subject to further assessment of the suitability of the land for this purpose.’</p>	<p>To again acknowledge the WAPC comment /advice that the protection of PAL is only one factor to consider when assessing the suitability of land for rural residential development.</p>
15	<p>Modify s5.2.9 to amend dot point to state ‘The Jabiru Road locality of Packsaddle may be a viable alternative in the event of the first choice areas proving unsuitable, or having already been developed, for the purposes of rural residential development.’</p>	<p>This statement been amended to acknowledge that Lot 21 King Location 599 (Valentine Falls Estate) has already been developed, and to cater for future demand for residential development once Crossing Falls (North) has been developed (if suitable).</p>
16	<p>Modify s5.2.9 to amend dot point to state (in relation to the Old Darwin Road Precinct and King Loc 647 that ‘Rural residential outcomes may however be considered pending the determination of the suitability of agriculture. If agriculture is deemed to be unviable/unsuitable and the land not PAL as determined by the Department of Agriculture and Food, rural residential development may be considered as a viable alternative within the scope of 1- 4 hectare size lots, subject to further assessment.</p>	<p>To acknowledge the WAPC comment /advice that the protection of PAL is only one factor to consider when assessing the suitability of land for rural residential development, and also that although parts of these localities have soils with high agricultural capability there are other external factors that may impact suitability for agricultural use.</p>
17	<p>Modify s6.4 under ‘Policy’ to state that ‘A minimum lot size of 4ha will generally be applied where a proposed</p>	<p>The (general) 4ha minimum lot size for land abutting or adjoin PAL is in place to protect horticultural activities which are a priority land use, and was</p>

	<p>rural residential subdivision abuts PAL, a horticultural land use, environmental areas and/or areas of landscape significance, unless otherwise sufficiently justified through an appropriate buffer study”</p>	<p>a decision of the Minister of Planning in approving the structure plan and subdivision for the Valentine Falls Estate.</p> <p>However, it is acknowledged that the WAPC may be prepared to consider minor variations to the 4ha minimum subject to sufficient justification being provided by the applicant.</p> <p>DAFWA uses the EPA’s Guidance Statement No. 3 (2005) Separation Distances between Industrial and Sensitive Land Uses to recommend buffers and setbacks. The EPA’s Guidance Statement No. 3 states that the generic separation distances within the document should be used when there has been no site specific technical study, and that potentially land use conflicts are resolved through the land planning process following consideration of technical information and advice from relevant agencies. The proposed modifications to the LPS includes the requirement for an appropriate buffer study to address separation between rural and residential uses where required.</p>
18	<p>Modify s6.4 under ‘Specific Actions’ to state ‘In the longer term, and subject to sufficient justification (including a determination on agricultural potential/suitability), lots in Old Darwin Road may be considered suitable for rural residential development. Investigations into agricultural suitability will need to be undertaken in liaison with the Department of Agriculture, and further assessment will also be required as to the suitability of the land for rural residential purposes.</p>	<p>To acknowledge the WAPC comment /advice that the protection of PAL is only one factor to consider when assessing the suitability of land for rural residential development, and also that although parts of these localities have soils with high agricultural capability there are other external factors that may impact suitability for agricultural use.</p>
19	<p>Modify heading of Appendix C to read ‘Assessment of Potential Rural Living Areas within Kununurra and</p>	<p>An assessment of land adjacent to Wyndham airport has been included in</p>

	Wyndham'	this section, and therefore the heading has been amended accordingly.
20	Modify text in Appendix C in relation to King Loc 647 to state 'Smaller rural residential lots may be considered where it can be demonstrated that the land is not suitable for agriculture, and further assessment shows the land is suitable for rural residential development.'	To again acknowledge the WAPC comment /advice that the protection of PAL is only one factor to consider when assessing the suitability of land for rural residential development.
21	Modify sections of the LPS that have been advertised to remove reference to a draft Local Planning Policy in relation to development guidelines for Rural Living properties.	The proposed modifications to the LPS includes reference to a draft Local Planning Policy in relation to development guidelines for Rural Living properties, which has not been finalised, and is not intended to be finalised, therefore reference to this policy have been removed

Attachment 6 – Additional land supply and demand information



Your Ref: Jennifer Ninnette
Our Ref: Shire of WEK
Enquiries: Peter Simmonds Ph: 92739471
E-mail: peter.simmonds@landgate.wa.gov.au

15 November 2011

Chief Executive Officer
Shire of Wyndham East Kimberley
PO Box 614
Kununurra WA 6743

Attention Jennifer Ninnette

COMMENTARY ON DEMAND FOR RURAL LIFESTYLE BLOCKS INCLUDING DETAILS OF EXISTING OCCUPIED AND VACANT LOTS – KUNUNURRA

The comments previously made by Landgate's Regional Valuer, Chris Olsen, are still relevant. Smaller agricultural lots, specifically lots closer to the river, sell at values in excess of their agricultural value, reflecting their popular use as rural residential type lots.

Kununurra small rural holding areas consist of six sub market with different features and characteristics.

- Packsaddle Road – prime location near the river. The current Zoning is Rural Agricultural 2 with lot sizes areas ranging from 4 – 22 hectares with the average size between 8 and 9 hectares. Approximately 50% of the blocks have river views. The remaining lots are without views due to thick vegetation along the river. Whilst approximately 75% of the land is suitable for horticulture use, soil type and agriculture use has now become less important and the majority of the land is not being used for these purposes. Views and access to the river now have more impact on the land value. Value of prime lots close to the river with clear views and good access to the river are now disclosing land value close to \$1,000,000. Lots without views with restricted access to the river are selling for in the vicinity of \$600,000.
- River Farm Road – prime location similar to Packsaddle Road but blocks have less bush and are smaller in lot sizes. The current Zoning is Rural Agricultural 2. Again, primary use is not agriculture but rural living, with the river frontage blocks ranging in sizes from 2.4 to 5.6 hectares, with the average lot being approximately 4.5 hectares. Value for lots on the river with good views are similar to Packsaddle at close to \$1,000,000, but have a higher rate per hectare due to being smaller in size. The seven back blocks away from the river are larger in area with the lot average approximately 8.7 hectares. There are limited

18 Mount Street, Perth, Western Australia 6000
Postal Address: PO Box 7201, Cloisters Square, Western Australia 6850 Tel (08) 9429 8400
Fax (08) 9429 8500 Email: vs@landgate.wa.gov.au Web www.landgate.wa.gov.au
Western Australian Land Information Authority ABN 86 574 793 858



recent sales of back blocks away from the river, but indications are of values at approximately \$500,000 to \$600,000.

- Wilsons Subdivision – located 6 kilometres East of Kununurra with the areas of each lot approximately 4 hectares. Demand for these Rural Agriculture 2 lots has been consistent over the past 5 years with values climbing steadily to be around \$300,000. Although zoned Rural AG 2 no land has been used for this purpose apart from the one off larger lot which is used as a nursery.
- Weaber Plains / Mills Road – this area has seen an increase in sales of lots in the past two years with values rising along the way. Previously had issues with flooding, but since drainage has been improved the market now has confidence in this area. There are approximately 100 lots in this area ranging from 2 to 22 hectares with the majority being in the range of 2 to 3 hectares which are located close to town. Values have risen in the past two years ranging from \$350,000 to \$400,000 depending on location. There are also larger lots ranging in land area from 7 to 10 hectares which are disclosing values slightly higher \$400,000 to \$500,000. Again very little agriculture use with the zoning being Rural Agriculture 1.
- Crossing Falls – this 25 lot subdivision is located approximately 20 kilometres east of Kununurra. Lot sizes are small compared to other subdivisions with areas ranging from 0.6 hectare to 2.2 hectares. Sales of lots in this subdivision have slowed down in the past few years with limited sales evidence showing land values around \$300,000. Currently zoned Rural Living and the use is consistent with this zoning.
- Valentine Falls - one of the newest subdivisions located approximately 15 kilometres North West of the town site of Kununurra. Mixed zoning with some small agriculture use but the majority of the land will be for rural living. Lot sizes are ranging from 1 to 4 hectares with values ranging from \$250,000 to \$550,000, with the higher sales for the lots close to the river. This is a 78 lot subdivision and approximately one third of these lots have sold. In assessing the reason for this surplus of blocks for sale, it appears to be a shortage of ground water which may have dented confidence in the market. Have yet to see prices fall to meet the market.
- Agricultural Land – in the past three years we have not had a genuine sale to give some direction to where the market is. In our opinion the market is between \$8,000 and \$10,000 per arable hectare for developed land. This is significantly lower than Rural AG 2 land at Packsaddle and River Farm and Rural Ag 1 land at Weaber Plains Road.

It must be noted that the values we have quoted for the small rural lots are for unimproved land excluding any improvements.



Enclosed is a summary and details of sales in various size ranges on an annual basis from 2006 to 2010. An invoice for this service is enclosed.

If you have any queries, please telephone me on 9273 9471.

Yours sincerely

A handwritten signature in black ink, appearing to read "P. V. Simmonds".

Peter Simmonds AAPI

**Valuer
Rural
Property and Valuation
LANDGATE**

Shire of Wyndham East Kimberley - Land Sales 2010 – Rural Properties 1ha and greater

PRICE	DATE	ADDRESS	AREA	APPROX PRICE/HA	ZONING	RIVER VIEWS/ACCESS
\$ 1,800,000	23/04/2010	Great Northern Highway (Kingston's Rest)	389.8ha	\$4,500	No Zone	NO
\$ 810,000	10/05/2010	Lot 14 Weaber Plain Road, KNX	20.9ha	\$39,000	Rural Ag 2	NO
\$ 8,881,964	11/06/2010	Great Northern Highway (Kingston's Rest)	440.9ha	\$20,000	No Zone	NO
\$ 510,000	14/04/2010	Lot 24 Curlew Court, Kununurra	4ha	\$127,500	Rural Ag 2	NO
\$ 535,000	12/08/2010	Lot 23 Egret Close, Kununurra	4.1ha	\$130,500	Rural Ag 2	NO
\$ 387,000	6/04/2010	Lot 27 Egret Close, Kununurra	3.6ha	\$107,500	Rural Ag 2	NO
\$ 800,000	20/07/2010	Lot 250 Packsaddle Road, Kununurra	7.9ha	\$101,000	Rural Ag 2	NO
\$ 525,000	5/01/2010	Lot 100 Weaber Plain Road, Kununurra	6.9ha	\$76,000	Rural Ag 2	NO
\$ 380,000	25/02/2010	Lot 36 Egret Close, Kununurra	4.5ha	\$84,500	Rural Ag 2	NO
\$ 475,000	1/06/2010	Lot 1298 Wedge Drive, Wyndham	4.4ha	\$108,000	Special Rural	NO
\$1,400,000	23/07/2010	Lot 478 Jabiru Road, Kununurra	8.7ha	\$161,000	Rural Ag 2	YES
\$625,000	1/09/2010	Lot 32 Egret Close, Kununurra	5.5ha	\$113,500	Tourist	NO
\$ 370,000	10/02/2010	Lot 1293 Great Northern Hwy, Wyndham	4ha	\$92,500	Special Rural	NO
\$ 1,460,000	24/11/2010	Lot 221 River Farm Road, Kununurra	4.3ha	\$339,500	Rural Ag 2	YES
\$ 1,265,000	9/10/210	Lot 101 Packsaddle Road, Kununurra	9.2ha	\$137,500	Rural Ag 2	YES
\$ 975,000	20/12/2010	Lot 554 Packsaddle Road, Kununurra	8.9ha	\$109,500	Rural Ag 2	YES
\$ 275,000	23/07/2010	Lot 107 Berkley Crescent, Kununurra	1.5ha	\$183,000	Rural Living	NO
\$ 800,000	16/01/2010	Lot 106 Weaber Plain Road, Kununurra	2.2ha	\$363,500	Rural Living	NO
\$ 680,000	24/07/2010	Lot 51 Harrier Close, Kununurra	2.4ha	\$283,000	Rural Living	NO
\$ 315,000	31/03/2010	Lot 190 Drysdale Approach, Kununurra	1.7ha	\$185,000	Rural Living	NO
\$ 850,000	9/03/2010	Lot 108 Kestrel Place, Kununurra	2.1ha	\$405,000	Rural Living	NO
\$ 975,000	21/01/2010	Lot 110 Kestrel Place, Kununurra	2.1ha	\$464,000	Rural Living	NO
\$ 325,000	23/03/2010	Lot 192 Drysdale Approach, Kununurra	1.9ha	\$171,000	Rural Living	NO
\$ 275,000	31/03/2010	Lot 111 Berkley Crescent, Kununurra	1.5ha	\$183,000	Rural Living	NO
\$ 495,000	21/06/2010	Lot 139 Drysdale Approach, Kununurra	1ha	\$495,000	Rural Living	YES

Shire of Wyndham East Kimberley - Land Sales 2009 – Rural Properties 1ha and greater

PRICE	DATE	ADDRESS	AREA	APPROX PRICE/HA	ZONING	RIVER VIEWS/ ACCESS
\$1,000,000	30/11/2009	Lot 431 Packsaddle Road, Kununurra	44.7ha	\$22,000	Rural Ag 1	NO
\$698,000	23/10/2009	Lot 25 Weaber Plain Road, Kununurra	10.7ha	\$65,000	Rural Ag 2	NO
\$440,000	25/06/2009	Lot 427 Mills Road, Kununurra	13.8ha	\$32,000	Rural Ag 2	NO
\$395,000	15/08/2009	Lot 201 Chamberlain Drive, Kununurra	4ha	\$99,000	Rural Living	NO
\$380,000	25/06/2009	Lot 101 Chamberlain Drive, Kununurra	4.2ha	\$90,500	Rural Living	NO
\$80,000	14/07/2009	Lot 1290 Great Northern Hwy, Wyndham	4ha	\$20,000	Special Rural	NO
\$77,000	22/05/2009	Lot 1297 Great Northern Hwy, Wyndham	4.45ha	\$17,000	Special Rural	NO
\$1,350,000	18/09/2009	Lot 22 River Farm Road, Kununurra	4.9ha	\$275,500	Rural Ag 2	YES
\$850,000	2/10/2009	Lot 611 Weaber Plain Road, Kununurra	6.58ha	\$129,000	Rural Ag 2	NO
\$275,000	11/06/2009	Lot 114 Berkley Crescent, Kununurra	1.49ha	\$184,500	Rural Living	NO
\$550,000	20/08/2009	Lot 135 Drysdale Approach, Kununurra	1ha	\$550,000	Rural Living	YES
\$306,000	29/09/2009	Lot 184 Berkley Crescent, Kununurra	2ha	\$153,000	Rural Living	NO
\$495,000	6/08/2009	Lot 142 Drysdale Approach, Kununurra	1ha	\$495,000	Rural Living	YES
\$330,000	25/07/2009	Lot 154 Berkley Crescent, Kununurra	1.97ha	\$167,500	Rural Living	NO
\$315,000	14/08/2009	Lot 191 Drysdale Approach, Kununurra	1.86ha	\$169,000	Rural Living	NO
\$769,000	23/04/2009	Lot 105 Mills Road, Kununurra	2.33ha	\$330,000	Rural Living	NO
\$550,000	21/07/2009	Lot 133 Drysdale Approach, Kununurra	1ha	\$550,000	Rural Living	YES

Shire of Wyndham East Kimberley - Land Sales 2008 – Rural Properties 1ha and greater

PRICE	DATE	ADDRESS	AREA	APPROX PRICE/HA	ZONING	RIVER VIEWS/ACCESS
\$655,000	15/09/2008	Lot 405 Martins Gap Road	87.25ha	\$7,500	Rural Ag 1	NO
\$3,000,000	8/07/2008	Lot 816 Packsaddle Road	13.33ha	\$225,000	Rural Ag 2	YES
\$350,000	24/02/2008	Lot 24 Curlew Court, Kununurra	4ha	\$87,500	Rural Ag 2	NO
\$500,000	18/05/2008	Lot 25 Curlew Court, Kununurra	4.56ha	\$109,500	Rural Ag 2	NO
\$1,250,000	8/10/2008	Lot 478 Jabiru Road, Kununurra	8.68ha	\$144,000	Rural Ag 2	YES
\$1,100,000	11/02/2008	Lot 533 River Farm Road, Kununurra	9.08ha	\$121,000	Rural Ag 2	NO
\$380,000	1/04/2008	Lot 20 Curlew Court, Kununurra	4.19ha	\$90,500	Rural Ag 2	NO
\$1,350,000	28/08/2008	Lot 638 Packsaddle Road, Kununurra	4.03ha	\$335,000	Rural Ag 2	YES
\$1,050,000	26/05/2008	Lot 611 Weaber Plain Road, Kununurra	6.58ha	\$159,500	Rural Ag 2	NO
\$1,550,000	7/05/2008	Lot 206 River Farm Road, Kununurra	5.25ha	\$295,000	Rural Ag 2	YES
\$300,000	17/06/2008	85 Egret Close, Kununurra	4.26ha	\$70,500	Rural Ag 2	NO
\$580,000	12/07/2008	Lot 101 Crossing Falls Road, Kununurra	1.5ha	\$386,500	Rural Living	NO
\$240,000	23/02/2008	Lot 206 Chamberlain Drive, Kununurra	1ha	\$240,000	Rural Living	NO
\$250,000	22/02/2008	Lot 205 Pentecost Elbow, Kununurra	1.52ha	\$164,500	Rural Living	NO
\$260,000	22/02/2008	Lot 180 Pentecost Elbow, Kununurra	1.62ha	\$160,500	Rural Living	NO
\$240,000	28/02/2008	Lot 208 Chamberlain Drive, Kununurra	1.34ha	\$179,000	Rural Living	NO
\$290,000	18/07/2008	Lot 188 Drysdale Approach, Kununurra	1.68ha	\$172,000	Rural Living	NO
\$645,000	9/08/2008	Lot 2 Crossing Falls Road, Kununurra	1.46ha	\$442,000	Rural Living	NO
\$650,000	23/01/2008	Lot 460 Crossing Falls Road, Kununurra	1.77ha	\$367,000	Rural Living	NO
\$290,000	27/08/2008	Lot 189 Drysdale Approach, Kununurra	1.64ha	\$177,000	Rural Living	NO
\$335,000	21/02/2008	Lot 186 Berkley Crescent, Kununurra	2ha	\$167,500	Rural Living	NO
\$785,000	2/08/2008	Lot 465 Crossing Falls Road, Kununurra	0.62ha	\$1,266,000	Rural Living	YES

Shire of Wyndham East Kimberley - Land Sales 2007 – Rural Properties 1ha and greater

PRICE	DATE	ADDRESS	AREA	APPROX PRICE/HA	ZONING	RIVER VIEWS/ACCESS
\$430,000	23/03/2007	Lot 13 Weaber Plain Road, Kununurra	30ha	\$14,000	Rural Ag 2	NO
\$2,241,720	10/07/2007	Lot 6 Mills Road, Kununurra	172.87	\$13,000	Rural Ag 1	NO
\$17,132,500	1/02/2007	Lot 338 Great Northern Highway	-	-	No Zone	NO
\$805,000	30/03/2007	Lot 537 Packsaddle Road, Kununurra	11.74ha	\$68,500	Rural Ag 2	NO
\$17,132,000	1/02/2007	Lot 344 Great Northern Highway	-	-	No Zone	NO
\$650,000	6/08/2007	Lot 25 Weaber Plain Road, Kununurra	10.74ha	\$60,500	Rural Ag 2	NO
\$450,000	2/01/2007	Lot 16 Old Darwin Road, Kununurra	14.65ha	\$31,000	Rural Ag 2	NO
\$1,770,000	25/09/2007	Lot 52 Weaber Plain Road, Kununurra	73.76ha	\$24,000	Rural Ag 1	NO
\$790,000	13/10/2007	Lot 24 Weaber Plain Road, Kununurra	10.48ha	\$75,000	Rural Ag 2	NO
\$12,540,000	29/11/2007	Lot 21 Weero Road, Kununurra	240ha	\$52,000	Rural Living	YES
\$310,000	3/08/2007	Lot 23 Egret Close, Kununurra	4.1ha	\$75,500	Rural Ag 2	NO
\$880,000	31/10/2007	Lot 103 Packsaddle Road, Kununurra	5.45ha	\$161,500	Rural Ag 1	NO
\$960,000	6/11/2007	Lot 638 Packsaddle Road, Kununurra	4.03ha	\$238,000	Rural Ag 2	YES
\$625,000	16/10/2007	Lot 528 River Farm Road, Kununurra	9.75ha	\$64,000	Rural Ag 2	NO
\$502,000	29/11/2007	Lot 200 Chamberlain Drive, Kununurra	7.19ha	\$70,000	Rural Living	YES
\$450,000	12/06/2007	Lot 209 River Farm Road, Kununurra	5.52ha	\$81,500	Rural Ag 2	YES
\$614,500	27/04/2007	Lot 530 Packsaddle Road, Kununurra	8.65ha	\$71,000	Rural Ag 2	YES
\$88,000	31/08/2007	Lot 1287 Parry Parade, Wyndham	6.07ha	\$14,500	Special Rural	NO
\$750,000	20/04/2007	Lot 552 Packsaddle Road, Kununurra	8ha	\$94,000	Rural Ag 2	YES
\$260,000	13/01/2007	Lot 1368 Great Northern Hwy, Wyndham	6.1ha	\$42,500	Special Rural	NO
\$970,000	12/09/2007	Lot 551 Packsaddle Road, Kununurra	8.77ha	\$110,500	Rural Ag 2	YES
\$737,000	8/06/2007	Lot 22 Weaber Plain Road, Kununurra	8ha	\$92,000	Rural Ag 2	NO
\$190,000	9/01/2007	Lot 1289 Great Northern Hwy, Wyndham	4.05ha	\$47,000	Special Rural	NO
\$250,000	25/07/2007	Lot 250 Packsaddle Road, Kununurra	7.88ha	\$32,000	Rural Ag 2	NO
\$314,000	29/11/2007	Lot 195 Chamberlain Drive, Kununurra	1.03ha	\$305,000	Rural Living	YES
\$314,000	29/11/2007	Lot 197 Chamberlain Drive, Kununurra	1.03ha	\$305,000	Rural Living	YES
\$314,000	29/11/2007	Lot 194 Chamberlain Drive, Kununurra	1.03ha	\$305,000	Rural Living	YES
\$314,000	29/11/2007	Lot 196 Chamberlain Drive, Kununurra	1.03ha	\$305,000	Rural Living	YES
\$314,000	29/11/2007	Lot 198 Chamberlain Drive, Kununurra	1.03ha	\$305,000	Rural Living	YES
\$314,000	29/11/2007	Lot 193 Chamberlain Drive, Kununurra	1.23ha	\$255,000	Rural Living	YES
\$600,000	2/05/2007	Lot 111 Kestrel Place, Kununurra	2.12ha	\$283,000	Rural Living	NO
\$120,000	30/01/2007	Lot 1707 Great Northern Hwy, Wyndham	2.16ha	\$55,500	Special Rural	NO

\$570,000	3/08/2007	Lot 463 Crossing Falls Road, Kununurra	1.07ha	\$533,000	Rural Living	NO
\$750,000	31/10/2007	Lot 50 Harrier Close, Kununurra	2.1ha	\$357,000	Rural Living	NO
\$719,000	28/02/2007	Lot 108 Kestrel Place, Kununurra	2.12ha	\$339,000	Rural Living	NO
\$314,000	29/11/2007	Lot 199 Chamberlain Drive, Kununurra	0.9445ha	\$332,500	Rural Living	YES

Shire of Wyndham East Kimberley - Land Sales 2006 – Rural Properties 1ha and greater

PRICE	DATE	ADDRESS	AREA	APPROX PRICE/HA	ZONING	RIVER VIEWS/ACCESS
\$550,000	8/02/2006	Lot 1 Arawoodi Road, Kununurra	101.2ha	\$5,500	Rural Ag 1	NO
\$423,000	1/05/2006	Lot 17 Egret Close, Kununurra	11.25ha	\$37,500	Rural Ag 2	NO
\$1,475,000	12/09/2006	Lot 605 Mulligan's Lagoon Road, Kununurra	779.3ha	\$1,900	Rural Ag 1	NO
\$580,000	5/11/2006	Lot 48 Harrier Close, Kununurra	5.9ha	\$98,000	Rural Living	NO
\$800,000	14/12/2006	Lot 53 Jabiru Road, Kununurra	8ha	\$100,000	Rural Ag 2	YES
\$735,000	16/12/2006	Lot 210 River farm Road, Kununurra	5ha	\$147,000	Rural Ag 2	YES
\$790,000	22/07/2006	Lot 207 River Farm Road, Kununurra	5.43ha	\$145,500	Rural Ag 2	YES
\$550,000	3/08/2006	Lot 546 Packsaddle Road, Kununurra	5.3ha	\$104,000	Rural Ag 2	NO
\$160,000	14/06/2006	Lot 1298 Wedge Drive, Wyndham	4.36ha	\$36,500	Special Rural	NO
\$650,000	21/11/2006	Lot 457 Crossing Falls Road, Kununurra	1.09ha	\$596,000	Rural Living	NO
\$450,000	3/05/2006	Lot 474 Crossing Falls Road, Kununurra	2.67ha	\$168,500	Rural Living	NO
\$490,000	30/08/2006	Lot 456 Crossing Falls Road, Kununurra	1.08ha	\$454,000	Rural Living	NO
\$385,000	15/05/2006	Lot 453 Crossing Falls Road, Kununurra	1.5ha	\$256,500	Rural Living	NO
\$440,000	14/03/2006	Lot 129 Whimbrel Road, Kununurra	2.36ha	\$186,500	Rural Living	NO
\$505,000	6/05/2006	Lot 42 Weaber Plain Road, Kununurra	2.1ha	\$240,500	Rural Living	NO
\$340,000	1/06/2006	Lot 123 Weaber Plain Road, Kununurra	2ha	\$170,000	Rural Living	NO
\$525,000	24/08/2006	Lot 464 Crossing Falls Road, Kununurra	0.6ha	\$880,500	Rural Living	YES

Details of existing rural lifestyle blocks – Shire of Wyndham East Kimberley

Locality	Existing Lots	Occupied	Vacant	Rural Residential Potential Lot Yield	Rural Small Holdings Potential Lot Yield	Subdivision Approval Granted
Crossing Falls	25	25	0	-	-	-
Crossing Falls North	3	0	3	60 - 90	-	No
Weero Road (Valentine Falls)	80	9	71	108	-	Yes – 108 Lots
Wyndham	32	25	7	35 - 40	-	No
Wyndham Airport	2	1	1	15 - 25	-	No
Old Darwin Road	19	17	2	-	67	No
King Location 647	1	1	0	-	25	Yes – 11 Lots

Note: Potential Lot yield includes existing Lots.

Attachment 7 – Modified Content for LPS (following advertising)

Modified Content for Local Planning Strategy

1.1 Modification 1

- Deleting Section 5.2 of the current LPS and replacing it with the following section:

'5.2 Rural Residential Development

The demand for rural living within the SWEK, and most particularly in proximity to Kununurra and Wyndham, is increasing. This is one of the key issues to be dealt with in the LPS. Strong anecdotal demand for rural residential lot sizes ranging from 1 to 2 hectares is supported by trends in limited land supply and fast-rising prices. Evidence of this demand is presented in the following sections and further information regarding demand based on property sales is also included in Appendix B.

5.2.1 Constrains and Opportunities for Rural Residential Land

While it is acknowledged that locations close to the town sites are preferable for rural residential development, there are a number of limiting factors that affect the availability of land for this purpose:

- Land to the west of Kununurra is utilised for the Airport, Waste Water Treatment Plant and Prime Agricultural Land. Beyond that lies the Ord River, a major constraint to the extension of services. Significantly, much of the land between the M1 main irrigation channel and the Ord River is made up of what is known as 'black soils' and is unsuitable for extensive development of any type due to its characteristic of contracting and cracking during the dry winters, and extensive saturation during the wet season, of the Kimberley. Consequently, development potential is limited in this area.
- The Ord River and associated foreshore and wetlands, as well as conservation and recreation reserves preclude land to the immediate south being used. Additionally, due to its proximity to the town centre and the river, a portion of Crown Land to the south east of the town site identified as King Location 715 may be required for potential future urban expansion, subject to resolution of public drinking water issues.
- Most of the land to the north of Kununurra is utilised for agricultural land uses, and these areas are currently under cultivation. Cracking soils on the north eastern side of the M1 main irrigation channel are generally unsuitable for urban or rural residential development. An exception is Lots 11, 12, 13 and 14 Weaber Plain Road which, subject to flood mitigation measures associated with the M1 channel and appropriate buffering from existing agricultural activities, may have merit. Other uses to the north that preclude urban or rural residential development include aboriginal communities and cultural heritage sites and existing industrial development, as well as land reserved for natural landscape features (Kelly's Knob).
- Mirima National Park prohibits any urban or rural residential development to the east of Kununurra.
- Land to the South East of Kununurra has already been identified as possibly being required for urban, predominantly residential, development. These areas would effectively form an extension of the Lakeside residential precinct, and are known as East Lily Creek and Drivers Rest.
- Extension of rural residential development to the east of the existing rural residential area in Wyndham is not desired in the context of protecting productive rural/pastoral land.

- The establishment of new rural residential areas in proximity to the developed portions of the Wyndham townsite is constrained by floodplain areas, the Bastion Ranges and other areas of landscape significance and the need to allow for future townsite expansion.

Consequently, there is little scope for development of rural residential land within close proximity to existing urban areas, and little scope for extension of reticulated water to service the proposed rural residential areas. Importantly, it is also apparent from these investigations that there is limited scope for urban expansion beyond areas already identified for this use due to conflicting land uses and unsuitable soil types.

Under clause 5.3.2 of Statement of Planning Policy 2.5, Town Planning Schemes should include provisions for rural residential land in accordance with the following:

- Lot size ranges from 1 to 4 hectares.
- Provision of reticulated potable water supply.

Anticipated lot sizes for development of rural residential land included in the Strategy will vary from location to location, and will be dependant on soils, groundwater, proximity to agricultural uses and other issues identified in Appendix C. Proposed lot sizes for selected rural residential areas are discussed further in section 6.4.

Permitted lot sizes will determine lot yields, however, yields will also be subject to the need for provision of a range of lot sizes to provide for market choice, the need for buffer areas, drainage and environmental factors and landscape considerations, and consequently the anticipated lot yield will also vary for the areas designated by this strategy for rural residential development. For this reason, average lot sizes have not been applied, as each site requires its own assessment based on the characteristics of the site and the criteria outlined in Appendix C.

Release of land will potentially be limited in scale due to the need to obtain aboriginal heritage clearances and the requirement for structure planning prior to any development progressing.

5.2.2 Structure Planning

A Structure Plan is generally required to be prepared to support all applications for rezoning to the Rural Residential or Rural Small Holdings zones.

Structure planning can be implemented through Part 6 (Overall Planning Areas) of the current Town Planning Scheme No. 7, or equivalent provisions in the new Scheme, and the following issues must be addressed in accordance with these provisions:

- the topography of the area;
- existing road system and location and standard of any future roads and overall access patterns;
- proposed population and lot yield, and demonstration that a range of lot sizes will be provided where appropriate;
- existing and proposed services;
- staging of the development;

- geotechnical suitability of the land for rural residential development;
- projected water use for the development and the identification of sustainable potable and non-potable water source(s) capable of meeting demand;
- drainage considerations;
- general environmental considerations including flora and fauna impacts, wildlife corridors, natural features, pollution, groundwater quality and any other environmental issues identified by Council. This may include buffer areas from existing and future adjacent land use, and require larger lots adjoining river systems or adjoining conservation/vegetation areas. (in accordance with a buffer study which may be required on a case by case basis);
- appropriate buffer studies to address separation between rural and residential uses where required, and prevent/address potential negative environmental impacts to buffer areas associated with these uses, including weed management, feral animals, vegetation clearing, fire prevention and access to waterways and conservation areas;
- location of shopping, community amenities and recreation areas consistent with the projected needs of the locality;
- foreshore treatment;
- clearing exclusion zones and areas for revegetation; and
- any other information requested by Council.

5.2.3 Existing Rural Residential Land

Kununurra

Currently, rural residential development is permitted within the Rural Living zones of the Kununurra Town Planning Scheme, which are limited to the Crossing Falls, and the 'Brindley' subdivision in the vicinity of Weaber Plain and Mills Roads, and the initial releases of Weero Road.

The existing Crossing Falls rural residential area consists of 22 lots that were approved in 1984. The 'Brindley' subdivisional area consists of a total of 60 lots. Land releases in this area have occurred since 1992, until 2001. Due to separate ownership, land has been released intermittently since the initial land release in 1992, with 12 lots released in 1996, and with the exception of a recent re-subdivision of one of these lots, a ten lot subdivision in 2001 that completed the development of land in this locality designated for this use.

Both of these rural residential areas are sold out, and few lots within the 'Brindley' subdivisional area, if any, remain undeveloped. The initial stages of Weero Road have been developed and the subdivision is expected to be completed by late 2010.

More recently, a portion of land within the Old Darwin Road precinct was rezoned to Rural Small Holdings. The land has yet to be subdivided for this purpose.

The Kununurra Structure Plan (KWADS 2000) recognises the importance of servicing the demand for rural residential land, but limits any expansion of this type of land use to the Bull Run Road locality which KWADS earmarked for Future Rural Residential. This area is, however, subject to non-exclusive Native Title in accordance with the MG2 Native Title Determination, and a portion of the land is currently zoned Composite Industry. There is also a major fuel depot and refuelling facility utilised by the heavy haulage transport industry

located in the centre of this area. The land in this vicinity is also characterised by minor excavations and inactive extractive industries (which may not have been licensed).

Additionally, as outlined further in this section, most demand for rural residential land is focussed on areas with access to the Ord River and Lake Kununurra, and to locations with views to ranges. For these reasons this land is not considered suitable for rural residential development, and accordingly, it is suggested that industry land uses around the fuel depot are more appropriate than rural residential land.

Wyndham

The existing rural residential area at Wyndham is found within the Six Mile locality. This area consists of lots of approximately 5 hectares. The lots are located to the south and north of Great Northern Highway, and are partially bounded by Wyndham airport to the southwest.

While some of the lots remain vacant, development generally consists of a residential dwelling and associated outbuildings. The sites vary in their level of vegetation clearing, with some entailing minor agricultural pursuits.

5.2.4 Demand for Rural Residential Land

The current limited supply of rural lifestyle lots does not meet demand. This is illustrated by the extent of “de facto” rural living that is occurring outside of the designated Rural Living zones and within the Rural Agriculture zones of the Riverfarm Road and Packsaddle localities. There is a need to provide for additional rural living land.

The desire to live in these areas is demonstrated through a growing demand for rural residential land which has resulted in a surge of land speculation that has driven the price of land up across the board. This, in turn, is threatening the very viability of other land uses being displaced by this demand, including productive agriculture.

An extensive discussion on the demand for rural residential land is contained in Appendix B and provides evidence that the price of agricultural land is super-inflated. The data in Appendix B demonstrates that the viability of these existing agricultural areas is being impacted by the unavailability of suitable rural residential land. While there is significant demand for rural residential land, this demand is also focussed on areas with access to the river and views to the river and ranges.

As demand rises, speculation increases for this type of land use. This in turn drives the price up for land across the entire locality and has critical implications for the viability of land for other purposes, such as agriculture. Unless there is a strict demarcation of designated rural living areas in proximity to Kununurra and Wyndham, this speculation will continue in the form of rising land values and further applications for smaller lot subdivision to capitalise on this market. This situation cannot be sustained in the SWEK, where it will ultimately compromise the viability and supply of Prime Agricultural Land (PAL).

The difficulty with this issue is the fact that the most attractive locations for rural living or “rural lifestyle” lots often share the same qualities that render this land suitable for other uses, namely horticulture. Land in proximity to water, for instance, is often PAL and also happens to

contain the most desirable characteristics of residential living. While it is critical to ensure that the PAL be protected, it is equally important to provide for the needs of the population that is required to manage this investment. SWEK is an isolated and harsh environment and it is incumbent on the planning system to provide an attractive and comfortable living environment for its population.

5.2.5 Protection of Agricultural Land

The LPS clearly and explicitly recognises the contribution of agriculture to the SWEK and that it remains a priority land use into the foreseeable future. However, the LPS makes the argument that the SWEK requires additional land to accommodate the population which is critical to ensuring the continued development of its agricultural assets, and that this land should be in locations suitable to provide for demand and to provide for lifestyle choices.

ORIA Stage 1 comprises some 14 000 hectares of land under cultivation, and ORIA Stage 2 will seek a minimum of another 43 000 hectares of land for expansion of agricultural uses, a combined total of a minimum of 57 000 hectares. The area of land taken up by the proposed rural residential areas recommended by the LPS consists of approximately 440 hectares (+ or - 10 hectares). This equates to less than 3.2% of the existing area of land comprised in ORIA Stage 1, and less than 0.7% of land in the combined stages of the ORIA.

5.2.6 Lot Size and Reticulated Water Supply

The SWEK, and particularly Kununurra, has a sufficiently strong economic foundation from which further growth can continue, and has significant unsatisfied demand for a variety of housing types, due to a lack of supply over an extended period of time. However, the inability to properly accommodate the population is a major obstacle to this growth. Satisfying this demand for attractive and affordable housing will be a major step in bringing people to the region, and retaining new residents as well as retaining existing residents over the longer term. As the population grows, a greater level of services can be justified.

Nevertheless, while it is important to provide a suitable range of living options, it is also important to protect PAL. The LPS proposes a range of lots sizes in the preferred rural residential locations to achieve this. However, this causes a conflict with the provisions of SPP 2.5, which requires that a Scheme stipulate a reticulated potable water supply be provided for all lots under 4 hectares. As discussed previously, due to a range of constraints, extension of reticulated water supply is impractical, and in most cases, physical barriers prevent efficient and viable servicing and there are grounds, therefore, to vary this requirement within the Shire area.

Furthermore, DC 3.4 generally requires a reticulated water connection for rural residential lots of 1-4ha, where reasonable to do so. Variations from this requirement can however be considered by the WAPC where evidence can be provided that each lot has a suitable water supply for domestic purposes (potable), fire management, agricultural purposes and environmental uses.

The provision of a suitable potable and non-potable water supply may be sourced from either, roof catchment, ground water and/or surface water extraction. The use of groundwater and surface water and construction of a bore is subject to approval by the Department of Water (DOW), and similarly to the WAPC, the DOW will only support variation of the requirement to connect lots under 4ha to a reticulated water supply if alternative sustainable water source(s), that meet the requirements for both potable and non-potable uses, are identified.

Smaller lot sizes are considered appropriate in the rural residential areas of Kununurra and Wyndham for the following reasons:

- To provide a range of lot sizes to provide for a range of lifestyle choices. This is important to attract people to the region, and to encourage permanent residency, which provides stability and growth.
- To minimise the long term impact on PAL. Very simply, if larger lots (4 hectares +) are required for rural residential development, a larger amount of land will be required to achieve the same lot yield, and the same pressures affecting agricultural land will prevail. A range of lot sizes will allow for a greater supply of rural residential development utilising less land.
- Smaller lot sizes are preferred to ensure that rural residential land is managed effectively. Smaller lots are easier to maintain and manage than larger lots, especially in the dry tropics where climatic conditions require a range of management responses.

5.2.7 Future Rural Residential

Kununurra

The LPS assessed various locations suitable for rural residential development which were derived from assessment of the availability of land within close proximity to the Kununurra town site, as well as from the consultation process (Appendix C). These areas are illustrated on Figure 13.

Following this assessment, two locations were chosen as being suitable for rural residential purposes: Crossing Falls and Lot 21 King Location 599 (Weero Road).

Crossing Falls

Crossing Falls is an existing rural lifestyle area located some 15km south east of Kununurra. The locality was created in 1984 specifically for rural residential living, with 24 lots currently existing in the subdivision. Lot sizes in the existing subdivisional area range from 6000m² to 2.5ha. Land intended to be used for further rural residential development is located to the north of this existing rural residential development.

The area is a very attractive rural lifestyle location. Properties in the area show the established development one would anticipate in an area that has been developed for some 22 years. Lots are well landscaped and improvements include significant houses and outbuildings. Some minor horticulture is evident but this is not significant relative to major producers and is more of a hobby farming nature.

The area is accessible via an established sealed road system from Victoria Highway. Power is derived from existing Western Power transmission lines servicing the locality. Water is extracted privately from the river and there are some bores and tanks. The existing lots are well removed from broad acre cropping and other potentially conflicting land uses, and no

buffers are required to separate the proposed rural residential development from other uses. Land to the east and south is reserved for regional open space, as is land further north.

Land to the immediate north of the existing subdivided area is an extensive area of Unallocated Crown Land (UCL), zoned General Rural. Development of this area for rural residential lots would be a logical extension to the existing subdivision. Located on a sweeping bend in the river, this area features good access to Lake Kununurra and viewsheds to the river and Carlton Ridge to the north, as well as other distant ranges to the west and east.

With prevailing lot sizes averaging approximately 1.5 hectares, it is recommended that lot sizes in the extended rural residential area be reflective of the existing subdivision pattern, ranging from between 1 ha to 4 ha, with a minimum size of 1ha. At variance to SPP 2.5, it is proposed that a reticulated water supply not be required for lots less than 4 ha subject to there being a confirmed potable supply through other means. Water extracted privately from the Ord River is a non-potable source and use is subject to Department of Water requirements.

Structure Planning will need to address the matters outlined in section 5.2.2 of the LPS and lot sizes will need to be justified on the basis of the criteria outlined in Appendix C.

It is estimated that between 70 to 100 additional lots could be created.

Structure Planning and rezoning will be required prior to subdivision. A buffer study is not required as there are no existing or proposed agricultural uses within proximity to the proposed rural residential area that would require buffering.

Lot 21 King Location 599 (Weero Road)

The recently subdivided Lot 21 of King Location 599 provides approximately 239 hectares of land. It is located about 14km north-west of Kununurra, on the western side of the Ord River. It is accessible via an unsealed, but well formed and maintained road and is about fifteen minutes drive from the town centre. This locality features a number of attributes appropriate for rural living land uses including potential for viewsheds and access to the Ord River, and views to the Livistona Ranges to the west.

Various assessments of sections of the land in recent years suggest the area is variable in terms of how suited it is to horticulture and irrigated agriculture. The land has at least some potential for these activities provided that specific management measures are undertaken. While it may be possible for this land to support a viable farming operation, this land is not covered by comprehensive soil mapping undertaken by the Western Australian Department of Agriculture (WADA), and a land capability analysis undertaken on behalf of the landowners highlights that much of the land has limited potential for irrigated horticulture due to the soil types and topography.

There is sufficient evidence to suggest that the use of this land for rural residential development is more appropriate than for pursuit of agricultural uses, as soils have been described as being variable to marginal. However, any rural residential development on the subject site would need to be well separated from the adjoining existing and future agricultural

uses to the east and south. These areas zoned Rural Agriculture 1 & Rural Agriculture 2, will require protection from potential externalisation of impacts from the subject site. Significantly, a horticultural operation exists immediately to the east of the property.

The locality is capable of being serviced by power and there is evidence that domestic potable water supplies would be possible by roof catchment, and rainwater tanks, with bores as a possible supplementary supply. Non-potable water could be available from the Ord, subject to Water Corporation and Department of Water requirements. At variance to SPP 2.5, it is proposed that a reticulated water supply not be required for this land, subject to there being a confirmed potable supply through other means, with the use of rain water tanks for domestic supply recommended.

As a result of the potential conflict between PAL and the proposed rural residential uses, it is recommended that a variety of lots be provided within this site, ranging from 1 hectare to 8 hectares, with a minimum size of 1ha. A 4ha minimum lot size, required by the Scheme, is appropriate for buffer lots for lots abutting or adjoining horticultural activities, unless otherwise justified through an appropriate buffer study.

Structure Planning and Rezoning will be required prior to subdivision. Structure Planning will need to address the matters outlined in 5.2.2 of the LPS.

Packsaddle – Jabiru Road Precinct

Located along a stretch of Packsaddle Road between 10km and 14 km south of Kununurra, this area mostly comprises narrow east-west running lots fronting the Ord River. Lot sizes vary between 3ha and 20 ha. With rich alluvial soils, the area was originally conceived for hobby farms. Since then the land has been used for intensive agriculture, with residential use predominantly limited to single dwellings, and some caretakers and workers accommodation.

There is evidence to suggest that the small size of the lots currently prevents these holdings from viably producing crops in their own right. This is further suggested by the number of properties for sale in the locality and the encroachment of rural living uses to the area. The lots are generally considered too small for farming and too large for rural living, but through attrition, the area is becoming a de facto rural living area. This could create the potential for conflict between rural living uses and the more intensive horticultural uses.

The area has a power supply but it is not within the scheme water supply. Water taken from the Ord River is only recognised as a non-potable water source for irrigation and not as a public drinking water supply, however, the current practice is that domestic water supplies are taken directly from irrigation water supplies. There is evidence that domestic potable water supply would be possible by bores and tanks. Non-potable water can be drawn from the Ord River subject to Water Corporation and DOW requirements.

The Packsaddle area is an area that is well suited for rural living uses. It has a high standard of servicing, is relatively close to Kununurra Town Centre with views over the Ord and - with views extending between Carlton Ridge to the east to the Carr Boyd Ranges to the west - it is a very attractive location.

The disadvantage of formally allowing rural living uses to be located in the area is that it has the potential to constrain PAL. Therefore, while further subdivision of this area for rural living purposes may be possible it would need to be restricted to a specific location within this locality to avoid fuelling further speculative land value increases.

As a result of the potential conflict between PAL and the proposed rural residential uses, the Jabiru Road precinct is not recommended as a designated rural residential area by the LPS. In the short to medium term, the intention is to retain horticultural uses with associated residential and low key tourist uses incidental to the agricultural activity. In light of this the Shire is considering a potential change in zoning from 'Rural Agriculture 2' to 'Agriculture Diversification' for land on the eastern side of Packsaddle Road. Notwithstanding this initiative the Packsaddle locality is considered an area worthy of further examination in the event of other sites proving unsuitable for rural residential development, or having already been developed for rural residential purposes.

Structure planning and detailed assessment, the same as assessments required for the preferred rural residential areas, would be required prior to rezoning.

Wyndham

To cater for the growth in demand for rural residential living in Wyndham, it is proposed to expand the existing rural residential area within the Six Mile locality. Expansion of the area is proposed to the north and south of Great Northern Highway.

The expansion areas are located approximately 4km southeast of the Wyndham townsite. The areas have an undulating topography with some flat portions and consist of a sandy and rocky surface with various creek lines. In terms of vegetation, the sites are covered in sparse scrub and Spinifex. Rural residential subdivision is proposed in the order of 1 to 4 hectares, with a 1 hectare minimum. This variation in lot size is proposed to cater for a market demand of smaller rural residential lots, which has not been provided in Wyndham to date.

The southern portion of the expansion area is proposed on Lot 468 and Part Lot 622 Great Northern Highway, Wyndham. These lots are currently reserved under the Shire's TPS 6 as Public Purposes (Wyndham Aerodrome).

In considering the future operation of Wyndham Airport, the Shire has determined that a significant portion of the airport land is surplus to its operational requirements. It has been identified that this land, specifically Lot 468 and Part Lot 622, could be better utilised for rural residential purposes.

This site is considered appropriate for rural residential subdivision due to:

- The ability to retain significant areas of native vegetation on-site;
- The rural density of development being unlikely to impact on the operation of Wyndham Airport;
- The land being surplus to the requirements for Wyndham Airport, which has reduced in operation. In this regard, Wyndham Airport is expected to remain a low-key airport catering for light and non-commercial aircraft. The Shire has no intentions to upgrade the airport, as significant investment is being made into the upgrading and expansion of the East Kimberley Regional Airport in Kununurra, as well as negotiations for increased services to the airport. It is not considered financially sustainable for the Shire to upgrade and manage both airports to a regional standard. It is understood that any construction and resource crews of numbers beyond light aircraft capacity for projects in Wyndham would likely be flown to Kununurra and then transported by road to Wyndham.

The Shire's position is that the airport is to be maintained to service remote communities, pastoral operations and the Royal Flying Doctor Service;

- The ability to site larger buffer lots abutting the airport;
- The development being located in close proximity, and essentially being an extension of, existing rural residential development to the east and south-east; and
- The land being a suitable distance from urban development, avoiding future townsite expansion constraints.

Investigation of current airport use will be required, including monitoring and consideration of noise impacts from the airport on adjacent land to demonstrate that potential dwellings will not be adversely affected by noise having consideration for the recommended Australian Noise Contour for airports, as part of the Structure Planning process.

5.2.8 Future Rural Small Holdings

Old Darwin Road and King Location 647 in Kununurra have been identified as land that would be most suitable as rural small holdings. While both locations are well suited to rural residential development, the rural small holdings land use requires larger minimum lot sizes (minimum of 4 hectares) due to the viability of the land for horticultural purposes, and the existence of substantial horticultural cultivation on significant portions of these lots.

Old Darwin Road

A number of lots within this area have been identified as being potentially suited for rural small holdings, specifically lots 1, 2 and the recently subdivided lots 33, 34 & 35 on the eastern side of the subdivision (These lots were created by the subdivision of King Location 508). While some land within this area may be suitable for agriculture, further investigation is required to determine the extent and capability of soils, and will also need to consider the impact of existing adjoining rural residential development on proposed agricultural usability. Upon further investigation, should the subject lots not be deemed suitable for agricultural use then consideration could be given to rural residential development subject to land capability and other site constraints.

The topography of the locality is reasonably flat but would offer extensive views of the southern ranges, particularly Elephant Rock. Land immediately to the north and west has been earmarked in KWADS for future regional open space associated with the future residential development to occur in Drover's Rest in the long term. Immediately to the north of Lot 2 is the existing landfill facility which may continue to be in use for the next 20 years if better management and reprocessing is implemented, although a review to replace the existing landfill site is proposed to be undertaken by the Shire in 2011. Future structure planning of this area would therefore require a minimum 500 metre buffer, or a performance based buffer based on risks and odour modelling for the existing site while it continues to be operational.

Structure planning of the site would need to ensure the retention of horticultural uses (ranging in size from 20-40 ha) where soils allowed. Lot sizes would range from 4ha to 8ha dependent on proximity to any identified PAL, and a buffer study will be required to detail buffers and building and clearing exclusion zones to adjoining horticultural lots to ensure minimisation of

conflicts. This Buffer study would be required prior to rezoning. Should it be demonstrated that agriculture is not suitable on a certain lot and surrounding sites, due to land capability, lot size and/or existing adjoining land uses which compromise agricultural use, then a rural residential development outcome could be considered subject to consideration of other factors including:

- Locational characteristics;
- Settlement hierarchy;
- Sustainability; and
- Environmental and landscape protection.

King Location 647

Located to the east of the Crossing Falls rural residential area and to the south of the Old Darwin Road rural small holdings precinct, but separated from these areas by ranges and Emu Creek Lagoon respectively, this inland site is considered to be able to provide an alternative design of bush allotments. Horticultural production has recently ceased due to this use being marginal.

Structure planning of the site would be facilitated by the fact that it is a sole landowner. Lot sizes would range from 4ha to 8ha. Land surrounding the site is reserved for conservation/environmental purposes.

A Scheme Amendment to rezone the subject site to Rural Small Holdings is nearing final approval. During the process, correspondence has been obtained from the Department of Agriculture confirming that the site is not significant for agricultural production. Therefore, the scope exists to consider a future rezoning of the site for rural residential purposes, subject to further assessment of the suitability of the land for this purpose.

5.2.9 Key Points

- Rural residential development is considered to be most appropriate in the extension of Crossing Falls and Lot 21 King Location 599, subject to successful Structure Planning.
- Rural small holdings may occur on Lots 1, 2, 33, 34 & 35 along Old Darwin Road and King Location 647 subject to structure planning to provide for retention of areas suitable for horticulture. Rural residential outcomes may however be considered pending the determination of the suitability of agriculture. If agriculture is deemed to be unviable/unsuitable and the land not PAL as determined by the Department of Agriculture and Food, rural residential development may be considered as a viable alternative within the scope of 1- 4 hectare size lots, subject to further assessment.
- The Jabiru Road locality of Packsaddle may be a viable alternative in the event of the first choice areas proving unsuitable, or having already been developed, for the purposes of rural residential development. This would require further prior investigation including an assessment of demand for these areas based on expected population increases in the Shire, and resolution of potential conflicts with adjacent existing agricultural uses.
- An expanded rural residential precinct is proposed for the Six Mile locality in Wyndham, providing for a variety of lot sizes and a minimum of 1ha lots.
- A variation to SPP2.5 is required for Rural Residential zones to provide a variety of lot sizes and ensure a suitable supply of land and consequently minimise intrusion into PAL.

1.2 Modification 2

- Deleting Section 6.4 of the current LPS and replacing it with the following section:

6.4 Rural Residential and Rural Small Holdings Development

Objective

To encourage a range of appropriate locations for rural lifestyle living.

Policy

- Scheme Amendments for Rural Residential and Rural Small Holdings developments will only be considered for sites identified by the Local Planning Strategy.
- Rural residential development, where it is the predominant use of the site, shall only be permissible within the Rural Residential or Rural Small Holdings zones.
- A minimum lot size of 1ha applies to all rural residential development.
- A minimum lot size of 4ha will generally be applied where a proposed rural residential subdivision abuts PAL, a horticultural land use, environmental areas and/or areas of landscape significance, unless otherwise sufficiently justified through an appropriate buffer study.
- A range of other land uses may occur within Rural Residential and Rural Small Holdings zones provided that they remain incidental to the predominantly residential use of the site and do not detract from the rural amenity of adjoining properties or the locality.
- Lots within the zone are unlikely to be sewerred. Provision for effluent disposal is to be made on site in a manner that will ensure it will not become a source of pollutants to ground water supplies.
- All lots must be provided with a potable water supply in accordance with the recommendations in Section 5.2.6.
- Subdivisional areas must be proven to be free from waterlogging and inundation on a year round basis so as to accommodate sufficient area for a dwelling, associated bore and on-site sewage waste disposal system.
- Advertising shall be restricted to that which is necessary to identify the use of the land and sited so as to minimise the impact on the locality.

Specific Actions

- Designate the following identified locations within Kununurra and Wyndham as being suitable for Rural Residential (SWEK, WAPC):
 - The extension of Crossing Falls, with lot sizes to be a minimum size of 1ha and a variety of lot sizes being achieved. This will require a Structure Plan that specifically addresses the matters discussed in 5.2.2. This land would need to be rezoned prior to subdivision. No buffers are required as this site has adequate separation from existing and proposed agricultural uses.
 - King Location 599 (Lot 21), with a minimum lot size of 1 hectare and with larger buffer lots of a 4 hectare minimum to adjoining agricultural land uses and PAL. Structure planning will address the matters discussed in 5.2.2 and include a requirement for a buffer study to determine appropriate separation between agricultural and residential development, and clearing exclusion zones in buffers to protect adjoining agricultural uses. This land would need to be rezoned prior to subdivision.
 - The expansion of the existing rural residential precinct in the Six Mile locality of Wyndham. A minimum lot size of 1ha will apply and a variety of lot sizes are to be provided. Planning will

need to address the matters discussed in 5.2.2. In addition, for Lot 486 and Part Lot 622, an appropriate interface with Wyndham Airport will need to be determined. The land would need to be rezoned prior to subdivision.

- Designate the following sites as being suitable for Rural Small Holdings
 - Old Darwin Road with lot sizes to be a minimum of 4 hectares. A structure plan will address the matters discussed in 5.2.2 and include a requirement for a buffer study to determine appropriate separation between agricultural and residential development, and clearing exclusion zones in buffers to protect adjoining agricultural uses
 - King Location 647, with minimum lot sizes of 4 hectares.
 - Given the amount of information available on these lots, rezoning to Rural Small Holdings in the new Scheme is recommended.
 - In the longer term, and subject to sufficient justification (including a determination on agricultural potential/suitability), lots in Old Darwin Road may be considered suitable for rural residential development. Investigations into agricultural suitability will need to be undertaken in liaison with the Department of Agriculture, and further assessment will also be required as to the suitability of the land for rural residential purposes.
- Provide in-house support and assistance in the preparation of detailed subdivision designs for designated rural residential areas (SWEK, DoP).
- Restrict advertising within the zone to those of the minimum exempted standards of the Planning Scheme (SWEK, WAPC).'

1.3 Modification 3

- Inserting additional text at the beginning of Section 1.2 of the current LPS as follows:

'The Town Planning Regulations (1967) establish that Local Planning Strategies shall:

- Set out the long term planning directions for the local government;
- Apply State and regional planning policies; and
- Provide the rationale for the zones and other provisions of the Scheme.

The Local Planning Strategy is a guidance tool which sets out the strategic framework for the local planning scheme. Council may use its discretion when applying the strategy and consider variations from specific recommendation of the Strategy where the variation would be generally consistent with the Shire's long-term planning direction and State and regional planning policies.'

1.4 Modification 4

- Adding the following sub-sections to Section 7 of the current LPS:

'7.3 Planning Scheme Changes – Rural Residential

A number of modifications to the new Planning Scheme are required to respond to the recommendations of the LPS regarding rural residential development. These are:

- Standard provisions for rural residential and rural small holdings development should be included in preparation of a new Scheme in accordance with SPP 2.5;

- A review of Scheme zones (to Rural Residential and Rural Small Holdings) is required through the Scheme review process.
- A review of existing Scheme provisions for rural residential, rural small holdings and structure planning needs to be undertaken to ensure consistency with approved development and the LPS;
- The Scheme needs to specify that a structure plan is required to support all proposed subdivisions for rural residential and rural small holdings development;
- Provisions adopted through Amendment No. 22 (recently gazetted) to TPS 7 need to be reflected in a the new Scheme.
- Rezone the Old Darwin Road and King Location 647 precincts to Rural Small Holdings.

7.4 Planning Policy – Rural Residential

It is recommended that a Local Planning Policy be prepared to establish a clear framework for the rezoning of land for rural residential and rural small holdings developments. The Policy should imbed key principles from the LPS with regard to this form of development (including the need to provide for a variety of lots sizes), explicitly state the planning tasks that are required to progress subdivision and development (including requirements for Structure Plans), set out procedures for the assessment and determination of proposals, and set out a framework to guide the consideration of proposals at variance from the LPS.'

1.5 Modification 5

- Deleting Appendix C of the current LPS and replacing it with the modified content:

'Assessment of Potential Rural Living Areas within Kununurra and Wyndham

As a result of investigation of potential areas suitable for rural residential use and suggested sites identified during the consultation process carried out for the LPS, the following sites have been assessed for their suitability for Rural Residential purposes:

- Crossing Falls.
- Lot 21 King Location 599.
- King Location 647.
- Lots 1, 2, 33, 34 & 35 Old Darwin Road.
- Packsaddle & Jabiru Road areas.
- River Farm Road.
- Weaber Plain Road.
- Loc 659 - 661 Mills Road.
- Ivanhoe Road.

- Loc 649 Ivanhoe Road.
- Lot 711 Victoria Highway
- Wyndham.

These sites are shown on Figure 13. The relative merits of each location are discussed in terms of the following key locational objectives for rural living land uses, which are consistent with the objectives of SPP 2.5. These are:

- **The Protection of PAL.** Settlements in PAL should ideally be avoided and nearby settlements should not constrain their future operations and productivity.
- **The Protection of Natural Resources.** Settlements should be located so that they do not sterilise natural primary resources, including prospective areas of mineralisation and basic raw materials, water catchments and areas of environmental significance.
- **The Minimisation of Potential Land Use Conflict.** Settlements should be adequately separated from other potential conflicting land uses, both existing and in areas earmarked for the future.
- **Accessibility to Infrastructure and Services.** Service costs for roads, power, water, telecommunications and other basic community infrastructure should ideally be minimised by locating rural settlements in proximity to existing towns and services. Road access should use existing local roads and not create additional direct access to major roads.
- **Appropriateness of Lot Sizes.** While this can be determined in broad terms to meet demand and to be in keeping with the more obvious characteristics of the locality, any subsequent subdivision of these areas would first require a detailed site analysis and assessment that unequivocally demonstrates the suitability of the land and the locality to accommodate the proposed density of development.
- **Ability to Provide for the Likely Demand.** The supply of lots should be balanced against the current and predicted demand for this location and style of subdivision.
- **Proximity to Town.** Rural settlements should be located such that they are accessible to urban services and employment opportunities but not, however, within areas required for the expansion of these urban centres.
- **Fire Risk Assessment and Management.** All rural settlement areas should be located having regard to relevant policies of bushfire protection.
- **Environmental Impact.** The location and size of rural residential lots should be determined in the context of the environmental attributes of the area and take into account native flora and fauna habitats and risks of land and water degradation. Within this would be an assessment of the ability of the site to dispose of effluent within the site.
- **Soil Types.** Rural residential development is not appropriate for some soils, which can shrink and crack in times of changing weather.
- **Public Benefit.** Ability of land to have access to water, picnic areas etc with high structure planning potential.
- **Ability to be developed in short term.**

Crossing Falls

Crossing Falls is an existing rural lifestyle area located some 15km south east of Kununurra. The locality was created in 1984 specifically for rural residential living, with 24 lots currently existing in the subdivision. Lot sizes in the existing subdivisional area range from 6000m² to 2.5ha. Land intended to be used for further rural residential development is located to the

north of this existing rural residential development.

The area is a very attractive rural lifestyle location. Properties in the area show the established development one would anticipate in an area that has been developed for some 22 years. Lots are well landscaped and improvements include significant houses and outbuildings. Some minor horticulture is evident but this is not significant relative to major producers and is more of a hobby farming nature.

The area is accessible via an established sealed road system from Victoria Highway. Power is derived from existing Western Power transmission lines servicing the locality. Water is extracted privately from the river and there are some bores and tanks. The existing lots are well removed from broad acre cropping and other potentially conflicting land uses, and no buffers are required to separate the proposed rural residential development from other uses. Land to the east and south is reserved for regional open space, as is land further north.

Land to the immediate north of the existing subdivided area is an extensive area of Unallocated Crown Land (UCL), zoned General Rural. Development of this area for rural residential lots would be a logical extension to the existing subdivision. Located on a sweeping bend in the river, this area features good access to Lake Kununurra and viewsheds to the river and Carlton Ridge to the north, as well as other distant ranges to the west and east.

With prevailing lot sizes averaging approximately 1.5 hectares, it is recommended that lot sizes in the extended rural residential area be reflective of the existing subdivision pattern, ranging from between 1 ha to 4 ha. At variance to SPP 2.5, it is proposed that a reticulated water supply not be required for lots less than 4ha subject to there being a confirmed potable supply through other means. Buffers to agricultural uses are sufficient.

Assuming lot sizes at an average of 2ha, it is estimated that between 70 to 100 additional lots could be created.

Lot 21 King Location 599

The recently subdivided Lot 21 of King Location 599 provides approximately 239 hectares of land. It is located about 14km north-west of Kununurra, on the western side of the Ord River. It is accessible via an unsealed, but well formed and maintained road and is about fifteen minutes drive from the town centre. This locality features a number of attributes appropriate for rural living land uses including potential for viewsheds and access to the Ord River, and views to the Livistona Ranges to the west.

Various assessments of sections of the land in recent years suggest the area is variable in terms of how suited it is to horticulture and irrigated agriculture. The land has at least some potential for these activities provided that specific management measures are undertaken. While it may be possible for this land to support a viable farming operation, this land is not covered by comprehensive soil mapping undertaken by the Western Australian Department of Agriculture (WADA), and a land capability analysis undertaken on behalf of the landowners highlights that much of the land has limited potential for irrigated horticulture due to the soil types and topography.

There is sufficient evidence to suggest that the use of this land for rural residential development is more appropriate than for pursuit of agricultural uses, as soils have been described as being variable to marginal. However, any rural residential development on the subject site would need to be well separated from the adjoining existing and future agricultural uses to the east and south. These areas zoned Rural Agriculture 1 & rural Agriculture 2, will require protection from potential externalisation of impacts from the subject site. Significantly a horticultural operation exists immediately to the east of the property.

The locality is capable of being serviced by power and there is evidence that domestic potable water supplies would be possible by bores and tanks. Non-potable water could be available from the Ord, subject to Water Corporation requirements. At variance to SPP 2.5, it is proposed that a reticulated water supply not be required for this land, subject to there being a confirmed potable supply through other means.

As a result of the potential conflict between PAL and the proposed rural residential uses, it is further recommended that a range of lots be provided within this area, ranging from 1 hectare to 8 hectares. Larger lots would be located as buffer lots to existing and future horticultural holdings.

Old Darwin Road

A number of lots within this area have been identified as being potentially suited for rural residential living, specifically lots 1, 2 and the recently subdivided lots 33, 34 & 35 on the eastern side of the subdivision [These lots were created by the subdivision of King Location 508]. While some land within this area may be suitable for agriculture, further investigation is required to determine the extent and capability of suitable soils.

The topography of the locality is reasonably flat but would offer some views to the river and southern ranges. Land immediately to the north and west has been earmarked in KWADS for future regional open space associated with the possible future residential development to occur in Drover's Rest in the long term. Immediately to the north of Lot 2 is the existing landfill facility which may continue to be in use for the next 20 years if better management and reprocessing is implemented. Future structure planning of this area would therefore require a minimum 500 metre buffer, or a performance based buffer based on risks and odour modelling.

Structure planning of the site would need to ensure the retention of horticultural uses (ranging in size from 20-40 ha) where soils allow. Lot sizes would range from 4ha to 8ha dependent on proximity to any identified PAL. Smaller rural residential lots may be considered where it can be demonstrated that the land and surrounding land is not suitable for agriculture. Principally, this determination needs to be provided by the Department of Agriculture and Food with support for lifestyle lots between 1 - 4 hectares in area.

King Location 647

Located to the east of Crossing Falls rural residential area and to the south of Old Darwin Road Small Rural Holdings precinct, but separated from these areas by ranges and Emu Creek Lagoon respectively, this inland property is considered to be able to provide an

alternative design of bush allotments.

Structure planning of the site would be facilitated by the fact that it is a sole landowner. Horticultural uses have recently ceased on site due to marginal returns. Lot sizes would range from 4ha to 8ha. Smaller rural residential lots may be considered where it can be demonstrated that the land is not suitable for agriculture, and further assessment shows the land is suitable for rural residential development.

Packsaddle – Jabiru Road Precinct

Located along a stretch of Packsaddle Road between 10km and 14 km south of Kununurra, this area mostly comprises narrow east-west running lots fronting the Ord River. Lot sizes vary between 3ha and 20 ha. With rich alluvial soils, the area was originally conceived for hobby farms. Since then the land has been used for intensive agriculture, with residential use predominantly limited to single dwellings, and some caretakers and workers accommodation.

There is evidence to suggest that the small size of the lots currently prevents these holdings from viably producing crops in their own right. This is further suggested by the number of properties for sale in the locality and the encroachment of rural living uses to the area. The lots are generally considered too small for farming and too large for rural living but through attrition the area is becoming a de facto rural living area. This could create the potential for conflict between rural living uses and the more intensive horticultural uses.

The area has a power supply but it is not within the scheme water supply. Water taken from the Ord River is only recognised as a non-potable water source for

irrigation and not as a public drinking water supply, however, the current practice is that domestic water supplies are taken directly from irrigation water supplies. There is evidence that domestic potable water supply would be possible by bores and tanks. Non-potable water can be drawn from the Ord River subject to Water Corporation requirements.

The Packsaddle area is an area that is well suited for rural living uses. It has a high standard of servicing, is relatively close to Kununurra town with views over the Ord and - with views extending between Carlton Ridge to the east to the Carr Boyd Ranges to the west - it is a very attractive location.

The disadvantage of formally allowing rural living uses to be located in the area is that it has the potential to constrain PAL. Therefore, while further subdivision of this area for rural living purposes may be possible it would need to be restricted to a specific location within this locality to avoid fuelling further speculative land value increases.

As a result of the potential conflict between PAL and the proposed rural residential uses, the Jabiru Road precinct is not recommended as a designated rural residential area by the LPS. However, it is recognised that there is significant demand for land in this area, and the Jabiru Precinct is considered an area worthy of further examination in the event of other sites proving unsuitable.

In light of this assessment consideration should be given in preparing a new Local Planning Scheme Amendment to change the zoning of 'Rural Agriculture 2' to 'Agriculture Diversification' zone in the Packsaddle locality as this will more accurately reflect the current land use and the opportunities for diversification of an incidental nature, which includes low key tourism presently afforded through Amendment 18 to the current Town Planning Scheme No. 7.

Location 659 - 661 Mills Road

These properties are located on the northern side of Mills Road and are currently zoned Rural Agriculture 2 under TPS7. The assessment of these properties arose from a submission lodged during advertising of the draft LPS.

This land is close to horticultural uses both across the M1 channel and to the northeast. The suitability information provided by WADA shows this land as being within the classification – more than 50% of the soils suitable for intensive horticulture. While this land is adjacent to the Brindley rural residential subdivision, at 27.6 hectares, the land is likely to yield 6 lots @ 4 hectares or 12 lots @ 2 hectare lot sizes lots if rezoned to rural Residential. This low lot yield, combined with its proximity to existing agricultural land, results in a low overall score in the Matrix and is not preferred as a designated rural residential area.

Lots 11, 12, 13 and 14 Weaber Plain Road

Weaber Plain Road is a district distributor road that heads north from Kununurra into the ORIA. There are a number of more intense land uses located along Weaber Plain Road including a light industrial area, rural living subdivisions, horticultural uses, the district's sugar mill and a transport depot.

Lots 11, 12, 13 and 14 are located about 10 km north of town, along Weaber Plain Road. These lots total about 150 ha. These are currently used for general rural purposes and given the location of the land are generally under-utilised.

This land is close to horticultural uses both across the road and to the north. The suitability information provided by WADA shows this land as being within the classification – more than 50% of the soils suitable for intensive horticulture.

In recent years there have been some issues associated with flooding in this area that has lead to the need for a flood mitigation program to be implemented by the Shire. Upon the successful completion of these works consideration should be given to rezoning and subdivision of this area for rural residential development. Between 30 and 40 rural living lots could be created on these sites assuming a mix of lot sizes between 2ha and 4ha.

River Farm Road

River Farm Road is an existing rural living/small rural holding area located some 7km north of Kununurra. It bears similar characteristics to the Packsaddle area in that it was created at the time of the advent of the ORIA to provide some smaller rural allotments for prospective settlers in the district. Located on the Ord River, it is situated immediately across the river from

King Location 599.

There are 30 existing smaller rural allotments in the River Farm Road locality. These properties vary in size from 2.5 ha to 6ha.

Properties at River Farm Road are predominantly used for rural living/ horticultural pursuits. As with the Packsaddle area, the viability of the smaller lots at River Farm Road is under question particularly due to the situation with banana crops in the ORIA being uncompetitive with other locations nationally. There is a general intrusion of rural living uses occurring in the subdivision area which is resulting in River Farm Road changing to a de facto rural living area by attrition.

River Farm Road is well serviced with access to water and power readily available. It is very attractive land being located close to river, with some properties offering scenic river views.

The long and narrow configuration of the lots in the area provides difficulties with re-subdivision such that only a nominal number of additional lots could be created. Should a minimum lot size of 2ha be prescribed, about 20 lots could be created from subdivision in the area.

Ivanhoe

Located immediately north of the River Farm Road subdivision, is an area of Unallocated Crown Land (UCL) that is currently zoned for Rural / Agriculture 2 within Planning Scheme No.7. The total area of the zoned land is approximately 100 ha. Being close to River Farm Road, this land has many similar attributes.

Importantly, the area is comprised of good levee soils and would be highly suitable for irrigated horticulture. On the current mapping provided by the WADA it is within the sector where more than 50% of soils are suitable for irrigated horticulture.

The area is close to the Ord River and in some locations may overlook the scenic Ivanhoe Crossing – an area of rapids also used as a crossing point to the western bank of the river. The land along the river which abuts the subject land is reserved as special foreshore in the TPS. This has some implications for environmental management on any prospective allotments.

Based on 4 hectare lot sizes, this locality has a potential yield of about 25 lots. There is the possibility of extending the amount of land earmarked for this use by incorporating some of the freehold land to the south and east.

Lot 649 Ivanhoe Road

This property was assessed as a result of a submission lodged during advertising of the Draft LPS, and is located at the northern end of Ivanhoe Road. The property is 80 hectares in size, however, the submission proposed subdivision of only 20 to 30 hectares of the land that is currently not cultivated.

This land is close to horticultural uses to the west, south and east. The suitability information

provided by WADA shows this land as being within the 'variable' classification, however, the majority of this land is currently under cultivation.

Subdivision of the land would result in 4 - 8 lots if rezoned to Rural Residential. This low lot yield, combined with its close proximity to existing agricultural land, and portions under current cultivation, results in a low overall score in the Matrix and is not preferred as a designated rural residential area.

The applicants have advised that the subdivision is required to facilitate development of dwellings for family members, and it is considered that a simple subdivision with covenants, or a Scheme amendment allowing additional dwellings could facilitate this.

Part Lot 711 (Victoria Highway/Fish Farm Road)

Similar to King Location 599 this large land holding was designated as Rural within the Kununurra Structure Plan (KWADS 2000). However, unlike those areas, the land was zoned as General Rural within the subsequent Planning Scheme. The objectives of this zone are to permit the continued use of the land for grazing and agricultural purposes and to prohibit any industrial or urban development which may adversely affect these uses.

The land is currently used for grazing and limited extractive industries. The land itself is relatively flat and well suited for grazing purposes although about half of the area has been included within WADA's assessment as being suitable for irrigated agriculture. The site immediately north-west of the site, Lot 508, was recently given subdivision approval for 8 rural agriculture 2 lots. It would therefore be reasonably feasible to extend reticulated power and water to this locality.

Lot 711 is about 8km from Kununurra along the Victoria Highway which is a sealed road of national highway standard. In physical terms, the locality has limited appeal for rural residential living. It's relatively flat, located away from the river, does not attract any prevailing breeze and is covered by scrubby and unremarkable vegetation. Power is already located within this area in association with nearby subdivision.

This location has also been assessed as being suitable for the eventual relocation of the Department of Agriculture's stock containment and quarantine site, which is currently located near the rodeo and race club grounds and has been identified as possibly suitable for future urban development.

Wyndham

To cater for the growth in demand for rural residential living in Wyndham, it is proposed to expand the existing rural residential area within the Six Mile locality. Expansion of the area is proposed to the north and south of Great Northern Highway.

The expansion areas are located approximately 4km southeast of the Wyndham townsite. The areas have an undulating topography with some flat portions and consist of a sandy and rocky surface with various creek lines. In terms of vegetation, the sites are covered in sparse scrub and Spinifex. Rural residential subdivision is proposed in the order of 1 to 4 hectares, with a 1 hectare minimum. This variation in lot size is proposed to cater for a market demand

of smaller rural residential lots, which has not been provided in Wyndham to date.

The southern portion of the expansion area is proposed on Lot 468 and Part Lot 622 Great Northern Highway, Wyndham. These lots are currently reserved under the Shire's TPS 6 as Public Purposes (Wyndham Aerodrome).

In considering the future operation of Wyndham Airport, the Shire has determined that a significant portion of the airport land is surplus to its operational requirements. It has been identified that this land, specifically Lot 468 and Part Lot 622, could be better utilised for rural residential purposes.

This site is considered appropriate for rural residential subdivision due to:

- The ability to retain significant areas of native vegetation on-site;
- The rural density of development being unlikely to impact on the operation of Wyndham Airport;
- The land being surplus to the requirements for Wyndham Airport, which has reduced in operation. In this regard, Wyndham Airport is expected to remain a low-key airport catering for light and non-commercial aircraft. The Shire has no intentions to upgrade the airport, as significant investment is being made into the upgrading and expansion of Kununurra Regional Airport, as well as negotiations for increased services to the airport. It is not considered financially sustainable for the Shire to upgrade and manage both airports to a regional standard. It is understood that any construction and resource crews for projects in Wyndham would likely be flown to Kununurra and then transported by road to Wyndham;
- The ability to site larger buffer lots abutting the airport;
- The development being located in close proximity, and essentially being an extension of, existing rural residential development to the east and south-east; and
- The land being a suitable distance from urban development, avoiding future townsite expansion constraints.

Assessment of Potential Sites

A form of multi criteria analysis has been carried out to attempt to prioritise the suitability of the sites for rural living uses. The methodology adopted in this analysis incorporates the scoring of each site against the locational objectives of rural living areas as set out in SPP 2.5. These scores are as follows:

- Where a site achieves the objective: 3
- Where a site partially achieves the objective: 2
- Where a site does not achieve the objective: 1

Comparative and total scores for each site against each factor are set out in the table on the following page.

TABLE 1: COMPARISON OF POSSIBLE RURAL RESIDENTIAL SITES

REVISED TABLE	Weighted value	Crossing Falls	Lot 21 King Location 599	Loc 647 Crossing Falls Road	Old Darwin Road	Packsaddle	Loc 659-661 Mills Road	Weaber Plain Road	River Farm Road	Ivanhoe	Loc 649 Ivanhoe Road	Lot 711 Victoria Highway	Wyndham
<p>Minimises Intrusion into PAL</p> <p>ideally avoid PAL, don't constrain future operations and productivity. Structure planning around PAL.</p>	25	3 Some limited agricultural potential.	2 Some limited agricultural potential + buffers incorporated in structure planning.	3 Design around existing ag uses. No subdivision ag uses proposed + buffers incorporated in structure planning.	2 Some PAL, sandy soils, portion under cultivation. Structure planning required.	1 Current horticultural use, structure planning required.	1 Currently under cultivation – PAL.	1 PAL.	1 Current horticultural use.	2 Variable ag potential, grades prohibitive.	1 PAL.	2 Existing grazing use, no water allocation.	3 Development of the Wyndham airport site will assist in minimising expansion onto other productive rural lands.
<p>Accessibility to infrastructure and services</p> <p>minimise servicing costs by proximity to town.</p>	25	2 Has infrastructure but not close to town.	2 Has infrastructure but not close to town.	2 Has infrastructure but not close to town.	3 Close to town.	2 Has infrastructure but not close to town.	3 Close to town.	3 Close to town.	2 Has infrastructure but not close to town.	2 Has infrastructure but not close to town.	2 Has infrastructure but not close to town.	2 Has infrastructure but not close to town.	3 In proximity to existing rural-residential area and is proposed to be provided with infrastructure headworks from adjoining work camp.
<p>Minimises environ'l impact</p> <p>native flora and fauna habitats, risk of land and water degradation. Ability to dispose of effluent on site.</p>	20	2 Uncleared. Building envelopes, remnant veg protection.	2 Uncleared. Building envelopes, remnant veg protection.	3 Design bush blocks.	3 Already cultivated.	3 Cleared and under cultivation.	3 Cleared and under cultivation.	2 Partially cleared. Building envelopes, remnant veg protection.	3 Already cultivated.	1 Potential erosion.	2 Partially cleared.	2 Grazing use.	2 Uncleared. Building envelopes, remnant veg protection.
<p>Ability to</p>	20	3	3	2	2	2	1	2	2	2	1	1	3

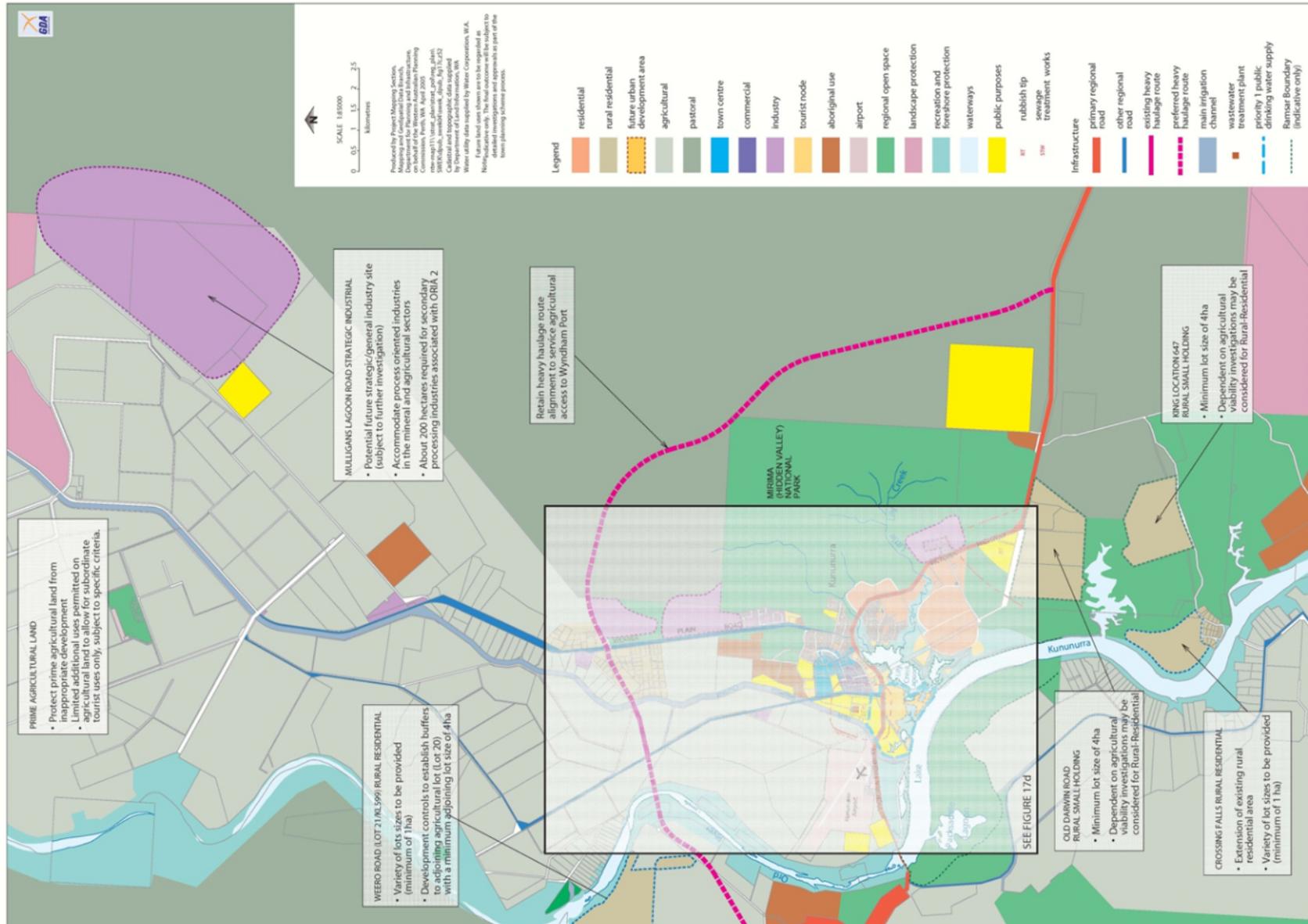
REVISED TABLE	Weighted value	Crossing Falls	Lot 21 King Location 599	Loc 647 Crossing Falls Road	Old Darwin Road	Packsaddle	Loc 659-661 Mills Road	Weaber Plain Road	River Farm Road	Ivanhoe	Loc 649 Ivanhoe Road	Lot 711 Victoria Highway	Wyndham
<p>provide for demand</p> <p>based on subdivision capability and desirability</p>		Crown (NT cleared), large site, on river.	One owner, on river, large site.	Near lagoon, one owner, design around ag uses, offers different product.	Multi owners, horticultural use, inland, close to town.	Multi owners, existing subdivision pattern, on river.	Close to town, existing subdivision pattern, on channel.	Close to town, inland, reasonably large site.	Multi owners, existing subdivision pattern, on river.	On river.	Provide lots for family members, low yield.	Future Ag use for quarantine.	Demand for smaller rural-residential lots in Wyndham.
<p>Minimises potential land use conflict</p> <p>adequate separation from potential conflicting land uses, existing and future</p>	20	3	2	3	2	1	1	1	1	1	1	1	2
		Separated from conflicting land uses.	Adjoining ag.	Ag uses but can design around.	Tip 500m buffer, horticultural use.	Current horticultural use.	Current horticultural use.	Adjacent to Ag.	Current horticultural use.	Adjacent to Ag.	Adjacent to Ag.	Future Ag use for quarantine.	Located abutting existing rural-residential precinct. Interface issues with airport expected to be minimal and can be addressed through detailed planning.
<p>Minimises impact on Natural Resources</p> <p>presence of basic raw materials.</p>	15	3	3	3	3	3	3	3	3	3	3	1	3
		No known conflict.	No known conflict.	No known conflict.	No known conflict.	No known conflict.	No known conflict.	No known conflict.	No known conflict.	No known conflict.	No known conflict.	Currently utilised for extractive industry.	No known conflict.
<p>Public Benefit</p> <p>access to water, picnic areas, structure planning potential, etc.</p>	15	3	3	1	1	3	1	1	2	2	2	1	1
		On river. Public access to foreshore.	On river. Public access to foreshore.	Inland.	Inland.	On river. Public access to foreshore improved via structure planning.	Inland.	Inland.	On river. Potential flooding in foreshore impacts on public	On river. Public access to foreshore. Potential flooding in foreshore impacts on	Near river but no direct access to foreshore.	Future Ag use for quarantine.	Inland.

REVISED TABLE	Weighted value	Crossing Falls	Lot 21 King Location 599	Loc 647 Crossing Falls Road	Old Darwin Road	Packsaddle	Loc 659-661 Mills Road	Weaber Plain Road	River Farm Road	Ivanhoe	Loc 649 Ivanhoe Road	Lot 711 Victoria Highway	Wyndham
									access.	public access.			
<p>Can be developed in the short term</p> <p>constraints delaying supply.</p>	15	3	3	2	2	1	2	2	1	1	2	1	2
		No Native Title and heritage almost cleared, crown to develop.	Already had rezoning with Minister.	Single ownership. Rezoning required.	Fragmented ownership. Agreement between owners for structure planning.	Fragmented ownership, structure planning, rezoning required.	Non exclusive Native Title.	Single ownership. Rezoning required.	Future Ag use for quarantine.	Owned freehold by Shire of Wyndham East Kimberley. Scheme Amendment required.			
<p>Soil Suitability for development</p> <p>presence of soils suitable for development</p>	10	3	3	3	3	3	3	3	3	3	3	3	3
		Soils are suitable for residential development.	Soils are suitable for residential development.	Include suitable Ag soils in large lots.	Include suitable ag soils in large lots.	Soils are suitable for residential development.	Soils are suitable for residential development.	Soils are suitable for residential development.	Soils are suitable for residential development.	Soils are considered suitable or can be made suitable for building sites.			
<p>Appropriate size of lots</p> <p>meet demand and locality characteristics, suitability of land to cater for density.</p>	5	3	3	2	3	2	2	2	1	2	1	2	3
		Greenfield, on river, variety of lot sizes.	Greenfield, on river, buffers to ag.	Buffers to ag, offers bush blocks, smaller landholding	Suitable for small rural holdings lots.	Current subdivision pattern constraints structure planning.	Current subdivision pattern constraints structure planning.	Multiple land holdings.	Narrow lot layout severely constrains structure planning.	Narrow strip of land.	Small landholding cannot provide for demand of lot sizes.	Future AG use for quarantine.	Variety of lot sizes can be provided.
<p>Minimise fire risk</p> <p>all considered equal as fire risk is a management issue</p>	5	3	3	3	3	3	3	3	3	3	3	3	3
		Structure planning to address fire risks.	Structure planning to address fire risks.	Structure planning to address fire risks.	Structure planning to address fire risks.	Structure planning to address fire risks.	Structure planning to address fire risks.	Structure planning to address fire risks.	Structure planning to address fire risks.	Structure planning to address fire risks.	Structure planning to address fire risks.	Structure planning to address fire risks.	Structure planning to address fire risks.

REVISED TABLE	Weighted value	Crossing Falls	Lot 21 King Location 599	Loc 647 Crossing Falls Road	Old Darwin Road	Packsaddle	Loc 659-661 Mills Road	Weaber Plain Road	River Farm Road	Ivanhoe	Loc 649 Ivanhoe Road	Lot 711 Victoria Highway	Wyndham
TOTAL		480	435	430	415	355	345	345	335	325	310	280	440
RANKING		1	3	4	5	6	7	7	8	9	10	11	2
COMMENT		Reflects suitability of site for rural residential development, and no adjacent conflicting land uses.	Lot 21 is suitable for rural residential development, subject to protection of adjoining horticultural used via larger lots.	Site is suitable for bush lifestyle blocks, subject o protection of existing horticultural uses via larger lots.	Precinct is suitable for rural residential development, subject to protection of existing horticultural uses via structure planning.	Distinct gap in scoring between 4 th and 5 th place reflects existing agricultural uses and proximity to PAL and fragmented land ownership. Gap between 5 th and 6 th place reflects aesthetic appeal of Packsaddle. Preference should be given to Agricultural Diversification in consideration of PAL.	Score reflects existing agricultural uses and proximity to PAL. Gap between 5 th place and 6 th place reflects desirability of 5 th place as it is on the river. Suitable for rural smallholdings development subject to successful resolution of flooding through mitigation works on the M1 Channel	Score reflects existing agricultural uses and proximity to PAL. Gap between 5 th place and 6 th place reflects desirability of 5 th place as it is on the river. Suitable for rural smallholdings development subject to successful resolution of flooding through mitigation works on the M1 Channel	Score reflects existing agricultural uses and proximity to PAL. Gap between 6 th place and 8 th place reflects fragmented ownership and difficult nature of lat layout of River Farm Road.	Score reflects existing agricultural uses and proximity to PAL. Gap between 8 th place and 9 th place reflects narrow lot layout and problematic terrain forms.	Low score reflects small size of landholding.	Score reflects future use of this site for an agricultural quarantine use, existence of extractive industries and undesirable aesthetic values.	Reflects suitability of site for rural residential development. Interface with airport to be addressed.'

1.6 Modification 6

Replacing Figures 17C and 17E with the following Figures:



Shire of Wyndham - East Kimberley Local Planning Strategy
Kununurra Strategic Land Use Plan

(to be read in conjunction with sections 5 and 6 of the LPS)

Figure 17c



Shire of Wyndham - East Kimberley Local Planning Strategy
 Wyndham Strategic Land Use Plan

(to be used in conjunction with sections 5 and 6 of the LPS)

Figure 17e

17. CLOSURE

The Shire President declared the meeting closed at 6.16pm.