

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

Commissioner

Date



SHIRE OF WYNDHAM | EAST KIMBERLEY

**MINUTES
ORDINARY COUNCIL
MEETING**

22 November, 2016

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**SHIRE OF WYNDHAM EAST KIMBERLEY
MINUTES ORDINARY COUNCIL MEETING
WYNDHAM COUNCIL CHAMBERS
HELD ON 22 NOVEMBER 2016 AT 5:00PM**

1 DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS

The Commissioner opened the meeting at 5:00pm.

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

Attendance

| | |
|-------------|---------------------------------------|
| R Yuryevich | Commissioner |
| C Askew | Chief Executive Officer |
| D Klye | Director Infrastructure |
| W Richards | Acting Director Community Development |
| M Le Riche | Executive Assistant (Minute Taker) |

Apologies

| | |
|-------|--------------------------------|
| L Gee | Director Community Development |
|-------|--------------------------------|

Gallery

| | |
|-------------|---------------------|
| J Ninnette | SWEK |
| S McLachlan | SWEK |
| C McLachlan | |
| R McDonald | |
| J Parker | |
| P de Kruiff | Kimberley Echo |
| V McEvoy | KVC & EKMG |
| S McEvoy | KVC |
| J Williams | EKCCI |
| M Pucci | EKCCI |
| A Wilson | Resident |
| P Cavanagh | Wyndham Excavations |
| M Northover | Rate payer |
| R Storey | |

3 DECLARATION OF INTEREST

- Financial Interest
Nil
- Impartiality Interest

| Councillor/Officer | Item | Title | Description of Interest |
|--------------------|------|----------------------------|---|
| D Klye | 16.1 | Confidential - Legal Claim | The Claimant in this matter has lodged a formal complaint against me (early 2015) which remains unresolved. |

- Proximity Interest
Nil

4 RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Question from Mr Allan Wedderburn, 10 Cycas Close, Kununurra - taken on notice at the 25 October 2016 Ordinary Council Meeting.

Question - Can the Council please confirm what further action is being taken to ensure Ingle Pty Ltd comply with their lease agreement dated 1 July 2015 for Reserve 41812 that was executed in October 2015 to ensure the public has access between 5am and 7pm as Ingle has ignored the Shires reminder letter sent April 2016?

The Shire can confirm that Officers' have, on a number of occasions, reminded the Lessee of the requirement for public access to be provided to the foreshore licence area between 5am – 7pm. The Shire also confirms that the Lessee has not sought approval from the Shire or the Department of Lands for signage regarding public access, which is required to be installed on the premises.

The Shire has therefore again written to the Lessee, reiterating the requirements of the lease and associated foreshore licence and directing that signage be designed within a specified timeframe for the approval of both the Shire and the Department of Lands.

In the interim, please be advised that Shire Ranger's will be undertaking regular checks to ensure that the gates are being opened between the hours of 5am - 7pm, and have advised the Lessee of this.

5 PUBLIC QUESTION TIME

Alan Wilson, Lot 100 Egret Close, Kununurra

Q1 - Background information.

Page 48 of the Agenda, No.11, the start of the breakdown of the submission by Shape Urban, on behalf of Yeltara Developments.

On Page 49 in response to a suggestion by Shape Urban that clause 4.29.2 is amended to include, that a Structure Plan is not required for the development (subdivision) on land that is zoned Rural Residential. The DoP advised that a Structure Plan is required prior to subdivision of a single rural residential lot.

Question: Given that it is now recommended for Lot 1 Old Darwin Road, Kununurra to be Zoned Rural Small Holdings, would a Structure Plan be required prior to subdivision of a single Rural Small Holding lot?

Jennifer Ninyette, Senior Planning Officer responded:

The Planning and Development (Local Planning Schemes) Regulations 2015 includes 'deemed provisions' that apply to all local planning schemes across Western Australia, including the requirements for structure plans (Part 4). Clause 15 of the deemed provisions outlines that a structure plan in respect to an area may be prepared if the area is identified to require a structure plan in the Scheme.

In relation to draft Local Planning Scheme No. 9, the development requirements for the Rural Smallholdings and Rural Residential zones stipulates (clause 4.29.2) that "subdivision, development and land use shall generally be in accordance with a structure plan prepared and approved in accordance with part 4 of the deemed provisions". As such, a structure plan would be required to prior to subdivision of a single Rural Smallholding lot.

However, any landowner has the ability to submit a subdivision application to the Western Australian Planning Commission (WAPC). Therefore an applicant may submit a subdivision application to the WAPC without a structure plan being first prepared. The WAPC has the ability to determine that a structure plan for an area is required for the purposes of orderly and proper planning, and refuse the application, or may determine that the applicant has provided sufficient information (as may be provided in a structure plan) to support a conditional subdivision approval being granted.

Q2 - Background information.

A meeting took place between myself, Jennifer Ninyette, Louise Gee and 2 representatives from DoP.

Lot 1 Old Darwin Road with a Rural Residential Zoning would have the potential of being subdivided into 130 Lots was discussed. This was denied by DoP. I pointed out that this was possible due to Page 42 of the advertised draft Local Planning Strategy where it states "Smaller lots (minimum 4,000 meters squared) associated with cluster-style development".

It was stated by DoP that this was a mistake and will be removed from the Strategy.

Question: Since there is no mention of the removal of this clause from the Strategy, is this an oversight or is it proposed that lots as small as 4,000 meters squared in the Rural Living zone be supported by the Strategy?

Jennifer Ninyette, Senior Planning Officer responded:

In relation to the proposed modifications to the documents, the Department of Planning (DoP) advised that Council recommendations should only be in response to the submissions; as the DoP and Minister for Planning can require changes to ensure compliance with the Planning and Development (Local Planning Schemes) Regulations 2015 and any other changes they see fit.

As no written submissions received made comment on this matter, it has not been responded to in the proposed modifications. However, as the minimum lot size (4000m²) mentioned in the draft Local Planning Strategy is below the 1 - 4 hectare range specified for the Rural Residential Zone in both the State Planning Policy 2.5 – Land Use Planning in Rural Area, and objectives for the zone, it is anticipated that the DoP will direct that changes be made to the section in relation to rural living development.

Christine McLachlan, PO Box 80, Wyndham

Q1 – In Feb 2016 Council requested the CEO to provide a report to Council on the Wyndham reticulation system for the inclusion in the 2016/17 budget considerations including budget estimates for the project.

Could you please advise when this report will be tabled/completed?

David Klye, Director Infrastructure responded:

The 2016/17 Shire budget includes provision of \$150,000 for Reticulation Upgrades – Wyndham. The Wyndham reticulation system required redesign and reconfiguration. It is expected that a comprehensive report will be presented to Council in either December 2016 or February 2017.

It is anticipated that some works will be undertaken this financial year.

Q2 – Could you please advise if the Shire's:

- Development & Building Applications Register; and
- Rates Book

Can be made available for public inspection at the Wyndham Shire Office?

Carl Askew, Chief Executive Officer responded:

Yes, the development and building applications register can be made available for inspection at the Wyndham Shire Office.

The Rate book for 2016/17 is available for inspection at the Wyndham Office. This was sent up immediately after rates billing in the last week of September 2016 and we have confirmed with the Wyndham Office Staff this morning that it is there at the front counter.

Rhonda McDonald, Wyndham

Q1. In response to the SWEK Draft Local Planning Scheme for the Wyndham 3-Mile area, can Council please commit to making NO CHANGE to the existing R15 zone for houses between Timor and Cambridge Streets on the Great Northern Highway? I believe that road train and other traffic on the highway makes this a very unsuitable area for high density housing. Children play on the verges and the road as the new duplexes where they live are unfenced and have far less yard space than an R15-zoned home would require.

Jennifer Ninyette, Senior Planning Officer responded:

Council cannot commit to making no change to proposed residential densities for those properties located between Timor Streets and Cambridge Streets on the Great Northern Highway in Wyndham.

These properties were proposed in the draft Local Planning Scheme No. 9 (as advertised) to be zoned Rural Townsite, given their proximity to the existing town centre and commercial areas, along with abutting properties on Koolama Street, which includes existing grouped housing development and the Wyndham Child Care Centre.

On the basis of the submissions received, Shire Officers have recommended modifications to rezone those lots fronting the Great Northern Highway to Residential R20, while retaining the Rural Townsite zoning for the Koolama Street properties. The Residential R20 code is proposed on the basis that the lots will abut Rural Townsite zoned lots, which under the recommended modifications will allow for residential development to a density of up to R40. Although an R20 coding would allow development of up to two dwellings on these lots, this is not considered as high density development.

However, the draft Local Planning Scheme No. 9 is ultimately subject to the approval of the Minister for Planning, who may require changes to ensure compliance with the Planning and Development (Local Planning Schemes) Regulations 2015 and any other changes they see fit.

Q2. Can Shire Officers commit to liaising with Dept of Housing to:
(a) advise them of the widespread concerns of Wyndham residents about high density housing along the Great Northern Highway in Wyndham; and
(b) ask for a commitment from the Dept of Housing not to construct any multiple or group dwellings in the area between Timor and Cambridge Streets on the Great Northern Highway.

Jennifer Ninyette, Senior Planning Officer responded:

Shire Officers can agree to write to the Department of Housing to advise of the concerns of the Wyndham residents in relation to grouped dwelling housing along the Great Northern Highway in Wyndham.

However Shire Officers cannot guarantee a commitment from the Department of Housing not to construct grouped or multiple dwellings along the Great Northern Highway between Timor Streets and Cambridge Street, as a restriction on the density could only be imposed by the specified R Code.

It is at the discretion of the Councils to determine whether to support the Officer's Recommendation as is, or to amend any part of the recommendation as seen fit, and the final zoning and densities are subject to the approval of the Minister for Lands.

6 APPLICATIONS FOR LEAVE OF ABSENCE

Nil

7 PETITIONS

Nil

8 CONFIRMATION OF MINUTES

OFFICER'S RECOMMENDATION

That Council confirms the Minutes of the Ordinary Council Meeting held on 25 October 2016.

COUNCIL DECISION

Minute No: 22/11/16-11530

Commissioner resolved:

That Council confirms the Minutes of the Ordinary Council Meeting held on 25 October 2016.

Carried 1/0

Note: The Minutes of the Ordinary Council Meeting held on 25 October 2016 are provided under separate cover via www.swek.wa.gov.au

9 ANNOUNCEMENTS BY THE PERSON PRESIDING WITHOUT DISCUSSION

Nil

10 MATTERS FOR WHICH THE MEETING MAY BE CLOSED

Nil

11 DEPUTATIONS / PRESENTATIONS / SUBMISSIONS

Nil

12 REPORTS

12.1 MATTERS ARISING FROM COMMITTEES OF COUNCIL

12.1.1 Consideration of Recommendations Contained Within the Minutes of the Audit (Finance and Risk) Committee Meeting of 8 November 2016

| | |
|---------------------------------|--|
| DATE: | 22 November 2016 |
| AUTHOR: | Director Corporate Services |
| RESPONSIBLE OFFICER: | Carl Askew, Chief Executive Officer |
| ASSESSMENT NO: | Various - As Detailed in the Minutes of the 8 November 2016 Audit (Finance and Risk) Committee meeting |
| FILE NO: | Various - As Detailed in the Minutes of the 8 November 2016 Audit (Finance and Risk) Committee meeting |
| DISCLOSURE OF INTERESTS: | Nil |

VOTING REQUIREMENT

Simple Majority

COMMITTEE'S RECOMMENDATION 1

That Council, with reference to Item "7.1 Proposed Meeting Dates for the Audit (Finance and Risk) Committee for 2017":

1. Adopt the following dates, times and places for the 2017 Audit (Finance and Risk) Committee meetings:

| Date | Time | Place |
|--------------------------|---------|-----------------------------|
| Monday, 27 February 2017 | 5:00 pm | Council Chambers, Kununurra |
| Monday, 22 May 2017 | 5:00 pm | Council Chambers, Kununurra |
| Monday, 21 August 2017 | 5:00 pm | Council Chambers, Kununurra |
| Monday, 27 November 2017 | 5:00 pm | Council Chambers, Kununurra |

2. Notes that local public notice of the meetings outlined in recommendation (1) above will be provided in accordance with Regulation 12 of the *Local Government (Administration) Regulations 1996*.

COUNCIL DECISION

Minute No: 22/11/16-11531

Commissioner resolved:

That Council, with reference to Item “7.1 Proposed Meeting Dates for the Audit (Finance and Risk) Committee for 2017”:

1. Adopt the following dates, times and places for the 2017 Audit (Finance and Risk) Committee meetings:

| Date | Time | Place |
|--------------------------|---------|-----------------------------|
| Monday, 27 February 2017 | 5:00 pm | Council Chambers, Kununurra |
| Monday, 22 May 2017 | 5:00 pm | Council Chambers, Kununurra |
| Monday, 21 August 2017 | 5:00 pm | Council Chambers, Kununurra |
| Monday, 27 November 2017 | 5:00 pm | Council Chambers, Kununurra |

2. Notes that local public notice of the meetings outlined in recommendation (1) above will be provided in accordance with Regulation 12 of the *Local Government (Administration) Regulations 1996*.

Carried 1/0

VOTING REQUIREMENT

Simple Majority

COMMITTEE'S RECOMMENDATION 2

That Council, with reference to Item 7.2 “*Standing Item - Rates Debtors*”, accepts the report that the actions being undertaken by the administration in regard to rates debtors, including rates debts in legal process are sufficient and appropriate.

COUNCIL DECISION

Minute No: 22/11/16-11532

Commissioner resolved:

That Council, with reference to Item 7.2 “*Standing Item - Rates Debtors*”, accepts the report that the actions being undertaken by the administration in regard to rates debtors, including rates debts in legal process are sufficient and appropriate.

Carried 1/0

VOTING REQUIREMENT

Simple Majority

COMMITTEE'S RECOMMENDATION 3

That Council, with reference to Item 7.3 "*Standing Item - Insurance Claims*", notes the Confidential Insurance Claims Register attached to the Minutes of the 8 November 2016 Audit (Finance and Risk) Committee meeting.

COUNCIL DECISION

Minute No: 22/11/16-11533

Commissioner resolved:

That Council, with reference to Item 7.3 "*Standing Item - Insurance Claims*", notes the Confidential Insurance Claims Register attached to the Minutes of the 8 November 2016 Audit (Finance and Risk) Committee meeting.

Carried 1/0

VOTING REQUIREMENT

Simple Majority

COMMITTEE'S RECOMMENDATION 4

That Council, with reference to Item 7.4 "*Standing Item - Sundry Debtors*", accepts that the actions being undertaken by the administration in regard to sundry debtors including sundry debts in legal process are sufficient and appropriate.

COUNCIL DECISION

Minute No: 22/11/16-11534

Commissioner resolved:

That Council, with reference to Item 7.4 "*Standing Item - Sundry Debtors*", accepts that the actions being undertaken by the administration in regard to sundry debtors including sundry debts in legal process are sufficient and appropriate.

Carried 1/0

VOTING REQUIREMENT

Simple Majority

COMMITTEE'S RECOMMENDATION 5

That Council, with reference to Item 7.5 *“Standing Item - Insurance”*, notes the Confidential Lease Schedule and the New and Renewal Lease Schedule attached to the Minutes of the 8 November 2016 Audit (Finance and Risk) Committee Meeting.

COUNCIL DECISION

Minute No: 22/11/16-11535

Commissioner resolved:

That Council, with reference to Item 7.5 *“Standing Item - Insurance”*, notes the Confidential Lease Schedule and the New and Renewal Lease Schedule attached to the Minutes of the 8 November 2016 Audit (Finance and Risk) Committee Meeting.

Carried 1/0

VOTING REQUIREMENT

Simple Majority

COMMITTEE'S RECOMMENDATION 6

That Council, with reference to Matters Behind Closed Doors Item 8.1 *“Request for Write Off of Penalty Interest; Waiver of Penalty Interest; and for a Self Supporting Loan - Rates Debtor A501”*:

1. Does not approve the request for a write off of outstanding penalty interest for rates debtor A501;
2. Does not approve the request for a waiver of future penalty interest charges for rates debtor A501;
3. Does not approve the request for a write off of the portion of payments made by rates debtor A501 during the period from October 2015 to October 2016 that have been allocated to penalty interest;
4. Notes that rates debtor A501 is not eligible to apply for a Self Supporting Loan under Council Policy CP/FIN-3215 Self Supporting Loans, however could seek a loan through another financial institution;
5. Notes that the 2016/17 rates and service charges for rates debtor A501 are incorporated in the current special payment arrangement;
6. Notes that rates debtor A501 will be eligible to apply for a rates concession when all rates and service charges debts are paid in full;

COUNCIL DECISION

Minute No: 22/11/16-11536

Commissioner resolved:

That Council defer recommendation 6 to the 20 December Ordinary Council Meeting.

Carried 1/0

REASON FOR VARYING THE OFFICER'S RECOMMENDATION

To gain further information.

VOTING REQUIREMENT

Simple Majority

COMMITTEE'S RECOMMENDATION 7

That Council, with reference to Matters Behind Closed Doors Item 8.2 *"Update on the Recovery of Outstanding Rates - Assessments A2574, A2569 and A411"*, notes:

1. The further investigations and actions undertaken regarding options for the recovery of outstanding rates for Assessments A2574, A2569, and A411 in accordance with relevant legislation; and
2. That a further updated report will be included in the next Audit (Finance and Risk) Committee Agenda.

COUNCIL DECISION

Minute No: 22/11/16-11537

Commissioner resolved:

That Council, with reference to Matters Behind Closed Doors Item 8.2 *"Update on the Recovery of Outstanding Rates - Assessments A2574, A2569 and A411"*, notes:

1. The further investigations and actions undertaken regarding options for the recovery of outstanding rates for Assessments A2574, A2569, and A411 in accordance with relevant legislation; and
2. That a further updated report will be included in the next Audit (Finance and Risk) Committee Agenda.

Carried 1/0

VOTING REQUIREMENT

Absolute Majority

COMMITTEE'S RECOMMENDATION 8

That Council, with reference to Matters Behind Closed Doors Item 8.3 *“Update on Request to Revest Rates Assessments A5594 and A5595 Back to the Crown”*:

- 1. Authorise the CEO, or their delegate, to request lawyers acting for the Shire to conduct negotiations with the ratepayer on the following basis:**
 - a. That the ratepayer will fund the cost of any works required by the Department of Environment Regulation for the investigation and any remediation required to their property;**
 - b. Recognising that the Shire will be required to undertake investigations and potential remediation of Parcel 69070 Pearse Street road reserve (Pin # 11413027) and offer the ratepayer an arrangement whereby the consultants costs could be shared;**
 - c. That the Shire will execute the Deed of Settlement and Transfer of Land only upon the ratepayer undertaking the investigations and remediating, or funding the investigations and remediation of their land, to the satisfaction of the the Department of Environment Regulation.**
- 2. Authorise expenditure in advance for an additional purpose in the 2016/17 budget of \$20,000, being to initiate the investigations and possible remediation process for Parcel 69070 Pearse Street road reserve (Pin # 11413027) and source these funds from savings (or additional revenue) identified in the 2016/17 Mid-Year Budget Review.**

COUNCIL DECISION

Minute No: 22/11/16-11538

Commissioner resolved:

That Council, with reference to Matters Behind Closed Doors Item 8.3 “Update on Request to Revest Rates Assessments A5594 and A5595 Back to the Crown”:

- 1. Authorise the CEO, or their delegate, to request lawyers acting for the Shire to conduct negotiations with the ratepayer on the following basis:**
 - a. That the ratepayer will fund the cost of any works required by the Department of Environment Regulation for the investigation and any remediation required to their property;**
 - b. Recognising that the Shire will be required to undertake investigations and potential remediation of Parcel 69070 Pearse Street road reserve (Pin # 11413027) and offer the ratepayer an arrangement whereby the consultants costs could be shared;**
 - c. That the Shire will execute the Deed of Settlement and Transfer of Land only upon the ratepayer undertaking the investigations and remediating, or funding the investigations and remediation of their land, to the satisfaction of the Department of Environment Regulation.**
- 2. Authorise expenditure in advance for an additional purpose in the 2016/17 budget of \$20,000, being to initiate the investigations and possible remediation process for Parcel 69070 Pearse Street road reserve (Pin # 11413027) and source these funds from savings (or additional revenue) identified in the 2016/17 Mid-Year Budget Review.**

Carried 1/0

PURPOSE

To consider the recommendations from the Audit (Finance and Risk) Committee made at its meeting held on 8 November 2016.

NATURE OF COUNCIL’S ROLE IN THE MATTER

Leader - plan and provide direction through policy and practices
Regulator - enforce state legislation and local laws

BACKGROUND/ PREVIOUS CONSIDERATIONS BY COUNCIL/ COMMITTEE

The background and details supporting the recommendations are contained in the Audit (Finance and Risk) Committee meeting minutes of 8 November 2016.

STATUTORY IMPLICATIONS

Various - detailed within the Minutes of the 8 November 2016 Audit (Finance and Risk) Committee meeting.

POLICY IMPLICATIONS

Various - detailed within the Minutes of the 8 November 2016 Audit (Finance and Risk) Committee meeting.

FINANCIAL IMPLICATIONS

Various - detailed within the Minutes of the 8 November 2016 Audit (Finance and Risk) Committee meeting.

STRATEGIC IMPLICATIONS

Strategic Community Plan 2012-2022

Goal 1: Strong leadership and governance that underpins a more strategic approach to community engagement, regional development and organisational sustainability

Objective 1.4: Business innovation, efficiency and improved services

Strategy 1.4.1 : Ensure legislative compliance and follow best practice principles in planning and service delivery

Strategy 1.4.3 : Maintain Council's long term financial viability

RISK IMPLICATIONS

Various - detailed within the Minutes of the 8 November 2016 Audit (Finance and Risk) Committee meeting.

COMMUNITY ENGAGEMENT

Various - detailed within the Minutes of the 8 November 2016 Audit (Finance and Risk) Committee meeting.

COMMENTS

Various - detailed within the Minutes of the 8 November 2016 Audit (Finance and Risk) Committee meeting.

ATTACHMENTS

Nil

12.2 CHIEF EXECUTIVE OFFICER

12.2.1 Standing Item - Outstanding Actions from Previous Council Resolutions

| | |
|---------------------------------|-------------------------------------|
| DATE: | 22 November 2016 |
| AUTHOR: | Executive Assistant |
| RESPONSIBLE OFFICER: | Carl Askew, Chief Executive Officer |
| DISCLOSURE OF INTERESTS: | Nil |

VOTING REQUIREMENT

Simple Majority

OFFICER'S RECOMMENDATION

That Council notes the report - Outstanding Actions from Council Resolutions.

COUNCIL DECISION

Minute No: 22/11/16-11539

Commissioner resolved:

That Council notes the report - Outstanding Actions from Council Resolutions.

Carried 1/0

PURPOSE

To report to the Council on the progress and provide comment on outstanding actions from Council resolutions.

NATURE OF COUNCIL'S ROLE IN THE MATTER

Leader - plan and provide direction through policy and practices

BACKGROUND/ PREVIOUS CONSIDERATIONS BY COUNCIL/ COMMITTEE

At each meeting of Council, resolutions are made which require actions to be taken by officers to implement those resolutions. This monthly update advises the Council as to the status of the implementation of resolutions.

STATUTORY IMPLICATIONS

Nil

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Not applicable as referenced in individual reports presented to the Council.

STRATEGIC IMPLICATIONS

Strategic Community Plan 2012-2022

Goal 1: Strong leadership and governance that underpins a more strategic approach to community engagement, regional development and organisational sustainability

Objective 1.4: Business innovation, efficiency and improved services

Strategy 1.4.1 : Ensure legislative compliance and follow best practice principles in planning and service delivery

RISK IMPLICATIONS

Nil

COMMUNITY ENGAGEMENT

No community engagement is required.

COMMENTS

This report includes actions from October resolutions (Attachment 1). Attachment 2 summarises all other actions that are outstanding from previous Council resolutions.

ATTACHMENTS

Attachment 1 - Council Action Register Current

Attachment 2 - Outstanding Actions from Previous Council Resolutions

Attachment 1 - Council Action Register Current

| Meeting | Responsible Officer | Item | Resolution | Progress Comment | Date Actioned | Completed |
|--------------|---------------------|---|--|---|---------------|-------------|
| OCM 25/10/16 | Carl Askew | 2017 Meeting Dates | <p>That Council adopt the proposed meeting dates/times and locations for 2017:</p> <p>Month Ordinary Council Meeting Location of OCM January 24 January Kununurra February 28 February Wyndham March 28 March Kununurra April 26 April Kununurra May 23 May Wyndham June 20 June Kununurra July 18 July Kununurra August 22 August Wyndham September 26 September Kununurra October* 22 October – SCM* Kununurra* October 31 October Kununurra November 28 November Wyndham December 19 December Kununurra</p> <p>Note: All meetings will commence at 5.00pm. * Note: Special Council Meeting following Council Elections on Saturday 21 October 2017 to swear in new Council.</p> | Advertising taking place. | 16-Nov-16 | In progress |
| OCM 25/10/16 | Carl Askew | Committee Representation | <p>That Council endorse the following representation on Committees:</p> <p>Audit (Finance and Risk) Committee Representative - Commissioner Proxy - Nil</p> <p>CEO Review and Selection Panel Representative - Commissioner Proxy - Nil</p> <p>Local Emergency Management Committee (LEMC) Representative - Director Infrastructure Proxy - Senior Ranger & Emergency Services Coordinator</p> <p>Bush Fire Advisory Committee (BFAC) Representative - Director Infrastructure Representative - Senior Ranger & Emergency Services Coordinator Proxy - Nil</p> <p>Development Assessment Panels Representative - Commissioner Proxy - Nil</p> <p>WALGA Kimberley Zone / Regional Collaborative Group Representative - Commissioner Representative - Chief Executive Officer Proxy - Nil</p> <p>Kimberley Regional Road Group Representative - Director Infrastructure Proxy - Manager Engineering Services</p> <p>North Kimberley Land Care District Council (LCDC) Representative - Director Infrastructure Proxy - Manager Engineering Services</p> <p>Kununurra Community Library Representative - Director Community Development</p> | Letters have been provided to each committee advising of the changes | 16-Nov-16 | Completed |
| OCM 25/10/16 | Carl Askew | Public Question Time | <p>That Council adopt the attached Policy CP/GOV 3105 Public Question Time - Management with the amendment at point 3.3 to state that "Written questions submitted by a person not present at the meeting will be read into the record, and answered at that meeting where possible. Where an answer cannot be provided at the meeting, the answer will be supplied to the person asking the question in writing after the meeting and the response will be included in the agenda of the next meeting."</p> | Advertised and placed on Shire Website. | 16-Nov-16 | Completed |
| OCM 25/10/16 | Louise Gee | Establishment of a Stakeholder Advisory Group | <p>That Council endorse the establishment of a Stakeholder Advisory Group in accordance with the Stakeholder Advisory Group Guidelines provided in Attachment 1 with the addition to part 5 of the Stakeholder Advisory Group Membership to invite the immediate past Shire President and Deputy Shire President.</p> | Stakeholder Advisory Group invitations have been forwarded to the identified key stakeholders. | 18-Nov-16 | Completed |
| OCM 25/10/16 | David Klye | Appointment of Bush Fire Control Officer | <p>That Council;</p> <p>1. In accordance with section 38(1) of the Bush Fires Act 1954 appoints Trent Mettam, Ranger as a Fire Control Officer as of 26 October 2016. 2. In accordance with section 38(2)(a) of the Bush Fires Act 1954, give notice of the appointment made in part one of this resolution in a newspaper circulating in the local district.</p> | Public notice place in the Echo newspaper | 06-Oct-16 | Completed |
| OCM 25/10/16 | David Klye | East Kimberley Regional Airport Runway Extension Prefeasibility Study - Review Scope of Works | <p>That Council;</p> <p>1. Receive and note the Officer's report provided as Attachment 3. 2. In its review of the East Kimberley Regional Airport Master Plan consider planning for the construction of a Code 4C compliant (45m wide) runway to enable Code 4C aircraft to operate into and out of Kununurra without dispensations from the Civil Aviation Safety Authority.</p> | planning for the construction of a Code 4C compliant (45m wide) runway is noted for consideration in the review of the East Kimberley Regional Airport Master Plan. | 26-Oct-16 | completed |

Attachment 2 - Outstanding Actions from Previous Council Resolutions

| Meeting | Responsible Officer | Item | Resolution | Progress Comment | Date Actioned | Completed |
|--------------|---------------------|---|--|--|---------------|-------------|
| Aug-12 | Louise Gee | Matters arising from committees of council | That the Audit (Finance and Risk) Committee recommends to Council to require A501 to: 1. Either a. meet their outstanding rates debt on assessment A501 within 60 days; or b. enter into a suitable payment plan approved by the Chief Executive Officer; and 2. Formalise the lease of Lot 472 Great Northern Highway, Wyndham with the Shire within 90 Days | Correspondence provided to A501 and a suitable payment plan has been entered into, with payments commenced. Lease discussions may now commence as the payment plan is in place. | Ongoing | In progress |
| OCM 24/02/15 | Louise Gee | Management of Proposed Reserve - Packsaddle Creek | That item 13.4.7 Management of Proposed Reserve – Packsaddle Creek be deferred to a briefing session. | Matter was discussed at March Briefing Session. Update on situation being sought from Department of Lands so further information can be presented to Council. | 19-Sep-16 | In progress |
| OCM 24/03/15 | Louise Gee | Unnamed Creek Crossing - Victoria Highway | That Council: 1. Directs the Acting Chief Executive Officer to write to the MG Corporation to seek advice from the relevant Traditional Owners on the proposed formal naming of 'Philchowski Crossing', and potential indigenous naming of the creek. 2. Directs the Acting Chief Executive Officer to undertake research and compile supporting documentation to demonstrate Philchowski's contribution to the community or historical significance. 3. Endorses the proposed formal naming of 'Philchowski Crossing', and advises the Geographic Names Committee of its endorsement, subject to adequate supporting documentation being compiled and no objection being received from Traditional Owners. | Letter sent to MG Corporation dated 20 April to seek advice from relevant Traditional Owners. Correspondence received from MG Corporation dated 1 March 2016 advising that the board does not support the formal naming of 'Philchowski Crossing', and have nominated an alternative name. Report presented to the August 2016 Councillor Briefing. Officers are undertaking further research, prior to the matter being considered at a future OCM. | 09-Aug-16 | In progress |
| OCM 28/04/15 | David Klye | Confidential - Legal Claim | That Council; 1. Notes the officer's confidential report and the progress of the General Procedure Claim, 2. Directs the CEO, or their delegate, to legally defend the matter on behalf of the Shire in the abovementioned General Procedure Claim, 3. Approves sufficient provision in the budget to allow for associated legal fees, and 4. Directs the CEO, or their delegate, to provide a report to Council on the status of the matter at the earliest opportunity. | The Claimant has filed a Notice of Discontinuance of Claim with the Court. | 26-Jun-15 | In Progress |
| OCM 28/07/15 | Louise Gee | Request for Lease – Kimberley Action Sports Inc. | That Council request the Chief Executive Officer to commence negotiations with Kimberley Action Sports Inc. for a 10 year lease over a portion of Reserve 30290, Lot 707 Drovers Road Kununurra, subject to the approval of the Minister of Lands. | Letter has been forwarded to Kimberley Action Sports Inc. advising of Council resolution. Draft Lease sent to Kimberley Action Sports 10 February 2016. | 17-Aug-15 | In progress |
| OCM 28/07/15 | Louise Gee | Request for Lease – Kununurra Dragon Boat Club Inc. | That Council request the Chief Executive Officer to enter into negotiations with the Kununurra Dragon Boat Club Inc. for a 10 year lease over a portion of Reserve 41812, Lot 2371 Old Darwin Road Kununurra, subject to the approval of the Minister of Lands. | Letter has been forwarded to Kununurra Dragon Boat Club Inc. advising of Council resolution. Draft Lease sent to Dragon Boat Club 10 February 2016. | 17-Aug-15 | In progress |

| Meeting | Responsible Officer | Item | Resolution | Progress Comment | Date Actioned | Completed |
|--------------|---------------------|---|---|---|---------------|-------------|
| OCM 28/07/15 | Carl Askew | Mediterranean Fruit Fly Eradication Program | That Council consider entering into a Memorandum of Understanding with DAFWA and industry on the following basis: 1. DAFWA continues to fund and maintain the current medfly surveillance program. 2. SWEK will fund medfly eradication programs from its biosecurity reserve, with a maximum exposure being those funds available in the reserve in excess of \$200,000 i.e. currently approximately \$67,000. 3. If an eradication program reduces the reserve balance to below \$200,000, industry will make good the difference to restore the reserve to a balance of \$200,000 (mechanism yet to be determined). 4. The biosecurity reserve be maintained with a balance for now of a minimum \$200,000, to serve as a form of insurance against future pest or disease incursions. 5. A reference group to be established with members from SWEK, DAFWA and industry. The role of the group would be to recommend expenditure from the reserve and to formulate policy in the event of future pest crises. SWEK Council approval would still be required before the reserve could be accessed for response to threats other than medfly. | Letter sent to DAFWA advising of the decision and requesting advice on how to proceed with the eradication program, including indicative cost, and an invoice. Advice also given that SWEK will be in contact shortly to commence the consideration of entering into a MOU. The baiting program is complete and area freedom was reinstated for the area on 5th October. Industry has been notified. Invoice has been paid. In relation to the MOU, DAFWA have requested for an interim group to be formed to progress this - feedback from industry has been minimal. ORDCO are interested in assisting where possible and have volunteered to talk with growers to get some industry participation. Incident debrief was held 19 November 2015. Discussions have occurred in early September regarding the establishment of biosecurity reference group. Department of Agriculture currently liaising with stakeholders. | 24-Aug-16 | In progress |
| OCM 25/08/15 | Louise Gee | Proposed Gravel Reserves | That Council: 1. Requests the Chief Executive Officer to consult with the Darwulah Aboriginal Corporation to obtain written consent for the surrender of the proposed 'King River' gravel area from Lease I837493, and support the realignment of the dedicated road reserve to correspond with the physical location of the constructed King River Road. 2. Requests the Chief Executive Officer to advise the Department of Lands that the Shire of Wyndham East Kimberley: a. agrees to proceed with a future act process to facilitate the creation of reserves for the purpose of gravel supply for road building purposes over the sites identified as 'Afghan Cemetery', 'Mount Albany' and 'Parry Creek', and proposed easement to provide legal access to the 'Afghan Cemetery'. b. indemnifies the Minister for Lands against any costs arising from the future act process. 3. Requests the Chief Executive Officer to advise the Department of Lands that the Shire of Wyndham East Kimberley agrees to pay survey costs associated with: a. the creation of 'Gravel' reserves over the four areas referred to as 'King River', 'Afghan Cemetery', Mt Albany and 'Parry Creek', b. the creation of an easement to provide access to the area referred to as 'Afghan Cemetery'; and c. the realignment of the dedicated road reserve to correspond with the physical location of the constructed King River Road. d. that the estimated total survey costs be acknowledged as \$19,600. | Correspondence sent to DoL advising of Council resolution. Correspondence also sent to Darwulah Aboriginal Corporation in relation to the gravel source along King River Road and the proposed realignment of the dedicated road reserve. The Senior Planning Officer met with Darwulah representatives on 6 October 2015 to discuss the matter. The Senior Planning Officer and Director Infrastructure met again with representatives of the Darwulah Aboriginal Corporation on 18 March 2016. Darwulah Aboriginal Corporation have requested another meeting with the Senior Planning Officer and Shire President. meeting to be arranged between representatives of Darwulah, the Shire and Department of Lands. | 14-Oct-16 | In progress |
| OCM 25/08/15 | Louise Gee | Transient Accommodation - Lot 411 Minijirra Lane, Kununurra | That Council request the Chief Executive Officer to undertake further investigation as part of the Local Planning Scheme review, to consider the introduction of a new or amended use class to appropriately provide for rural workers accommodation and preparation of a subsequent Local Planning Policy. | Land Use definition for Rural Workers Accommodation included in draft Local Planning Scheme No. 9. Officers have commenced desktop audit of accommodation on rural properties, prior to preparation of draft Local Planning Policy. | 15-Aug-16 | In progress |
| OCM 22/09/15 | Louise Gee | Request for Community Lease – Kununurra Bushmen's Rodeo Association | That Council request the Chief Executive Officer to enter into negotiations with the Kununurra Bushmen's Rodeo Association for a lease over a portion of Reserve 30290, Lot 707 Drovers Road Kununurra, subject to the approval of the Minister of Lands. | KBRA have been notified of the intent to commence negotiations. Draft Lease sent to KBRA 10 February 2016. | 01-Oct-15 | In progress |
| OCM 22/09/15 | Louise Gee | Request for Community Lease – Ord Pistol Club | That Council request the Chief Executive Officer to enter into negotiations with the Ord Pistol Club for a lease over a portion of Reserve 31780, Lot 375 Drovers Road Kununurra, subject to the approval of the Minister of Lands. | OPC have been notified of the intent to commence negotiations. Draft Lease has been sent to the Pistol Club (18 January 2016). | 01-Oct-15 | In progress |
| OCM 23/02/16 | Louise Gee | Dual Naming - Barnett River Gorge | That Council resolve to undertake community consultation in relation to the proposal for dual naming or renaming of the Barnett River Gorge. | Community Consultation commenced 22 April 2016. Comment from relevant organisations also being sought. | 19-Sep-16 | In progress |
| OCM 23/02/16 | David Klye | Wyndham Reticulation | That Council request the Chief Executive Officer to provide a report to Council on the Wyndham reticulation system for inclusion in the 2016/17 budget considerations. The report shall include details on the cost to replace the aging public open space reticulation system with an integrated, automatic system. The report should provide budget estimates for the project to be undertaken in stages of between approximately \$100,000 and \$150,000 per annum for consideration in the forthcoming budget deliberations. | Report being prepared. | 24-Feb-16 | In progress |

| Meeting | Responsible Officer | Item | Resolution | Progress Comment | Date Actioned | Completed |
|--------------|---------------------|--|--|---|---------------|-------------|
| OCM 29/03/16 | David Klye | Airport Sculpture | That Council; 1. That the sculpture be placed airside at a site determined by the CEO in accordance with the discussion at Council on 29 March 2016. 2. Note that on completion of the associated signage the sculpture be installed and a formal unveiling organised that includes representatives from Waringarri Aboriginal Arts and local Aboriginal groups. | The sculpture has been installed airside. The artist has been contacted with a request to supply the sign. | 26-May-16 | In progress |
| OCM 29/03/16 | Louise Gee | Request for Lease - Ord River Magpies | That Council request the Chief Executive Officer to enter into negotiations with the Ord River Magpies for a lease over a portion of Lot 504 on Reserve 29799, Kununurra, subject to approval of the Minister of Lands | Awaiting outcomes of lease policy review. Draft lease forwarded to ORMFC, awaiting response. (7/9/16) | 21-Apr-16 | In progress |
| OCM 29/03/16 | Louise Gee | Request for extension of Development Approval - Lot 507 Chestnut Ave - 2 | That Council: 3. Request the Chief Executive Officer to investigate alternate options for expansion of the Child Care facility on lot 506, Chestnut Drive; and 4. Request the Chief Executive Officer to investigate alternate options for the construction of a new Kununurra Neighbourhood House facility. 5. Request the Chief Executive Officer to bring the report on future expansion of child care facilities to Council at a future Briefing Session. | Priority focus has been given to the finalisation of lease negotiations with Kununurra Neighbourhood House. | 21-Apr-16 | In progress |
| OCM 29/03/16 | Carl Askew | Annual General Electors Motions 4 | That Council note that an Indigenous Employment Organisational Directive will be drafted. | Organisational Directive is currently being researched. | 21-Apr-16 | In progress |
| OCM 26/04/16 | Carl Askew | Intent to Review Local Laws | That Council undertake a review of all of its Local Laws in accordance with the <i>Local Government Act 1995 s.3.16</i> and give statewide and local public notice of its intent to undertake a review. | Advertising has taken place and review is under way. | 26-May-16 | In progress |
| OCM 31/05/16 | Louise Gee | Request for Approval to Sublease - Ord River Sports Club | That Council grants approval for the Ord River Sports Club Inc. Sublease of the caretaker dwelling at Lot 2313 Chestnut Avenue, Kununurra with the following conditions: 1. The execution of the Lease between the Shire of Wyndham East Kimberley and the Ord River Sports Club Inc. 2. All terms of the relevant sublease clause within the executed lease are to be met. 3. Approval from the Minister of Lands. | Awaiting execution of the lease. | 01-Jun-16 | In progress |
| OCM 28/06/16 | Carl Askew | Bush Fire Brigade Local Law | That Council, pursuant to Section 3.12 of the Local Government Act 1995, give state-wide public notice that it intends to make the Shire of Wyndham East Kimberley Bush Fire Brigade Local Law 2016 as contained in the attachment to this item, the purpose of which is to make provisions about the organisation, establishment, maintenance and equipment of bush fire brigades. The effect of this Local Law is to align existing local laws with changes in law and operational processes. | Advertising is complete. Report expected to go to Council at December OCM | 17-Nov-16 | In progress |
| OCM 28/06/16 | Carl Askew | Fencing Local Law | That Council, pursuant to Section 3.12 of the Local Government Act 1995, give state-wide public notice that it intends to make the Shire of Wyndham East Kimberley Fencing Local Law 2016 as contained in the attachment to this item, the purpose of which is to prescribe a sufficient fence and the standard for the construction of fences throughout the district. The effect of this Local Law is to establish the minimum requirements for fencing within the district. | Advertising is complete. Report expected to go to Council at December OCM | 17-Nov-16 | In progress |
| OCM 28/06/16 | Carl Askew | Recording of Council, Committee and Elector Meetings | That Council: 1. Adopt the draft policy (as per Attachment 1) for Recording of Council, Committee and Electors Meetings for public advertising for a period of 28 days; 2. Subject to the feedback received in the public advertising period proceed with the acquisition of a wireless audio recording system at a cost of approximately \$35,000 with the inclusion video recording | Public advertising in progress. Seeking quotes for audio and video recording systems | 19-Jul-16 | In progress |
| OCM 28/06/16 | Louise Gee | Draft Kununurra Civic and East Lily Creek Precinct Structure Plans | That Council requests the Chief Executive Officer to advertise the draft Kununurra Civic Precinct and East Lily Creek Structure Plans in accordance with Schedule 2, Part 4, Clause 18 of the Planning and Development (Local Planning Schemes) Regulation 2015. | The draft Structure Plans are on public exhibition until 3 August 2016. Review of submissions being undertaken. | 07-Jul-16 | In progress |
| OCM 28/06/16 | David Klye | Ivanhoe Crossing | That Council; 1. Request a regulatory review of the crossing by Main Roads Western Australia with a view to implementing; a. A speed limit of 10 km/h on the crossing, b. The installation of "Give Way" signs on the crossing. c. Prohibition of stopping on the crossing other than for stopping at the passing bay to allow the passage of oncoming vehicles. 2. Notes that establishment of the speed limit referred to in the decision above may necessitate the establishment of step down limits on both sides of Ivanhoe Crossing. 3. Prohibit the use of the crossing by pedestrians. 4. Prohibit the public from alighting from vehicles on the crossing. 5. Designate Ivanhoe crossing as a single lane crossing. 6. Install signage advising of risks associated with, fast flowing water and strong currents, a slippery or slippery when wet road surface, unprotected edges and drop offs and to drive into the water slowly. 7. Erect appropriate signage to advise and manage the implementation of decisions 1, 3, 4, 5, 6 and 7 above including the meaning and use of the depth markers on the crossing, at an estimated cost of \$6,500 which shall be charged to the Ivanhoe Crossing Reconstruct account. 8. Notes that the additional signage referred to in decisions 1, 3, 4, 5, 6 and 7 above will cost an estimated \$6,500 which shall be funded from the 2015/16 forecast budget surplus. 9. Request the CEO to formally acknowledge and thank the representatives from Water Corporation, Department of Parks and Wildlife and Main Roads Western Australia for their attendance at the public forum and for assisting the Shire in its community consultation. | Awaiting Main Roads Western Australia response to a request for speed limit assessment of the crossing. Acknowledgement and thank you letters sent to representatives from Water Corporation, Department of Parks and Wildlife and Main Roads Western Australia for their attendance at the public forum and for assisting the Shire in its community consultation. Warning and advisory signs to be ordered in November. | 29-Jun-16 | In progress |
| OCM 28/06/16 | David Klye | Disposal of Asset; Weed Harvester | That Council authorise the disposal of the Shire's Weed Harvester (Boat Licence C1471, Plant Number P485) by tender in accordance with the Local Government Act 1995 Section 3.58 with the funds going into the Foreshore Reserve. | Disposal documentation being prepared. Currently awaiting the outcome of an insurance claim for replacement of missing parts. | 29-Jun-16 | In progress |

| Meeting | Responsible Officer | Item | Resolution | Progress Comment | Date Actioned | Completed |
|--------------|---------------------|---|---|--|---------------|-------------|
| OCM 28/06/16 | David Klye | Roadwise | That Council; 1. Approve the installation of two (2) Headlights Save Lives signs on each of the following roads: <ul style="list-style-type: none"> • Kalumburu Road, • Parry Creek Road, and • Duncan Road. 2. Note that the cost of the sign boards will be met by the Roadwise program. 3. Note that the cost of the posts, hardware, installation and ongoing maintenance of the signs will be funded by the Shire from the appropriate maintenance accounts. 4. Elects not to install Roadwise Entry signage at this time. | Roadwise coordinator notified of Council's decision. Awaiting production and delivery of signs for installation. | 29-Jun-16 | In progress |
| OCM 28/06/16 | Carl Askew | CEO Performance Review | That Council appoint John Phillips Consulting to assist Council complete the CEO Performance Review, assist Council to establish a formal process including comprehensive guidelines and detailed Terms of Reference documentation and refer for consideration in the 2016/17, and future budgets, a recurrent allocation of \$10,000 per annum in order to appoint an independent facilitator to undertake the CEO's annual performance review. | On going discussions occurring with appointed consultant | 19-Jul-16 | In progress |
| OCM 26/07/16 | David Klye | Directional Signage | That Council; 1. Establish and maintain a business directional signage register to: <ul style="list-style-type: none"> • ensure that business directional signage is up to date and accurate. • ensure that business directional signage is maintained in an acceptable and safe condition in accordance with the Shire's policy CP/OPS-3655 Directional Signage. 2. In accordance with section 6.19 of the Local Government Act 1995, give local public notice of its intention to apply a fee to process an application, purchase and install business directional signage. 3. In accordance with section 6.16 of the Local Government Act 1995, apply an annual fee to cover the cost of managing signage and maintaining the business directional signage register; <ul style="list-style-type: none"> • The annual fee to cover the cost of managing signage and maintaining the register shall be included in the Shire's 2016/17 Fees and Charges schedule at \$85.00 per annum per sign. 4. Note that the fee to process an application, purchase and install directional signage is identified in the Shire's 2016/17 Fees and Charges schedule as a "Full Cost Recovery" item. 5. Accept existing business directional signs onto the business directional signage register and accept an annual fee for the signage. | Establishment of database commenced | 15-Aug-16 | In progress |
| OCM 5/10/16 | Carl Askew | 12.2.3. November Ordinary Council Meeting | COUNCIL DECISION Minute No: 5/10/16-11502 Commissioner resolved: That Council reschedule the Ordinary Council Meeting approved for 29 November 2016 to 22 November 2016 and request the Chief Executive Officer advertise the change in accordance with the Local Government Act 1995. | Media request with CEO for sign off | 17-Nov-16 | In progress |
| OCM 5/10/16 | Louise Gee | 12.3.2 Community Lease - Lake Kununurra Golf Club | COUNCIL DECISION: Minute No: 5/10/16-11504 Commissioner resolved that the matter of lease and licence for the Lake Kununurra Gold Club Inc. be referred to a future council meeting to allow for additional information to be provided. | Additional follow up being conducted. Awaiting request for authority to lease/licence Levee Bank reserve. | 18-Nov-16 | In Progress |
| OCM 5/10/16 | Louise Gee | 12.3.3. Community Lease - Kununurra Neighbourhood House Inc | Minute No: 5/10/16-11505 Commissioner resolved: That Council authorise the Chief Executive Officer to: 1. Offer Kununurra Neighbourhood House Inc. an Agreement for Lease for Lot 507, Chestnut Avenue Kununurra, for a period of two (2) years. 2. If the Condition Precedents required as outlined in clause 3.2 of the Agreement for Lease are met by the Lessee, offer Kununurra Neighbourhood House Inc. the 21 year lease for Lot 507, Chestnut Avenue Kununurra at the conclusion of the Agreement for Lease. Carried 1/0 | Lawyers notified to finalise lease and Agreement for Lease. Documents to be signed by KNH and returned. | 18-Nov-16 | In Progress |

| Meeting | Responsible Officer | Item | Resolution | Progress Comment | Date Actioned | Completed |
|---------------|-------------------------------|--|---|---|---------------|-------------|
| OCM 5/10/2016 | David Klye | 12.5.3. East Kimberley Regional Airport - Runway Extension Prefeasibility Study - Revised Scope of Works | Minute No: 5/10/16-11511 Commissioner resolved that Council: 1. Requests the CEO, or their delegate, to include the appropriate revisions required to the Business Case and Prefeasibility Study dated August 2016 to incorporate the provision of lighting to Taxiway C (in addition to Taxiway B as previously resolved) including the associated financial implications; 2. Requests the CEO to further investigate the option of constructing the runway extensions to a width of 45 metres and report to Council. | Instruction issued to consultants. | 06-Oct-16 | In Progress |
| OCM 5/10/2016 | Carl Askew | Motion from Cr Perry 13.1 Review of System of Representation | Minute No: 5/10/16-11513 Commissioner resolved: That the incoming Council, to be elected in October 2017, consider a review of its system of representation, exploring whether the current system of no wards in the Shire of Wyndham East Kimberley serves the best interests of their diverse communities. | Deferred until new Council in place | 05-Oct-16 | On Hold |
| OCM 5/10/2016 | Natalie TePohe | 16.1. Request to cease legal action on A1106 | Minute No: 11515 Commissioner resolved: That the Council request the CEO, or their delegate to: 1. Advise the Shire's debt collection agent to cease all further action on assessment A1106. 2. Advise Council if/when the property is being sold and/or the overdue rates and service charges being received by the Shire subsequent to the sale. | Advice being drafted to the debt collection agency. | | In progress |
| OCM 5/10/2016 | Natalie TePohe | 16.2. - Authority to issue a rental garnishee on A1099 | Minute No: 5/10/16-11516 Commissioner resolved: That the Council requests the CEO or their delegate, to advise the Shire's debt collection agent to: 1. Serve notice to the lessee of Assessment A1099 in accordance with section 6.60 of the Local Government Act 1995 requiring the lessee to pay to the Shire the rent due that they would otherwise pay under the lease/tenancy agreement as it falls due in satisfaction of the rates and charges; 2. Provide to the lessor a copy of the notice with an endorsement that the original has been given to the lessee. | Advice being drafted to the debt collection agency. | | In progress |
| SCM 7/10/16 | David Klye Natalie Te Pohe | 15.1 D2 drain - Deed of Agreement with OIC | Minute No: 7/10/2016-11519 Commissioner resolved: That Council: 1. Accepts the offer made by the Ord Irrigation Cooperative in its letter to the Shire of 6 October 2016 for the Ord Irrigation Cooperative and the Ord Irrigation Asset Mutual Co-operative Ltd to relinquish any and all rights, obligations and responsibilities as a consequence of the Deed of Indemnity M1/D2 Shire Drainage Works between the Shire and all other parties, being the Ord Irrigation Cooperative and the Ord Irrigation Asset Mutual Cooperative Limited in exchange for payment of the amount stated in the letter of offer dated 6 October 2016. 2. Accepts payment option one detailed in the letter of offer dated 6 October 2016. 3. The Shire notes in particular that in accordance with the letter of offer made by the Ord Irrigation Cooperative, that all of the Shire's obligations and liability under the Deed of Indemnity M1/D2 Shire Drainage Works cease on full payment of the consideration referred to in points one and two of this decision. 4. Authorises the use of the funds allocated in general ledger account No 02120231 D2 Drain Rehabilitation to dissolve the Deed of Indemnity M1/D2 Shire Drainage Works. 5. Authorises the Chief Executive Officer to negotiate the terms of payment and execute the dissolution of the Deed of Indemnity M1/D2 Shire Drainage Works and report finalisation of the matter to a future Council Meeting. 6. Establish a Drainage Reserve with the purpose of the reserve to be; To establish, repair and maintain Shire drainage infrastructure. | Drainage Reserve requires establishment within the ledger and public notice to be provided. | 06-Oct-16 | In progress |

| Meeting | Responsible Officer | Item | Resolution | Progress Comment | Date Actioned | Completed |
|--------------|---------------------|--------------------|--|---------------------------|---------------|-------------|
| OCM 25/10/16 | Carl Askew | 2017 Meeting Dates | <p>That Council adopt the proposed meeting dates/times and locations for 2017:</p> <p>Month Ordinary Council Meeting Location of OCM January 24 January Kununurra February 28 February Wyndham March 28 March Kununurra April 26 April Kununurra May 23 May Wyndham June 20 June Kununurra July 18 July Kununurra August 22 August Wyndham September 26 September Kununurra October* 22 October – SCM* Kununurra* October 31 October Kununurra November 28 November Wyndham December 19 December Kununurra</p> <p>Note: All meetings will commence at 5.00pm. * Note: Special Council Meeting following Council Elections on Saturday 21 October 2017 to swear in new Council.</p> | Advertising taking place. | 16-Nov-16 | In progress |

12.2.2 Standing Item - Use of the Common Seal

| | |
|---------------------------------|-------------------------------------|
| DATE: | 22 November 2016 |
| AUTHOR: | Executive Assistant |
| RESPONSIBLE OFFICER: | Carl Askew, Chief Executive Officer |
| DISCLOSURE OF INTERESTS: | Nil |

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 21 October 2016 to 15 November 2016.

COUNCIL DECISION

Minute No:

Commissioner resolved:

That Council receives the report on the application of the Shire of Wyndham East Kimberley Common Seal for the period 21 October 2016 to 15 November 2016.

Carried 1/0

PURPOSE

For Council to receive this report on the application of the Shire of East Kimberley Common Seal for the period 21 October 2016 to 15 November 2016.

NATURE OF COUNCIL'S ROLE IN THE MATTER

Regulator - enforce state legislation and local laws

STATUTORY IMPLICATIONS

Local Government Act 1995

9.49A. Execution of documents

- (1) A document is duly executed by a local government if —
- (a) the common seal of the local government is affixed to it in accordance with subsections (2) and (3); or
 - (b) it is signed on behalf of the local government by a person or persons authorised under subsection (4) to do so.

- (2) *The common seal of a local government is not to be affixed to any document except as authorised by the local government.*
- (3) *The common seal of the local government is to be affixed to a document in the presence of —*
 - (a) *the mayor or president; and*
 - (b) *the chief executive officer or a senior employee authorised by the chief executive officer, each of whom is to sign the document to attest that the common seal was so affixed.*
- (4) *A local government may, by resolution, authorise the chief executive officer, another employee or an agent of the local government to sign documents on behalf of the local government, either generally or subject to conditions or restrictions specified in the authorisation.*
- (5) *A document executed by a person under an authority under subsection (4) is not to be regarded as a deed unless the person executes it as a deed and is permitted to do so by the authorisation.*
- (6) *A document purporting to be executed in accordance with this section is to be presumed to be duly executed unless the contrary is shown.*
- (7) *When a document is produced bearing a seal purporting to be the common seal of the local government, it is to be presumed that the seal is the common seal of the local government unless the contrary is shown.*

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

Strategic Community Plan 2012-2022

Goal 1: Strong leadership and governance that underpins a more strategic approach to community engagement, regional development and organisational sustainability

Objective 1.4: Business innovation, efficiency and improved services

Strategy 1.4.1 : Ensure legislative compliance and follow best practice principles in planning and service delivery

RISK IMPLICATIONS

Nil

COMMUNITY ENGAGEMENT

No community engagement is required.

COMMENTS

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

| Date of Use | Document |
|--------------------|--|
| 25/10/2016 | Variation to Agricultural Society Lease |
| 26/10/2016 | Amendment No.36 to Town Planning Scheme 7 - Kununurra and Environs |

ATTACHMENTS

Nil

12.3 COMMUNITY DEVELOPMENT

12.3.1 Hire of Banner Poles

| | |
|---------------------------------|--|
| DATE: | 22 November 2016 |
| AUTHOR: | Manager Community Services |
| RESPONSIBLE OFFICER: | Louise Gee, Director Community Development |
| FILE NO: | CM.11.2 |
| DISCLOSURE OF INTERESTS: | Nil |

VOTING REQUIREMENT

Simple Majority

OFFICER'S RECOMMENDATION

That Council endorse the draft Hire of Banner Poles Policy to be advertised for public comment for a period of 28 days.

COUNCIL DECISION

Minute No: 22/11/16-11540

Commissioner resolved:

That Council endorse the draft Hire of Banner Poles Policy to be advertised for public comment for a period of 28 days.

Carried 1/0

PURPOSE

For Council to endorse the draft Hire of Banner Poles Policy for public advertising. Feedback received will be considered prior to the Policy being presented to Council for adoption.

NATURE OF COUNCIL'S ROLE IN THE MATTER

Provider - provide physical infrastructure and essential services

BACKGROUND/ PREVIOUS CONSIDERATIONS BY COUNCIL/ COMMITTEE

There are currently two sets of banner poles within the Shire, in Kununurra along Messmate Way, and in Wyndham along the Great Northern Highway. The banner poles allow the display of banners 2065 mm x 1000mm for the purpose of advertising public events, Shire branding and other community purposes such as Christmas.

The Building Application for the banner poles along Messmate Drive Kununurra was submitted on behalf of Ord Valley Events Inc, by the Kununurra Visitor Centre, in May 2013.

The purpose of the poles were to promote the annual Ord Valley Muster. The Kununurra Visitor Centre advised on 21 February 2013 that Ord Valley Events would pay for the infrastructure and they would be made available to the Shire to use for events and promotion when not required by Ord Valley Events. The Shire would have full control over the poles and could allow community groups use of them as they see fit.

These banner poles have been used annually by Ord Valley Events for the Ord Valley Muster however, other than this the poles have not been utilised until late 2015 when they were used for the Shire's Christmas banners.

The Shire's Christmas banners were positively received by the public in both towns, and the Shire sees a great benefit in providing this service to the community. Regular use of the banner poles will be a simple way to create vibrancy and serve as an important communication tool in promoting events and activities within the Shire.

STATUTORY IMPLICATIONS

Nil

POLICY IMPLICATIONS

This Policy will be advertised for public comment, with this feedback considered before presenting the final Policy for endorsement.

FINANCIAL IMPLICATIONS

Due to the location of the poles, a generic Traffic Management Plan is required for the installation and removal of banners to the current banner poles. This is estimated to cost up to \$1,000. Applicants would be responsible for the organisation and costs associated with the manufacture of the banners and installation and removal by a qualified contractor.

STRATEGIC IMPLICATIONS

Strategic Community Plan 2012-2022

Goal 3: Protection and enhancement of lifestyle values, community facilities and the environment to provide safe and inviting communities.

Objective 3.3: Towns are safe and inviting for locals and tourists

Strategy 3.3.1 : Improve streetscapes in town and urban centres incorporating public art and 'designing out crime' principles

Strategy 3.3.2 : Promote greater vibrancy and activity within town centres, particularly through a mix of restaurants and accommodation.

RISK IMPLICATIONS

Nil

COMMUNITY ENGAGEMENT

Engagement will take place in accordance with the Shire's Community Engagement Guidelines and will include the advertising of the draft Policy for a minimum period of 28 days.

COMMENTS

The purpose of this Policy is to provide guidelines on the utilisation by the community of the banner poles located in Kununurra and Wyndham.

These guidelines will ensure that:

- Public liability risk to the Shire is mitigated
- Banner pole use has minimal financial impact on the Shire
- Banner pole use is equitable and transparent
- Banner pole use provides positive community benefit.

The Draft Hire of Banner Pole Policy and accompanying Draft Banner Pole Hire Application Form were reviewed by the Shire of Wyndham East Kimberley's insurer LGIS to ensure best practice and reduce risk to the Shire. LGIS suggested that the Shire include the banner poles into the routine maintenance schedule to ascertain any damage to the poles and/or banners. As the Wyndham Banner Poles are located within Main Roads WA road reserve, Main Roads have also reviewed these documents to ensure compliance with their requirements and specifications.

ATTACHMENTS

Attachment 1 - Draft Hire of Banner Pole Policy

Attachment 2 - Draft Banner Pole Hire Application Form



| | | |
|--|---|----------------------------|
| POLICY NO | *** To be supplied by Governance once adopted by Council | |
| POLICY | Hire of Banner Poles | |
| RESPONSIBLE DIRECTORATE | Community Development | |
| RESPONSIBLE OFFICER | Community Development Officer | |
| COUNCIL ADOPTION | Date: Insert Date Adopted | Resolution No: Insert Here |
| REVIEWED/MODIFIED | Date: | Resolution No: |
| | Date: | Resolution No: |
| REVIEW DUE | Date: September 2018 | |
| LEGISLATION | <i>Shire of Wyndham East Kimberley Local Government Property Local Law 2003</i> | |
| RELATED POLICIES | CP-FIN 3211 Fees and Charges Pricing Policy | |
| RELATED ORGANISATIONAL DIRECTIVES | Nil | |

PURPOSE:

The purpose of this policy is to provide clear guidance for the management of the Shire banner poles located in Messmate Drive, Kununurra and Great Northern Highway, Wyndham.

DEFINITIONS:

Nil

POLICY STATEMENTS:

The Shire of Wyndham East Kimberley banner poles are available for use by organisations wishing to publicise forthcoming events, activities or campaigns approved by the Shire.

Events to be promoted on the Shire's banner poles must be:

- An event run by a not-for-profit organisation;
- An event run by a government organisation that is of interest to the general public; or
- A major event that promotes and attracts large numbers of local, interstate and overseas visitors to the Shire of Wyndham East Kimberley.

Bookings and Applications

The minimum hire period for banner poles is one week per booking, with the maximum booking period being four weeks, unless otherwise approved. The booking period is from Friday to Friday. Bookings can be made up to one year in advance.

Hire of the Kununurra banner poles are reserved from 1 March - 31 May for the annual Ord Valley Muster. Hire of both the Kununurra and Wyndham banner poles are reserved from 1 December – 10 January annually for the Shire's Christmas banners.

An application form must be completed including details of the banner design, and submitted to the Shire a minimum of three months prior to the proposed period of use. Public Liability Insurance to a value not less than \$10 Million must be included.

The installation and removal of the banners must be organised by the applicant, in accordance with any Traffic Management requirements. The Shire will not reimburse the

applicant for any damage or theft incurred to their banner whilst being displayed. The cost of production of the banners will be met in full by the applicant.

Any application for the hire of the Wyndham banner poles will also require the approval of Main Road Western Australia. The Shire will provide written approval which may include conditions that must be adhered to by the applicant.

Location of Banner Poles

There are eight banner poles located on Messmate Drive Kununurra, and six banner poles located on Great Northern Highway Wyndham. Each banner pole has been allocated a number, as noted on the Hire of Banner Poles Application Form, for easy identification.

Design Guidelines

All banners are to adhere to the following guidelines:

- The banner is to be of a high standard of presentation, visually pleasing, and containing concise wording which can be easily read by motorists and pedestrians;
- All sponsorship advertisement on banners is limited to 20% of the total banner area;
- The banner is to contain no advertising of alcohol or tobacco products;
- The banner is to comply with the design specifications as outlined in the Hire of Banner Poles Application Form; and
- Banners may be reused for future bookings provided they are well maintained and of a high standard of presentation.

All designs are to be approved by the Shire prior to installation.

EXPLANATORY NOTES:

Nil

RISK:

Risk: Inability to deliver levels of service expected by the community.

Control: Clear guidance for management of the banner poles to determine expected level of service.



PO Box 614 Kununurra 6743
20 Coolibah Drive KUNUNURRA

Koolama Street WYNDHAM

T | 9168 4100

F | 9168 1798

E | mail@swek.wa.gov.au

W | www.swek.wa.gov.au

8.00am - 4.00pm MON - FRI

Banner Pole Hire Application

This form is for the purpose of requesting permission to display banners on the Shire of Wyndham East Kimberley's banner poles, located in Messmate Drive Kununurra and Great Northern Highway Wyndham.

The Shire of Wyndham East Kimberley banner sites are available for use by organisations wishing to publicise forthcoming events, activities or campaigns approved by the Shire.

Events to be promoted on the Shire's banner poles must be:

- An event run by a not-for-profit organisation;
- An event run by a government organisation that is of interest to the general public; or
- A major event that promotes and attracts large numbers of local, interstate and overseas visitors to the Shire of Wyndham East Kimberley.

For further information or queries please contact the Shire's Community Development Officer on mail@swek.wa.gov.au or 08 9168 4100.

DRAFT

1. APPLICANT

| | | | | | |
|---------------------|------------|--------|--|--|--|
| Organisation Name | | | | | |
| Contact Name | | | | | |
| Postal address | | | | | |
| Residential address | | | | | |
| Home phone | Work phone | Mobile | | | |
| Email | | | | | |

2. APPLICATION DETAILS

| | |
|--|--|
| Required Banner Pole/s: | |
| Date/s Required: Note. Bookings are Friday to Friday <i>Please note: Applicants must ensure Banner Designs are included within the application submission.</i> | |

2016 2017

| January <table border="1"> <tr><th>Su</th><th>Mo</th><th>Tu</th><th>We</th><th>Th</th><th>Fr</th><th>Sa</th></tr> <tr><td></td><td></td><td></td><td></td><td></td><td>1</td><td>2</td></tr> <tr><td>3</td><td>4</td><td>5</td><td>6</td><td>7</td><td>8</td><td>9</td></tr> <tr><td>10</td><td>11</td><td>12</td><td>13</td><td>14</td><td>15</td><td>16</td></tr> <tr><td>17</td><td>18</td><td>19</td><td>20</td><td>21</td><td>22</td><td>23</td></tr> <tr><td>24</td><td>25</td><td>26</td><td>27</td><td>28</td><td>29</td><td>30</td></tr> <tr><td>31</td><td></td><td></td><td></td><td></td><td></td><td></td></tr> </table> | Su | Mo | Tu | We | Th | Fr | Sa | | | | | | 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 | 12 | 13 | 14 | 15 | 16 | 17 | 18 | 19 | 20 | 21 | 22 | 23 | 24 | 25 | 26 | 27 | 28 | 29 | 30 | 31 | | | | | | | February <table border="1"> <tr><th>Su</th><th>Mo</th><th>Tu</th><th>We</th><th>Th</th><th>Fr</th><th>Sa</th></tr> <tr><td></td><td></td><td>1</td><td>2</td><td>3</td><td>4</td><td>5</td></tr> <tr><td>6</td><td>7</td><td>8</td><td>9</td><td>10</td><td>11</td><td>12</td></tr> <tr><td>13</td><td>14</td><td>15</td><td>16</td><td>17</td><td>18</td><td>19</td></tr> <tr><td>20</td><td>21</td><td>22</td><td>23</td><td>24</td><td>25</td><td>26</td></tr> <tr><td>27</td><td>28</td><td>29</td><td></td><td></td><td></td><td></td></tr> </table> | Su | Mo | Tu | We | Th | Fr | Sa | | | 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 | 12 | 13 | 14 | 15 | 16 | 17 | 18 | 19 | 20 | 21 | 22 | 23 | 24 | 25 | 26 | 27 | 28 | 29 | | | | | March <table border="1"> <tr><th>Su</th><th>Mo</th><th>Tu</th><th>We</th><th>Th</th><th>Fr</th><th>Sa</th></tr> <tr><td></td><td></td><td></td><td></td><td></td><td></td><td>1</td></tr> <tr><td>2</td><td>3</td><td>4</td><td>5</td><td>6</td><td>7</td><td>8</td></tr> <tr><td>9</td><td>10</td><td>11</td><td>12</td><td>13</td><td>14</td><td>15</td></tr> <tr><td>16</td><td>17</td><td>18</td><td>19</td><td>20</td><td>21</td><td>22</td></tr> <tr><td>23</td><td>24</td><td>25</td><td>26</td><td>27</td><td>28</td><td>29</td></tr> <tr><td>30</td><td>31</td><td></td><td></td><td></td><td></td><td></td></tr> </table> | Su | Mo | Tu | We | Th | Fr | Sa | | | | | | | 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 | 12 | 13 | 14 | 15 | 16 | 17 | 18 | 19 | 20 | 21 | 22 | 23 | 24 | 25 | 26 | 27 | 28 | 29 | 30 | 31 | | | | | | January <table border="1"> <tr><th>Su</th><th>Mo</th><th>Tu</th><th>We</th><th>Th</th><th>Fr</th><th>Sa</th></tr> <tr><td>1</td><td>2</td><td>3</td><td>4</td><td>5</td><td>6</td><td>7</td></tr> <tr><td>8</td><td>9</td><td>10</td><td>11</td><td>12</td><td>13</td><td>14</td></tr> <tr><td>15</td><td>16</td><td>17</td><td>18</td><td>19</td><td>20</td><td>21</td></tr> <tr><td>22</td><td>23</td><td>24</td><td>25</td><td>26</td><td>27</td><td>28</td></tr> <tr><td>29</td><td>30</td><td>31</td><td></td><td></td><td></td><td></td></tr> </table> | Su | Mo | Tu | We | Th | Fr | Sa | 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 | 12 | 13 | 14 | 15 | 16 | 17 | 18 | 19 | 20 | 21 | 22 | 23 | 24 | 25 | 26 | 27 | 28 | 29 | 30 | 31 | | | | | February <table border="1"> <tr><th>Su</th><th>Mo</th><th>Tu</th><th>We</th><th>Th</th><th>Fr</th><th>Sa</th></tr> <tr><td></td><td></td><td></td><td></td><td></td><td></td><td>1</td></tr> <tr><td>2</td><td>3</td><td>4</td><td>5</td><td>6</td><td>7</td><td>8</td></tr> <tr><td>9</td><td>10</td><td>11</td><td>12</td><td>13</td><td>14</td><td>15</td></tr> <tr><td>16</td><td>17</td><td>18</td><td>19</td><td>20</td><td>21</td><td>22</td></tr> <tr><td>23</td><td>24</td><td>25</td><td>26</td><td>27</td><td>28</td><td>29</td></tr> <tr><td>30</td><td>31</td><td></td><td></td><td></td><td></td><td></td></tr> </table> | Su | Mo | Tu | We | Th | Fr | Sa | | | | | | | 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 | 12 | 13 | 14 | 15 | 16 | 17 | 18 | 19 | 20 | 21 | 22 | 23 | 24 | 25 | 26 | 27 | 28 | 29 | 30 | 31 | | | | | | March <table border="1"> <tr><th>Su</th><th>Mo</th><th>Tu</th><th>We</th><th>Th</th><th>Fr</th><th>Sa</th></tr> <tr><td></td><td></td><td></td><td></td><td></td><td></td><td>1</td></tr> <tr><td>2</td><td>3</td><td>4</td><td>5</td><td>6</td><td>7</td><td>8</td></tr> <tr><td>9</td><td>10</td><td>11</td><td>12</td><td>13</td><td>14</td><td>15</td></tr> <tr><td>16</td><td>17</td><td>18</td><td>19</td><td>20</td><td>21</td><td>22</td></tr> <tr><td>23</td><td>24</td><td>25</td><td>26</td><td>27</td><td>28</td><td>29</td></tr> <tr><td>30</td><td>31</td><td></td><td></td><td></td><td></td><td></td></tr> </table> | Su | Mo | Tu | We | Th | Fr | Sa | | | | | | | 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 | 12 | 13 | 14 | 15 | 16 | 17 | 18 | 19 | 20 | 21 | 22 | 23 | 24 | 25 | 26 | 27 | 28 | 29 | 30 | 31 | | | | | | | | | | | | | | | | | | | |
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| Su | Mo | Tu | We | Th | Fr | Sa | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
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| Su | Mo | Tu | We | Th | Fr | Sa | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
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| Su | Mo | Tu | We | Th | Fr | Sa | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
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| 23 | 24 | 25 | 26 | 27 | 28 | 29 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
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| Su | Mo | Tu | We | Th | Fr | Sa | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
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| 9 | 10 | 11 | 12 | 13 | 14 | 15 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
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| Su | Mo | Tu | We | Th | Fr | Sa | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
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| 2 | 3 | 4 | 5 | 6 | 7 | 8 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 9 | 10 | 11 | 12 | 13 | 14 | 15 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 16 | 17 | 18 | 19 | 20 | 21 | 22 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 23 | 24 | 25 | 26 | 27 | 28 | 29 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
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| Su | Mo | Tu | We | Th | Fr | Sa | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
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| Su | Mo | Tu | We | Th | Fr | Sa | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
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| Su | Mo | Tu | We | Th | Fr | Sa | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
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| 9 | 10 | 11 | 12 | 13 | 14 | 15 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
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| 23 | 24 | 25 | 26 | 27 | 28 | 29 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 30 | 31 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Su | Mo | Tu | We | Th | Fr | Sa | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
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| Su | Mo | Tu | We | Th | Fr | Sa | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
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| 9 | 10 | 11 | 12 | 13 | 14 | 15 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 16 | 17 | 18 | 19 | 20 | 21 | 22 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 23 | 24 | 25 | 26 | 27 | 28 | 29 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
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| Su | Mo | Tu | We | Th | Fr | Sa | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
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| Su | Mo | Tu | We | Th | Fr | Sa | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
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| Su | Mo | Tu | We | Th | Fr | Sa | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
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| Su | Mo | Tu | We | Th | Fr | Sa | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
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| 9 | 10 | 11 | 12 | 13 | 14 | 15 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 16 | 17 | 18 | 19 | 20 | 21 | 22 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 23 | 24 | 25 | 26 | 27 | 28 | 29 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 30 | 31 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Su | Mo | Tu | We | Th | Fr | Sa | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
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| Su | Mo | Tu | We | Th | Fr | Sa | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
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| Su | Mo | Tu | We | Th | Fr | Sa | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
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| Su | Mo | Tu | We | Th | Fr | Sa | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
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Conditions of Hire

I / we acknowledge, accept and will abide by the terms and conditions of Hire outlined below. Failure to abide with the conditions below may result in future bookings being cancelled and no future bookings being accepted.

1. Banners are only permitted where existing banner poles have been erected. No other banner locations will be permitted. Refer to Appendix 1 and 2 for banner pole locations in Kununurra and Wyndham.
2. The Banner Poles in Wyndham must be hired as a group to ensure banner unison. When hiring as a group, banners are not required to be erected on every banner pole.
3. Banners must conform to the banner specifications outlined in Appendix 1 and 2.
4. The material used must be of sufficient durability to conform to the location and environmental conditions.
5. Banners must be maintained to a good standard throughout the course of display. Any banner that has a neglected, shabby appearance will be removed by Shire officers at the applicant's expense.
6. Banners that have been damaged by certain weather conditions will be removed by the Shire at the applicant's expense.
7. Banners must be firmly in place in accordance with the appropriate fixing procedures for the hanging system. Failure to do so will result the Shire to removing the banner at the applicant's expense.
8. The Applicant, their personnel, contractors and sub-contractors must comply in all respects with the requirements of all laws in the installation and dismantling of the banners at particular locations. E.g. Traffic Management, OSH.
9. Under no circumstances should a commercial sponsor be advertised on more than 20% of the total banner area.
10. Specific conditions of hire may apply, which if applicable, will be outlined in the confirmation letter.
11. Applicants are required to submit Banner designs at the time of application.

Periods of Hire

12. The minimum hire period for banner poles is one week per booking, with the maximum booking period being four weeks, unless otherwise approved.
13. The booking period is from Friday to Friday. Bookings can be made up to one year in advance.
14. Bookings of the Kununurra Banner Poles only are reserved from 1 March - 31 May for the annual Ord Valley Muster. The Wyndham Banner Poles are still available for hire during this period.
15. Bookings of both the Kununurra and Wyndham Banner Poles are reserved from 1 December to 10 January annually for the Shire's Christmas Banners.

Application Process

16. An application form must be completed including details of the banner design, and submitted to the Shire a minimum of three months prior to the proposed period of use.
17. Hire of the Wyndham banner poles are also subject to the approval of Main Roads WA.
18. The Shire will process the application and respond within 10 working days.
19. The Applicant is also required to provide a list of key contact personnel within the organisation at least 2 weeks prior to the display period.

Location of Banner Poles

20. There are eight banner poles located on Messmate Drive Kununurra, and six banner poles located on Great Northern Highway Wyndham.
21. Please refer to Appendix 1 and 2 for locations of banner poles.

Design Guidelines

All banners are to adhere to the following:

- 22. The banner is to be of a high standard of presentation, visually pleasing, and containing concise wording which can be easily read by motorists and pedestrians.
- 23. Banner text must be a minimum of 38cm in height, with text length kept to a minimum.
- 24. Banner design should not resemble traffic signage and not encourage drivers to stop or turn suddenly. Block colours of white, red and black should be avoided.
- 25. All sponsorship advertisement on banners is limited to 20% of the total banner area.
- 26. The banner is to contain no advertising of alcohol or tobacco products.
- 27. Banners may be reused for future bookings provided they are well maintained and of a high standard of presentation.

Insurance

- 28. The Applicant is required to obtain and maintain Public liability insurance with a minimum limit of liability of \$10,000,000 which covers the Applicant in respect of:
 - 28.1. loss of, damage to, or loss of use of, any real or personal property; and
 - 28.2. the bodily injury of, disease or illness (including mental illness) to, or death of, any person (other than liability which is required by any Legal Requirement to be insured under a workers' compensation policy).
- 29. The Insurance must come into effect on or before the Start Date and be maintained until the End Date of the event.
- 30. A copy of the certificate of currency is to be provided to the Shire 2 weeks prior to the display period.
- 31. The Applicant must give the Shire at least 20 Business Days prior notice of cancellation, non-renewal or a material alteration of the Insurance.

Indemnity

- 32. The Hirer/s hereby indemnifies and agrees to keep indemnified the Shire of Wyndham East Kimberley and its officers, employees, agents, contractors and invitees from and against any loss, damage or claim that it may pay, suffer or incur or that may be made against it in connection or arising out of the hire of the banner poles, arising out of a failure to comply with the terms and conditions of hire, the design of the banner or any wilful misconduct or negligent act or omission by the Hirer or any of their employees, agents, contractors, visitors and invitees; except to the extent that any such loss or claim or damage is partially or wholly attributable to any negligent act or omission or wilful misconduct on the part of the Shire of Wyndham East Kimberley or its officers and employees.
- 33. The Shire of Wyndham East Kimberley need not incur any costs or make any payment before enforcing any right of indemnity under this clause.

Declaration

I acknowledge that the information supplied on this application is true and correct, and that I have read and agree to the above Conditions of Hire.

.....

Applicant Signature Date / /

Checklist

| List of Actions | Time Frame | Applicant | Office Use |
|--|------------|-----------|------------|
| Submission of completed application form and banner designs | 3 months | | |
| Submission of Public Liability Insurance – Certificate of Currency | 2 weeks | | |
| Key Personnel Contact List | 2 weeks | | |

OFFICE USE ONLY

3. APPROVAL

| | | |
|---------------------------------------|--|---|
| Banner Pole Hire Application approved | | Y <input type="checkbox"/> N <input type="checkbox"/> |
| Approving Officer Name | | |
| Approving Officer Title | | |

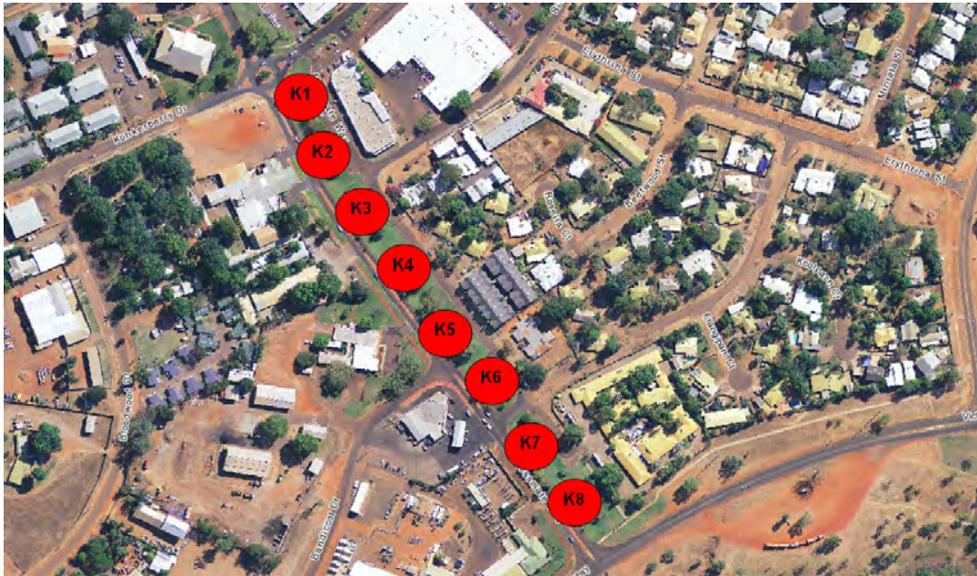
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Appendix 1

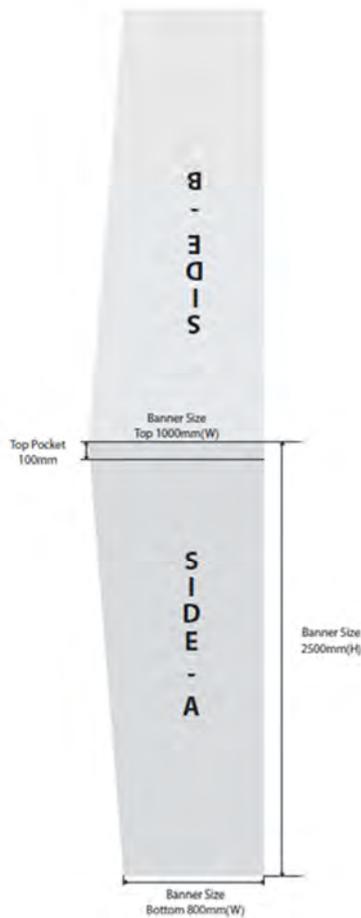
Kununurra Banner Poles

Banner Pole Locations

The Banner Poles within Kununurra are located on the grassed strip on Messmate Drive. Locations and Pole IDs can be found in the below diagram.



Kununurra Banner Specifications

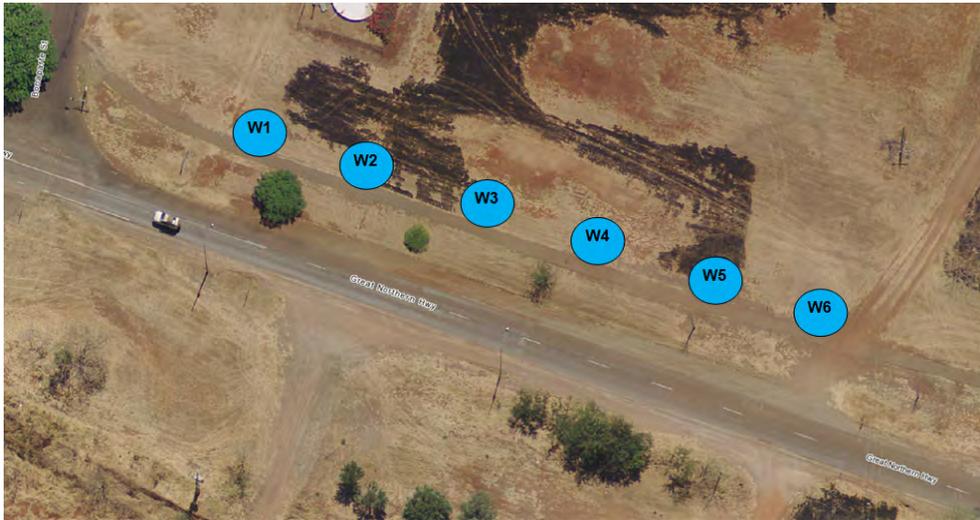


Appendix 2

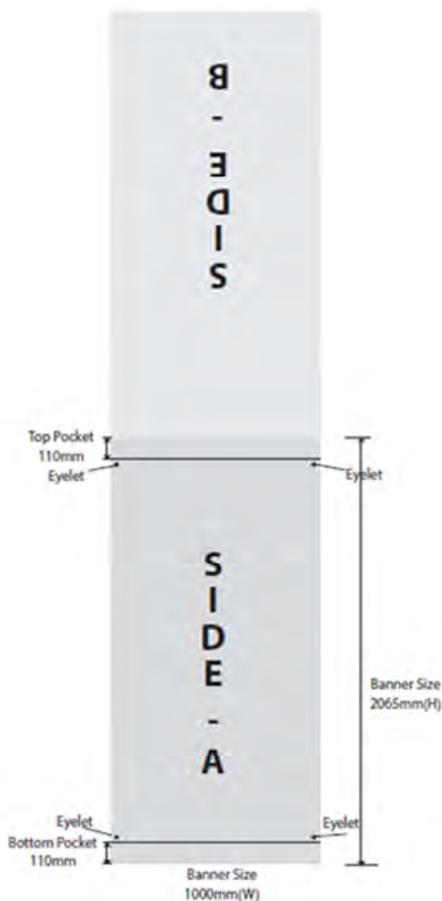
Wyndham Banner Poles

Banner Pole Locations

The Banner Poles within Wyndham are located on Great Northern Highway as you enter the town. Locations and Pole IDs can be found in the below diagram.



Wyndham Banner Specifications



12.3.2 Draft Local Planning Strategy and Draft Local Planning Scheme No. 9

| | |
|---------------------------------|--|
| DATE: | 22 November 2016 |
| AUTHOR: | Senior Planning officer |
| RESPONSIBLE OFFICER: | Louise Gee, Director Community Development |
| FILE NO: | LP.02.3, LP.05.1 |
| DISCLOSURE OF INTERESTS: | Nil |

VOTING REQUIREMENT

Simple Majority

OFFICER'S RECOMMENDATION

That Council:

1. Notes the submissions received on the draft Shire of Wyndham East Kimberley Local Planning Strategy and draft Local Planning Scheme No. 9.
2. In accordance with Regulation 14(2) of the *Planning and Development (Local Planning Schemes) Regulations 2015*, supports the draft Shire of Wyndham East Kimberley Local Planning Strategy with proposed modifications, as itemised in *Schedule of Proposed Modifications to the draft Local Planning Strategy* at Attachment 5, to address issues raised in the submissions.
3. In accordance with Regulation 25(3) of the *Planning and Development (Local Planning Schemes) Regulations 2015*, supports the draft Shire of Wyndham East Kimberley Local Planning Scheme No. 9 with proposed modifications, as itemised in the *Schedule of Modifications to draft Local Planning Scheme No. 9* at Attachment 6, to address issues raised in the submissions.
4. Requests the Chief Executive Officer to submit copies of the following documents to the Western Australian Planning Commission for endorsement:-
 - a) advertised draft Shire of Wyndham East Kimberley Local Planning Strategy and Local Planning Scheme No. 9
 - b) the schedule of the public submissions received as outlined in Attachment 1
 - c) the proposed modifications to the draft Local Planning Strategy as outlined in Attachment 5
 - d) the proposed modifications to the draft Local Planning Scheme No. 9 as outlined in Attachment 6.

At the request of the Commissioner this item will be considered at both the Ordinary Council Meetings to be held on 22 November 2016 in Wyndham and 20 December in Kununurra.

COUNCIL DECISION

Minute No: 22/11/16-11541

Commissioner resolved:

That the Officer's Recommendation be amended at point 1 to include the following additional comments;

- a. Council acknowledge the submission in regards to proposed Residential R20 to R15 on map 13 (Timor Street to Cambridge Street – on Great Northern Highway) and agrees to leave the zoning as Residential R15.**

Carried 1/0

The Commissioner drew attention to the notes within the Agenda that this report will be considered at both the November and December Ordinary Council Meetings to allow residents from both towns to attend.

PURPOSE

For Council to consider submissions received on the draft Local Planning Strategy and draft Local Planning Scheme No. 9.

NATURE OF COUNCIL'S ROLE IN THE MATTER

Advocator - advocate and support initiatives on behalf of the community and the Kimberley Leader - plan and provide direction through policy and practices
Regulator - enforce state legislation and local laws

BACKGROUND/ PREVIOUS CONSIDERATIONS BY COUNCIL/ COMMITTEE

Local governments are required to maintain a local planning scheme in accordance with the *Planning and Development Act 2005*. The local planning scheme establishes the standards and requirements for planning and land use within the area. Local governments are also required to prepare a local planning strategy which sets out the long term vision for the local government area, and provides the strategic basis for the development of a contemporary local planning scheme for the local government area.

At the Ordinary Council Meeting of 24 February 2015 Council adopted the draft Local Planning Strategy and draft Local Planning Scheme No. 9 (Minute No. 10804 & 10805), and resolved to refer the documents to the Western Australian Planning Commission (WAPC) and the Environmental Protection Authority (EPA) as required to enable the consent to advertise the documents for public comment.

On 3 June 2015 the WAPC advised that the draft Strategy and Scheme could be advertised, subject to modifications being made to the draft documents prior to advertising. These modifications were made in consultation with the Department of Planning (DoP) over a number of months, and on 12 February 2016 the DoP approved the modified documents for advertising.

Accordingly, the draft Strategy and Scheme were made available for inspection and submissions from 10 March 2016 to 10 June 2016, during which time a total of 77 submissions were received.

Since that time, officers have reviewed the submissions received, again in consultation with the DoP, and have recommended a number of further modifications to the documents in light of the submissions received for the consideration of Council.

STATUTORY IMPLICATIONS

Planning and Development (Local Planning Schemes) Regulations 2015

The *Planning and Development (Local Planning Schemes) Regulations 2015* (LPS Regulations), outlines the process required to be followed for the preparation and adoption of local planning strategies and local planning schemes.

Local governments are required to prepare new local planning schemes based on the model provisions for local planning schemes included in the LPS Regulations. The purpose of the model provisions is to ensure a level of consistency between all local planning schemes, and make it easier for the community, local governments and State Government to understand and implement a scheme through a consistent structure, approach and provisions (wherever possible).

The LPS Regulations also include 'deemed provisions' for local planning schemes, standard provisions for various administrative matters including preparing local planning policies, heritage matters and procedures for dealing with planning applications. These provisions apply to all local planning schemes across Western Australia.

POLICY IMPLICATIONS

State Planning Policies

State Planning Policies are prepared by the WAPC, and address various matters including rural lands and agriculture, industrial development, residential development, commercial development, environmental protection, Aboriginal settlements, natural hazards and transport planning.

Local governments are required to comply with these policies when preparing local planning strategies and schemes. The Department of Planning, WAPC and Minister for Planning will assess the Shire's new Local Planning Scheme against these policies and may direct changes to be made if deemed necessary.

Local Planning Policies

Local planning policies are prepared under the provisions of the deemed provisions of the LPS Regulations, but do not form part of the Scheme. Policies do not bind the Shire in respect of any decision making, but the Shire is required to have due regard to the provisions of a policy in making decisions.

There is likely to be future implications for the review of, or preparation of, the local planning policies which are required to be consistent with the Local Planning Strategy. As such, it is intended to undertake a review of the Shire's Local Planning Policy Manual following approval of the Strategy and Scheme.

FINANCIAL IMPLICATIONS

The review of the Local Planning Strategy was funded through a grant received through the Northern Planning Program, for which Council budgeted for a total project cost (\$87,029.09), which has been expended since 2014. A separate amount of \$30,000 was budgeted for the Local Planning Scheme review.

Once the draft documents have been reviewed by the WAPC, any additional funds required will go towards undertaking any required modifications and advertising costs.

STRATEGIC IMPLICATIONS

Strategic Community Plan 2012-2022

Goal 1: Strong leadership and governance that underpins a more strategic approach to community engagement, regional development and organisational sustainability

Objective 1.1 : Strong community engagement

Objective 1.3 : Advocacy of East Kimberley issues and opportunities at regional, state and national levels

Objective 1.4 : Business innovation, efficiency and improved services

Strategy 1.1.2 : Improve planning processes to ensure broader engagement and identification of relevant issues from all parties.

Strategy 1.3.1 : Actively provide input to decision making at the Regional, State and Federal levels on behalf of the community

Strategy 1.4.1 : Ensure legislative compliance and follow best practice principles in planning and service delivery

RISK IMPLICATIONS

Failure to comply with legislative requirements leading to damage of reputation and/or financial loss.

COMMUNITY ENGAGEMENT

Engagement has taken place in accordance with the Shire's Community Engagement Guidelines and included:

- Notice in the Kimberley Echo on the 10 and 17 March 2016.
- Information stalls at the Kununurra Markets on 14 April 2016 and 14 May 2016.
- Community Open Houses at the Shire's Kununurra Administration Offices on 3 and 23 May 2016 and Wyndham Administration Offices on 5 and 25 May 2016.
- Notification letters to relevant government agencies, stakeholders and affected landowners.
- Notification via Facebook.

The draft documents were available for inspection at the Shire's Administration Offices in both Wyndham and Kununurra, the Kununurra School and Community Library, the Department of Planning/WAPC offices in Perth, and available for download from both the Shire's and DoP website between the 10 March 2016 and 10 June 2016.

A total of 77 submissions were received from 74 submitters. The submissions received are outlined in the table at Attachment 1.

COMMENTS

The majority of submissions received were in relation to the proposed draft Local Planning Scheme No. 9, with a number of key issues emerging, as follows:

- Objection to the proposed increase of residential densities in Lakeside (Kununurra) to R25.
- Concern about rezoning of existing Rural Industry (TPS 7) lots to Agriculture – State or Regional Significance (Rural Ag 1) and Local Horticulture (Rural Ag 2).
- Objection to the rezoning of Old Darwin Precinct to Rural Residential.
- Concern about the lack of available Light and General Industry land within Kununurra, particularly as a result of the proposed rezoning of Weaber Plain Light Industrial Area from Light Industry to Composite Industry.
- Concern about the objectives, development provisions and non-agricultural land uses allowed in the Local Horticulture Zone (Rural Agriculture 2).
- Objections to the proposed increase in residential densities in Three Mile, Wyndham to R20, R25 and R30.
- Concern about the rezoning of some residential properties in Wyndham to Rural Townsite.
- Concern about development within the Environmental Conservation Reserve adjoining and overlapping Jabiru and Packsaddle Road properties.

These key issues are summarised in the “*Schedule of Recommended Modifications to draft Local Planning Scheme No. 9*” at Attachment 2, with recommended modifications to the draft Scheme text and maps to address the issues/concerns raised, and includes a number of minor modifications recommended in light of the submissions received. These recommended modifications to the draft Scheme include:

- Introduction of a new Cultural and Natural Resources Protection Reserve.
- Introduction of a new Rural Enterprise Zone to replace the previous Rural Industry zone (in Town Planning Scheme No. 7).
- Retaining the Light Industrial zone over the existing Weaber Plain Light Industrial Area.
- Introduction of a new Service Commercial Zone located between Ivanhoe Road and Poinciana Street.
- ‘Normalising’ zoning around Lake Argyle and proposed Lake Argyle Development Area.
- Modifying proposed residential densities for Wyndham Three Mile and Lakeside, Kununurra.
- Zoning the Old Darwin Precinct as Rural Smallholdings.
- Removing the dual zoning over Packsaddle and Jabiru Road properties and including a Special Control Area to control use and development.

In relation to the recommended modification of residential densities in Lakeside (Kununurra) and Three Mile (Wyndham), plans have been provided at Attachments 3 and 4 to demonstrate the proposed modified densities.

In relation to the draft Strategy, most of the submissions received recommended additional information or modifications to the document to provide for better clarity, or due to inconsistencies between the draft Strategy and Scheme. A number of administrative changes and additional discussion was also requested by the DoP which was not required to be implemented prior to advertising, however is required prior to Council support.

The recommended modifications to the draft Local Planning Strategy, are collated in the Schedule of Modifications provided at Attachment 5.

A Schedule of Modifications for the draft Local Planning Scheme No. 9, is also provided at Attachment 6.

The local government is not required to make any changes to the documents at this stage, and is simply required to make a resolution to support the draft documents with modifications to address issues raised in the submissions.

Following this resolution, the advertised documents, schedule of submissions and particulars of the proposed modifications proposed are provided to the WAPC for endorsement of the Strategy and Scheme.

ATTACHMENTS

Attachment 1 - Schedule of Submissions

Attachment 2 - Recommended Modifications to draft Local Planning Scheme No. 9

Attachment 3 - Recommended Residential R Codes in Lakeside

Attachment 4 - Recommended Residential R Codes in Three Mile Wyndham

Attachment 5 - Schedule of Modifications to draft Local Planning Strategy

Attachment 6 - Schedule of Modifications to draft Local Planning Scheme No. 9

Schedule of Submissions on SWEK draft Local Planning Strategy & draft Local Planning Scheme No. 9

| No. | Name | Property Affected | Submission | Comment |
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| 1 | Nicole & Trevor Floyd | Lot 14 Weaber Plain Road, Kununurra | Wish to apply for subdivision approval into 10 acre lots. | Subdivision application and approval is via a separate process. No changes recommended. |
| 2 | Mud Ark Pty Ltd | Lot 704 on DP 75319, Barytes Road, Wyndham | Support the zoning of Lot 704 to be changed from Special Site – Zoological Gardens to General Industry. The lot was the site of the Wyndham Crocodile Park until its closure in March 2015, and is proposed to remain as a Special Use – Zoological Gardens in draft LPS No. 9, with surrounding land zoned as General Industry. With the closure of the Wyndham Crocodile Park request that the zoning be aligned with the General Industry zoning of surrounding lots. | Noted and agreed. Already shown as industrial in Figure 6 of the Strategy. Recommend to rezone this lot as General Industry on Scheme Map 12. |
| 3 | Jeffery Thomas | Lot 13 Weaber Plain Road, Kununurra | Wish to have lot 13 zoned as Rural Residential. Considers a precedent has been set for this type of development near Mills Road, and that the size of the lot does not make it suitable for commercial agriculture. The land is not currently being used for agricultural purposes. | Noted. Land is currently zoned Rural Agriculture 1 (proposed Agriculture – State or Regional Significance). The draft Strategy recommends no rezoning should occur prior to undertaking the proposed priority agricultural land (PAL) assessment. Noted that draft Strategy identifies this area as Rural Residential, however not supported by the Department of Planning (DoP) without evidence of market demand. Noted that the size of Lots in this area may be more suitable as Local Horticulture (Rural Ag 2) or Rural Smallholdings. No changes recommended. |
| 4 | John & Jennifer Patton | 51 Casuarina Way, Kununurra | Support rezoning of their property to R25. | Noted. |

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| | | | <p>Believe this will allow another dwelling to be built on the property which will refresh the amenity of the area, which is a positive for nearby owners.</p> <p>Most of the infrastructure is already in place but it will provide additional employment for the local building industry.</p> <p>See it as a great initiative for the Shire with positives for the area and local employment.</p> | |
| 5 | Cliff Alford, Long Rein Pty Ltd | Lot 702 on DP 408129, Weaber Plain Road, Kununurra | <p>Objects to the proposed rezoning of this and surrounding lots from Rural Industry to Agriculture – State and Regional Significance. If rezoning is necessary, recommends it should be General or Light Industry.</p> <p>Site historically used as airstrip, and in conjunction with the construction of the Ord Sugar Mill, and zoned as Rural Industry since approx. 1995.</p> <p>Lot size and soil type are not conducive for agricultural use, but more suitable for general or light industry.</p> <p>Limited land is proposed to be zoned as General or Light Industry in draft LPS No. 9; considers this is not supportive of a town and region struggling to grow.</p> <p>There are existing transport and commercial businesses within the existing Rural Industry Zone which are proposed to be agricultural zones within draft LPS No. 9.</p> <p>Acknowledges that existing businesses can continue with their present use, but will be disadvantaged if they wish to vary their activities in the future.</p> <p>Notes that Project Sea Dragon has publically expressed interest to construct a Prawn Processing Facility in the vicinity of the Sugar Mill which will not be allowed by a change in zoning.</p> <p>Has recently purchased the property as a Rural Industry lot and has received planning approval to develop a Transport Depot specifically servicing primary industry. Indicated intention to develop a lunch bar/road house on the site to service the local area in the future. The change in zoning currently proposed will not allow this.</p> | <p>Noted.</p> <p>The Shire was directed to remove the proposed Rural Industry Zone prior to advertising, on the basis that rural industry (Industry – Primary Production) is a land use which can be considered within a number of zones, including the Agriculture – State and Regional Significance Zone.</p> <p>General Industry is a potential alternative zoning for the land, as it would allow for a broad range of industrial, service or storage activities, and would allow for a transport depot, lunch bar and roadhouse.</p> <p>It is noted that the advertised Scheme did show limited land zoned for Light Industry or General Industry in Kununurra.</p> <p>Acknowledged that the proposed Agriculture – State and Regional Significance Zone would allow for the development of a prawn processing facility (Industry – Primary Production), however would not allow for a Transport Depot, Road House or Lunch Bar.</p> <p>In the interim, the WAPC has undertaken a review of State Planning Policy 2.5, and the draft amended policy proposes that the WAPC will:</p> <p>a) promote the establishment of precincts for primary produce processing close to</p> |

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| | | | <p>The Rural Industry zone has accurately described local activity within this predominantly agricultural area which has developed over time. If there is a need to change zoning for expediency, recommends it should be to General or Light Industry not Agriculture – State and Regional Significance.</p> | <p>services and freight routes, and with adequate buffers; and</p> <p>b) support the concept of rural enterprise zones in strategies and schemes that combine light industry and ancillary housing, provided they are carefully planned with general proximity to urban areas, are serviced and have design features that address buffers and amenity and generally meets the criteria listed in 5.6 (b).”</p> <p>On the basis of the above, DoP are proposing the introduction of a new Rural Enterprise zone in the LPS Regulations, and advised that the Shire may use this zone in place of the previous Rural Industry Zone.</p> <p>Recommend also review available land zoned for Light or General Industry in Kununurra.</p> |
| 6. | Alan Wilson (x2) | Lots 100, 102 & 33 Egret Close, Kununurra | <p><u>Local Planning Scheme</u></p> <p>Opposed to the rezoning of Old Darwin Road precinct within the Scheme review from Rural Ag 1, Rural Ag 2 & Rural Smallholdings to Rural Residential. Suggests the Scheme maps be modified to show the existing zoning of the 4 areas including the Tourist Zoning.</p> <p>Is not opposed to the owner of Lot 1 being invited to prepare a structure plan and rezoning documentation under LPS No. 9, as are the owners of adjoining Lot 2 and the area serviced by Egret Close under TPS 7.</p> <p>Believes that the owners of the 22 lots serviced by Egret and Curlew Close have purchased in the location knowing that lot sizes will remain the same and have specifically developed their land with the knowledge that the rat race of town has been left behind, including the anti-social behaviour that exists in town. Feels betrayed by the proposal to rezone Lot 1 to Rural Residential and the</p> | <p>Noted.</p> <p>It is noted that the current Strategy (2005) identifies the Old Darwin Road Precinct as suitable for Rural Smallholdings.</p> <p>Originally the draft Strategy, as adopted by Council, recommended a streamlined Rural Living Zone, however the Shire was directed to split the proposed lots into either Rural Smallholding zone or Rural Residential zone.</p> <p>The precinct was identified as the next logical Rural Residential area in the draft Strategy, given the expansion of the townsite to the south, and that the land is close enough to town for provision of reticulated water supply (required for lots</p> |

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| | | | <p>potential for the land to be subdivided into 130 house blocks.</p> <p>The Council previously considered a request from the owner of Lot 1 to advertise a Structure Plan in January 2009, however Council resolved (minute 8526) <i>“not to consider advertising rezoning of Lot 1 Old Darwin Road from Rural Agriculture 1 to Special Residential, until the owner of the property has rectified the issues of drainage and salinity that have rendered Lot 1 unsuitable for intensive horticulture”</i>.</p> <p>Notes that the Structure Plan report included a report outlining how under the management of the landowner the soils/land had become no longer viable for commercial horticultural pursuits.</p> <p>Supplied a DVD to demonstrate the extent of drainage problems caused by the farming practices on Lot 1, which is also subject to salinity issues.</p> <p>Comments that Lot 1 has continued to be farmed, believed to be hydroponically, with nutrients and chemicals. Therefore believes that any change of zoning of this Lot via a Scheme Amendment and a Structure Plan should include soil analysis to test for contaminants such as toxic heavy metals and chemicals. Structure Planning should address drainage, roads, subdivision proposal and everything else required to be contained in a structure plan. Considers that rezoning of this lot should not proceed without such supporting documentation being provided by the land owner, and not as part of a scheme review process.</p> <p>Queries how the Scheme has been advertised and can be assessed and commented on, when the Strategy has not been finalised, and many of its recommendations have not commenced.</p> <p>States that the rezoning of Old Darwin Road precinct from Rural Ag 1 to Rural Residential without any evidence to contradict current thinking that Lot 1 is priority agricultural land (PAL) appears to be unwise and contradicts pages 15, 21 40 & 42 of the draft Strategy.</p> | <p>under 4ha) and reticulated sewer to be provided.</p> <p>If these lots are zoned Rural Residential the landowner will still need to prepare a structure plan and go through the full process.</p> <p>Noted that draft Strategy recommends no rezoning should occur prior to undertaking the proposed priority agricultural land (PAL) assessment.</p> <p>Noted that most of the drainage issues are being exacerbated by the current farming practices. Drainage is dealt with through the LWMS, which is assessed at structure plan stage and then in more detail at the subdivision stage.</p> <p>DAFWA previously advised in writing that Old Darwin Road is not priority agricultural land</p> <p>The <i>Planning and Development Act (2005)</i> and <i>Planning and Development (Local Planning Schemes) Regulations 2015</i> (LPS Regulations) recommend the Strategy and Scheme are reviewed together. The Strategy is essentially a report that justifies proposed land uses and changes to land uses.</p> <p>Structure Plan provisions are contained within the deemed provisions of the LPS Regulations, which apply to all Schemes across the State</p> <p>The new LPS Regulations also stipulate objectives and requirements for 'zones', which have been incorporated into the draft Scheme.</p> |
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| | | <p>Notes that the objectives for the Rural Residential zone refer to “<i>the structure planning provisions of the Scheme</i>”, however cannot find these provisions within the Scheme to justify the inclusion of this rezoning in the draft LPS No. 9.</p> <p>Considers that advertising the proposed rezoning of the Old Darwin Road Precinct from Rural Ag 1 to Rural Residential within this review is inconsistent with the second (ii) objective of the Rural Residential zone “<i>to ensure compatibility of the proposed uses with existing agricultural and horticultural activity and that the future of prime agricultural land for agricultural purposes is not compromised</i>”, as Lot 1 has existing horticultural activity.</p> <p>Objects to the rezoning of the Old Darwin Road Precinct from Rural Smallholdings, Rural Ag 2 and Rural Ag 1 to Rural Residential and recommends that the Scheme Maps be amended to show the existing zoning, including retaining the Tourist Zoning to the north west and north east of Egret Close. Considers this would be consistent with page 42 of the draft Strategy which states that “rezoning as part of the scheme review is not recommended; instead scheme amendments by private developers will ensure delivery of rural living land, consistent with market demand. States that the shire should follow its own recommendations, otherwise how can it be expected for its residents to follow the rules.</p> <p>In June 1999 supplied a submission to TPS 7 which included a suggestion to set aside/identify a 40ha area suitable for a future shopping complex, two thirds of which will be required for parking. This site is described on Figure 3 of the draft Strategy as part of the East Lily Creek precinct identified as Future Urban land subject to structure plans.</p> <p>Considers that a portion of the proposed conservation reserve, to the north west of this area, could also be included, with the suggestion that a bridge be constructed over Lily Creek to link the Town Centre at Barringtonia Avenue and that Lakeside residents would have easy access via the highway.</p> <p>Notes that page 8 of the Strategy suggests that the population will grow by 350 people a year; the existing shopping complex was congested in 1999 and has been</p> | <p>Noted.</p> <p>Future retail requirements have been identified in the Shire’s EK@25 document which has informed the draft Strategy and Scheme, however specific locations for a future shopping centre would be identified in a structure plan.</p> <p>The draft Strategy identifies areas for future urban development and opportunity for town centre redevelopment. The draft East Lily Creek and draft Kununurra Civic Centre structure plans have identified additional areas for commercial development.</p> |
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| | | | <p>getting more congested every year. Notes that it has been 15 years since TPS 7 was gazetted, and if it takes the same amount of time for the next review the population of the Shire has the potential to have grown by 5250 people, but with the same limited shopping and car parking space.</p> <p>In relation to the objective (ii) of the Rural Smallholdings Zone “to provide for lot sizes in the range of 4ha to 40ha” suggests that an average 8ha be added. Considers that developers require the highest density possible to provide the greatest financial return, and therefore without modification to the Scheme every lot within the Rural Smallholdings zone will be 4ha and this will be protected by the Scheme.</p> <p>Queries the reason for the Rural Smallholding one. States that it appears to be closely linked to Rural Residential only larger lot size, and if this is the case suggests the removal of the 40ha upper limit. If the zone is to be more closely linked to the Rural Ag 2 zone believes there should be an average lot size added to protect land more suited to horticulture and land use should be more skewed towards hobby and commercial farming.</p> <p>Notes that clause 4.29.6 of the draft Scheme has no clause to allow for land clearing to facilitate horticultural activity in the Rural Smallholding zone although it is a permitted “P” use in the zoning table.</p> <p>Suggests that a single dwelling should be a “P” use in the Tourism Zone, on the basis that the landowner should have the right to live on his own land. Considers that most tourism land uses require 24-hour service, and to suggest that an owner or operator of a caravan park or similar is not allowed to reside on site with his family as well as conduct management of the park from the same site is wrong.</p> <p>Recommends the addition of a Machinery Shed as a use class should be added and put as a “P” use in all rural zones. This is on the basis that a machinery shed is a basic requirement for rural zones and should not require a planning approval to construct, which would be the case if a shed is not included in the zoning tables. However, would</p> | <p>Noted. The Rural Residential and Rural Smallholdings zones are in accordance with the new LPS Regulations also stipulate objectives and requirements for ‘zones’. Confirms that the main difference between these is lot size, and that a greater range of land uses may be approved in the Rural Smallholdings zone.</p> <p>Noted. Recommend review of this clause.</p> <p>Noted. A Caretaker’s Dwelling / Manager’s Residence is usually approved on a tourism zoned property. A Single Dwelling is not permitted as a stand-alone use, but could be considered as an incidental use. It is noted that the proposed Tourist Zone allows for a percentage of permanent residential development on site.</p> <p>Noted. Recommend to introduce a ‘machinery shed’, ‘farm building’ or similar as a land use, with consideration to size of sheds in Rural Residential zone.</p> |
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| | | <p>suggest a maximum floor area to be included in the Rural Residential Zone.</p> <p><u>Local Planning Strategy</u></p> <p>The section on Waste Management has not dealt with the buffer zone around the Kununurra landfill site. States that many management practices have changed since the introduction of the 500m buffer zone around the waste management sites, such as a significant reduction in fires and regular burying of waste has dramatically reduced odours. States that development of land within the 500 meters is not possible because an excessive buffer remains, and would like to see a discussion regarding this subject in the Strategy.</p> <p>Is opposed to rezoning of the Old Darwin Precinct within the scheme review and states that there is no supporting documentation in the Strategy to support the proposal to rezone this area, and in fact the Strategy opposes the zoning being changed as part of the Scheme review process.</p> <p>Notes that Lot 1 has been identified in the current Strategy as being predominantly prime agricultural land, and that the draft Strategy identifies the need to protect priority agricultural land, and that subdivision will not be supported.</p> <p>Recommends that the precinct should not be identified as Rural Residential in Figure 4 of the draft Strategy, and would support it being identified as Rural Smallholdings subject to an average lot size of 8ha being stipulated.</p> <p>Considers that there is no advantage to changing the zoning for the existing Rural Ag 2 lots within the Egret Close subdivision to Rural Smallholdings, as the area is already subdivided to the minimal lot size allowed.</p> | <p>Noted. Depending on the class of landfill, the Environmental Protection Authority <i>Guidance for the Assessment of Environmental Factors, 2005</i>, specifies the buffer distances or requires a case by case buffer distance. An approximate 500m buffer is shown on the Strategic plan for Kununurra. Any reduction of the landfill buffer would require technical investigations, including odour modelling. In the absence of such information it is not appropriate for the Strategy to consider a reduction in the buffer.</p> <p>Acknowledge that the draft Strategy does not recommend rezoning as part of the scheme review, and instead recommends that scheme amendments by private developers will ensure delivery of rural living land, consistent with market demand</p> <p>Recommend that the Old Darwin Precinct be identified as future rural residential in the draft Strategy, however to be zoned as Rural Smallholdings in the draft Scheme.</p> |
| 7. | State Heritage Office | <p><u>Local Planning Strategy</u></p> <p>1. Part 4.10 identifies the presence of Aboriginal heritage but makes no reference to historic cultural heritage. SHO records indicate that within the Shire there are 3 places included in the Register of Heritage places, and approximately 52 places in the municipal heritage</p> | <p><u>Local Planning Strategy</u></p> <p>Agreed that the Strategy should acknowledge the presence of the MHI and its relationship to the scheme.</p> <p>Recommend to include additional text within Part 1, section 4.11 and Part 2,</p> |

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| | | | <p>inventory (MHI). This suggests that the contribution of cultural heritage to the identity of the local area should be noted. Because aboriginal, natural and (built) cultural heritage are managed under separate legislation, government agencies and referral processes, it is recommended that they are considered separately within strategic documents.</p> <p>2. The WAPC's Local Planning Manual, while noting the flexibility of local planning strategies, identifies a number of areas in which the strategy would generally consider cultural heritage. Where heritage is identified as a contributory part of the local profile we would recommend the inclusion of the following:</p> <ul style="list-style-type: none"> • A description of the area's heritage assets and references to the municipal heritage inventory as the main reference document for the identification of places with heritage significance. • Acknowledgement within the State and regional context of State Planning Policy 3.5 – Historic Heritage Conservation; • Defined objectives for the future of heritage places in the area; and • Strategies and actions to achieve those objectives, particularly any action or strategy relating to the Local Planning Scheme (e.g. 'prepare a local planning policy for heritage places'.) <p><u>Local Planning Scheme</u></p> <p>3. The draft scheme has been prepared in accordance with the LPS Regs, Schedule 2, which is supported.</p> <p>4. The Scheme will enable the Shire to create a heritage list. The heritage list is a statutory instrument which allows the Shire to consider the heritage of a place as part of its decision-making process for proposed development. As the Shire is yet to establish a heritage list, the SHO recommend a clause be included which states that until such time as a heritage list is adopted by the Shire the heritage list means the municipal inventory.</p> | <p>section 2.6 of the draft Strategy relating to historic cultural heritage, to recognise State Planning Policy 3.5, the role of the MHI and the relationship to the scheme.</p> <p><u>Local Planning Scheme</u></p> <p>Noted.</p> <p>Recommended to include clause into draft Scheme which states, until such time as a heritage list is adopted by the until such time as a heritage list is adopted by the Shire, the heritage list means the municipal inventory.</p> |
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| | | | <p>5. It should be noted that Part 3 Clause 8(2)(a) of the deemed provisions states that the heritage list '<i>must set out a description of each place and the reason for its entry in the heritage list</i>'. The heritage list should also provide detail on whether the building is identified as having a significant interior, as the new provisions require planning approval for interior works only where a place has been designated as having a significant interior. The SHO recommend the Shire begins planning to create a heritage list which meet these requirements as part of the review of the Shire's planning framework.</p> | |
| 8. | Rhonda Guerinoni JAB Industries / Rate Payers Association | | <p>Owns an earthmoving business and would like to see the roads wide enough to allow a prime mover and low loader to easily manoeuvre down roads without blocking traffic. Has experienced issues in Lakeside due to the number of narrow roads.</p> | <p>Noted. Road widths are considered either at the Structure Planning or subdivision stage in accordance with the Liveable Neighbourhoods, or relevant WAPC Development Control Policy. No changes are required to be made to the Scheme text.</p> |
| 9. | Julie Brown Martin Brown Family Trust | Cocus Way | <p>Very happy to be able to have a dwelling instead of the limited size 'caretakers'</p> | <p>Noted. Although the concept of the Composite Industry zone is generally supported, it will compromise the availability of land zoned for light industry in Kununurra and is recommended to be reviewed.</p> |
| 10. | Chris Robinson, Oria Orchards | Lot 752 Packsaddle Road, Kununurra | <p>It is important to identify Prime Agricultural Land (PAL) so that it can be protected from inappropriate & conflicting land uses. PAL is land identified as agricultural land & has access to public infrastructure (or private) designed for agriculture. Lot size is not important as different activities require different lot sizes e.g. intensive nursery needs approx. 4 ha, bananas & pawpaw can be profitable on 8ha. Mangoes probably need a minimum of 29ha etc.</p> <p>Welcomes the Shire's plan in relation to Rural Agriculture 2 (Local Horticulture). The allowable land uses are</p> | <p>Noted. The draft Strategy recommends identification of PAL and development of an appropriate policy.</p> <p>Noted.</p> |

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| | | | <p>appropriate to the zone and provide more protection to agriculture than previous schemes.</p> <p>Farm Stay – no list of definitions so unsure how Farm Stay is defined. Cannot find mention of chalet development as allowed in previous plans, and queries whether these are included under some other name or no longer allowed development.</p> <p>In section 4.27.2 (e) (i) it refers to the landscaping plan being in accordance with the Guidelines for Separation of Agricultural and Residential Land Uses, Department of Health – August 2012 regarding the establishment of vegetation “as much as necessary”. Query why this is included and who or what may determine what is necessary and what is not. The guidelines are fairly specific in what it requires, and to allow discretion on this may compromise the reasons for it being there.</p> <p>Clause 4.27.2(e) allows by Council of landscaping plans, however it is not always the case that Council or the Shire have people qualified to assess biosecurity documents and plans.</p> <p>Clause 4.27.2(e)(ii) refers to host plants, however queries what “host plants for what biosecurity threat?”. States that every threat may have a different set of potential or existing host plants. Questions whether the Shire;</p> <ul style="list-style-type: none"> ▪ is qualified to judge on this, ▪ have the time to assess, monitor and police biosecurity threats; or ▪ have the financial will or capacity to cover costs of an incursion in an agricultural area, which are far greater than in a residential area. <p>Animal Establishment is included as an ‘A’ (to be advertised) use in the Rural Ag 2 zone. Queries how this relates to people who graze or stable horses and a few cattle.</p> | <p>Farm Stay is included in Part 6 (Terms referred to in Scheme), Division 2 (Land Use definitions used in the Scheme) of the draft scheme and is defined as:</p> <p><i>farm stay</i> means land and buildings utilised for short stay tourist accommodation comprising a maximum of two chalets or cabins located no further than 30 metres from the external wall of an existing residential dwelling and such cabins/chalets will not exceed 70m² internal floor area.</p> <p>Note the concerns in regard to clause 4.27.2, in relation to compliance with the Department of Health guidelines, and ability of Shire Officers to assess biosecurity and landscaping plans. Recommend that this clause be reviewed.</p> <p>Animal Establishment defined as ‘means premises used for the breeding, boarding, training or caring of animals for commercial purposes’. Therefore, this is not intended to apply to people that keep a few horses, chickens, etc for personal purpose.</p> |
| 11. | Shape Urban Pty Ltd, on behalf of Yeltara | Lot 1 Old Darwin Road, Kununurra | <p><u>Draft Local Planning Scheme No. 9</u></p> <p>Support the proposed rezoning of the subject site as Rural Residential.</p> | Noted. |

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| | <p>Developments Pty Ltd</p> | | <p>There are no objections to the surrounding sites zoning, rather a concern that there be appropriate buffers and development controls to manage the interface between the rural residential lots and the Tourism zoned land given the different uses and possible intensity of permitted development. Recommend that setback be required for the Tourism zone located on the western lot adjacent to the subject site that would provide an appropriate interface between a low impact residential use site and a medium to high impact commercial use.</p> <p>Strongly support lot sizes ranging from 1ha to 4ha that would allow all lots to be similar sizes or a range of sizes.</p> <p>Strongly support the limited provisions controlling variation in lot sizes across a development area.</p> <p>Strongly support proposed uses for Rural Residential lots.</p> <p>Clause 4.29.2 - It is unclear whether the development of a single lot zoned Rural Residential would be able to develop without first preparing and having a structure plan approved. Coordination of development within a single parcel could be achieved by preparing a subdivision plan. Recommend to amend clause 4.29.2 to:</p> <ul style="list-style-type: none"> • make it clear that a Structure Plan is not required for the development (subdivision) of a single lot that is zoned Rural residential to be developed in accordance with its zoning and general development requirements. • Provide clarification on the requirement of a Structure Plan for more complex rural residential areas requiring infrastructure coordination e.g. three or more lots, where it is believed that the planning issues cannot be resolved during the subdivision preparation and approval stage and where an additional layer of planning is required for orderly and proper planning. <p>Clause 4.29.5 – It is unclear if all animals that are kept on a rural residential property for the enjoyment of the land by owners/occupiers are considered domestic household pets. It is envisaged that owners and occupiers of rural residential lots will own a range of animals for personal enjoyment including e.g. chickens, alpacas. It would be</p> | <p>Noted.</p> <p>Noted.</p> <p>Noted.</p> <p>The DoP has advised that a structure plan is required prior to subdivision of a single rural residential lot.</p> <p>Noted that it is likely that a range of animals may be kept on a rural residential or rural smallholding property for the enjoyment of the land by owners/occupiers which may not be considered domestic household pets</p> |
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| | | | <p>considered onerous and unnecessary if a development application was required to keep animals that were not to be used for commercial purposes on the property. Recommend to amend clause 4.29.5 to:</p> <ul style="list-style-type: none"> • Make it clear that all animals that are not for commercial purposes within the lot/property can be kept without development approval. • Include the requirement for development approval for animals that will be for commercial use within a property and the requirement to keep within the stocking rates as set out by the Department of Agriculture and Food. <p>Strongly recommend the inclusion of the entire Shire within the Scheme as it will provide for a coordinated approach to all development in the region. Considers this is particularly important in relation to the significant areas of environmental conservation owned and managed by a range of bodies, including that land adjacent to the subject site. A coordinated approach to assessing development to ensure the consideration of environmental as well as amenity values within these areas is supported.</p> <p><u>Draft Local Planning Strategy</u></p> <p>Support the objective to provide housing choice “through provision of alternative lot sizes and lifestyle opportunities”. Consider this aligns with the proposal to zone the subject site Rural Residential and deliver an alternative lifestyle opportunity to current and future residents of the Shire.</p> <p>Support the objective of Environmental Conservation to “preserve the values of natural resources by minimising and managing the impacts of land use and development on the environment”.</p> <p>Section 4.3 Housing Affordability and Supply identified that there is an issue with over development of existing residential sites within the Town and the resultant issues related to overcrowding. Consider that the provision of rural residential blocks such as the subject site provides a deliverable solution to this issue by providing larger blocks to accommodate the larger housing sizes as well as</p> | <p>e.g. chickens and horses. It is agreed that it would be onerous and unnecessary if a development application was required to keep animals that are essentially pets. Recommend to review this clause.</p> <p>Noted.</p> <p>Noted.</p> <p>Noted.</p> <p>Noted.</p> |
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| | | | <p>providing sufficient space between the residences whilst in close proximity to town and associated services.</p> <p>Section 4.4 Environment:</p> <ul style="list-style-type: none"> ▪ Support the protection of environmental conservation areas. ▪ Support the development of a framework for environmental assets within the Shire as part of the overall planning framework, including that land adjacent to the subject site. ▪ Support the recognition of addressing the visual landscapes in the planning process. <p>The provision of potable water supply is raised as an issue particularly in relation to the provision of rural residential lands. It is also acknowledged that there is a demand for rural residential land within the Shire at present. The preparation of a Water Management Strategy is supported to facilitate the development of appropriate land to meet the demand now and in the future for residential and rural residential lands. The development of the strategy should be identified as a short term priority of the Shire.</p> <p>Recommend amend Section 4.6 to include the development of the Water Management Strategy as being identified as a short term priority of the Shire.</p> <p>The existing Kununurra landfill site is identified to be remediated and a new site identified within 10-15km of the town site. Given the likelihood of a medium to long term approach for the required remediation of the landfill site before it could be redeveloped to another use, it is recommended that the Local Planning Strategy identify as a strategy that the site be remediated in a way that is still visually appealing to the public during this process whilst ensuring public and environmental safety. Recommend amend Section 4.7 to include that the future remediation of the existing Kununurra landfill site identify as a strategy that the site be remediated in a way that is still visually appealing to the public.</p> <p>The development of a Strategic Land Release Plan is identified as a means to manage appropriate residential land development. This is supported as a valuable tool to</p> | <p>Noted.</p> <p>Noted.</p> <p>Noted.</p> <p>Noted.</p> <p>Noted. Recommend that the 'strategic response' could be updated to state that remediation of the existing landfill site is undertaken to ensure that it is safe for the public and environment and visually appealing.</p> <p>Noted. If the land is appropriately zoned, development can take place subject to the provisions of the scheme. Notwithstanding</p> |
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| | | | <p>facilitate development in the context that land is able to be developed and released to the market where it is in line with the Local Planning Scheme zoning. Given the time it may take to develop this plan it is considered appropriate that land development proceed whilst it is prepared.</p> <p>Recommend amend Section 5.1 to clearly outline that development of land in accordance with its zoning in the Local Planning Scheme can proceed during the preparation and prior to the completion of the Strategic Land Release Plan.</p> <p>The preparation of a policy to guide development on land identified as Conservation Reserve is supported. The preparation of this policy should include the relationship of conservation land to adjoining zones, appropriate development types and controls, consultation requirements and ensuring amenity as well as environmental values are assessed and protected for the long term whilst allowing sensitive and appropriate development. Recommend amend Section 5.1 to include that the preparation of this policy should include the relationship of conservation lands to their adjoining zones, appropriate development types and planning controls. Include consultation requirements and ensuring amenity and environmental values are assessed and protected for the long term whilst allowing sensitive and appropriate development.</p> | <p>this, additional clarification can be provided that enables this development prior to the development of a land release plan.</p> <p>Noted. Recommend amend section 5.1 to state that the local planning policy should outline appropriate planning controls, development types and provide commentary on the relationship between the conservation land and the adjoining zones.</p> |
| 12. | Andrew McLean, McLean Enterprises Pty Ltd | Lot 24 Ivanhoe Road, Kununurra | <p>Received planning permission in May 2012 to build and operate a Transport Depot under the current planning scheme, and spent over 2.5 million to develop the depot.</p> <p>Under draft LPS No. 9 it is proposed to change the zoning to Agriculture and consider this a major step backwards and not forward planning, and object to the proposed rezoning.</p> <p>The subject site and surrounding lots include two transport depots, one crane hire/transport depot, a possible fuel depot in the near future, all require road train access and reasonable sized blocks, plus a stock feed supplement manufacture and an irrigation supply business. Consider the area is ideally suited for these businesses as they are</p> | <p>Noted.</p> <p>The Shire was directed to remove the proposed Rural Industry Zone prior to advertising, on the basis that rural industry (Industry – Primary Production) is a land use which can be considered within a number of zones, including the Local Horticulture Zone.</p> <p>DoP are proposing the introduction of a new Rural Enterprise zone into the LPS Regulations, and advised that the Shire may use in place of the previous Rural Industry Zone.</p> |

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| | | | <p>close to town for deliveries whilst still being outside of town, and keeping truck and road traffic on one road.</p> <p>The only other suitably zoned area is on Weaber Plain Road. To get there requires to travel a distance of 13km from the highway around the town centre area (Ivanhoe Road to Mills, to Weaber Plain Road) which includes one sharp turn with a 40km/h limit, and route retraced back to the highway. Currently only a 3km trip is required from the highway.</p> | |
| 13. | John & Pauline Kirby | Lots 101, 197, 198, 199, 59, 61 Chamberlain Drive, Kununurra | <p>Recommend Section 4.29.6 Vegetation (d) should include the removal of introduced exotic trees such as Neem, Parkinsonia, Lucaena, Indian rain tree etc.</p> <p>The government has spent over \$500,000 for the eradication of neem trees and property owners should be encouraged to assist with this project by removing them from private property and maybe helping to diminish the spread of these exotic (pest) trees. The likes of Lucaena causes understorey grasses to die off leaving no ground cover which could eventually cause erosion.</p> | <p>Noted.</p> <p>Recommend 4.29.6(d) be amended to include introduced exotic trees, noxious trees or weeds.</p> |
| 14. | Marion Kenny (x 4) | Lots 700 & 701 Weaber Plain Road, Kununurra | <p>Objects to the rezoning of Lots 700 & 701 from Rural Industry to Agriculture.</p> <p>Land (Lot 319) originally developed as an airstrip and has various uses, supporting rural business, mining, tourism, agriculture, pastoral, civil engineering and Aboriginal communities since that time. The lot has recently been subdivided to create Lots 700 & 701, with significant cost to install power and water etc.</p> <p>Is currently zoned Rural Industry and is identified in the Strategic Land Use Plan as rural industry.</p> <p>Adjacent lots share similar use.</p> <p>Due to its size it does not meet the criteria of Agricultural zoning, which could restrict the uses of the land, thereby hampering further development of the region.</p> <p>Development in agriculture to the north of Kununurra will require supporting industries which do not need to be based in the township of Kununurra and are better suited to being</p> | <p>Noted.</p> <p>The Shire was directed to remove the proposed Rural Industry Zone prior to advertising, on the basis that rural industry (Industry – Primary Production) is a land use which can be considered within a number of zones, including the Local Horticulture Zone.</p> <p>DoP are proposing the introduction of a new Rural Enterprise zone into the LPS Regulations, and advised that the Shire may use in place of the previous Rural Industry Zone.</p> |

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| | | | <p>built in this location. There is very little general Industry in the draft LPS No. 9.</p> <p>The zone was created in 1995 and accurately reflects the business activities undertaken in the area. A similar zone should be adopted to allow this to continue, and not disadvantage current users.</p> | |
| | | <p>Lot 595 Bandicoot Drive, Kununurra</p> | <p>Objects to the rezoning of Lot 595 and adjacent land from Mixed Business to Mixed Use.</p> <p>Lot 595 was first developed over 30 years ago and has had an assortment of commercial and light industry uses. Currently, and for much of the last 20 years, has been used partially as a transport depot.</p> <p>Understands the Shire's intent to relocate industry away from the town centre, however as a land holder believes she and her tenants would be disadvantaged by this.</p> <p>The lot is currently zoned Mixed Business and adjacent lots share a similar use. The existing zone accurately reflects the business activities successfully undertaken in the area. A similar use should be adopted to allow this to continue, and not disadvantage the current users, tenants and the land owners.</p> <p>The Shire has plans for mixed business use in its development of East Lily Creek, as this is the area for future development it would be costly and unnecessary to relocate businesses and industry away from its current area. The draft strategy refers to assistance in relocating industry/businesses, however it would be helpful to be aware of what form this assistance would take and to what extent.</p> <p>There is very little general Industry and light Industry in the draft LPS No. 9.</p> | <p>Noted.</p> <p>The transport depot is already a non-conforming use within the current Mixed Business zone under TPS 7, and will remain as a non-conforming use in the proposed Mixed Use zone under the draft Scheme.</p> <p>A key recommendation of the draft Strategy is to investigate the feasibility of potential general industrial land around Kununurra and prioritise a site for development of a General Industrial Estate. It is acknowledged that incentives may be required to encourage relocation of some existing industries from the proposed Mixed Use area, however what form these incentives may take is unknown at this point in time.</p> <p>It is noted that the advertised draft Scheme does have limited land zoned for Light Industry or General Industry in Kununurra.</p> <p>Recommend to review available land zoned for Light or General Industry in Kununurra.</p> |
| | | <p>Lot 2408 (1) Rivergum Avenue, Kununurra</p> | <p>Objects to the rezoning of Lot 2408 and adjacent land from Mixed Business to Mixed Use.</p> <p>Lot 2408 first developed over 30 years ago and has had an assortment of commercial and light industry uses. Over the years the property has had a variety of lessees and this</p> | <p>Noted.</p> |

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| | | | <p>flexibility in use has allowed businesses to change, to meet the different needs of the towns development as it has grown. Believes the proposed zoning would be a disadvantage to this, particularly in times such as the current economic downturn.</p> <p>Understands the Shire's intent to relocate industry away from the town centre, however as a land holder believes she and her tenants would be disadvantaged by this.</p> <p>Lot is currently zoned Mixed Business and adjacent lots share a similar use. The existing zone accurately reflects the business activities successfully undertaken in the area. A similar use should be adopted to allow this to continue, and not disadvantage the current users, tenants and the land owners.</p> <p>The Shire has plans for mixed business use in its development of East Lily Creek, as this is the area for future development it would be costly and unnecessary to relocate businesses and industry away from its current area. The draft strategy refers to assistance in relocating industry/businesses, however it would be helpful to be aware of what form this assistance would take and to what extent.</p> <p>There is very little general Industry and light Industry in the draft LPS No. 9.</p> | |
| 15. | Peter Leslie Woodhead | King Location 431 Packsaddle Road, Kununurra | <p>Would like to change the zoning of King Loc 431 Packsaddle Road from Local Horticulture to Rural Residential. The lot is extremely undulating and is not connected to the irrigation scheme, the soil is a mix of clay, sand and shale rock and is not suitable for farming.</p> | <p>Noted. Lot 431 is located at the end of Packsaddle Road, and previously the site of an Abattoir.</p> <p>Proposed PAL investigation recommended prior to any rezoning. Likely to be more suitable for rural enterprise or similar use.</p> |
| 16. | Mathew Dear, Ord Irrigation Cooperative | | <p>Note that the Scheme maps exclude easements with notifications that detail "drainage infrastructure".</p> <p>Note that a number of major drainage reserves on Ironwood Drive and Weaber Plain Road are excluded from the Scheme Maps.</p> | <p>Noted.</p> <p>Easements often do not show up on cadastral maps, and it is impractical to identify easements on the Scheme maps.</p> |

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| | | | <p>Note that a key retention basin is identified as Future Residential Land.</p> <p>Note that in the zoning more condensed urbanisation is occurring in locations that already have drainage issues, and no additional drainage reserves, over land flow or retention basins have been identified.</p> <p>Note that the Scheme Maps do not identify key drainage reserves in the Weaber Plain Flood mitigation area, and are being forgotten.</p> <p>Note that key OIAMC reserves are incorrectly marked.</p> | <p>However, recommend existing drainage reserves can be identified on the Scheme maps.</p> <p>Areas identified for future urban development will be subject to various investigations being undertaken as part of the structure planning process, such as the preparation of district or local water management strategies.</p> <p>Recommend additional information can be included in the Strategy regarding the drainage issues within the Kununurra townsite, and the flood management assessment being undertaken.</p> |
| 17. | Bruce Connell, King's Church | Lot 32 Egret Close, Kununurra | <p>Request that an "Additional Use – Place of Worship" be added to the zoning of Lot 32.</p> <p>As per previous correspondence the primary use would remain as Tourism but the church would have the opportunity to use the buildings - café/conference centre as a meeting place.</p> <p>Would also like to set an area aside as a "Boab Chapel" – an outdoor area which could be used for weddings and other gatherings, as indicated on a development application submitted in 2011.</p> | <p>Noted.</p> <p>No change recommended. If required the landowner should apply through a separate Scheme Amendment process at a later date.</p> <p>Noted that a reception/conference centre can legitimately be used for a variety of meetings and functions.</p> |
| 18. | Thomas and Dominique Breig | Lots 21 & 22 Curlew Close, and Lot 109 Kestrel Place, Kununurra | <p>Support the draft LPS No. 9, particularly the proposed rezoning of Curlew Close and Kestrel Place areas to Rural Residential. This would open up more opportunities for residents of Kununurra to settle/build or buy in a more rural setting.</p> <p>Also believe it would make this kind of residence more affordable and would prove a better long term investment for locals.</p> <p>There is limited choice at the moment for those who desire to move slightly out of town, and can be very expensive. As long term citizens and business entrepreneurs of Kununurra</p> | <p>Noted.</p> |

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| | | | they strongly believe future and current residents need to have a more affordable choice. | |
| 19. | Mr Paul Conway & Dr Nicole Jeffery-Dawes | 98 Egret Close, Kununurra | <p>Have returned to town after a period of absence from Kununurra with a plan to live and work sustainably in this region. This included purchasing property out of town on a large block, to ensure their mental health and well being, and assets were protected.</p> <p>Their medium term plan, once infrastructure and housing is established on the lot, is to commence a small scale horticultural concern. They are concerned if the property is rezoned, that this could potentially put this enterprise at risk.</p> <p>In reviewing the draft Scheme & Strategy, they cannot ascertain how the proposed rezoning from Rural Ag 1 & 2 to Rural Residential provides any benefit. During the last two wet seasons, with limited rain, the northern end of the property is covered in water due to run off from the farm adjacent, and they cannot see how they can further subdivide, given this periodic flooding. They were aware of this at the time of purchasing, and have found it becomes an ecosystem that sustains numerous native frogs and attracts a plethora of birdlife.</p> <p>Cannot see how changing from Rural Ag 1 & 2 to Rural Residential will affect Egret/Curlew Close community as some blocks are already being subdivided from the original 4 hectares down to 1 hectare lots.</p> <p>To conclude they cannot see how we or the Shire will derive any direct benefit from rezoning the area, other than an increase in rates.</p> <p>Secondly concerned with the proposed change in zoning of the broadacre farm located to the east of the property, on Old Darwin Road.</p> <p>Believe that in the past, a development application was proposed for this land, however it was identified as agricultural land and disallowed. Both the draft Scheme & Strategy stress the need to map and protect priority agricultural land and increase the work force of Kununurra.</p> | <p>Noted.</p> <p>It is noted that the current Strategy (2005) identifies the Old Darwin Road Precinct as suitable for Rural Smallholdings.</p> <p>The precinct was identified as the next logical Rural Residential area in the draft Strategy, given the expansion of the townsite to the south, and that the land is close enough to town for provision of reticulated water supply (required for lots under 4ha) and reticulated sewer to be provided.</p> <p>Noted that drainage issues on neighbouring property are being exacerbated by the current farming practices.</p> <p>Drainage issues will be required to be dealt with through the preparation of a Local Water Management Strategy, which is assessed at structure plan stage and then in more detail at the subdivision stage.</p> <p>Lot 1 Old Darwin Road will require a structure plan to support subdivision of Rural Residential lots. If this lot is zoned Rural Residential the landowner will still need to prepare a structure plan and Local Water Management Strategy to address various water issues, including water table, water supply and stormwater management, along with land capability and service provision, included road and drainage</p> |

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| | | | <p>Are confused as to why this land is being proposed for Rural Residential when the mapping of priority agricultural land has not been completed and is not in accordance with WAPC policy as outlined in the draft documents. It is evident that it appears to be the only agricultural land (not currently subdivided) being rezoned, and would like an explanation if possible, as to how this came to be.</p> <p>They have observed over the past 2 wet seasons that much of this land becomes water logged, with water sitting for significant periods of time (months). Given an increase in roads and roofs, it can be envisaged that the water logging would increase, further reducing the lands suitability for subdivision.</p> <p>2c) Significant water management issues. Currently, run off from the broadacre farm during the wet season period flows into the back of their property, along the properties in Curlew Close, through to Egret Close, and also the Ramsar Conservation area near Elephant Rock. The concern is that if the proposed development was to proceed (we believe it is 130+ blocks), significant water and waste water management mitigation would have to occur. As water has to flow downhill, this concentrated flow of water (and most likely sewerage given the existing drainage problems on the broadacre farm), would be funnelled into the back of our block, potentially raising the water level on our block and increasing the potential of flash flooding events. We are also concerned that this increase in water volume would upset the delicate ecosystem that currently exists on our block and downstream waterways.</p> <p>2d) Loss of amenity. As stated above, we purchased our block with the specific intention of living a rural lifestyle and not having too many neighbours. We have situated the home that we are currently in the process of building, to take in the spectacular Kimberley landscape that surrounds us. The thought of acquiring 130+ additional houses next to us, including views of their roofs and fences, increased traffic, and noise and light pollution will completely destroy our amenity.</p> | <p>corridors, and access and buffers for bushfire management. Generally, this process results in a variety of lot sizes being provided to address environmental considerations.</p> <p>Acknowledge that the draft Strategy does not recommend rezoning as part of the scheme review, and instead recommends that scheme amendments by private developers will ensure delivery of rural living land, consistent with market demand</p> <p>Recommend that the Old Darwin Precinct be identified as future rural residential in the draft Strategy, however to be zoned as Rural Smallholdings in the draft Scheme.</p> <p>Noted. A key objective of both the Rural Residential and Rural Smallholdings zones is to maintain the amenity of the locality and the conservation and landscape attributes of the land.</p> |
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| 20. | Joanne Cullimore / David Cross, Ord River District Co-operative Ltd | Lot 10 Weaber Plain Road, Kununurra | <p>The proposed rezoning of Lot 10 (formerly 672) Weaber Plain Road from Rural Industry to Local Horticulture does not fit into the current land use and may restrict the business going forward.</p> <p>The proposed rezoning from Rural Industry to Local Horticulture does not fit within our current land use and could be restrictive on expansion activities in the future. We seek a classification similar to the former Rural Industry or more commercial / industrial in nature.</p> <p>ORDCO currently undertakes a number of activities which are not permitted under the proposed re-zoning proposal. These include - diesel fuel outlet, office, car park/commercial vehicle parking (whilst not deemed a car park, the vacant land at the front of our block is often used by trucks and road trains whilst loading produce around the valley). ORDCO holds a dangerous goods license which may be affected by the rezoning proposal.</p> <p>Whilst it is noted that the class of 'Farm Supply Centre' has been included as part of the permitted use, ORDCO is much more than this classification.</p> <p>Please note that ORDCO is fully supportive of the protection of prime agricultural land yet believes that the "prime land" needs to be identified through a suitable survey.</p> | <p>Noted.</p> <p>The Shire was directed to remove the proposed Rural Industry Zone prior to advertising, on the basis that rural industry (Industry – Primary Production) is a land use which can be considered within a number of zones, including the Local Horticulture Zone.</p> <p>DoP are proposing the introduction of a new Rural Enterprise zone into the LPS Regulations, and advised that the Shire may use in place of the previous Rural Industry Zone.</p> |
| 21. | KP & DM Halford | Lots 1 -11 Crossing Falls Road, Kununurra | <p>Property zoned Rural Smallholdings & recently subdivided to create 11 lots adjacent to Crossing Falls Road.</p> <p>During the subdivision process to create the 11 lots, it was advised that the smallest lot size permitted was 4ha, which became the size of the blocks on the final plan. However, in keeping with the proposed zoning in the immediate area, requests Council to reconsider the area for Rural residential, allowing for smaller lot sizes of between 1 and 2 hectares.</p> <p>Considers the major difference between the existing Rural Smallholdings and proposed Rural Residential zones is to ensure that adjoining and surrounding agricultural uses are protected with appropriate separation form residential</p> | <p>Noted.</p> <p>The Rural Residential and Rural Smallholdings zones are in accordance with the new LPS Regulations also stipulate objectives and requirements for 'zones'.</p> |

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| | | | <p>development. States that since 2012 no commercial agricultural pursuits have taken place anywhere in the area, with the closest commercial property to the land located in Packsaddle. Provided a letter from DAFWA (8 May 2007), advising that the subject site “<i>as being less than 50% suitable for potential for irrigated agriculture</i>”, and therefore considers there is no reason that the land should be zoned differently than the surrounding area. The draft LPS notes a strong desire for this type of housing option (Rural Residential) with large lifestyle lots in good proximity to town, and considers that Lots 1 -11 (rezoned and subdivided into smaller parcels) would offer this.</p> <p>Two of the 11 lots have been purchased, and the new owners have no objection to the property being zoned Rural Residential, and their current use and development of the land would not contravene this.</p> <p>Consider that providing smaller rural lifestyle lots could encourage residents to make the Shire their permanent home and enable people to build their dream home in a rural location.</p> <p>State that the biggest stumbling block to the sale of the lots is their size. The majority of people interested in a rural lifestyle want more space than a residential lot in town provides, however do not want to have so much land that all their time is taken up on land management.</p> <p>State that potable bore water has easily been found in the area, with good flow rates and no issues with sediment or quality, and have received good feedback on other benefits of the lots including: ease of access, sealed road frontage, soil type, general location, lack of noise and nearby river access. However, although there has been a lot of interest in the lots, very few buyers want more than 1 ha of land, or can afford a larger and higher priced lot.</p> | <p>The main difference between these is lot size, and that a greater range of land uses may be approved in the Rural Smallholdings zone.</p> <p>It is acknowledged that the Draft Strategy states that “rezoning as part of the scheme review is not recommended; instead scheme amendments by private developers will ensure delivery of rural living land, consistent with market demand”, and that Scheme Amendments to rezone land for rural smallholding or rural residential developments should be supported by structure plans and local water management strategies (LWMS) consistent with Better Urban Water Management.</p> |
| 22. | Margaret O'Neill | Lot 455 Crossing Falls Road, Kununurra | Notes that the proposed zoning change for Crossing Falls is from 'Rural Living' to 'Rural Residential'. Rural Residential stipulates lot sizes from 1ha -4ha, however there are at least 6 properties within Crossing Falls (riverfront properties) under the minimum 1ha size. | Noted. The change from Rural Living to Rural Residential is simply in name to be consistent with the terms used in State Planning Policy 2.5 & the LPS regulations. The intent of the zone remains the same, |

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| | | | | however a clear minimum is set, to reflect the majority of lots in the area and to restrict further subdivision. |
| 23. | Jeanne Barnes | 6 Milkwood Street, Kununurra | <p>As a home owner, does not support the proposed rezoning of Lakeside properties. Concerned that:</p> <ul style="list-style-type: none"> ▪ the property values will be negatively affected, which has already occurred due to the economic downturn; ▪ high density housing could exacerbate existing social issues. <p>Notes that there is a large area of land in Lakeside which has infrastructure but as yet, no building – suggests only this area be earmarked for high density housing. Considers there are many other options, and that changing the zoning on existing properties is not the answer.</p> | <p>Noted.</p> <p>Recommend to review proposed residential densities for Lakeside.</p> |
| 24. | Vina Goulden | Lot 468 Crossing Falls Road, Kununurra | <p>Notes that Crossing Falls is proposed to go to Rural Residential, however Lot 468 is under 1ha and does not meet the specified range of 1ha – 4ha for this zone.</p> | <p>Noted.</p> |
| 25. | Melanie Gray, Ceres Farm | Lots 2 & 5 Packsaddle Rd, Kununurra | <p>Request that an investigation be completed which identifies prime agricultural land in the Ord River Irrigation Area. Currently, don't believe the Shire can effectively deal with any development proposals without knowing where the best agricultural land is. As such, unwanted land use conflict occurs.</p> <p>By 'prime' means land which is better than the land which it is being compared to. This would be predominantly by soil surveys. Some data on the soils would be available from the Department of Agriculture, as well as many local farmers who have had soil scientists come and evaluate their land.</p> <p>Zoning needs to be sustainable for the valley as agriculture land is the source of food and fibre requirements for living. Currently land use conflicts occur when developments are too close to agricultural land.</p> <p>Farming involves the use of gas guns (to scare away birds), spray planes and load machinery which cause nuisance such as noise, dust, spray drift, and if neighbours are too</p> | <p>Noted.</p> <p>The draft Strategy recommends identification of PAL and development of appropriate policy.</p> <p>Noted.</p> <p>Noted.</p> <p>Noted.</p> |

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| | | | <p>close the farming operations can be impacted. Biosecurity is another major issue. Considers that as it currently stands, land use conflict is going to increase without being able to identify the prime agricultural land.</p> <p>In general, the higher the density of the population in an agricultural area the harder it is to farm. And, usually, the farmer is the one affected and is forced to stop their activities, even with economic losses involved.</p> <p>States there is a huge amount of evidence across the state and nationally that when incompatible land uses are placed together, land use conflict occurs. To try and prevent this, believes prime agricultural land needs to be identified, and needs to be used SOLEY for agriculture.</p> <p>Agriculture provides a sound economic base now and into the future especially with the world predicted to triple its food consumption by 2050. It would be great if we could all try and protect this valuable industry together.</p> | <p>Noted.</p> <p>Noted.</p> <p>Noted.</p> |
| 26. | Frances Kofod | 20 Ironwood Drive, Kununurra | <p>Does not support proposed rezoning of residential land in Lakeside which would allow multiple dwellings on lots in Lakeside.</p> <p>Lives in Ironwood Drive, and dislikes what is happening all around the property, and considers that the demolition of single houses to allow redevelopment of two or three dwellings on the one lot should not be permitted in this area (Ironwood Drive) or Lakeside.</p> <p>States that in many cases old single houses, including many Homeswest houses, are demolished and established trees removed, to be overdeveloped with two or three houses without adequate provision for a yard. The style of housing replacing the old houses is also likely be hot without air-conditioning, and do not provide space for children to play.</p> | <p>Noted.</p> <p>Recommend to review proposed residential densities for Lakeside.</p> |
| 27. | Stephen Woodhead | 2 Milkwood Street, Kununurra | <p>In relation to the proposed rezoning in Lakeside to denser housing R code, recommends leaving zoning density as is.</p> | <p>Noted.</p> <p>Recommend to review proposed residential densities for Lakeside.</p> |

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| | | | <p>Considers that the higher density housing in old areas of Kununurra township (where one house is demolished and being replaced by two and three dwellings) is creating slum areas. These areas start off OK but in a couple of years seem to deteriorate badly.</p> <p>Previously owned a property in Carbeen Street, and higher density housing was spreading towards this area, along with anti-social behaviour. Considers that there has been further deterioration of the appearance and social 'feel' of this area.</p> <p>Would not normally object to a higher density R Code, but considers that in Kununurra the social dynamics do not function well in this situation.</p> <p>Also does not consider there is a shortage of land that require a higher R Code than existing in established areas of Lakeside.</p> | |
| 28. | Paul Mock, The Sandalwood Sanctuary | Lot 231 Ivanhoe Road, Lot 246 & 649 Research Station Road, Kununurra | <p>Grows sandalwood, which would come under the definition of Tree Farming used in section 4.12 as an example of a "inappropriate land use" for priority agricultural land.</p> <p>Is greatly concerned how this definition could potentially prevent growing a crop which has been the most profitable in 20 years of farming in the Ord Valley.</p> <p>Currently grows sandalwood on a Rural Ag 1 property, which would presumably come under this definition of "inappropriate use".</p> <p>Queries what standard is used to classify tree farming as inappropriate on priority agricultural land & what other things are included. Queries whether it is because tree farming:</p> <ul style="list-style-type: none"> ▪ is not edible ▪ is not high value ▪ has low employment value ▪ is preventing other crops being grown <p>Notes that cotton, hemp & other agricultural products aren't edible either.</p> <p>States that the sandalwood:</p> | <p>Noted.</p> <p>Recommend modifications to the Strategy 4.12 to acknowledge the existence of tree farming and its importance to the economy. State Planning Policy 2.5 states that tree farms should generally not occur on priority agricultural land (but not that it is inappropriate)</p> <p>The DoP consider in SWEK it is reasonable for the Shire to continue to allow tree farms on agricultural land (as encouraged by DAFWA).</p> |

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| | | | <ul style="list-style-type: none"> ▪ Is returning better income per hectare than any of his previous crops such as dairy, sugarcane, chickpeas or chia. ▪ Is the highest employment source in town at the moment. Personally employs 4 people in comparison to 1 person when he grew sugarcane. ▪ can be pulled out and other crops grown instead at anytime. Considers the market is already saturated with horticulture and if all the sandalwood farms switch to horticulture, prices would crash and result in a financial loss. <p>States that if other "priority agricultural production" was more profitable, then he would change.</p> <p>Worried that, as it stands, there is a potential in the future to be prevented growing a product that is profitable, high value, high employment & gives people pleasure through production of perfumes, ointments, medical treatments.</p> <p>Recommends that sandalwood and other cabinet timber species should be removed from the definition of "inappropriate land use" and appreciated for the contribution it has made to the community.</p> | |
| 29. | Lindsay Bice | 4 Milkwood Street, Kununurra | Does not support proposal to rezone Lakeside, as it may allow subdivision into smaller lots, resulting in increased noise and reduction of property values. | Noted. Recommend to review proposed residential densities for Lakeside. |
| 30. | Department of Lands | | Strategy identifies a category of land use for "Natural Resources and Cultural Protection" – would like to see this category used more extensively and possibly applied in the next Scheme. Consider there are direct links to be made between this category and identifying Native Title rights and interests, and may be a possible method of showing areas under a determination which are areas of Exclusive Native Title. Such exclusive areas are not necessarily communities/ settlements but are of significant value to Aboriginal people. From a tenure perspective, these could include leases under s83 of the <i>Land Administration Act 1997</i> , land reserved for "Use & Benefit of Aboriginal Inhabitants/Persons" and smaller communities which are | Noted and agreed. A similar land use category has been incorporated in Broome and Halls Creek Strategies and the DoP are supportive of a Cultural and Natural Resources reserve or zone being included in the Scheme as a regional variation. |

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| | | | <p>not able to be shown as Settlement, but independent of the proposed Rural/Pastoral zone.</p> <p>Consider the definition of Settlement needs to include more detail on why some communities are identified and others are not, as there are some small communities with Layout Plans which are not zoned Settlement and other communities without Layout Plans that are.</p> <p>Consider there is value in planning for the Lake Argyle Development Area, however that the Scheme Map has no value as currently depicted. Recommend that the cadastre be updated, the zoning boundaries realigned and the current existing uses be included.</p> <p>N.B. The Department of Lands also proposed a table with specific recommendations for changes to the Scheme maps.</p> | <p>Noted. Whether or not a settlement is zoned as Settlement is normally based on criteria in State Planning Policy - Aboriginal settlements, or whether or not the settlement can be easily shown on the Scheme maps i.e. remote settlements are often a small portion of a larger land parcel or not easily discernible on a small scale map.</p> <p>Agree that the Scheme map showing the Lake Argyle development area should be modified.</p> <p>Note the table of specific Scheme map recommendations provided</p> |
| 31. | Tourism Western Australia | | <p><u>Local Planning Strategy (LPS)</u></p> <p>In determining the land and the planning requirements of tourism for the Shire's future, the LPS does not draw significantly upon findings from the various tourism assessments and initiatives undertaken over the past decade, which provide valuable insight to the tourism industry and tourism needs in the Shire, including the <i>East Kimberley Tourism Plan 2022</i> (EKTP), components of the Kimberley Science and Conservation Strategy, accommodation needs assessments for Kununurra, and studies into demand for and supply of caravan parks</p> <p>The LPS also does not present an in depth assessment of tourism activity and its contribution to the economy, the environment and the community in accordance with the WAPC's Tourism Planning Guidelines (2014), designed to assist local government in preparing tourism components of local planning strategies, and Planning Bulletin 83 which recommends that local governments give due consideration to tourism within its local planning strategy to establish a land use planning framework for tourism that is relevant to the locality.</p> | <p>Noted.</p> <p>Recommend that an additional section be added in Part 1 and additional text will be added to Part 2 – local economy, to outline the importance of tourism a major industry for the Shire, which should continue to be supported by the Shire and facilitated through the planning framework where possible.</p> |

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| | | | <p>Recommends that the LPS needs to include an appropriate review of the aforementioned strategies. For e.g. while the document makes some reference to the EKTP and recommends that the plan be implemented, the LPS would be improved by including this as a 'complementary document' in Part 1.2, and in the 'References' section in Part 5.</p> <p>The EKTP identifies that the 'dedicated discoverers (adventure tourism)' segment, is becoming increasingly important for the region, and this group are keen to experience remote accommodation and attractions. Accordingly, the LPS should provide additional guidance and direction on facilitating development in remote areas, where appropriate to plan for and meet this demand.</p> <p>Understands that the Shire is currently well catered in terms of caravan parks, however notes that the LPS does not identify potential new caravan park sites to accommodate growth in this sector. Given the significance of the self-drive market to the Shire, this is an important consideration and the Tourism Planning Guidelines provide detailed advice on planning for the caravanning market, which should be considered in finalising the LPS. This should include identifying additional sites for future caravan parks, recognising that in remote locations transit and informal camping sites are increasingly in demand and create their own issues and impacts, and identifying the need and location of overflow areas in the town sites for seasonal demand.</p> <p>Page 9 (figure 5) of the LPS identifies that international visitors outnumber domestic visitors, which is incorrect, and the data provided in this table is out of date and should be updated with more recent information.</p> <p><u>Local Planning Scheme</u></p> <p>Generally supports the objectives of the Tourism zone. Whilst Tourism WA accepts that permanent accommodation within tourism developments is sometimes necessary to assist in financing the development, it is not</p> | <p>Noted. The draft Strategy identifies that low key tourism is likely to occur in rural areas.</p> <p>Noted. Recommend that figures be updated.</p> <p>Noted.</p> |
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| | | | <p>normally considered the 'ideal' outcome from a tourism perspective and should not be an objective for this zone.</p> <p>Recommend that objective (iv) 'to provide for limited permanent residential accommodation on tourism sites' is deleted, as provision for this is addressed in clause 4.25 'Tourism Zone Development Requirements' which specifies that a maximum of 40% of total number of accommodation units may be used for permanent residential purposes.</p> <p>It is recommended that 4.25.6 be reworded as its purpose is unclear.</p> <p>The Tourism Planning Guidelines provide standard definitions for tourism use classes not already included in the Model Scheme Text, which has not been adopted in the draft Scheme text. Noted that definitions for eco-tourist facility, lodge or tourist resort have not been included, and may be considered appropriate for the Shire, and are recommended to be included.</p> <p>Tourism WA's preference is for caravan parks to be zoned 'Special Use – Caravan Park' or similar, to protect the site for redevelopment to a higher and better use. It is recognised however that where caravan parks are privately owned and currently zoned 'Tourism', rezoning to a specific caravan park zone may not be supported.</p> <p>Acknowledge the lots fronting Victoria Highway (Kununurra), which enjoy a lakefront aspect and good access, are proposed to be retained in the tourism zone however that many are occupied by non-tourism uses which may be classified as non-conforming. Tourism WA Supports the recommendation in the LPS to relocate general industrial premises from this area.</p> | <p>Agree that objective (iv) is not required and recommend that it can be removed.</p> <p>Noted. Recommend to review clause 4.25.6 to provide clarity.</p> <p>Noted.</p> <p>Noted.</p> <p>Noted.</p> |
| 32. | Brendan Pettit, Housing Authority | | <p>Represent the Aboriginal Housing Services (AHS) division of the Housing Authority. AHS is responsible for delivering and managing housing and essential service infrastructure in remote Aboriginal communities. AHS also own residential land in Kununurra and Wyndham town sites to house Indigenous tenants relocating from remote areas for education and employment.</p> | <p>Noted.</p> <p>DoP supports the inclusion or amendment of the proposed settlements in the Scheme. Exiting Settlement Zone based on cadastral boundaries and not those identified in the Layout Plans.</p> |

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| | | <p>The DoP, under a MoU, assist AHS through the preparation of planning tools such as Settlement Layout Plans to facilitate the orderly and proper planning in these areas. On review of the Draft LPS No. 9 maps, AHS have noted the following discrepancies with existing Settlement Layout Plans:</p> <p>Wuggubun Settlement – It is recommended that Wuggubun be zoned ‘Settlement’ in the draft LPS9 with the boundaries being in accordance with the Recommended Settlement Zone identified in the Wuggubun Layout Plan 1, Ratified Draft map-set.</p> <p>Wijilawarrim Settlement (Molly Springs) – It is recommended that Wijilawarrim (Molly Springs) be zoned ‘Settlement’ in the draft LPS9 with the boundaries being in accordance with the Recommended Settlement Zone identified in Wijilawarrim Layout Plan 1 map-set.</p> <p>Jimbilum Settlement – The area proposed to be zoned ‘Settlement’ in the draft LPS9 does not align with the Recommended Settlement Zone identified in Jimbilum Layout Plan 1. It is recommended that the Settlement boundary be realigned accordingly.</p> <p>Nulleywah Settlement – The area proposed to be zoned ‘Urban Development’ in the draft LPS9 does not align with the Recommended Settlement Zone identified in Nulleywah Layout Plan 1. It is recommended that the Urban Development boundary be realigned accordingly.</p> <p>Mirima Settlement - The area proposed to be zoned ‘Urban Development’ in the draft LPS9 does not align with the Recommended Settlement Zone identified in Mirima Layout Plan 1. It is recommended that the Urban Development boundary be realigned accordingly.</p> <p>Warrayu Settlement – The area proposed to be zoned ‘Settlement’ in draft LPS9 does not align with the Recommended Settlement Zone identified in Warrayu Layout Plan 1. Also, given the location of this property on the edge of the Wyndham town site, it is recommended that the zoning of this area change to ‘Urban Development’, and</p> | <p>DoP will be undertaking mapping changes when required (after Final Approval), as such can map settlement zones in line with the recommended settlement zone identified in each layout plan.</p> <p>In relation to the town based settlements of Nulleywah and Mirima which are proposed to be zoned Urban Development in the draft Scheme, again the Department of Housing has recommended that the proposed zone should align with the respective layout plans.</p> <p>The Urban Development zone identifies the requirement to undertake detailed investigation through the preparation of a structure plan prior to subsequent rezoning, development or subdivision of land. As such, the ultimate zoning of the land is likely to be a mix of different zones and reserves, and it is appropriate for the whole land parcel to be zoned Urban Development until structure planning has been undertaken.</p> |
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| | | | <p>the boundary be realigned in accordance with the Layout Plan map-set.</p> <p>The Housing Authority would request that the above recommendations to the various 'Settlement' and 'Urban Development' zones be incorporated into LPS9 to ensure the appropriate delivery of housing and services to these Settlements.</p> <p>Furthermore, AHS is also currently involved in the delivery of affordable housing options for Indigenous tenants in Kununurra and Wyndham town sites. The AHS division supports the proposal to increase residential densities in Wyndham and Kununurra. This will result in greater housing diversity and affordability and is in line with the State Affordable Housing Strategy 2010 – 2020.</p> | |
| 33. | Debora Davidson | Lot 266 Packsaddle Road, Kununurra | <p>In reference to the draft LPP that was prepared in relation to development approval on the proposed Environmental Conservation Reserve for properties along Packsaddle and Jabiru road, object to the following:</p> <ul style="list-style-type: none"> ▪ Clause 2.4 – which recommends uses Council may consider within the reserve. ▪ Landowners being able to build dwellings of any kind on the land to be zoned 'Environmental Conservation Reserve' as this portion of land is in front of the already established houses/dwellings, which are generally in line with each other. <p>Reasons for opposing the above are as follows:</p> <ol style="list-style-type: none"> 1. Noise and dust: Any dwellings that are built past the already established dwellings would need to have driveways going past the established homes so would cause considerable dust and noise issues. 2. Privacy: The privacy of already established dwellings would be compromised as the back yard of the new dwellings would look into the pergola's/sitting/pool areas of the established dwellings. 3. Noise: Noise from the pergola's/sitting pool areas of the already established homes would travel forward to the dwellings in front. The water pumps for each landowner are also at the waterfront and need to be | <p>Noted.</p> <p>The DoP have recently advised that the freehold portions should be a zone and not a reserve, however recommend that either a SCA is implemented, or a separate zone is used, such as 'Environmental Conservation Zone'.</p> <p>The Shire has the following options:</p> <ol style="list-style-type: none"> 1. Rezone the freehold portions of the proposed Environmental Conservation Reserve to Local Horticulture, with a Special Control Area to be created over the reserve and portion of the Local Horticulture zone. 2. Rezone the freehold portions of the proposed Environmental Conservation Reserve to Environmental Conservation Zone, and include development provisions in the Scheme and a supporting local planning policy. <p>Recommend this matter be reviewed.</p> |

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| | | | <p>accessible to check when needed and not constrained by noise being too loud for homes too close to the water.</p> <p>4. Biosecurity: Farmers have stated over the past 12 months how concerned they are for people who live in the rural agricultural areas to follow a biosecurity plan which they should all strictly follow themselves, so building dwellings so close to the water would cause some concerns.</p> <p>States that when the two adjoining neighbours on Lot 267 and Lot 265 did not object to the chalet application on Lot 266, this was on the basis of the chalets being out of their view. Therefore is sure that the neighbours would not want the chalets to be moved onto the reserve in the future by either current or future owners.</p> | |
| 34. | Michael Gasmier | 3 Cycas Close, Kununurra | <p>Lots from Lakeside Stage 7 Residential Land Release remain unsold; partially developed. Believes that this is due to the fact the lot sizes are so small (about 350m2). Lily Creek residential Land release is pending. I believe there is sufficient land currently available to sell, which can be zoned for multiple dwelling development, should this be required. Should there be no more residential land available, then understandably, raising R codes is logical. However considers there is plenty of land available.</p> <p>The community has indicated larger lots and rural residential is what is wanted - increasing residential zoning as a blanket measure is the direct opposite of that. If individuals want to subdivide, then they can apply to do so on an individual basis. I object to this change over my lot.</p> | <p>Noted.</p> <p>Recommend to review proposed residential densities for Lakeside.</p> |
| 35. | Silke Becke & Robert Parsons | 85 Egret Close, Kununurra | <p>Generally, support a forward view, however believe that he documents are too optimistic, premature and not realistic.</p> <p>This point of view is due to current downturn in the economy, which has resulted in a number of mine closures, and businesses leaving town or downsizing, and very limited and sales for new industrial lots in Weaber Plain Road, lots in the latest Lakeside stages and new lots in Crossing Falls.</p> | <p>Noted.</p> <p>The Strategy provides the framework for the long term planning of the local government (10 – 15 years) and should provide a mechanism to guide development as the market leads to growth.</p> |

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| | | | <p>Notes that the availability of water has been considered a major advantage, however is not a guaranteed and unlimited resource, therefore foresight is required as to how much usage this source will be able to support into the future.</p> <p>Considers the ever increasing social conflicts to be one of the major disadvantages of the region, and is detrimental in attracting new residents.</p> <p>Queries whether proposed rezoning of properties from “rural Ag 2” to “rural Residential” is simply for the Shire to increase rates revenue, and what if any increase to services or benefits would result of proposed zoning changes.</p> <p>In relation to Egret Close area, are concerned whether the water table will be able to cope with the proposed density of residents if all the land can be subdivide into 1ha lots. All lots would also need to have their own bore and septic system which could present a larger problem, with the clearance required from the water table.</p> <p>Also concerned with run-off surface water, and reduction in surface area for water to soak into and the soil profile, and considers that risk of flooding in Emu Creek would be extremely high in the right circumstances. In particular the adjoining farm (Lot 1) would require a lot of drainage infrastructure in order to prevent water spilling into neighbouring properties.</p> <p>Do not support rezoning at this point in time and query why an additional 17000 people would come to Kununurra.</p> | <p>Noted. The Strategy recommends that regional and district water management strategies be developed for townsite and urban expansion areas.</p> <p>Noted. Social conflicts are not issues that can be resolved by the Strategy.</p> <p>Possible areas for rural residential and rural smallholdings development were identified in the draft Strategy in consultation with DAFWA. These areas were generally located along serviced corridors into Kununurra to provide for efficient services of lifestyle lots.</p> <p>Noted. A local water management strategy and land capability assessment would be required to be developed to support rural residential subdivision.</p> <p>A reticulated water supply is required for lots under 4ha and reticulated sewer may be required to be provided in the instance of high water tables.</p> <p>Recommend that the Old Darwin Precinct be identified as future rural residential in the draft Strategy, however to be zoned as Rural Smallholdings in the draft Scheme</p> |
| 36. | Terry Howe | 10 Cycas Close, Kununurra | <p>Very concerned about the proposal to increase the density of housing, which is a no ‘through’ area and far away from the service centre of the town.</p> <p>Purchased the property based on a R15 zoning, however there is already a number of dual/multi dwellings on the street, which creates noise, safety & parking issues.</p> | <p>Noted.</p> <p>Recommend to review proposed residential densities for Lakeside.</p> |
| 37. | | | <p>Objects strongly to the rezoning of areas of Lakeside.</p> | <p>Noted.</p> |

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| | Allan Wedderburn (2) | 10 Cycas Close, Kununurra | <p>Purchased property in area based on the current R15 zoning. Considers any further subdivision will detract from the area due to increases noise, traffic and a reduction property prices and safety.</p> <p>Convention is for 'inner' suburbs closer to the 'CBD' to have higher zoning, not outer residential areas.</p> | Recommend to review proposed residential densities for Lakeside. |
| | | | <p>Provided results of a facebook survey which asked "Do you want higher density housing in Lakeside?"</p> <p>East Kimberley Community Forum: No – 36 Yes – 1</p> <p>Kununurra Community Notice Board: No – 33 Yes – 5</p> <p>Note that some people may have polled on both, however that the message is "no" more higher density housing in Lakeside.</p> | Noted. |
| 38. | Department of Water | | <p><u>Local Planning Strategy</u></p> <p>Acknowledges that previous comments have been adopted in part.</p> <p>Whole of Shire</p> <p>Remote Communities (pg 9)– Reiterates the importance of sound community layout planning including water infrastructure planning to protect drinking water supplies and flood risk mitigation.</p> <p>Environment (pg 12)– Supports stipulation of buffers to sensitive water resources. The document suggests a 50m buffer be applied, which is adequate in many circumstances but this is highly dependent on the proposed land use and the biophysical nature of the waterway and foreshore area. The primary objective of providing a buffer is to limit run-off of sediments or pollutants, and to maintain naturally vegetated areas to protect waterways. Recommend that the biophysical criteria assessment undertaken by DPaW and</p> | <p>Noted.</p> <p>Noted.</p> <p>The Shire is considering implementing a Special Control Area over portions of the Lake Kununurra foreshore areas to control land use development, which would result in development applications being referred to relevant agencies for comment.</p> |

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| | | <p>DoW be used for the Lake Kununurra foreshore areas as it stipulates more relevant buffer distances dependent on proposed land use.</p> <p>Water Management Strategy (pg 15) – Supports the recommendation to develop a water management strategy for the Shire at a district level and is keen to be involved in scoping and review. However, it is the responsibility of the Shire to prepare this document.</p> <p>Wastewater (pg 15) – most remote communities and small rural holdings are not sewered and this could pose a risk to groundwater and surface water, and needs to be considered in planning.</p> <p>Kununurra Townsite Strategic Land Use Plan</p> <p><u>Opportunity 2</u> – drainage from the light industrial area into the old borrow pits and through to Lily Creek Lagoon should be investigated in the proposed Water Management Strategy.</p> <p><u>Opportunity 6</u> – given the longer term aspirations for urban development on the waterfront (and other infill development right around the Lily Creek Lagoon foreshore) it would be appropriate to consider a study on ecological values and processes to better support management decisions.</p> <p><u>Opportunity 8</u> – development aspirations for the site of the old borrow pits (including residential, tourism and commercial) might have significant constraints given its role in town drainage, potential contamination issues from the light industrial area and the low-lying nature of the area which will require significant site works). These issues would need to be addressed in any proposal for re-development.</p> <p>Water Supply - Agrees with the protection of the P1 area (Key Recommendation 33, pg 36 - 37).</p> <p>Welcomes any opportunity to be involved in a multi-agency group to provide advice with respect to the continued protection of the existing drinking water source area, the identification of any proposed new water supply, and the</p> | <p>The WAPC's Better Urban Water Management guidelines outlines that the preparation of a DWMS is the responsibility of DoW/local government. As a result, the Shire should work closely with the DoW to progress this.</p> <p>Noted. This is considered in the scope of any water strategy done in consultation with the DoW.</p> <p>Noted.</p> <p>Noted.</p> <p>Noted. Any development on the waterfront would be subject to appropriate environmental considerations</p> <p>Noted.</p> <p>Noted.</p> |
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| | | | <p>subsequent methodology required to properly investigate a new source.</p> <p>The DoW will continue to support and be involved with any efforts to investigate alternative water sources but reiterates its position that it cannot support any development in the current P1 water reserve until an alternative source is fully proven and in operation.</p> <p>Key Recommendation 31 – Supports the relocation of the Kununurra WWTP and is currently working with all the relevant stakeholders to identify appropriate options.</p> <p>Supports strong planning for better access to Lily Creek Lagoon and the foreshore area, but does not support increased access through the P1 area.</p> <p>Key Recommendation 36 – seeks clarification as to what is meant by “... <i>respond to the recommendations of the Lake Kununurra Biophysical Foreshore Assessment</i>”.</p> <p><u>Kununurra Surrounds</u></p> <p>Opportunity 4 – if general industry is to be located directly adjacent to the lower Ord river appropriate buffers should be established to protect the river from impact.</p> <p><u>Wyndham and Surrounds</u></p> <p>Port Development – industrial waste and stormwater run-off needs to be carefully considered with any upgrades to the Port.</p> <p>Urban Expansion – ensure appropriate supply planning is undertaken in conjunction with any urban expansion early in the planning process.</p> <p><u>Lake Argyle</u></p> <p>A recreational and aquatic use plan should be developed for Lake Argyle to manage tourism, mooring, aquaculture, water supply and recreation pressures. DoW would be keen to provide expert input into any planning effort.</p> | <p>Noted – The Strategy states that this is a long term plan to enable residential, commercial and tourism development in the area.</p> <p>Noted.</p> <p>Noted</p> <p>This recommendation acknowledge that a biophysical criteria assessment has been undertaken on parts of the Lake Kununurra foreshore which should be considered in relation to any redevelopment.</p> <p>Noted.</p> <p>The LPS recommends that regional and district water management strategies be developed for townsite and urban expansion areas.</p> <p>Noted.</p> |
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| | | | <p><u>Consolidated Key recommendations</u></p> <p>Regional and District Water Management Strategies (DWMS) – It should be identified as the responsibility of the Shire to prepare a district water management strategy to address water issues. DoW can support the scoping and review of a strategy.</p> <p>Alternative water supply – the current town water supply bore field is adequate for the medium term growth of Kununurra and provides a very good quality supply. It is not the intention or priority of the DoW to pursue identification and development of an alternative supply. DoW will support any process initiated with expert advice and public drinking water source protection planning. The responsibility must be changed to reflect this.</p> <p><u>Local Planning Scheme</u></p> <p>Development Setbacks from surface water sources – Supports stipulation of buffers to sensitive water resources.</p> <p>Notes the Scheme suggest a 50m buffer be applied to any development from the Lake Kununurra wetland boundary. This is adequate in many circumstances but is highly dependent on the proposed land use and the biophysical nature of the waterway and foreshore area. The primary objective of providing a buffer is to limit run-off of sediments or pollutants, and to maintain naturally vegetated areas to protect waterways.</p> <p>Recommend that the biophysical criteria assessment undertaken by the DPaW and DoW be used for the Lake Kununurra foreshore area as it stipulates more relevant buffer distances dependent on proposed land use. These areas could be identified as Special Control Areas (SCAs) on the scheme maps to allow for appropriate setbacks to be achieved during developments.</p> <p>Domestic water supplies - Believes that the minimum 120,000L rainwater tank to be provided where a reticulated water supply is unavailable (Clause 4.14) may represent an inadequate supply given local estimates for an average household under normal living conditions. This should be</p> | <p>The WAPC's Better Urban Water Management guidelines outlines that the preparation of a DWMS is the responsibility of DoW/local government.</p> <p>As a result, the Shire should work closely with the DoW to progress this.</p> <p>Noted.</p> <p>Noted.</p> <p>The biophysical criteria assessment undertaken by the DPaW and DoW for the Lake Kununurra foreshore area was used as the basis of the provisions in Schedule 1 of the draft Scheme, and to determine the wetland boundary.</p> <p>Noted. It is acknowledged that where there is no water available, water supply is generally provided via a mix of ground or surface water, and rainwater.</p> |
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| | | | <p>investigated further for developments where a connection to a water service provided is not available.</p> <p>Wastewater treatment - Within Part 4 of the Scheme, there needs to be wastewater treatment system requirements for developments where connection to reticulated sewage is not available. Where developments occur within 50m of the Lake Kununurra foreshore area a septic system is typically not suitable. Water quality protection note (WQPN) 70 – Wastewater treatment and disposal – domestic systems</p> <p>Commercial Boat Facility – suggests that more specific conditions are applied to the Commercial Boat Facility in regards to wastewater treatment and setbacks so a consistent approach can be applied to all development within that facility.</p> <p>Stormwater, storm surge and flood management – DoW provided some previous advice on what should be included in the Scheme in regards to flooding and stormwater management. It does not appear to have been incorporated in the draft Scheme, and DoW reiterates its advice that the Scheme should include provisions that require flood investigations to be conducted prior to planning and development in areas suspected to be at risk.</p> <p>Suggest a special control area could require building development or earthworks to obtain planning approval and specify further development requirements including: minimum floor levels, measures to protect foundations, restrictions within the floodway, and requirements for notifications on title. The <i>Stormwater Management Manual for Western Australia</i> and the <i>Decision Process for Stormwater Management</i> contain guidance on current best management practice.</p> | <p>Noted.</p> <p>Noted. Recommend that a condition be included to outline that the area will require a land capability assessment to be undertaken for onsite sewerage disposal.</p> <p>The Shire is in the process of undertaking a flood management assessment for Kununurra.</p> <p>Recommend additional information be included in the Strategy regarding the drainage issues within the Kununurra townsite and the flood management assessment being undertaken.</p> <p>Once flood mapping has been undertaken, relevant information can be incorporated into the Scheme.</p> <p>In the interim structure planning and preparation of a local water management strategy would be required to be conducted prior to planning and development in areas suspected to be at risk of flooding.</p> |
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| 39. | Jim Engelke | Lot 5 Packsaddle Road, Kununurra | <p>Considers that the dual zoning of Packsaddle properties and the proposed renaming of the area as 'Environmental Conservation reserve' has a strong flavour of anti-development, and in the future will be interpreted to become conservation park and subsequently development rejected.</p> <p>The title of Environmental Conservation Reserve implies that there is land worthy of conservation, which may be the case in some instances, however in many instances has been cleared or altered to a point where conservation values have been substantially diminished.</p> <p>Owners of Packsaddle properties in many cases have purchased portions of the foreshore area in freehold. Consider that if the Shire adopts the proposed 'Environmental Conservation Reserve' they are reducing the value of the land through inappropriate zoning, and exposes owners or the Shire to future obligations under a re-interpretation of the Environmental Conservation Reserve.</p> <p>States that a real example of this exists in the Ord Stage 2 Goomig development, where land set aside as buffer has since been reinterpreted as a conservation park and the conditions imposed on this parcel of land are greater than the State imposes upon its own legitimate Conservation Reserves.</p> <p>Considers that a clear message of 'no development' is being conveyed by adopting the nomenclature of 'Environmental Conservation Reserve'. The vast majority of lake Kununurra foreshore will not and must not be developed.</p> <p>States that if the Shire is committed to a growth strategy for the region then leaving development options open should be the preferred position, not actively shutting them down. Considers that development along the lake Kununurra foreshore in time will become an important attraction to the region and it would be disappointing and indeed negligent if this opportunity was prevented through poor decision making.</p> | <p>Noted.</p> <p>The DoP have recently advised that the freehold portions should be a zone and not a reserve, however recommend that either a SCA is implemented, or a separate zone is used, such as 'Environmental Conservation Zone'.</p> <p>The Shire has the following options:</p> <ol style="list-style-type: none"> 1. Rezone the freehold portions of the proposed Environmental Conservation Reserve to Local Horticulture, with a Special Control Area to be created over the reserve and portion of the Local Horticulture zone. 2. Rezone the freehold portions of the proposed Environmental Conservation Reserve to Environmental Conservation Zone, and include development provisions in the Scheme and a supporting local planning policy. <p>Recommend this matter be reviewed.</p> |
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| 40. | Aboriginal Lands Trust | | <p>Glad that the Scheme and Strategy recognises the significant role that local government planning and service delivery has in providing an improved economic opportunity and social outcomes for Aboriginal people in the Shire.</p> <p>In particular note:</p> <ol style="list-style-type: none"> 1. Acknowledgement of land for the use and benefit of Aboriginal people within the Scheme, and the inclusion of ALT held land within the Urban Development, Rural Pastoral and Settlement Zones; and 2. The requirement for the development and implementation of Layout Plans (in accordance with State Planning Policy 3.2) for existing and proposed Aboriginal settlements. | Noted. |
| 41. | Lorre Daniel | 54 Koolama Street, Wyndham | <p>Property is currently zoned Residential R15 and proposed to be rezoned to Rural Townsite with special uses and no obvious R code.</p> <p>Would not like to see group or multiple dwellings or business built in this area which could result in excess noise, rubbish and traffic (both foot and vehicle) increased, especially overnight.</p> <p>Considers there is enough commercial property available in the original town centre (Koolinda Street) which has parking facilities and would keep businesses closer together for easier public access.</p> <p>Would like the Shire not to allow the Government housing commission to build group or multiple dwellings along Great Northern Highway as they do not install front fences and poses a danger with groups of children playing on or near the main road.</p> <p>Considers there are plenty of lots around town to build houses on without overcrowding any area. Want people to come and stay, not be driven out by excessive noise.</p> | <p>Noted.</p> <p>Recommend review residential land proposed to be rezoned to Rural Townsite.</p> |
| 42. | Rhonda & Ross McDonald | 49 Great Northern Hwy, Wyndham | <p>Comment on the proposed rezoning of areas for 'Rural Townsite' in Wyndham.</p> <p>States that the current shopping centre (Town Centre) in Koolinda Street has numerous lots that have been vacant</p> | <p>Noted.</p> <p>Recommend review residential land proposed to be rezoned to Rural Townsite.</p> |

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| | | | <p>for 20 years, therefore does not believe more land needs to be included.</p> <p>States that as it is proposed to rezone land between Timor and Cambridge Streets, which is currently zoned Residential R15, many lots on both sides of Great Northern Highway will be left without any effective Residential Design Code (R Code).</p> <p>Strongly considers that any housing development along the highway should be required to comply with the current R15 single dwelling requirements. This can be achieved by either retaining the current Residential R15 zoning, or specifying a residential code of R15 for the proposed Rural Townsite zone.</p> <p>Main concern is that multiple/group dwellings should not be approved in this area and considers it is not suitable for a main road.</p> <p>Has a house adjacent to two empty houses owned by the Department of Housing, which are planned for demolition, and an empty Shire property to the rear, and are concerned by the development that may be established on these properties.</p> <p>States that group dwellings have been constructed along the highway, Dorrigo and Dulverton Streets which have caused a number of problems which can be confirmed with relevant agencies.</p> <p>Understands that the Department of Housing are not required to comply with the Shire planning requirements, however requests that the Shire does everything in their power to compel the Department to consider these issues and the concerns of Wyndham residents.</p> <p>In relation to any commercial development within the proposed Rural Townsite zone, trusts that resident's opinions would be sought, and that the approval of any rural enterprise would require formal consultation with homeowners.</p> | |
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| 43. | Department of Mines and Petroleum | <p>The DMP has assessed these documents with respect to access to mineral and petroleum resources, geothermal energy, and basic raw materials.</p> <p>Recommends that Council adopt the following strategies regarding mineral resources in their planning:</p> <ol style="list-style-type: none"> 1. Operating mines and quarries should be protected from sterilisation or hindrance by encroachment of incomplete adjacent development. 2. Known resources and areas of identified high resource potential should not be unnecessarily sterilised by inappropriate zoning or development. 3. Access to land for exploration and possible development should be maintained over as much of the planning area as possible. <p>Consistent with Section 5.7 of State Planning Policy No. 2 Environment and Natural Resources, the important mineral resources and basic raw materials within the Shire should be identified and protected. DMP therefore suggests that the Strategy contain comments on geology, mineral resources and basic raw materials within the Shire.</p> <p>Recommend including the following comment on geology:</p> <p><i>The East Kimberley region has a complex history dating back more than 2.5 billion years. The formation of the oldest rocks in the region began with the deposition of sediments and the outpouring of volcanic lava. A continental collision uplifted and eroded the oldest rocks between 1.80-1.83 billion years ago, together with the deposition of sediments. Additional sediments were then deposited in the Kimberley Basin by a major river system flowing from the north. The resultant sedimentary rocks now underlie much of the Kimberley Plateau. Over the last 1.8 billion years, the Kimberley has periodically become geologically active with evidence of further deposition in basins and folding and faulting of the resultant sedimentary rocks.</i></p> <p><i>In the Neoproterozoic, between 700 and 600 million years ago, the Kimberley was subjected to glaciations. The</i></p> | <p>Noted.</p> <p>Recommend that additional text be included in local economy profile relating to mining to note the importance of the industry, but the limitations that the scheme has to address mining matters.</p> <p>Noted. SPP2.4 – Basic Raw Material is considered in Part 2, section 3.1.</p> <p>Noted and agreed. Recommend to add new text to part 2 – geology and landform.</p> |
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| | | <p><i>resulting glacial deposits and evidence of the passage of ice sheets are well preserved.</i></p> <p><i>About 550 million years ago, the Halls Creek Fault in the east Kimberley became active as part of a system of faults with horizontal movement. This was followed by outpouring of extensive flows of basalt lava before establishment of shallow seas in the Cambrian period (540 to 490 million years ago) when the variety of life living within oceans grew significantly. Many fossils of this period have been preserved.</i></p> <p><i>About 375 million years ago, during the Devonian period, seas deepened and a series of barrier reefs began to form. The reefs fringed three sides of a land mass formed by the Kimberley Plateau. On the fourth side, the Halls Creek Fault again became active and erosion formed sandstones and conglomerates seen in the Bungle Bungle Ranges and at Hidden Valley. A period of glaciation between 310 and 270 million years ago during the Permian period affected much of Australia and sedimentary rocks buried the Devonian reefs. Deposition of sandstone, siltstone and conglomerates in shallow seas and rivers has continued through to the present in the Canning basin and areas around the present day Bungle Bungles and Osmond Range.”</i></p> <p>There are a total of 39 operations for Basic Raw Materials (BRM) within the Shire, and the majority of these are gravel and sand deposits. Consider that all these areas warrant consideration in the Strategy for long term use and protection from conflicting land uses. This is outlined in Section 5.9 of draft State Planning policy 2.5.</p> <p>Section 120 of the Mining Act states that local planning schemes and local laws are to be considered but do not derogate from the Mining Act. Recommend that no comments be made in the Local Planning Strategy in regards to constraining or providing for mining operations, although it will be important to identify particular areas of known resources within the Strategy.</p> <p>Information on Mining Act tenements and Petroleum and Geothermal Energy Resources Act 167 titles is available from the Department’s website, and is recommended that</p> | |
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| | | | <p>the shire consider using these systems in land use planning studies.</p> <p>It is important for areas of potential resources, or existing mineral and petroleum resources and BRM that will last for a number of years to be identified in the Strategy and protected in the scheme. This protection is to minimise conflict between future mining activities and incompatible development such as new residential or industrial areas.</p> <p>Appropriate separation distance should be established to protect mineral resources and BRM, which will allow the Shire to seek to protect the amenity of landowners and ensure the longevity of strategic resource extraction in the Shire. DMP recommend separation distances as per the EPA's "<i>Guidance for the Assessment of Environmental Factors</i>".</p> <p><u>Local Planning Scheme</u></p> <p>Mining operations are authorised under the Mining Act, and Section 120 of this Act states that local planning schemes and local laws are to be considered but do not derogate from the Mining Act.</p> <p>Recommend that no comments be made in the scheme or zoning table in regards to constraining or providing for mining operations unless there are pre-1899 'mineral-to-owner' lands within the Shire. In such circumstances DMP recommend a clear statement that this only applies to those freehold lands where the mineral rights are owned by the land owner not the Crown.</p> <p>Recommend that 'Industry-Extractive' be noted in the Shire's Zoning Table as a 'P' permitted use for all areas zoned 'Rural'.</p> <p>Notes that large areas of the Shire, mainly vacant crown land (vcl) have been shown as "Environmental Conservation Reserve" in the Scheme maps and labelled as "Cultural and Natural Resource Use" in the Strategy, Figure 1. Many of these areas are required for current and future exploration and mining activities that will be needed to help sustain and grow the local economy. Therefore, consider it inappropriate to map such large areas as</p> | <p>Noted.</p> <p>Industry –Extractive is not permitted in the Local Horticulture, Rural Smallholdings or Rural Residential to the size of the lots.</p> <p>Noted. The Shire is proposing to incorporate a new "Cultural and Natural Resource Use" reserve into the Scheme, to be used in relation to areas that are not pastoral, and also not conservation reserves.</p> |
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| | | <p>reserves for “Environmental Conservation” unless they are already conservation reserves under the <i>Conservation and Land Management Act 1984</i>.</p> <p>The Argyle Diamond Mine which operates under the Diamond (Argyle Diamond Mines Joint Venture) Agreement Act 1981, is inappropriately mapped as “Environmental Conservation Reserve”.</p> <p>Note that there are a number of proposed conservation reserves in the Shire as part of the Kimberley Science and Conservation Strategy, however believe that zoning or reservation for conservation under the Scheme should only cover gazetted Crown reserves so as not to pre-empt State Government decision making.</p> <p>Provided a list of Reserves for BRM in the Shire that are strongly recommended to be Public Purposes Reserve for the purpose of Extraction Area (‘EA’).</p> <p>Map 11 – Pending mining tenements M80/618 and L80/63 are currently shown as “Environmental Conservation Reserve”, but would be better categorised as “Public Purposes EA” as these two tenements cover a key resource of fresh basalt. This material is to be used locally in bitumen road construction.</p> <p>Map 11 - ‘Gravel’ Reserve 31451 is currently cut by a proposed Public Open Space Reserve. DMP suggest that this reserve together with Lot 1347 on DP 18290 be reserved as Public Purposes Reserve– E to facilitate the extraction of the gravel resource.</p> <p>Map 11 – Miscellaneous licence L8059, which is part of an existing ship loader at Derby is overlapped by an area shown as Public Open Space Reserve. This area of overlap would be better zoned as “General Industry” consistent with the proposed zoning of the adjacent area and the actual land use.</p> <p>Map 16 – the northern part of the proposed zone “Agriculture- State or regional Significance” cuts across granted mining lease M80/285, which is part of the Sorby Hills base metal mining project. Agricultural development</p> | <p>Noted. Recommend that the land should be zoned Rural/Pastoral.</p> <p>Noted.</p> <p>Noted.</p> <p>A number of these BRM’s are mining tenements, and as such are not easy to identify on the Scheme maps, however regardless of the underlying zoning, the Mining Act will allow for the ongoing mining activity.</p> <p>However, there are a number of existing gravel and raw material reserves, and adjoining land, that are recommended to be zoned accordingly as Public Purpose Reserve and denoted as extraction areas.</p> |
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| | | <p>over this mining lease has the potential to conflict with the mining access rights of the mining lease holder.</p> <p>Map 16 – to the west, the proposed Environmental Conservation Reserve is incompatible with the mining access rights held under granted miscellaneous licence L80/69</p> <p>Map 17 – Reserve 50284 with a purpose of “Government Requirements (Raw Materials), Protection of Aboriginal Heritage and Buffer” is shown in the proposed ‘Agriculture-State and Regional Significance’. Recommend this area should be reserved for Public Purposes – EA or similar to reflect the Crown reserve purpose.</p> <p>Map 19 – ‘Raw Materials Area’ Reserves 49628 & 49446 and pending mining tenements M80/619 and L80/69 are shown as Environmental Conservation Reserve and are recommended to be Public Purposes Reserve – EA.</p> <p>Map 20 – Mining lease M80/477 is located on VCL but is proposed to be zoned as “Agriculture-State or Regional Significance, and is incompatible with the current land use, which provides necessary BRM for use in the Kununurra region. Recommend adding Lot 501 on DP 44380 to the adjacent area as Public Purposes Reserve – EA.</p> <p>Map 21 - Pending mining lease M80/620 (BRM) is located on VCL but is proposed predominantly as Environmental Conservation Reserve and partly as Local Horticulture. As both are incompatible with planned BRM extraction recommends the pending mining lease should be reserved as Public Purposes Reserve – EA.</p> <p>Maps 21 & 22 – Mining tenements M80/474, M80//494 and L80/67 (BRM) are covered by proposed Rural Residential zone, Primary Distributor Road and Environmental Conservation Reserve. Considers that none of these zones are compatible with mining to supply BRM to the Kununurra region. Recommends that these mining leases should be Public Purposes Reserve – EA or the potential for sequential land use should be recognised with respect to the Primary Distributor Road. DMP recommends that the Shire should consider a suitable separation distance</p> | |
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| | | | <p>between the BRM operations and sensitive land uses as proposed in draft SPP 2.5.</p> <p>Map 23 – Mining tenements M80/77, 80/622 & L80/73 and pending mining lease M80/630 are not recognised on the scheme maps and are located in a proposed Environmental Conservation Reserve area. These tenements are contained within ‘Quarry’ Reserve 36951 which is not considered compatible with the proposed environmental conservation reserve. Recommends Reserve 36951 should be reserved for Public Purposes Reserve – EA.</p> <p>Map 23 – Mining lease M80/396 (BRM) located on gravel deposits in the Ord River valley is within the proposed Agriculture- State and Regional Significance zone. To reflect actual land use, recommend this lease should be Public Purpose reserve – EA.</p> <p>Map 24 – The proposed Industrial Development zone overlaps mining leases M80/360, M80/476 and M80/530 on which BRM extraction is taking place. While it may be possible for BRM extraction to take place ahead of industrial development, this would need to be carefully investigated.</p> <p>Maps 23 & 25 - Mining lease M80/340 would be better reserved as Public Purpose – EA as extraction of BRM is incompatible with the proposed Environmental Conservation Reserve.</p> <p>Maps 23 & 25 – Mining tenements G80/5, G80/18 and L80/36 are for BRM crushing and screening plant and hence are incompatible with the proposed Agriculture – State and Regional Significance.</p> <p>Map 28 - ‘Gravel’ Reserve 42304 and Reserve 47333 for “Extraction of gravel for construction, repair, maintenance of roads & ancillary purposes” are recommended to be shown as Public Purpose Reserve – EA.</p> <p>Consider that the purpose of existing Land Administration Act 1997 reserves and mining rights granted under the Mining Act and the Diamond (Argyle Diamond Mines Joint</p> | |
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| | | | <p>Venture) Agreement Act 1981 have not been adequately reflected in the Scheme Maps.</p> <p>States that adequate consideration has not been given in the proposed Scheme to the compatibility of large tracts of rural land with current and future exploration and mining activities necessary for the sustainable economic development within the Shire as recognised in the “Resource Economy” section of the State Planning Strategy 2050.</p> <p>Notes that there is also inconsistency between the land uses shown for these areas in the Strategy document and the reserves proposed in the Scheme.</p> | <p>Noted. The Strategy identifies the future use of land, however land may not be immediately zoned subject to further investigation, demand or supporting documentation.</p> |
| 44. | Gelgnayem Trust | 5 Mango Street, Kununurra | <p>Is concerned that the recommendation to continue the use of motor vehicle servicing in the newly named Mixed Use zone will impact negatively on the business. There are a large number of vehicle servicing businesses in the area already. The servicing of vehicles is of minimal impact on the amenity of the area. The businesses generally open from 7am – 5pm Monday to Friday.</p> | <p>Noted.</p> <p>Recommend to consider including Motor Vehicle Repair as a discretionary (D) or discretionary subject to advertising (A) use.</p> |
| 45. | Christine McLachlan | | <p><u>Local Planning Strategy</u></p> <p>Considers that the references in the report to planning for the ‘One Mile’ are very confusing. Assumes this refers to the Wyndham Port Townsite. One Mile is the Gully area.</p> <p>States there is no “regular coastal shipping service between Fremantle, Broome and Darwin”. The service was cancelled in 2015.</p> <p>Notes that Warrayu Community (p.18) is misspelt as ‘Warrayn’ Community.</p> <p>If “Enhance facilities of wayfinding to Five Rivers Lookout” (p.46) means put up more signs, could that just be stated.</p> | <p>Noted. Nomenclature to be confirmed and amended.</p> <p>Noted. Recommend this be removed.</p> <p>Noted. Recommend to change.</p> <p>Noted. Amend Figure 6, opportunity No. 3 as follows: ‘Enhance facilities of wayfinding (such as use of signage, colours and materials treatments) to Five Rivers Lookout.’</p> |

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| | | | <p><u>Local Planning Scheme No. 9</u></p> <p>Strongly object to the recommendation to increase residential densities in Wyndham (p48). Believes this is a direct threat to the ability of our residential areas to “<i>promote and safeguard the health, safety, convenience, general public welfare and amenity</i>” (Scheme text 3.1.2) and in contradiction to the recommendation that “<i>The current density of existing residential areas is appropriate to retain larger lots, and ensure the provision of housing for larger family groups</i>”. (p34).</p> <p>States the impacts of increased housing density can be seen by assessing the semi-detached houses already constructed by the Department of Housing (DOH) in Wyndham. Children tend to spill out on the highway to play (no backyards) and some houses are crowded as extended families cram into smaller spaces. Property damage e.g. house fires in Kangaroo Drive cause damage to adjoining residences, due to shared walls.</p> <p>Consider it makes no sense to say that the needs of large family groups can be catered for by lower density ‘urban expansion’ (p.49), as there is little or no chance of any urban expansion happening in Wyndham. “<i>The local population has been declining since 1985 [and] the town faces challenges in maintaining a population</i>” (p.44)</p> <p>Further comments on the Draft LPS No. 9:</p> <ul style="list-style-type: none"> • Request that ALL properties with a residential design code of R15 remain unchanged under the new Planning Scheme. • Suggest that zoning for Lot 3 Ref SU14 (Zone ZGA) should be changed to Industrial (as there is no Croc Farm any more) • Suggest that Lots 723, 722, 1300, 721 Ref SU11 (currently zoned Motel) are included in the Rural Townsite zone. • Queries why part of the Gully Cemetery appears to be zoned residential (adjacent to Lot 1037) | <p>Noted.</p> <p>Recommend to review residential densities in Wyndham.</p> <p>Noted.</p> <p>Noted and agreed. Recommend to remove this special use site.</p> <p>Noted and agreed. Recommend to rezone these lots to Rural Townsite.</p> <p>Lot is already zoned Residential under current TPS 6, is unallocated Crown land and not part of the cemetery reserve.</p> |
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| 46. | J & D Fulcher (x 2) | Jabiru Road, Kununurra | <p>In relation to the draft LPP for the Environmental Conservation Reserve along Packsaddle:</p> <p>1 – Agree to keeping a buffer zone between the river and the construction of habitable buildings or planting of crops. This gives a uniform view of residences along Jabiru and Packsaddle Road properties from the river and provides necessary privacy for the residents.</p> <p>2 – Agree with the proposed uses of the buffer zone in 2.3 in terms of creating passive recreational and tourism.</p> <p>Disagree with some uses listed in 2.4 being placed in the buffer zone especially oppose any form of dwelling, in which will be occupied by persons either full time or seasonally. Consider this could be detrimental visually in terms of neighbours views of the river, and also views from the river, where structures or crops are placed within the buffer zone. The privacy of adjoining properties needs to be maintained as it is not feasible to erect fences to protect privacy.</p> <p>3 – Understand the need to provide some additional information when planning is being assessed, but feel that too many reports are being requested, and Council does not have the power to make just common sense decisions without supporting documents from many other sources. This creates a time delay and frustration between residents and the Shire. Simpler processes need to be applied so people are not bogged down in unnecessary paperwork.</p> | <p>Noted.</p> <p>The DoP have recently advised that the freehold portions should be a zone and not a reserve, however recommend that either a SCA is implemented, or a separate zone is used, such as 'Environmental Conservation Zone'.</p> <p>The Shire has the following options:</p> <ol style="list-style-type: none"> 1. Rezone the freehold portions of the proposed Environmental Conservation Reserve to Local Horticulture, with a Special Control Area to be created over the reserve and portion of the Local Horticulture zone. 2. Rezone the freehold portions of the proposed Environmental Conservation Reserve to Environmental Conservation Zone, and include development provisions in the Scheme and a supporting local planning policy. <p>Recommend this matter be reviewed.</p> |
| | | Lakeside | Disagree with the proposed rezoning of current properties in Lakeside. Consider there is no need for high density housing to be constructed, and will only contribute to noise, traffic and antisocial behaviour. | <p>Noted.</p> <p>Recommend to review proposed residential densities for Lakeside</p> |
| 47. | Jamie Short | 73A Casuarina Way, Kununurra | Seek to keep zoning in his area the same and not further congested with multiple housing. | <p>Noted.</p> <p>Recommend to review proposed residential densities for Lakeside.</p> |
| 48. | Gillian Taylor | 16 Dorrigo Road, Wyndham | <ol style="list-style-type: none"> 1. Notes that the draft Scheme allows rezoning of residential area including their property. Considers increasing housing density is detrimental to Wyndham. | Noted. |

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| | | | <p>Opposes rezoning to their property and any zoning at R30. Believes that the limit should be R20.</p> <p>States that Dorrigo Road is a prime example of the issues relating to increased density housing.</p> <p>Understand that Homeswest are not required to comply with local planning schemes, which is unfortunate and unfair to local residents.</p> <p>2. Would like to see the proposed Town Centre be extended to both sides of Great Northern Highway. Considers this would make more sense than the current proposal.</p> | <p>Recommend to review residential densities in Wyndham.</p> <p>Noted.</p> <p>Recommend review areas proposed to be zoned Rural Townsite Zone</p> |
| 49. | Lyn Arthur | 3 Dorrigo Road, Wyndham | <p>1. Notes that the draft Scheme allows rezoning of residential area including their property. Considers increasing housing density is detrimental to Wyndham. Opposes rezoning to their property and any zoning at R30. Believes that the limit should be R20.</p> <p>States that Dorrigo Road is a prime example of the issues relating to increased density housing.</p> <p>Understand that Homeswest are not required to comply with local planning schemes, which is unfortunate and unfair to local residents.</p> <p>2. Would like to see the proposed Town Centre be extended to both sides of Great Northern Highway. Considers this would make more sense than the current proposal.</p> | <p>Noted.</p> <p>Recommend to review residential densities in Wyndham.</p> <p>Noted.</p> <p>Recommend review areas proposed to be zoned Rural Townsite Zone.</p> |
| 50. | Maureen Farrell & Margaret Lippitt | 41 Kabbarli Street, Wyndham | <p>1. Notes that the draft Scheme allows rezoning of residential area including their property. Considers increasing housing density is detrimental to Wyndham. Opposes rezoning to their property and any zoning at R30. Believes that the limit should be R20. States that parts of Wyndham that have high density housing show enough evidence why this is unsuitable.</p> <p>2. Would like to see the proposed Town Centre be extended to both sides of Great Northern Highway.</p> | <p>Noted.</p> <p>Recommend to review residential densities in Wyndham.</p> <p>Noted.</p> <p>Recommend review areas proposed to be zoned Rural Townsite Zone.</p> |

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| | | | Considers this would make more sense than the current proposal. | |
| 51. | Glenda Harding, Craig and Keeley Palmer, Peter & Sue Cottle | Lots 528, 531 & 532 Riverfarm Road, Kununurra | <p>Consider that the existing Scheme and Strategy is:</p> <ul style="list-style-type: none"> a) Imprecise, sending mixed unenforceable messages; b) Not based upon a strong strategic direction to protect the agricultural economy of the area; and c) Lacking the underlying scientific soil and economic information that is required. <p>Consider that without significant modification the draft Scheme will expose the community and industry to continued uncertainty, cost and risk.</p> <p><u>Draft Local Planning Strategy</u></p> <p>Welcome and support the high priority placed on the protection of priority agricultural land in the ORIA.</p> <p>As acknowledged in the Strategy the problem is that priority agricultural land is not mapped or well defined within the Shire, and there is a risk that this land is available for inappropriate land use which diminishes the land available for priority agricultural production. Strongly agree that detailed investigations be undertaken as a matter of urgency to determine the distribution of priority agricultural land and the zoning of these areas accordingly.</p> <p>States that the identification of priority agricultural land is a complex technical process that encompasses a range of factors, and therefore the process needs to be data driven, transparent and defensible. Also notes that the WAPC recommends consultation with affected landowners and if the mapping work has not been completed, to 'use what's available'.</p> <p>Consider that in the absence of a robust technical assessment of soil types and their agricultural production potential there can be no justification for the local planning scheme to rezone land for <i>'local horticultural purposes as shown on the strategic land use plan, facilitating appropriate tourism development and non-agricultural business development'</i> (p 41)</p> | <p>Noted.</p> <p>Noted.</p> <p>Noted.</p> <p>Noted.</p> <p>Local horticulture is the new name for Rural Agricultural 2. The LPS does not propose any land use changes in these area.</p> <p>However, it is agreed that the recommendation can be amended to identify the lots within this zone as primarily for intensive agricultural purposes.</p> |

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| | | <p>Consider that the draft Strategy recommends an arbitrary zoning process that is premature and inconsistent with established farming practice of the past 30 years, does not take into account future agricultural crop developments, and risks the loss of priority agricultural land through inappropriate development before the identification process has been undertaken.</p> <p>Request the Shire to heed the advice of the WAPC to use the evidence currently available before rezoning the area currently known as Rural Agriculture 2. The land in this zone needs to be protected for agriculture until a rigorous assessment process concludes otherwise. This follows the 'precautionary principle' widely used in planning and other forms of regulation in situations where future impacts are envisaged and the existing science base has yet to 'catch up'.</p> <p>Consider the high quality soils, access to water, climate, Area Freedom Status, freight facilities, associated publically supported infrastructure and lot size of Rural Agriculture 2 zoned lots means growers can be innovative and flexible. Crop selection can be varied according to market demand, pest pressure or the release of new varieties allowing growers to respond quickly to changing circumstances and conditions. These lots are unique in the ORIA and planners should not make the mistake in thinking that smaller lots necessarily mean limited economic capability.</p> <p>Strongly opposed to the recommendation that the Local planning scheme '<i>rezone land for local horticultural purposes as shown on the strategic land use plan, facilitating appropriate tourism development and non-agricultural business development</i>' (p 41). Request the Shire to be open and transparent by detailing evidence that is being used to justify this recommendation. State that the desire by one or two individuals to develop tourist accommodation on their lots should not be the basis for a decision with such far-reaching consequences. As well as the risk of losing priority agricultural land to inappropriate development, consider that the proposed rezoning of Rural Ag 2 would cause uncertainty amongst the existing potential farmers in this zone. State that it will discourage</p> | |
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| | | | <p>future investment in agriculture or horticulture in the ORIA impacting on the local economy and further unleashing the potential loss of priority agricultural land due to cessation of active farming on properties.</p> <p>Consider the proposed rezoning of land for rural residential or rural small holding development (p 42) is inconsistent with the rezoning of Rural Ag 2. The draft Strategy states rural residential and rural small holdings reflect residential land uses and facilitate serviced lifestyle. In particular the Strategy states that larger lots are intended to <i>'provide an interface to agricultural areas and intensive horticultural activities on priority agricultural land'</i>. Accordingly in the draft Scheme tourists developments such as cabins and restaurants are not permitted in this zone because of the potential for adverse impacts from farming practices. However, these are allowable uses in the proposed Local Horticulture Zone, a zone which is predominantly located at the interface with Rural Agriculture 1 and is by its very nature in the middle of horticultural activities and on potentially priority agricultural land. Request that the Shire recognise that if land uses such as restaurants and farm stay are not appropriate at the interface of residential and agricultural zones, then neither are they appropriate at the interface of horticultural and agricultural zones.</p> <p>Consider it imperative that the Shire reconsider the recommendation to rezone Rural Agriculture 2 in order to facilitate non-agricultural development. Urge the Shire to provide certainty to the many farmers who run successful and viable agricultural business in the Rural Ag 2 zone and ensure the continued availability of productive and viable agricultural land for future generations. Consider that the existing Rural Ag 2 zone must have a priority agriculture classification.</p> <p><u>Draft Local Planning Scheme No. 9</u></p> <p>Became involved in a lengthy and convoluted process objecting to the application of three chalets on a property in Riverfarm Road and during this process and the subsequent appeal by the applicants it became very clear that TPS 7 lacked clarity, was open to interpretation and</p> | <p>Non-agricultural uses were introduced into existing TPS 7, in both the Rural Agriculture 1 and 2 zones, with the intent to allow landowners to 'value-add' to their agricultural activities. Some of these uses have been retained in the draft Scheme for the proposed Local Horticulture Zone,</p> |
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| | | <p>had subjective criteria that created uncertainty and indecision for all those involved in its implementation. The Shire became embroiled in costly and time consuming legal proceedings before finally having to agree to a development it had initially rejected on valid grounds. Ratepayers and the developers lost heavily out of this process, as did the Shire.</p> <p>Welcomed the draft Local Planning Scheme No. 9 and made submissions to GHD Consultants during the development, however consider that the draft LPS No. 9 seriously misses the opportunity to provide clarity and rigour to the development process in Rural Ag 2.</p> <p>Also consider that the mistakes of the past will be repeated and the potential for expensive mediation and legal proceedings has not been eliminated. Consider that the lack of clarity and consistency in fact reduces certainty to a point where further investment in horticulture in this zone will be severely compromised.</p> <p>Is perplexed as to why the objectives for Rural Ag 2 have changed significantly from those in TPS 7. Queries what evidence the Shire has to fundamentally alter the purpose of these blocks, and that this lack of transparency results in a perception that the changes are at best arbitrary.</p> <p>Consider that the proposal that productive agricultural enterprises will remain the primary land use clearly implies there will be many other non-agricultural developments. Feel that this is a significant and unsubstantiated change that will have far reaching implications to their ability to continue intensive horticultural operations on their land. Challenges the Shire to justify and defend the proposal by providing technical data, analysis and the results of community consultation.</p> <p>Contend that, based on the information available to the Shire and the extensive agronomic and historical commercial records of intensive farms in Rural Ag 2, the objectives as proposed are a serious erosion of our current and future opportunities. State they have heavily invested to ensure that intensive agriculture can be practiced and expanded an area where the best and most productive soils</p> | <p>however with the intent to include better controls, and limitations on the size and number of accommodation units that may be allowed.</p> <p>However, the submissions received consider that the planning controls in the draft Scheme are still not adequate to protect continued intensive agriculture or promote future agricultural development.</p> <p>Recommend review the objectives and provisions relating to the Local Horticulture Zone.</p> |
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| | | <p>in the ORIA come together with the appropriate infrastructure power and water.</p> <p>Recommend that the Shire reconsider the objectives of Rural Ag 2 and dramatically strengthen rather than erode the protections available to intensive horticultural operations. Consider the Rural Ag 2 lots represent the best opportunity for intensive horticulture to flourish in the ORIA.</p> <p>Propose that the Rural Ag 2 zone be renamed as 'Priority Intensive Horticulture Zone' and that the Shire develop a strategy to protect and develop it rather than erode it. State that such a zone has the potential to generate in excess of \$50 million per year and to directly employ 500 families, and this level of output and activity would be a substantial boost in population and employment and add value, and importantly stability and diversity to the long term operation of the Ord. State that the outcome would only be achievable if the Shire uses its power to drive it.</p> <p>Implore the Shire to open a fulsome, informed and evidenced based debate about the potential of the subject land and therefore what controls are appropriate, rather than acquiescing to the limited and flawed rationale proposed by small scale opportunistic developers.</p> <p>Contend that there are technical experts, including those with experience elsewhere and farmers with long standing commercial experience and records available to ensure that such a forum or discussion would clearly highlight the importance of these blocks to future agricultural development in the Ord.</p> <p>Recommend that the Shire does not rush into a hasty and ill informed decision that affects their and the Ord's future so significantly without referencing the best available information.</p> <p>Consider that there are no controls proposed that will significantly support the objective <i>'to ensure that non-agricultural uses or development do not adversely affect the use of land for agriculture'</i>.</p> <p>State that it is widely documented and well understood that conflicts occur between non-agricultural developments (e.g.</p> | |
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| | | <p>tourism) and the practicalities of farming when in close proximity. Farming practice involves noise, chemical use and spray drift, dust and the use of firearms to deter pest animals. Consider that the configuration and dimensions of the blocks on Riverfarm road in particular makes it impossible to maintain proposed separation distances.</p> <p>Are not confident that the development requirements proposed in the draft Scheme provide the rigorous objective safeguards needed to ensure there are no adverse effects from non-agricultural developments.</p> <p>Consider the mistakes of other regions can be avoided by identifying, maintaining and protecting land for agriculture and horticulture and ensuring these uses aren't compromised.</p> <p>Consider that proposed objectives (iii) and (iv) are flawed and simplistic statements that are impossible to implement, and that differences in interpretation will lead to conflict and expensive litigation in a search for futile compliance.</p> <p>Consider that the proposed objectives for the Rural Ag 2 zone should be more clear, in line with those proposed for the Rural Ag 1 and Rural Smallholding zones.</p> <p>Notes that Farm Stay is not permitted in either the Rural Ag 1 or Rural Smallholding zones, on farms that are much larger than the operations in Rural Ag 2. Consider that the impacts of such operations can be diluted much more effectively on large properties than on small, tightly packed, intensively farmed lots that make up Rural Ag 2. States that it is contradictory and irresponsible to afford protection in some zones and not the Rural Ag 2 zone, which compromises the current and future opportunities of these farmers in the face of incompatible development. Notes it has already been stated that Rural Ag 2 farms have access to high quality soil, unlimited water and many years of experience of intensive horticulture. States that the value of these farming operations needs to be acknowledged and the draft Scheme fails to do this.</p> <p>Development Requirements</p> | |
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| | | | <p>Seriously concerned about the development of non-agriculture; enterprises and activities in the Local Horticulture Zone. Recognise the Shire's intent that there are no adverse impacts on agricultural activities due to tourist or non-agricultural development, however doubt the propose development requirements afford the necessary protection.</p> <p>In relation to clause 4.27.2 (a), state that there needs to be a much clearer definition and measure of what constitutes an established horticultural or agricultural activity. Queries how this is quantified?</p> <p>Notes that TPS 7 requires that any proposed development <i>'remains as a subordinate use, in scale, scope and intensity to the predominant agricultural nature of the site'</i> which was able to be interpreted to allow tourist development on a block where no commercial agricultural activity takes place. States that if the Shire intends to enforce its scheme then it must introduce appropriate metrics. Suggests that a measurable target could easily solve this such as assessing a minimum turnover value for the established horticultural/ agricultural activity, and stipulating that the non-agricultural development must not exceed a certain percentage of overall turnover. States that in this way the primary objective of the blocks in this zone remains horticulture or agriculture. State that landowners that are actively farming their properties are much more likely to understand and accept the impact farming practices will have on these developments, and therefore more likely to ensure adequate biosecurity protocols are maintained and appreciate the primary purpose of the property. Also consider that there needs to be provision to ensure and determine that the horticultural or agricultural activity is maintained at or above a minimum level once a non-agricultural development has been approved.</p> <p>Consider that intensive agriculture should be the objective of the Rural Ag 2 zone and the scheme controls singularly focussed on that objective, and significant tightening is required to the draft to not only achieve that objective, but</p> | |
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| | | | <p>to minimise the risks of the objective being 'undermined by piecemeal incompatible development.</p> <p>State that the Rural Ag 2 contains the most productive and valuable soils in the entire ORIA, which are the best location for intensive horticulture. These soils also have a significant historical production record and enormous future potential, but only if the soil is protected for intensive production by suitable planning controls.</p> <p>Consider the draft requirements do not account for this historical production and future potential, and that the Shire has a responsibility to fully consider all the evidence before making decisions about the future of these lots.</p> <p>Consider that clause 4.27.2 (c) illustrates a lack of understanding of the unique context the lots in the Rural Ag 2 zone are in, and that it would be impossible to site a tourist development on these lots without impacting on the expanded operation of horticultural pursuits and allowing for recommended separation distances from neighbouring horticultural operations. The lots on Riverfarm road are narrow and long. Consider the most productive soil in the ORIA exists in this zone, which has small scale production potential in excess of anywhere else in the ORIA. The Shire must fully understand how farms are and can be used into the future. State that clause 4.27.29 (c) is a development requirement which is completely unenforceable.</p> <p>In relation to clause 4.27.2 (d)(i) consider that the management plan requirements over simplify the issues arising from the approval of incompatible developments in close proximity with intensive horticulture. Recommend the requirement should specifically stipulate consultation with neighbouring landowners and industry for input into management plans.</p> <p>States that biosecurity remains a major concern for individual growers and industry as the Area Freedom Status contributes to the viability of the grower's enterprises. All growers are impacted and potentially compromised if Area Freedom is lost.</p> | |
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| | | | <p>Question the technical ability of staff to make decision based on the management plan i.e. what qualifications and experience do they have in assessing such plans, and who ensures ongoing compliance of the plans once approved.</p> <p>Query whether there are penalties for developers who fail to implement their management plan and how this is monitored and administered.</p> <p>Consider there is too much uncertainty around such a critical requirement, which places the Shire in the invidious position of being a technical expert beyond its responsibilities. The ultimate risk is borne by industry, and the draft currently offers inadequate protections.</p> <p>In relation to Clause 4.27.2(d)(ii) – (iv), are concerned as to who is deemed to be the ‘relevant officer’, and who is ensuring the material and procedures are reviewed, updated and maintained. Note that staff change, pest and disease pressures will change and the preventative measures may need to be adjusted according to outbreaks or new information.</p> <p>Consider that the requirements are vague and open to interpretation, and therefore inadequate to protect against the adverse impacts from tourist and non-agricultural developments.</p> <p>In relation to clause 4.27.2 (e) welcome the inclusion of reference to the Department of Health Guidelines (2012) with regard to separation of agricultural and residential land uses, however consider the draft is imprecise in its implementation, and is simply unenforceable.</p> <p>Query who will determine ‘as much as necessary’, and considers this to be unscientific and arbitrary way of managing and reducing conflict, heath impacts and resulting complaints from conflicting uses.</p> <p>Consider the outcome is entirely avoidable if the Shire is prepared to consider the evidence and construct scheme controls that are necessary for the agricultural industry to flourish.</p> | |
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| | | | <p>State that the purpose of the DOH guidelines is to provide <i>'specific requirements to assist local governments, developers, land owners and consultants in providing adequate separation from conflicting land uses'</i> and are based on <i>'current scientific knowledge and industry practice'</i>. If the guidelines are disregarded then any <i>'alternative design is based on a thorough analysis of the specific site conditions by an expert and should be approved by the Environmental Protection Authority or the Department of Health'</i>.</p> <p>Recommend this clause be amended to ensure that any landscaping plan is required to be in accordance with the Guidelines for Separation of Agricultural and Residential Land Uses, Department of Health – August 2012.</p> <p>Consider that the terms 'unreasonably close' and 'appropriate visual screen' are unclear and subjective, which will lead to confusion, differing interpretations and potentially involve costly legal appeals, mediation and unsatisfactory outcomes for the local horticultural industry.</p> <p>In relation to clause 4.27.3, recommend that the clause be amended further to include:</p> <p>"Should an ancillary dwelling or caretaker's dwelling be approved, the local government will not consider any application for Bed and Breakfast or Farm Stay."</p> <p>Consider that the inclusion of up to 4 dwellings on 4ha blocks zoned primarily for horticulture or agriculture is seen to be subdivision by stealth and will further add to the pressure on intensive agricultural industry. Note that Rural Residential is a separate zone, therefore consider those wanting to live or holiday in a rural setting should have adequate provision in the Scheme to do so, but not on the most productive and valuable soils and to the detriment of the local horticulture industry.</p> <p>Are opposed to the continued inclusion of tourist and non-agricultural development in the Rural Ag 2 zone.</p> <p>Consider that:</p> <ul style="list-style-type: none"> • The draft scheme is unenforceable | |
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| | | | <ul style="list-style-type: none"> • There is a significant lack of evidence underpinning the draft strategy and scheme • The Shire has an obligation to develop planning policy based on existing expert knowledge and gather evidence, such as soil mapping, as a matter of urgency • The Shire has a responsibility to support continued development of intensive agriculture in the ORIA and afford the same priority status to Rural Ag 2 as benefits Rural Ag 1. • All planning controls should underpin the Shire's responsibility to the continued development of intensive agriculture in the ORIA • All planning controls shall be written in a way that provides clarity for and certainty for all those committed to future agricultural development in the most productive areas of the Shire. | |
| 52. | East Kimberley Chamber of Commerce and Industry (EKCCI) | | <p>Has had numerous members voice concerns regarding proposed rezoning of numerous areas within the Draft Local Planning Strategy namely those outlined with Figure 3 "Strategic Land Use Plan – Kununurra Townsite"</p> <p>Would appreciate if more time was permitted in obtaining and collating these concerns in a manner that is beneficial to all.</p> | <p>Noted.</p> <p>No further submission supplied.</p> |
| 53. | Annie Thomas | 80 Egret Close, Kununurra | <ol style="list-style-type: none"> 1. Purchased the property due to the size of the current blocks. Consider this provides a good distribution of properties, ensuring residents are not crowded and have ample space between dwellings. Consider that if neighbours are able to subdivided into 1 hectare lots, this will crowd the estate and impact residents' choice of lifestyle. 2. Have concerns around the impact of a higher density of septs on the aquifer we draw our water from. This could occur if lots in the vicinity are able to subdivide down to 1 hectare lots. <p>Moved to this area on the basis that blocks were all approximately 4 hectares or larger, and wish this remain through whatever means including zoning.</p> | <p>Noted.</p> <p>The precinct was identified as the next logical Rural Residential area in the draft Strategy, given the expansion of the townsite to the south, and that the land is close enough to town for provision of reticulated water supply (required for lots under 4ha) and reticulated sewer to be provided.</p> <p>Recommend that the Old Darwin Precinct be identified as future rural residential in the draft Strategy, however to be zoned as Rural Smallholdings in the draft Scheme.</p> |

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| 54. | LandCorp | | <p><u>Local Planning Strategy</u></p> <p>Support key recommendation to streamline and simplify zones and ensure flexibility in all scheme reserves to enable strategic development projects and encourage town centre redevelopment.</p> <p>Support key recommendation to determine appropriate reservations for short and medium transport links.</p> <p>Consider the key recommendation to retain existing residential densities in established residential areas as shown on the strategic land use plan for Kununurra could impact future land supply as developers will be unable to increase density or use infill development to develop more housing. Recommend that pockets where higher density development may be acceptable could be identified whilst retaining existing densities in the majority of established areas.</p> <p>Support in principle the key recommendation to rezone the existing light industrial estate to composite industry, however there are concerns about rezoning all light industrial land to composite due to potential impacts triggered by limited the potential land uses and precluding certain use classes under Composite. Suggest that the Weaber Plain LIA should not be rezoned to Composite Industry until such time as a viable alternative industrial precinct is identified, but greater flexibility in terms of caretaker dwelling could be considered.</p> <p>Notes an error in LPS Part 1 - Figure 3 – it incorrectly shows LandCorp’s LIA Stage 2 being rezoned to Composite Industry, although not shown on the Scheme Map 24.</p> <p>Figure 3 also does not show composite industry at Bull Run Road as shown on draft Scheme map 26, and it is suggested that Figure 3 be amended to reflect this.</p> <p>Support the key recommendation to rezone land as shown on the strategic land use plan for light industrial development subject to structure planning.</p> <p>In relation to the recommendation to retain existing extent of future light industrial land along Weaner Plain Road,</p> | <p>Noted.</p> <p>Noted.</p> <p>Noted. Proposed Residential densities will be reviewed.</p> <p>Noted. Recommend review the availability of light industrial land in Kununurra.</p> <p>Noted. Recommend Figure 3 be amended.</p> <p>Noted. Recommend Figure 3 be amended.</p> <p>Noted.</p> |
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| | | <p>state that previous consultative processes have indicated strong community feelings against any further industrial development along this stretch of Weaber Plain Road. State that Map 24 shows the LIA Stage 2 and englobo lots immediately to the north remaining zoned for Industrial.</p> <p>Support the recommendation to consider increased residential density in existing residential areas of Three Mile (Wyndham) to encourage redevelopment as a potential positive impact. Will be able to produce a higher dwelling yield in Wyndham where developable land is in short supply. Notes that this contradicts point 10 under 'Further Strategic Planning' to retain R15-20 densities.</p> <p>Support the recommendation to expand the planning scheme across the entire Shire area.</p> <p>Support the key recommendation to investigate appropriate zonings or reservations for Aboriginal lands in line with strategic land use plans, and incorporate into LPS. Note that currently ALT land are cited in the draft LPS part 1 – Strategic land Use Plan as existing residential and parks and recreation. States that these areas are subject to significant development constraints but could support increased residential development in the future.</p> <p>Support the recommendation to prepare a local planning policies to:</p> <ul style="list-style-type: none"> • provide guidance for development that impacts on environmental values; and • provide guidance for landscape and visual impact assessments as part of development applications, in line with DoP guidelines. <p>Support the recommendation to prepare a composite industry local planning policy to provide detailed guidance regarding standard of accommodation and visual presentation of composite properties, providing the policy also addresses potential conflicts between industrial uses and the residential element of composite industry.</p> <p>Support the recommendation to prepare structure plans for expansion areas that may allow pockets of higher density group housing on corner lots or in appropriate locations.</p> | <p>Noted. The englobo lot has been zoned Industrial Development on the basis that the land is set aside as a reserve for this purpose.</p> <p>This recommendation relates to urban expansion area, not within centres. Recommend revise Strategy to identify locations of amenity and activity where higher densities should be promoted.</p> <p>Noted.</p> <p>Noted. The Urban Development zone identifies the requirement to undertake detailed investigation through the preparation of a structure plan prior to subsequent rezoning, development or subdivision of land. As such, the ultimate zoning of the land is likely to be a mix of different zones and reserves, and it is appropriate for the whole land parcel to be zoned Urban Development until structure planning has been undertaken.</p> <p>Noted.</p> <p>Noted.</p> <p>Noted.</p> |
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| | | <p>Suggested the Shire identifies areas where higher density would be acceptable.</p> <p>Support the recommendation to develop a policy in relation to home occupation to manage potential land use conflicts between residential and non-residential uses.</p> <p>Support the recommendation to prepare a strategic land release plan to enable appropriate sequencing of land release across the Shire. Note that the Figure 3 does not show the full extent of Drovers Rest Development which extends further south to mirror due diligence studies and existing water corporation catchment plan.</p> <p>Note that the draft Scheme maps do not show Drovers Rest sites as zoned for Urban Development.</p> <p>In relation to the recommendation to investigate the use of developer contributions (to manage impact on local roads that occur from development of Ord Stage 2 in advance of planned heavy vehicle route), considers that the introduction of any sort of Developer Contribution Scheme in the Shire will constrain development by the private sector and the State by intensifying already high construction costs.</p> <p>Support the review of the Municipal Inventory to incorporate locations of Aboriginal history both pre and post European settlement.</p> | <p>Noted.</p> <p>Noted.</p> <p>Noted. Recommend modify Scheme maps to zone Drovers Rest as Urban Development.</p> <p>Noted.</p> <p>Noted.</p> |
| | | <p>Support the recommendation to prepare a regional and district water management strategy for townsites and urban expansion areas, subject to DoW support.</p> <p>In relation to the recommendation to prepare a town centre plan for Kununurra, suggest the Shire consider the previous town centre plan prepared under the 'Strategic Directions' initiative, and the draft Civic Precinct Plan prepared in 2015. Consider that infill development opportunities need to be further explored.</p> <p>In relation to the recommendation for urban expansion areas in Kununurra to provide residential densities in the range of R15 to R25, believe that this can only impact on developer's ability to deliver a range of smaller more</p> | <p>Noted.</p> <p>Noted.</p> <p>Noted. Recommend residential densities to be reviewed.</p> |

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| | | <p>affordable housing product. Consider this point is also at odds with point 4 under Local Planning Framework which suggests structure plans should identify pockets of higher density.</p> <p>In relation to the recommendation to review structure plan provisions and design guidelines for Stage 2 of Weaber Plain Road light industrial area to incorporate flexibility for caretakers' dwellings, note that the existing guidelines refer the purchaser to the provisions of TPS7 on the matter of caretakers' dwellings.</p> <p>In relation to the recommendation to investigate feasibility of potential general industrial land around Kununurra and priorities a site for development of general industrial estate, note that site selection could be undertaken by a planning consultant given the different land ownership of some suitable parcels. States that it is important to note that no regional industrial areas are a commercial proposition unless significant funds are allocated to bring trunk infrastructure service to the site. It is critical that any site has a whole of government support in order to gain State Government funding. It should also be noted industrial estates are not provided with reticulated sewer as the Water Corporation has a policy of not accepting waste from industrial precincts. Approval to dispose of wastewater from industrial estates then defers to the Department of Health's Draft Country Sewerage Policy. This policy notes that septic systems or ATU's can be used on lots bigger than 2000m², but the maximum allowable flow rates for waste water is 685L per day which poses a significant constraint to some industrial land users.</p> <p>Support the recommendations to prepare town centre plans for One Mile and Three Mile in Wyndham.</p> <p>In relation to the recommendation for structure plans for urban expansion areas of Three Mile to provide residential densities in the range of R15 to R20, consider that restricting the density to R20 impacts on the ability to deliver a range of housing options. Consider this point contradicts point 7 under Local Planning Framework to consider an increased density.</p> | <p>Noted that higher densities are permitted in the Commercial Zone (R80) and areas immediately adjoining the town centre areas (R50).</p> <p>Noted. To be amended.</p> <p>Noted.</p> <p>Noted.</p> <p>Noted. Proposed residential densities to be reviewed.</p> |
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| | | | <p>Support the recommendation to pursue the relocation of the Kununurra waste water treatment plant, however the draft LPS does not identify a potential site to support relocation of the WWTP.</p> <p>Support the recommendation to pursue identification of alternative water supply to enable the medium to long term redevelopment of the foreshore, subject to DoW support.</p> <p>Support the recommendation to participate in regional initiatives to attract private investment in economic development.</p> <p>Support the recommendation to prioritise the delivery of road construction projects identified on strategic land use plans subject to Main Roads WA support.</p> <p>Support the recommendation to incorporate enhanced pedestrian access to and enjoyment of foreshore areas within capital works programs.</p> <p>Support the recommendation to identify opportunities to redevelop Kununurra racecourse as a major events precinct and respond to the recommendations of the Lake Kununurra Biophysical Assessment.</p> <p>Support the recommendation to undertake a preliminary site investigation of the Kununurra landfill site to understand potential contamination issues to inform decommission and future reuse of the site.</p> | <p>A potential location for the new WWTP is identified on Figure 4.</p> <p>Noted.</p> <p>Noted.</p> <p>Noted.</p> <p>Noted.</p> <p>Noted.</p> <p>Noted.</p> |
| 55. | Steven Guerinoni, Charles Guerinoni Trust (x 5) | 10A , 10B, 10C, 24 Konkerberry Drive 9 Mango Street | Notes that there are only 7 approved use classes on the proposed mixed use zone. Based on the nature of this of this lot, infrastructure onsite, historical use and desire of tenants, it is requested that the following be included as approved use classes: | Noted. |
| 56. | Steven Guerinoni, Guerinoni Investments (x 4) | 18 Konkerberry Drive 10 Dianella Way 9 Poinciana Street 33 Poinciana Street | <ul style="list-style-type: none"> ▪ bulky goods showroom ▪ commercial vehicle parking ▪ garden centre ▪ motor vehicle sales ▪ shop ▪ trade supplies ▪ warehouse/storage; and ▪ workforce accommodation | <p>Although there are only 7 permitted (P) use classes in the zone, however there are a number of uses that may be permitted at the discretion (D) of the local government, and in some instances after the proposal has been advertised (A).</p> <p>All uses listed in submission are permitted, as either (D) or (A) uses, at the discretion of the local government.</p> |

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| 57. | Maxine Middap | Lot 588 Cole Avenue Dorrigo Road | <ol style="list-style-type: none"> 1. Recommends both sides of the Great Northern Hwy should be zoned Rural Townsite. The draft Scheme shows a mixture of Rural Townsite and residential and it is mixed all the way through the Three Mile area. It would make sense to have it consistent i.e. along the whole extent of the Great Northern Highway in the Three Mile area. 2. Map 14 – recommends the Cole Avenue road be shown as per the established road alignment. Considers it makes no sense to continue to have a road that is never going to be built as the ‘official’ road. The area shown as Cole Ave will have to remain an access route, as Telstra and Water Corporation services are located within the area. 3. Does not support increasing R Codes to the extent proposed in the Three Mile area, and recommends it should remain as per TPS 6, or possibly having a combination of R20 & R15, and retaining the only section of R25 which is located on the northern side of Delamere Street. States that having increased density in Martin Place has not proven to be very successful, and has created behavioural problems around that area. States that a lot of the residents in Wyndham are families and believes that trying to crowd families is not a desirable way to proceed. Considers that having R30 along Kangaroo Drive is only going to replicate the problems seen in Martin Place. Also considers there seems to be no logic in having R30 east of Welch Street along the Great Northern Highway, or along the southern side of the highway. States that some GROH houses have been built on spot zoned R20 zoned blocks, and wouldn’t want to see lots any smaller or the houses any more crowded together. 4. Map 13 - The Great Northern Highway is not shown in the correct position and considers there is no good reason not to amend this. 5. Does not support the heavy haulage route continued to be shown on the scheme maps along the marsh land south of the Three Mile area, then along the highway to the Port area, where it is shown along Foreshore Road. | <p>Noted. Recommend review proposed Rural Townsite areas.</p> <p>Noted. A formal road closure and road dedication process is required to be undertaken.</p> <p>Noted. Recommend review residential densities in the Three Mile area.</p> <p>Noted. Map shows the proposed heavy haulage route. Recommend that existing alignment of Great Northern Highway be included. Proposed heavy haulage routes are not the preferred option of the Shire however</p> |
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| | | | <p>Understands that Main Roads designated the route fifty years ago, however considers is it time it is accepted that it is no longer a valid or desirable route. Considers that the portion along Foreshore Drive is no longer an option, with the boat ramps and the two jetties, plus boat parking along the length of the road, as well as a number of residential properties. A lot of the route both within the Three Mile and Port areas is shown across mud flats, which would be expensive to build designed to accommodate road trains. Also notes that the intended route still uses portions of the main highway between the Three Mile and Port areas, and the mixing of general traffic with heavy haulage is not desirable, nor should it be accepted by the Shire as such. Considers that the route shown around the Bastion through Chimooli in the Strategy is the ideal solution, and most of the route can be on hard ground. However, believes it is important to consider the heavy haulage route as a ring road, to allow at least empty trucks to pass through the built up areas if they wish, to pick up food and other supplies that might be required.</p> <p>States that the issue of a heavy haulage route has been raised many times over the last fifteen years and considers with the advent of Ord Stage 2 coming into production in the next few years, it is vital that the old, outdated impractical and unsafe route is cancelled permanently.</p> <p>6. Considers the subdivision east of Minderoo Street should be developed properly, as it is a good extension to the existing Three Mile area. Recommends look to expanding the existing Three Mile area instead of trying to squeeze more people into the same space.</p> | <p>cannot be removed without comment from Main Roads WA.</p> <p>Noted.</p> |
| 58. | Mark Northover, Ord River Construction | 6 Waterlily Place Lot 100 – 101 Mills Rod Mulligans Lagoon Road | <p>1. Was informed that heavy industry will fit into the general industry category. Non conformity and council approved caretakers' accommodation on general industry means families living on site have little regard to the interface between competing land use. Believe there may be a need for a separate designated heavy industrial sites of significant size, away from conflicts, and realistically taxed to sustain long term viability.</p> | <p>Noted.</p> <p>There are currently no lots zoned General Industry that have a caretakers approved.</p> |

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| | | <p>Various mining leases</p> | <p>2. Considers rural residential land should remain above 2ha.</p> <p>a) these holdings provide their own water and sewerage and smaller sizes could create water supply problems.</p> <p>b) to support the theme of a rural setting, minimum size of 2ha would allow the natural surrounds to be maintained.</p> <p>3. Industrial buildings constructed on composite zoned land is height restricted to 5 metres at the apex. This is contrary to good design and operational practices. Some trade delivery trucks are legal at 4.3m high (some permitted at 4.6m) and would not fit into a shed of this dimension. Especially considering the need for ceiling fans in this tropical zone. Replacing developed industrial sites with the new composite title would mean existing approved development will not comply to the proposed development guidelines. Support composite on vacant land.</p> <p>4. (Map 21) Proposed zoning is attempting to increase the non land use conformity problems and conflicts at the Mills road and Weaber plains intersection precinct.</p> <p>B) No forward zone planning for the introduction of the proposed bypass road and consideration of associated industries currently in operation. To name a few, Seed cleaning, fuel depot and retail outlet, roadhouse, weigh-bridge, grain storage depot, road train assembly area, earthmoving, lime kilns, agricultural workshops and rural aggregates. Conflicts are significant.</p> <p>5. (Map 17) Ningbin road is in a new and conflicting place for connection to this coastal road. Formalising an internal farm road, will not benefit any of the numerous proposed and current operations on the Northern section of the Ningbin road. The green swamp road originally connected to the existing Ningbin station road, west of the proposed easement location.</p> <p>A) Swek had assumed responsibility for Ningbin access at the northern radio repeater station (on Carlton road), and</p> | <p>Noted.</p> <p>The 5 metre height should refer to the wall height not the ridge height.</p> <p>Noted.</p> <p>The Shire was directed to remove the Rural Industry Zone prior to advertising, on the basis that rural industry (Industry – Primary Production) is a land use which can be considered within a number of zones, including the Local Horticulture Zone.</p> <p>DoP are proposing the introduction of a new Rural Enterprise zone into the LPS Regulations, and advised that the Shire may use in place of the previous Rural Industry Zone.</p> <p>Clarification was sought from Geographic Names who have confirmed that the scheme map shows the correct location of Ningbing Road.</p> |
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| | | | <p>significant funds expended for access to Ningbin, prior to the Green swamp land release process.</p> <p>B) Suggest that the Ningbin access is an extension of the Mindiljiirka road in the Agricultural and Pastoral zone, connecting to the designated approved access through the buffer zone. (Map 16)</p> <p>6. Waterlily precinct should remain as large lots and not the proposed higher density infill, as this would be deleterious to the enjoyment of the current amenities within the area. Significant vacant land in this precinct is undeveloped. Trees for shade are integral to this hot humid climate and small lots would not facilitate this.</p> <p>7. Over many years of dismissed complaints, Swek has not maintained a register of non land use conformity, has lost documents of many building's and construction's, not upheld the integrity of councillor conflict declaration's, influencing the project's planning outcome's. The CEO selection committee has recognised the "importance of dumbing down" to reduce overall costs. All working towards a confusing, conflicting and convoluted land use's within the proposed TPS no. 9. It is a bit like driving down Ivanhoe road (stink avenue) within the effluent ponds that encroach on the restricted residential buffer zone, and that brings me to ask. Where is the relocated effluent ponds in the maps, and the proposed rubbish tip (recycling depot)? Where is the proposed access to town centre from the bypass road? Will access be past the hospital or the school?</p> <p>8. East lily creek proposed precinct and the school is of little importance in future plans, being a duplication of the currently upgraded schooling facilities. The overly optimistic population estimates adds to the rapidly escalating rates burden placed on the community.</p> | <p>Noted. Residential densities in Lakeside to be reviewed.</p> <p>Noted. The draft Scheme allows the Shire to develop a non-conforming use register, which the Shire is in the process of preparing.</p> <p>A potential location of the new WWTP is shown on Figure 4 in Part 1 of the draft Strategy.</p> |
| 59. | Rex Boland | Lot 273 (previously Lot 550) Packsaddle Road, Kununurra | <p>Is a banana producer and has farmed on the property since 1981. Considers that WA's food security relies on farmers being able to continue to farm, and to access water so they can do so.</p> <p>Also believes that land must be retained for conservation, and managed properly for weeds, feral animals and fire</p> | <p>The submitters concerns are noted.</p> <p>Non-agricultural uses were introduced into existing TPS 7, in both the Rural Agriculture 1 and 2 zones, with the intent to allow landowners to 'value-add' to their agricultural activities. Some of these uses</p> |

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| | | <p>risk. Maintaining conservation reserves will help keep the land and river healthy. Subdividing land and not looking after it leads to deterioration of the land.</p> <p>Is reliant and committed to maintaining the ability to farm the land, which is fertile and productive, unimpeded by others. Does not appreciate this right to farm, enjoyment of the farming property and rural amenity being adversely affected by others, including the noise and erosion impacts from boats (bow waves).</p> <p>States that non-corporate farmers can be productive on small blocks, entirely at their own expense.</p> <p>Is concerned about the proposed non-agricultural uses that the Shire has the discretion to allow in the proposed Local Horticulture Zone under draft LPS No. 9 (section 4.27.2) which conflict with productive agriculture, which will restrict the farmers' ability to farm due to potential nuisance and potential biosecurity risks, and may impinge on landowners' rural amenity. However, agrees with the statement (4.27.2 (c)) that development cannot bisect existing or potential agricultural areas on a property.</p> <p>Does not support the desire of those who wish to exploit the perceived opportunity of non-farm income and multiple occupancy/ subdivision.</p> <p>Does not support the construction of boat ramps and pontoons which create an ecological risk.</p> <p>Water access is from the Ord River via a self-supply riverside pump. Water entitlement to pump from the river requires legal access for an easement and water licence.</p> <p>Purchased adjoining land (portion of Reserve 35289) located between his property and the Ord River in 2012. This reserve, which was set aside for natural regeneration, is zoned for conservation. Strongly supports this land remain as conservation reserve, to maintain the biodiversity of the river ecology.</p> <p>Supports the objective of the draft Packsaddle Environmental Conservation Reserve Policy <i>"to protect the ecological integrity of lake Kununurra whilst providing for</i></p> | <p>have been retained in the draft Scheme for the proposed Local Horticulture Zone, however with the intent to include better controls, and limitations on the size and number of accommodation units that may be allowed.</p> <p>However, the submissions received consider that the planning controls in the draft Scheme are still not adequate to protect continued intensive agriculture or promote future agricultural development.</p> <p>Recommend review the objectives and provisions relating to the Local Horticulture Zone.</p> |
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| | | | <p><i>the maximum enjoyment of privately owned land in close proximity to the wetland in the packsaddle locality” provided that the proposed conservation reserve is actively managed.</i></p> <p>Weed control, fire control and feral animal control (e.g. wild pigs) must be undertaken by whomever is responsible for this reserve. Conservation land all around Packsaddle is filled with weeds and ferals, and is a fire risk. Considers the land needs to be maintained for the health of the river and surrounding environment, which will require workforce and financial resources. Queries whether the Shire will maintain the reserve?</p> <p>In conclusion wishes to maintain the right to farm, as well as ensuring the river and conservation land remain healthy.</p> <p>Is concerned about what impact there will be on the land if non-farming uses are permitted, as more people may bring more weeds and diseases on their vehicles. Therefore supports the preservation of all horticultural land now and into the future, but does not support the proposed non-farming uses listed as ‘discretionary’ in the draft LPS No. 9.</p> | |
| 60. | Department of Health | | <p><u>Water Supply and Wastewater Disposal</u></p> <p>The Strategy and Scheme should acknowledge and reference the following:</p> <ul style="list-style-type: none"> ▪ Developments are required to connect to scheme water and reticulated sewerage (if available) in accordance with the draft <i>Country Sewerage Policy</i>. ▪ Any water supply, water management plan including the utilisation of recreational water and any waste water recycling is to comply with DOH guidelines and requirements. ▪ Approval is necessary for any onsite waste water treatment process. ▪ Non-scheme water area developments are to have access to a sufficient supply of potable water that is of the quality specified under the <i>Australian Drinking Water Quality Guidelines 2004</i>. <p><u>Medical Entomology</u></p> | Noted. |

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| | | <p>SWEK is a region that regularly experiences significant problems with nuisance and disease carrying mosquitoes. These mosquitoes can disperse several kilometres from breeding sites and are known carriers of Ross River Virus and Barmah Forest Virus.</p> <p>The Shire should integrate mosquito management programs and practices within the strategy and incorporate built form design measures (e.g. insect screening on doors and windows and screened outdoor enclosures) and public warning signage into the conditions of approval to assist in protecting visitors from mosquitoes and associated risks.</p> <p><u>Public Health Impacts</u></p> <p>Enclosed scoping tools that highlight public health issues to be considered when planning for residential and urban developments, and industrial developments.</p> <p>Included a document titled '<i>Evidence supporting the creation of environments that encourage healthy active living</i>', which may assist in the preparation of the Scheme or structure planning.</p> <p>Advised that another helpful document is available called "<i>Risky Business</i>' – A resource to manage environmental health risks specifically tailored for local governments.</p> <p>Recommend that the Strategy should acknowledged the DOH's Guidelines for the Separation of Agricultural and Residential Land Use as a means to help avoid conflict and potential adverse health effects and nuisance impacts form chemical use, dust and other rural pursuits.</p> <p><u>Scheme and Strategy Content</u></p> <p>Note that good public health is not specifically recognised as part of the vision and objections within the proposed planning scheme and associated planning strategy.</p> <p>State that good public health outcomes require good planning strategies. The aim of the new scheme and the strategy should include a direct reference to 'enhancing the public health of the community'.</p> <p>Note that although the document focuses on 'positive' growth outcomes for the Shire, it does not address potential</p> | <p>Noted.</p> <p>The Shire has developed a mosquito management plan and program.</p> <p>Noted.</p> <p>Noted. Recommend including an objective to ensure good public health of the community, in the objectives of 2.1 –Towns and lifestyles.</p> |
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| | | | <p>issues in relation to disaster preparedness, recovery management or the associated impacts on public health.</p> <p>Note that the document provides a snapshot of foreseeable positive impacts in relation to economic, social, environmental, built form and infrastructure and governance but does not highlight potential negative impacts of such growth.</p> <p>Recommend that a risk assessment of each potential growth scenario should be incorporated into the plan, which the 'Risky Business' document may assist with.</p> | |
| 61. | Peter Stubbs | Packsaddle and Jabiru Road, Kununurra | <p>Expresses concern an opposition in relation to the proposed dual zoning along Packsaddle and Jabiru Road where a zoning of "Environmental Conservation Reserve" is being proposed.</p> <p>States that there is a considerable amount of Ord River Foreshore between Kununurra and the Lake Argyle Dam (55km), most of which will rightly never be developed.</p> <p>Considers that a zoning of "Environmental Conservation Reserve" will make it extraordinarily difficult to see any future commercial use of the foreshore in the Packsaddle and Jabiru areas. If Kununurra is to become a more vibrant regional centre than it needs to stop making investment and development harder and actually encourage more of this.</p> <p>States that there is a reason people like places like Margaret River and the Swan Valley, and one reason is because of the diversity of experiences and land uses permitted. Kununurra is not in danger of being Hong Kong anytime soon.</p> <p>Allowing some development, even encouraging it, in this area could have profoundly beneficial benefits to Kununurra. Imagine Kununurra today without the Pump House restaurant. It is clearly a better place with it.</p> | <p>Noted.</p> <p>The DoP have recently advised that the freehold portions should be a zone and not a reserve, however recommend that either a SCA is implemented, or a separate zone is used, such as 'Environmental Conservation Zone'.</p> <p>The Shire has the following options:</p> <ol style="list-style-type: none"> 1. Rezone the freehold portions of the proposed Environmental Conservation Reserve to Local Horticulture, with a Special Control Area to be created over the reserve and portion of the Local Horticulture zone. 2. Rezone the freehold portions of the proposed Environmental Conservation Reserve to Environmental Conservation Zone, and include development provisions in the Scheme and a supporting local planning policy. <p>Recommend this matter be reviewed.</p> <p>Noted that the draft Strategy (Figure 3) identifies two areas to be investigated for feasibility for short term waterfront development to include residential, tourism and commercial, being portion of Crown land (King Location 715) adjacent to</p> |

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| | | | | <p>Kimberleyland Holiday Park and portion of foreshore land on the opposite side of Lily Lagoon adjacent to the proposed Drivers Rest Development.</p> <p>Portion of King Location 715 has subsequently been identified as Urban Development (Scheme Map # 22), to earmark it for future development subject to more detailed structure planning.</p> |
| | | Lakeside Precinct, Kununurra | <p>Notes that under the current R15 zoning in Lakeside the minimum land required per house is around 580m², with an average of 666m².</p> <p>Understands that a change of zoning from R15 to R25 would mean the minimum land required per house is 300m², with an average of 350m².</p> <p>Considers that this strategy for increased density is half baked and will lead to reduced amenity and attractiveness of Lakeside. It will reduce the outdoor amenity opportunities for residents on their properties and make it difficult to cool houses because there will be less shade and garden areas. It is not consistent with good urban form in a climate like Kununurra has.</p> <p>Urges Council to take a bolder step and cater for increased density in a more deliberate manner which will have a profound long term benefit for the community.</p> <p>Notes that there are no options to buy a quality town house/apartment, preferably 4 to 5 stories high, with views of the river and ranges, close to amenities and quality public open space, and investors will then look elsewhere for this sort of development.</p> <p>Queries where that market is being catered for now or into the future? Considers there will be a significant if not increasing number of people living singularly or couples who do not need or want R15 or R25 zonings. The options for people who do want that are available now. The options for people who want space and acreage are available now. Diversity of options is important.</p> | <p>Noted.</p> <p>Residential densities in Lakeside proposed to be reviewed.</p> <p>The Commercial Zone also allows for development up to R80, and the previous height restriction of 10m has been removed from the draft Scheme.</p> <p>There is also residential land available in proximity to the town centre that allows densities of R50 or R30.</p> <p>The draft Strategy (Figure 3) also identifies two areas to be investigated for feasibility for short term waterfront development to include residential, tourism and commercial development, which could incorporate medium rise development.</p> <p>The proposed East Lily Creek development also has the opportunity to provide for a range of housing styles.</p> |

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| | | | <p>Considers these options need to be available if Kununurra is to be a modern contemporary place in a stunning landscape.</p> <p>States that this sort of living has its advantages:</p> <ul style="list-style-type: none"> • Can lock and leave with greater security • It is more efficient use of space and public resources and it leaves a smaller urban footprint. • It encourages a more vibrant community. <p>It may not be everyone's preference, but that is not the point. Diversity is the point.</p> <p>Considers that unless Kununurra embraces nodes of higher density it is destined to be just another urban sprawl community.</p> <p>Notes that high density, vertical tower style living is being embraced in places like Karratha and Darwin, with the waterfront port precinct at Darwin being a good example, and considers that is the direction Kununurra should take. Considers that areas proposed for development in the future like East Lily Creek and the area between the Pump House and town are ripe for this sort of much denser living.</p> <p>Recommends Council focus on this and not more mundane zoning changes suggested for Lakeside.</p> | |
| 62. | Department of Parks & Wildlife (late Submission) | | <p>Has no specific objections to the documents, however requests that they continue to be consulted on a case to case basis for any future development, land use changes or proposals in order to provide specific advice.</p> <p><u>Biodiversity Values</u></p> <p>There are a number of significant biodiversity values in the Shire, including in the immediate surrounds of the Kununurra townsite. Any proposed impacts to these from future developments will need to be assessed by the Department to determine the impact to threatened and priority species, wetlands and native vegetation. Appropriate vegetation buffers may be required for sensitive or environmental values.</p> | <p>Noted.</p> <p>Noted.</p> |

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| | | | <p>Recommends areas of high conservation value or areas that contain suitable habitat for native species, be retained and incorporated into future development as public open space reserved for conservation and recreation. These areas can serve multiple additional purposes including acting as wildlife corridors, wind breaks, buffers to prevent erosion during heavy rainfall events and additionally will make the area more aesthetically pleasing.</p> <p>Recommends that a minimum of 30% of each vegetation and soil type in the Shire is retained as the EPA identified that, from a purely biodiversity perspective, the 'threshold level' below which a species loss appears to accelerate exponentially at an ecosystem level is regarded as being at a level of 30% of the pre-clearing extent of the vegetation type.</p> <p>Below are a number of key biodiversity values within close proximity to Kununurra for consideration.</p> <p>Typhonium – is a small, cormous, perennial herb restricted to black cracking clays found in close proximity to the Ord River and Kununurra. It is a Declared Rare Flora with a restricted habitat type and distribution. Species has been severely impacted by existing and proposed clearing from Ord Stage 1 & 2 agricultural developments due to the demand for this soil type and the locations they occur. Should a proposal be considered to potentially impact on Typhonium, the proponent may be required, at their expense, to survey for its presence within and surrounding the proposed area in order to assess the potential and proportional impact to the species and its habitat, which may require multiple wet seasons (depending on rainfall) and an experienced botanist familiar with the species. DPaW will then aide in determining the proportional impact of the proposal and whether it can be approved. Setting aside further areas that are known to contain Typhonium and the appropriate soil type will not only aid in the long term protection of the species, but will also protect other priority species also dependent on black cracking clays and may assist in approval of future proposals as the proportional impact will be minimised.</p> | <p>Noted. Recommend a summary of this information can be provided in the draft Strategy (Part 2 – flora)</p> |
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| | | <p>Wetlands and Ramsar values – the Shire contains a number of significant wetland values, including Ramsar listed sites in immediate proximity to Kununurra, in particular lake Kununurra. In accordance with Ramsar guidelines, any proposed developments adjacent to Ramsar sites, wetlands or other waterways will need to ensure a 50m vegetation buffer is maintained to protect the integrity of the waterway and the associated riparian values, as well as reducing runoff into the waterway. This will also protect fauna habitat, maintain the visual amenity and reduce the impacts of human activities on these environments.</p> <p>DPaW’s particular concern is the potential impacts to water quality in the Ord River, as it consequently flows downstream to the Ord River Floodplain, a Ramsar listed site of international importance under the <i>Environmental Protection and Biodiversity Conservation Act 1999</i> which meets seven of the nine Ramsar criteria. There have already been a number of impacts to the Ord River from existing development including:</p> <ul style="list-style-type: none"> • An increase in sedimentation to the lower Ord River and downstream sites, particularly from vegetation clearing, development and wet season runoff. An increase in sedimentation may negatively impact on the conservation values of the area. • The existing irrigation from Ord Stage 1 area has resulted in an increase in dry season flows, a decrease in high flows in the wet season and a decrease in flow variability of the lower Ord River. The effects that these have had on the lower Ord River include a disruption to riparian tree regeneration, reduced frequency and extent of inundation of Parry’s lagoon, and increase in in-channel vegetation such as Typha, invasion of weeds, impacts to fish and macroinvertebrate communities and increased sedimentation in the mouth of the estuary. These impacts may be further exacerbated by future development in particular agricultural growth. • There is also a moderate to high risk from increased levels of nutrients and pesticides from irrigation drainage of the ecology of the lower Ord River. There are already | <p>Noted. Recommend that additional text can be added to Part 2 – surface water and wetlands.</p> |
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| | | | <p>records of concentrations of two agricultural chemicals exceeding guideline levels. In addition, fish kills have been observed and there is evidence of bioaccumulation of pesticides in barramundi, estuarine crocodiles and freshwater crocodiles. Nutrient leaching may also cause eutrophication.</p> <ul style="list-style-type: none"> • Contaminated storm water runoff, both agricultural (fertilisers and chemicals) and industrial, may affect water quality and cause habitat degradation, particularly late in the dry season. • Changes to the hydrology and ground water level of the area due to vegetation clearing, agriculture and irrigation, and the associated environmental impacts of these changes, in particularly salinity. <p>Therefore any proposed development that may impact on the Ord River will need to be assessed for potential impacts and any discharge into the Ord River should be considered as discharging directly to natural surface waters. Management targets should comply with ANZECC & ARMCANZ (2000) water quality guidelines for aquatic ecosystem protection.</p> <p><u>Crocodiles</u></p> <p>Lake Kununurra is part of a Crocodile Risk Mitigation Area and every attempt is made by DPaW to remove identified estuarine crocodiles, however they are highly mobile animals that are capable of moving large distances both over land and in the water. Therefore they are able to enter and move within the risk mitigation area undetected, and since November 2014, 3 estuarine crocodiles have been removed from Lake Kununurra.</p> <p>Lake Kununurra is also home to many freshwater crocodiles, and whilst they do not have an aggressive nature, they have been known to bite when provoked or frightened. It is therefore important that anyone using the lake are made aware of the risks and exercise caution and remain vigilant at all times.</p> <p><u>Adjacent Parks and Wildlife Managed Lands</u></p> | <p>Noted.</p> |
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| | | <p>Recommend the following where develop border DPaW managed lands, particularly around Kununurra where there are a number of conservation reserves;</p> <ul style="list-style-type: none"> • A buffer of native vegetation should be retained between the development areas and Departmental managed lands • The disturbance to the landscape is likely to increase the capacity for both terrestrial and aquatic weeds, which pose a further threat to the biodiversity values on land surrounding the development areas. Weeds are to be managed to prevent the spread into bordering conservation areas. In case of residential development or landscaping, species which are known to be invasive or environmentally damaging should not be used and instead planted with native species. <p><u>Bushfire Management</u></p> <p>Would like to be consulted on any development proposals adjoining the conservation estate to assist in producing sound outcomes. In accordance with the draft SPP 3.7, “new development should provide the highest achievable level of protection from bushfire”.</p> <p>Bushfires present a risk to communities, including human lives, homes, public and private infrastructure, amenity cultural and heritage values. DPaW’s fire management activities, related to both planned and unplanned fire events, aim to take account of these issues in meeting the joint objectives of minimising harm to the community and managing the land and wildlife values in its care.</p> <p>However the proponent should ensure that all fire protection requirements are accommodated within the developments themselves and do not place impositions or reliance upon hazard reduction mechanisms being implemented within Departmental-managed lands.</p> <p>Adequate measures such as building setbacks, low fuel zones and firebreaks on adjoining private property allows a buffer between conservation estate and private property which makes it easier and safer to suppress bushfire and carry out hazard reduction measures such as prescribed</p> | <p>Noted.</p> <p>Noted. SPP 3.7 Guidelines require that private development assess and manage bushfire risk.</p> <p>Prior to granting consent to advertise the draft Strategy the WAPC requested a number of modifications required to be made, some prior to advertising and some that could be undertaken after advertising prior to final adoption.</p> <p>One such modification was that more information was required in relation to bushfire prone areas and subsequent bushfire hazard assessment.</p> <p>Additional discussion has therefore been prepared on bushfire prone areas, anticipated bushfire hazard levels, and implications for planning in Part 2 (background section) of the Strategy. Section 4.4 in Part 1 is also proposed to be updated to include a high level summary of the issue and a strategic response in relation to bushfire hazard.</p> |
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| | | | <p>burning both on conservation estate and private property. Applying prescribed fire is an inherently risky strategy and is undertaken where it is considered that the risk of not burning outweighs the more manageable risks associated with undertaking a prescribed burn. The lack of effective hazard reduction measures on adjoining private properties not only significantly increases the risks from bushfire but also significantly impacts on the ability to safely carry out any fuel reduction by prescribed burning on conservation estate.</p> <p>A perimeter road should be established between all areas of residential development which abut conservation areas for reasons of public safety, protection of bushland, emergency vehicle access and fire safety for residents. The width of the road reserve should be adequate to accommodate roads, dual use paths and drainage infrastructure.</p> <p>A preference for agricultural land or areas of low occupancy (e.g. ovals and open spaces) over urban areas or high occupancy infrastructure (e.g. primary schools) should be given to areas that border conservation estate due to the associated fire risks.</p> <p><u>Flooding</u></p> <p>Areas in the Shire may experience increased runoff on high rainfall events, a common occurrence during wet season storms, leading to flooding and/or erosion. Changes to the hydrology and ground water level of the area can potentially be altered due to vegetation clearing, and the impacts of high rainfall events may therefore be amplified.</p> <p>Recommends that suitable hydrological investigation and assessment of erosion risk is undertaken, and that appropriate flood and erosion mitigation strategies are implemented.</p> | <p>Noted.</p> <p>The Shire is in the process of undertaking a flood management assessment for Kununurra.</p> <p>Recommend additional information be included in the Strategy regarding the drainage issues within the Kununurra townsite and the flood management assessment being undertaken.</p> <p>Once flood mapping has been undertaken, relevant information can be incorporated into the Scheme.</p> <p>In the interim structure planning and preparation of a local water management strategy would be required to be conducted prior to planning and development in areas suspected to be at risk of flooding.</p> |
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Draft Shire of Wyndham East Kimberley Local Planning Scheme No. 9

Recommended Modifications

| Issue | Justification for modification /additional detail | Recommended Modification |
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| <p>Rezoning Lot 704 (on DP 75319) Barytes Road, Wyndham from Special Site – Zoological Gardens and Ancillary Purposes to General Industry</p> | <p>Lot 704 Barytes Road, Wyndham was previously the site of the Wyndham Crocodile Park which has now closed.</p> <p>The surrounding land is proposed to be zoned General Industry.</p> <p>Recommend to rezone Lot 704 Barytes Road, Wyndham to General Industry zone to align with the zoning of surrounding lots.</p> | <p>Modify Scheme Map 12 to show Lot 704 (on DP 75319) Barytes Road Wyndham as General Industry on Scheme Map.</p> <p>Modify Scheme Text to remove SU14 from Schedule 3 – Special Use Zones</p> |
| <p>Recoding Lots in Lakeside to R25</p> | <p>The advertised draft Local Planning Scheme No. 9 (LPS 9) proposed to recode the older portions of the Lakeside Park residential estate to R20, and to recode existing dual coded sites to the higher coding i.e. R15/R30 to R30 and R15/50 to R50.</p> <p>Rezoning initially proposed to rectify existing zoning anomalies, and was first considered when there was greater demand for residential land.</p> <p>The majority of submissions received opposed the proposed increased in density and raised concerns that:</p> <ul style="list-style-type: none"> ▪ the property values will be negatively affected. ▪ high density housing could exacerbate existing social issues and antisocial behaviour. ▪ it may result in deterioration of amenity: increased noise, traffic, reduction in safety, ▪ Individual dwellings would have reduced open space, outdoor living areas and landscaping, in particular trees; ▪ it would impact on climatic design by not adequately providing for breeze paths and shading (trees or eaves) to adequately cool houses without air conditioning. <p>Submissions also noted that there is existing land available to be developed, including a number of serviced lots in Lakeside Park (Stage 6 & 7), which may remain unsold due to the small lot sizes</p> | <p>Modify Scheme Map 32 to retain existing R code as per TPS 7 with the following changes:</p> <ul style="list-style-type: none"> ▪ Zone the following properties as Residential R30: 18 Water Lily Place, 10, 12, 14, 16, 25, 27 & 29 Casuarina Way, 6 Melaleuca Drive, 12 & 14 Palm Court, Kununurra ▪ Zone the following properties as Residential R40: 1, 5 & 9 Plum Court, Kununurra ▪ Zone the following properties as Residential R20: 11, 73 & 94 Casuarina Way, 8, 10, 12, 14, 16, 18, 20, 24 Eucalyptus Close, 11 – 13, 15 Sandalwood Street, 5 Banyan Street, 13 & 15 Flametree Street, 6 – 8, 17, 18, 24, 31 Lemonwood Way, 8 & 10 Pine Court, 9 Palm Court, 2 – 6, 8 & 10 Lotus Court, 29 & 37 Grevillea Avenue, 2 Milkwood Street, 5 Coleus Close, 8 & 16 Plum Court, 4 Alba Street, 30 & 32 Eugenia Street, 3, 5, & 7 Cycas Close, 2 & 4 Livistona Street, Kununurra <p>Modify Scheme map to remove the R25 Code shown over Nicholson Park (Reserve 48394) Public Open Space Reserve.</p> |

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| | <p>when there is a desire for larger lots, and that the East Lily Creek precinct could provide for higher density development.</p> <p>There were two submissions in support of the proposed recoding, on the basis that it would promote redevelopment opportunity and provide additional employment for the local building industry, and would result in greater housing diversity and affordability and is in line with the State Affordable Housing Strategy 2010 – 2020.</p> <p>Of the 586 lots proposed to be recoded there are 83 existing lots that have been developed as grouped dwelling sites, however are not coded accordingly, 63 of which have been strata titled and the majority (75%) are privately owned.</p> <p>The proposed increase from R15 to R25, other than addressing the existing coding anomalies, would allow those remaining lots above 700m² to be redeveloped, of which there are 298.</p> <p>Recommend to retain existing zoning within Lakeside an only allow pockets of higher density group housing, either on corner lots or in appropriate locations, including existing strata titled grouped dwelling sites.</p> <p>It is noted that under any coding including R15 coding, lots greater than 450m² have the ability to establish a 70m² ancillary dwelling on the same site as a Single Dwelling. Under the deemed provisions a development approval is not required for an ancillary dwelling if it complies with the Residential Design Codes (R Codes).</p> <p>It is also noted that Nicholson Park in Lakeside although correctly coloured as Open Space Reserve has been denoted with an R25 code.</p> <p>Recommend modify Scheme Map 33 to remove the R Code from Nicholson Park (Reserve 48394).</p> | |
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Rezoning of existing Rural Industry (TPS 7) lots to Agriculture – State or Regional Significance (Rural Ag 1) and Local Horticulture (Rural Ag 2)

The Shire was directed to remove the Rural Industry Zone from the draft Scheme prior to advertising, on the basis that there is no such zone in the *Planning and Development (Local Planning Schemes) Regulations 2015* (LPS Regulations)

Submissions received did not support the proposed rezoning on the basis that there are existing transport and commercial businesses within the existing Rural Industry Zone (TPS 7) which will become non-conforming land uses, and although they can continue with their present use, it is likely to restrict variation or expansion of activities in the future.

It was also considered that the existing Rural Industry zone (TPS 7) provided for local supporting industries and activity within the predominantly agricultural area, which are best suited to be located out of town, and of a size and location to support road train access.

It was suggested that a similar zone to Rural Industry should be adopted, however If not supported recommend General or Light Industry, or a more commercial nature, and that consideration should be given to zoning around the proposed bypass road, to address associated industries currently in operation and land use conflicts.

State Planning Policy 2.5 states that *“the WAPC supports opportunities for employment and diversification of economic activity related to primary production. As such it will:*

a) promote the establishment of precincts for primary produce processing close to services and freight routes, and with adequate buffers; and

b) support the concept of rural enterprise zones in strategies and schemes that combine light industry and ancillary housing, provided they are carefully planned with general proximity to urban areas, are serviced and have design features that address buffers and amenity and generally meets the criteria listed in 5.6 (b).”

SPP 2.5 defines Rural enterprise as:

a predominantly light industrial zone that provides for light industrial land uses and an ancillary residential dwelling on one lot, with lot sizes in the order of one to four hectares. Also known as rural industry or composite zones.

Modify Clause 3.1.2 to include a new Rural Enterprise Zone with the following objectives:

- *to provide for light or rural industrial and ancillary residential development on one lot.*
- *To provide for lot sizes in the range of 1ha to 4 ha.*
- *To carefully design rural enterprise estates to provide a reasonable standard of amenity without limiting light or rural industrial land uses.*
- *To notify prospective purchasers of potential amenity impacts from light or rural industrial land uses.*

Modify Table 1 - Zoning Table to include Rural Enterprise Zone with the following use class permissibility:

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| Abattoir | SA | Market | A |
| Animal Establishment | A | Motor Vehicle Repair | D |
| Brewery | D | Motor Vehicle Wash | A |
| Bulky Goods Showroom | A | Office | IP |
| Car Park | D | Road House | A |
| Commercial Vehicle Parking | D | Service Station | A |
| Dwelling – Single | IP | Telecommunication Infrastructure | A |
| Farm Supply Centre | P | Trade Display | D |
| Fastfood Outlet/ Lunch bar | A | Trade Supplies | D |
| Fuel Depot | D | Transport Depot | D |
| Garden Centre | D | Veterinary Centre | A |
| Industry - Cottage | D | Warehouse/Storage | D |
| Car Park | D | Waste Storage Facility | A |

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| | <p>On the basis of the above, DoP following the review of the SPP 2.5, are recommending the introduction of a new Rural Enterprise zone in the LPS Regs, and advised that the Shire may use in place of the previous Rural Industry Zone.</p> <p>Recommend to introduce a Rural Enterprise zone into the draft Scheme, however amend the objectives to provide for light and rural industry.</p> <p>Lot 51 Weaber Plain Road is currently zoned Rural Industry under TPS 7 however is the site of the Sandalwood Café, which could be considered as a restaurant/café and exhibition centre. There is a separate recommendation below (in relation to the proposed Local Horticulture Zone) which proposes to allow limited value-adding uses within the Agriculture – State and Regional Significance Zone as well as the Local Horticulture Zone. As such it is recommended that Lot 51 Weaber Plain Road remain zoned as Agriculture – State and Regional Significance Zone.</p> <p>Lot 100 Mills Road Kununurra is currently zoned Rural Living under TPS 7, which is proposed to be renamed Rural Residential in LPS 9, in accordance with the LPS regulations. This lot is located opposite existing Rural Industry lots, adjoins the proposed heavy vehicle route and has non-conforming use rights for an existing Lime Kiln. As such, it is recommended that Lot 100 should be included in the Rural Enterprise zone.</p> <p>Recommend to zone all existing TPS 7 Rural Industry lots as Rural Enterprise except for Lot 51 Weaber Plain Road, Kununurra, and to include Lot 100 Mills Road, Kununurra</p> | <table border="1"> <tr> <td data-bbox="1186 207 1423 267">Industry</td> <td data-bbox="1423 207 1482 267">A</td> <td data-bbox="1482 207 1728 267"></td> <td data-bbox="1728 207 1782 267"></td> </tr> </table> | Industry | A | | | <p>Modify the Scheme Text to include the following development provisions in Part 4 – General Development Requirements:</p> <p>Rural Enterprise development requirements</p> <p><i>The following development standards and requirements apply in addition to use specific provisions set out in Schedule 4 – Development Standards Table of this scheme.</i></p> <p>Minimum Setbacks</p> <p><i>Front: Industrial component – 9m, Residential component – behind or in line with industrial component</i></p> <p><i>Side and Rear – 5m</i></p> <p><i>Parking – Industrial/commercial component – one bay per 65m² NLA</i></p> <p><i>Landscaping: 2m landscaping strip along the front boundary.</i></p> <p><i>Within a lot situated within the Rural Enterprise zone, a person may only:</i></p> <p><i>(a) Undertake development which incorporates an industrial/business component;</i></p> <p><i>(b) Develop a residential dwelling where that residential component is incidental to an industrial/business component;</i></p> <p><i>(c) Allow a residential dwelling to be occupied by the owner, manager or employee (and their family and/or dependents) of the rural or light industrial pursuit;</i></p> <p><i>(d) Establish a light or rural industry that is of a nature which can operate compatibly with residential living and minimal impact on adjoining properties.</i></p> <p><i>No dumping or storage of waste or materials, or construction, servicing or maintenance, shall be carried out between the front building line and the street frontage. However, the local government at its discretion may approve the display of finished goods or goods for sale or ready for delivery.</i></p> |
| Industry | A | | | | | | |

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| | | <p>Modify Scheme Maps 19, 21 & 31 to zone the following properties as Rural Enterprise:</p> <ul style="list-style-type: none">▪ Lots 22 - 27 (DP 43085) & Lot 570 (DP 214946) Ivanhoe Road, Kununurra▪ Lot 770 (DP 191117) Mills Road, Kununurra▪ Lot 794 (218988) Mulligans Lagoon Road, Kununurra▪ Lot 10 (DP 69516), Lot 443 (DP 181344) Lot 597 (DP 185360) & Lots 700 – 702 (DP 408129) Weaber Plain Road, Kununurra▪ Lot 100 Mills Road, Kununurra |
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| <p>Rezoning of Old Darwin Precinct from Rural Smallholdings, Rural Agriculture 1 and Rural Agriculture 2 to Rural Residential</p> | <p>The current Strategy (2005) identifies the Old Darwin Precinct as suitable for Rural Smallholdings, which allows for a lots ranging from 4ha to 40ha.</p> <p>Initially the draft Strategy, as adopted by Council, recommended a streamlined Rural Living Zone ranging from 1ha – 10ha, however the Shire was directed to split the proposed lots into either Rural Smallholding zone or Rural Residential zone in the draft Scheme, and modify the Strategy prior to advertising.</p> <p>The precinct was identified as the next logical Rural Residential area in the draft Strategy, given the expansion of the townsite to the south, and that the land is close enough to town for provision of reticulated water supply (required for lots under 4ha) and reticulated sewer to be provided (as required for lots under 4ha).</p> <p>Most of the submissions received in relation to this issue did not support the proposed change due to concern that smaller 1 hectare lots would impact residents' choice of lifestyle, and result in a loss of amenity. A number of Lot owners in Egret Close and Curlew Close wish lot sizes to remain the same or consider that the area already provides a good distribution of properties, ensuring residents are not crowded and have ample space between dwellings.</p> <p>The other main concern was in relation to water management issues, such as addressing drainage, supply of non-potable and potable water and wastewater issues. Many landowners concerned about capability of Lot 1 to be subdivided due to water management issues, including stormwater run-off and flooding, and commented on drainage and salinity issues caused by the farming practices.</p> <p>Two submissions of support were received, on the basis that it will provide more choice and opportunities for residents to live in a more rural setting, however recommended appropriate buffers and development controls to manage the interface between the proposed rural residential lots and adjoining Tourism zoned land given the different uses and possible intensity of permitted development.</p> <p>It is acknowledged that the Draft Strategy states that <i>“rezoning as part of the scheme review is not recommended; instead scheme amendments by private developers will ensure delivery of rural</i></p> | <p>Modify Scheme Maps 26 & 28 to show Old Darwin Road (Lots 1 & 2 on Diagram 87117, Lot 16 on Plan 46913, Lot 17 on Plan 46915, Lots 20 – 25 on Plan 56702, Lots 26 - 31 on Plan 59297, Lots 34 & 35 on Plan 60858) Precinct as Rural Smallholdings.</p> |
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living land, consistent with market demand, and that Scheme Amendments to rezone land for rural smallholding or rural residential developments should be supported by structure plans and local water management strategies (LWMS) consistent with *Better Urban Water Management*.

Development of a LWMS will require the concerns raised in relation to water management to be addressed, prior to rezoning or subdivision being supported. It is noted that most of the drainage issues are being exacerbated by the current farming practices, and that larger lot sizes are usually recommended for lots adjoining different zones to provide for greater separation of differing land uses.

Recommend modify the Scheme Map to zone the Old Darwin Road precinct as Rural Smallholdings.

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| <p>Rural Residential and Rural Smallholding Zone – Development Requirements</p> | <p>A number of submissions queried or made suggestions in relation to the proposed development requirements for the Rural Smallholding and Rural Residential zones, in particular clause 4.29.5 in relation to the keeping of animals, and clause 4.29.6 in relation to vegetation clearing.</p> <p>Clause 4.29.5 (a) outlines the keeping of animals (other than domestic household pets) on Rural Residential or Rural Smallholding zoned land requires development approval. However, it is likely that a range of animals may be kept on a rural residential or rural smallholding property for the enjoyment of the land by owners/occupiers which may not be considered domestic household pets, for e.g. chickens and horses. It is agreed that it would be onerous and unnecessary if a development application was required to keep animals that were not to be used for commercial purposes on a property.</p> <p>Recommend to amend clause 4.29.5 to specify that a development approval is only required for animals that are kept within a rural residential or rural smallholding lot for commercial gain.</p> <p>One submission, identified that Clause 4.29.6 does not allow for land clearing to facilitate horticultural activity in the Rural Smallholding zone although it is a permitted “P” use in the zoning table. It is noted that</p> <p>Clause 4.29.6 (c) allows for ‘<i>clearing as may be reasonably required to accommodate an approved building and curtilage, or vehicular access to an approved building or other land use approved by the local government</i>’.</p> <p>This clause can be interpreted to apply to horticulture as an approved land use. As such, no modification is required.</p> <p>Another submission recommended that Clause 4.29.6 (d) should include the removal of introduced exotic trees such as Neem, Parkinsonia, Lucaena, Indian rain tree etc, which is supported.</p> <p>Recommend 4.29.6(d) can be amended to include noxious trees or weeds.</p> | <p>Modify Clause 4.29.5(a) to read as follows:</p> <p>(a) <i>The keeping of animals on Rural Residential or Rural Smallholding zoned land for commercial gain requires the development approval of the local government, and if approved, shall accord with the maximum stocking rates prescribed by the Department of Agriculture and Food.</i></p> <p>Modify Clause 4.29.6(d) to read as follows:</p> <p>(d) <i>Trees which are dead, diseased, dangerous, introduced exotic trees, or noxious trees and weeds.</i></p> |
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| <p>Introduction of Farm Building as a land use</p> | <p>One submission recommended the addition of a Machinery Shed as a use class, as a permitted “P” use in all rural zones, and that development approval should not be required, however, that a maximum floor area to be included in the Rural Residential Zone.</p> <p>It is noted that the proposed supplemental provisions allow for the erection or extension of an outbuilding on the same lot as a single house if a single house is a permitted (“P”) use in the zone (where R Codes do not apply) where the development complies with the standards set out in the Scheme for the particular zone (including boundary setbacks).</p> <p>This means that a development approval would not be required for ‘domestic’ sheds. However, it is agreed that a development approval should be required for sheds over a certain size, height wall or ridge height in the Rural Residential zone.</p> <p>A development approval however would be required for a machinery shed, packing shed, workshop etc which are used for commercial purposes.</p> <p>Other local governments have included ‘Farm Buildings’ as a land use, with some examples below;</p> <p>Farm building means those buildings and structures or parts of buildings and structures that are used for the storage of farm machinery and equipment and agricultural produce grown on the land.</p> <p>“farm building” means a building of a permanent nature, other than a building used or intended to be used for residential purposes; that is on land used for agricultural purposes; (a) for storage of agricultural products and produce; and/or (b) for the maintenance of farm machinery used by the occupier of the site;</p> <p>but does not include Agriculture – Intensive, Industry – Rural, Industry – Service;</p> <p>Recommend include land use definition for farm building into draft Scheme.</p> <p>Recommend include a provision that a development approval is required for outbuildings (sheds) over 200m², or with a wall height exceeding 4.4m, or ridge height exceeding 6m.</p> | <p>Modify Part 6, Division 2, 6.2 Land Use Definitions to include the following definition:</p> <p>farm building means those buildings and structures on land used for agricultural purposes;</p> <p>(a) for storage of agricultural products and produce; and/or (b) for the maintenance of farm machinery used by the occupier of the site;</p> <p>but does not include agriculture – intensive or industry – primary production.</p> <p>Include farm building in the in Table 1 - Zoning Table with the following use class permissibility:</p> <table border="1" data-bbox="1192 613 1499 889"> <tr> <td>Priority Agriculture</td> <td>P</td> </tr> <tr> <td>Local Horticulture</td> <td>P</td> </tr> <tr> <td>Rural/Pastoral</td> <td>P</td> </tr> <tr> <td>Rural Smallholdings</td> <td>P</td> </tr> <tr> <td>Rural Residential</td> <td>D</td> </tr> </table> <p>And not permitted (X) in all other zones.</p> <p>Modify Scheme Text to include an addition clause in Clause 4.29 as follows:</p> <p>Outbuildings</p> <p>Notwithstanding clause 61(1)(m) in Schedule A – Supplemental Provisions, the development of an outbuilding in the Rural Residential Zone with either:</p> <p>(a) A floor area exceeding 200m²; or (b) Wall height exceeding 4.4m; or (c) Ridge height exceeding 6m;</p> <p>will require the development approval of the local government.</p> | Priority Agriculture | P | Local Horticulture | P | Rural/Pastoral | P | Rural Smallholdings | P | Rural Residential | D |
| Priority Agriculture | P | | | | | | | | | | | |
| Local Horticulture | P | | | | | | | | | | | |
| Rural/Pastoral | P | | | | | | | | | | | |
| Rural Smallholdings | P | | | | | | | | | | | |
| Rural Residential | D | | | | | | | | | | | |

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| <p>Heritage</p> | <p>The Scheme will enable the Shire to create a heritage list. The heritage list is a statutory instrument which allows the Shire to consider the heritage of a place as part of its decision-making process for proposed development. As the Shire is yet to establish a heritage list, the State Heritage Office has recommended a clause be included which states, until such time as a heritage list is adopted by the Shire, that the heritage list is the municipal inventory.</p> <p>Recommend add a clause in the supplemental provisions to state that until such time as a heritage list is adopted by the local government, that the heritage list is the municipal inventory.</p> | <p>Add the following clause into Schedule A – Supplemental provisions to the deemed provisions:</p> <p>Clause 8 (4):</p> <p><i>Until such time as a heritage list is established by the local government in accordance with clause 8(1) of the deemed provisions, the heritage list is the municipal heritage inventory.”</i></p> |
| <p>Rezoning of Weaber Plain Light Industrial Area from Light Industry to Composite Industry</p> | <p>The intent of rezoning this area is to allow people to build a residence and establish a light industry or similar on the same property, as already occurring within the Weaber Plain Light Industrial Area (LIA).</p> <p>The DoP have acknowledged that there is a demand in regional areas for lots that can accommodate a business and a house, and advised that if the Shire does wish to include a composite zone, appropriate justification is required to be provided, via the local planning strategy. However, the DoP’s preferred approach, in keeping with the intent of the regulations to streamline zones, and to reflect the intention of the areas being primarily for business with the houses being incidental, is to use a Special Control Area or additional use to provide for dwellings within identified industrial areas, rather than introducing a composite zone into the model provisions.</p> <p>While submissions received support the proposed rezoning in principle, there were concerns raised about rezoning the whole of the Weaber Plain LIA to Composite Industry due to potential impacts on proposed residential use from existing established industries, the potential to preclude existing industries due to these impacts, and the lack of available light industrial land in Kununurra.</p> <p>It is acknowledged that the proposed Draft Scheme Maps only provide for an established Light Industry Zone in Wyndham (Three</p> | <p>Modify Scheme Map 31 to show the Weaber Plain Road Light Industrial Area as Light Industry Zone.</p> |

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| | <p>Mile, Map 13), with two areas of proposed Industrial Development provided for within Kununurra and surrounds.</p> <p>In the interim both LandCorp and the DoP have suggested that the Weaber Plain LIA should not be rezoned to Composite Industry until such time as a viable alternative industrial precinct is identified, but greater flexibility in terms of caretaker dwelling could be considered.</p> <p>Recommend retain the Light Industry zoning for the Weaber Plain Light Industrial Area, and allow only for caretaker dwellings to be established.</p> <p>It is also noted that there are a number of existing established Composite Industry lots on Bull Run Road, which have been developed in accordance with the provision of the Composite Industry Zone under TPS 7.</p> <p>Recommend retain the Composite Industry zone with those lots on Bull Run Road to remain zoned as Composite Industry.</p> | |
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| <p>Local Horticulture Zone (Rural Agriculture 2)</p> | <p>Main concerns raised around the non-agricultural uses that may be permitted, and how these will impact on the right and ability to farm on neighbouring properties, the increased biosecurity concerns, and how non-agricultural developments and associated impacts will be monitored and controlled.</p> <p>Non-agricultural uses were introduced into existing TPS 7, in both the Rural Agriculture 1 and 2 zones, with the intent to allow landowners to ‘value-add’ to their agricultural activities. Some of these uses have been retained in the draft Scheme for the proposed Local Horticulture Zone, however with the intent to include better controls, and limitations on the size and number of accommodation units that may be allowed.</p> <p>However, the submissions received consider that the planning controls in the draft Scheme are still not adequate to protect continued intensive agriculture or promote future agricultural development.</p> <p>Recommend that the objectives and development requirements for, and land use permissibility within, the proposed zone be amended to address the various concerns raised.</p> <p>Comments in relation to the proposed objectives of the zone, considered that the objectives as advertised encourage non-agricultural development within the zone, rather than promoting and protecting horticultural activities.</p> <p>Recommend modifying the objectives to identify the lots within this zone as primarily for intensive agricultural purposes.</p> <p>In relation to allowable uses within the Local Horticulture Zone, the main concern has principally been in relation to tourist accommodation. Under TPS 7, a maximum of three cabins or chalets can be approved on RA2 lots as an incidental use, with no maximum size specified, and only required the accommodation to remain as “a subordinate use in scale, scope and intensity to the predominant agricultural nature of the site”.</p> <p>Draft LPS 9 proposes (clause 4.27.2) that a number of non-agricultural uses may be approved at the discretion of the local government following advertising of the application (‘A’ use), and</p> | <p>Modify objectives of Local Horticulture Zone (rural Agriculture 2) as follows:</p> <ul style="list-style-type: none"> (i) <i>to identify and protect intensive agricultural land of local significance;</i> (ii) <i>to provide for a diversity of sustainable intensive agriculture and value-adding opportunities;</i> (iii) <i>to protect existing and potential agriculture production areas from inappropriate land use;</i> (iv) <i>to maintain the rural character of the area; and</i> (v) <i>to avoid activities causing adverse environmental impacts and any other land management practices that would be detrimental to the amenity of the area;</i> <p>Modify Scheme text to include an additional point in clause 4.27 as follows:</p> <p><i>In considering an application for development approval, the local government must ensure that the proposed development is consistent with and will not conflict with the viability of intensive agricultural and horticultural pursuits on the property and within the locality.</i></p> <p>Modify the table in Clause 4.27.1 to specify a minimum 40m setback for incidental (non-agricultural) development.</p> <p>Modify Clause 4.27.2 to delete the following uses that the local government may only permit in accordance with this clause:</p> <p><i>Nursery</i></p> <p><i>Modify Clause 4.27.2(a) to (e) to read as follows:</i></p> <ul style="list-style-type: none"> (a) <i>An established horticultural or intensive agricultural activity is being carried out on the property, with a minimum of 50% of the land under cultivation.</i> (b) <i>The proposed development is to remain incidental and subordinate to the established horticultural or intensive agricultural activity on the property.</i> |
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| | <p>subject to other provisions including the submission of a management plan and landscaping plan. This includes 'Farm Stay' which allows for a maximum of two cabins/chalets with a maximum floor area of 70m², and only when an established horticultural or agricultural activity is being carried out on the property.</p> <p>The submissions received outlined that landowners that are actively farming their own properties are much more likely to understand and accept the impact farming practices will have on these developments, and therefore more likely to ensure adequate biosecurity protocols are maintained and appreciate the primary purpose of the property. Comment was also made that there also needs to be provision to ensure and determine that the horticultural or agricultural activity is maintained at or above a minimum level once a non-agricultural development has been approved i.e. that the non-agricultural development remains as an ancillary use.</p> <p>Concern was also raised about the amount of accommodation that can be established if a Single Dwelling, Caretaker's Dwelling or Ancillary Dwelling, and two Farm Stay chalets/cabins, can be established on a property. In this regard it is recommended that the proposed maximum floor area of 70m² for farm stay accommodation be reduced.</p> <p>It is noted that 'nursery' has been included in clause 4.27.2, as a non-agricultural use, however fruit or plant nurseries are forms of intensive agriculture.</p> <p>Clause 4.27.2 outlines the requirement for a detailed landscaping plan to be submitted, which should be in accordance with the Department of Health Guidelines for Separation of Agricultural and Residential Land Uses – August 2012 regarding the establishment of vegetation buffers.</p> <p>These guidelines specify that a 300m minimum buffer is required to allow for spray drift, however that "alternatively a 40 m separation distance can be used where a vegetative buffer has been adequately designed, implemented and maintained in accordance with these guidelines".</p> <p>As the existing RA2 lots are too narrow to provide for a 300m buffer distance a vegetative buffer will be required for the</p> | <p>(c) <i>The proposed development is not located on any part of the property utilised for agricultural or horticultural pursuits, and sited so it will not bisect existing or potential agricultural and horticultural areas on the property.</i></p> <p>(d) <i>Prior to the local government advertising and making a determination on the proposed development the applicant shall submit:</i></p> <p>(i) <i>A detailed management plan addressing how potential conflicts, impacts and compatibility with existing and potential agricultural land uses – both internal and external to the site – are to be managed. The management plan should detail measures to manage the following impacts:</i></p> <ul style="list-style-type: none"> ▪ <i>dust and noise;</i> ▪ <i>visual amenity;</i> ▪ <i>biosecurity; and</i> ▪ <i>ensuring the continued agricultural/horticultural activity on the land.</i> <p>(ii) <i>A detailed landscaping plan in accordance with the Guidelines for Separation of Agricultural and Residential Land Uses, Department of Health - August 2012 regarding establishment of vegetation buffers. The vegetation buffer shall also provide an appropriate visual screen from both the road and neighbouring properties.</i></p> <p>(e) <i>As part of the advertising process the local government will seek comment on any application from the Department of Agriculture and Food and other relevant agencies or stakeholders, and surrounding landowners.</i></p> <p>(i) <i>Prior to the construction of any proposed development landscaping in accordance with the approved landscaping plan should be commenced.</i></p> <p>(f) <i>Prior to occupation or use of any approved development:</i></p> <p>(i) <i>Relevant officers shall inspect the development to ensure biosecurity information is displayed in a prominent place;</i></p> <p>(ii) <i>Relevant officers shall inspect procedures to ensure that all employees are made aware of the biosecurity issues and preventative measures prior to commencement of operation; and</i></p> <p>(iii) <i>Landscaping must be established in accordance with the approved landscaping plan.</i></p> |
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development of any sensitive land uses, which includes tourist accommodation, playgrounds, childcare facilities.

Consider that landscaping plans should be in accordance with the Guidelines for Separation of Agricultural and Residential Land Uses, Department of Health – August 2012 regarding the establishment of vegetation. Noted that any variation to the guidelines, requires site specific investigation to be undertaken to support the alternative. The guidelines outline where an alternative is proposed it should be assessed by the EPA and Department of Health.

Recommend modifying clause 4.27.2 to:

- **Include a statement similar to Clause 4.26.2 (in relation to Priority Agriculture) to outline that proposed development should be consistent with and will not conflict with the viability of intensive agricultural and horticultural pursuits on the property and within the locality.**
- **Increase setback distances for non-agricultural development to side and rear boundaries to 40m.**
- **Delete ‘Nursey’ from the list of non-agricultural uses.**
- **Specify that the listed non-agricultural uses can only be permitted if an established horticultural or intensive agricultural activity is being carried out on the property, with a minimum of 50% of the property under cultivation.**
- **Require that the management plan is submitted prior to the application being advertised.**
- **Require that landscaping be in accordance with the Department of Health Guidelines for Separation of Agricultural land and residential land uses.**
- **Specify that the any approved development will be required to inspected and a register of guests provided to the local government.**

Recommend modifying the definition of Farm Stay to reduce the maximum floor area to 50m².

It is acknowledged that there are a number of existing non-agricultural uses on Rural Agriculture 1 (TPS 7) zoned lots, in particular restaurants (cafes), which as outlined in submissions are larger lots which can better provide for separation distances.

(g) *A register of guests staying in any approved accommodation is to be provided to the local government upon request each year.*

Modify table 1 – Zoning Table (3.2 Zoning Table) to show the following additional permissibility:

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| <i>Exhibition Centre</i> | A | <i>Farm Stay</i> | A |
| <i>Bed and Breakfast</i> | A | <i>Restaurant</i> | A |

Modify the table in clause 4.26.1 to include the following additional minimum side and rear setbacks:

Structures and Incidental development (non-agricultural) – 100m

Include additional Clause 4.26. 4 as follows:

In accordance with the Zoning Table, the local government may only permit the development and use of land for the following non-agricultural uses:

- Exhibition Centre;*
- Bed and Breakfast;*
- Restaurant;*
- Educational Establishment;*
- Brewery;*
- Farm Stay;*

if:

- (a) *An established horticultural, intensive or extensive agricultural activity is being carried out on the property, with a minimum of 50% of the land under cultivation.*
- (b) *The proposed development is to remain incidental and subordinate to the established horticultural or agricultural activity on the property.*
- (c) *The proposed development is not located on any part of the property utilised for agricultural or horticultural pursuits, and sited so it will not bisect existing or potential agricultural and horticultural areas on the property.*

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| | <p>Recommend to allow non-agricultural uses within the proposed Agriculture – State and Regional Significance Zone subject to same provisions as Local Horticulture Zone, however require a minimum 100m setback from side and rear boundaries.</p> | <p>(d) <i>Prior to the local government advertising and making a determination on the proposed development the applicant shall submit:</i></p> <p>(j) <i>A detailed management plan addressing how potential conflicts, impacts and compatibility with existing and potential agricultural land uses – both internal and external to the site – are to be managed. The management plan should detail measures to manage the following impacts:</i></p> <ul style="list-style-type: none"> ▪ <i>dust and noise;</i> ▪ <i>visual amenity;</i> ▪ <i>biosecurity; and</i> ▪ <i>ensuring the continued agricultural/horticultural activity on the land.</i> <p>(ii) <i>A detailed landscaping plan in accordance with the Guidelines for Separation of Agricultural and Residential Land Uses, Department of Health - August 2012 regarding establishment of vegetation buffers. The vegetation buffer shall also provide an appropriate visual screen from both the road and neighbouring properties.</i></p> <p>(e) <i>As part of the advertising process the local government will seek comment on any application from the Department of Agriculture and Food and other relevant agencies or stakeholders, and surrounding landowners.</i></p> <p>(f) <i>Prior to the construction of any proposed development landscaping in accordance with the approved landscaping plan should be commenced.</i></p> <p>(g) <i>Prior to occupation or use of any approved development:</i></p> <ul style="list-style-type: none"> (i) <i>Relevant officers shall inspect the development to ensure biosecurity information is displayed in a prominent place;</i> (ii) <i>Relevant officers shall inspect procedures to ensure that all employees are made aware of the biosecurity issues and preventative measures prior to commencement of operation; and</i> (iii) <i>Landscaping must be established in accordance with the approved landscaping plan.</i> <p>(h) <i>A register of guests staying in any approved accommodation is to be provided to the local government upon request each year.</i></p> |
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| <p>Light Industry and General Industry</p> | <p>A number of submissions have noted that there is limited land proposed to be zoned as General or Light Industry in the draft Scheme.</p> <p>Although a key recommendation of the draft Strategy is to investigate the feasibility of potential general industrial land around Kununurra and prioritise a site for development of a General Industrial Estate, and a number of potential industrial areas are zoned as Industrial Development in the draft Scheme, it is acknowledged that there is a shortage of land appropriately zoned to be developed for industrial purposes in the short term.</p> <p>Only Light Industry zoned land shown in Wyndham (Map 13).</p> <p>Only one lot in Stockman Road shown as General Industry in Kununurra (Map 20). Otherwise only Wyndham Port is zoned General Industry (Maps 11 & 12).</p> <p>However, there are two areas shown as proposed Industrial Development zone in Kununurra, one north of the Weaber Plain LIA (Maps 23& 24 and 31 & 32).</p> <p>It is recommended that a Service Commercial zone in the Scheme to provide for:</p> <ul style="list-style-type: none"> ▪ commercial activities which, due to the nature of the business, require good vehicular access and/or large sites. ▪ a range of wholesale sales, showrooms, trade and services which, by reason of scale, character, operational or land requirements, are not appropriate in, or cannot conveniently or economically be accommodated in, the central area, shops and offices or industrial zones. <p>The Service Commercial zone would be ideally located along the eastern side of Ivanhoe Road adjoining the proposed Mixed Use Zone, as this road is currently a key transport corridor for heavy vehicles and would provide a buffer to the proposed Industrial Development area on the western side of Ivanhoe Road. These lots are also currently within the 500m WWTP buffer.</p> <p>Recommend that existing Weaber Plain Light Industrial Area remain as Light Industry Zone, subject to further consideration once new industrial land is available.</p> | <p>Modify Scheme Text to include an additional zone in Clause 3.1.2 as follows:</p> <p>Service Commercial Zone</p> <p>(i) <i>To accommodate commercial activities which, due to the nature of the business, require good vehicular access and/or large sites.</i></p> <p>(ii) <i>To provide for a range of wholesale sales, showrooms, trade and services which, by reason of scale, character, operational or land requirements, are not appropriate in, or cannot conveniently or economically be accommodated in, the central area, shops and offices or industrial zones.</i></p> <p>Modify Table 1 – Zoning Table in Clause 3.2 to include the Service Commercial Zone with the following permissible land uses:</p> <table border="1" data-bbox="1194 646 1871 1377"> <tr> <td>Art Gallery</td> <td>A</td> <td>Industry Light</td> <td>A</td> </tr> <tr> <td>Brewery</td> <td>A</td> <td>Market</td> <td>D</td> </tr> <tr> <td>Bulky Goods Showroom</td> <td>P</td> <td>Medical Centre</td> <td>D</td> </tr> <tr> <td>Caretaker's Dwelling</td> <td>D</td> <td>Motor Vehicle, Boat or Caravan Sales</td> <td>D</td> </tr> <tr> <td>Car park</td> <td>D</td> <td>Motor Vehicle Repair</td> <td>D</td> </tr> <tr> <td>Civic Use</td> <td>A</td> <td>Motor Vehicle Wash</td> <td>D</td> </tr> <tr> <td>Club Premises</td> <td>A</td> <td>Reception Centre</td> <td>A</td> </tr> <tr> <td>Commercial Vehicle Parking</td> <td>D</td> <td>Recreation – Private</td> <td>D</td> </tr> <tr> <td>Convenience Store</td> <td>A</td> <td>Road House</td> <td>A</td> </tr> <tr> <td>Educational Establishment</td> <td>D</td> <td>Service Station</td> <td>D</td> </tr> <tr> <td>Exhibition Centre</td> <td>D</td> <td>Shop</td> <td>D</td> </tr> <tr> <td>Farm Supply Centre</td> <td>D</td> <td>Tavern</td> <td>A</td> </tr> <tr> <td>Fast Food Outlet/Lunch Bar</td> <td>D</td> <td>Telecommunications Infrastructure</td> <td>A</td> </tr> </table> | Art Gallery | A | Industry Light | A | Brewery | A | Market | D | Bulky Goods Showroom | P | Medical Centre | D | Caretaker's Dwelling | D | Motor Vehicle, Boat or Caravan Sales | D | Car park | D | Motor Vehicle Repair | D | Civic Use | A | Motor Vehicle Wash | D | Club Premises | A | Reception Centre | A | Commercial Vehicle Parking | D | Recreation – Private | D | Convenience Store | A | Road House | A | Educational Establishment | D | Service Station | D | Exhibition Centre | D | Shop | D | Farm Supply Centre | D | Tavern | A | Fast Food Outlet/Lunch Bar | D | Telecommunications Infrastructure | A |
| Art Gallery | A | Industry Light | A | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Brewery | A | Market | D | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Bulky Goods Showroom | P | Medical Centre | D | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Caretaker's Dwelling | D | Motor Vehicle, Boat or Caravan Sales | D | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Car park | D | Motor Vehicle Repair | D | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Civic Use | A | Motor Vehicle Wash | D | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Club Premises | A | Reception Centre | A | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Commercial Vehicle Parking | D | Recreation – Private | D | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Convenience Store | A | Road House | A | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Educational Establishment | D | Service Station | D | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Exhibition Centre | D | Shop | D | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Farm Supply Centre | D | Tavern | A | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Fast Food Outlet/Lunch Bar | D | Telecommunications Infrastructure | A | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |

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| | <p>Recommend that a Service Commercial Zone be introduced into the draft Scheme with lots located between Ivanhoe Road, Bandicoot Drive, Poinciana Street and Drainage Reserve 32932 to be zoned Service Commercial.</p> <p>The Department of Lands identified a number of parcels of land around the Wyndham Port which are reserved or leased for port purposes, however are currently shown on the Scheme maps as Public Open Space Reserve.</p> <p>Recommend modify Scheme Map to show Lot 451, part of Port Reserve 2404, and Lot 827, leased for barge loading, as General Industry zone.</p> <p>The Department of Lands and Department of Mines and Petroleum have both identified existing miscellaneous licences and easements that provide for conveyor belts and barge loading facilities that provide for the loading of cargo ships from the industrial lots north of the Wyndham Port, which they have recommended should also be zoned General Industry.</p> <p>It is noted that the Strategic Land Use Plan for the Wyndham Port and One Mile Area (Figure 6) shows Port & related industry land uses as extended to the edge of the Cambridge Gulf, and that the Port Reserve to the south is zoned General Industry Zone to the edge of the Cambridge Gulf.</p> <p>Recommend modify Scheme maps to zone UCL land between Cambridge Gulf and Lot 2 & Lots 700 – 702 Barytes Road, Wyndham, and Lot 1768 on DP 95770 as General Industry Zone.</p> <p>It is also noted that a portion of Lot 2 Barytes Road is shown as Public Open Space Reserve, however should be General Industry Zone.</p> <p>Recommend that all of Lot 2 Barytes Road, Wyndham be shown as General Industry Zone.</p> | <table border="1"> <tr> <td>Fuel Depot</td> <td>D</td> <td>Trade Display</td> <td>A</td> </tr> <tr> <td>Funeral Parlour</td> <td>D</td> <td>Trade Supplies</td> <td>P</td> </tr> <tr> <td>Garden Centre</td> <td>D</td> <td>Transport Depot</td> <td>A</td> </tr> <tr> <td>Hospital</td> <td>A</td> <td>Veterinary Centre</td> <td>D</td> </tr> <tr> <td>Industry – Cottage</td> <td>A</td> <td>Warehouse/Storage</td> <td>D</td> </tr> </table> | Fuel Depot | D | Trade Display | A | Funeral Parlour | D | Trade Supplies | P | Garden Centre | D | Transport Depot | A | Hospital | A | Veterinary Centre | D | Industry – Cottage | A | Warehouse/Storage | D | <p>Modify Scheme Text to include the following text in Part 4 – General Development Requirements:</p> <p>Service Commercial Development Requirements</p> <p><i>The following development standards and requirements apply in addition to use specific provisions set out in Schedule 4 – Development Standards Table of this scheme.</i></p> <p><i>Minimum Setbacks:</i></p> <p><i>Front: 9m</i></p> <p><i>Side and Rear – 5m</i></p> <p><i>Parking – One bay per 65m² NLA</i></p> <p><i>Landscaping: 2m landscaping strip along the front boundary.</i></p> <p><i>Where a lot has frontage to 2 streets and the setback to the building is reduced, the landscape requirement may be reduced</i></p> <p><i>Development within Front Setback Area</i></p> <p><i>The local government may approve the construction of a carport or pergola or like structure between the building line and the front boundary providing:</i></p> <p>(a) <i>that any such structure remains open sided and not in filled with any material which would ordinarily prevent the free passage of light and air, but may include lattice, battens or mesh as approved by the local government;</i></p> <p>(b) <i>that any activity beneath such structure does not include any industrial use and is only used for car parking, landscaping,</i></p> |
| Fuel Depot | D | Trade Display | A | | | | | | | | | | | | | | | | | | | | |
| Funeral Parlour | D | Trade Supplies | P | | | | | | | | | | | | | | | | | | | | |
| Garden Centre | D | Transport Depot | A | | | | | | | | | | | | | | | | | | | | |
| Hospital | A | Veterinary Centre | D | | | | | | | | | | | | | | | | | | | | |
| Industry – Cottage | A | Warehouse/Storage | D | | | | | | | | | | | | | | | | | | | | |

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| | | <p><i>display purposes or any other uses the local government may approve.</i></p> <p><i>No dumping or storage of waste or materials, or construction, servicing or maintenance, shall be carried out between the front building line and the street frontage. However, the local government at its discretion may approve the display of finished goods or goods for sale or ready for delivery.</i></p> <p>Modify Scheme Map 32 to show those lots bounded by Ivanhoe Road, Bandicoot Drive, Poinciana Street and Drainage Reserve 32932 as Service Commercial.</p> <p>Modify Scheme Map 12 to show Lot 451 on DP 77631 (part Reserve 24041) and Lot 827 on DP93569 as General Industry zone.</p> <p>Modify Scheme Maps 11 & 12 to zone UCL land (PIN 1352826) and Lot 1768 on DP 95770, and all of Lot 2 Barytes Road, located north of the Wyndham Port as General Industry Zone.</p> |
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| <p>Rezoning Mixed Business Zone (TPS 7) to Mixed Use Zone</p> | <p>The majority of submissions received were in relation to Motor Vehicle Repair being a use that is not permitted in the Mixed Use Zone in the draft Scheme, however there are a number of existing businesses within the area, which may be negatively impacted by this.</p> <p>It is noted that Motor Vehicle Repair can be of minimal impact on the amenity of the area, as the businesses generally open 7am – 5pm Monday to Friday.</p> <p>Recommend amending Motor Vehicle Repair to be a discretionary use subject to advertising (A) in the draft Scheme.</p> <p>It is also recommended (above) that some of the proposed Mixed Use lots located closer to or fronting Ivanhoe Road should be instead zoned Service Commercial or similar.</p> | <p>Modify Table 1 – Zoning Table to show Motor Vehicle Repair as an 'A' use in the Mixed Use Zone.</p> |
| <p>Primary Distributor Road</p> | <p>The objective of the Primary Distributor Road reserve is 'to set aside land required for a primary distributor road'. As such the alignment on the map shows the intent to provide a short heavy haulage route south of the Three Mile area, and not the existing alignment of the Great Northern Highway (GNH). The alignment indicated is to show that the flow of traffic is directed south of Three Mile, and traffic would need to turn off the new highway alignment to go into the Three Mile area.</p> <p>The Primary Distributor Road shown on Map 13 does not match the alignment of the existing Great Northern Highway, instead shows portion of the road as Primary Distributor Road, and portions as Public Open Space.</p> <p>Options are to show the existing GNH be shown as Primary Distributor Road, or alternatively can be shown as No Zone (white) as are the majority of other roads.</p> <p>Comment to be sought from Main Roads as to whether the short heavy haulage links indicated on the Scheme Maps are still the preferred option.</p> <p>Recommend zone existing Great Northern Highway reserve, shown on Scheme Maps as Public Open Space Reserve to Primary Distributor Reserve.</p> | <p>Modify Scheme Map 13 to rezone those portions of Great Northern Highway shown as Public Open Space Reserve to Primary Distributor Reserve.</p> <p>Modify Scheme Map 8 & 9 to zone the Gibb River Road reserve as Primary Distributor Reserve.</p> |

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| | <p>The Department of Lands also noted that the Gibb River Road should be identified as a main road. In accordance with Main Roads WA Road Hierarchy would be a Regional Distributor, which in accordance with the LPS regulations should be shown as Primary Distributor Road.</p> <p>Recommend zone the Gibb River Road reserve shown on Scheme Maps 8 & 9 as Primary Distributor Road.</p> | |
| <p>Drainage Reserves and Infrastructure</p> | <p>The Ord Irrigation Cooperative (OIC) have noted that a number of major drainage reserves on Ironwood Drive and Weaber Plain Road are not indicated as such on the draft Scheme Maps (Map 31), and key OIAMC reserves (within the ORIA) are incorrectly marked.</p> <p>The draft Scheme Maps do not identify key drainage reserves in the Weaber Plain Flood mitigation area (Map 21 & 22).</p> <p>Some existing drainage infrastructure is located within larger parcels of land such as road reserve, or recreation reserve and as such cannot be adequately identified.</p> <p>Recommend existing drainage reserves and irrigation supply and drainage channels be identified on the Scheme maps as Infrastructure Services Reserve and denoted for Drainage or Water Supply as appropriate.</p> <p>The Department of Lands also identified some drainage and other infrastructure reserves that are not represented as such on the Scheme Maps within the Three Mile Precinct of Wyndham as well as Kununurra.</p> <p>Reserve 32078, is partly shown denoted for Drain (Lots 1316 & 1348) and coloured red, however is not hatched as per the Infrastructure Services Reserve. Part of the reserve (Lot 1762) is shown as Light Industry Zone.</p> <p>Drainage reserves 31980 & 31981, located between Dulverton and Minderoo Streets, are shown as Residential, as is Lot 44 (DP208835) which serves a drainage function between Koolama Street and the Great Northern Highway.</p> <p>Recommend zone Reserves 32078, 31980, 31981 & Lot 44 on DP 208835 as Infrastructure Services Reserve denoted for drainage.</p> | <p>Modify Scheme Map 21 & 22, to show the following parcels as Infrastructure Services Reserve and denoted for the purpose of Drain (D):</p> <ul style="list-style-type: none"> Lot 606 on Plan 39383 (R 39383) Lot 775 on Plan 19023 (R 42882) Lot 778 on Plan 19023 (R 42882) Lot 779 on Plan 19023 (R 42882) Lot 657 on DP 187705 (R 40374) <p>Modify Scheme Maps to show the ORIA irrigation supply and drainage channels as Infrastructure Services Reserve and denoted as Water Supply (WS) or Drain (D) as appropriate.</p> <p>Modify Scheme Map 13 to show Reserves 32078, 31980, 31981 & Lot 44 on DP 208835 as Infrastructure Services Reserve denoted as Drain (D).</p> <p>Modify Scheme Map 31 to show Reserve 38082 (Lot 568 on DP 69976) as Infrastructure Services Reserve denoted as Drain (D).</p> |

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| | Reserve 38082 (Lot 568 on DP 69976) is a drainage reserve located between the Weaber Plain LIA and Hidden Valley Caravan Park in Kununurra, which is shown as Public open Space Reserve on the Scheme maps. Recommend Reserve 38082 be zoned Infrastructure Services Reserve and denoted fro drainage. | |
| Introduce a new “Cultural and Natural Resources Protection” Reserve | <p>At the recommendation of DoP, areas of land have been identified as “Natural Resources and Cultural Protection” in the draft Strategy.</p> <p>The land use has been incorporated in Broome and Halls Creek Strategies and the DoP are supportive of a Natural Resources and Cultural Protection zone being included in the Scheme as a regional variation. The Shire of Broome has subsequently included a Culture and Natural Resource Use Zone in their Scheme.</p> <p>The DoL have commented that such a reserve or zone can assist with identifying areas under a determination which are areas of Exclusive Native Title, which are not necessarily settlements but are of significant value to Aboriginal people.</p> <p>DMP have also commented that there are a number of proposed conservation reserves in the Shire as part of the Kimberley Science and Conservation Strategy, however believe that zoning or reservation for conservation under the Scheme should only cover gazetted Crown reserves so as not to pre-empt State Government decision making.</p> <p>The DoP and DoL are supportive of a new ‘Cultural and Natural Resource Use’ reserve or zone as shown on the Strategic Land Use Plan for the whole Shire (Figure 1) in the draft Strategy, which is supported by the Shire and would also address the issues raised by DMP.</p> <p>Recommend to incorporate a Cultural and Natural Resource Use reserve into the Scheme Text to be used in relation to areas that are not pastoral, and also not conservation reserves.</p> | <p>Modify Clause 3.1.2 of the Scheme Text to include a Cultural and Natural Resource Reserve with the following objectives:</p> <p><i>(i) to provide for development associated with the extraction of mineral and natural resources;</i></p> <p><i>(ii) to ensure the preservation of Aboriginal heritage and culturally significant areas;</i></p> <p><i>(iii) to provide for the conservation of significant landscape and environmental areas and values;</i></p> <p><i>(iv) to allow for low impact tourism development including limited tourist accommodation and camping areas; and</i></p> <p><i>(v) to allow land uses associated with Aboriginal heritage, traditional law and culture.</i></p> <p>Modify Scheme Maps to identify land shown on the Strategic Land Use Plan for the whole Shire (Figures 1 & 2) in the draft Strategy as Cultural and Natural Resources Reserve.</p> |
| Settlement Zone | The Department of Housing has recommended that a number of Aboriginal settlements (Wuggubun, Wijilawarrim (Molly Springs) & Jimbilum) should be zoned ‘Settlement’ with the boundaries being in accordance with the recommended settlement zone identified in the respective Layout Plans for each settlement. | Modify Scheme Maps 8 & 29 to zone the Wuggubun, Wijilawarrim (Molly Springs), and Jimbilum & Yirrallelm settlements as Settlement, with the boundaries in accordance with the recommended settlement zone identified in the Layout Plan for each settlement. |

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| | <p>Areas shown as Settlement Zone are currently based on cadastral boundaries and not those identified in the Layout Plans. However, the DoP supports the inclusion or amendment of the proposed settlements in the Scheme, and will undertake the required mapping changes to the Scheme when required (after Final Approval).</p> <p>It is also noted that the Jimbulum layout Plan includes Jibilum and Yirrallelm 1 & 2 settlements.</p> <p>Recommend zone the Wuggubun, Wijilawarrim (Molly Springs), Jimbilum & Yirrallelm settlements as Settlement with the boundaries in accordance with the recommended settlement zone identified in the respective layout plans.</p> <p>The Department of Lands recommend that the Ningbing settlement, shown on Scheme Map 5 as Settlement Zone should be rezoned on the basis that there is no Layout Plan and the settlement is uninhabited.</p> <p>Recommend zone the old Ningbing settlement as Rural/Pastoral.</p> | <p>Modify Scheme Map 5 to zone the old Ningbing settlement (lot 696 on DP188947) as Rural/Pastoral.</p> |
| <p>Zoning around Lake Argyle and proposed Lake Argyle Development Area</p> | <p>The zoning boundaries shown on Scheme Map 33 do not match the cadastral boundaries, or the proposed Lake Argyle Development Area (LADA) Special Control Area.</p> <p>Recommend that the cadastre be updated and the zoning boundaries realigned.</p> <p>There is an option for the existing Lake Argyle Tourist Village and Historical Homestead Reserve to be zoned as Tourism (or Public Purposes Reserve denoted for Heritage Preservation in relation to the latter), as well as determining appropriate zoning for Aquaculture Lease site (Global Barramundi), and other telecommunication, electricity generation and water supply reserves.</p> <p>Recommend zoning:</p> <ul style="list-style-type: none"> ▪ the Lake Argyle Tourist Village as Tourism Zone; ▪ the Historical Homestead Site as Public Purposes Reserve denoted for Heritage Preservation; ▪ the lease area for the Global Barramundi aquaculture site as Special Use – Aquaculture | <p>Modify Scheme Map 33 by:</p> <ul style="list-style-type: none"> ▪ Updating proposed zoning boundaries to match cadastre. ▪ Zoning the Lake Argyle Tourist Village (Lots 525 & 530 on DP 408830) as Tourism Zone. ▪ Zoning the Historical Homestead Site (Lot 400 on DP 213293) as Public Purposes Reserve denoted for Heritage Preservation. ▪ Zoning the land based portion of Reserve 43196 (Water Supply & Electricity Generation) as Infrastructure Services Reserve denoted as Water Supply and Electricity Infrastructure. ▪ Zoning Reserve 43140 for the purpose of Power Station, Lot 675 on DP 188040 and Lot 807 on DP 219138 as Infrastructure Services Reserve denoted as Electricity Infrastructure. ▪ Zoning Lot 511 on DP403767 as Special Use – Aquaculture ▪ Zoning Telstra site as Infrastructure Services ▪ Zoning other land surrounding Lake Argyle from Environmental Conservation Reserve to Cultural and Natural Resources Reserve. |

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| | <ul style="list-style-type: none"> ▪ the land based portion of Reserve 43196 for the purpose of Water Supply & Electricity Generation as Infrastructure Services Reserve denoted as Water Supply and Electricity Infrastructure; ▪ Reserve 43140 for the purpose of Power Station, along with associated infrastructure corridors as Infrastructure Services Reserve denoted as Electricity Infrastructure; and ▪ Existing Telstra infrastructure site as Infrastructure Services Reserve denoted as Radio/Television/ Communications. <p>Land surrounding Lake Argyle is also proposed to be Environmental Conservation Reserve, however the land is UCL, Reserve 31165 for the purpose of “The Protection of the Water Resources Values of Lake Argyle & the Ord Dam, Lake Argyles Wetland Values & the Maintenance & Enhancement of the Traditional Culture of the Miriuwung Gajerrong People“, and a very small area reserved for the protection of flora.</p> <p>Recommend other land surrounding Lake Argyle, proposed as Environmental Conservation Reserve to instead be zoned as Cultural and Natural Resources Zone.</p> | <p>Modify Scheme Map 8 & 9 by zoning land surrounding Lake Argyle from Environmental Conservation Reserve to Cultural and Natural Resources Reserve.</p> <p>Modify Scheme Text to include the following additional Special Use site in Schedule 3 – Special Use Zones:</p> <p>Reference: SU19 No.: Lot 511 Description: Lake Argyle Road Special Use: Aquaculture Conditions: As determined by local government.</p> |
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| <p>Tourism Zone</p> | <p>Tourism WA recommend that objective (iv) 'to provide for limited permanent residential accommodation on tourism sites be deleted, as provision for this is addressed in clause 4.25 (Tourism Zone Development Requirements) which specifies that a maximum of 40% of total number of accommodation units may be used for permanent residential purposes.</p> <p>Recommend delete objective (iv) for the Tourism Zone</p> <p>Tourism WA also recommended that Clause 4.25.6 be reworded as its purpose is unclear. Clause 4.25.6 reads as follows:</p> <p><i>4.25.6 No dumping or storage of waste or materials or construction, servicing or maintenance shall be carried out between the front building line and the street frontage, without prohibiting the display of finished goods or goods for sale or ready for delivery, as approved by local government.</i></p> <p>This is a generic clause that has been included as a development requirement for all the commercial and industrial zones, however is acknowledged that it can be more clearly worded.</p> <p>Recommend rewording Clauses 4.20.6, 4.21.5, 4.22.3, 4.23.3, 4.24.6 & 4.25.6 to make it clear that the intent is that within the front setback within the Commercial, Mixed Use, General Industry, Light Industry, Composite Industry and Tourism zones that:</p> <ul style="list-style-type: none"> ▪ No dumping or storage of waste or materials can occur; ▪ No construction, servicing or maintenance can occur; ▪ The local government may approve the display of finished goods or goods for sale or ready for delivery. | <p>Modify the objectives of the Tourism Zone in Clause 3.1.2 by deleting the following objective:</p> <p><i>(iv) to provide for limited permanent residential accommodation and tourism sites.</i></p> <p>Modify Scheme Text by replaces Clauses 4.20.6, 4.21.5, 4.22.3, 4.23.3, 4.24.6, 4.25.6 and 4.25.6 to read as follows:</p> <p><i>No dumping or storage of waste or materials, or construction, servicing or maintenance, shall be carried out between the front building line and the street frontage. However, the local government at its discretion may approve the display of finished goods or goods for sale or ready for delivery.</i></p> |
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| <p>Upcoding of Residential properties in Three Mile, Wyndham</p> | <p>Proposed rezoning principally initiated to rectify existing zoning anomalies, and was first considered when there was greater demand for residential land.</p> <p>However, there were a number of objections to the proposed increase of residential densities in Wyndham, on the basis that:</p> <ul style="list-style-type: none"> ▪ it may conflict with the objective of the Residential Zone to “promote and safeguard the health, safety, convenience, general public welfare and amenity” with the potential to: <ul style="list-style-type: none"> ○ result in smaller overcrowded dwellings and deterioration of amenity; and ○ exacerbate existing social issues and antisocial behaviour; ▪ it is in contradiction with the draft Strategy statement that the “<i>current density of existing residential areas is appropriate to retain larger lots, and ensure the provision of housing for larger family groups</i>”. ▪ there are concerns about higher density development fronting the highway; and ▪ there are number of vacant residential lots within the Three Mile Precinct, included the undeveloped lots east of Minderoo Street. <p>Some submissions recommended that the predominant existing R15 density should be retained, or a maximum residential density of R20. It is noted that there are existing lots ‘spot’ zoned R20, R25 and an area between Martin Place and Flinders Street which is dual coded as R15/R30.</p> <p>LandCorp and the Department of Housing support the increase of residential areas to encourage redevelopment, enable a higher dwelling yield, and result in greater housing diversity and affordability.</p> <p>It is noted that although there are a large number of existing undeveloped lots, many of these are currently not serviced by reticulated sewer, water, power, and in some cases there is also no constructed road.</p> <p>It is also noted that lots on Cato Court do not have an applicable R code indicated.</p> | <p>Modify Scheme Map 13 to zone the following properties as Residential R 15:</p> <ul style="list-style-type: none"> ▪ 70, 72, 74, 76 &, 80 Great Northern Highway, Wyndham ▪ 1, 3, 5 & 7 Cato Court, Wyndham ▪ 7, 9, 11, 13, 15, 17, 19, 21, 37, 39, 41, 43, 45, 47, 49, 51, 53, 55, 57, 59, 61, 63, 65, 67, 69, 71, 73, 75, 77, 79, 81, 83, 85 & 87 Kabbarli Street, Wyndham ▪ 1 - 19, 20, 22, 24, 26, 28, 30, 32, 34, 36, 38, 40, 42, 44, 46, 48, 50, 52, 54, 56, 58, 60, 62, 64, 66, 68, 70, 72 & 74 Koojarra Street, Wyndham ▪ 1 -4, 6, 7, 9 – 14 & 16 Kwinana Street, Wyndham ▪ 1 & 3 Dorrigo Street, Wyndham ▪ 2, 4, 6, 8, 12, 14, 16, 18, 20, 22, 30, 32 & 34 Dulverton Street. ▪ 22 & 24 Delamere Street, Wyndham ▪ 3 Troughton Street, Wyndham ▪ Lot 1720 on DP 184867 & Lot 501on DP 74708 <p>Modify Scheme Map 13 to zone the following properties as Residential R20:</p> <ul style="list-style-type: none"> ▪ 21, 23, 25, 27, 29, 31, 33, 35, 37, 39, 41 & 43 Great Northern Highway, Wyndham ▪ 19, 20, 22, 24, 26, 28, 30, 32, 34, 36, 38 & 40 Koolama Street, Wyndham ▪ 3, 5, 7, 9 & 11 Martin Place, Wyndham ▪ 8, 10, 12, 14, 16, 18 & 20 Kangaroo Drive, Wyndham ▪ 1, 3, 5, 7, 11, 13 & 15 Doongan Street, Wyndham ▪ Part Lot 1791 (23) Koolama Street, Wyndham ▪ 23, 25, 27, 29, 31, 33 & 35 Kabbarli Street, Wyndham ▪ 1 & 2 Myrmidon Street, Wyndham ▪ 25, 27, 29, 31, 33, 35, 37, 39, 41, 43, 45, 47, 49, 51, 53, 55, 57, 59, 61, 63, 65 & 67 Koojarra Street, Wyndham ▪ 8, 18, 20, 22, 24, 26 & 28 Kwinana Street, Wyndham ▪ 1, 3,5, 7 & 27 Delamere Street, Wyndham |
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Recommended to look at retaining existing zoning within the Three Mile area and only allow pockets of higher density in appropriate locations, including existing grouped dwelling sites.

Noted that under any coding including R15 coding, lots greater than 450m² have the ability to establish a 70m² ancillary dwelling on the same site as a Single Dwelling. Under the deemed provisions a development approval is not required for an ancillary dwelling if it complies with the R Codes i.e. no concession sought.

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| <p>Rezoning of Residential Properties in Wyndham to Rural Townsite</p> | <p>The inclusion of the Rural Townsite Zone, for existing and proposed town centre areas within Wyndham, was at the direction of the WAPC prior to advertising. However, inclusion of development provisions for the new zone was overlooked. This means that there was also no R Code referenced as part of the development requirements.</p> <p>There were a number of objections to the proposed rezoning of existing residential lots to Rural Townsite, with the main concern in relation to higher density grouped dwelling houses along the highway, and the potential overdevelopment of lots by the Department of Housing.</p> <p>It was also noted that there are a number of commercial properties available in the original town centre (Koolinda Street) with existing public parking facilities, providing for easier access and consolidation of commercial areas.</p> <p>There was also concern about businesses built between existing residences which could result in excess noise, rubbish and increased traffic (both foot and vehicle), especially overnight.</p> <p>However, there was one submission that recommended that the Rural Townsite zone should be extended on both sides of Great Northern Highway, for the extent of the Three Mile precinct.</p> <p>It is noted that access to lots located on the Great Northern Highway is provided via a number of service roads.</p> <p>Single Dwelling has been included as a Permitted Use in the Rural Townsite zone, as per the intent to of the Additional Use (A4) to allow single dwellings within Wyndham town centre area. The additional use is therefore no longer required.</p> <p>Recommend remove the Additional Use areas denoted by A4 on Scheme maps 12 & 13, and remove A4 from the table in Schedule 2 – Additional Uses</p> <p>Recommend setting a maximum residential density of R40 in the Rural Townsite Zone.</p> <p>Recommend that the majority existing residential properties (TPS 6) fronting the Great Northern Hwy be zoned Residential R20 (instead of Rural Townsite).</p> | <p>Modify Scheme Text in Part 4 – Development Requirements to include the following text:</p> <p><i>Rural Townsite development requirements</i></p> <p><i>The following development standards and requirements apply in addition to use specific provisions set out in Schedule 4 – Development Standards Table of this scheme.</i></p> <p><i>Minimum Setbacks:</i> <i>Front – Nil</i> <i>Side & Rear – On merit</i></p> <p><i>Parking – Residential, as per R Codes, Other, as per table 2</i> <i>Bicycle Parking – 1 bay per 200m² NLA</i> <i>Landscaping – 10% minimum coverage of the site area</i></p> <ol style="list-style-type: none"> <i>1. Provision shall be made for onsite loading and unloading of service vehicles to the satisfaction of the local government. The design of such areas shall require all entry and exit movements from and to the adjoining street or right of way to be in a forward direction.</i> <i>2. Addressing Streets</i> <ol style="list-style-type: none"> <i>(a) Ground floor development fronting the street should comprise commercial land uses which provide active street frontages based on main street principles including direct entrances from adjoining paths, verandahs and eaves to provide pedestrian shelter, unobstructed shop front windows and facades with visual interest.</i> <i>(b) Where a mixed use development incorporating commercial and residential development is proposed, the residential component of the site should be confined to upper stories or behind a commercial development at ground level fronting the street.</i> <i>3. Residential development may be permitted to a maximum residential density of R40.</i> <i>4. For a lot in the Rural Townsite zone which abuts a lot in a Residential zone, setbacks shall comply with the Residential Design Codes applicable to the abutting Residential zoned lot, unless the local government approves otherwise.</i> <i>5. No dumping or storage of waste or materials, or construction, servicing or maintenance, shall be carried out between the front</i> |
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| | | <p><i>building line and the street frontage. However, the local government at its discretion may approve the display of finished goods or goods for sale or ready for delivery.</i></p> <p>Modify Scheme Map 12 to show the following properties as Residential R15:</p> <ul style="list-style-type: none">▪ 52, 54, 56 & 58 Great Northern Highway, Wyndham <p>Modify Scheme Map 12 to show the following properties as Residential R20</p> <ul style="list-style-type: none">▪ 34, 36, 38, 40, 42, 44 -51, 53, 55 & 57 Great Northern Highway, Wyndham <p>Modify Scheme Maps 12 & 13 by removing the Additional Use areas denoted by A4.</p> <p>Modify the Scheme Text by removing A4 from the table in Schedule 2 – Additional Uses</p> |
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| <p>Environmental Conservation Reserve – Adjoining Jabiru and Packsaddle Road properties</p> | <p>The foreshore behind properties in Packsaddle and Jabiru Roads are currently zoned ‘Special Foreshore Reserve’ under TPS 7, and portions of the foreshore area have been sold to adjoining landowners resulting in dual zoning over freehold properties.</p> <p>The Shire originally intended to rezone the land to Local Horticulture (Rural Agriculture 2) as part of the Scheme review, which the EPA advised would require a Special Control Area (SCA) to control and limit potential development on the ex-Special Foreshore Reserve land, and requiring development applications to be referred to relevant agencies for comment.</p> <p>In the interim the DPaW and DoW undertook a biophysical assessment of the Lake Kununurra foreshore along this and other developed areas, which resulted in the delineation of wetland boundaries and buffers. The wetland boundaries identified in this document extend past the existing Special Foreshore Reserve.</p> <p>However, prior to advertising the Scheme the Shire was advised that the biophysical assessment would not be published, and therefore it would be difficult for the Shire to reference this document in the draft Scheme. The Council also did not support the inclusion of a SCA over freehold land, and opted to retain the existing dual zoning. The name of the reserve was changed to ‘Environmental Conservation’ to be consistent with the <i>LPS Regulations</i>.</p> <p>As an alternative a draft Local Planning Policy was prepared, based on the recommended allowable land uses in the biophysical assessment, which was provided to relevant landowners along Jabiru and Packsaddle Road. The provisions were also included in the table in Schedule 1 (Specified additional uses for land in local reserves in Scheme area) of the draft Scheme.</p> <p>However, the submissions received generally do not support the additional uses identified in the draft policy, in particular the development of any buildings or planting of crops, which would be required to be setback at least 50 metres of the Lake Kununurra wetland boundary.</p> <p>There was also some limited concern that the nomenclature of the Environmental Conservation Reserve implies a message of ‘no</p> | <p>Modify the Scheme Maps 27, 28, 29, 30 to zone those portions of freehold properties currently shown as Environmental Conservation Reserve as Local Horticulture Zone and identify a Special Control Area over this area and the adjoining foreshore land.</p> <p>Modify the table in Schedule 1 in the Scheme Text to delete the additional uses (No. 1 and No. 2) in relation to the Environmental Conservation Reserve, Packsaddle Foreshore.</p> <p>Modify Part 5 of the Scheme Text to include an additional Special Control Area:</p> <p>5.5 Packsaddle Wetland Protection Area –PWPA</p> <p><i>5.5.1 Purpose</i></p> <p>(a) <i>To protect the ecological integrity of Lake Kununurra whilst providing for the maximum enjoyment of privately owned land in close proximity to the wetland in the Packsaddle locality.</i></p> <p>(b) <i>to ensure that proposed development will not impact on the wetland values of the Lake Kununurra foreshore environment, or that an improved environmental outcome can be achieved; and</i></p> <p>(c) <i>to minimise visual impact as viewed from Lake Kununurra or other public viewpoints.</i></p> <p><i>5.5.2 Application Requirements</i></p> <p>(a) <i>All development (including use of land, the removal of vegetation and earthworks) within the Packsaddle Wetland Protection Area shall be subject to a requirement for development approval and shall be subject to the discretion of the local government, notwithstanding that the use may be designated a ‘P’ use under the Scheme.</i></p> <p>(b) <i>the local government is required to refer any land use or development application to the Department of Water and Department of Parks and Wildlife for advice, comment and recommendation, prior to any formal consideration under the Scheme.</i></p> <p>(c) <i>in determining any land use or development applications within areas the local government will be guided by:</i></p> |
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| | <p>development', and that this proposed reservation will have the potential to reduce the value of the land.</p> <p>The DoW and DPaW recommend that Special Control Areas (SCA's) be identified on the Scheme Maps in accordance with the biophysical criteria assessment they undertook for the Lake Kununurra foreshore area, to allow for appropriate setbacks to be achieved during developments, as the assessment stipulates more relevant buffer distances dependent on proposed land use.</p> <p>The DoP have recently advised that the freehold portions should be a zone and not a reserve, however recommend that either a SCA is implemented, or a separate zone is used, such as 'Environmental Conservation Zone'.</p> <p>The Shire has the following options:</p> <ol style="list-style-type: none"> 1. Rezone the freehold portions of the proposed Environmental Conservation Reserve to Local Horticulture, with a Special Control Area to be created over the reserve and portion of the Local Horticulture zone. 2. Rezone the freehold portions of the proposed Environmental Conservation Reserve to Environmental Conservation Zone, and include development provisions in the Scheme. <p>It is noted that the majority of the freehold portions of land have memorials on the titles advising that the land may be subject to flooding.</p> <p>Recommend to zone those portions of freehold properties currently shown as Environmental Conservation Reserve as Local Horticulture Zone and identify a Special Control Area over this area and the adjoining foreshore land.</p> | <p><i>(i) any comments, advice or recommendation from the Department of Water, Department of Parks and Wildlife or other relevant agencies;</i></p> <p><i>(ii) the provisions of Clause 5.3 of the Scheme;</i></p> <p><i>(iii) The matters set out in clause 67 of the Planning and Development (Local Planning Schemes) Regulations 2015 - deemed provisions.</i></p> <p><i>(iv) all other provisions applying to any underlying zone or reserve and any general provisions of the Scheme.</i></p> <p><i>(d) In considering any application for development approval within the Packsaddle wetland protection area, the local government will consider all applications on their individual merit.</i></p> |
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| <p>Special Use Zone Commercial Boating Facility</p> | <p>The DoW recommend more specific conditions are applied to the Commercial Boating Facility (SU17, Scheme Map 25) in regards to wastewater treatment and setbacks so that a consistent approach can be applied to all development within the facility.</p> <p>DoW recommend a minimum of 50m setback from the Lake Kununurra for any wastewater treatment system. However due to the size of these lots, standard septic systems cannot be approved, and reticulation areas for ATU's have also not been supported by DoW.</p> <p>DoW has advised that in situations where the 50m setback cannot be achieved alternative domestic wastewater options are:</p> <ul style="list-style-type: none"> ▪ Fully self-contained tanks to be regularly pumped out by a licenced waste operator. Tanks to be set back as far as possible from the water's edged and maintain 2m vertical clearance to groundwater, or to be adequately secured do as not to become buoyant. ▪ Composting toilet and separate grey water treatment system set back as far as possible from the water's edge. ▪ Demonstrating that site factors (such as soil type, permeability, vegetation cover) and system design have been investigated and proven to have a low risk of contamination to sensitive water resources. Investigations must be conducted by a qualified environmental consultant and a report submitted to support the application. <p>The draft Scheme only identifies conditions 'As determined the local government'</p> <p>Recommend that a condition be included to outline that the area will require a land capability assessment to be undertaken for onsite sewerage disposal.</p> | <p>Modify SU17 in the table in Schedule 3 – Special Use Zones to include the following conditions:</p> <p><i>Area subject to land capability assessment for onsite sewerage disposal.</i></p> |
| <p>Argyle Diamond Mine</p> | <p>The DMP has noted that the Argyle Diamond Mine which operates under the Diamond (Argyle Diamond Mines Joint Venture) Agreement Act 1981, is shown on the Scheme Maps as Environmental Conservation Reserve.</p> <p>Recommend that the Argyle Diamond Mine be zoned as Rural/Pastoral Zone.</p> | <p>Modify Scheme Maps 8 & 9 to show the Argyle Diamond Mine (Lot 618 on DP 93093) as Rural Pastoral Zone</p> |

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| <p>Special Use – Motel – Wyndham Townsite Map 13</p> | <p>Lot 723 Great Northern Hwy, and Lots 722, 1300, 721 Sharpe Street, Wyndham are zoned as Special Site – Motel under TPS 6, and proposed to be retained as Special Use – Motel in the draft Scheme, referenced as SU11 in the list of Special Use Zones in Schedule 3 of the draft Scheme.</p> <p>Recommend rezone as Rural Townsite, to allow for motel development or a number of other commercial and residential opportunities.</p> | <p>Modify Scheme Map to show Lots 723 Great Northern Hwy, and Lots 722, 1300 and 721 Sharpe Street Wyndham, as Rural Townsite.</p> <p>Modify Schedule 3 – Special Use Zones to remove the lots as proposed SU11.</p> |
| <p>Drovers Rest</p> | <p>Landcorp noted that the draft Scheme maps do not show Drovers Rest site as zoned for Urban Development. LandCorp has since confirmed the extent of the proposed Drovers Rest Development, which is also identified as Future Urban on the Strategic Land Use Plan for the Kununurra Townsite (Figure 3) of the draft Strategy.</p> <p>Recommend to zone the proposed Drovers Rest residential development area as Urban Development.</p> | <p>Modify Scheme Map 26 & 32 to zone the proposed Drovers Rest residential development area (Lot 556 on DP 69425 and part Lot 568 on DP 404515) as Urban Development.</p> |
| <p>East Kimberley Regional Airport (Kununurra)</p> | <p>A submission identified four classes of development that are not well represented in Kununurra and could be encouraged at the airport area:</p> <ul style="list-style-type: none"> ▪ Light industrial/service development that has a need for larger land parcels. ▪ Heavy vehicle distribution that has a need for larger land parcels. ▪ Highway frontage land that can accommodate bulky goods and a major road house. ▪ Support businesses for the mining oil and gas industries. <p>This is supported by the East Kimberley Regional Airport (EKRA) Master Plan, which identifies a number of non-aeronautical key business activities that could be established 'landside' at the airport.</p> <p>It was also noted that only the main lot at the Kununurra Airport is identified (Lot 200) in the Schedule 3, however there are a number of Shire and privately owned lots that are within the Special Use Zone, which should be listed.</p> <p>There is also additional land earmarked for airport expansion in the EKRA Master Plan to allow extension and widening of the airport runway. The Department of Lands have recommended that</p> | <p>Modify Schedule 3 – Special Use Zones by modifying SU7 by:</p> <ul style="list-style-type: none"> ▪ Listing the following Lot number: Lots 66, 200 & 202, 301 – 312, 314 -321,500 & part Lot 876. ▪ Listing the following roads in the Description: Peter Reid Drive, Dusty Rankin Drive, Laine Jones Drive Cyril Kleining Drive, and Victoria Hwy, Kununurra ▪ Listing the following Special Use: <p><i>Airport: Other uses may be permitted by the local government provided that they are incidental to the predominant use of the land or deemed to be dependent on the function of the Airport or are shown to the satisfaction of local government to be consistent with the Airport's long-term operational needs.</i></p> <p>Modify the Scheme Text by including the following clause in Part 4 – General Development Requirements:</p> <p>Areas subject to aircraft noise. In areas subject to aircraft noise in excess of 20 ANEF: (a) development is required to incorporate noise attenuation measures to the satisfaction of the local government; and</p> |

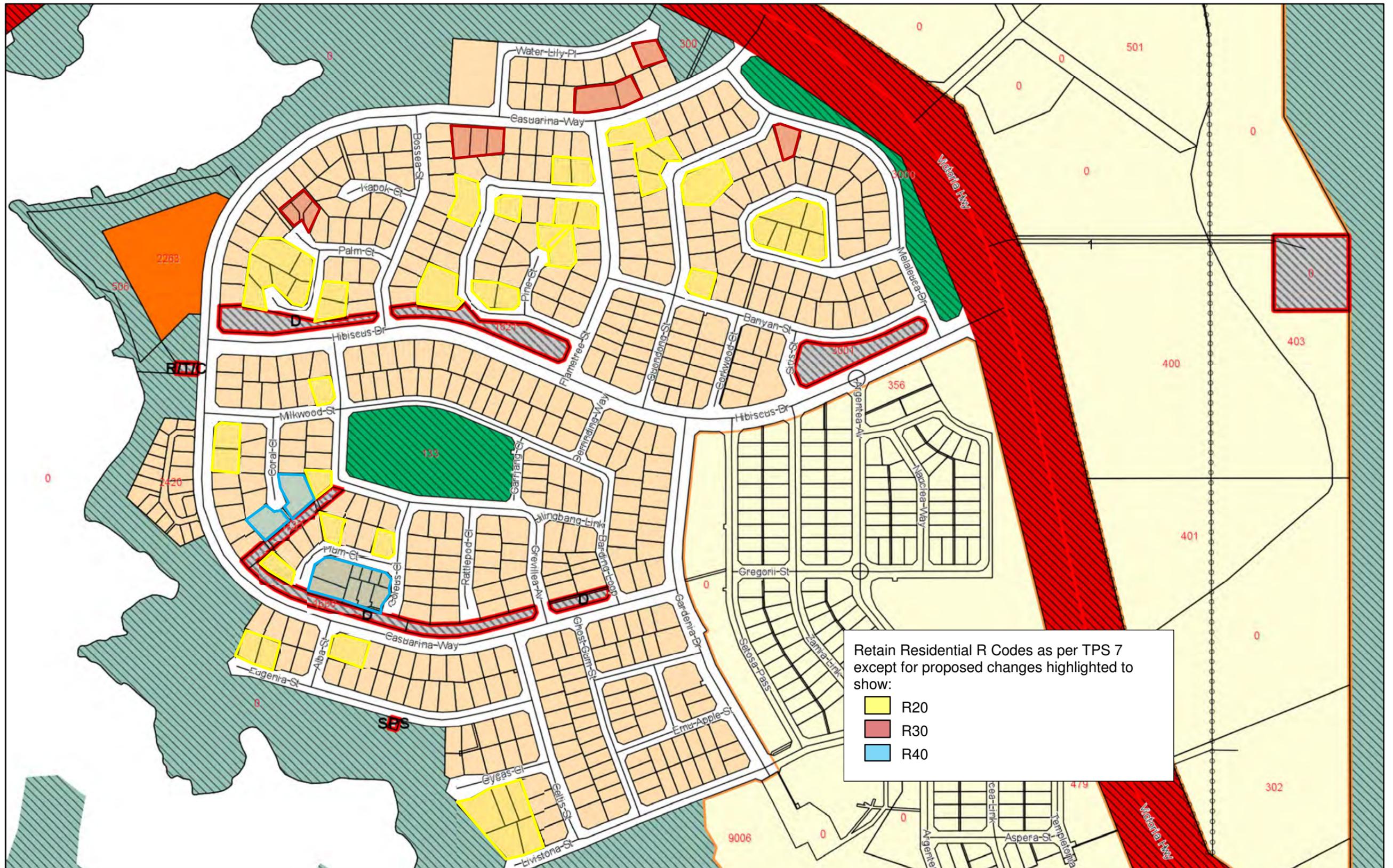
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| | <p>this land, being a portion of Lot 876 on DP 28266, should also be included in the Special Use zone.</p> <p>Recommend amending Schedule 3 – Special Use Zones to:</p> <ul style="list-style-type: none"> ▪ Amend the Airport Lot numbers to: Lots 66, 200 & 202, 301 – 312, 314 -321, 500 & part Lot 876. ▪ Amend the Special Use to include that other uses may be permitted if they “are shown to the satisfaction of local government to be consistent with the Airport’s long-term operational needs”. <p>It was also noted that the airport should be protected from unreasonable encroachment of incompatible (noise sensitive) developments on the airport’s on-going growth, which is best addressed Australian Noise Exposure Forecast (ANEF) contours.</p> <p>Recommend incorporating reference in the draft Scheme to the adopted ANEF plan.</p> | <p>(b) in respect of subdivision of land, the local government will recommend to the Commission that all new lots be the subject of memorials on titles, warning of the potential for aircraft noise affecting such lots.</p> <p>Modify Scheme Maps 23 & 25 to zone portion of Lot 876 on DP 28266 as Special Use denoted for Airport.</p> |
| <p>Kununurra Landfill</p> | <p>The Department of Lands noted that the extent of the Kununurra landfill site has been extended (primarily to provide an additional source of fill) and that the Scheme Maps should be amended to reflect the new boundary.</p> <p>Recommend modifying the Scheme Map to show the amended Kununurra landfill site as Public Purposes Reserves and denoted as Rubbish Depot.</p> | <p>Modify Scheme Map 26 to show the amended Kununurra landfill site (Reserve 28875) as Public Purposes Reserves and denoted as Rubbish Depot.</p> |
| <p>Gravel and raw materials areas</p> | <p>The Department of Mines and Petroleum recommended a number of mapping changes to identify Basic Raw Materials (BRM) areas which should be earmarked within the Shire. The Department of Lands also identified a number of gravel and raw materials reserve recommended to be zoned as Public Purposes Reserve and denoted as extraction areas or similar.</p> <p>A number of these BRM’s are mining tenements, and as such are not easy to identify on the Scheme maps, however regardless of the underlying zoning, the Mining Act will allow for the ongoing mining activity.</p> <p>However, there are a number of existing gravel and raw material reserves, and adjoining land, that are recommended to be zoned</p> | <p>Modify Scheme Map 8 to zone Reserve 40419 as Public Purpose Reserve and denoted as Extraction Area (EA).</p> <p>Modify Scheme Map 11 & 14 to zone Reserve 31451 and adjoining UCL Lot 1347 on DP 18290 as Public Purpose Reserve and denoted as Extraction Area (EA).</p> <p>Modify Scheme Map 17 to zone Reserve 50284 as Cultural and Natural Resource Reserve.</p> <p>Modify Scheme Map 19 to zone Reserves 49628 & 49446 as Public Purposes Reserve and denoted as Extraction Area (EA).</p> <p>Modify Scheme Map 19 & 20 to zone Lot 501 on DP 44380 as Public Purposes Reserve and denoted for extraction area.</p> |

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| | <p>accordingly as Public Purpose Reserve and denoted as extraction area:</p> <p>Map 8 - Reserve 40419 (Lots 912 and 913 on DP 31704, reserved for the purpose of Gravel and located either side of Victoria Highway, zoned as Rural/Pastoral. Recommend zone as Public Purpose Reserve denoted for Extraction Area.</p> <p>Map 11 – Reserve 30212 (Lot 3694 on DP 37694) SWEK reserve for gravel - Public Purposes Reserve denoted for Extraction Area.</p> <p>Maps 11 & 14 - Reserve 31451, reserved for the purpose of Gravel and located along the Great Northern Highway, is zoned as Public Open Space Reserve. DMP also suggest that this reserve together with adjoining unallocated Crown land Lot 1347 on DP 18290 be zoned as Public Purpose Reserve– Extraction Area. Recommend zone Reserve 31451 and adjoining Lot 1347 as Public Purpose Reserve and denoted as Extraction Area.</p> <p>Map 17 - Reserve 50284 (Lot 353, 355), reserved for the purpose of “Government Requirements (Raw Materials), Protection of Aboriginal Heritage and Buffer” and located on Carlton Hill Road, is zoned as ‘Agriculture-State and Regional Significance’. Recommend zone Reserve 50284 as Cultural and Natural Resource Reserve.</p> <p>Map 19 – ‘Raw Materials Area’ Reserves 49628, located on Valentine Springs Road, and Reserve 49446, located on Weaber Plain Road, are zoned Rural/Pastoral Zone and Environmental Conservation Reserve respectively. Recommend zone Reserves 49628 & 49446 as Public Purposes Reserve and denoted for extraction area.</p> <p>Map 19 & 20 – Mining lease M80/477 is located on UCL (Lot 501 on DP 44380) located on Mulligans Lagoon Road, and is zoned Agriculture – State and Regional Significance Zone, however adjoins Reserve 31491 which is zoned Public Purpose Reserve – Extraction Area. DMP has recommended that Lot 501 be added into the Public Purposes Reserve and denoted for extraction area.</p> | <p>Modify Scheme Map 28 to zone Reserves 42304 & 47333 be zoned Public Purpose Reserve and denoted for extraction area.</p> |
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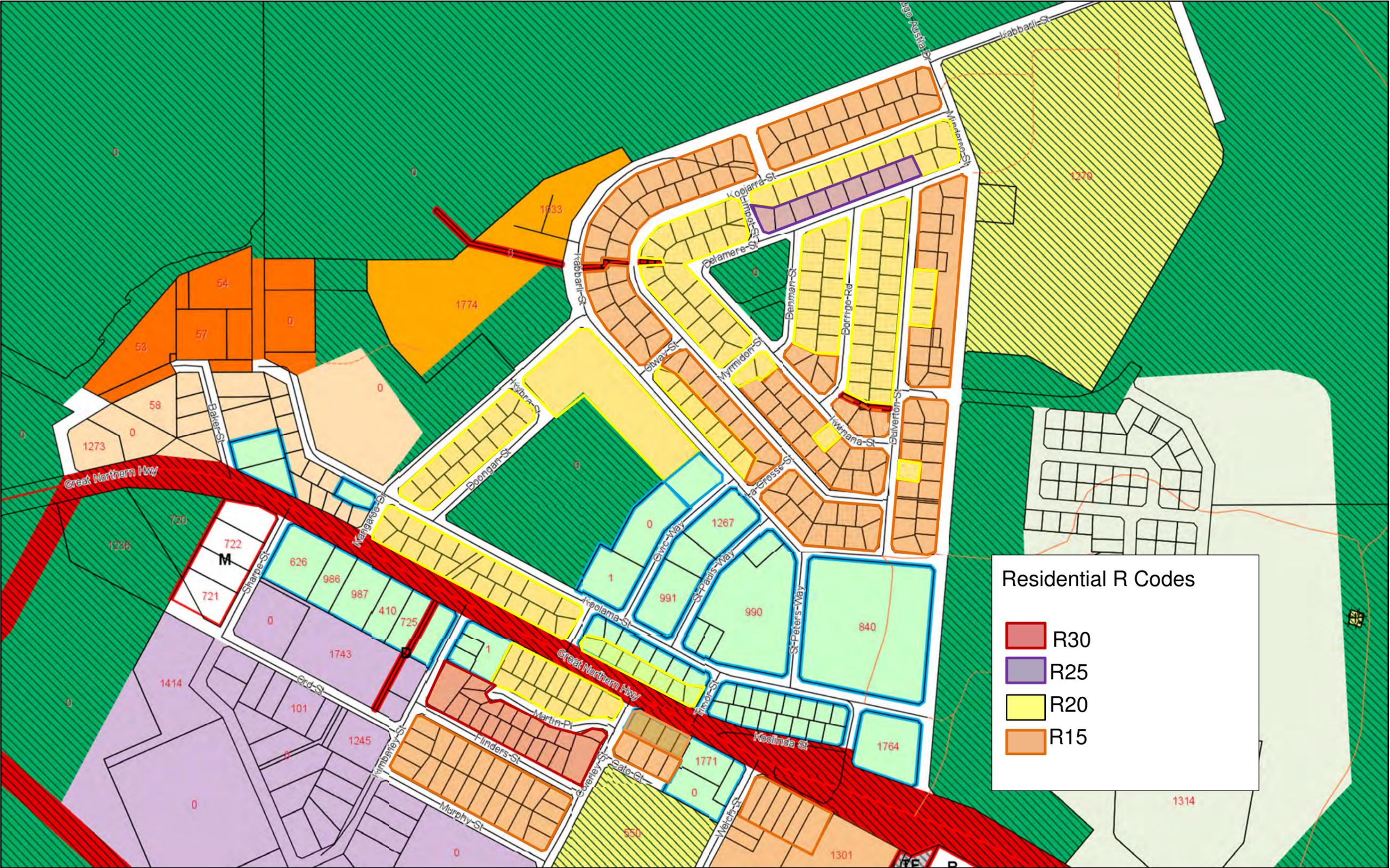
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| | <p>Recommend zone Lot 501 as Public Purposes Reserve and denoted for extraction area.</p> <p>Map 28 - 'Gravel' Reserve 42304 and Reserve 47333 for the purpose "Extraction of gravel for construction, repair, maintenance of roads & ancillary purposes", both located along Crossing Falls Road, are zoned Rural/Pastoral Zone and Environmental Conservation Zone respectively. Recommend Reserves 42304 & 47333 be zoned Public Purpose Reserve and denoted for extraction area.</p> | |
| <p>Various Mapping changes</p> | <p>The Department of Lands made a number of comments and in relation to the Scheme Maps for the Shire's consideration. Some of the recommended changes have already been addressed in relation to other recommendations above.</p> <p>The Local Government Boundary shown on the Scheme maps is a solid red border which is similar to the border used for the Agricultural – State and Regional Significance Zone, and difficult to differentiate on some maps. Recommend that the colour of the Local Government Boundary on the Scheme maps be changed.</p> <p>There is an unnecessary gap between Scheme Maps 19, 20, 21 & 22, which is most clearly shown on Scheme Map 5. Recommend Scheme Maps be modified to ensure continuity between inset Maps.</p> <p>It was also noted that no additional information is shown on inset Scheme Map 10 that is already shown on Scheme Map 5, and as such Scheme Map 10 may not be required. Recommend remove Scheme map 10 and modify the Map Extensions plan and Scheme Map numbering accordingly.</p> <p>Noted that there should also be a buffer around the Waste Water Treatment Plant (WWTP) in Durack Road, Wyndham. In lieu of any site specific technical investigation, a standard 500m buffer should be shown on the Scheme Maps around Reserve 33109. Also noted that the Wyndham WWTP is zoned Light Industry. Recommend zone Reserve 33109 as Infrastructure Services Reserve denoted as sewage treatment works and include a 500m sewage treatment buffer.</p> | <p>Modify the colour of the Local Government Boundary as shown on the Scheme Map legend and Maps.</p> <p>Modify Scheme Maps to ensure continuity between inset Maps.</p> <p>Delete Scheme Map 10, and modify the Map Extensions plan and Scheme Map numbering accordingly.</p> <p>Modify Scheme Map 13 to zone Reserve 33109 as Infrastructure Services Reserve and denoted as Sewage Treatment Works (ST) and include a 500m Sewer Treatment Buffer Area around the existing treatment ponds.</p> <p>Modify Scheme Map 13 to zone the following reserves on Durack Road, Wyndham as Infrastructure Services Reserve:</p> <ul style="list-style-type: none"> Reserve 33852 –denoted as Water Supply (WS) Reserve 32654 – denoted as Sewer Pump Station (SPS) and Reserve 33880 – denoted as Sewage Treatment Works (ST) & Water Supply (WS). <p>Modify Scheme Map 13 to zone Reserve 30137 (Lot 1312) and Reserve 29606 (Lot 1307) on Ivanhoe Street as Public Open Space Reserve.</p> <p>Modify Scheme Maps 13 & 14 to zone Reserve 38740 as Infrastructure Services Reserve denoted for Water Supply (WS).</p> |

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| | <p>The following Crown Reserves in Durack Road, Wyndham are shown as Light Industry on Scheme Map 13 –</p> <ul style="list-style-type: none"> ▪ Reserve 33852 - for the purpose of water supply, ▪ Reserve 32654 - for Sewerage Pumping Station, and ▪ Reserve 33880 – for Water Storage and Treatment site (wastewater) <p>Recommend these reserves should be Infrastructure Services Reserve denoted as water supply, sewer pump station and sewage treatment works & water supply respectively.</p> <p>Adjoining reserve 30137 and Reserve 29606, Ivanhoe Street, Wyndham are reserved as Pistol Club & Range and Public Recreation respectively. Recommend these reserves be zoned as Public Open Space Reserve.</p> <p>Reserve 38740 is a reserve for water supply, for supply from Moochoolabra Dam to Wyndham townsite areas, and is shown as Light Industry (Map 13) and Public Open Space (Maps 13 & 14). Recommend zone Reserve 38740 as Infrastructure Services Reserve denoted for water supply.</p> <p>The main supply channel for Stage 1 of the Ord Irrigation Scheme (M1) is shown on the scheme maps as No Zone. It is noted that the M2 channel in Stage 2 is shown as Waterway Reserve. Recommend that the M1 channel be zoned on the Scheme Maps as Waterway Reserve.</p> <p>Reserve 41793 for Recreation (Speedway) adjoining the EKRA site is zoned as Agricultural – State and Regional Development. Recommend Reserve 41793 be zoned as Public Open Space Reserve.</p> <p>Yunama and Janama Springs (Lots 925 & 926 on DP 35248) are two proposed Aboriginal settlements areas (located on Victoria Highway east of Kununurra), created as part of the Ord Final Agreement, to allow for a community living area, tourism and possible commercial development. Recommend zone as Rural/Pastoral along with surrounding UCL Lot 5015 on DP 56724.</p> | <p>Modify Scheme Maps 18, 19, 21, 22, 23, 25, 31 & 32 to zone the M1 main irrigation supply channel (Lots 915 on DP 28484, and lots 8011, 8012 & 8013 on P 75731) as Waterway Reserve.</p> <p>Modify Scheme Map 25 to zone Reserve 41793 (lot 735 on DP 190116) for Recreation (Speedway) as Public Open Space Reserve.</p> <p>Modify Scheme Map 26 & 28 to zone proposed Yunama and Janama Springs (Lots 925 & 926 on DP 35248) settlement areas and surrounding UCL Lot 5015 on DP 56724 as Rural/Pastoral Zone.</p> <p>Modify Scheme Map 32 to zone Stages 5 & 6 of Lakeside Park Residential Estate in accordance with the Lakeside Park (Stages 5 – 7) Structure Plan, with Stage 7 (south of Livistona Street) to remain as Urban Development Zone.</p> |
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| | <p>The Department of Lands have also recommended that as Stages 5 – 7 of the Lakeside Park Residential Estate in Kununurra, shown on Scheme Map 32, has been fully developed the estate should be zoned to show residential lots, roads, public open space and drainage reserves, with only those undeveloped portions</p> <p>Recommend that Stage 5 & 6 of Lakeside be zoned in the Scheme in accordance with the Lakeside Park (Stages 5 – 7) Structure Plan, with Stage 7 (south of Livistona Street) to remain as Urban Development Zone.</p> | |
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Recommended R Code Changes - Lakeside



Residential R Codes

- R30
- R25
- R20
- R15

Recommended R Codes – Three Mile, Wyndham

Shire of Wyndham East Kimberley – Schedule of Proposed Modifications to the Draft Local Planning Strategy

Part 1

| Section | Part 1 Modification | Justification |
|---|--|--|
| New sentence at the end of paragraph 3 of section '1.1 The Local Planning Strategy' | <i>The role of the LPS is to provide background information and analysis as well as strategic direction for the Shire so that it can act as a guiding tool in the decision making process, as well as informing future rezoning proposals and infrastructure projects. The local planning strategy provides the strategic basis for the development of a contemporary local planning scheme for the Shire.</i> | This modification is administrative with the purpose being to provide greater context for how a scheme and strategy relate. This modification does not relate to a specific direction/request from the WAPC or submission. |
| Add new objective to section '2.1 objectives – towns and lifestyle' | Public Health To ensure good public health of the community. | This was a recommendation of the Department of Health which was raised during advertising and whilst public health is typically managed through other legislation and policy, it can be recognised by the local planning strategy. |
| New section '1.3 Regulatory Requirements for Local Planning Strategies and Schemes' | Regulatory Requirements for Local Planning Strategies and Schemes All local governments are required to maintain a local planning scheme in accordance with the <i>Planning and Development Act 2005</i>. The local planning scheme establishes the standards and requirements for planning and land use within the area. As a precursor to the local planning scheme, local governments are to prepare a local planning strategy which sets out the long term vision for a local government area. The strategy requires endorsement by the Western Australian Planning Commission (WAPC) for public consultation and final adoption. | This modification is administrative with the purpose being to provide greater context for how a scheme and strategy relate and the regulatory requirements. In response to a general query raised by the WAPC prior to |

| Section | Part 1 Modification | Justification |
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| | <p><u>The development of a new local planning scheme prepared in line with the strategy, will be based on the 'model provisions' and 'deemed provisions' prescribed in the <i>Planning and Development (Local Planning Scheme) Regulations 2015</i>.</u></p> <p><u>The 'model provisions' provide a standard framework for local planning schemes and enable local governments to include provisions that relate specifically to the local area. This includes specifying zones and reserves, land use classifications and development provisions.</u></p> <p><u>The elements of the 'model provisions' which can be adapted to suit the Shire of Wyndham East Kimberley include:</u></p> <ul style="list-style-type: none"> – <u>Aims of the scheme</u> – <u>Reserves</u> – <u>Zones and the zoning table</u> – <u>General development requirements</u> – <u>Special control areas</u> – <u>Exemptions from development applications</u> <p><u>The 'deemed provisions' provide standard text that applies across all local governments and outlines the processes and procedures for schemes, structure plans and development assessment. These provisions cannot be varied by local government, however supplementary provisions can be included as part of the model provisions.</u></p> <p><u>The local planning strategy provides recommendations for the application of model provisions in the preparation of a contemporary local planning scheme for the Shire to achieve the objectives of the strategy. In particular, the strategy recommends the zones and reserves to be used, and provides commentary about considerations in the preparation of detailed provisions for these zones in a planning scheme review.</u></p> | <p>advertising regarding the content and structure of parts 4 and 5, it was determined that additional information was to be included in part 5 under each of the planning areas to show the relationship to the Regulations. This text proposed to be included in section 1.3 also provides greater linkages between the strategy and the Regulations.</p> |
| <p>New section '4.2 Tourism' and renumber subsequent sections</p> | <p><u>Tourism is a growing industry for the Shire. The Shire's Indigenous cultural heritage and unique landscapes are a key attractor for tourists as well as the local community.</u></p> <p><u>The Shire offers a range of unique tourism developments that capitalise on the Shire's natural assets. These opportunities support diversification of the Shire's economy.</u></p> | <p>Tourism is an important industry within the Shire and in order to acknowledge this, it was important to</p> |

| Section | Part 1 Modification | Justification | | | | | | | | | | | | | | | | | | |
|---|---|--|------------------------------------|----------------------------|---|---|--|--|---|-----------------------------|--|---|---------------------------|---|--|-----------------------------|---|---|-----------------------------|---|
| | <p>The National Highway network that passes through the Shire enables tourists to connect from other parts of Western Australia to the Northern Territory. In addition, a number of unsealed roads are attracting the growing self-drive and 4WD tourist markets. These roads include the Gibb River, Duncan and Kalumburu Roads.</p> <p>The townsite of Kununurra offers tourist accommodation and local tourist attractions. Opportunities exist in the townsite to further develop the tourism industry around locations such as Lake Kununurra and the Kununurra Racecourse.</p> <p>Whilst the primary function of Lake Argyle is not for tourism, tourism uses have developed in this area, and there is opportunity to further grow this important tourist node.</p> <table border="1" data-bbox="422 623 1604 1336"> <thead> <tr> <th data-bbox="422 623 844 675">Current Issue</th> <th data-bbox="844 623 1373 675">Strategic Response</th> <th data-bbox="1373 623 1604 675">Study Area</th> </tr> </thead> <tbody> <tr> <td data-bbox="422 675 844 837">Diversified economic development and employment is required to facilitate growth and services in the Shire.</td> <td data-bbox="844 675 1373 837">Implement planning controls that facilitate tourism investment and opportunities.</td> <td data-bbox="1373 675 1604 837">Whole of Shire Wyndham</td> </tr> <tr> <td data-bbox="422 837 844 959">The Shire has a striking visual character that can be impacted by inappropriate development.</td> <td data-bbox="844 837 1373 959">Incorporate planning controls to ensure tourism and other developments respect the natural and visual character of the Shire.</td> <td data-bbox="1373 837 1604 959">Environment</td> </tr> <tr> <td data-bbox="422 959 844 1081">Industries within Kununurra Mixed Business area affect amenity of adjacent areas</td> <td data-bbox="844 959 1373 1081">Allocate land appropriate for strategic or general industrial to minimise land use conflicts with tourism and residential uses.</td> <td data-bbox="1373 959 1604 1081">Kununurra</td> </tr> <tr> <td data-bbox="422 1081 844 1195">Planned expansion of tourist village provides a major tourism opportunity</td> <td data-bbox="844 1081 1373 1195">Facilitate planned expansion of tourist village provides a major tourism opportunity</td> <td data-bbox="1373 1081 1604 1195">Lake Argyle</td> </tr> <tr> <td data-bbox="422 1195 844 1336">Potential for land and waterway use conflict and incompatibility, and competition for access to particular areas. In particular, water supply</td> <td data-bbox="844 1195 1373 1336">Review governance arrangements regarding tourism assets</td> <td data-bbox="1373 1195 1604 1336">Lake Argyle</td> </tr> </tbody> </table> | Current Issue | Strategic Response | Study Area | Diversified economic development and employment is required to facilitate growth and services in the Shire. | Implement planning controls that facilitate tourism investment and opportunities. | Whole of Shire Wyndham | The Shire has a striking visual character that can be impacted by inappropriate development. | Incorporate planning controls to ensure tourism and other developments respect the natural and visual character of the Shire. | Environment | Industries within Kununurra Mixed Business area affect amenity of adjacent areas | Allocate land appropriate for strategic or general industrial to minimise land use conflicts with tourism and residential uses. | Kununurra | Planned expansion of tourist village provides a major tourism opportunity | Facilitate planned expansion of tourist village provides a major tourism opportunity | Lake Argyle | Potential for land and waterway use conflict and incompatibility, and competition for access to particular areas. In particular, water supply | Review governance arrangements regarding tourism assets | Lake Argyle | <p>include additional information.</p> <p>This text responds to comments raised by the WAPC prior to advertising.</p> <p>In addition, this responds to comments raised in a submission from Tourism WA that indicated that additional information was required.</p> |
| Current Issue | Strategic Response | Study Area | | | | | | | | | | | | | | | | | | |
| Diversified economic development and employment is required to facilitate growth and services in the Shire. | Implement planning controls that facilitate tourism investment and opportunities. | Whole of Shire Wyndham | | | | | | | | | | | | | | | | | | |
| The Shire has a striking visual character that can be impacted by inappropriate development. | Incorporate planning controls to ensure tourism and other developments respect the natural and visual character of the Shire. | Environment | | | | | | | | | | | | | | | | | | |
| Industries within Kununurra Mixed Business area affect amenity of adjacent areas | Allocate land appropriate for strategic or general industrial to minimise land use conflicts with tourism and residential uses. | Kununurra | | | | | | | | | | | | | | | | | | |
| Planned expansion of tourist village provides a major tourism opportunity | Facilitate planned expansion of tourist village provides a major tourism opportunity | Lake Argyle | | | | | | | | | | | | | | | | | | |
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| Section | Part 1 Modification | | | Justification | | | | | | |
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| | <p>infrastructure that also presents tourism potential is not managed to optimise tourist experience.</p> | | | | | | | | | |
| <p>New paragraph at the end of Section '4.4 Environment' (now 4.5)</p> | <p>Much of the Shire, except established townsites areas, falls within a mapped bushfire prone area, most likely reflecting a low to moderate bushfire hazard level in most areas. In line with State Planning Policy 3.7 and the Guidelines for Planning in Bushfire Prone Areas, bushfire risk, hazard, and potential bushfire attack level should be considered in all planning proposals.</p> | | | <p>Recognition of bushfire prone areas. Requested to be included by the WAPC prior to advertising..</p> | | | | | | |
| <p>New issue, strategic response and study area under Section '4.4 Environment' (now 4.5)</p> | <table border="1"> <thead> <tr> <th data-bbox="422 667 842 716">Current Issue</th> <th data-bbox="842 667 1373 716">Strategic Response</th> <th data-bbox="1373 667 1604 716">Study Area</th> </tr> </thead> <tbody> <tr> <td data-bbox="422 716 842 854"> <p>Much of the Shire falls within a mapped bushfire prone area</p> </td> <td data-bbox="842 716 1373 854"> <p>In line with state policy, planning and development proposals are to be supported by appropriate bushfire planning.</p> </td> <td data-bbox="1373 716 1604 854"> <p>Whole of Shire</p> </td> </tr> </tbody> </table> | | | Current Issue | Strategic Response | Study Area | <p>Much of the Shire falls within a mapped bushfire prone area</p> | <p>In line with state policy, planning and development proposals are to be supported by appropriate bushfire planning.</p> | <p>Whole of Shire</p> | <p>Recognition of bushfire prone areas. This issue and response relates to the bushfire information which was required to be included by the WAPC prior to advertising.</p> |
| Current Issue | Strategic Response | Study Area | | | | | | | | |
| <p>Much of the Shire falls within a mapped bushfire prone area</p> | <p>In line with state policy, planning and development proposals are to be supported by appropriate bushfire planning.</p> | <p>Whole of Shire</p> | | | | | | | | |
| <p>Amend subheadings and text under section '4.6 Water Supply and Management' (now 4.7) – industry supply and drainage and stormwater</p> | <p>Industry and horticultural supply</p> <p><i>The Ord River has been significantly regulated to provide a reliable water source. Although this source was originally intended for irrigation and horticulture, it is now also used for mining and aquaculture. The Water Corporation is planning and undertaking strategic planning in relation to Lake Argyle to manage necessary water supply for agriculture and horticulture, considering the range of demand, and increased demand that is presented by Ord Stage 2.</i></p> <p><i>New industrial development across the Shire will need to carefully consider and plan for adequate water supply, water recycling, and appropriate treatment of wastewater.</i></p> <p>Drainage, and stormwater, and water quality</p> <p><i>There is a lack in information regarding water management, particularly in relation to drainage in and around townsites. Greater understanding is necessary to plan for and address areas where drainage is an</i></p> | | | <p>Additional information was requested by the WAPC prior to advertising to identify and discuss water issues relating to drinking water, water quality and water for horticulture.</p> | | | | | | |

| Section | Part 1 Modification | Justification |
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| | <p><i>issue. In particular, management of stormwater for water quality around Lake Kununurra is an important component of managing wetland habitats around developed areas.</i></p> <p>Water quality of the Shire's lakes, wetlands and rivers can be affected by nearby land uses, groundwater pollution, stormwater runoff and inappropriate development. In particular, management of land uses and stormwater for water quality around Lake Kununurra is an important component of managing wetland habitats around developed areas. Future land use change and strategic water planning should consider appropriate buffers between waterways and land use and provide an understanding of current water quality and concerns.</p> | |
| <p>Add new text at the end of section '4.6 Water Supply and Management' (now 4.7) – industry supply and drainage and stormwater</p> | <p>Floodway mapping is currently being undertaken.</p> | <p>Additional information provided to reference recent studies being undertaken. This responds to a submission from DPaW recommending that suitable hydrological investigation and assessment be undertaken.</p> |
| <p>Add new strategic response to section '4.7 – waste management' (now 4.8)</p> | <p>Undertake remediation of the existing landfill site to ensure that it is safe for the public and environment and visually appealing.</p> | <p>This amendment is response to a comment raised during consultation.</p> |
| <p>Amend spelling in section '4.9 main townsite'</p> | <p><i>Within the Wyndham townsite is the central area of Three Mile and settlement of Warrayn Warrayu, and outlying areas of One Mile, Six Mile and settlement of Guda Guda (Nine Mile).</i></p> | <p>This responds to a comment raised during consultation.</p> |
| <p>Add new sub heading and text under '4.10 – heritage and Native Title' (now 4.11)</p> | <p>Historic Cultural Heritage</p> <p>Under the Deemed Provisions of the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i>, Part 3 relates to Heritage protection. This part provides the ability of the local government to establish and maintain a heritage list. This enables the recognition and protection of places of heritage significance.</p> | <p>Additional information has been included to respond to comments made by the State Heritage Office.</p> |

| Section | Part 1 Modification | Justification |
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| | <p>Further heritage guidance is provided through State Planning Policy 3.5 – Historic Heritage Conservation. Heritage Policies can be developed should additional planning controls and management be required.</p> <p>The Shire has an existing Municipal Inventory which includes the identification of 52 places and three places listed on the State Register (State Heritage Office, 2016).</p> | |
| Section 4.12 Agricultural Land | <p>Amend paragraph one as follows:</p> <p><i>Priority agricultural land is not mapped or well defined within the Shire. This could result in enables inappropriate development land uses, such as subdivision or tree farming, which erodes the area of high quality agricultural land available for priority agricultural production (such as horticulture).</i></p> | <p>This amendment relates to comments raised by the Department of Planning and that SPP 2.5 states that tree farms should generally not occur on priority agricultural land (but not that it is inappropriate).</p> <p>DoP consider in SWEK it is reasonable for the Shire to continue to allow tree farms on agricultural land (as encouraged by DAFWA).</p> |
| Section 4.12 'strategic response' | <p><i>Review governance arrangements for infrastructure and tourism assets within Lake Argyle lease areas to optimise both water supply and tourism benefits.</i></p> <p><i>Precinct Structure planning to consolidate uses/activities, identify efficient servicing requirements and minimise and manage impacts on Lake Argyle</i></p> | <p>Amendment to reflect correct planning terminology. This relates to a general comment raised by the WAPC prior to advertising.</p> |
| New text added to section '5.1 Whole of Shire' | <p>Outside of the main townsites, which are considered in detail by subsequent strategic land use plans, the key planning purposes of the Shire lands are to:</p> <ul style="list-style-type: none"> - Protect key areas of natural significance - Support cultural and natural resource use of lands | <p>Additional text has been included to provide linkages to the local planning scheme to respond to a general comment raised by the</p> |

| Section | Part 1 Modification | Justification |
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| | <ul style="list-style-type: none"> - Support ongoing pastoral activities - Facilitate diversification of the economy through tourism and other appropriate development <p>Achieving these planning purposes will require the use of appropriate zones and reserves from the model provisions (as set out in the <i>Planning and Development (Local Planning Schemes) Regulations, 2015</i>). These include:</p> <ul style="list-style-type: none"> - Rural zone for pastoral and cultural lands, including opportunity for small scale tourism and other development. - Settlement zone for existing and proposed Aboriginal settlements outside gazetted townsites in line with state planning policy 3.2 – Aboriginal Settlements. - Environmental conservation reserve for national parks and other lands within the formal conservation estate. <p>Specific provisions for these zones in the new local planning scheme should consider the specific recommendations set out in this section, to support the objectives of the local planning strategy.</p> | <p>WAPC prior to advertising.</p> |
| <p>Amend Figure 2 – Strategic Land Use Plan Shire of Wyndham-East Kimberley 2</p> | <p>Include areas surrounding Lake Argyle as 'Cultural and Natural Resource Use'</p> | <p>This has been included on Figure as a result of comments made during advertising from the Department of Lands. There was a preference to see this used more widely within the Shire and applied in the scheme.</p> |
| <p>Amend Figure 2 – Strategic Land Use Plan Shire of Wyndham-East Kimberley 2</p> | <p>Show all of Lot 3550 on DP 63533 (part of Ivanhoe Pastoral Lease) as Rural (pastoral)</p> | <p>In order to reflect the correct land use areas, all of Lot 3550 on DP 63533 should be shown as Rural (pastoral). This modification is a</p> |

| Section | Part 1 Modification | Justification |
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| | | <p>result of the Departments of Lands and Planning expressing support for the 'cultural and natural resource use' land use category. Through consideration of this, it was determined that other categories required modification.</p> |
| <p>New text added to section '5.1 Whole of Shire – Land supply – key recommendations'</p> | <p><u>On pastoral lands and leases across the Shire, there is opportunity for lease holders to develop tourist and other development that diversifies their current economic activities, and supports the broader economic development of the Shire.</u></p> <p><u>On pastoral leasehold land, any use or works outside the existing pastoral lease require approval from the Pastoral Lands Board. This is undertaken through a diversification permit from the Pastoral Lands Board. There is potential for diversification permit processes to overlap with development application processes, where a new local planning scheme is put in place across the entirety of the Shire.</u></p> <p><u>Whilst the Shire is consulted on applications for diversification permits, there is merit in requiring a development approval for non-pastoral use and development on pastoral lands. Diversification permits primarily relate to an additional land use within an existing pastoral lease. However, a development application will also consider matters such as services and amenity impacts. These are important to consider due to the remoteness of many pastoral lease areas, the potential servicing implications of new development, and the visual landscape of the Shire.</u></p> <p><u>Where a diversification permit is sought, the need for development approval should still be considered in the preparation of a new planning scheme. This will ensure that the development can be adequately serviced and that impacts on the surrounding area and landscape are managed. It is important that policy and scheme provisions do not make the development application process unnecessarily onerous for developers.</u></p> | <p>This text provides additional clarification around the relationship between pastoral lease diversification permits and development applications as requested by the WAPC prior to advertising.</p> |
| <p>New text added to paragraph 3 after the first strategic</p> | <p><i>The development of a strategic land release plan will enable the appropriate sequencing of land release. The rationale for land release and phasing needs to be directly related to infrastructure delivery. Structure plans and centre plans prepared for urban development should also provide detailed staging plans to</i></p> | <p>This text responds to comments raised during consultation and</p> |

| Section | Part 1 Modification | Justification |
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| response of section '5.1 Whole of Shire' | <p><i>ensure the sequencing of land development such that the market can respond to demand.</i> Notwithstanding the above, land owners can undertake development in accordance with the local planning scheme zoning prior to the development of a strategic land release plan.</p> | <p>is considered acceptable to enable landowners to progress with development in accordance with the scheme where a strategic land release plan has not been prepared.</p> |
| Add new text before recommendations for section '5.1 Whole of Shire – Environmental Protection – Key recommendations' | <p>The local planning policy should outline appropriate planning controls, development types and provide commentary on the relationship between the conservation land and the adjoining zones.</p> | <p>This text responds to comments raised during consultation and is considered acceptable to provide further guidance on what information should be included in the policy.</p> |
| Delete recommendation 19 from section '5.1 Whole of Shire – Aboriginal Lands – Key recommendations' and renumber subsequent recommendations | <p>19. Investigate appropriate zonings or reservations for Aboriginal lands in line with strategic land use plans, and incorporate these into the Local Planning Scheme.</p> | <p>Deleted based on request of the WAPC.</p> |
| New text added to section '5.2 – Kununurra Townsite' | <p>The key planning purpose for land within the Kununurra Townsite is to:</p> <ul style="list-style-type: none"> - Provide a regional service centre to support the community and industry of the East Kimberley - Provide a diversity of housing and community services for the regional, permanent and temporary population - Support local business, tourism and employment opportunities | <p>The additional text provides an introduction to the Kununurra Townsite text and the relationship with the scheme to respond to a general comment</p> |

| Section | Part 1 Modification | Justification |
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| | <ul style="list-style-type: none"> - Protect areas of environmental significance, including the Ramsar listed Lake Kununurra <p>Achieving these planning purposes will require the use of appropriate zones and reserves from the model provisions (as set out in the <i>Planning and Development (Local Planning Schemes) Regulations, 2015</i>).</p> <p>These include:</p> <ul style="list-style-type: none"> - Residential zone for residential areas - Urban development zone for urban expansion areas, including town based Aboriginal communities - Industrial development zone for industrial expansion areas - Commercial zone for town centre areas - Light industry zone for light industrial areas - Tourism zone for key, strategic tourism sites - Public open space reserve for local parks and recreation areas - Primary distributor road reserve for major road connections - Infrastructure services reserve for land required for public utilities - Environmental conservation reserve for Lake Kununurra foreshore. <p>Additional zones for use within the Kununurra Townsite, currently outside the model scheme text although anticipated to be included, include:</p> <ul style="list-style-type: none"> - Composite industry zone for light/service industrial lots that also facilitate a residential/single dwelling component. <p>Specific provisions for these zones in the new local planning scheme should consider the specific recommendations set out in this section, to support the objectives of the local planning strategy.</p> | <p>raised by the WAPC prior to advertising.</p> |
| <p>Amend Figure 3 in section 5.2 – Kununurra Townsite</p> | <p>Amend Figure 3 to show full extent of Drovers Rest development and identify the area as ‘Future Urban - subject to structure plan’.</p> | <p>This is in response to a comment raised by LandCorp during consultation.</p> |

| Section | Part 1 Modification | Justification |
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| Amend Figure 3 in section 5.2 – Kununurra Townsite | <p>Amend Figure 3 legend as follows:</p> <p>Composite industry/ light industry with generous caretaker residence criteria</p> <p>Create new colour in legend for 'light industry'.</p> <p>And reduce the area shown as composite industry/light industry on the map and recolour the remaining area purple to reflect 'industrial development'.</p> | <p>Comments were raised by LandCorp during advertising regarding concerns about rezoning light industrial area to composite industry until such time as an alternative industrial area is identified. Standard caretaker requirements should apply in this area.</p> |
| Amend Section 5.2 – Kununurra Townsite | <p><i>Detailed planning for the Kununurra town centre is necessary through the preparation of a structure plan for the town centre Town Centre Plan. This plan should include:</i></p> <p>...</p> <p><i>Increased residential densities within the town centre to facilitate infill development and diverse accommodation options in areas of amenity and activity;</i></p> <p>...</p> | <p>This responds to a submission from LandCorp relating to consideration of infill development opportunities.</p> |
| Amend section '5.2 – Kununurra townsite - recommendation 36.' | <p>36. Identify funding opportunities to redevelop Kununurra Racecourse as a major events precinct and respond to the recommendations of the Lake Kununurra Biophysical Foreshore Assessment.</p> | <p>The biophysical assessment has not received formal endorsement therefore references to it should be removed. This responds to a submission raised during advertising. Clarification was sought with the DoP and the reference has now been removed.</p> |

| Section | Part 1 Modification | Justification |
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| <p>New text added to section '5.3 – Kununurra Surrounds'</p> | <p><u>The key planning purpose for land within the Kununurra Surrounds area is to:</u></p> <ul style="list-style-type: none"> - <u>Support agricultural production of state significance on priority agricultural land</u> - <u>Facilitate lifestyle lots on appropriate land where it does not impact priority agricultural land</u> - <u>Support industry, tourism and employment opportunities</u> - <u>Protect areas of environmental significance, including the Ramsar listed Lake Kununurra</u> <p><u>Achieving these planning purposes will require the use of appropriate zones and reserves from the model provisions (as set out in the <i>Planning and Development (Local Planning Schemes) Regulations, 2015</i>). These include:</u></p> <ul style="list-style-type: none"> - <u>Industrial development zone for industrial expansion areas</u> - <u>General industrial zone for general industrial purposes</u> - <u>Tourism zone for key, strategic tourism sites</u> - <u>Rural zone for pastoral lands</u> - <u>Rural residential zone for large lifestyle lots</u> - <u>Rural smallholdings zone for smaller rural lots that support local agricultural production</u> - <u>Settlement zone for existing and proposed Aboriginal settlements outside the gazetted townsite in line with State Planning Policy 3.2 – Aboriginal Settlements.</u> - <u>Public open space reserve for local parks and recreation areas</u> - <u>Primary distributor road reserve for major road connections</u> - <u>Infrastructure services reserve for land required for public utilities</u> - <u>Environmental conservation reserve for Lake Kununurra foreshore, national parks and other areas within the conservation estate.</u> | <p>The additional text provides an introduction to the Kununurra Surrounds text and the relationship with the scheme to respond to a general comment raised by the WAPC prior to advertising.</p> |

| Section | Part 1 Modification | Justification |
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| | <p>Additional zones for use within the Kununurra Townsite, currently outside the model scheme text although anticipated to be included, include:</p> <ul style="list-style-type: none"> - Priority agriculture zone for agricultural lands. - Composite industry zone for light/service industrial lots that also facilitate a residential/single dwelling component. - Rural enterprise zone for rural/light industrial lots to promote the establishment of precincts for primary produce processing and supporting industries close to services and freight routes. <p>Specific provisions for these zones in the new local planning scheme should consider the specific recommendations set out in this section, to support the objectives of the local planning strategy.</p> | |
| Amend Figure 4 – Strategic Land Use Plan Kununurra Surrounds | <p>Shade out portion of Drovers Rest currently identified for ‘Rural (pastoral)’ as this will now be identified on Figure 3.</p> | This is in response to a comment raised by LandCorp during consultation. |
| Amend Figure 4 – Strategic Land Use Plan Kununurra Surrounds | <p>Amend legend to as follows:</p> <p>Rural Industry Enterprise</p> | The Shire was directed to remove the Rural Industry zone from the scheme prior to advertising. This amendment to Figure 4 ensures alignment with the scheme. |
| Amend Figure 4 – Strategic Land Use Plan Kununurra Surrounds | <p>Amend figure 4 to include a new asterisk adjacent to the most western and eastern arrow that represents the ‘primary distributor’ and to be shown on the legend as potential location of new landfill site.</p> <p>Amend the legend as follows:</p> <p>* Potential location for new landfill site still to be determined, however to be located approximately 10 – 15 km from Kununurra, towards Wyndham (northwest)</p> | The strategy discusses the need for a new landfill site but does not identify the site as investigations are still required. The strategic plan should be amended to identify this as a key consideration but the detail in the |

| Section | Part 1 Modification | Justification |
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| | | <p>legend will state that the site is still to be determined.</p> <p>This amendment responds to queries raised during advertising concerning where the new landfill will be located.</p> |
| <p>Amend 5.3 Kununurra Surrounds, Priority Agricultural Land – Key Recommendations 37</p> | <p>37. Department of Agriculture and to undertake detailed investigations to confirm distribution of priority agricultural land and understand appropriate rural lot sizes based on soil type and land capability. Alternatively, the Shire will seek grant funding to progress this matter.</p> <p>37. SWEK in conjunction with the Department of Agriculture and Food WA to undertake detailed investigations to confirm distribution of priority agricultural land and understand appropriate rural lot sizes based on soil type and land capability.”</p> | <p>Submissions received strongly support the identification and mapping of priority agricultural land (PAL), to ensure that productive agricultural land is retained and protected from inappropriate and conflicting land uses.</p> <p>The recommendation has been reworded to identify SWEK to undertake mapping as advised by the WAPC prior to advertising. It is suggested that this be undertaken in conjunction with DAFWA.</p> |
| <p>Amend 5.3 Kununurra Surrounds,</p> | <p>39. Local planning scheme to rezone land for local horticultural purposes as shown on the strategic land use plan to identify areas of local horticultural importance., facilitating appropriate tourism development and non-agricultural business development.</p> | <p>The submissions received showed strong support for the</p> |

| Section | Part 1 Modification | Justification |
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| <p>Priority Agricultural Land – Key Recommendations 39</p> | | <p>identification and preservation of all horticultural land, with the belief that existing RA2 lots in River Farm Road and Packsaddle Road should be considered as priority agricultural land, until a technical assessment process concludes otherwise.</p> <p>The amendment to this recommendation recognises the importance of local horticulture.</p> |
| <p>Amend 5.3 Kununurra Surrounds, Rural Living development – key recommendation 42</p> | <p>42. Consider proposals to rezone land for rural residential or rural small holding development within areas as shown on the strategic land use plan, if supported by a structure plan.</p> | <p>Comments were raised during consultation in opposition to the rezoning of Old Darwin Road. Possible areas for rural residential and rural small holdings development were identified in the LPS in consultation with DAFWA. These areas were generally located along serviced corridors into Kununurra to provide for efficient services of lifestyle lots. Additional text relating to structure plans was included to</p> |

| Section | Part 1 Modification | Justification |
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| New text added to section '5.4 – Wyndham Townsite' | <p><u>The key planning purpose for land within the Wyndham townsite and surrounds area is to:</u></p> <ul style="list-style-type: none"> - <u>Provide a regional service centre to support the community and industry of Wyndham</u> - <u>Provide a diversity of housing and community services for the regional, permanent and temporary population</u> - <u>Support local business, tourism and employment opportunities</u> - <u>Protect areas of environmental significance</u> - <u>Facilitate lifestyle lots on appropriate land</u> <p><u>Achieving these planning purposes will require the use of appropriate zones and reserves from the model provisions (as set out in the <i>Planning and Development (Local Planning Schemes) Regulations, 2015</i>).</u> <u>These include:</u></p> <ul style="list-style-type: none"> - <u>Rural townsite zone for town centre areas</u> - <u>Residential zone for existing residential areas</u> - <u>Urban development zone for future urban expansion</u> - <u>Industrial development zone for industrial expansion areas</u> - <u>General industrial zone for general industrial purposes near Wyndham Port</u> - <u>Light industrial zone for light and service industries</u> - <u>Tourism zone for key, strategic tourism sites</u> - <u>Rural zone for pastoral lands</u> - <u>Rural residential zone for large lifestyle lots</u> | <p>ensure that the area is adequately serviced.</p> <p>The additional text provides an introduction to the Wyndham Townsite text and the relationship with the scheme to respond to a general comment raised by the WAPC prior to advertising.</p> |

| Section | Part 1 Modification | Justification |
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| | <ul style="list-style-type: none"> - Settlement zone for existing and proposed Aboriginal settlements outside the gazetted townsite in line with state planning policy 3.2 – Aboriginal Settlements. - Public open space reserve for local parks and recreation areas - Primary distributor road reserve for major road connections - Infrastructure services reserve for land required for public utilities - Environmental conservation reserve for national parks and other areas within the conservation estate. <p>Specific provisions for these zones in the new local planning scheme should consider the specific recommendations set out in this section, to support the objectives of the local planning strategy.</p> | |
| Amend Figure 6, opportunity No. 3 | <p><i>Enhance facilities of wayfinding (such as use of signage, colours and materials treatments) to Five Rivers Lookout.</i></p> | <p>This responds to a comment raised during consultation to provide further clarification around wayfinding.</p> |
| Amend 5.4 relating to Wyndham Centres | <p><i>Detailed planning for the One Mile and Three Mile townsites is necessary through the preparation of a structure plan for Town Centre Plan for each town centre area. This plan should include:</i></p> <p>...</p> <ul style="list-style-type: none"> - <i>Increased residential densities to facilitate infill development and diverse accommodation options in areas of amenity and activity;</i> <p>...</p> | <p>This responds to a submission from LandCorp relating to higher densities in Wyndham.</p> |
| Amend 5.4 relating to Three Mile Urban Growth | <p>Densities of R25 to R30 R15 to R20 should be considered for existing residential areas outside the town centre to encourage redevelopment. Structure plans for urban expansion areas should facilitate lower densities of R15 through to R20 to meet demand for family and larger housing opportunities.</p> | <p>Comments were raised in consultation that the residential zonings specified for Wyndham seemed contradictory. A submission was also received objecting to the higher densities in Wyndham.</p> |

| Section | Part 1 Modification | Justification |
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| | | Further consideration has been given to this and the strategy has been amended to maintain lower zonings of R15 and R20. |
| New text added to section '5.5 – Lake Argyle Development Node' | <p><u>The key planning purpose for land within the Lake Argyle development node area is to:</u></p> <ul style="list-style-type: none"> - <u>Support regionally important water and energy supply and infrastructure</u> - <u>Support tourism and employment opportunities</u> - <u>Protect areas of environmental significance</u> <p><u>Achieving these planning purposes will require the use of appropriate zones and reserves from the model provisions (as set out in the <i>Planning and Development (Local Planning Schemes) Regulations, 2015</i>). These include:</u></p> <ul style="list-style-type: none"> - <u>Tourism zone for key, strategic tourism sites</u> - <u>Infrastructure services reserve for land required for public utilities</u> - <u>Environmental conservation reserve for areas of conservation value.</u> - <u>Waterway reserve for the Lake Argyle waterbody</u> <p><u>Specific provisions in the new local planning scheme should consider the specific recommendations set out in this section, to support the objectives of the local planning strategy.</u></p> | The additional text provides an introduction to the Lake Argyle development node text and the relationship with the scheme to respond to a general comment raised by the WAPC prior to advertising. |
| Amend '5.5 – Lake Argyle Development Node' strategic response | Precinct <u>Structure</u> <i>planning to consolidate uses/activities, identify efficient servicing requirements and minimise and manage impacts on Lake Argyle</i> | Amend to refer to correct planning terminology. This responds to a general comment raised by the WAPC prior to advertising. |
| Delete recommendation | | This has been deleted based on the |

| Section | Part 1 Modification | | Justification | | | | | | |
|---|---|--------------------|---|---|--|--|---|--|--|
| | <table border="1"> <thead> <tr> <th data-bbox="409 277 955 332">Key recommendation</th> <th data-bbox="955 277 1251 332">Responsibility</th> </tr> </thead> <tbody> <tr> <td data-bbox="409 332 955 448">Investigate appropriate zonings or reservations for Aboriginal lands in line with strategic land use plans, and incorporate these into the Local Planning Scheme.</td> <td data-bbox="955 332 1251 448">Shire of Wyndham East Kimberley as part of Local Planning Scheme Review</td> </tr> </tbody> </table> | Key recommendation | Responsibility | Investigate appropriate zonings or reservations for Aboriginal lands in line with strategic land use plans, and incorporate these into the Local Planning Scheme. | Shire of Wyndham East Kimberley as part of Local Planning Scheme Review | <table border="1"> <thead> <tr> <th data-bbox="955 277 1251 332">Responsibility</th> </tr> </thead> <tbody> <tr> <td data-bbox="955 332 1251 448">Shire of Wyndham East Kimberley as part of Local Planning Scheme Review</td> </tr> </tbody> </table> | Responsibility | Shire of Wyndham East Kimberley as part of Local Planning Scheme Review | recommendation of the WAPC. |
| Key recommendation | Responsibility | | | | | | | | |
| Investigate appropriate zonings or reservations for Aboriginal lands in line with strategic land use plans, and incorporate these into the Local Planning Scheme. | Shire of Wyndham East Kimberley as part of Local Planning Scheme Review | | | | | | | | |
| Responsibility | | | | | | | | | |
| Shire of Wyndham East Kimberley as part of Local Planning Scheme Review | | | | | | | | | |
| Amend recommendation | <i>Identify funding opportunities to redevelop Kununurra Racecourse as a major events precinct and respond to the recommendations of the Lake Kununurra Biophysical Foreshore Assessment.</i> | | The biophysical assessment has not received formal endorsement therefore references to it should be removed. This responds to a submission raised during advertising. Clarification was sought with the DoP and the reference has now been removed. | | | | | | |
| Amend recommendations | <table border="1"> <thead> <tr> <th data-bbox="409 930 833 1013">Key recommendation</th> <th data-bbox="833 930 1327 1013">Responsibility</th> </tr> </thead> <tbody> <tr> <td data-bbox="409 1013 833 1128"><i>Prepare regional and district water management strategies for townsite and urban expansion areas.</i></td> <td data-bbox="833 1013 1327 1128">Department of Water</td> </tr> <tr> <td data-bbox="409 1128 833 1243"><u>Prepare district water management strategies for townsite and urban expansion areas.</u></td> <td data-bbox="833 1128 1327 1243"><u>Shire of Wyndham East Kimberley (with support from Department of Water)</u></td> </tr> </tbody> </table> | | Key recommendation | Responsibility | <i>Prepare regional and district water management strategies for townsite and urban expansion areas.</i> | Department of Water | <u>Prepare district water management strategies for townsite and urban expansion areas.</u> | <u>Shire of Wyndham East Kimberley (with support from Department of Water)</u> | This is to clarify who is responsible for preparing regional and district water management strategies and responds to a general comment raised by the WAPC prior to advertising and during advertising by the Department of Water. |
| Key recommendation | Responsibility | | | | | | | | |
| <i>Prepare regional and district water management strategies for townsite and urban expansion areas.</i> | Department of Water | | | | | | | | |
| <u>Prepare district water management strategies for townsite and urban expansion areas.</u> | <u>Shire of Wyndham East Kimberley (with support from Department of Water)</u> | | | | | | | | |

| Section | Part 1 Modification | Justification | | | | |
|--|---|--|----------------|--|--|---|
| Amend recommendation | <table border="1"> <thead> <tr> <th data-bbox="426 310 894 337">Key recommendation</th> <th data-bbox="903 310 1365 337">Responsibility</th> </tr> </thead> <tbody> <tr> <td data-bbox="426 344 894 451"><i>Pursue the identification and development of alternative water supply to enable the medium to long term redevelopment of the foreshore.</i></td> <td data-bbox="903 344 1365 451"> Water Corporation Department of Water Shire of Wyndham East Kimberley </td> </tr> </tbody> </table> | Key recommendation | Responsibility | <i>Pursue the identification and development of alternative water supply to enable the medium to long term redevelopment of the foreshore.</i> | Water Corporation Department of Water Shire of Wyndham East Kimberley | It was raised in a submission from the Department of Water that they are not the responsible authority for this recommendation. However they will support the process though advice and public drinking water source protection planning. |
| Key recommendation | Responsibility | | | | | |
| <i>Pursue the identification and development of alternative water supply to enable the medium to long term redevelopment of the foreshore.</i> | Water Corporation Department of Water Shire of Wyndham East Kimberley | | | | | |
| Various | Amend references to One Mile (in Wyndham) to refer to Port area. | This was raised in one of the submissions during advertising who advised that the reference to One Mile was confusing. | | | | |

Part 2

| Section | Part 2 Modification | Justification |
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| Amend reference to percent | Amend all references to 'percent' to read '%' | Ease of reading. This is a minor administrative change. |
| Amend 'section 2.1 – demographic profile' | Amend all references to 'Aboriginal' to read 'Indigenous' | Administrative change. |
| Amend text in 'section 2.2 local economy – labour force' | <i>The Shire of Wyndham-East Kimberley generally has a higher proportion of 'blue collar' workers compared to the Kimberley and Western Australia, with the exception of labourers where the Kimberley has the highest proportion.</i> | Minor grammatical error in wording and removal of unnecessary quotation marks. |
| Add new sub heading in section '2.2 – Local Economy – key industries' | <p><u>Tourism</u> <u>Tourism is a major industry for the Shire of Wyndham East Kimberley. The unique landscapes and experiences of the Kimberley region make the area attractive for many visitors. Approximately 115,000 visitors visit the region (East Kimberley Tourism Plan 2022, 2013). Tourism industries should continue to be supported by the Shire and facilitated through the planning framework where possible.</u></p> <p><u>East Kimberley Tourism Plan 2022 (EKTP) provides the blueprint for stimulating tourism growth in the Shire of Wyndham East Kimberley. Specifically, the plan outlines four key areas for improvement: product development, access to the region, capacity of local tourism industry and building the value of tourism.</u></p> <p><u>The key strategic goal is to "increase the value of tourism to the East Kimberley from \$100.5m in 2013 to \$130m by 2022". The three priority market segments for tourism in SWEK to 2022 include business visitors, grey explorers and dedicated discoverers (adventure tourism), each with different priorities.</u></p> <p><u>Air access is a foremost issue with business visitors noting the limited flights and interstate being forced to stop-over in Darwin. The EKTP promotes the exploration of existing connections and new routes to meet the current demand. Conditions of major tourist roads was also noted as a concern, although funding may limit the ability to make any significant changes.</u></p> <p><u>In terms of accommodation, better coordination of overflow facilities for caravan parks by industry is a priority as well as the general revitalisation of visitor amenities.</u> <u>The Kimberley Science and Conservation Strategy was developed by the State Government in 2011, with an initial commitment of \$63 million funding to 2015 to resource development. The State Government has committed a further \$40 million to date for science and conservation in the Kimberley, particularly recognising the unique natural and cultural values of the region.</u></p> | Additional information was requested by the WAPC prior to advertising and raised in a submission from Tourism WA. This recognises the importance of the tourism industry within the Shire. |

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| | <p><u>A key strategy is the creation of the Kimberley Wilderness Parks, aligning with the EKTP that has a future focus on ecotourism and nature-based tourism. To implement the wilderness parks several broader initiatives were included in the strategy, including conservation and fire management approaches, training and employment for Aboriginal rangers, investment to raise awareness of tourism opportunities and improve visitor facilities.</u></p> | |
| <p>Add new text to section '2.3 Environment – geology and landforms'</p> | <p><u>The East Kimberley region has a complex history dating back more than 2.5 billion years. The formation of the oldest rocks in the region began with the deposition of sediments and the outpouring of volcanic lava. A continental collision uplifted and eroded the oldest rocks between 1.80-1.83 billion years ago, together with the deposition of sediments. Additional sediments were then deposited in the Kimberley Basin by a major river system flowing from the north. The resultant sedimentary rocks now underlie much of the Kimberley Plateau. Over the last 1.8 billion years, the Kimberley has periodically become geologically active with evidence of further deposition in basins and folding and faulting of the resultant sedimentary rocks.</u></p> <p><u>In the Neoproterozoic, between 700 and 600 million years ago, the Kimberley was subjected to glaciations. The resulting glacial deposits and evidence of the passage of ice sheets are well preserved. About 550 million years ago, the Halls Creek Fault in the east Kimberley became active as part of a system of faults with horizontal movement. This was followed by outpouring of extensive flows of basalt lava before establishment of shallow seas in the Cambrian period (540 to 490 million years ago) when the variety of life living within oceans grew significantly. Many fossils of this period have been preserved.</u></p> <p><u>About 375 million years ago, during the Devonian period, seas deepened and a series of barrier reefs began to form. The reefs fringed three sides of a land mass formed by the Kimberley Plateau. On the fourth side, the Halls Creek Fault again became active and erosion formed sandstones and conglomerates seen in the Bungle Bungle Ranges and at Hidden Valley. A period of glaciation between 310 and 270 million years ago during the Permian period affected much of Australia and sedimentary rocks buried the Devonian reefs. Deposition of sandstone, siltstone and conglomerates in shallow seas and rivers has continued through to the present in the Canning Basin and areas around the present day Bungle Bungles and Osmond Range.</u></p> | <p>This text was provided by the Department of Mines and Petroleum for inclusion. It was agreed that this was useful background information to provide additional context.</p> |
| <p>Delete text from section '2.3 Environment – regional physical environment – Environmentally sensitive areas'</p> | <p><i>Environmentally Sensitive Areas</i> <i>The Shire includes a number of environmentally sensitive areas. These areas, identified by the Department of Environmental Regulation, include:</i></p> <ul style="list-style-type: none"> <i>— World Heritage properties</i> <i>— Areas included on the Register of the National Estate</i> <i>— Defined wetlands and their 50 metre buffer</i> <i>— Rare flora and surrounding vegetation</i> <i>— Threatened ecological communities</i> | <p>This statement is generic and is not considered to add value to the strategy.</p> |

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| | The identification of land being within an environmentally sensitive area does not preclude use or development. However, there may be additional environmental requirements under the Environmental Protection Act 1986, such as in respect to vegetation clearing regulated by the Department of Environmental Regulation. | |
| Add new text to section '2.3 environment – Surface water and wetlands' at the end of paragraph 2. | Ramsar guidelines require a 50 metre vegetation buffer between Ramsar sites, wetlands or other waterways and development. Buffers can be further refined through detailed assessments. | Information was provided by the Department of Parks & Wildlife for inclusion in the LPS. This provides a summary of the information. |
| Add new text to section '2.3 environment - flora' | <p>There are significant biodiversity values in the Shire and to ensure that these are protected, the Department of Parks and Wildlife will need to assess future development where any proposed impacts may exist. Areas of sensitive or environmental value, may require vegetation buffers.</p> <p>Typhonium – is a small, cormous, perennial herb found in close proximity to the Ord River and Kununurra. It is a Declared Rare Flora with a restricted habitat type and distribution. Future surveying may be required if future development is likely to impact the typhonium.</p> | <p>Information was provided by the Department of Parks & Wildlife for inclusion in the LPS.</p> <p>DPaW advise that - there are a number of significant biodiversity values in the Shire and that any proposed impacts to these from future developments will need to be assessed by the DPaW to determine the impact to threatened and priority species, wetlands and native vegetation. Appropriate vegetation buffers may be required for sensitive or environmental values.</p> <p>Detailed information relating to typhonium was provided by DPaW.</p> |

| Section | Part 2 Modification | Justification |
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| <p>Insert new subheading and text and image to section '2.3 Environment – regional physical environment.</p> | <p><u>Bushfire hazard</u> State Planning Policy 3.7 Planning in Bushfire Prone Areas (SPP3.7) provides a policy framework to manage risk of bushfire in land use planning and development. It is supported by Guidelines for Planning in Bushfire Prone Areas, and the deemed provisions of all Western Australian local planning schemes (set out in the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i>). Strategic policy objectives look to avoid increasing intensity of development (and therefore risk) within areas of unacceptable bushfire risk. The majority of the Shire of Wyndham East Kimberley pastoral lands are located within a mapped, designated bushfire prone area. The level of bushfire hazard within these areas will vary based on the nature of vegetation. The hazard levels are defined by the Guidelines for Planning in Bushfire Prone Areas prepared by the Western Australian Planning Commission. The hazard levels are:</p> <p><u>Low:</u> – devoid of standing vegetation (less than 0.25ha cumulative area); – areas which, due to climatic conditions or vegetation (e.g. rainforest), do not experience bushfires; – inner urban or suburban areas with maintained gardens and very limited standing vegetation (less than 0.25ha cumulative area); – low threat vegetation, including grassland managed in a minimal fuel condition (i.e. to a nominal height of 100mm), maintained lawns, vineyard and orchards; and – pasture or cropping areas with very limited standing vegetation that is shrubland, woodland or forest with an effective up slope, on flat land or an effective down slope of less than 10 degrees, for a distance greater than 100 metres</p> <p><u>Moderate:</u> – areas containing pasture or cropping with an effective down slope in excess of 10 degrees for a distance greater than 100 metres; – unmanaged grasslands; – open woodlands; – open shrublands; – low shrubs on areas with an effective up slope on flat land or an effective down slope of less than 10 degrees, for a distance greater than 100 metres or flat land; – suburban areas with some tree cover; and</p> | <p>This provides a summary of the information.</p> <p>Recognition of bushfire prone areas.</p> <p>This information responds to the bushfire information which was required to be included by the WAPC prior to advertising.</p> |

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| | <p><u>– forest and woodlands with a permanent grass understorey or at most, a scrub understorey structure consisting of multiple areas of <0.25ha and not within 20 metres of each other or single areas of <1ha and not within 100 metres of other scrub areas.</u></p> <p><u>Extreme</u></p> <p><u>– forests with a scrub understorey which is multi-tiered;</u></p> <p><u>– woodlands with a scrub understorey which is multi-tiered;</u></p> <p><u>– tall shrubs; and</u></p> <p><u>– any area of vegetation not otherwise categorised as low or moderate</u></p> <p><u>The nature of vegetation in and around the main townsites of Wyndham and Kununurra would most likely reflect bushfire hazard levels of low and moderate. There may be pockets of extreme bushfire hazard (tall shrubs) in some areas of the Shire. In line with State Planning Policy 3.7 and the Guidelines for Planning in Bushfire Prone Areas, bushfire risk, hazard, and potential bushfire attack level should be considered in all planning proposals.</u></p> <p><u>Strategic planning and development proposals (such as rezoning of new developable land, structure plans, subdivisions, or development applications) are required to be supported by technical information that demonstrates that bushfire protection criteria set out in the guidelines can be met by the development proposed.</u></p> <p><u>The implementation of State Planning Policy No. 3.7 to individual development of habitable buildings (such as dwellings) is achieved through deemed provisions in all local planning schemes, put in place by the <i>Planning and Development Regulations (Local Planning Schemes) 2015</i>. The deemed provisions require that, prior to development of a habitable building, a bushfire attack level (BAL) assessment is undertaken. A Bushfire Attack Level (BAL) (which is set out in the Australian Standard 3959 Construction of Buildings in Bushfire-Prone Areas (AS 3959) and referenced in the Building Code of Australia (as amended)) provides a category of the level of exposure of a development to bushfire risk.</u></p> <p><u>– BAL-FZ (flame zone). This indicates direct exposure to flames from the fire front in addition to a heat flux greater than 40kW/m² and ember attack.</u></p> <p><u>– BAL-40. This indicates exposure to increasing levels of ember attack and burning debris ignited by windborne embers together with a heat flux greater than 29kW/m² but less than 40kW/m². There is also an increased likelihood of exposure to flame.</u></p> <p><u>– BAL-29. This indicates exposure to increasing levels of ember attack and burning debris ignited by windborne embers together with a heat flux greater than 19kW/m² but less than 29kW/m².</u></p> <p><u>– BAL-19. This indicates increasing levels of ember attack and burning debris ignited by windborne embers together with a heat flux greater than 12.5kW/m² but no greater than 19 kW/m².</u></p> <p><u>– BAL-12.5m. This indicates exposure to ember attack with a heat flux of up to 12.5kW/m².</u></p> <p><u>– BAL-Low. Insufficient risk to warrant specific construction requirements.</u></p> | |

| Section | Part 2 Modification | Justification |
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| | <p><u>The Guidelines for Planning in Bushfire Prone Areas strongly recommend that BAL assessments are prepared by accredited Level 1 BAL Assessors. Where the results of the assessment show that a BAL-40 or BAL-FZ applies to the development area, a development application will be required. This removes any exemption that might otherwise be provided in the scheme for the development. The policy measures of SPP3.7 will be applied at the time of a development application. In most instances within the Shire, it is likely that site design and vegetation management can assist in the reduction of BAL on site to facilitate development. This may include preparation of bushfire management plans for some developments. The key policy measure in SPP 3.7 applicable to a development influenced by BAL-40 or BAL-FZ is that development will only be supported if:</u></p> <ul style="list-style-type: none"> <u>– the landowner/proponent has provided sufficient reason for why the proposal is considered to represent exceptional circumstances which adequately justifies a deviation from the policy measures;</u> <u>– it greatly improves the bushfire management of the site and surrounding area through the provision of a demonstrably significant reduction in the bushfire-related risk level to the community and property;</u> <u>– the benefits of the proposal going ahead in the area outweigh the costs to adjacent landowners, government and the general community; and</u> <u>– it is accompanied by a Bushfire Management Plan, jointly endorsed by the relevant local government and the State authority responsible for emergency services. The Bushfire Management Plan should demonstrate ongoing management measures that will improve the bushfire management of the site and/or surrounding area by minimising the level of bushfire impact.</u> <p><u>AS3959 sets out specific building standards for various BAL categories, where development is compliant and capable of approval against the above policy measures.</u></p> | |
| Delete text in section '2.4 – transport – Wyndham Port' | The port forms part of a regular coastal shipping service between Fremantle, Broome and Darwin exporting live cattle and outputs from mining and agricultural operations as well as general cargo, fuel, and naval and recreational docking. | This was noted in a public submission that this service was cancelled in 2015 and is therefore no longer applicable. |
| Add new text to section '2.5 infrastructure – management and protection' | <u>The Shire experiences issues with mosquitoes. Mosquito management should be investigated as part of a regional water management strategy.</u> | This is to address comments raised by Department of Health. |
| Replace paragraphs from section '2.5 Infrastructure – | Pressure for increasing rural residential development needs to carefully consider. Availability of potable water supply, particularly larger lots (above 4 hectares) which, under current WAPC policy, do not require connection to reticulated water supply. Proposals for rural residential development are to demonstrate | This text has been amended to respond to comments raised by the WAPC prior to |

| Section | Part 2 Modification | Justification |
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| water – drinking water supply' | <p>sufficient water supply, considering appropriate water sources such as rainwater and groundwater where appropriate and where climatic conditions will yield sufficient supply.</p> <p>Water availability and planning for supply options of potable and non-potable water must be considered early in the planning process.</p> <p><u>Where lots with an individual area of 4 hectares or less are proposed and a reticulated water supply of adequate capacity is available, the proposal will be required to be serviced by a reticulated domestic (including fire-fighting) water supply. Where it has been satisfactorily demonstrated that a reticulated water supply is not available, or the individual lots are greater than 4 hectares, a fit for purpose domestic water supply (including for fire-fighting) may be considered. Any alternative water supply must be sustainable and consistent with the appropriate standards for health and water.</u></p> | advertising regarding the need to reflect SPP 2.5. |
| Amend section '2.5 Infrastructure – Services to Aboriginal Settlements' | <p>Services to Aboriginal Settlements Aboriginal settlements have unregulated service provision, as described in previous discussion on particular services types. Services to Aboriginal settlements are provided by the Department of Housing. <u>Aboriginal settlements have unregulated service provision. Services are provided by the Department of Housing.</u></p> | Additional information requested by WAPC prior to advertising regarding servicing of Aboriginal settlement. |
| Add new text to section '2.6 Land Use – Rural Residential Development' | <p>Anecdotally, smaller lots within Packsaddle and River Farm Road are being used for rural residential development. <u>Town Planning Scheme No. 7 currently provides opportunity for Council to approve non-horticultural tourist uses on these lots, such as accommodation and art/craft uses. This impacts on the use of these lots for the horticultural purposes for which they were developed as part of Ord Stage 1, and for which they are currently zoned. The removal of additional uses from the scheme may result in injurious affect to land values, and may lead to compensation claims particularly if land was purchased for such uses. Removing these uses may not be appropriate in future iterations of the scheme, however policy guidance is necessary to ensure these uses do not result in the loss of viable horticultural activities.</u></p> | The additional information provides clarification associated with changes to zonings and the allowance of non-agricultural uses on land identified for local horticulture and the comments received around this. This text outlines the challenges with removing land uses which can be considered under an existing operating scheme. |
| Add new text to section '2.6 Land | <p>The ecological features of the study area are strongly dependent on the Lake. It is these natural values that warranted recognition of the lake as an internationally significant wetland under the Ramsar Convention. <u>As a Ramsar listed wetland, land uses within the vicinity of Lake Kununurra require careful consideration to</u></p> | Additional information was requested by WAPC prior to |

| Section | Part 2 Modification | Justification |
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| Use – Lake Kununurra’ | ensure the lake is not adversely impacted by water quality and loss of valuable habitat. Land use change within Kununurra Townsite and surrounds, in the vicinity of the lake, should be supported by appropriate investigations. Ramsar wetlands are matters of national environmental significance. Where a development presents potential to significantly impact on Lake Kununurra, it may require assessment and approval under the Commonwealth Environmental Protection and Biodiversity Conservation Act 1999. | advertising regarding justification of the additional land uses - Inclusion of the implications of Lake Kununurra as a RAMSAR wetland |
| Add new ‘Planning implications – Kununurra’ | Lake Kununurra is a Ramsar wetland. Land use change in the vicinity of the wetland must consider potential impacts to the lake environment. | Additional information to acknowledge the Ramsar wetland and land uses within the vicinity. This responds to comments raised by the WAPC prior to advertising. |
| Add new text to section ‘2.6 – Land Use- Wyndham Port and One Mile’ | <p><i>Adjacent to the port, the settlement of One Mile includes some of the more historical buildings in the town, including the Wyndham Museum. The Port settlement area includes a range of housing, and occasional retail and hospitality uses, including a tavern. Some housing in this area has been left to deteriorate, however new construction is occurring.</i></p> <p><i>The port settlement area also includes the now closed Crocodile Farm.</i></p> <p><i>Anthons Landing is a key community focal point in the One Mile Port settlement area, providing a boat access area and a community jetty. A landscape concept for the foreshore area will see the continued revitalisation and development of these facilities.</i></p> <p><i>The lack of sewer infrastructure to this part of Wyndham has been a key barrier to redevelopment, particularly for hospitality uses such as new restaurants and cafes. Heavy vehicles accessing the port Port also create some land use conflict within the area.</i></p> | Minor grammatical and area references amended. |
| Add new paragraph to section ‘2.6 – Land Use- Ord River Irrigation | Another risk to the primacy of agricultural and horticultural production is the potential for non-agricultural uses to impact on the availability and viability of land zoned for agriculture. Town Planning Scheme No. 7 currently provides opportunity for Council to approve non-horticultural tourist uses in various agricultural zones. This creates potential conflict between tourist and agricultural uses, and may also result in horticultural activity of lots being phased out as alternative commercial activities are undertaken. Future policy should provide guidance to manage these impacts, and reduce the impact of tourism uses on priority | Additional information provided regarding land use risks. This relates to discussion around uses |

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| Area' after the fourth paragraph | agricultural land. | on land identified for local horticultural uses. |
| Amend 'Planning implications – Ord River Irrigation Area' | <i>Pressure for tree farming and other non-agricultural land uses compromising horticultural development</i> | This is to acknowledge that it is not solely tree farming which could compromise horticulture development. |
| Add new text to section '2.6 – Land Use – Lake Argyle' | The Department of Transport will be preparing a recreation and aquatic use plan, which will provide further guidance in the future for Lake Argyle. | <p>During advertising, the Department of Water raised the need for a recreational and aquatic use plan to be developed.</p> <p>It was advised that the Department of Transport are preparing this plan, therefore additional text was included to clarify this.</p> |
| Amend heading of section '2.6 – Land Use- Aboriginal Heritage' and creation of new sub headings | <p>Native Title and Aboriginal Heritage</p> <p>Aboriginal heritage</p> | New headings provided to clearly separate difference matters. This amendment responds to a comment raised by the WAPC prior to advertising regarding separation of native title and heritage matters. |
| Delete existing Planning Implications – Aboriginal Heritage | <p>Planning implications – Aboriginal Heritage <i>The Shire includes a number of sites of Aboriginal heritage.</i> <i>Development and land use needs to consider and respect Aboriginal heritage.</i></p> | New headings provided to clearly separate difference matters. This amendment responds to a comment raised by the WAPC prior to advertising regarding |

| Section | Part 2 Modification | Justification |
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| Amend subheading of section '2.6 – Land Use- Native Title' | <i>Native title claims</i> | separation of native title and heritage matters. New headings provided to clearly separate difference matters. This amendment responds to a comment raised by the WAPC prior to advertising regarding separation of native title and heritage matters. |
| Delete existing Planning Implications – Native Title | <i>Planning implications – Native Title</i> <i>Large areas of the Shire are subject to Native Title claims and determinations</i> | New headings provided to clearly separate difference matters. This amendment responds to a comment raised by the WAPC prior to advertising regarding separation of native title and heritage matters. |
| Amend section '2.6 – Land Use- Aboriginal Settlements' | <i>Aboriginal Settlements</i> <i>Approximately 22 Aboriginal settlements of varying sizes are within the Shire. A number of Aboriginal settlements of varying sizes are within the Shire. This includes large settlements that operate as country towns, such as Kalumburu, and smaller seasonal settlements.</i> <i>A number of settlements, including Mirima and Nulleywah, are located adjacent to towns although are managed as separate Aboriginal settlements. These settlements are viewed by some community members as part of the larger town, or as a separate location or suburb. There are significant management and financial considerations for the Shire if these areas were to be normalised into townsites.</i> <i>It is difficult to service Aboriginal settlements, and infrastructure is lacking outside of townsites. Currently the Shire is not responsible for servicing Aboriginal, or providing infrastructure within settlements. Due to low population and high expense, infrastructure provision for Aboriginal settlements has tended to be a lesser priority than for townsites. There is a role for State and Federal Government agencies to prioritise and plan for infrastructure delivery, supported by the preparation of Layout Plans for Aboriginal settlements.</i> | This amendment is to reflect earlier discussions with the DoP regarding the number of Aboriginal Settlements in the Shire. No number is specified as the settlement numbers vary depending on how they are referred to. A new paragraph has been included to respond to the WAPC's request for more information relating to |

| Section | Part 2 Modification | Justification |
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| | <p><i>The Department of Planning has established a framework for developing Layout Plans that assist to guide land use and development with Aboriginal settlements, which includes investigating mechanisms for service and infrastructure provision.</i></p> <p><i>A number of settlements, including Mirima and Nulleywah, are located adjacent to towns although are managed as separate Aboriginal settlements.</i></p> <p><i>These settlements are viewed by some community members as part of the larger town, or as a separate location or suburb. There are significant management and financial considerations for the Shire if these areas were to be normalised into townsites.</i></p> <p><i>Informal conversations with Indigenous community members suggest there may be opportunity for active management and maintenance of Aboriginal settlements through schemes such as “work for the dole”.</i></p> | <p>servicing of Aboriginal Settlements.</p> <p>The text has remained minimal as the Shire is not responsible for servicing Aboriginal communities and cannot provide strategic guidance on this matter. Further information is requested from the DoP if additional text is required here.</p> |
| <p>Section ‘2.6 – Land Uses’ - Insert new planning implications – Native Title and Aboriginal Settlements</p> | <p><u>Planning implications – Native Title and Aboriginal Settlements</u></p> <p><u>Large areas of the Shire are subject to Native Title claims and determinations.</u></p> <p><u>Aboriginal settlements are not well serviced</u></p> | <p>New planning implications prepared to reflect updated information. This amendment responds to a comment raised by the WAPC prior to advertising regarding separation of native title and heritage matters.</p> |
| <p>Add new sub heading and text under section ‘2.6 – land Use’</p> | <p><u>Historic Cultural Heritage</u></p> <p><u>Local Government’s have the ability under the local planning scheme to maintain a heritage list. The heritage list identifies places of cultural significance. The Shire has an existing Municipal Inventory, which includes the identification of 52 places and three places are listed on the State Register (State Heritage Office, 2016).</u></p> <p><u>Additional planning controls and management for heritage places can be developed and managed through local planning policies.</u></p> | <p>Additional information relating to cultural heritage was requested by the State Heritage Office during the advertising period.</p> |

| Section | Part 2 Modification | Justification |
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| | <p>**Insert photos of some of the Shire’s heritage listed properties.</p> | |
| <p>Add new section ‘2.6 – Land Use – rest of Shire’</p> | <p><i>Significant areas of the Shire are subject to mining tenements and pastoral leases. The mining industry is important in the Shire, however the Mining Act 1978 removes the influence of the Planning and Development Act 2005. As a result, the local planning scheme cannot address mining land uses.</i></p> | <p>This is to address comments raised by the Department of Mines during advertising.</p> |
| <p>Add new subheading and text to section ‘3.1 – State and Regional Planning Context’</p> | <p><u>Separate Approvals and Regulatory Processes</u></p> <p><u>There is a wealth of legislated, policy, and approval requirements at the State and Commonwealth Government levels which exist outside the planning framework. These influence land use and development within the Shire, and include:</u></p> <ul style="list-style-type: none"> – <u>Land Administration Act 1997, which provides a framework for managing Crown land, including lease areas (such as pastoral leases). This is administered by the State Department of Lands and the Pastoral Lands Board.</u> – <u>Aboriginal Heritage Act 1972, which provides for the protection of Aboriginal Sites from inappropriate development. This is administered by the Department of Aboriginal Affairs.</u> – <u>Environmental Protection Act 1986, which provides for the assessment of development that would have a significant impact on the State’s environment, and regulates other activities through licensing, works approval, and vegetation clearing controls. This is administered by the Department of Environmental Regulation and the Environmental Protection Authority.</u> – <u>Commonwealth Environmental Protection and Biodiversity Conservation Act 1999, which provides for the assessment and approval of development that would impact on matters of national environmental significance including threatened species and ecological communities, Ramsar wetlands that support migratory species. The Act is administered by the Commonwealth Department of the Environment.</u> <p><u>This is not an exhaustive list, and it is important for developers within the Shire to understand obligations beyond the local planning framework that is administered by the Shire. It is also important that the local planning framework for the Shire of Wyndham East Kimberley does not unnecessary duplicate existing approval processes at the State and Commonwealth level.</u></p> | <p>This text provides additional information around the range of non-planning legislation that needs to be considered in the process of land development and land uses.</p> <p>This text is in response to a comments raised by the WAPC prior to advertising.</p> |

| Section | Part 2 Modification | Justification |
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| | <p><u>With regard to pastoral leases on Crown land within the Shire – which reflects the majority of the Shire’s land area – land use is strongly regulated through pastoral leases and the Pastoral Lands Board. The Pastoral Lands Board is a statutory authority established under the <i>Land Administration Act 1997 (WA)</i>, and administer pastoral leases.</u></p> <p><u>Under the <i>Land Administration Act 1997 (WA)</i>, pastoral leases must not be used for purposes other than pastoral purposes, except where a permit for diversification has been issued by the Pastoral Lands Board. These include pastoral use permits (which include low scale, pastoral based tourism) and non-pastoral use permits. In this way, land use on pastoral leases is managed separately to the local planning scheme and strategy.</u></p> <p><u>The assessment of permits for diversification includes a referral process to other government agencies. Through this, the Shire can look to influence and provide input to permits. There is a risk that the expansion of a local planning scheme across pastoral lease areas may duplicate this process. However, if local development control focuses on matters outside of the Land Administration Act and pastoral leases – such as visual amenity and servicing – then development approval processes will not necessarily duplicate the permit for diversification process, and will provide a beneficial, necessary step in development control.</u></p> <p><u>Permits for diversification also have to consider the <i>Native Title Act 1993</i> and potential implications. Whilst generally permits for pastoral use purposes do not represent a ‘future act’ (something that might affect native title) and therefore are permitted under the Act, it is possible that non-pastoral activities may. This is something that should be considered by potential developers in consultation with the Pastoral Lands Board and the Department of Aboriginal Affairs.</u></p> <p><u>In relation to environmental and heritage legislation, it is possible that local development control can overlap with these processes. Some of this can be avoided, such as through the <i>Environmental Protection Act 1986</i> which enables the assessment of local planning schemes and scheme amendments, to avoid the need for a separate environmental approval. It is important for local development control to provide for the management of local environmental and heritage matters that might otherwise not be addressed in state level assessment processes.</u></p> | |

| Section | Part 2 Modification | Justification |
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| <p>Add new text to the end of section 3.2 Local Planning Context – Kununurra and Wyndham Planning Schemes</p> | <p><u>The preparation of a new scheme must be in accordance with the Planning and Development (Local Planning Scheme) Regulations 2015 which include deemed provisions (which apply statewide) and model provisions.</u></p> | <p>This amendment builds on the WAPC's comments relating to the role of DoL, DAA and the pastoral lands board in relation to local planning context. It was acknowledged that this section required updating as the regulation review has now been complete. Text relating to the new regulations has been included and the text relating to the review has been removed.</p> |
| <p>Delete subheading and text under section 3.2 Local Planning Context – Town Planning Regulations Review</p> | <p>Town Planning Regulations Review The Western Australian Department of Planning (DoP) is currently conducting a review of the Town Planning Regulations (1967)(WA)(CI) (as amended) and the associated Model Scheme Text (MST). The changes are expected to be significant and will affect the existing and future planning schemes, and may necessitate further amendment to comply with the revised legislation once finalised. Through the review of the regulations, it is anticipated that local planning schemes will be required to be split into three parts:</p> <p>Local Provisions – customised section to suit individual Local Governments; Generalised Provisions – standardised across the State and will address common elements and procedures; and Local Scheme Map – with standardised terminology, legend and colours.</p> | <p>This is no longer applicable now the Regulations have been finalised.</p> <p>This amendment builds on the WAPC's comments relating to the role of DoL, DAA and the pastoral lands board in relation to local planning context. It was acknowledged that this section required updating as the regulation review has now been complete.</p> |
| <p>Amend Section 4 – Key issues - Strategic Issue – Remote</p> | <p>Approximately 22 Aboriginal settlements of varying sizes are within the Shire. <u>A number of Aboriginal settlements of varying sizes are within the Shire.</u> This includes large communities that operate as country towns, and smaller seasonal communities.</p> | <p>This amendment is to reflect earlier discussions with the DoP regarding the</p> |

| Section | Part 2 Modification | Justification |
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| Communities - Analysis | | number of Aboriginal Settlements in the Shire. No number is specified as the settlement numbers vary depending on how they are referred to. |
| Add new reference to section 5 | <p>inHerit, State Heritage Office, Available from http://inherit.stateheritage.wa.gov.au</p> <p>Kimberley Science and Conservation Strategy (Government of Western Australia, 2011)</p> <p>Map of Bushfire Prone Areas 2016, (Office of Bushfire Risk Management), available from https://maps.slip.wa.gov.au/landgate/bushfireprone2016/</p> <p>Shire of Wyndham East Kimberley East Kimberley Tourism Plan 2022 (KPP Business Development, 2013)</p> | Reference of new images included in bushfire section, heritage and additional information in the tourism sections of LPS. |

Shire of Wyndham East Kimberley – Schedule of Proposed Modifications to Draft Local Planning Scheme No. 9

Scheme Text

| Section | Modification to Scheme Text |
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| Part 2 - Reserves | <p>1. Include the following additional reserve and objectives in cl 2.2.2:</p> <p>Cultural and Natural Resource Reserve</p> <p>(i) to provide for development associated with the extraction of mineral and natural resources;</p> <p>(ii) to ensure the preservation of Aboriginal heritage and culturally significant areas;</p> <p>(iii) to provide for the conservation of significant landscape and environmental areas and values;</p> <p>(iv) to allow for low impact tourism development including limited tourist accommodation and camping areas; and</p> <p>(v) to allow land uses associated with Aboriginal heritage, traditional law and culture.</p> |
| Part 3 – Zones and Use of Land - Zones | <p>2. Include the following additional zones and objectives in cl 3.1.2:</p> <p>Service Commercial Zone</p> <p>(i) to accommodate commercial activities which, due to the nature of the business, require good vehicular access and/or large sites.</p> <p>(ii) to provide for a range of wholesale sales, showrooms, trade and services which, by reason of scale, character, operational or land requirements, are not appropriate in, or cannot conveniently or economically be accommodated in, the central area, shops and offices or industrial zones.</p> <p>Rural Enterprise Zone</p> <p>(i) to provide for light or rural industrial and ancillary residential development on one lot.</p> <p>(ii) to provide for lot sizes in the range of 1ha to 4 ha.</p> <p>(iii) to carefully design rural enterprise estates to provide a reasonable standard of amenity without limiting light or rural industrial land uses.</p> <p>(iv) to notify prospective purchasers of potential amenity impacts from light or rural industrial land uses.</p> |
| Part 3 – Zones and Use of Land - Zones | <p>3. Modify the objectives of Local Horticulture Zone (Rural Agriculture 2) in cl 3.1.2 as follows:</p> <p>Local Horticulture Zone</p> <p>(i) to identify and protect intensive agricultural land of local significance;</p> <p>(ii) to provide for a diversity of sustainable intensive agriculture and value-adding opportunities;</p> <p>(iii) to protect existing and potential agriculture production areas from inappropriate land use;</p> <p>(iv) to maintain the rural character of the area; and</p> <p>(v) to avoid activities causing adverse environmental impacts and any other land management practices that would be detrimental to the amenity of the area.</p> |
| Part 3 – Zones and Use of Land - Zones | <p>4. Modify the objectives of the Tourism Zone in Clause 3.1.2 by deleting the following objective:</p> <p>(v) To provide for limited permanent residential accommodation and tourism sites.</p> |

Shire of Wyndham East Kimberley – Schedule of Proposed Modifications to Draft Local Planning Scheme No. 9

| Section | Modification to Scheme Text | | | | | | | |
|---|--|-----------|-----------------------------------|-----------|---|-----------|---|----------|
| Part 3 – Zones and Use of Land – Zoning Table | 5. Modify Table 1 – Zoning Table in cl 3.2 by including the Rural Enterprise Zone with the following use class permissibility: | | | | | | | |
| | <i>Abattoir</i> | <i>SA</i> | <i>Farm Supply Centre</i> | <i>P</i> | <i>Market</i> | <i>A</i> | <i>Trade Display</i> | <i>D</i> |
| | <i>Animal Establishment</i> | <i>A</i> | <i>Fastfood Outlet/ Lunch bar</i> | <i>A</i> | <i>Motor Vehicle Repair</i> | <i>D</i> | <i>Trade Supplies</i> | <i>D</i> |
| | <i>Brewery</i> | <i>D</i> | <i>Fuel Depot</i> | <i>D</i> | <i>Motor Vehicle Wash</i> | <i>A</i> | <i>Transport Depot</i> | <i>D</i> |
| | <i>Bulky Goods Showroom</i> | <i>A</i> | <i>Garden Centre</i> | <i>D</i> | <i>Office</i> | <i>IP</i> | <i>Veterinary Centre</i> | <i>A</i> |
| | <i>Car Park</i> | <i>D</i> | <i>Dwelling – Single</i> | <i>IP</i> | <i>Road House</i> | <i>A</i> | <i>Warehouse/Storage</i> | <i>D</i> |
| | <i>Commercial Vehicle Parking</i> | <i>D</i> | <i>Industry - Cottage</i> | <i>D</i> | <i>Service Station</i> | <i>A</i> | <i>Waste Storage Facility</i> | <i>A</i> |
| | <i>Dwelling – Single</i> | <i>IP</i> | <i>Industry</i> | <i>A</i> | <i>Telecommunication Infrastructure</i> | <i>A</i> | | |
| | And all other uses not permitted (X). | | | | | | | |
| Part 3 – Zones and Use of Land – Zoning Table | 6. Modify Table 1 – Zoning Table in cl 3.2 by including the Service Commercial Zone with the following permissible land uses: | | | | | | | |
| | <i>Art Gallery</i> | <i>A</i> | <i>Educational Establishment</i> | <i>D</i> | <i>Industry Light</i> | <i>A</i> | <i>Service Station</i> | <i>D</i> |
| | <i>Brewery</i> | <i>A</i> | <i>Exhibition Centre</i> | <i>D</i> | <i>Market</i> | <i>D</i> | <i>Shop</i> | <i>D</i> |
| | <i>Bulky Goods Showroom</i> | <i>P</i> | <i>Farm Supply Centre</i> | <i>D</i> | <i>Medical Centre</i> | <i>D</i> | <i>Tavern</i> | <i>A</i> |
| | <i>Caretaker's Dwelling</i> | <i>D</i> | <i>Fast Food Outlet/Lunch Bar</i> | <i>D</i> | <i>Motor Vehicle, Boat or Caravan Sales</i> | <i>D</i> | <i>Telecommunication Infrastructure</i> | <i>A</i> |
| | <i>Car park</i> | <i>D</i> | <i>Fuel Depot</i> | <i>D</i> | <i>Motor Vehicle Repair</i> | <i>D</i> | <i>Trade Display</i> | <i>A</i> |
| | <i>Civic Use</i> | <i>A</i> | <i>Funeral Parlour</i> | <i>D</i> | <i>Motor Vehicle Wash</i> | <i>D</i> | <i>Trade Supplies</i> | <i>P</i> |
| | <i>Club Premises</i> | <i>A</i> | <i>Garden Centre</i> | <i>D</i> | <i>Reception Centre</i> | <i>A</i> | <i>Transport Depot</i> | <i>A</i> |
| | <i>Commercial Vehicle Parking</i> | <i>D</i> | <i>Hospital</i> | <i>A</i> | <i>Recreation – Private</i> | <i>D</i> | <i>Veterinary Centre</i> | <i>D</i> |
| | <i>Convenience Store</i> | <i>A</i> | <i>Industry – Cottage</i> | <i>A</i> | <i>Road House</i> | <i>A</i> | <i>Warehouse/ Storage</i> | <i>D</i> |
| And all other uses not permitted (X). | | | | | | | | |

Shire of Wyndham East Kimberley – Schedule of Proposed Modifications to Draft Local Planning Scheme No. 9

| Section | Modification to Scheme Text | | | | | | | | | | | | | | | | | | |
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| Part 3 – Zones and Use of Land – Zoning Table | <p>7. Modify Table 1 – Zoning Table in cl 3.2 to include the following additional permissibility in the Agriculture – State and Regional Significance Zone:</p> <table border="1" data-bbox="443 334 1134 443"> <tr> <td><i>Exhibition Centre</i></td> <td><i>A</i></td> <td><i>Farm Stay</i></td> <td><i>A</i></td> </tr> <tr> <td><i>Bed and Breakfast</i></td> <td><i>A</i></td> <td><i>Restaurant</i></td> <td><i>A</i></td> </tr> </table> | <i>Exhibition Centre</i> | <i>A</i> | <i>Farm Stay</i> | <i>A</i> | <i>Bed and Breakfast</i> | <i>A</i> | <i>Restaurant</i> | <i>A</i> | | | | | | | | | | |
| <i>Exhibition Centre</i> | <i>A</i> | <i>Farm Stay</i> | <i>A</i> | | | | | | | | | | | | | | | | |
| <i>Bed and Breakfast</i> | <i>A</i> | <i>Restaurant</i> | <i>A</i> | | | | | | | | | | | | | | | | |
| Part 3 – Zones and Use of Land – Zoning Table | 8. Modify Table 1 – Zoning Table to show Motor Vehicle Repair as an ‘A’ use in the Mixed Use Zone. | | | | | | | | | | | | | | | | | | |
| Part 3 – Zones and Use of Land – Zoning Table | <p>9. Modify Table 1 – Zoning Table to include farm building as a use class permissible in the following zones:</p> <table border="1" data-bbox="443 610 1470 719"> <tr> <td><i>Priority Agriculture</i></td> <td><i>P</i></td> <td><i>Rural Enterprise</i></td> <td><i>P</i></td> <td><i>Rural Smallholdings</i></td> <td><i>P</i></td> </tr> <tr> <td><i>Local Horticulture</i></td> <td><i>P</i></td> <td><i>Rural/Pastoral</i></td> <td><i>P</i></td> <td><i>Rural Residential</i></td> <td><i>D</i></td> </tr> </table> <p>And not permitted (X) in all other zones.</p> | <i>Priority Agriculture</i> | <i>P</i> | <i>Rural Enterprise</i> | <i>P</i> | <i>Rural Smallholdings</i> | <i>P</i> | <i>Local Horticulture</i> | <i>P</i> | <i>Rural/Pastoral</i> | <i>P</i> | <i>Rural Residential</i> | <i>D</i> | | | | | | |
| <i>Priority Agriculture</i> | <i>P</i> | <i>Rural Enterprise</i> | <i>P</i> | <i>Rural Smallholdings</i> | <i>P</i> | | | | | | | | | | | | | | |
| <i>Local Horticulture</i> | <i>P</i> | <i>Rural/Pastoral</i> | <i>P</i> | <i>Rural Residential</i> | <i>D</i> | | | | | | | | | | | | | | |
| Part 4 – General Development Requirements | <p>10. Include the following additional text in Part 4 – General Development Requirements:</p> <p>Rural Townsite Zone development requirements</p> <p><i>The following development standards and requirements apply in addition to use specific provisions set out in Schedule 4 – Development Standards Table of this scheme.</i></p> <table border="1" data-bbox="453 971 1822 1190"> <thead> <tr> <th colspan="3"><i>Minimum Setbacks</i></th> <th><i>Parking</i></th> <th><i>Bicycle Parking</i></th> <th><i>Landscaping</i></th> </tr> <tr> <th><i>Front</i></th> <th><i>Side</i></th> <th><i>Rear</i></th> <td></td> <td></td> <td></td> </tr> </thead> <tbody> <tr> <td><i>Nil</i></td> <td><i>On merit</i></td> <td><i>On merit</i></td> <td><i>Parking – One bay per 65m² NLA, Residential, as per R Codes,</i></td> <td><i>1 bay per 200m² NLA</i></td> <td><i>10% minimum coverage of the site area</i></td> </tr> </tbody> </table> <p><i>Provision shall be made for onsite loading and unloading of service vehicles to the satisfaction of the local government. The design of such areas shall require all entry and exit movements from and to the adjoining street or right of way to be in a forward direction.</i></p> <p><i>Addressing Streets</i></p> | <i>Minimum Setbacks</i> | | | <i>Parking</i> | <i>Bicycle Parking</i> | <i>Landscaping</i> | <i>Front</i> | <i>Side</i> | <i>Rear</i> | | | | <i>Nil</i> | <i>On merit</i> | <i>On merit</i> | <i>Parking – One bay per 65m² NLA, Residential, as per R Codes,</i> | <i>1 bay per 200m² NLA</i> | <i>10% minimum coverage of the site area</i> |
| <i>Minimum Setbacks</i> | | | <i>Parking</i> | <i>Bicycle Parking</i> | <i>Landscaping</i> | | | | | | | | | | | | | | |
| <i>Front</i> | <i>Side</i> | <i>Rear</i> | | | | | | | | | | | | | | | | | |
| <i>Nil</i> | <i>On merit</i> | <i>On merit</i> | <i>Parking – One bay per 65m² NLA, Residential, as per R Codes,</i> | <i>1 bay per 200m² NLA</i> | <i>10% minimum coverage of the site area</i> | | | | | | | | | | | | | | |

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|--|---|------------------|--|-----------------|---|-----------------|-------------|-------------|------|------|---------------------------|----|----|--|-----|---|--|
| | <p>(a) <i>Ground floor development fronting the street should comprise commercial land uses which provide active street frontages based on main street principles including direct entrances from adjoining paths, verandahs and eaves to provide pedestrian shelter, unobstructed shop front windows and facades with visual interest.</i></p> <p>(b) <i>Where a mixed use development incorporating commercial and residential development is proposed, the residential component of the site should be confined to upper stories or behind a commercial development at ground level fronting the street.</i></p> <p><i>Residential development may be permitted to a maximum residential density of R40.</i></p> <p><i>For a lot in the Rural Townsite zone which abuts a lot in a Residential zone, setbacks shall comply with the Residential Design Codes applicable to the abutting Residential zoned lot, unless the local government approves otherwise.</i></p> <p><i>No dumping or storage of waste or materials, or construction, servicing or maintenance, shall be carried out between the front building line and the street frontage. However, the local government at its discretion may approve the display of finished goods or goods for sale or ready for delivery.</i></p> <p>Rural Enterprise Zone development requirements</p> <p><i>The following development standards and requirements apply in addition to use specific provisions set out in Schedule 4 – Development Standards Table of this scheme.</i></p> <table border="1" data-bbox="453 797 1822 1027"> <thead> <tr> <th colspan="3">Minimum Setbacks</th> <th rowspan="2">Parking</th> <th rowspan="2">Bicycle Parking</th> <th rowspan="2">Landscaping</th> </tr> <tr> <th>Front</th> <th>Side</th> <th>Rear</th> </tr> </thead> <tbody> <tr> <td>Industrial component - 9m</td> <td rowspan="2">5m</td> <td rowspan="2">5m</td> <td rowspan="2">Industrial/commercial component - 1 bay per 65m² NLA</td> <td rowspan="2">n/a</td> <td rowspan="2">2m landscaping strip along the front boundary</td> </tr> <tr> <td>Residential component – behind or in line with industrial component.</td> </tr> </tbody> </table> <p><i>Within a lot situated within the Rural Enterprise zone, a person may only:</i></p> <p>(a) <i>Undertake development which incorporates an industrial/business component;</i></p> <p>(b) <i>Develop a residential dwelling where that residential component is incidental to an industrial/business component;</i></p> <p>(c) <i>Allow a residential dwelling to be occupied by the owner, manager or employee (and their family and/or dependents) of the rural or light industrial pursuit;</i></p> <p>(d) <i>Establish a light or rural industry that is of a nature which can operate compatibly with residential living and minimal impact on adjoining properties.</i></p> <p><i>No dumping or storage of waste or materials, or construction, servicing or maintenance, shall be carried out between the front building line and the street frontage. However, the local government at its discretion may approve the display of finished goods or goods for sale or ready for delivery.</i></p> | Minimum Setbacks | | | Parking | Bicycle Parking | Landscaping | Front | Side | Rear | Industrial component - 9m | 5m | 5m | Industrial/commercial component - 1 bay per 65m ² NLA | n/a | 2m landscaping strip along the front boundary | Residential component – behind or in line with industrial component. |
| Minimum Setbacks | | | Parking | Bicycle Parking | | | | Landscaping | | | | | | | | | |
| Front | Side | Rear | | | | | | | | | | | | | | | |
| Industrial component - 9m | 5m | 5m | Industrial/commercial component - 1 bay per 65m ² NLA | n/a | 2m landscaping strip along the front boundary | | | | | | | | | | | | |
| Residential component – behind or in line with industrial component. | | | | | | | | | | | | | | | | | |

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|---|--|------------------|--------------------------------|-----------------|---|-----------------|-------------|-------|------|------|--|--|--|----|----|----|--------------------------------|-----|---|
| | <p>Service Commercial Zone Development Requirements</p> <p><i>The following development standards and requirements apply in addition to use specific provisions set out in Schedule 4 – Development Standards Table of this scheme.</i></p> <table border="1" data-bbox="453 391 1822 570"> <thead> <tr> <th colspan="3" data-bbox="453 391 814 459">Minimum Setbacks</th> <th data-bbox="814 391 1079 459">Parking</th> <th data-bbox="1079 391 1327 459">Bicycle Parking</th> <th data-bbox="1327 391 1822 459">Landscaping</th> </tr> <tr> <th data-bbox="453 459 583 509">Front</th> <th data-bbox="583 459 709 509">Side</th> <th data-bbox="709 459 814 509">Rear</th> <td data-bbox="814 459 1079 509"></td> <td data-bbox="1079 459 1327 509"></td> <td data-bbox="1327 459 1822 509"></td> </tr> </thead> <tbody> <tr> <td data-bbox="453 509 583 570">9m</td> <td data-bbox="583 509 709 570">5m</td> <td data-bbox="709 509 814 570">5m</td> <td data-bbox="814 509 1079 570">1 bay per 65m² NLA</td> <td data-bbox="1079 509 1327 570">n/a</td> <td data-bbox="1327 509 1822 570">2m landscaping strip along the front boundary</td> </tr> </tbody> </table> <p><i>Where a lot has frontage to 2 streets and the setback to the building is reduced, the landscape requirement may be reduced</i></p> <p><i>Development within Front Setback Area</i></p> <p><i>The local government may approve the construction of a carport or pergola or like structure between the building line and the front boundary providing:</i></p> <p>(a) <i>that any such structure remains open sided and not in filled with any material which would ordinarily prevent the free passage of light and air, but may include lattice, battens or mesh as approved by the local government;</i></p> <p>(b) <i>that any activity beneath such structure does not include any industrial use and is only used for car parking, landscaping, display purposes or any other uses the local government may approve.</i></p> <p><i>No dumping or storage of waste or materials, or construction, servicing or maintenance, shall be carried out between the front building line and the street frontage. However, the local government at its discretion may approve the display of finished goods or goods for sale or ready for delivery.</i></p> | Minimum Setbacks | | | Parking | Bicycle Parking | Landscaping | Front | Side | Rear | | | | 9m | 5m | 5m | 1 bay per 65m ² NLA | n/a | 2m landscaping strip along the front boundary |
| Minimum Setbacks | | | Parking | Bicycle Parking | Landscaping | | | | | | | | | | | | | | |
| Front | Side | Rear | | | | | | | | | | | | | | | | | |
| 9m | 5m | 5m | 1 bay per 65m ² NLA | n/a | 2m landscaping strip along the front boundary | | | | | | | | | | | | | | |
| Part 4 – General Development Requirements | 11. Modify the table in cl 4.26.1 to include the following additional minimum side and rear setbacks: <i>Agricultural land uses – 20m, Incidental development (non-agricultural) – 100m</i> | | | | | | | | | | | | | | | | | | |
| Part 4 – General Development Requirements | 12. Include additional cl 4.26. 4 as follows: <i>In accordance with the Zoning Table, the local government may only permit the development and use of land for the following non-agricultural uses:</i> <i>Exhibition Centre;</i> <i>Bed and Breakfast;</i> <i>Restaurant;</i> <i>Educational Establishment;</i> <i>Brewery;</i> <i>Farm Stay;</i> | | | | | | | | | | | | | | | | | | |

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|---|---|
| | <p>if:</p> <ul style="list-style-type: none"> (a) <i>An established horticultural, intensive or extensive agricultural activity is being carried out on the property, with a minimum of 50% of the land under cultivation.</i> (b) <i>The proposed development is to remain incidental and subordinate to the established horticultural or agricultural activity on the property.</i> (c) <i>The proposed development is not located on any part of the property utilised for agricultural or horticultural pursuits, and sited so it will not bisect existing or potential agricultural and horticultural areas on the property.</i> (d) <i>Prior to the local government advertising and making a determination on the proposed development the applicant shall submit:</i> <ul style="list-style-type: none"> (i) <i>A detailed management plan addressing how potential conflicts, impacts and compatibility with existing and potential agricultural land uses – both internal and external to the site – are to be managed. The management plan should detail measures to manage the following impacts:</i> <ul style="list-style-type: none"> ▪ <i>dust and noise;</i> ▪ <i>visual amenity;</i> ▪ <i>biosecurity; and</i> ▪ <i>ensuring the continued agricultural/horticultural activity on the land.</i> (ii) <i>A detailed landscaping plan in accordance with the Guidelines for Separation of Agricultural and Residential Land Uses, Department of Health - August 2012 regarding establishment of vegetation buffers. The vegetation buffer shall also provide an appropriate visual screen from both the road and neighbouring properties.</i> (e) <i>As part of the advertising process the local government will seek comment on any application from the Department of Agriculture and Food and other relevant agencies or stakeholders, and surrounding landowners.</i> (f) <i>Prior to the construction of any proposed development landscaping in accordance with the approved landscaping plan should be commenced.</i> (g) <i>Prior to occupation or use of any approved development:</i> <ul style="list-style-type: none"> (i) <i>Relevant officers shall inspect the development to ensure biosecurity information is displayed in a prominent place;</i> (ii) <i>Relevant officers shall inspect procedures to ensure that all employees are made aware of the biosecurity issues and preventative measures prior to commencement of operation; and</i> (iii) <i>Landscaping must be established in accordance with the approved landscaping plan.</i> (h) <i>A register of guests staying in any approved accommodation is to be provided to the local government upon request.</i> |
| Part 4 – General Development Requirements | <p>13. Modify Scheme text to include an additional point in cl 4.27 as follows:</p> <p><i>In considering an application for development approval, the local government must ensure that the proposed development is consistent with and will not conflict with the viability of intensive agricultural and horticultural pursuits on the property and within the locality.</i></p> |

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| Part 4 – General Development Requirements | <p>14. Modify the table in cl 4.27.1 to specify the following minimum side and rear setbacks: <i>Agricultural land uses - 20m, Incidental development (non-agricultural) – 40m and not within 70m of any residence on any adjoining property</i></p> |
| Part 4 – General Development Requirements | <p>15. Modify cl 4.27.2 to delete the following uses that the local government may only permit in accordance with this clause: <i>Nursery</i></p> |
| Part 4 – General Development Requirements | <p>16. Delete cl 4.27.2(a) to (e) and replace with the following clauses:</p> <p>(a) <i>An established horticultural or intensive agricultural activity is being carried out on the property, with a minimum of 50% of the land under cultivation.</i></p> <p>(b) <i>The proposed development is to remain incidental and subordinate to the established horticultural or intensive agricultural activity on the property.</i></p> <p>(c) <i>The proposed development is not located on any part of the property utilised for agricultural or horticultural pursuits, and sited so it will not bisect existing or potential agricultural and horticultural areas on the property.</i></p> <p>(d) <i>Prior to the local government advertising and making a determination on the proposed development the applicant shall submit:</i></p> <p>(i) <i>A detailed management plan addressing how potential conflicts, impacts and compatibility with existing and potential agricultural land uses – both internal and external to the site – are to be managed. The management plan should detail measures to manage the following impacts:</i></p> <ul style="list-style-type: none"> ▪ <i>dust and noise;</i> ▪ <i>visual amenity;</i> ▪ <i>biosecurity; and</i> ▪ <i>ensuring the continued agricultural/horticultural activity on the land.</i> <p>(ii) <i>A detailed landscaping plan in accordance with the Guidelines for Separation of Agricultural and Residential Land Uses, Department of Health - August 2012 regarding establishment of vegetation buffers. The vegetation buffer shall also provide an appropriate visual screen from both the road and neighbouring properties.</i></p> <p>(e) <i>As part of the advertising process the local government will seek comment on any application from the Department of Agriculture and Food and other relevant agencies or stakeholders, and surrounding landowners.</i></p> <p>(f) <i>Prior to the construction of any proposed development landscaping in accordance with the approved landscaping plan should be commenced.</i></p> <p>(g) <i>Prior to occupation or use of any approved development:</i></p> <p>(i) <i>Relevant officers shall inspect the development to ensure biosecurity information is displayed in a prominent place;</i></p> <p>(ii) <i>Relevant officers shall inspect procedures to ensure that all employees are made aware of the biosecurity issues and preventative measures prior to commencement of operation; and</i></p> <p>(iii) <i>Landscaping must be established in accordance with the approved landscaping plan.</i></p> <p>(h) <i>A register of guests staying in any approved accommodation is to be provided to the local government upon request.</i></p> |

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| Part 4 – General Development Requirements | <p>17. Modify cl 4.29.5(a) to read as follows:</p> <p>(a) <i>The keeping of animals on Rural Residential or Rural Smallholding zoned land for commercial gain requires the development approval of the local government, and if approved, shall accord with the maximum stocking rates prescribed by the Department of Agriculture and Food.</i></p> |
| Part 4 – General Development Requirements | <p>18. Modify cl 4.29.6(d) to read as follows:</p> <p>(d) <i>Trees which are dead, diseased, dangerous, introduced exotic trees, or noxious trees and weeds.</i></p> |
| Part 4 – General Development Requirements | <p>19. Include an additional point in cl 4.29 as follows:</p> <p><i>Outbuildings</i></p> <p><i>Notwithstanding clause 61(1)(m) in Schedule A – Supplemental Provisions, the development of an outbuilding in the Rural Residential Zone with either:</i></p> <p>(a) <i>A floor area exceeding 200m²; or</i></p> <p>(b) <i>Wall height exceeding 4.4m; or</i></p> <p>(c) <i>Ridge height exceeding 6m;</i></p> <p><i>will require the development approval of the local government.</i></p> |
| Part 4 – General Development Requirements | <p>20. Include additional clause in Part 4 – General Development Requirements:</p> <p>Areas subject to aircraft noise</p> <p><i>In areas subject to aircraft noise in excess of 20 ANEF:</i></p> <p>(a) <i>development is required to incorporate noise attenuation measures to the satisfaction of the local government; and</i></p> <p>(b) <i>in respect of subdivision of land, the local government will recommend to the Commission that all new lots be the subject of memorials on titles, warning of the potential for aircraft noise affecting such lots.</i></p> |
| Part 4 – General Development Requirements | <p>21. Renumber clauses in Part 4 – General Development Requirements as required.</p> |
| Part 5 – Special Control Areas | <p>22. Modify Part 5 of the Scheme Text to include the following additional Special Control Area:</p> <p>5.5 Packsaddle Wetland Protection Area –PWPA</p> <p><i>5.5.1 Purpose</i></p> |

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| | <p>(a) To protect the ecological integrity of Lake Kununurra whilst providing for the maximum enjoyment of privately owned land in close proximity to the wetland in the Packsaddle locality.</p> <p>(b) to ensure that proposed development will not impact on the wetland values of the Lake Kununurra foreshore environment, or that an improved environmental outcome can be achieved; and</p> <p>(c) to minimise visual impact as viewed from Lake Kununurra or other public viewpoints.</p> <p>5.5.2 Application Requirements</p> <p>(a) All development (including use of land, the removal of vegetation and earthworks) within the Packsaddle Wetland Protection Area shall be subject to a requirement for development approval and shall be subject to the discretion of the local government, notwithstanding that the use may be designated a ‘P’ use under the Scheme.</p> <p>(b) the local government is required to refer any land use or development application to the Department of Water and Department of Parks and Wildlife for advice, comment and recommendation, prior to any formal consideration under the Scheme.</p> <p>(c) in determining any land use or development applications within areas the local government will be guided by:</p> <ul style="list-style-type: none"> (i) any comments, advice or recommendation from the Department of Water, Department of Parks and Wildlife or other relevant agencies; (ii) the provisions of Clause 5.3 of the Scheme; (iii) The matters set out in clause 67 of the Planning and Development (Local Planning Schemes) Regulations 2015 - deemed provisions. (iv) all other provisions applying to any underlying zone or reserve and any general provisions of the Scheme. <p>(d) In considering any application for development approval within the Packsaddle wetland protection area, the local government will consider all applications on their individual merit.</p> | | | | |
| <p>Part 6 –Terms referred to in the Scheme, Division 2 - Land Use Definitions</p> | <p>23. Modify cl 6.2 to include the following definition:</p> <p>farm building means those buildings and structures on land used for agricultural purposes;</p> <p>(a) for storage of agricultural products and produce; and/or</p> <p>(b) for the maintenance of farm machinery used by the occupier of the site;</p> <p>but does not include agriculture – intensive or industry – primary production.</p> <p>24. Modify the definition of ‘farm stay’ in cl 6.2 to allow a maximum internal floor area of 50m².</p> | | | | |
| <p>Schedule 2 – Additional Uses</p> | <p>25. Modify the table in Schedule 2 – Additional Uses by deleting the following row:</p> <table border="1" data-bbox="438 1284 1885 1365"> <tr> <td data-bbox="438 1284 533 1365">A4</td> <td data-bbox="533 1284 1163 1365">Portions of the Wyndham Rural Townsite Zone as indicated on the Scheme Maps</td> <td data-bbox="1163 1284 1524 1365">Single Dwelling</td> <td data-bbox="1524 1284 1885 1365">Nil.</td> </tr> </table> | A4 | Portions of the Wyndham Rural Townsite Zone as indicated on the Scheme Maps | Single Dwelling | Nil. |
| A4 | Portions of the Wyndham Rural Townsite Zone as indicated on the Scheme Maps | Single Dwelling | Nil. | | |

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|---|---|---|--|-----------------------------------|-------|-----------------------------------|------|---|-------------------------|---|-----------------------------------|------|---------|------------------|-------------|-----------------------------------|-----|---|---|--|-----------------------------------|
| Schedule 3 – Special Uses Zones | <p>26. Modify the table in Schedule 3 – Special Use Zones by:</p> <ul style="list-style-type: none"> ▪ Deleting the following Special Use sites: <table border="1" data-bbox="443 345 1822 513"> <tr> <td data-bbox="443 345 552 427">SU11</td> <td data-bbox="552 345 745 427">Lot 723, 722, 1300, 721</td> <td data-bbox="745 345 1062 427">Great Northern Hwy</td> <td data-bbox="1062 345 1539 427">Motel</td> <td data-bbox="1539 345 1822 427">As determined by local government</td> </tr> <tr> <td data-bbox="443 427 552 513">SU14</td> <td data-bbox="552 427 745 513">3</td> <td data-bbox="745 427 1062 513">Barytes Road, West Side</td> <td data-bbox="1062 427 1539 513">Zoological Gardens and Ancillary Purposes</td> <td data-bbox="1539 427 1822 513">As determined by local government</td> </tr> </table> ▪ Including the following Special Use site: <table border="1" data-bbox="443 570 1822 651"> <tr> <td data-bbox="443 570 552 651">SU11</td> <td data-bbox="552 570 745 651">Lot 511</td> <td data-bbox="745 570 1062 651">Lake Argyle Road</td> <td data-bbox="1062 570 1539 651">Aquaculture</td> <td data-bbox="1539 570 1822 651">As determined by local government</td> </tr> </table> ▪ Modifying Special Use site SU7 as follows: <table border="1" data-bbox="443 708 1822 963"> <tr> <td data-bbox="443 708 552 963">SU7</td> <td data-bbox="552 708 745 963">Lot 51166, 200 & 202, 301 – 312, 314 - 321,500 & part Lot 876</td> <td data-bbox="745 708 1062 963">Peter Reid Drive, Dusty Rankin Drive, Laine Jones Drive Cyril Kleining Drive, and Victoria Hwy, Kununurra</td> <td data-bbox="1062 708 1539 963">Airport: Other uses may be permitted by the local government provided that they are incidental to the predominant use of the land or deemed to be dependent on the function of the Airport or are shown to the satisfaction of local government to be consistent with the Airport's long-term operational needs.</td> <td data-bbox="1539 708 1822 963">As determined by local government</td> </tr> </table> ▪ Modifying Special Use site SU17 by including the following condition: <i>Area subject to land capability assessment for onsite sewerage disposal.</i> ▪ Renumbering Special Use sites as required. | SU11 | Lot 723, 722, 1300, 721 | Great Northern Hwy | Motel | As determined by local government | SU14 | 3 | Barytes Road, West Side | Zoological Gardens and Ancillary Purposes | As determined by local government | SU11 | Lot 511 | Lake Argyle Road | Aquaculture | As determined by local government | SU7 | Lot 51166, 200 & 202, 301 – 312, 314 - 321,500 & part Lot 876 | Peter Reid Drive, Dusty Rankin Drive, Laine Jones Drive Cyril Kleining Drive, and Victoria Hwy, Kununurra | Airport: Other uses may be permitted by the local government provided that they are incidental to the predominant use of the land or deemed to be dependent on the function of the Airport or are shown to the satisfaction of local government to be consistent with the Airport's long-term operational needs. | As determined by local government |
| SU11 | Lot 723, 722, 1300, 721 | Great Northern Hwy | Motel | As determined by local government | | | | | | | | | | | | | | | | | |
| SU14 | 3 | Barytes Road, West Side | Zoological Gardens and Ancillary Purposes | As determined by local government | | | | | | | | | | | | | | | | | |
| SU11 | Lot 511 | Lake Argyle Road | Aquaculture | As determined by local government | | | | | | | | | | | | | | | | | |
| SU7 | Lot 51166, 200 & 202, 301 – 312, 314 - 321,500 & part Lot 876 | Peter Reid Drive, Dusty Rankin Drive, Laine Jones Drive Cyril Kleining Drive, and Victoria Hwy, Kununurra | Airport: Other uses may be permitted by the local government provided that they are incidental to the predominant use of the land or deemed to be dependent on the function of the Airport or are shown to the satisfaction of local government to be consistent with the Airport's long-term operational needs. | As determined by local government | | | | | | | | | | | | | | | | | |
| Schedule A - Supplemental provisions to the deemed provisions | <p>27. Include the following additional clause into Schedule A – Supplemental provisions to the deemed provisions:</p> <p>Clause 8 (4): <i>Until such time as a heritage list is established by the local government in accordance with clause 8(1) of the deemed provisions, the heritage list is the municipal heritage inventory.”</i></p> | | | | | | | | | | | | | | | | | | | | |

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Scheme Maps

| Map | Modification to Scheme Maps |
|---------------------|--|
| Scheme Map Legend | 1. Modify Scheme Map Legend to include: <ul style="list-style-type: none"> ▪ Cultural and Natural Resource Reserve as a Local Scheme Reserve ▪ Service Commercial and Rural Enterprise as Zones ▪ Aquaculture (AQ) as an additional Special Use ▪ PWPA - Packsaddle Wetland Protection Area as Other ▪ Change the colour of the Local Government Boundary |
| Scheme Maps 1 – 9 | 2. Modify Scheme Maps 1 – 9 by: <ul style="list-style-type: none"> ▪ Modifying the colour of the Local Government Boundary as shown on the Scheme Map Legend ▪ Zoning land shown on the Strategic Land Use Plan for the whole Shire (Figures 1 & 2) in the draft Strategy as Cultural and Natural Resource Use as Cultural and Natural Resource Reserve, including land surrounding Lake Argyle. |
| Scheme Map 5 | 3. Modify Scheme Map 5 to zone the old Ningbing settlement (Lot 696 on DP188947) as Rural/Pastoral. |
| Scheme Map 8 | 4. Modify Scheme Map 8 to <ul style="list-style-type: none"> ▪ zone Reserve 40419 as Public Purpose Reserve and denoted as Extraction Area (EA). ▪ zone the Wuggubun and Wijilawarrim (Molly Springs) settlements as Settlement, with the boundaries in accordance with the recommended settlement zone identified in the Layout Plan for each settlement. |
| Scheme Maps 8 & 9 | 5. Modify Scheme Map 8 & 9 to: <ul style="list-style-type: none"> ▪ zone the Gibb River Road reserve as Primary Distributor Reserve. ▪ zone the Argyle Diamond Mine (Lot 618 on DP 93093) as Rural Pastoral Zone. |
| Scheme Map 10 | 6. Delete Scheme Map 10, and modify the Map Extensions plan and Scheme Map numbering accordingly. |
| Scheme Maps 11 & 12 | 7. Modify Scheme Maps 11 & 12 to zone the following land parcels General Industry Zone <ul style="list-style-type: none"> ▪ UCL land (PIN 1352826); ▪ Lot 1768 on DP 95770; ▪ Lot Barytes Road, Wyndham; ▪ Lot 451 on DP 77631 (part Reserve 24041); ▪ Lot 827 on DP93569; and ▪ Lot 704 (on DP 75319) Barytes Road, Wyndham. |
| Scheme Maps 11 & 14 | 8. Modify Scheme Map 11 & 14 to zone Reserve 31451 and adjoining Lot 1347 on DP 18290 as Public Purpose Reserve and denoted as Extraction Area (EA). |

Shire of Wyndham East Kimberley – Schedule of Proposed Modifications to Draft Local Planning Scheme No. 9

| | |
|---------------------|--|
| Scheme Maps 12 & 13 | 9. Modify Scheme Maps 12 & 13 by removing the Additional Use areas denoted by A4. |
| Scheme Map 13 | <p>10. Modify Scheme Map 13 to zone the following properties as Residential R 15:</p> <ul style="list-style-type: none"> ▪ 52, 54, 56, 58, 70, 72, 74, 76 & 80 Great Northern Highway, Wyndham ▪ 1, 3, 5 & 7 Cato Court, Wyndham ▪ 7, 9, 11, 13, 15, 17, 19, 21, 37, 39, 41, 43, 45, 47, 49, 51, 53, 55, 57, 59, 61, 63, 65, 67, 69, 71, 73, 75, 77, 79, 81, 83, 85 & 87 Kabbarli Street, Wyndham ▪ 1 - 19, 20, 22, 24, 26, 28, 30, 32, 34, 36, 38, 40, 42, 44, 46, 48, 50, 52, 54, 56, 58, 60, 62, 64, 66, 68, 70, 72 & 74 Koojarra Street, Wyndham ▪ 1 -4, 6, 7, 9 – 14 & 16 Kwinana Street, Wyndham ▪ 1 & 3 Dorrigo Street, Wyndham ▪ 2, 4, 6, 8, 12, 14, 16, 18, 20, 22, 30, 32 & 34 Dulverton Street. ▪ 22 & 24 Delamere Street, Wyndham ▪ 3 Troughton Street, Wyndham ▪ Lot 1720 on DP 184867 & Lot 501 on DP 74708 <p>11. Modify Scheme Map 13 to zone the following properties as Residential R20:</p> <ul style="list-style-type: none"> ▪ 21, 23, 25, 27, 29, 31, 33 – 51, 53, 55 & 57 Great Northern Highway, Wyndham ▪ 19, 20, 22, 24, 26, 28, 30, 32, 34, 36, 38 & 40 Koolama Street, Wyndham ▪ 3, 5, 7, 9 & 11 Martin Place, Wyndham ▪ 8, 10, 12, 14, 16, 18 & 20 Kangaroo Drive, Wyndham ▪ 1, 3, 5, 7, 11, 13 & 15 Doongan Street, Wyndham ▪ Part Lot 1791 (23) Koolama Street, Wyndham ▪ 23, 25, 27, 29, 31, 33 & 35 Kabbarli Street, Wyndham ▪ 1 & 2 Myrmidon Street, Wyndham ▪ 25, 27, 29, 31, 33, 35, 37, 39, 41, 43, 45, 47, 49, 51, 53, 55, 57, 59, 61, 63, 65 & 67 Koojarra Street, Wyndham ▪ 8, 18, 20, 22, 24, 26 & 28 Kwinana Street, Wyndham ▪ 1, 3, 5, 7 & 27 Delamere Street, Wyndham |
| Scheme Map 13 | <p>12. Modify Scheme Map 13 to:</p> <ul style="list-style-type: none"> ▪ zone Reserve 30137 (Lot 1312) and Reserve 29606 (Lot 1307) on Ivanhoe Street as Public Open Space Reserve. ▪ zone Reserve 33109 as Infrastructure Services Reserve and denoted as Sewage Treatment Works (ST) and include a 500m Sewer Treatment Buffer Area around the existing treatment ponds. ▪ zone Reserve 33852 (Durack Street) as Infrastructure Services Reserve and denoted as Water Supply (WS) ▪ zone Reserve 32654 (Durack Street) as Infrastructure Services Reserve and denoted as Sewer Pump Station (SPS) ▪ zone Reserve 33880 (Durack Street) as Infrastructure Services Reserve and denoted as Sewage Treatment Works (ST) & Water Supply (WS). ▪ zone Lots 723 Great Northern Hwy, and Lots 722, 1300 and 721 Sharpe Street, Wyndham as Rural Townsite Zone. ▪ zone Reserves 32078, 31980, 31981 & Lot 44 on DP 208835 as Infrastructure Services Reserve denoted as Drain (D). ▪ rezone those portions of Great Northern Highway shown as Public Open Space Reserve to Primary Distributor Reserve. |

Shire of Wyndham East Kimberley – Schedule of Proposed Modifications to Draft Local Planning Scheme No. 9

| | |
|---------------------------------------|---|
| Scheme Maps 13 & 14 | 13. Modify Scheme Maps 13 & 14 to zone Reserve 38740 as Infrastructure Services Reserve denoted for Water Supply (WS). |
| Scheme Maps 16-23, 25, 27, 29 & 30 | 14. Modify Scheme Maps 16, 17, 18, 19, 20, 21, 22, 23, 25, 27, 29 & 30 to show the ORIA irrigation supply and drainage channels as Infrastructure Services Reserve and denoted as Water Supply (WS) or Drain (D) as appropriate. |
| Scheme Map 17 | 15. Modify Scheme Map 17 to zone Reserve 50284 as Cultural and Natural Resource Reserve. |
| Scheme Maps 18–19, 21–23, 25, 31 & 32 | 16. Modify Scheme Maps 18, 19, 21, 22, 23, 25, 31 & 32 to zone the M1 main irrigation supply channel (Lots 915 on DP 28484, and Lots 8011, 8012 & 8013 on P 75731) as Waterway Reserve. |
| Scheme Map 19 & 20 | 17. Modify Scheme Map 19 to zone the following land parcels as as Public Purposes Reserve and denoted as Extraction Area (EA). <ul style="list-style-type: none"> ▪ Reserves 49628 ▪ Reserve 49446; and ▪ Lot 501 on DP 44380 |
| Scheme Maps 19, 21 & 31 | 18. Modify Scheme Maps 19, 21 & 31 to zone the following properties as Rural Enterprise: <ul style="list-style-type: none"> ▪ Lots 22 - 27 (DP 43085) & Lot 570 (DP 214946) Ivanhoe Road, Kununurra ▪ Lot 770 (DP 191117) Mills Road, Kununurra ▪ Lot 794 (218988) Mulligans Lagoon Road, Kununurra ▪ Lot 10 (DP 69516), Lot 443 (DP 181344) Lot 597 (DP 185360) & Lots 700 – 702 (DP 408129) Weaber Plain Road, Kununurra ▪ Lot 100 Mills Road, Kununurra |
| Scheme Maps 19-22 | 19. Modify Scheme Maps 19, 20, 21 & 22 to ensure continuity between Maps. |
| Scheme Maps 21 & 22 | 20. Modify Scheme Maps 21 & 22 to zone the following parcels as Infrastructure Services Reserve and denoted for the purpose of Drain (D): <ul style="list-style-type: none"> ▪ Lot 606 on Plan 39383 (R 39383) ▪ Lot 775 on Plan 19023 (R 42882) ▪ Lot 778 on Plan 19023 (R 42882) ▪ Lot 779 on Plan 19023 (R 42882) ▪ Lot 657 on DP 187705 (R 40374) |
| Scheme Maps 23 & 25 | 21. Modify Scheme Maps 23 & 25 to zone portion of Lot 876 on DP 28266 as Special Use denoted for Airport. |
| Scheme Map 25 | 22. Modify Scheme Map 25 to zone Reserve 41793 (lot 735 on DP 190116) for Recreation (Speedway) as Public Open Space Reserve. |
| Scheme Map 26 | 23. Modify Scheme Map 26 to show the amended Kununurra landfill site (Reserve 28875) as Public Purposes Reserves and denoted as Rubbish Depot. |

Shire of Wyndham East Kimberley – Schedule of Proposed Modifications to Draft Local Planning Scheme No. 9

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|---------------------|--|
| Scheme Maps 26 & 28 | <p>24. Modify Scheme Map 26 & 28 to</p> <ul style="list-style-type: none"> ▪ zone proposed Yunama and Janama Springs (Lots 925 & 926 on DP 35248) settlement areas and surrounding UCL Lot 5015 on DP 56724 as Rural/Pastoral Zone. ▪ Zone the Old Darwin Road Precinct (Lots 1 & 2 on Diagram 87117, Lot 16 on Plan 46913, Lot 17 on Plan 46915, Lots 20 – 25 on Plan 56702, Lots 26 - 31 on Plan 59297, Lots 34 & 35 on Plan 60858) as Rural Smallholdings Zone. |
| Scheme Maps 26 & 32 | <p>25. Modify Scheme Map 26 & 32 to zone the proposed Drivers Rest residential development area (Lot 556 on DP 69425 and part Lot 568 on DP 404515) as Urban Development Zone.</p> |
| Scheme Map 28 | <p>26. Modify Scheme Map 28 to zone Reserves 42304 & 47333 as Public Purpose Reserve and denoted for Extraction Area (EA).</p> |
| Scheme Map 29 | <p>27. Modify Scheme Map 29 to zone the Jimbilum & Yirrallelm settlements as Settlement, with the boundaries in accordance with the recommended settlement zone identified in the Layout Plan for each settlement.</p> |
| Scheme Map 31 | <p>28. Modify Scheme Map 31 to:</p> <ul style="list-style-type: none"> ▪ zone Reserve 38082 (Lot 568 on DP 69976) as Infrastructure Services Reserve denoted as Drain (D). ▪ zone the Weaber Plain Road Light Industrial Area as Light Industry Zone. |
| Scheme Map 32 | <p>29. Modify Scheme Map 32 to retain existing R codes as per TPS 7 with the following changes:</p> <ul style="list-style-type: none"> ▪ zone the following properties as Residential R30: 18 Water Lily Place, 10, 12, 14, 16, 25, 27 & 29 Casuarina Way, 6 Melaleuca Drive, 12 & 14 Palm Court, Kununurra ▪ Zone the following properties as Residential R40: 1, 5 & 9 Plum Court, Kununurra ▪ Zone the following properties as Residential R20: 11, 73 & 94 Casuarina Way, 8, 10, 12, 14, 16, 18, 20, 24 Eucalyptus Close, 11 – 13, 15 Sandalwood Street, 5 Banyan Street, 13 & 15 Flametree Street, 6 – 8, 17, 18, 24, 31 Lemonwood Way, 8 & 10 Pine Court, 9 Palm Court, 2 – 6, 8 & 10 Lotus Court, 29 & 37 Grevillea Avenue, 2 Milkwood Street, 5 Coleus Close, 8 & 16 Plum Court, 4 Alba Street, 30 & 32 Eugenia Street, 3, 5, & 7 Cycas Close, 2 & 4 Livistona Street, Kununurra ▪ zone Stages 5 & 6 of Lakeside Park Residential Estate in accordance with the Lakeside Park (Stages 5 – 7) Structure Plan, with Stage 7 (south of Livistona Street) to remain as Urban Development Zone. |
| Scheme Map 32 | <p>30. Modify Scheme Map 32 to zone those lots bounded by Ivanhoe Road, Bandicoot Drive, Poinciana Street and Drainage Reserve 32932 as Service Commercial Zone.</p> |
| Scheme Map 33 | <p>31. Modify Scheme Map 33 to:</p> <ul style="list-style-type: none"> ▪ Update proposed zoning boundaries to match cadastre. ▪ Zone the Lake Argyle Tourist Village (Lots 525 & 530 on DP 408830) as Tourism Zone. ▪ Zone the Historical Homestead Site (Lot 400 on DP 213293) as Public Purposes Reserve denoted for Heritage Preservation (HP). ▪ Zone the land based portion of Reserve 43196 (Water Supply & Electricity Generation) as Infrastructure Services Reserve denoted as Water Supply (WS) and Electricity Infrastructure (EI). |

Shire of Wyndham East Kimberley – Schedule of Proposed Modifications to Draft Local Planning Scheme No. 9

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|--|--|
| | <ul style="list-style-type: none">▪ Zone Reserve 43140 (Power Station), Lot 675 on DP 188040 and Lot 807 on DP 219138 as Infrastructure Services Reserve denoted as Electricity Infrastructure (EI).▪ Zone Lot 511 on DP 403767 as Special Use denoted for Aquaculture.▪ Zone Lot 406 on DP 180629 (Telstra) as Infrastructure Services Reserve and denoted as Radio/Television/Communications (R/T/C)▪ Zone other land surrounding Lake Argyle as Cultural and Natural Resource Reserve. |
|--|--|

12.3.3 Fees and Charges addition - provision of Bushfire Attack Level (BAL) Assessment, Report and Certificate

| | |
|---------------------------------|--|
| DATE: | 22 November 2016 |
| AUTHOR: | Senior Building Surveyor |
| RESPONSIBLE OFFICER: | Louise Gee, Director Community Development |
| DISCLOSURE OF INTERESTS: | Nil |

VOTING REQUIREMENT

Absolute Majority

OFFICER'S RECOMMENDATION

| |
|---|
| <p>That Council:</p> <ol style="list-style-type: none">1. In accordance with the <i>Local Government Act 1995</i>, Sections 6.16 and 6.17, adopts a fee and charge for a Bushfire Attack Level (BAL) Report and Certificate:-<ol style="list-style-type: none">i) within the town site areas of Kununurra and Wyndham of \$375.00 + GSTii) surrounding areas \$400.00 + GST plus travel expenses (air-fares, accommodation if required).2. In accordance with the <i>Local Government Act 1995</i>, Section 6.19, give local public notice of its intention to introduce the new fees and charges for the preparation of a Bushfire Attack Level (BAL) Report and Certificate. |
|---|

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| <p><u>COUNCIL DECISION</u></p> <p>Minute No: 22/11/16-11542</p> <p>Commissioner resolved:</p> <p>That Council:</p> <ol style="list-style-type: none">1. In accordance with the <i>Local Government Act 1995</i>, Sections 6.16 and 6.17, adopts a fee and charge for a Bushfire Attack Level (BAL) Report and Certificate:-<ol style="list-style-type: none">i) within the town site areas of Kununurra and Wyndham of \$375.00 + GSTii) surrounding areas \$400.00 + GST plus travel expenses (air-fares, accommodation if required).2. In accordance with the <i>Local Government Act 1995</i>, Section 6.19, give local public notice of its intention to introduce the new fees and charges for the preparation of a Bushfire Attack Level (BAL) Report and Certificate. <p style="text-align: right;">Carried 1/0</p> |
|---|

PURPOSE

To advise Council of action required to introduce a new fee and charge item for the introduction of a new service provision involving the assessment and issue of Bushfire Attack Level (BAL) Reports and Certificates.

For Council to consider the adoption of amended Fees and Charges for Building Control.

NATURE OF COUNCIL'S ROLE IN THE MATTER

Regulator - enforce state legislation and local laws

BACKGROUND/ PREVIOUS CONSIDERATIONS BY COUNCIL/ COMMITTEE

The State Government has introduced a package of reforms to help protect lives and property against the threat of bushfires throughout Western Australia.

These reforms introduce new requirements for people intending to develop and/or build in bushfire prone areas, including the need to assess a property's bushfire risk and take additional construction measures to limit the impact of bushfires.

On 6 December 2015 gazettal occurred of *Planning and Development (Local Planning Schemes) Amendment Regulations 2015*; State Planning Policy 3.7: Planning in Bushfire Prone Areas (SPP 3.7) these changes introduced a package of bushfire planning reforms.

The Bushfire Amendment Regulations published in the Government Gazette of Tuesday 5 April 2016 came into effect on 8 April 2016, on which day the *Building Regulations 2012* incorporated the changes set out in the *Building Amendment Regulations 2016*.

STATUTORY IMPLICATIONS

Local Government Act 1995 Part 6, Division 2 – Annual Budget

6.2. Local government to prepare annual budget

(1) During the period from 1 June in a financial year to 31 August in the next financial year, or such extended time as the Minister allows, each local government is to prepare and adopt, in the form and manner prescribed, a budget for its municipal fund for the financial year ending on the 30 June next following that 31 August.*

** Absolute majority required.*

(4) The annual budget is to incorporate —

(c) the fees and charges proposed to be imposed by the local government...

Local Government Act 1995 Part 6, Division 5 – Financing local government activities

6.16 Imposition of fees and charges

(1) A local government may impose and recover a fee or charge for any goods and service it provides or proposed to provide, other than a service for which a service charge is imposed.*

** Absolute majority required.*

(2) A fee or charge may be imposed for the following —

- (a) providing the use of, or allowing admission to, any property or facility wholly or partly owned, controlled, managed or maintained by the local government;
 - (b) supplying a service or carrying out work at the request of a person;
 - (c) subject to section 5.94, providing information from local government records;
 - (d) receiving an application for approval, granting an approval, making an inspection and issuing a licence, permit, authorisation or certificate;
 - (e) supplying goods;
 - (f) such other service as may be prescribed.
- (3) Fees and charges are to be imposed when adopting the annual budget but may be —
- (a) imposed* during a financial year; and
 - (b) amended* from time to time during a financial year.
- * Absolute majority required.

6.17 Setting level of fees and charges

- (1) In determining the amount of a fee or charge for a service or for goods a local government is required to take into consideration the following factors —
 - (a) the cost to the local government of providing the service or goods; and
 - (b) the importance of the service or goods to the community; and
 - (c) the price at which the service or goods could be provided by an alternative provider.
- (2) A higher fee or charge or additional fee or charge may be imposed for an expedited service or supply of goods if it is requested that the service or goods be provided urgently.
- (3) The basis for determining a fee or charge is not to be limited to the cost of providing the service or goods other than a service —
 - (a) under section 5.96; or
 - (b) under section 6.16(2)(d); or
 - (c) prescribed under section 6.16(2)(f), where the regulation prescribing the service also specifies that such a limit is to apply to the fee or charge for the service.
- (4) Regulations may —
 - (a) prohibit the imposition of a fee or charge in prescribed circumstances; or
 - (b) limit the amount of a fee or charge in prescribed circumstances.

6.18. Effect of other written laws

- (1) If the amount of a fee or charge for a service or for goods is determined under another written law a local government may not —
 - (a) determine an amount that is inconsistent with the amount determined under the other written law; or
 - (b) charge a fee or charge in addition to the amount determined by or under the other written law.
- (2) A local government is not to impose a fee or charge for a service or goods under this Act if the imposition of a fee or charge for the service or goods is prohibited under another written law.

6.19. Local government to give notice of fees and charges

- If a local government wishes to impose any fees or charges under this Subdivision after the annual budget has been adopted it must, before introducing the fees or charges, give local public notice of —
- (a) its intention to do so; and
 - (b) the date from which it is proposed the fees or charges will be imposed.

POLICY IMPLICATIONS

CP-FIN 3211 Pricing Principles and Pricing Basis Policy Fees and Charges

FINANCIAL IMPLICATIONS

The 2016/17 budgeted income for Building Control Fees and Charges (GST applic) is \$7,000.

The proposed Bushfire Attack Level (BAL) Report and Certificate fees will result in new entries to the "Building Control" account, this fee is a non-statutory charge therefore it is subject to GST.

STRATEGIC IMPLICATIONS

Strategic Community Plan 2012-2022

Goal 1: Strong leadership and governance that underpins a more strategic approach to community engagement, regional development and organisational sustainability

Objective 1.4: Business innovation, efficiency and improved services

Strategy 1.4.1 : Ensure legislative compliance and follow best practice principles in planning and service delivery

Strategy 1.4.2 : Improve the efficiency and productivity of Shire services

RISK IMPLICATIONS

Failure to comply with legislative requirements leading to damage of reputation and/or financial loss. Risk Rating - Moderate

COMMUNITY ENGAGEMENT

The Shire of Wyndham East Kimberley's *CP/GOV-3100 Community Engagement Policy* has been considered in relation to this item.

Engagement will take place in accordance with the Shire's Community Engagement Guidelines and will include:

Local public notice of the intention to impose fees and charges and the date from which the fees or charges will be imposed.

COMMENTS

Primarily fees and charges for both Building Control and Town Planning and Regional Development are legislated fees.

The provision of the service for assessment and provision of a Bushfire Attack Level (BAL) Report and Certificate will ensure this service is provided locally. There are no contractors with the appropriate training in bushfire assessment within the local private sector offering a BAL report and Certificate service. As a crucial element in providing a report is an on-site assessment, the cost to engage an external Certifying contractor would include travel expenses (air fares) and accommodation charges in addition to the fee for service.

The Shire has undertaken external training for three officers in competency for assessment and provision of the Bushfire Attack Level (BAL) report and Certificate, with two having been

awarded the Certificate of Completion of Bushfire Attack Level Assessor Short Course and the third being in the process of completion of course requirements. It is envisaged to further these studies with Accreditation as Level 1 BPAD assessors.

Enquiries within the private sector providing the Bushfire Attack Level (BAL) Report and Certificate have indicated varying commercial rates of charge from \$295 through to approximately \$600. It is believed that the level of service provided by each is also reflected within their charging basis, with the lower end of the scale providing a Certificate only with no provision of a Bushfire Attack Level (BAL) report.

Whilst planning requirements call for a BAL Certificate only, building requirements are for both the Certificate and the Report, so that an accurate assessment may be undertaken on compliance of building applications with AS3959-2009 'Construction of buildings in bushfire-prone areas'.

In calculating the full cost to the Shire in undertaking a site inspection, on-site assessment of vegetation type, distance and elevation of vegetation to the proposed building site, compilation of a Bushfire Attack Level (BAL) report and Certificate and issue of same both direct and indirect outlays associated with the assessment and issuance process (e.g. staff labour) must be considered.

Staff costs including overheads, for the provision of this service are outlined below:-

| | |
|--|------------------|
| Preparation of Report and Certificate (based on 5 hours) | \$ 260.00 |
| <u>Travel Kununurra / Wyndham (based on 2 hours)</u> | <u>\$ 115.00</u> |
| Total | \$ 375.00 + GST |

It is therefore recommended that a cost for service within Wyndham and Kununurra locale be offered at \$375.00 + GST and a service for remote assessments be \$400.00 + GST + travel expenses (air-fares, accommodation if required).

This service may be value added by providing a similar service to Halls Creek, Derby West Kimberley or Broome locations.

ATTACHMENTS

Nil

12.4 CORPORATE SERVICES

12.4.1 Information Statement 2016-17

| | |
|---------------------------------|-------------------------------------|
| DATE: | 22 November 2016 |
| AUTHOR: | Director Corporate Services |
| RESPONSIBLE OFFICER: | Carl Askew, Chief Executive Officer |
| FILE NO: | IM.06.8 |
| DISCLOSURE OF INTERESTS: | Nil |

VOTING REQUIREMENT

Simple Majority

OFFICER'S RECOMMENDATION

For Council to adopt the Information Statement 2016-17 as presented in Attachment 1, noting that this supersedes the Information Statement 2015-16.

COUNCIL DECISION

Minute No: 22/11/16-11543

Commissioner resolved:

For Council to adopt the Information Statement 2016-17 as presented in Attachment 1, noting that this supersedes the Information Statement 2015-16.

Carried 1/0

PURPOSE

To inform the Council that it is a requirement of the *Freedom of Information Act 1992* for the Shire to prepare and publish an annual Information Statement, and to consider the proposed Information Statement 2016-17 for adoption.

NATURE OF COUNCIL'S ROLE IN THE MATTER

Leader - plan and provide direction through policy and practices

BACKGROUND/ PREVIOUS CONSIDERATIONS BY COUNCIL/ COMMITTEE

At the 24 November 2015 Ordinary Meeting of Council, the Council resolved:

COUNCIL DECISION

Minute No. 11179

Moved: Cr N Perry

Seconded: Cr S Rushby

For Council to rescind the current Council Policy MC7 Freedom of Information Statement and to adopt the Information Statement 2015-16 as presented.

Carried Unanimously 9/0

STATUTORY IMPLICATIONS

Freedom of Information Act 1992

Part 5 - Publication of information about agencies

94. Term used: information statement

A reference in this Act to an information statement, in relation to an agency, is a reference to a statement that contains —

- (a) a statement of the structure and functions of the agency;
- (b) a description of the ways in which the functions (including, in particular, the decision-making functions) of the agency affect members of the public;
- (c) a description of any arrangements that exist to enable members of the public to participate in the formulation of the agency's policy and the performance of the agency's functions;
- (d) a description of the kinds of documents that are usually held by the agency including —
 - (i) which kinds of documents can be inspected at the agency under a written law other than this Act (whether or not inspection is subject to a fee or charge); and
 - (ii) which kinds of documents can be purchased; and (iii) which kinds of documents can be obtained free of charge;
- (e) a description of the agency's arrangements for giving members of the public access to documents mentioned in paragraph (d)(i), (ii) or (iii) including details of library facilities of the agency that are available for use by members of the public;
- (f) a description of the agency's procedures for giving members of the public access to the documents of the agency under Part 2 including —
 - (i) the designation of the officer or officers to whom initial inquiries as to access to documents can be made; and
 - (ii) the address or addresses at which access applications can be lodged;
- (g) a description of the agency's procedures for amending personal information in the documents of the agency under Part 3 including —
 - (i) the designation of the officer or officers to whom initial inquiries as to amendment of personal information can be made; and
 - (ii) the address or addresses at which applications for amendment of personal information can be lodged.

96. Information statement, each agency to publish annually

- (1) An agency (other than a Minister or an exempt agency) has to cause an up-to-date information statement about the agency to be published in a manner approved by the Minister administering this Act —
 - (a) within 12 months after the commencement of this Act; and
 - (b) at subsequent intervals of not more than 12 months.

- (2) *In giving approval under subsection (1) the Minister has to have regard, amongst other things, to the need to assist members of the public to exercise their rights under this Act effectively.*
- (3) *In the case of an agency that comes into existence after the commencement of this Act the reference in subsection (1)(a) to the commencement of this Act is to be read as a reference to the time when the agency commences its operations.*
- (4) *A subcontractor does not have to comply with subsection (1) if the relevant contractor has complied with that subsection on behalf of the subcontractor.*

97. Information statement and internal manual, each agency to make available etc.

- (1) *An agency (other than a Minister or an exempt agency) has to cause copies of —*
 - (a) *its most up-to-date information statement; and*
 - (b) *each of its internal manuals,**to be made available for inspection and purchase by members of the public but may delete any exempt matter from those copies.*
- (2) *An agency has to provide a copy of its information statement to the Commissioner as soon as is practicable after the statement is published under section 96.*
- (3) *A subcontractor does not have to comply with subsections (1) and (2) if the relevant contractor has complied with those subsections on behalf of the subcontractor.*

Local Government Act 1995

Division 7 - Access to information

- *Section 5.94 - Public can inspect certain local government information*
- *Section 5.95 - Limits on rights to inspect local government information*
- *Section 5.96 - Copies of information to be available*

Local Government (Administration) Regulations 1996

Part 7 - Access to information

- *Regulation 29 - Information to be available for public inspection (Act s.5.94)*
- *Regulation 29A - Limits on rights to inspect local government information (Act s.5.95)*
- *Regulation 29B - Copies of certain information not to be provided (Act s5.96)*

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

Strategic Community Plan 2012-2022

Goal 1: Strong leadership and governance that underpins a more strategic approach to community engagement, regional development and organisational sustainability

Objective 1.4: Business innovation, efficiency and improved services

Strategy 1.4.1 : Ensure legislative compliance and follow best practice principles in planning and service delivery

RISK IMPLICATIONS

Strategic Risk - Failure to comply with legislative requirements leading to damage of reputation and/or financial loss.

Control - Review policies and procedures in accordance with review schedule.

COMMUNITY ENGAGEMENT

Engagement will take place in accordance with the Shire's Community Engagement Guidelines and will include:

The proposed Information Statement 2016-17 will be available at both the Kununurra and Wyndham Civic Centres and Libraries in print format, along with being available on the Shire's website, and the community being notified by the Shire's Facebook site.

It is a legislative requirement that the Information Statement is provided to the Information Commissioner as soon as is practicable after the statement is published under section 96.

As part of any Freedom of Information Application process, upon acknowledgement, a copy of the Information Statement is provided to the applicant to assist in outlining the process and how to source public information from the Shire.

COMMENTS

In accordance with statutory requirements, it is recommended that the Council adopt the proposed Information Statement for 2016-17 noting that it will supersede the 2015-16 version.

The proposed Information Statement 2016-17 has addressed all of the legislative requirements along with providing additional information in a concerted effort to assist, and to be transparent with the community in how they can obtain public information from the Shire.

It should be noted that discussions with officers from the Office of the Information Commissioner recently provided very positive comments in relation to the 2015-16 Information Statement that was produced, and commended the Shire for also providing it as part of the Freedom of Information application process.

ATTACHMENTS

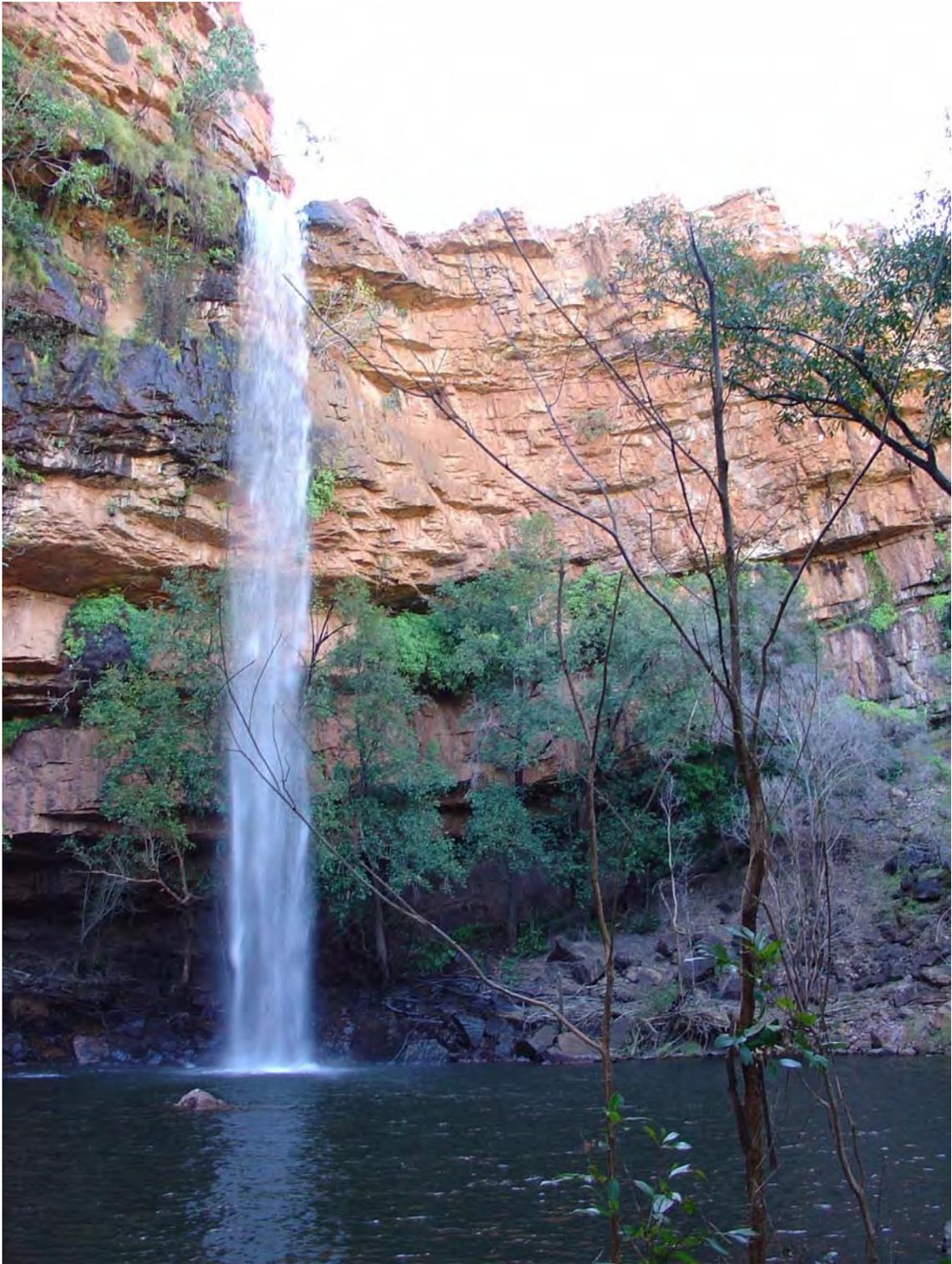
Attachment 1 - Proposed Information Statement 2016-17.



SHIRE of WYNDHAM | EAST KIMBERLEY

INFORMATION STATEMENT

2016 | 2017



Emma Gorge

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1 INTRODUCTION

This Information Statement is published by the Shire of Wyndham East Kimberley in accordance with the requirements of the *Freedom of Information Act 1992*. It is a requirement that the Shire prepares and publish an annual Information Statement. The information contained in this document is correct as at November 2016, and was adopted by the Council at the XXX Ordinary Council Meeting.

Enquiries regarding any details contained within this Information Statement can be directed to the Shire of Wyndham East Kimberley administration office by contacting the Freedom of Information Coordinator via:

Phone: (08) 9168 4100

Fax: (08) 9168 1798

Email: mail@swek.wa.gov.au



View from the Bastion, Wyndham

1.1 Shire of Wyndham East Kimberley Strategic Vision, Mission and Goals

COUNCIL

The Shire of Wyndham East Kimberley covers an area of 121,000 square kilometres and is one of four local governments that make up the Kimberley region. The Shire includes the towns of Kununurra and Wyndham and there are also a number of Aboriginal Communities; the largest being Kalumburu, which is situated in the northern part of the Shire.

A Councillor is a member of a team and that team is shaping the Shires future in consultation with the community. Councillors do not have any authority to act or make decisions as individuals. They are members of an elected body that makes decisions on behalf of the local government through a formal meeting process.

Currently all offices of the Council are vacant as declared by the Governor of Western Australia on 28 September 2016.

Commissioner Ron Yuryevich was appointed as Commissioner of the Shire of Wyndham East Kimberley on 28 September 2016 and his appointment will remain in place until the next scheduled local government elections in October 2017.

A Commissioner's role is to provide direction and policy for the Shire of Wyndham East Kimberley Council within the bounds of responsibility defined in the *Local Government Act 1995*.

VISION

For the East Kimberley to be a thriving community with opportunities for all.

MISSION

To enable the East Kimberley to develop in a manner that will achieve social, cultural, economic and environmental benefits for all.

GOALS

1. Strong leadership and governance that underpins a more strategic approach to community engagement, regional development and organisational sustainability.
2. Greater returns from regional investment to ensure sustainable provision of appropriate physical and social infrastructure.
3. Protection and enhancement of lifestyle values, community facilities and the environment to provide safe and inviting communities.

2 ROLES AND RESPONSIBILITIES

Council consists of nine elected members. Councillors play a very important policy-making role, requiring the identification of community needs, setting objectives to meet those needs, establishing priorities between competing demands and allocating resources.

The implementation of Council's policy and plans and the ongoing management and administration of Shire affairs is the responsibility of the Chief Executive Officer and Shire officers.

The Council undertakes a range of roles which are put into practice by the Shire officers. These roles inform how the Shire will activate the Strategic Community Plan through new projects and operational activities.

| Council's Role | Description | Example |
|----------------|--|---|
| Leader | Plan and provide direction through policy and practices. | Local Planning Strategy and Scheme. |
| Provider | Provide physical infrastructure and essential services. | Waste management, roads, drainage, parks, East Kimberley Regional Airport, sport and recreation facilities. |
| Regulator | Enforces State legislation and local laws. | Environmental health, land use planning, building services, ranger services and emergency management. |
| Advocator | Advocate and support initiatives on behalf of the local community and the Kimberley. | Ord stage two, relocation of wastewater treatment plant and drinking water reserve, Kununurra bypass and improvements to the Great Northern Highway, and an active member of the Kimberley Regional Collaborative Group and Kimberley Zone. |
| Facilitator | Bring stakeholders together. | Participate in human services interagency networks and Foreshore Committee. |
| Funder | Provide funds or other resources. | Community grants |

3 CODE OF CONDUCT – COUNCIL MEMBERS, COMMITTEE MEMBERS AND EMPLOYEES

Section 5.103 of the *Local Government Act 1995* provides that every local government is to prepare a code of conduct which is to be observed by members of the Council and Shire employees.

In relation to information Council Members, Committee Members and employees have a responsibility to ensure that:

- As an Elected Member of the Council, or as a Committee Member there is respect for the decision making processes of the Council which are based on a decision of the majority of the Council.
- Information of a confidential nature ought not to be communicated until it is no longer treated as confidential.
- Information relating to decisions of the Council must only be communicated in an official capacity by a designated officer of the Shire of Wyndham East Kimberley.
- Information concerning adopted policies, procedures and decisions of the Shire of Wyndham East Kimberley is conveyed accurately.

In addition, Elected Members are required to comply with the *Local Government (Rules of Conduct) Regulations 2007*.

4 ORGANISATION STRUCTURE

4.1 Current Elected Members

Your elected members are ratepayers or residents who have volunteered to work for the community and provide an avenue for public participation and input on important decisions which affect the community and Shire. Residents can contact the councillors to discuss any issues relevant to Council.

The Shire of Wyndham East Kimberley has nine (9) Councillors elected to represent the whole of the Shire.

Currently all offices of the Council are vacant as declared by the Governor of Western Australia on 28 September 2016.

Commissioner Ron Yuryevich was appointed as commissioner of the Shire of Wyndham East Kimberley on 28 September 2016 and his appointment will remain in place until the next scheduled local government elections in October 2017.

A Commissioner's role is to provide direction and policy for the Shire of Wyndham East Kimberley Council within the bounds of responsibility defined in the *Local Government Act 1995*.

More information relating to the Commissioner can be found on the Shire of Wyndham East Kimberley website www.swek.wa.gov.au.

4.2 Council / Committee Structure

Council has appointed a number of Committees to assist in streamlining the decision making process. These Committees regularly report to Council. Council's Committees are outlined as follows including the nominated representation:

| Committee | Meetings | Responsible Officer |
|--|--------------------|--------------------------------|
| Legislated Committees | | |
| Audit (Finance and Risk) Committee 1. Commissioner 2. Proxy: Nil | Every three months | Director Corporate Services |
| Bush Fire Advisory Committee (BFAC) 1. Director Infrastructure 2. Senior Ranger & Emergency Services Coordinator 3. Proxy: Nil | Every two months | Director Infrastructure |
| CEO Review and Selection Panel 1. Commissioner 2. Proxy: Nil | As required | Commissioner |
| Committee | Meetings | Responsible Officer |
| Legislated Committees | | |
| Local Emergency Management Committee (LEMC) 1. Director Infrastructure 2. Proxy: Senior Ranger & Emergency Services Coordinator | Quarterly | Director of Infrastructure |
| Development Assessment Panels 1. Commissioner 2. Proxy: Nil | As required | Director Community Development |
| Regional Representation | | |
| WALGA Kimberley Zone / Regional Collaborative Group 1. Commissioner 2. Chief Executive Officer 3. Proxy: Nil | Quarterly | Chief Executive Officer |
| Kimberley Regional Road Group 1. Director Infrastructure 2. Proxy: Manager Engineering Services | Biannually | Director Infrastructure |
| North Kimberley Land Care District Committee (LCDC) 1. Director Infrastructure 2. Proxy: Manager Engineering Services | Biannually | Director Infrastructure |

| Local Representation | | |
|--|------------------|--------------------------------|
| Kununurra Community Library 1. Director Community Development 2. Manager Community Services | Each School Term | Director Community Development |
| Community and Civic Events 1. Commissioner 2. Chief Executive Officer 3. Proxy: Nil | As required | Chief Executive Officer |
| Disability Access and Inclusion Planning 1. Commissioner 2. Director Community Development 3. Proxy: Manager Community Services | Annually | Director Community Development |
| SWEK Roadwise Committee 1. Director Infrastructure 2. Proxy: Manager Engineering Services | Every two months | Chief Executive Officer |
| Kununurra Visitor Centre 1. Nil 2. Proxy: Nil 3. No attendance as grant funding provided | Monthly | Chief Executive Officer |
| Kununurra and Wyndham Alcohol Accord 1. Commissioner 2. Director Community Development 3. Proxy: Manager Community Services | 6 weekly | Director Community Development |
| Community Resource Centre 1. Nil 2. Proxy: Nil | Monthly | Director Community Development |
| Lake Kununurra Foreshore Reference Committee 1. Commissioner 2. Director Community Development 3. Proxy: Senior Planning Officer | Quarterly | Director Community Development |
| East Kimberley Marketing Group 1. Chief Executive Officer 2. Proxy: Nil | Monthly | Chief Executive Officer |
| Australian Airports Association 1. Commissioner 2. Proxy: Manager East Kimberley Regional Airport | Biannually | Chief Executive Officer |
| Ord Valley Events Board 1. Nil 2. Proxy: Nil 3. No attendance as grant funding provided | As required | Chief Executive Officer |

4.3 Legislated Committees

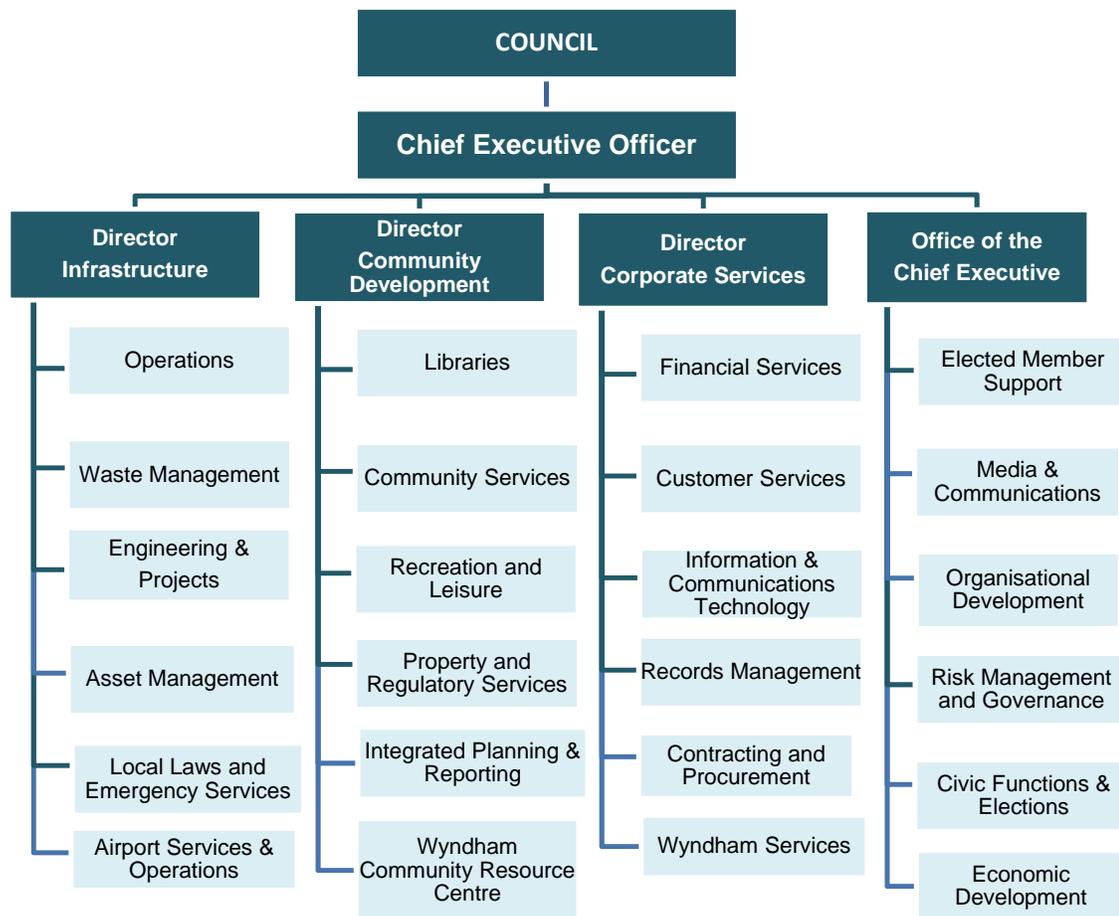
To enable public participation and awareness of Council or Committee meetings, the Shire of Wyndham East Kimberley advertises the dates, times and places of meetings that are open to members of the public.

The Shire publishes a yearly calendar including details for the Ordinary Council Meetings (OCM), Briefing sessions and the Audit (Finance and Risk) Committee Meetings. Updates to meetings are announced fortnightly in SWEK news and on the Shire's website.

4.4 Council Committees

A number of other committees, some comprising of elected members and advisory committees and consultative groups (that may also include staff and members of the public) which have been established to deal with relevant issues.

4.5 Organisation / Management Structure



5 SERVICE DELIVERY

The four Directorates are responsible for delivering services and infrastructure to the community. Shire services are both internal and external to the organisation.

| Infrastructure | Community Development | Corporate Services | Office of the Chief Executive |
|---|---|---|---|
| <ul style="list-style-type: none"> ▪ Asset Management ▪ Project Management ▪ Depot and Plant ▪ Roads and Bridges ▪ Drainage Systems ▪ Parks, Ovals and Reserves ▪ Footpaths, Trails and Cycle ways ▪ Play Spaces ▪ Waste Management ▪ Airport Management ▪ Ranger Services ▪ Emergency Services | <ul style="list-style-type: none"> ▪ Community Development ▪ Libraries ▪ Strategic and Land Use Planning ▪ Disability Access ▪ Youth Services ▪ Wyndham Community Resource Centre ▪ Recreation and Leisure ▪ Building Services ▪ Property and Facility Management ▪ Environmental Health ▪ Integrated Planning & Reporting | <ul style="list-style-type: none"> ▪ Corporate Services ▪ Information & Communications Technology ▪ Financial Services ▪ Records Management ▪ Customer Services ▪ Contracting & Procurement ▪ Insurance ▪ Wyndham Office Services | <ul style="list-style-type: none"> ▪ Office of the Chief Executive ▪ Council Secretariat ▪ Economic Development ▪ Media & Communications ▪ Organisational Development ▪ Governance ▪ Risk Management ▪ Occupational Health and Safety ▪ Civic Functions ▪ Elections |

6 FUNCTIONS OF THE SHIRE

Under the *Local Government Act 1995* the Shire has general, legislative and executive functions.

6.1 General Functions

Section 3.1 of the *Local Government Act 1995*

The general function of a local government is to provide for the good government of people living and working within its district. This means that local governments can do things for the good governance of the district if they are not prevented from doing so by the *Local Government Act 1995* or any other written law.

In exercising this general power, a local government can make local laws (legislative function) and provide services, facilities and infrastructure (executive functions).

6.2 Legislative Functions

Section 3.5 of the *Local Government Act 1995*

A local government may make local laws that are necessary or convenient for it to perform any of its functions. However, a local law will be inoperative to the extent that it is inconsistent with any other written law (e.g. because there is already a State law covering the same area).

6.3 Executive Functions

Section 3.18 of the *Local Government Act 1995*

A local government is to administer its local laws and may do all other things that are necessary or convenient to be done for, or in connection with, performing its functions.

However, before commencing a service or providing a facility, a local government has to satisfy itself that the service or facility it provides integrates with the State or Commonwealth services and does not duplicate inappropriately any State, Commonwealth or private service and is managed efficiently and effectively.

Local government can make local laws about street trading, reserves, signs, parking, dogs, cats, health, licensing for planning schemes and much more.

7 ADMINISTRATION

The *Local Government Act 1995* is the principle statute pertaining to the functions and role of local government.

7.1 Acts of Parliament

The Council also administers a number of other Acts of Parliament which include but are not limited to:

- Building Act 2011
- Building and Construction Industry Training Fund and Levy Collection Act 1990
- Bush Fires Act 1954
- Caravan Parks and Camping Grounds Act 1995
- Control of Vehicles (Off Road Areas) Act 1978
- Cat Act 2011
- Disability Services Act 1961
- Dog Act 1976
- Environmental Protection Act 1986
- Equal Opportunity Act 1984
- Food Act 1911
- Freedom Of Information Act 1992
- Health Act 1911
- Heritage of Western Australia Act 1997
- Library Board and Western Australia Act 1951
- Litter Act 1979 and Associated Regulations
- Local Government Act 1995 & Local Government (Miscellaneous Provisions) Act 1960
- Local Government Grants Act 1978
- Occupational Safety and Health Act 1984 and Associated Regulations
- Parliamentary Commissioner Act 1971
- Planning and Development Act 2005
- Public Interest Disclosure Act 2003
- Rates and Charges (Rebates and Deferments) Act 1992
- State Records Act 2000
- Strata Titles Act 1985
- Workers Compensation and Injury Management Act 1981

7.2 Local Laws

The Shire of Wyndham East Kimberley also has the power under the *Local Government Act 1995* (and other legislation) to adopt laws.

Local Laws are intended to benefit the community by:

- Supporting a healthy and safe community;
- Protect public assets from damage or accelerated deterioration;
- Protect the environment; and
- Support a quality of life that meets the general expectations of the community.

To do this, Local Laws are used to control activities and uses on land which may:

- Be detrimental to the amenity of the area or the environment; or
- Cause a nuisance to others in the vicinity; or
- Cause damage to Council and community assets; or
- Create an obstruction or danger or expose others to risk; or
- Interfere with the safety and convenience of people travelling on or using Council land or roads; or
- Impede free and safe access for people; or
- Affect a person's enjoyment of public and other places.

The Shire currently has local laws relating to the following activities:

- Activities in Thoroughfares and Public Places and Trading Local Law 2005
- Health (Food) Local Laws 2009
- Repeal Local Law 2003
- Local Government Property Local Law 2003
- Parking and Parking Facilities Local Law 2003
- Meeting Procedures Local Law 2016
- Cemeteries Local Law 2003
- Bush Fire Brigades Local Law 2003
- Extractive Industries Local Law 2003
- Local Laws Relating to Fencing 2003
- Dogs Local Laws 2003
- Health Local Laws 2003

The Shire's Local Laws are available to the public for perusal at the Shire administration office or available to download from the Shire website: www.swek.wa.gov.au.

8 DECISION MAKING FUNCTIONS

8.1 The Shire President

The role of the President is to:

- Preside at Council Meetings (in this role the President is required to ensure that meetings are conducted in a correct and orderly manner and to remain impartial when chairing the meeting.
- Provide leadership and guidance to the community.
- Carry out civic and ceremonial duties, such as conducting citizenship ceremonies on behalf of local government.
- Perform other such functions as are given to the President by the Local Government Act or any other written law.
- Liaise with the Chief Executive Officer on local government's affairs and the performance of its functions.
- Speak on behalf of local government as a corporate entity.

8.2 The Chief Executive Officer

The Chief Executive Officer acts as the conduit between the elected members and the employees' of the local government. All other employees ultimately receive their direction from, and are responsible to the Chief Executive Officer. Elected members acting individually do not have the authority to influence the activities, duties and operations of these employees directly. The Chief Executive Officer is the chief non-elected officer and has a number of functions such as:

- Advise Council in relation to the local government's functions.
- Ensure that advice and information is available to Council so that informed decisions can be made.
- Manage the day to day operations of the local government.
- Be responsible for the employment, management, supervision, direction and dismissal of other employees.
- Liaise with the President on local government's affairs and performance of functions.
- Cause Council decisions to be implemented.
- Speak on behalf of local government if the President agrees.
- Ensure that the records and documents of the local government are properly kept; and
- Perform any other function specified or delegated by the local government or imposed under an act or any other written law as a function to be performed by the Chief Executive Officer.

8.3 Delegations

The Chief Executive Officer and other officers have delegated authority from Council to make decisions on a number of specified administrative and policy matters which are subject to ongoing development. These delegations are detailed in the Delegations Register and are reviewed annually by Council.

In keeping with the legislative requirements, Council makes decisions which direct and/or determine its activities and functions. Such decisions include the approval of works and services to be undertaken, and the allocation of resources to works and services.

Decisions are also made to determine whether or not approvals are to be granted for applications from residents for various forms of development. Council has a number of Policies which enable matters to be dealt with on a consistent basis. Policies are available to be viewed on the Shires website www.swek.wa.gov.au.

9 PUBLIC PARTICIPATION

9.1 Public Notices and Advertising

The *Local Government Act 1995* and other legislation may require the Shire to provide notice of its intention to take a particular course of action or decision. The Shire may also advertise certain proposed course of action or decision in order to provide the community with an opportunity to make submissions. These notices and advertisements generally appear within the 'West Australian' and/or the 'The Kimberley Echo' newspapers along with notifications on the Shire website and Facebook page.

9.2 Council Meetings

Council's Briefing Sessions are confidential and will continue during the period Commissioner Yuryevich is in place (28 September 2016 to 21 October 2017), whereby the dates and times will be agreed between the Commissioner and the Chief Executive Officer. These meetings are designed to brief and prepare the Council of the items pending for the upcoming Ordinary Council Meeting.

Ordinary Council Meetings are generally held on the fourth Tuesday of every month.

Audit (Finance and Risk) Committee Meetings are generally held in conjunction with the Briefing sessions but only on a quarterly basis – February, May, August and November. However during the period Commissioner Yuryevich is in place, the meetings will be held on the Monday prior to the Ordinary Council Meeting, on the same quarterly basis.

For confirmation of Council meeting dates please contact the Shire on (08) 9168 4100 or visit the Shire of Wyndham East Kimberley at www.swek.wa.gov.au.

All meetings take place at the Council Chambers, Shire of Wyndham East Kimberley, 20 Coolibah Drive, Kununurra WA 6743 at 5:00 pm, however meetings are held quarterly in Wyndham in February, May, August and November.

9.2.1 Public Question Time

All Council meetings are open to the public. There is a 'Public Question Time' at the beginning of the meeting. All questions are to be submitted in writing prior to the meeting. During this time electors may raise questions for discussion and answer. Council have adopted a Policy in relation to Public Question Time, *CP/GOV-3105 Public Question Time - Management* which can be sourced on the Shire's website.

9.2.2 Presentations

With the permission of the Chief Executive Officer, members of the public can address Council on any matter on the Council Agenda.

9.2.3 Petitions

Written petitions are to be addressed to the President on any issue within Council's jurisdiction. The Council's *Meeting Procedures Local Law 2016* outlines the process for presenting petitions in clause 6.10.

9.2.4 Written Requests

A member of the public can write to Council on any Council Policy, activity or service.

9.2.5 Elected Members

Members of the public can contact their Elected Members to discuss any issue relevant to Council.

9.2.6 Deputations

Where a member of the Community has an interest in an item listed for discussion at a Council or Committee meeting, upon prior written application to the Chief Executive Officer they are entitled to give a deputation.

Such deputations shall consist of no more than five (5) persons with only two (2) who may address the meeting for a period not exceeding 10 minutes without the agreement of the Council. Further details regarding deputations are contained in clause 6.9 of Council's *Meeting Procedure Local Law 2016* which can be found on the Shire's website.

9.3 Elector Meetings

Every financial year the Shire must hold a General Elector's Meeting at which the Shire's Annual Report is presented. Matters discussed at the Elector's Meeting include the contents of the annual report for the previous financial year and then any other general business.

Members of the public are encouraged to attend this meeting as it provides an opportunity to ask questions and raise issues with the local representatives.

9.4 Agendas and Minutes

Agendas of Council Electors and Committee Meetings are on public display at the Shire office and Library's within the Shire. Agendas can be viewed on the Shire's website at www.swek.wa.gov.au. Council Agendas are generally available from the Friday prior to the Council Meeting.

Minutes of Council, Electors and Committee meetings are available within 10 working days of the meeting and are also on display at the Shire office and Library within the Shire and can also be viewed on the Shire's website – www.swek.wa.gov.au/publications.

10 COMMUNITY CONSULTATION

The Council consults the community to seek their views on a number of projects in which it is involved in. Council can seek these views in a number of ways including advertising in local papers, calling public meetings, seeking responses to surveys and questionnaires.

Residents are notified of some Development Applications requiring the approval of Council. When an application is publicly notified, residents have the opportunity to write to Council expressing their view of the application.

Council's approach to community engagement is based on the International Association of Public Participation's (IAP2) Spectrum. The level of engagement should be determined by considering the issue, problem or opportunity requiring community engagement, the objectives to be achieved by engaging and the extent that the community can assist Council to make decisions.



Community Consultation for the 10 Year Strategic Community Plan

The IAP2 Public Participation Spectrum:

| | Inform | Consult | Involve | Collaborate | Empower |
|-------------------------------------|--|--|---|---|--|
| Community Participation Goal | To provide the public with balanced and objective information to assist them in understanding the problems, alternatives and/or solutions. | To obtain feedback on analysis, alternatives and / or solutions. | To work directly with the public throughout the process to ensure that public concerns are consistently understood and considered. | To partner with the public in each aspect of the decision including the development of alternatives and the identification of the preferred solution. | To place final decision-making in the hands of the public. |
| Promise to the Community | We will keep you informed. | We will keep you informed, listen to and acknowledge aspirations and provide feedback on how public input influenced the decision. | We will work with you to ensure that your concerns and aspirations are reflected in the alternatives developed and provide feedback on how community input influenced the decision. | We will look to you for advice and innovation in formulating solutions and incorporate your advice and recommendations into the decisions to the maximum extent possible. | We will implement what you decide. |
| Example Techniques | Fact Sheets, Websites, Open Houses. | Public Comments, Focus Groups, Surveys, Public Meetings. | Workshops, Deliberative polling. | Advisory Committees, Consensus Decision Making. | Citizen Juries, Ballots, Delegated decision. |

A Stakeholder Advisory Group was established by the Council in October 2016 to provide a forum for the Shire to engage with key stakeholders.

The Stakeholder Advisory Group will be utilised to:

- Ensure that the Shire and Council are informed of key community interests;
- Help key stakeholders understand the range of perspectives and viewpoints amongst members;
- Provide a forum for dialogue in a constructive and informed manner.

The Stakeholder Advisory Group is not a decision-making body, but it acts as a conduit moving issues and opinions between the community, the Council and the Shire. The Stakeholder Advisory Group is not intended to be a substitute for broader public participation; and where appropriate, broader community engagement will be undertaken in accordance with Council's Community Engagement Policy and Guidelines.

11 PUBLIC LIBRARIES

11.1 Kununurra Library

The Shire of Wyndham East Kimberley has two public libraries, Kununurra Community and School Library and the Wyndham Library located in the Shire administration office, Wyndham. The Kununurra Library is a joint use facility with the Kununurra District High School. The Library aims to provide excellent and relevant library programs, resources and customer service to students, community members and visitors of Kununurra District High School and the Shire of Wyndham East Kimberley.

Kununurra Community and School Library specialises in children's services, visiting author and illustrator events, programs that promote community harmony and resources about the Kimberley.

LOCATION

The library is located on the corner of Coolibah Drive and Mangaloo Street, Kununurra and is situated on the Kununurra District School grounds.

Kununurra Library Contact Details:

Phone: 08 9169 1227

Fax: 08 9169 1128

Email: librarian@swek.wa.gov.au

Kununurra Library Open Hours:

Monday 8am - 4pm

Tuesday 8am - 5:30pm

Wednesday 8am - 12:30pm

Thursday 8am - 5:30pm

Friday 8am - 4pm

Saturday 9am - 1pm

Contact the Library or check the website for amended hours during school holidays or special program details.



Rhyme time at the Kununurra Library

11.2 Wyndham Library

The Wyndham Library aims to provide excellent and relevant library programs, resources and customer service to the community of Wyndham.

LOCATION

The Library is located in the Shire of Wyndham East Kimberley offices, 990 Koolama Street, Wyndham.

Wyndham Library Contact Details:

Phone: 08 9161 1002

Fax: 08 9161 1295

Email: wyndham.library@swek.wa.gov.au

Wyndham Library Open Hours:

Monday 8am -12pm, 1pm - 4pm

Tuesday 8am - 12pm, 1pm - 4pm

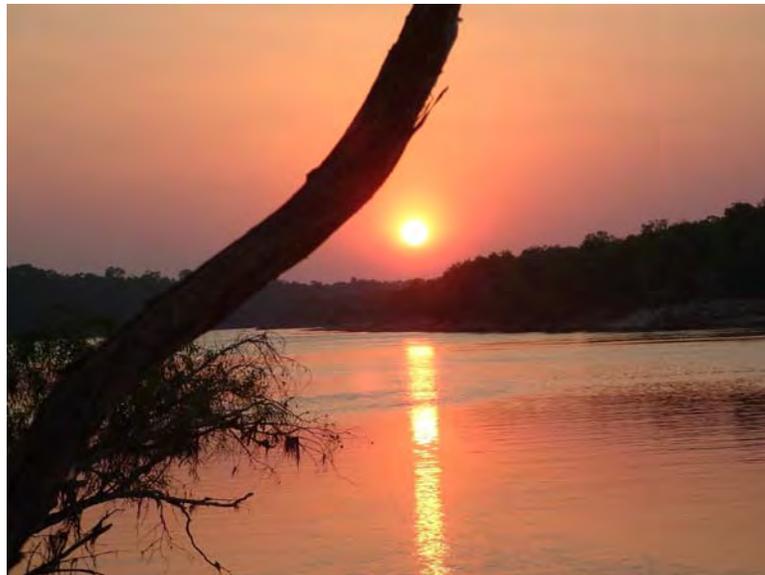
Wednesday 8am - 12pm, 1pm - 4pm

Thursday 8am - 12pm, 1pm - 4pm

Friday 8am - 12pm, 1pm - 4pm

CATALOGUE

An online catalogue is available to assist you in sourcing the required book, audiobook or DVD you require: <http://www.swek.wa.gov.au/wyndham-community-library.aspx>



12 WYNDHAM COMMUNITY RESOURCE CENTRE

At the Wyndham Community Resource Centre our core functions are internet access and activities such as photocopying, printing and training for members of the community who do not have these facilities at home and need to access online information. The Wyndham Resource Centre will also play a vital role in facilitating the local jobs market through accessing jobs and employment information online. We also hope to invite many Kununurra-based organisations to utilise our centre for their service delivery into Wyndham, as well as creating a welcome space for local stakeholders to meet and make use of our video conferencing equipment.

At the Wyndham Community Resource Centre we offer a variety of services such as:

- Broadband Internet Access
- Wireless Hotspot
- Check your emails
- Internet Banking
- Photo Printing
- Photocopying
- Video Conferencing
- Westlink Services
- Laminating
- Training - introduction to computers, emails and MS Office
-

Location and Opening Hours:

The Community Resource Centre is located at the Shire office at 990 Koolama Street, Wyndham, and is open to public Monday to Friday, 8am - 12pm, 1pm - 4pm.

Contact Details:

Phone: (08) 9161 1200

Fax: (08) 9161 1295

For further information visit Wyndham Community Resource Centre: www.swek.wa.gov.au or follow us on Facebook.

13 FREEDOM OF INFORMATION

13.1 What is Freedom of Information?

The *Freedom of Information Act 1992* (the FOI Act) is an Act to provide for public access to documents, and to enable the public to ensure that personal information in documents held by the Shire is accurate. Under the FOI Act, the right to access applies to documents held by most State government agencies, Ministers and local government. These bodies are referred to as “agencies”.

The type of documents accessible under the FOI Act include paper records, plans, drawings, photographs, tape recordings, films, videotapes or electronic documents. Agencies are required to assist applicants to obtain access to documents at the lowest reasonable cost.

Individuals can also apply to have personal information about them listed in any government documents amended if that information is inaccurate, incomplete, out of date or misleading.

There are two main categories of documents held by the Shire of Wyndham East Kimberley, those available for inspection or purchase outside of the FOI Act and those through their content must be held confidentially and public access considered only through the provision of the FOI Act. Wherever possible the Shire of Wyndham East Kimberley is required to provide access to documents outside of the FOI process.

People have the right of access to documents held by Ministers, State Government departments, local governments and other statutory authorities and can apply for access to the documents of an agency or local government. This right is not affected by any reason the person has for wishing to obtain access or the local government’s belief as to what the reasons are for wishing to obtain access.

The agency does have the right to refuse access to documents, or certain information in them, if that information is deemed exempt under the FOI Act. These exemptions include:

- personal information about individuals other than your own personal information;
- the protection of essential public interest;
- commercial information that would reveal trade secrets or information of a commercial value;
- documents that are covered by legal professional privilege;
- the deliberate processes of local government.

It is the Shire’s intention to provide access to requested documents, wherever possible, in the ordinary course of daily work provided that in so doing no harm is inflicted upon the rights or interests of private individuals or commercial organisations. Where requested documents are of a sensitive nature, the application will be dealt with under the provisions of the Act taking into account all parties concerned. It is our belief that that this strategy will facilitate the provision of information to the public in a prompt and cost effective manner whilst still observing the need to preserve the confidentiality of classified information.

13.2 Documents Available Outside the 'FOI' Act

The Shire of Wyndham East Kimberley is required under the *Local Government Act 1995*, Section 5.94 and 5.95 to make available for inspection to the public the following documents. You can request to view these documents by attending the Shire's Administration office and copies can be obtained upon payment of the relevant charges for production. Many of these documents can also be found on the Shire's website at www.swek.wa.gov.au.

- Code of Conduct
- Complaints Register of Minor Breaches
- Annual Budget
- Annual Financial Statements
- Schedule of Fees and Charges
- Strategic Community Plan
- Corporate Business Plan
- Local Laws (including amendment of text or appeals of local laws)
- Rates Records – Rate Book
- Minutes of Committee Meetings and Council Meetings (confirmed minutes that relate to the meeting)
 - Limitation – Access does not extend to the inspection where a meeting of Council or Committee, or a part of such a meeting, to which the information refers, was closed to members of the public. Nor does it extend where it relates to any debt owed to the City.
- Electoral Roll – Shire of Wyndham East Kimberley Owner and Occupiers or Consolidated Roll
- Registers – Tenders, Gift
- Information Statement
- Documents released for public comment
- Delegated Authority (and decisions made under Delegation)
- Building and Development Applications via Search and Retrieval Application and subject to fees
- Shire of Wyndham East Kimberley Enterprise Agreement

13.3 Documents Available Under the 'FOI' Act

13.3.1 How to Apply

For access to documents other than those listed as accessible outside the 'FOI' Act a Freedom of Information application must be submitted. This application will be subject to legislation regarding the *Freedom of Information Act 1992* as outlined in this information statement.

A Freedom of Information application must be in writing and include an Australian address to where notices can be sent. It is beneficial to include as much information as possible as outlined on the application form including your full name, telephone contact and email address.

A prescribed fee of \$30 will be applicable upon submission of the application in order for the Information Coordinator to begin the document assessment process. The identified documents will then be reviewed to determine if any exemptions apply. The response to the original application must be provided to the applicant in the shortest possible time (or within 45 days) at the lowest reasonable cost.

The application should include enough information to clearly identify the requested documents. Try to include information such as subject matter, clearly defined dates where possible and the types of documents required.

You can contact the Shire's Freedom of Information Coordinator (the Director Corporate Services) prior to completing your application for assistance to clarify and/or reduce your scope. The Shire can refuse to deal with any application that it considers that the work involved in dealing with the access application would divert a substantial and unreasonable portion of the agency's resources away from its other operations, the agency has to take reasonable steps to help the applicant to change the application to reduce the amount of work needed to deal with it (*Freedom of Information Act 1992, Part 2, s.20(1)*).

Application forms can be collected in person from the Shire Administration office or downloaded from the Shire website. Forms can be submitted in person or by mail and the application must include the prescribed payment to be considered valid.

The Shire of Wyndham East Kimberley
Freedom of Information Coordinator
Director of Corporate Services
20 Coolibah Drive
KUNUNURRA WA 6743

PO Box 614
KUNUNURRA WA 6743

Phone: 08-9168 4100
Email: mail@swek.wa.gov.au
Website: www.swek.wa.gov.au

13.3.2 Fees and Charges

No fees or charges apply for information relating to personal information or the amendment of personal information. All other applications are subject to the prescribed application fee.

| FEES AND CHARGES | FEE |
|--|--------------|
| FEES (GST EXEMPT) | |
| Application fee for non-personal information (Mandatory) | \$30.00 |
| Application fee for personal information | No Fee |
| | |
| CHARGES (GST APPLICABLE) | |
| Charge for staff dealing with application and photocopying | \$30.00 / hr |
| Supervised access to records for inspection only | \$30.00 / hr |
| Transcribing information from tape, film or computer | \$30.00 / hr |

| FEES AND CHARGES | FEE |
|--|---------------|
| Photocopying | \$0.20 / page |
| Duplicating a tape, CD, DVD or computer information | Actual Cost |
| Delivery, packing and postage | Actual Cost |
| | |
| DEPOSITS | |
| An advance deposit may be required | 25% |
| An additional advance deposit may be required for large applications | \$75 |

For financially disadvantaged applicants of those issued with prescribed pensioner concession cards, (apart from the application fee) the charge payable is reduced by 25%. There are no application fees or charges for internal or external reviews.

13.3.3 Notice of Decision (s.49)

A “Notice of Decision” will be provided by the chief decision maker at the Shire. This “Notice of Decision” will advise the outcome of your application. If the outcome is positive it will also include information as to how to obtain the required documents. If access is refused or only partial access is granted, the “Notice of Decision will outline the reasons as to why you have been denied access to any or all documents.

13.3.4 Decision and Reasons for Decision (s.49)

The FOI Act allows agencies to refuse access without confirming or denying the existence of a document in certain narrow circumstances. These are where a document, if it existed, would be exempt under section 33 (documents affecting national security, defence or international relations) or section 37(1) (documents affecting enforcement of law and protection of public safety).

13.3.5 Your Review Rights – Internal Review (s.39)

If you are dissatisfied with the Shire’s decision (which is deemed to be a refusal to grant access), you may apply for internal review or seek the Information Commissioner review the decision. We encourage you to seek internal review as a first step as it may provide a more rapid resolution of your concerns.

13.3.6 Decision and Reasons for Decision (s.49)

Under section 54L of the FOI Act, you may apply to the Information Commissioner to review the decision. An application for review by the Information Commissioner must be made in writing within 60 calendar days of the date of this letter, and be lodged in one of the following ways:

Online: <https://forms.business.gov.au/aba/oaic/foi-review/>
Email: enquiries@oaic.gov.au
Post: GPO Box 2999, Canberra ACT 2601
In person: Level 3, 175 Pitt Street, Sydney NSW.

More information about Information Commissioner review is available on the Office of the Australian Information Commissioner website. Go to www.oaic.gov.au/freedom-of-information/foi-reviews.

13.3.7 Appeals to the Supreme Court (s.85)

Any party to a complaint may appeal to the Supreme Court on any question of law arising out of a decision of the Information Commissioner, except for a decision as to the deferral of access to a document, the charges to be imposed for dealing with an access application and the payment of a deposit on account of charges.

13.4 Time Limits

13.4.1 Notice of Decision

Must be issued within 45 calendar days from when the application was received. Should the application be unusually large, or require consultation with a significant number of third parties, consultation with the Applicant to arrange an agreed period of extension should take place as soon as is practicable within the assessment process.

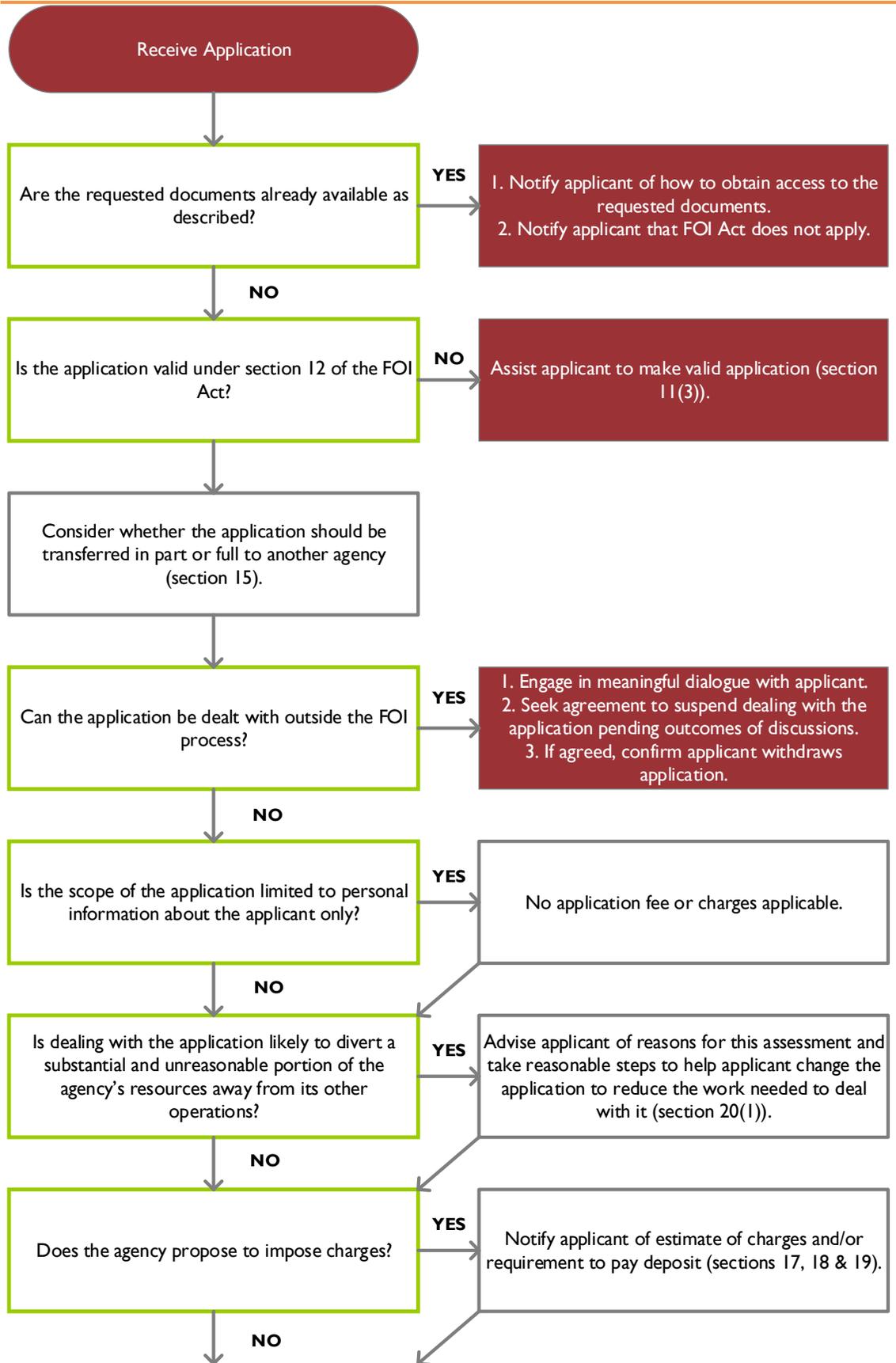
13.4.2 Internal Review

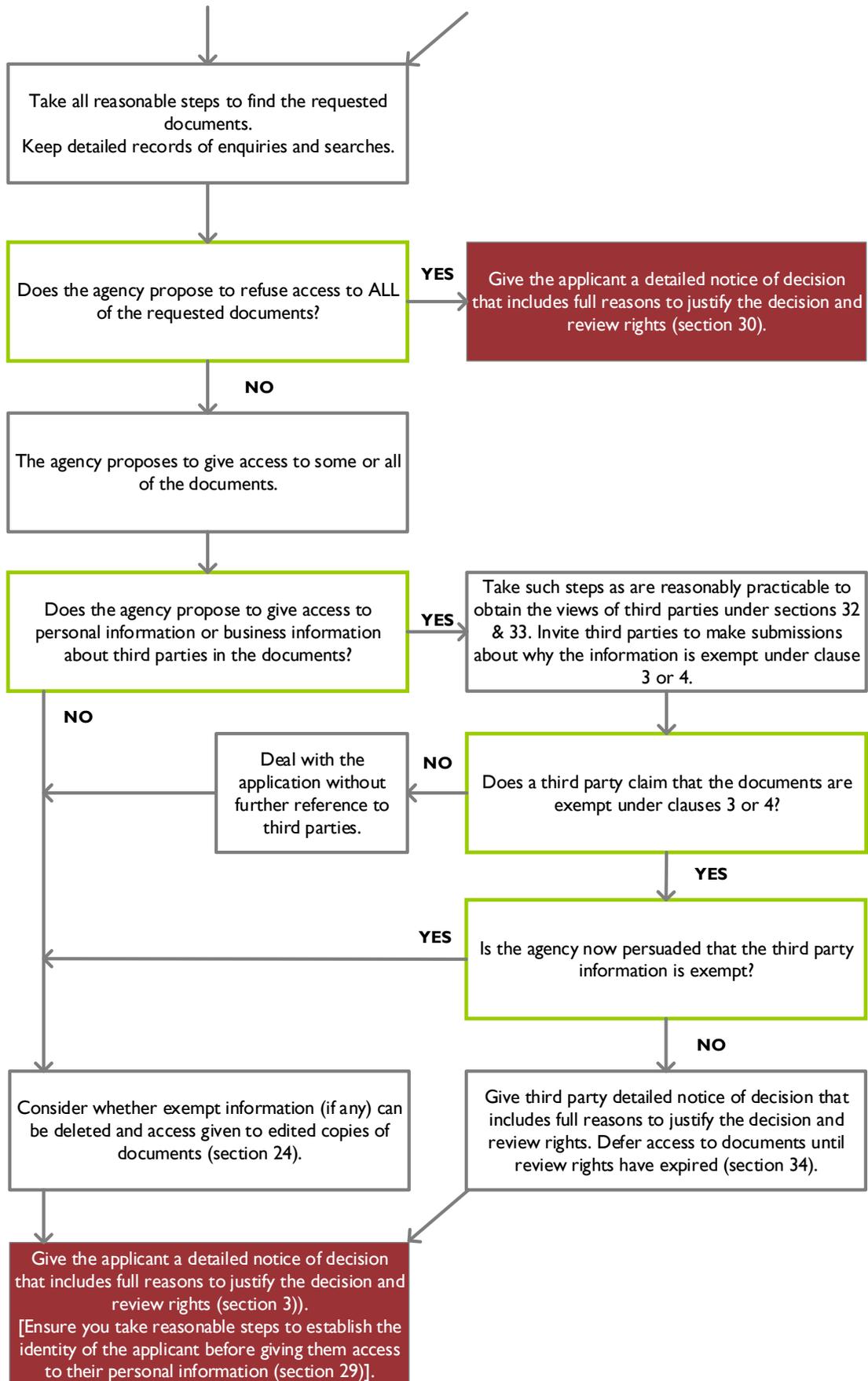
Must be lodged within 30 calendar days by the applicant if they are dissatisfied with the Shire's Notice of Decision. The Shire in turn must respond within 15 days upon receipt of the Internal Review application.

13.4.3 External Review

Must be lodged within 60 calendar days by the applicant if they are dissatisfied with the Shire's Internal Review decision. The Information Commissioner in turn must respond within 30 days upon receipt of the External Review application.

13.5 Freedom of Information Process Flow





13.6 Amending Personal Information

The 'FOI' Act allows you to seek amendment of personal information held by the Shire. This ensures information does not unfairly harm the person referred to, misrepresent facts about them or give a misleading impression or is incorrect or inaccurate. Applications must be provided to the Shire administration office in writing to request a correction, amendment or annotation to the documents containing an individual's personal information.

The written application must include:

- the details, and if necessary, documentation to support claims that the information the Applicant seeks to amend is inaccurate, incomplete, out of date or misleading.
- direction from the applicant as to whether they require the amendment to the information to be made by altering, striking out or deleting the information or inserting information or a note in relation to the information.

The agency can refuse to annotate a record if they consider the annotation to be voluminous, defamatory or irrelevant. They can also attach their own comments to the annotation.

The Shire will inform the applicant of its decision and the reasons for arriving at that decision, together with rights of review if dissatisfied with the Shire's decision.

The Privacy Act 1988 (Privacy Act) also provided you with rights to request that Ministers and agencies change information they hold about you. These rights are separate from your rights under the 'FOI' Act.

14 CHANGE OF ADDRESS / DETAILS REQUEST

If you are a current rate payer, creditor or debtor within the Shire of Wyndham East Kimberley and you are required to amend any details of where your notices and accounts are sent, a 'Change of Address / Details Request' form must be completed and returned to the Shire administration office. The form can be downloaded from Shire's website at <http://www.swek.wa.gov.au> under Find a Form or you can request a copy either in person or by email directly from the Shire administration office.

SHIRE of WYNDHAM | EAST KIMBERLEY

Freedom of Information Application Form



PO Box 614 Kununurra 6743
 20 Coolibah Drive KUNUNURRA
 Koolama Street WYNDHAM
 T | 9168 4100
 F | 9168 1798
 E | mail@swek.wa.gov.au
 W | www.swek.wa.gov.au
 8.00am - 4.00pm MON - FRI

Pursuant to the *Freedom of Information Act 1992, Section 12*

1. DETAILS OF APPLICANT

| | | | |
|--|----------------|--------------|-------|
| Surname: | _____ | Given Names: | _____ |
| Australian Postal Address: | _____ _____ | | |
| Daytime Contact Number: | _____ | Mobile: | _____ |
| Email Address: | _____ | | |
| Agency Name and Contact Details (if applicable): | _____ _____ | | |

2. DETAILS OF REQUEST

| Information Type | Application Fee | Details |
|---|-----------------|---|
| Personal documents <input type="checkbox"/> | Nil | Request must only contain personal information about the applicant eg. Family details, details of employment, material in personal records, medical reports etc. |
| Non-Personal documents <input type="checkbox"/> | \$30.00 | \$30.00 application fee and associated charges, and may, subject to the Act and/or consultation, contain information regarding third parties. |
| I wish to apply for access to documents concerning: _____ _____ | | |
| Please indicate a time period for the documents, if possible: | | |
| Start Date: | _____ | End Date: _____ |

3. FORM OF ACCESS

| | | |
|--------------------------------------|-------------------------------------|---|
| Inspection: <input type="checkbox"/> | Hard Copy: <input type="checkbox"/> | Electronic Copy: <input type="checkbox"/> |
|--------------------------------------|-------------------------------------|---|



12.4.2 Reconsideration of the Provision of Domestic Waste Vouchers

| | |
|---------------------------------|-------------------------------------|
| DATE: | 22 November 2016 |
| AUTHOR: | Director Corporate Services |
| RESPONSIBLE OFFICER: | Carl Askew, Chief Executive Officer |
| ASSESSMENT NO: | Various |
| FILE NO: | FM.05.12 |
| DISCLOSURE OF INTERESTS: | Nil |

VOTING REQUIREMENT

Simple Majority

OFFICER'S RECOMMENDATION

That Council:

- 1. Note the correspondence and requests received from ratepayers in relation to Council's decision regarding red domestic waste vouchers;**
- 2. Reaffirms its decision not to issue red domestic waste vouchers to those ratepayers who were offered to participate in the expanded waste service to rural areas but chose not to opt in;**
- 3. Offer affected residents the opportunity to opt in to the waste collection service should they so desire;**
- 4. Reaffirms its decision to review the waste voucher system as part of the 2017/18 Budget process to determine whether or not it should continue to issue vouchers, ensuring that the charges associated with waste receptacles for residential, commercial and industrial ratepayers forms part of that review.**

COUNCIL DECISION

Minute No: 22/11/16-11544

Commissioner resolved:

That Council:

- 1. Note the correspondence and requests received from ratepayers in relation to Council's decision regarding red domestic waste vouchers;**
- 2. In regards to the affected residents action the issue of a red voucher for 2016/17**
- 3. Advise the affected residents that should the red voucher system continue for 2017/18 and onwards the 2017/18 budget will include an appropriate fee or charge for each red voucher.**
- 4. Reaffirms its decision to review the waste voucher system as part of the 2017/18 Budget process to determine whether or not it should continue to issue vouchers, ensuring that the charges associated with waste receptacles for residential, commercial and industrial ratepayers forms part of that review.**

Carried 1/0

REASON FOR VARYING THE OFFICER'S RECOMMENDATION

Given the information provided to residents in June 2016 was not clear in terms of repercussions of the "opting in/opting out" of the extended waste service and the subsequent decision by Council as part of the Budget Adoption in September 2016 it is reasonable to allow a continuation of the previous service (provision of red vouchers) until the review of the voucher system is complete.

PURPOSE

For Council to reconsider its decision in relation to domestic waste collection services whereby if a service was offered as part of the expanded waste service to rural areas, but not accepted, no domestic waste voucher was to be provided for the period 1 October 2016 to 30 September 2017.

NATURE OF COUNCIL'S ROLE IN THE MATTER

Funder - provide funds or other resources

BACKGROUND/ PREVIOUS CONSIDERATIONS BY COUNCIL/ COMMITTEE

At the Special Council Meeting on 2 September 2014 the Council passed the following resolution during the budget adoption item:

COUNCIL DECISION

Minute No. 10533

Moved: Cr R Dessert

Seconded: Cr D Learbuch

That the Council approves waste vouchers to be provided from 1 October 2014 to 30 September 2015 for properties within the following rating categories:

- a. GRV Residential***
- b. GRV Rural Residential***
- c. UV Rural Agriculture 1***
- d. UV Rural Agriculture 2***

Carried Unanimously 9/0

Contained within the Council Agenda Item was the following background information:

WASTE VOUCHERS

The Shire introduced the provision of waste vouchers with the distribution of Rates Notices for the 2013/14 financial year as a result of no longer accepting 'free' domestic waste from 1 October 2013.

In 2013/14, waste vouchers were provided to only those properties within the GRV Townsite, UV Rural Residential, UV Rural Agriculture 1 and UV Rural Agriculture 2 rating categories. All mining, pastoral and UV Other properties did not receive a waste voucher as it was deemed that these properties would generally not generate domestic waste.

It is proposed that a similar model is adopted for 2014/15 with waste vouchers being provided to all properties within the following rating categories:

- GRV Residential***
- UV Rural Residential***
- UV Rural Agriculture 1 (recognising that there is generally a household on the land)***
- UV Rural Agriculture 2 (recognising that there is generally a household on the land)***

and upon any properties currently in the GRV Other Vacant category, upon development, if the property is deemed to then be within one of the rating categories above, a waste voucher would then be provided.

During the 2014/15 financial year, officers were made aware of several GRV Residential properties in Wyndham whereby their property is located in a rural area of Wyndham and they do not receive a waste collection service.

At the Ordinary Council Meeting on 16 December 2014, Council then resolved the following:

COUNCIL DECISION
Minute No. 10752

Moved: Cr B Robinson
Seconded: Cr G Taylor

That the Council approve the provision of a red domestic waste voucher entitling the user to dispose of 52 x 240 Litres (equivalent size to a green rubbish Sulo Bin) of domestic waste for the period from 1 October 2014 to 30 September 2015 to all GRV Residential rated properties in Wyndham that do not currently receive a waste collection service.

Carried unanimously 8/0

During the budget discussions with Elected Members regarding fees and charges for 2016/17 that was held on the 10th and 15th of March 2016, the discussions were not only on what the appropriate fees were and what they covered, but also as to whether a waste receptacle service should be provided to additional rural areas such as Packsaddle Road, River Farm Road, Crossing Falls for example, and what the costs and benefits of doing this would be. It was clear that many elected members wished to expand the service, particularly as the charge applied would be the same as for those within the townsite who currently receive a service. Initial estimates were that the expanded service could be provided for approximately 270 properties, subject to negotiations with the service provider.

At the Ordinary Council Meeting on 29 March, the Council therefore resolved:

COUNCIL DECISION
Minute No: 11302
Moved: Cr S Cooke
Seconded: Cr B Robinson

That Council request the CEO to commence negotiations with the Shire's waste contractor, ToxFree, to expand the current waste receptacle pick-up areas to include Packsaddle Road, Weaber Plain Road, Valentines Falls, Crossing Falls, River Farm Road, Bull Run Road and Egret Close / Curlew Court, to commence from 1 July 2016.

Carried 7/0

During the initial discussions with the waste collection contractor, it was identified that there were roads that were not specifically named in the March resolution, and some additional bitumen and gravel roads that were possible to include which were located nearby to the already approved roads.

At the 31 May Ordinary Council Meeting, the Council therefore resolved:

COUNCIL DECISION
Minute No: 11388

Moved: Cr N Perry
Seconded: Cr S Cooke

That Council request the CEO to continue negotiations with the Shire's waste contractor, ToxFree, and vary the current contract to expand the current waste receptacle pick-up areas to include:

- 1. The sealed roads in the areas around Packsaddle, Crossing Falls, Valentines Falls Estates;**
 - 2. The sealed roads that join Egret Close, Ivanhoe Road, Bull Run Road and Weaber Plain Road; and**
 - 3. Invite residents who reside on gravel roads near these expanded areas to indicate their interest in receiving this service;**
- to commence from 1 July 2016.**

Carried 5/0

The Shire therefore negotiated with the waste contractor to expand the weekly waste service to capture approximately 270 additional properties. As part of the expanded service, there was an “opt-in” option for properties for which some owners chose to opt-in and others did not.

Following on from the Council decision in May, in June 2016 approximately 25 ratepayers received correspondence from the Shire asking whether they wished to participate in the expanded waste service to rural areas. The properties in question were located on a gravel road adjoining one of the sealed roads that the waste trucks would be travelling on to pick up domestic waste. It was a requirement that if the ratepayers opted into the service, that the bin be placed adjacent to the nearest sealed road for refuse collection. Those located on sealed roads did not have an opt in option, and the service was to be provided.

On 19 August 2016, a meeting was held between two (2) Councillors and Shire management whereby waste charges were discussed. There were a range of questions asked in relation to waste receptacle charges for commercial and industrial properties versus those for residential areas, whether the waste management charge was placed onto non-rateable properties and the provision of waste vouchers to different areas of the community. It was made very clear during this meeting that the Elected Member’s intentions were to no longer provide vouchers to those ratepayers who had not opted into the expanded service (for those on gravel roads adjoining the sealed roads), with the future intention being to remove all waste vouchers, other than potentially the provision of a voucher for the disposal of 1 cubic metre of domestic waste per annum for all ratepayers.

Accordingly, this was incorporated into the proposed resolution for the budget adoption item whereby at the Special Council Meeting on 15 September 2016, the Council resolved to waive the fees associated with the issuing of domestic waste vouchers for the period 1 October 2016 to 30 September 2017, however the resolution also incorporated the following excerpts:

COUNCIL DECISION

Minute No: 11483

Moved: Cr B Robinson

Seconded: Cr N Perry

iii. if a domestic waste collection service was offered, but not accepted, no domestic waste voucher will be provided.

4. Requests the CEO (or their delegate) to provide a report to the Council prior to the adoption of the 2017/18 Budget, reviewing the provision of the Red Domestic Waste Voucher and what the implications are of this not being provided in future financial years.

**Carried 5/4 For: Cr J Parker, Cr E Bolto, Cr B Robinson, Cr S Cooke, Cr N Perry
Against: Cr K Wright, Cr S Rushby, Cr A Petherick, Cr D Spackman**

STATUTORY IMPLICATIONS

Local Government Act 1995

Part 6 - Financial management

Division 4 - General financial provisions Division

6.12. Power to defer, grant discounts, waive or write off debts

(1) Subject to subsection (2) and any other written law, a local government may —

- (a) when adopting the annual budget, grant* a discount or other incentive for the early payment of any amount of money; or*
- (b) waive or grant concessions in relation to any amount of money; or*
- (c) write off any amount of money, which is owed to the local government.*

** Absolute majority required.*

(2) Subsection (1)(a) and (b) do not apply to an amount of money owing in respect of rates and service charges.

(3) The grant of a concession under subsection (1)(b) may be subject to any conditions determined by the local government.

(4) Regulations may prescribe circumstances in which a local government is not to exercise a power under subsection (1) or regulate the exercise of that power.

POLICY IMPLICATIONS

Council's Policy *CP/FIN-3211 - Fees and Charges Pricing* is relevant.

FINANCIAL IMPLICATIONS

It should be noted that the provision of waste vouchers is a waiver of fees and charges, and is a cost to the Shire which is impacting on the Waste Management Reserve and therefore the funds available to manage the future provision of the landfill in both Kununurra and Wyndham.

With data sourced from the landfill systems, the cost for 2014/15 was \$0.102 million (noting that the data capture was not quite for the full year), increasing to \$0.117 million in 2015/16. With the data that the Shire has retained, it is unclear as to how much of this was attributed to either the red or yellow vouchers, however the Mandalay system run by the landfills has now been modified to ensure this data can be captured.

If all ratepayers took up the maximum allowance of the waste vouchers provided (both red and yellow), the monies foregone would be \$0.239 million for 2016/17 based on the current fees and charges. This is significant, is cumulative, and is having a long-term impact on the Waste Management Reserve and the funds therefore available to relocate and remediate the current site in accordance with the Waste Management Strategy.

Currently the yellow vouchers allow for the disposal of 1 m³ of domestic waste per annum. This equates to:

1. 6x4 trailer plus 1 Sulo (240L); or
2. 4 Sulos (240L) each; or
3. 16 bin bags.

To dispose of 1 m³ of domestic waste at the landfill costs \$54.00 for 2016/17. The red vouchers allow for 52 x 240 L which is 12,480 L or rounded up to 13 m³. The cost of the red voucher is therefore calculated based on 13 m³ x \$54 = \$702 being the charge for 2016/17.

Currently the charge set for the weekly collection service is \$302.80, which is significantly less than the cost of the red voucher system, however it assumes that someone receiving a weekly service would generally put their bins out for collection even if they were less than half full, whereas someone making a trip to the landfill would ensure that it is full before making the trip there.

There have also been discussions around the waste receptacle charge which does not distinguish between residential, commercial or industrial properties. Currently the waste receptacle charge is \$302.80 irrespective of the type of property that the weekly service is being provided to. There are some who view this as being inequitable on the basis that the type of waste disposed of from commercial and industrial properties is generally heavier than the domestic waste sourced from residential properties and should be charged at a higher rate.

Hence the Council included a request to review the provision of waste vouchers to determine if the provision continues, and in what form, or whether it should be phased out in future years. This review will incorporate the pricing model that surrounds vouchers and the waste receptacle charges for residential compared to commercial and industrial properties for implementation in 2017/18.

It should be noted that rates revenue does not support the operation of the landfill. Fees and charges related to waste management are the only source of income for the landfill to ensure the continuity of the service and the future of the landfill sites (both current and potential new site).

STRATEGIC IMPLICATIONS

Strategic Community Plan 2012-2022

Goal 1: Strong leadership and governance that underpins a more strategic approach to community engagement, regional development and organisational sustainability

Goal 3: Protection and enhancement of lifestyle values, community facilities and the environment to provide safe and inviting communities.

Objective 1.4: Business innovation, efficiency and improved service

Objective 3.2: Sustainable waste management and protection of the environment

Strategy 1.4.1 : Ensure legislative compliance and follow best practice principles in planning and service delivery

Strategy 1.4.3 : Maintain Council's long term financial viability

Strategy 3.2.1: Provide an integrated approach to waste management that includes waste minimisation strategies

RISK IMPLICATIONS

Strategic Risk: Failure to comply with legislative requirements leading to damage of reputation and/or financial loss.

Control: Review policies and procedures in accordance with review schedule.

Strategic Risk: Inability to deliver levels of service expected by the community.

Control: Current budget and service levels.

COMMUNITY ENGAGEMENT

Engagement will take place in accordance with the Shire's Community Engagement Guidelines and has included:

Correspondence with:

- Approximately 278 ratepayers in relation to the expanded service to rural areas;
- 25 ratepayers who were provided with an opportunity to opt in to the expanded service to rural areas;
- 25 ratepayers outlining the reconsideration of Council's decision.

COMMENTS

Yellow domestic waste vouchers entitle the user to dispose of 1 cubic metre (6x4 trailer plus 1 Sulo bin or 4 Sulo bins or 16 domestic bin bags) of domestic waste.

Red domestic waste vouchers entitle the user to dispose of 52 x 240 Litres (equivalent size to a green rubbish Sulo bin) of domestic waste.

In 2014/15 and 2015/16 waste vouchers were provided to all properties within the following rating categories:

1. GRV Residential – Yellow voucher
2. UV Rural Residential – Yellow and Red voucher
3. UV Rural Agriculture 1 – Yellow and Red voucher (recognising that there is generally a household on the land)
4. UV Rural Agriculture 2 – Yellow and Red voucher (recognising that there is generally a household on the land),

and any properties that were in the GRV Other Vacant category, upon development, if the property was deemed to be within one of the rating categories above, a waste voucher was then provided. All other rateable properties were not considered to generally have a household on the land and waste vouchers were therefore not provided.

Upon adoption of the 2016/17 Budget, the rates notices were issued, and officers have enacted the Council decision by not providing waste vouchers to the 25 or so ratepayers who did not opt into the expanded waste service.

Upon receipt of their rates notices, several ratepayers have contacted the Shire raising the matter and questioning why there were no waste vouchers included. Two (2) ratepayers have placed their concerns in writing and provided their reasons for not opting into the service and have request the Council to reconsider the decision. Another resident was intending to ask a question at "Question Time" in Council but chose not to under advice from the Administration that the matter was under review and another resident has made an "in person" enquiry at the front counter who also expressed their concerns, however these have not been put in writing to date as they were advised that the matter would be further

discussed. The major issue seems to be the distance that residents feel they must push their bin, that tip passes have been previously allocated and that the Shire did not advise that those who “opted out” would not receive tip vouchers.

Telephone calls from other ratepayers have been received in relation to the matter whereby some understood the reasons once explained; others were supportive of the expanded service irrespective of the length of their driveway as they had other solutions, and preferred these over having to take their domestic waste to the landfill. One suggested solution was to leave the Sulo bin at the end of the driveway and to take rubbish bags to the bin on the way out of the property for example.

Within the earlier correspondence provided to the 25 or so ratepayers, there was no indication that the waste vouchers were no longer going to be provided if they chose not to opt in to the expanded waste service. This was not known by officers at the time, and it was only subsequent to the 26 August meeting with two (2) elected members that this intent had become clear, which was too late to include in the correspondence for that specific process.

The options available for the Council to consider are as follows:

1. Maintain the current resolution of Council based on the longer term intent of removing vouchers in their entirety. Therefore, not provide the red domestic waste vouchers to those who opted out of the expanded waste service, but allow them to opt in if they wished to reconsider, subject to renegotiations with the waste contractor;
2. Provide the red domestic waste vouchers to those who did not opt into the expanded waste service and charge \$702.00 (equivalent to \$13.50 per week) being the current charge for an additional voucher - it should be noted that this would be a new fee and would require local public notice prior to its implementation;
3. Provide the red domestic waste vouchers for only 26 weeks to those who did not opt into the expanded waste service and charge \$302.80 (equivalent to \$5.82 per week) being the amount charged to those who receive a weekly service recognising that they would always take a full bin to the landfill - it should be noted that this would be a new fee and would require local public notice prior to its implementation;
4. Provide the red waste vouchers to those who did not opt into the expanded waste service, making it clear of the intention to remove them from 1 October 2017 and amend the budget accordingly in recognition of the additional waiver of fees and charges;
5. Continue with the provision of red waste vouchers indefinitely, recognising the cumulative burden this will place on the Shire budget to fund the landfill over time.

Given the Council’s intent in the longer term of removing the red waste vouchers, the officer is recommending to retain the current arrangements and review the program for 2017/18 as committed to during the budget deliberations and to provide an opportunity for affected residents to opt in to the service if desired. This is option1 above.

ATTACHMENTS

Attachment 1 - Correspondence received from Mr D Moncrieff
Attachment 2 - Correspondence received from Mrs A Moncrieff

Natalie TePohe

From: Amanda Moncrieff <admoncrieff@bigpond.com>
Sent: Friday, September 30, 2016 8:53 AM
To: Felicity Heading
Subject: I-39515 - A6886D - Tip pass for Lot 20 Curlew Court

Follow Up Flag: Follow up
Flag Status: Flagged

Categories: Action required

Hi Felicity, thanks for your time this morning.

As discussed, our property is located at Lot 20 Curlew Court. In previous years we were given tip passes as there was no rubbish collection. This year we were notified that a rubbish collection would commence but that because we lived on Curlew Court, we would be required to take our wheelie bin to Egret Close for collection. The letter from the Shire gave us the option to have our rubbish collected for the extra cost of just over \$300. I responded only yesterday admittedly, that we would not be taking up the option. I don't recall the letter pointing out that we would not be issued our tip passes if we opted out – my assumption was that the tip passes would be issued instead.

Our house is located over 500 metres from Egret Close, and our property boundary approximately 400 m – we live at the very end of Curlew Court. It is illogical to expect us to wheel our bins over 500m to the collection point.

I would appreciate greatly if the tip passes could be re-issued as a matter of urgency.

Regards

Daryl Moncrieff
Lot 20 Curlew Court
0418 919 384

From: Amanda Moncrieff <admoncrieff@bigpond.com>

Date: 20 October 2016 11:42:31 am AWST

To: <commissioner@swek.wa.gov.au>

Subject: Rubbish collection in SWEK

Hello Ron

My name is Amanda Moncrieff and I wanted to request some feedback from you please regarding the rubbish collection service in the SWEK. My family and I live at Lot 20 Curlew Court, at the end of a ~600m gravel road. We have lived at this location for nearly 8 years and have always been given tip passes for self-disposal of domestic rubbish. A recent Council decision changed this for residents of Egret and Curlew Court – those residents on the bitumenised Egret Court were provided with sulo bins with a weekly rubbish collection service (and charged an additional ~\$300 in rates) and those living on the gravel Curlew Court were sent a letter with an opt-in or opt-out clause to complete and send back.

We opted-out of the rubbish collection, as we have no desire to walk our bin over 600m in extreme heat, nor to pay an additional fee of some \$300. We no longer have a copy of the letter (as we returned it with the opt in/out clause request) but at

no time do we believe we were told that for the optional rubbish collection service for those living on the gravel roads (that are not directly serviced by the rubbish truck) that a consequence of opting out was that we would no longer receive tip passes for self-disposal.

We now find ourselves in the completely unexpected position of not being able to dispose of our rubbish ourselves, unless we pay tip fees – on top of the \$4,680 we already pay in Shire rates. I do not believe this is a fair or appropriate arrangement.

We have contacted the Shire office about this issue three times in the last 10 days, only to be told by staff that they are not sure whether tip passes will be issued, or whether we will be reimbursed for tip fees. We have also been told that we will have to wait until this issue is resolved at the next Council meeting. Surely rubbish disposal is standard Shire business and not requiring of a Council decision?

I am sorry to take up your time with what is a relatively minor issue, but I wanted to highlight to you some of the frustrations felt by members of the community when they pay extremely high rates, yet cannot seem to get basic services supplied, nor answers from the Shire when they try to get them resolved.

Your sincerely
Amanda Moncrieff

12.4.3 Amendments to Delegations and Sub Delegations Register

| | |
|---------------------------------|--|
| DATE: | 22 November 2016 |
| AUTHOR: | Senior Procurement and Contracts Officer |
| RESPONSIBLE OFFICER: | Carl Askew, Chief Executive Officer |
| DISCLOSURE OF INTERESTS: | Nil |

VOTING REQUIREMENT

Simple majority

OFFICER'S RECOMMENDATION

That Council approve the following amendments to the Delegations and Sub Delegations Register:

- 1. Amendment to Delegation 7(6) - *Consider any expressions of interest and tenders that have not been rejected and decide which, if any, of those expressions of interest and tenders are from persons who it thinks could satisfactorily supply the goods or services and execute the associated contract up to a value of \$500,000 (excluding GST) provided that appropriate provision has been made in the Council's budget and the contract value does not exceed the Council's budget by more than the applicable Regional Price Preference consideration***
- 2. Amendment to Delegation 12(1)(b): *Purchase orders only being issued for items of expenditure detailed within the adopted annual budget provision and the purchase does not exceed the Council's budget by more than the applicable Regional Price Preference consideration, or for payments that have been authorised by a resolution of Council in advance, or authorised in advance by the president in an emergency***

COUNCIL DECISION

Minute No: 22/11/16-11545

Commissioner resolved:

That Council approve the following amendments to the Delegations and Sub Delegations Register:

1. Amendment to Delegation 7(6) - *Consider any expressions of interest and tenders that have not been rejected and decide which, if any, of those expressions of interest and tenders are from persons who it thinks could satisfactorily supply the goods or services and execute the associated contract up to a value of \$500,000 (excluding GST) provided that appropriate provision has been made in the Council's budget and the contract value does not exceed the Council's budget by more than the applicable Regional Price Preference consideration*
2. Amendment to Delegation 12(1)(b): *Purchase orders only being issued for items of expenditure detailed within the adopted annual budget provision and the purchase does not exceed the Council's budget by more than the applicable Regional Price Preference consideration, or for payments that have been authorised by a resolution of Council in advance, or authorised in advance by the president in an emergency*

Carried 1/0

PURPOSE

For the Commissioner to consider amendments to Delegation 7 and 12 of the Delegations and Sub Delegations Register to facilitate the application of the Regional Price Preference Policy.

NATURE OF COUNCIL'S ROLE IN THE MATTER

Advocator - advocate and support initiatives on behalf of the community and the Kimberley Leader - plan and provide direction through policy and practices
Regulator - enforce state legislation and local laws

BACKGROUND/ PREVIOUS CONSIDERATIONS BY COUNCIL/ COMMITTEE

At the August 2016 Ordinary Council Meeting, Council resolved to adopt the *CP/FIN 3217 Regional Price Preference Policy* as per the following decision:

COUNCIL DECISION

Minute No: 11467

Moved: Cr K Wright
Seconded: Cr E Bolto

That Council:

1. After considering the public submissions, adopts the new Council Policy CP/FIN-3217 Regional Price Preference.

2. Requests the CEO, or their delegate to provide Statewide notice that the Council has adopted the Policy in accordance with the legislation, noting that the Policy cannot be applied until the Statewide notice has occurred.
3. Endorses the creation of a Regional Price Preference Reserve to be established in accordance with legislative requirements as part of the 2016/17 Budget process that will hold initial funds of \$200,000.
4. Requests the CEO or their delegate to ensure that appropriate operating processes are implemented that will record those quotes and tenders that are accepted at a higher dollar amount than would generally be accepted in the absence of this Policy, and utilise the funds that will be held in the newly established Regional Price Preference Reserve.
5. Request the CEO of their delegate to review the Council Policy CP/FIN-3217 Regional Price Preference during the 2017/18 Budget process and report back to the Council on the utilisation and cost of the Policy.
6. Adopts the revised CP/FIN-3204 Purchasing.

Following statewide public notice of the Policies adoption on the 7 September 2016, the Policy came into effect.

STATUTORY IMPLICATIONS

The Council's delegations to the CEO and sub delegates must be in accordance with Section 3.42 and 5.44, *Local Government Act 1995*

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

Strategic Community Plan 2012-2022

Goal 1: Strong leadership and governance that underpins a more strategic approach to community engagement, regional development and organisational sustainability

Objective 1.4: Business innovation, efficiency and improved services

Strategy 1.4.1 : Ensure legislative compliance and follow best practice principles in planning and service delivery

Strategy 1.4.2 : Improve the efficiency and productivity of Shire services

Strategy 1.4.4 : Deliver cost effective and efficient corporate services

Strategy 2.1.1 : Encourage a mix of businesses that meet community needs

RISK IMPLICATIONS

Risk: Inability to deliver levels of service expected by the community.

Control: Current budget and service levels.

COMMUNITY ENGAGEMENT

No community engagement is required.

COMMENTS

As part of the 2016/17 Budget, a new Regional Price Preference Reserve has been established whereby an allocation of \$200,000 is held. This is to be utilised only when there are quotations or tenders accepted at a higher dollar amount than would generally be accepted in the absence of the *IF/PC 3217 Regional Price Preference Policy*. The establishment of the Regional Price Preference Reserve ensures that there are no reductions in the service levels or scope of works that can be undertaken, which is an expectation of potentially paying a higher price for the same service level delivery / scope of works from a regional business.

An internal process has been created whereby monthly reports are produced that identify and transfer the financial costs of the Policy from the Regional Price Preference Reserve to the respective budgets.

A scenario case study has revealed that in specific circumstances the value of a proposed contract may exceed the Council's budget provision by a value up to the applicable Regional Price Preference consideration. In such instances the Delegations and Sub Delegations Register need to be amended to enable the CEO and sub delegation officers to authorise contracts/payments that fit the stated scenario.

ATTACHMENTS

Nil

12.4.4 List Of Accounts Paid From Municipal Fund and Trust Fund

| | |
|---------------------------------|-------------------------------------|
| DATE: | 22 November 2016 |
| AUTHOR: | Creditors Officer |
| RESPONSIBLE OFFICER: | Carl Askew, Chief Executive Officer |
| FILE NO: | FM.09.5 |
| DISCLOSURE OF INTERESTS: | Nil |

VOTING REQUIREMENT

Simple Majority

OFFICER'S RECOMMENDATION

| | | |
|--|-----------|---------------------|
| That Council receives the listing of accounts paid from the Municipal and Trust funds, being: | | |
| Municipal EFT 127531 – 127740 (06 Oct – 27 Oct 16) | \$ | 750,961.91 |
| Municipal cheques 51443 - 51454 (06 Oct – 27 Oct 16) | \$ | 117,162.23 |
| Trust cheques 955 - 965 (12 Oct - 27 Oct 16) | \$ | 4,596.18 |
| Trust EFT 501259 – 501277 (03 Oct – 31 Oct 16) | \$ | 9,217.90 |
| Payroll (12 Oct – 26 Oct 16) | \$ | 460,393.29 |
| Direct bank debits (03 Oct – 27 Oct 16) | \$ | 86,628.06 |
| TOTAL | \$ | 1,428,959.57 |

COUNCIL DECISION

Minute No: 22/11/16-11546

Commissioner resolved:

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

| | | |
|--|-----------|---------------------|
| Municipal EFT 127531 – 127740 (06 Oct – 27 Oct 16) | \$ | 750,961.91 |
| Municipal cheques 51443 - 51454 (06 Oct – 27 Oct 16) | \$ | 117,162.23 |
| Trust cheques 955 - 965 (12 Oct - 27 Oct 16) | \$ | 4,596.18 |
| Trust EFT 501259 – 501277 (03 Oct – 31 Oct 16) | \$ | 9,217.90 |
| Payroll (12 Oct – 26 Oct 16) | \$ | 460,393.29 |
| Direct bank debits (03 Oct – 27 Oct 16) | \$ | 86,628.06 |
| TOTAL | \$ | 1,428,959.57 |
| | | Carried 1/0 |

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*.

NATURE OF COUNCIL’S ROLE IN THE MATTER

Regulator - enforce state legislation and local laws

BACKGROUND/ PREVIOUS CONSIDERATIONS BY COUNCIL/ COMMITTEE

In accordance with Council’s Delegations Register 2015/16 which was adopted by the Council on the 22 September 2015, the Council has delegated to the CEO the exercise of its power under regulations 12 and 13 of the *Local Government (Financial Management) Regulations 1996* to make payments from Municipal Fund and Trust Fund.

STATUTORY IMPLICATIONS

Local Government Act 1995 – section 5.42

Local Government (Financial Management) Regulations 1996 – Regulations 5, 11, 12, 12(1)(a) and 13.

POLICY IMPLICATIONS

Sub-delegation 12 "Payments from the Municipal Fund and Trust Fund" applies subject to compliance with *Council Policy CP/FIN-3204 Purchasing*.

FINANCIAL IMPLICATIONS

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

STRATEGIC IMPLICATIONS

Strategic Community Plan 2012-2022

Goal 1: Strong leadership and governance that underpins a more strategic approach to community engagement, regional development and organisational sustainability

Objective 1.4: Business innovation, efficiency and improved services

Strategy 1.4.1 : Ensure legislative compliance and follow best practice principles in planning and service delivery

Strategy 1.4.3 : Maintain Council's long term financial viability

RISK IMPLICATIONS

Strategic Risk: Failure to comply with legislative requirements leading to damage of reputation and/or financial loss.

Controls: Annual Financial Audit
Annual Compliance Return to Department of Local Government.

COMMUNITY ENGAGEMENT

No community engagement is required.

COMMENTS

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 the 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 - Item 12.4.2

Attachment 1 - List Of Accounts Paid October 2016

ATTACHMENT 1

LIST OF ACCOUNTS SUBMITTED TO COUNCIL 22 NOVEMBER 2016

| CHQ/EFT | DATE | NAME | DESCRIPTION | AMOUNT |
|-----------|------------|----------------------------------|---|-----------|
| EFT127531 | 06/10/2016 | ADVANCED WEIGHING TECHNOLOGY | SERVICE, TEST AND CERTIFICATION OF COUNTER SCALES - EKRA | 1,094.50 |
| EFT127532 | 06/10/2016 | ALCOLIZER PTY LTD | SERVICE AND RECALIBRATION OF HH2 BREATH TESTER - EKRA | 114.40 |
| EFT127533 | 06/10/2016 | ALL HOURS SECURITY | ALARM CALL OUT CHARGES - KNX DEPOT, KLC, KNX ADMIN | 352.00 |
| EFT127534 | 06/10/2016 | ALLGEAR MOTORCYCLES | PARTS FOR P470 | 128.65 |
| EFT127535 | 06/10/2016 | C & S JOLLY ELECTRICS PTY LTD | REPLACEMENT SWITCHES - KUNUNURRA LEISURE CENTRE PLANT ROOM | 386.09 |
| EFT127536 | 06/10/2016 | CABCHARGE | CAB CHARGES - STAFF MEMBERS - ATTEND TRAINING - AUG AND SEPT 2016 | 228.12 |
| EFT127537 | 06/10/2016 | CARPET, VINYL & TILE CENTRE | SUPPLIES FOR LILY CREEK FORESHORE MAINTENANCE INCL. DECKING OIL, BRUSH | 194.49 |
| EFT127538 | 06/10/2016 | CENTURION TRANSPORT | FREIGHT FROM PERTH TO KNX DEPOT- BIN LINERS | 51.55 |
| EFT127539 | 06/10/2016 | COCA-COLA AMATIL | PURCHASE OF CONSUMABLES FOR RESALE- KUNUNURRA LEISURE CENTRE | 374.30 |
| EFT127540 | 06/10/2016 | COMMERCIAL AQUATICS AUSTRALIA | SUPPLY OF PROBE FOR WYNDHAM SWIMMING POOL | 745.80 |
| EFT127541 | 06/10/2016 | DAVEY TYRE & BATTERY SERVICE | REPLACEMENT TUBE AND FITTING - P128 | 135.00 |
| EFT127542 | 06/10/2016 | DEPARTMENT FOR CHILD PROTECTION | REFUND DUE TO OVER PAYMENT OF DEBTOR INVOICES 28792 & 28984 | 620.00 |
| EFT127543 | 06/10/2016 | EAST KIMBERLEY HARDWARE | VARIOUS HARDWARE ITEMS - WYN POOL, KNX GARDEN BEDS, EKRA AND KLC | 727.80 |
| EFT127544 | 06/10/2016 | STAFF MEMBER | REIMBURSEMENT IN ACCORDANCE WITH EMPLOYMENT CONTRACT | 54.41 |
| EFT127545 | 06/10/2016 | HYDRO KLEEN | MAINTENANCE AND SANITISATION OF AIR CONDITIONER AT KNX LANDFILL | 198.00 |
| EFT127546 | 06/10/2016 | IBAC PLUMBING PTY LTD | THREE MONTH AEROBIC TREATMENT UNIT SERVICE AT CELEBRITY TREE PARK | 590.70 |
| EFT127547 | 06/10/2016 | ICE AGE REFRIGERATION & AIRCON | MAINTENANCE AND SERVICE OF AIR CONDITIONERS AT KNX ADMIN SERVER ROOM | 99.00 |
| EFT127548 | 06/10/2016 | JABIRU PAINTING PTY LTD | PAINTING OF WYNDHAM ADMINISTRATION OFFICE BUILDING | 11,825.00 |
| EFT127549 | 06/10/2016 | JAB INDUSTRIES | MOBILISATION OF DOZER & TIPPER HIRE - KNX LANDFILL MAINTENANCE | 9,872.50 |
| EFT127550 | 06/10/2016 | STAFF MEMBER | REIMBURSEMENT IN ACCORDANCE WITH EMPLOYMENT CONTRACT | 207.77 |
| EFT127551 | 06/10/2016 | KDHS P&C ASSOCIATION INC CANTEEN | CATERING FOR AUTHORS AT THE 2016 KIMBERLEY WRITERS FESTIVAL | 83.50 |
| EFT127552 | 06/10/2016 | KIMBERLEY COMMUNICATIONS | INSPECTION, REPAIRS TO TRIPLE J AND REPLACEMENT OF SATELLITE RECEIVER | 1,308.00 |
| EFT127553 | 06/10/2016 | KIMBERLEY CONTRACTING & DOZING | HIRE OF DOZER - KUNUNURRA LANDFILL MAINTENANCE | 8,085.00 |
| EFT127554 | 06/10/2016 | KUNUNURRA COUNTRY CLUB RESORT | CATERING - LITERARY LUNCHEON - 2016 KIMBERLEY WRITERS FESTIVAL | 960.00 |
| EFT127555 | 06/10/2016 | KIMBERLEY KOOL REFRIGERATION | MAINTENANCE AND REPAIRS TO AIR CONDITIONER AT EKRA | 990.00 |
| EFT127556 | 06/10/2016 | KIMBERLEY MARKETING | PURCHASE OF CONSUMABLES FOR RESALE - KUNUNURRA LEISURE CENTRE | 573.73 |
| EFT127557 | 06/10/2016 | KUNUNURRA LOCK & KEY | KEY CUTTING - KUNUNURRA LANDFILL | 32.00 |
| EFT127558 | 06/10/2016 | KUNUNURRA RURAL TRADERS | FIRE EXTINGUISHER SAFETY CHECKS – VARIOUS PLANT | 320.00 |
| EFT127559 | 06/10/2016 | STAFF MEMBER | REIMBURSEMENT IN ACCORDANCE WITH EMPLOYMENT CONTRACT | 418.21 |
| EFT127560 | 06/10/2016 | MG CORPORATION | CONSULTATION - UNDERTAKE A HERITAGE SURVEY OF LAKE ARGYLE RD UPGRADE | 3,499.66 |
| EFT127561 | 06/10/2016 | MCDOWALL AFFLECK PTY LTD | RFQ26 15-16 CONSULTANCY- DRAINAGE & SEAL DESIGN - EKRA CAR PARK UPGRADE | 3,596.89 |

| | | | | |
|-----------|------------|-----------------------------------|---|-----------|
| EFT127562 | 06/10/2016 | MCLEODS BARRISTERS & SOLICITORS | AUDIT FEES - SOLICITORS CONFIRMATION FOR ANNUAL AUDIT 2015/2016 | 165.00 |
| EFT127563 | 06/10/2016 | MCMULLEN NOLAN GROUP PTY LTD | REMARKING OF WYNDHAM AIRPORT LINE MARKS | 3,553.00 |
| EFT127564 | 06/10/2016 | OPTEON (NORTH WEST WA) PTY LTD | VALUATION OF KNX AGRIC. SHOWGROUND FOR USE AS CARAVAN PARK | 2,750.00 |
| EFT127565 | 06/10/2016 | ORD RIVER ELECTRICS | ELECTRICAL WORKS INCL. INSTALLATION OF QUAD POWER POINTS - KNX LANDFILL | 445.02 |
| EFT127566 | 06/10/2016 | OFFICE NATIONAL KUNUNURRA | REPLACEMENT OFFICE CHAIR - KUNUNURRA ADMINISTRATION | 480.00 |
| EFT127567 | 06/10/2016 | OLLIE'S IRRIGATION & PLUMBING | RETICULATION FITTINGS AND SPRINKLERS - KUNUNURRA PARKS AND GARDENS | 2,435.73 |
| EFT127568 | 06/10/2016 | ORD FUEL SUPPLIES | FUEL FOR P119, P396, P128 AND P394 | 1,009.83 |
| EFT127569 | 06/10/2016 | STAFF MEMBER | REIMBURSEMENT IN ACCORDANCE WITH EMPLOYMENT CONTRACT | 163.00 |
| EFT127570 | 06/10/2016 | PINE TIMBER PRODUCTS PTY LTD | SUPPLY OF PINE TREATED TIMBER BOLLARDS - EAST KIMBERLEY REGIONAL AIRPORT | 3,360.08 |
| EFT127571 | 06/10/2016 | TNT AUSTRALIA PTY LIMITED | FREIGHT FROM PATHWEST TO KUNUNURRA - HEALTH SAMPLES | 711.90 |
| EFT127572 | 06/10/2016 | TOWN CARAVAN PARK | ACCOMMODATION - STAFF MEMBERS AS PER EMPLOYMENT CONTRACT | 707.16 |
| EFT127573 | 06/10/2016 | STAFF MEMBER | REIMBURSEMENT IN ACCORDANCE WITH EMPLOYMENT CONTRACT | 300.00 |
| EFT127574 | 06/10/2016 | WESTRAC EQUIPMENT PTY LTD | PARTS FOR P488 | 227.62 |
| EFT127575 | 06/10/2016 | WYNDHAM EXCAVATIONS | PUSH UP AND COVER WYNDHAM LANDFILL - TWICE PER WEEK - JULY TO SEPT 16 | 6,682.50 |
| EFT127576 | 13/10/2016 | ATO CHILD SUPPORT AGENCY | PAYROLL DEDUCTIONS | 598.56 |
| EFT127577 | 13/10/2016 | AUST.PERFORMING RIGHT ASSOC. LTD | ANNUAL LICENCE FEE - KLC, PETER REID HALL WYN, WYN REC - 1/7/16 - 30/6/17 | 1,813.98 |
| EFT127578 | 13/10/2016 | ALLGEAR MOTORCYCLES | PARTS, OIL FOR P356 | 326.00 |
| EFT127579 | 13/10/2016 | AUSTRALIAN SERVICES UNION | PAYROLL DEDUCTIONS | 131.75 |
| EFT127580 | 13/10/2016 | AUSTRALIAN TAXATION OFFICE | PAYROLL DEDUCTIONS | 83,799.00 |
| EFT127581 | 13/10/2016 | AUTO TOW & REPAIR | SERVICE AND PARTS FOR P388 | 3,536.96 |
| EFT127582 | 13/10/2016 | BADGELINK | NAME BADGES - STAFF MEMBERS - KUNUNURRA ADMINISTRATION | 196.30 |
| EFT127583 | 13/10/2016 | STAFF MEMBER | REIMBURSEMENT IN ACCORDANCE WITH EMPLOYMENT CONTRACT | 86.00 |
| EFT127584 | 13/10/2016 | CAMPING, CLOTHING & RURAL SUPPLY | PROTECTIVE CLOTHING - OUTDOOR WORKFORCE - KUNUNURRA | 495.00 |
| EFT127585 | 13/10/2016 | DAVEY TYRE & BATTERY SERVICE | REPLACEMENT TYRE FOR P353 | 340.50 |
| EFT127586 | 13/10/2016 | DELRON CLEANING PTY LTD | CONTRACT CLEANING - KNX ADMIN, KYC, KLC, CHANGE RMS & TOILETS KNX | 16,772.35 |
| EFT127587 | 13/10/2016 | DENNIS JONES & ASSOCIATES PTY LTD | SUPPLY OF BOOKS TO BE SOLD AT THE 2016 KIMBERLEY WRITERS FESTIVAL | 197.67 |
| EFT127588 | 13/10/2016 | DRYSDALE RIVER STATION | ACCOM. FOR STAFF MEMBER & SIGNAGE - KALUMBURU ROAD WORKS | 700.00 |
| EFT127589 | 13/10/2016 | EAST KIMBERLEY HARDWARE | VARIOUS HARDWARE ITEMS - WHITEGUM PARK AND EKRA | 60.80 |
| EFT127590 | 13/10/2016 | GUERINONI & SON | LOADER AND TIPPER HIRE - KUNUNURRA LANDFILL MAINTENANCE | 11,523.05 |
| EFT127591 | 13/10/2016 | HEALTH INSURANCE FUND OF AUST LTD | PAYROLL DEDUCTIONS | 66.25 |
| EFT127592 | 13/10/2016 | JAB INDUSTRIES | MOBILISATION OF DOZER FROM FARM HILL TO WEABER PLAIN ROAD | 962.50 |
| EFT127593 | 13/10/2016 | JORRITSMA H & CO | RETIC. FITTINGS AND SPRINKLERS - KNX PARKS AND GARDENS, STAFF HOUSING | 120.00 |
| EFT127594 | 13/10/2016 | KIMBERLEY COMMUNICATIONS | UHF ANTENNA FOR P133 | 179.95 |
| EFT127595 | 13/10/2016 | KIMBERLEY MARKETING | PURCHASE OF CONSUMABLES FOR RESALE- KUNUNURRA LEISURE CENTRE | 580.53 |
| EFT127596 | 13/10/2016 | KIMBERLEY PUMPING SERVICE | PARTS AND SERVICE OF WYNDHAM POOL PUMP | 1,342.00 |
| EFT127597 | 13/10/2016 | KIMBERLEY TREE SERVICES PTY LTD | TREE REMOVAL - WYNDHAM DEPOT | 495.00 |

| | | | | |
|-----------|------------|----------------------------------|--|-----------|
| EFT127598 | 13/10/2016 | KUNUNURRA BETTA ELECTRICAL & GAS | SUPPLY OF RANGE HOOD - STAFF HOUSING | 749.00 |
| EFT127599 | 13/10/2016 | KUNUNURRA HOME & GARDEN | ROLL OF FILM BLACK PLASTIC - KNX LANDFILL MAINTENANCE | 123.75 |
| EFT127600 | 13/10/2016 | KUNUNURRA PANEL BEATING WORKS | REPAIRS, PARTS, SUPPLY AND FIT WINDSCREEN - P116, P120 | 528.00 |
| EFT127601 | 13/10/2016 | KUNUNURRA PEST MANAGEMENT | PEST CONTROL TREATMENT - CELEBRITY TREE PARK TOILETS, STAFF HOUSING | 185.00 |
| EFT127602 | 13/10/2016 | L3 COMMUNICATIONS AUST. PTY LTD | EXPLOSIVES VERIFICATION KIT, SAMPLE TRAPS AND FREIGHT- EKRA | 864.60 |
| EFT127603 | 13/10/2016 | MARY ANNE BUTLER | AUTHOR'S FEES TO ATTEND THE 2016 KIMBERLEY WRITER'S FESTIVAL | 1,500.00 |
| EFT127604 | 13/10/2016 | MAXXIA | PAYROLL DEDUCTIONS | 4,857.28 |
| EFT127605 | 13/10/2016 | MCLEAN ENTERPRISES PTY LTD | FREIGHT FROM FIGLEAF PRODUCTS TO KNX CENTRE - WAVE POOL CLEANER | 66.00 |
| EFT127606 | 13/10/2016 | METALAND KUNUNURRA | REPAIRS TO GYM EXERCISE MACHINE - KUNUNURRA LEISURE CENTRE | 86.63 |
| EFT127607 | 13/10/2016 | MICHAEL PAGE INTERNATIONAL P/L | PROFESSIONAL RECRUITMENT SERVICES | 2,962.44 |
| EFT127608 | 13/10/2016 | STAFF MEMBER | REIMBURSEMENT IN ACCORDANCE WITH EMPLOYMENT CONTRACT | 901.71 |
| EFT127609 | 13/10/2016 | STAFF MEMBER | REIMBURSEMENT IN ACCORDANCE WITH EMPLOYMENT CONTRACT | 366.91 |
| EFT127610 | 13/10/2016 | OFFICE FURNITURE | CORNER STAND UP WORKSTATION WITH ELECTRIC UNDERFRAME- KNX ADMIN | 1,700.00 |
| EFT127611 | 13/10/2016 | ORD FUEL SUPPLIES | BULK DIESEL - KUNUNURRA DEPOT | 8,421.18 |
| EFT127612 | 13/10/2016 | ORDCO | WEED CONTROL CHEMICALS - KUNUNURRA PARKS AND GARDENS | 445.50 |
| EFT127613 | 13/10/2016 | SALERNO LAW | LEGAL FEES- COMMUNITY LEASES - KNX NEIGHBOURHOOD HOUSE & KNX GOLF CLUB | 2,200.00 |
| EFT127614 | 13/10/2016 | SPORTSPEOPLE | RECRUITMENT ADVERTISING | 286.00 |
| EFT127615 | 13/10/2016 | SETON AUSTRALIA | STRIPED MARKING TAPE AND FREIGHT- WYN YOUTH AND RECREATION CENTRE | 99.99 |
| EFT127616 | 13/10/2016 | SHIRE OF WYNDHAM EAST KIMBERLEY | PAYROLL DEDUCTIONS | 15.00 |
| EFT127617 | 13/10/2016 | STAPLES AUSTRALIA PTY LIMITED | STATIONERY - KNX LANDFILL | 125.77 |
| EFT127618 | 13/10/2016 | STITCHED UP EMBROIDERY SERVICES | EMBROIDERY & SUPPLY OF UNIFORM- 2016 KIM. WRITERS FESTIVAL & KNX ADMIN | 2,175.00 |
| EFT127619 | 13/10/2016 | THE MURRAY HOTEL | ACCOMMODATION - STAFF MEMBER - ATTEND TRAINING 04/09/16 - 10/09/2016 | 834.00 |
| EFT127620 | 13/10/2016 | TOLL EXPRESS | FREIGHT FROM ABCO PRODUCTS TO KUNUNURRA DEPOT- PALLETS | 439.24 |
| EFT127621 | 13/10/2016 | TOX FREE AUSTRALIA PTY LTD | PUMPING OUT OF EXCESS LIQUID IN OLD LIQUID WASTE TO NEW WASTE FACILITY | 825.00 |
| EFT127622 | 13/10/2016 | TYREPLUS KUNUNURRA | PUNCTURE REPAIRS - P135 AND P134 | 75.00 |
| EFT127623 | 13/10/2016 | VISAGE PRODUCTIONS | ADVERTISING - PARTICIPATION IN OUR TOWN WA TELEVISION SERIES | 11,000.00 |
| EFT127624 | 13/10/2016 | WEST WATER ENTERPRISES PTY LTD | ISSUE OF ENGINEERING REPORT, COST ESTIMATE, FINDINGS & RECOMMENDATIONS | 17,985.00 |
| EFT127625 | 13/10/2016 | WYNDHAM EXCAVATIONS | SUPPLY OF SHALE AND ROLLER HIRE - GULLY ROAD MAINTENANCE | 4,070.00 |
| EFT127626 | 13/10/2016 | WORLEY PARSONS SERVICES PTY LTD | RFQ10 15/16 - ENGINEERING SERVICES - LILY CREEK LAGOON BOAT RAMP | 9,187.46 |
| EFT127627 | 20/10/2016 | AMPAC DEBT RECOVERY (WA) PTY LTD | DEBT COLLECTION COMMISSIONS AND COSTS - SEPT 2016 | 4,507.32 |
| EFT127628 | 20/10/2016 | ASK WASTE MANAGEMENT CONSULT. | WASTE CONSULTANCY INCL. LANDFILL ADVICE, LAGOON REHAB & REPORTING | 5,642.45 |
| EFT127629 | 20/10/2016 | AVIATION ID AUSTRALIA PTY LTD | ANNUAL ACCESS FEE TO VISITOR PASS PROGRAMME 01/07/2016 - 30/06/2017 | 660.00 |
| EFT127630 | 20/10/2016 | AERODROME MANAGEMENT SERVICES | AERODROME TRAINING FOR EKRA STAFF, ACCOM. MEALS & FLIGHTS FOR TRAINER | 10,696.90 |
| EFT127631 | 20/10/2016 | ALLGEAR MOTORCYCLES | PARTS, REPAIRS TO BILLYGOAT VACUUM - WYNDHAM POOL, KLC | 146.90 |
| EFT127632 | 20/10/2016 | ASBESTOS AUDIT PTY LTD | ASBESTOS AUDIT REPORT, MANAGEMENT PLAN & VARIATION FOR EXTRA SITES | 52,954.00 |
| EFT127633 | 20/10/2016 | AUST LOCAL GOV'T JOB DIRECTORY | RECRUITMENT ADVERTISING | 1,155.00 |

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| EFT127634 | 20/10/2016 | BOAB REFRIGERATION | REPLACEMENT TIMER AND REPAIRS TO AIR CONDITIONERS AT KNX DEPOT, EKRA | 473.00 |
| EFT127635 | 20/10/2016 | C & S JOLLY ELECTRICS PTY LTD | VARIOUS ELECTRIC WORKS INCL. REPLACEMENT FUSE& BATTERY- KLC | 674.92 |
| EFT127636 | 20/10/2016 | CIVIC LEGAL | LEGAL FEES - PREPARE SOLICITORS CONFIRMATION FOR ANNUAL AUDIT 15/16 | 387.20 |
| EFT127637 | 20/10/2016 | DAVEY TYRE & BATTERY SERVICE | PUNCTURE REPAIRS, REPLACEMENT TUBE AND FITTING - P394 | 51.00 |
| EFT127638 | 20/10/2016 | STAFF MEMBER | REIMBURSEMENT IN ACCORDANCE WITH EMPLOYMENT CONTRACT | 125.29 |
| EFT127639 | 20/10/2016 | DRYSDALE RIVER STATION | T05 -15/16 GRADING OF PORT WARRENDER ROAD | 9,961.88 |
| EFT127640 | 20/10/2016 | EAST KIM. CHAMBER OF COMMERCE | TICKET FOR ELECTED MEMBER TO ATTEND EAST KIMBERLEY AWARDS DINNER | 80.00 |
| EFT127641 | 20/10/2016 | EAST KIMBERLEY HARDWARE | SUPPLY OF FENCING MATERIALS - WYN LANDFILL | 158.40 |
| EFT127642 | 20/10/2016 | ENNIS TRAFFIC SAFETY SOLUTIONS PTY | RUNWAY PAINT FOR EAST KIMBERLEY REGIONAL AIRPORT | 3,812.60 |
| EFT127643 | 20/10/2016 | FRONTIER POST & NEWS | POSTAGE AND NEWSPAPER PURCHASES - WYNDHAM ADMINISTRATION | 29.35 |
| EFT127644 | 20/10/2016 | HITACHI CONSTRUCTION MACHINERY | PARTS AND REPAIRS TO P477 | 5,464.84 |
| EFT127645 | 20/10/2016 | IMAGE SOURCE | SUPPLY OF ENVELOPES WITH SHIRE LOGO - KUNUNURRA ADMINISTRATION | 874.48 |
| EFT127646 | 20/10/2016 | J. CAV ELECTRICAL | REPLACEMENT LIGHT FITTINGS - WYNDHAM ADMIN, STAFF HOUSING | 344.84 |
| EFT127647 | 20/10/2016 | JSW HOLDINGS PTY LTD | SUPPLY OF CONCRETE AGGREGATE & JOINT FLEX - COOLIBAH DRV MAINTENANCE | 88.83 |
| EFT127648 | 20/10/2016 | KIMBERLEY KOOL REFRIGERATION | INSPECTION OF WATER COOLER & REPAIRS TO FAN MOTOR - KNX TENNIS COURTS | 132.00 |
| EFT127649 | 20/10/2016 | KIMBERLEY MARKETING | PURCHASE OF CONSUMABLES FOR RESALE - KUNUNURRA LEISURE CENTRE | 83.80 |
| EFT127650 | 20/10/2016 | KUNUNURRA HOME & GARDEN | ASSORTED PLANTS, RAGS, LIME & CHISEL- KNX SPORTS OVAL & KNX GARDEN BEDS | 149.90 |
| EFT127651 | 20/10/2016 | KUNUNURRA PANEL BEATING WORKS | PARTS, REPLACEMENT WINDSCREEN AND INSURANCE EXCESS FOR P388 | 861.00 |
| EFT127652 | 20/10/2016 | MILMAR DISTRIBUTORS | SUPPLY OF EFTPOS THERMAL ROLLS - KUNUNURRA ADMINISTRATION | 34.00 |
| EFT127653 | 20/10/2016 | STAFF MEMBER | REIMBURSEMENT IN ACCORDANCE WITH EMPLOYMENT CONTRACT | 50.19 |
| EFT127654 | 20/10/2016 | MCLEODS BARRISTERS & SOLICITORS | LEGAL ADVICE - GENERAL PROCEDURE CLAIM | 265.26 |
| EFT127655 | 20/10/2016 | MICHAEL PAGE INTERNATIONAL P/L | PROFESSIONAL RECRUITMENT SERVICES | 8,791.75 |
| EFT127656 | 20/10/2016 | MIRIMA COUNCIL ABORIGINAL CORP. | FEES FOR STAFF MEMBERS TO ATTEND CULTURAL AWARENESS TRAINING | 396.00 |
| EFT127657 | 20/10/2016 | ORD RIVER ELECTRICS | INSPECTION, TESTING AND REPAIRS TO LIGHTS AT THE WYNDHAM BASTION | 189.75 |
| EFT127658 | 20/10/2016 | OLLIE'S IRRIGATION & PLUMBING | RETICULATION FITTINGS & PARTS - WYN, KNX PARKS & GARDENS, STAFF HOUSING | 281.51 |
| EFT127659 | 20/10/2016 | PAUL BRYAN TRAINING & ASSESSING | RII LICENCES/ COMPETENCIES FOR PLANT OPERATORS – OUTDOOR WORKFORCE | 3,750.00 |
| EFT127660 | 20/10/2016 | PRITCHARD BOOKBINDERS | BINDING - 6 COPIES OF COUNCIL MINUTES | 511.50 |
| EFT127661 | 20/10/2016 | PUBLIC LIBRARIES WESTERN AUST. | PUBLIC LIBRARIES WA MEMBERSHIP RENEWAL 2016/2017- KNX LIBRARY | 165.00 |
| EFT127662 | 20/10/2016 | PURCHER INTERNATIONAL PTY LTD | RFQ14 15/16 TRANSPORT OF X4 TRUCKS TO KNX SHIRE DEPOT | 16,500.00 |
| EFT127663 | 20/10/2016 | QUICK CORPORATE AUSTRALIA | STATIONERY ORDER - SEPTEMBER 2016 - KUNUNURRA ADMINISTRATION | 668.33 |
| EFT127664 | 20/10/2016 | SEA VIEW ORTHOTIC SERVICE | LIFTING AIDS - LITTER CONTROL KUNUNURRA AND WYNDHAM | 798.97 |
| EFT127665 | 20/10/2016 | SIMPLY UNIFORMS | UNIFORMS AND EMBROIDERY SERVICES - EAST KIMBERLEY REGIONAL AIRPORT | 419.99 |
| EFT127666 | 20/10/2016 | TELFORD INDUSTRIES | POOL CHEMICALS - WYNDHAM AND KUNUNURRA LEISURE POOLS | 343.20 |
| EFT127667 | 20/10/2016 | THINK WATER KUNUNURRA | RETICULATION FITTINGS - WYNDHAM PARKS AND GARDENS | 143.80 |
| EFT127668 | 20/10/2016 | TOLL EXPRESS | FREIGHT FROM KUNUNURRA TO ALL FLAGS PERTH - BANNER | 140.27 |
| EFT127669 | 20/10/2016 | TREVMAC ENTERPRISES | SERVICE FOR P142 | 319.25 |

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|-----------|------------|--------------------------------------|--|-----------|
| EFT127670 | 20/10/2016 | WATTLEUP TRACTORS | PARTS FOR P222 | 1,595.00 |
| EFT127671 | 27/10/2016 | AMPAC DEBT RECOVERY PTY LTD | DEBT COLLECTION COMMISSIONS AND COSTS | 3,898.77 |
| EFT127672 | 27/10/2016 | AUST. INSTITUTE MANAGEMENT WA | PROFESSIONAL MEMBERSHIP & SUBSCRIPTION - STAFF MEMBER AS PER CONTRACT | 299.00 |
| EFT127673 | 27/10/2016 | ALLGEAR MOTORCYCLES | PARTS AND REPAIRS - P315 AND P357 | 256.40 |
| EFT127674 | 27/10/2016 | STAFF MEMBER | REIMBURSEMENT IN ACCORDANCE WITH EMPLOYMENT CONTRACT | 83.00 |
| EFT127675 | 27/10/2016 | AUSTRALIAN SERVICES UNION | PAYROLL DEDUCTIONS | 131.75 |
| EFT127676 | 27/10/2016 | AUSTRALIAN TAXATION OFFICE | PAYROLL DEDUCTIONS | 80,479.00 |
| EFT127677 | 27/10/2016 | AUTO TOW & REPAIR | REMOVAL OF ABANDONED VEHICLES TO IMPOUND YARD | 66.00 |
| EFT127678 | 27/10/2016 | ABNEY AIR CONDITIONING | INSPECTION, PARTS & REPAIRS TO AIR CONDITIONER AT WYNDHAM YOUTH CENTRE | 685.96 |
| EFT127679 | 27/10/2016 | BEING THERE SOLUTIONS PTY LTD | VIDEO CONFERENCING SUBSCRIPTION - OCT 2016 | 825.00 |
| EFT127680 | 27/10/2016 | BEST IT & BUSINESS SOLUTIONS PTY LTD | PRINTING COSTS - KUNUNURRA AND WYNDHAM ADMIN - SEPT 2016 | 2,651.68 |
| EFT127681 | 27/10/2016 | C & S JOLLY ELECTRICS PTY LTD | REPLACEMENT BATTERY, FUSE AND REPAIRS TO GLASS SLIDING DOOR AT KLC | 655.86 |
| EFT127682 | 27/10/2016 | CABCHARGE | ACCOUNT KEEPING FEE - 12/09/2016- 09/10/2016 | 20.56 |
| EFT127683 | 27/10/2016 | CAM MANAGEMENT SOLUTIONS | SOFTWARE LICENCE RENEWAL - OCT 2016 - DEC 2016 | 1,980.00 |
| EFT127684 | 27/10/2016 | STAFF MEMBER | REIMBURSEMENT IN ACCORDANCE WITH EMPLOYMENT CONTRACT | 242.95 |
| EFT127685 | 27/10/2016 | STAFF MEMBER | REIMBURSEMENT IN ACCORDANCE WITH EMPLOYMENT CONTRACT | 83.00 |
| EFT127686 | 27/10/2016 | CAPS HIRE | REPLACEMENT OF AIR COMPRESSOR - KUNUNURRA LANDFILL | 1,565.00 |
| EFT127687 | 27/10/2016 | CARPET, VINYL & TILE CENTRE | SPRAY PAINT, DECKING OIL - OVAL CHANGE ROOMS, STAFF HOUSING & SKATE PARK | 850.68 |
| EFT127688 | 27/10/2016 | COATES HIRE OPERATIONS PTY LTD | PURCHASE OF GENERATOR / GENERATOR HIRE - WYNDHAM LANDFILL | 10,488.50 |
| EFT127689 | 27/10/2016 | BEAU ROBINSON | MEMBER MEETING FEES 01/07/2016 - 30/09/2016 | 4,852.05 |
| EFT127690 | 27/10/2016 | DARREN SPACKMAN | MEMBER MEETING FEES 01/07/2016 - 30/09/2016 | 5,671.23 |
| EFT127691 | 27/10/2016 | KEITH WRIGHT | DEPUTY SHIRE PRESIDENT'S ALLOW. & MEETING FEES 01/07/2016 - 30/09/2016 | 9,537.97 |
| EFT127692 | 27/10/2016 | SOPHIE ANN COOKE | MEMBER MEETING FEES 01/07/2016 - 30/09/2016 | 4,852.05 |
| EFT127693 | 27/10/2016 | ALMA PETHERICK | MEMBER MEETING FEES 01/07/2016 - 30/09/2016 | 5,671.23 |
| EFT127694 | 27/10/2016 | BEATRICE JANE PARKER | SHIRE PRESIDENT'S ALLOWANCE & MEETING FEES 01/07/2016 -30/09/2016 | 19,739.00 |
| EFT127695 | 27/10/2016 | EMILY BOLTO | MEMBER MEETING FEES 01/07/2016 - 30/09/2016 | 4,852.05 |
| EFT127696 | 27/10/2016 | NAOMI PERRY | MEMBER MEETING FEES 01/07/2016 - 30/09/2016 | 4,852.05 |
| EFT127697 | 27/10/2016 | SIMONE RUSHBY | MEMBER MEETING FEES 01/07/2016 - 30/09/2016 | 5,671.23 |
| EFT127698 | 27/10/2016 | DELL AUSTRALIA PTY LTD | PURCHASE OF UPS UNITS, TEMP & HUMIDITY SENSOR & POWER CORD - KNX ICT | 13,644.82 |
| EFT127699 | 27/10/2016 | DAVEY TYRE & BATTERY SERVICE | PUNCTURE REPAIRS - P137 | 47.00 |
| EFT127700 | 27/10/2016 | DRYSDALE RIVER STATION | MEALS & ACCOM.- STAFF MEMBER - KALUMBURU RD INSPECTIONS, DIESEL - P387 | 396.19 |
| EFT127701 | 27/10/2016 | EAST KIMBERLEY HARDWARE | PURCHASE OF LPG 9KG GAS CYLINDER AND REFILL - KLC | 99.60 |
| EFT127702 | 27/10/2016 | EAST KIMBERLEY PLUMBING | SUPPLY AND INSTALLATION OF ANTI VANDAL TAPWARE - STAFF HOUSING | 158.07 |
| EFT127703 | 27/10/2016 | EXPRESS VIRTUAL MEETINGS | TELECONFERENCE CHARGES - SEPT 16 | 157.71 |
| EFT127704 | 27/10/2016 | HEALTH INSURANCE FUND OF AUST. | PAYROLL DEDUCTIONS | 66.25 |
| EFT127705 | 27/10/2016 | IBAC PLUMBING PTY LTD | PARTS AND REPAIRS TO TOILET – WYNDHAM POOL | 685.91 |

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| EFT127706 | 27/10/2016 | IT VISION AUSTRALIA PTY LTD | INSTALLATION OF ONLINE LEAVE APPLICATIONS AND TRAINING - KNX ADMIN | 1,841.81 |
| EFT127707 | 27/10/2016 | JSW HOLDINGS PTY LTD | HIRE OF WATER TRUCK TO FILL TANK AT KUNUNURRA POUND | 151.80 |
| EFT127708 | 27/10/2016 | KIMBERLEY ACTION SPORTS INC. | ANNUAL COMMUNITY GRANT - 2017 LAKE ARGYLE ADVENTURE RACE | 5,000.00 |
| EFT127709 | 27/10/2016 | KIMBERLEY HYDRAULICS | REMOVAL, CLEAN UP, SERVICE & REINSTALLATION OF CHAIR LIFT CYLINDER - KLC | 220.00 |
| EFT127710 | 27/10/2016 | KIMBERLEY KOOL REFRIGERATION | MAINTENANCE & REPAIRS TO AIR CONDITIONER- EAST KIM. REGIONAL AIRPORT | 132.00 |
| EFT127711 | 27/10/2016 | KIMBERLEY MOTORS | FUEL COSTS - AUG 16 | 2,273.74 |
| EFT127712 | 27/10/2016 | KUNUNURRA COURIERS | DRINKING WATER SUPPLIES - KUNUNURRA ADMIN OFFICE - SEPT 16 | 322.00 |
| EFT127713 | 27/10/2016 | KUNUNURRA HOME & GARDEN | VARIOUS HARD WARE ITEMS. GIFT FOR STAFF MEMBER AS PER ORG. DIR. OD-4305 | 559.40 |
| EFT127714 | 27/10/2016 | KUNUNURRA MEDICAL | PRE EMPLOYMENT MEDICAL FOR STAFF MEMBERS | 371.30 |
| EFT127715 | 27/10/2016 | LAKE ARGYLE SWIM INC. | ANNUAL COMMUNITY GRANT - LAKE ARGYLE SWIM | 10,000.00 |
| EFT127716 | 27/10/2016 | LANDGATE | GROSS RENTAL VALUATIONS & RURAL UV SCHEDULES - 06/08/2016 - 02/09/2016 | 154.59 |
| EFT127717 | 27/10/2016 | LEISURE INSTITUTE OF WA AQUATICS | MEMBERSHIP - STAFF MEMBER AS PER EMPLOYMENT CONTRACT | 120.00 |
| EFT127718 | 27/10/2016 | STAFF MEMBER | REIMBURSEMENT IN ACCORDANCE WITH EMPLOYMENT CONTRACT | 441.61 |
| EFT127719 | 27/10/2016 | MARKETFORCE PTY LTD | ADVERTISING- VARIOUS INCL. ADOPTION OF LOCAL LAW, ROAD & DRAINAGE WORKS | 2,366.66 |
| EFT127720 | 27/10/2016 | STAFF MEMBER | REIMBURSEMENT IN ACCORDANCE WITH EMPLOYMENT CONTRACT | 672.77 |
| EFT127721 | 27/10/2016 | MAXXIA | PAYROLL DEDUCTIONS | 5,550.23 |
| EFT127722 | 27/10/2016 | MCMULLEN NOLAN GROUP PTY LTD | SURVEY & PREP'N OF PLAN OF KNX SKI CLUB SITE FOR SUBMISSION TO LANDGATE | 4,180.00 |
| EFT127723 | 27/10/2016 | MICHAEL PAGE INTERNATIONAL P/L | PROFESSIONAL RECRUITMENT SERVICES | 3,058.00 |
| EFT127724 | 27/10/2016 | NEC AUSTRALIA PTY LTD | RENEWAL OF NECARE MAINTENANCE SERVICE AGREEMENT 2016 - 2017 | 4,425.77 |
| EFT127725 | 27/10/2016 | OLLIE'S IRRIGATION & PLUMBING | PARTS - SWIM BEACH TOILETS | 256.99 |
| EFT127726 | 27/10/2016 | ORD FUEL SUPPLIES | FUEL, OIL AND GREASE - P119, P396, P128, P393, P386 & P390 | 3,171.29 |
| EFT127727 | 27/10/2016 | ORDCO | WEED CONTROL CHEMICALS - KUNUNURRA PARKS AND GARDENS | 539.00 |
| EFT127728 | 27/10/2016 | PIVOTEL | SATELLITE PHONE CHARGES - AUGUST 16 | 65.00 |
| EFT127729 | 27/10/2016 | RTC WORKS | REPAIRS TO LILY CREEK LAGOON WALKWAY BEARERS AND BOARDS | 18,511.90 |
| EFT127730 | 27/10/2016 | SEARLE HOLDINGS PTY LTD | SUPPLY OF FEELER GAUGE FOR KUNUNURRA BOAT RAMPS | 10.00 |
| EFT127731 | 27/10/2016 | SETON AUSTRALIA | PARTS FOR P227, P477 AND P488 | 296.67 |
| EFT127732 | 27/10/2016 | SHIRE OF WYNDHAM EAST KIMBERLEY | PAYROLL DEDUCTIONS | 15.00 |
| EFT127733 | 27/10/2016 | TELFORD INDUSTRIES | POOL CHEMICALS – WYNDHAM AND KUNUNURRA POOLS | 2,941.40 |
| EFT127734 | 27/10/2016 | TNT AUSTRALIA PTY LIMITED | FREIGHT FROM KUNUNURRA TO PERTH - HEALTH SAMPLES | 1,142.14 |
| EFT127735 | 27/10/2016 | TECHNOLOGY ONE LTD | INTRAMAPS SUBSCRIPTION PLAN LICENCE FEE - 11/09/2016 - 10/09/2017 | 9,482.00 |
| EFT127736 | 27/10/2016 | TOX FREE AUSTRALIA PTY LTD | T04 13/14 REFUSE & LITTER COLLECTION, STREET SWEEPING - KNX & WYN - SEPT 16 | 78,128.26 |
| EFT127737 | 27/10/2016 | TREVMAC ENTERPRISES | SERVICE FOR P144 | 275.50 |
| EFT127738 | 27/10/2016 | TYREPLUS KUNUNURRA | REPLACEMENT TYRES, TUBE AND DISPOSAL- P388 AND P387 | 1,530.00 |
| EFT127739 | 27/10/2016 | VA FASHIONS | SUPPLY OF BASKET BALL UNIFORMS - WYN SWIM FOR FRUIT PROGRAM PRIZES | 110.70 |
| EFT127740 | 27/10/2016 | WEST AUST. NEWSPAPERS LIMITED | ADVERTISING - RECRUITMENT, SWEK NEWS - SEPT 2016 | 3,289.67 |
| | | | TOTAL MUNICIPAL EFT PAYMENTS | 750,961.91 |

| CHQ/EFT | DATE | NAME | DESCRIPTION | AMOUNT |
|--|------------|-----------------------------|---|-------------------|
| 51443 | 06/10/2016 | HORIZON POWER | ELEC. INCL. KLC, KNX BASKETBALL COURTS, KNX ADMIN, KNX OVAL 26/8/16-26/9/16 | 22,967.81 |
| 51444 | 06/10/2016 | WATER CORPORATION | WATER USE & SERV.CHARGES - EKRA, KNX MUSEUM, KNX ADMIN 18/7/16 - 20/9/16 | 5,114.06 |
| 51445 | 13/10/2016 | HORIZON POWER | ELEC. INCL. KNX ADMIN, WYN POOL, WYN ADMIN, STREET LIGHTS 01/9/16 - 30/9/16 | 61,356.32 |
| 51446 | 13/10/2016 | WATER CORPORATION | WATER USE & SERV.CHARGES - KNX DEPOT, STAFF HOUSING 01/9/16 - 31/10/16 | 1,587.54 |
| 51447 | 20/10/2016 | CASH - PETTY CASH KNX DEPOT | PETTY CASH REIMBURSEMENT - KUNUNURRA DEPOT | 90.80 |
| 51448 | 20/10/2016 | DEPARTMENT OF TRANSPORT | REGISTRATION - P334 | 375.95 |
| 51449 | 20/10/2016 | HORIZON POWER | ELEC. INCL. KELLY'S KNOB, STAFF HOUSING, BOOBIALLA PARK 03/8/16 - 04/10/16 | 367.87 |
| 51450 | 20/10/2016 | WATER CORPORATION | WATER USE & SERV.CHARGES - LIONS PARK, WYN CEMETRY 25/7/16-3/10/16 | 7,057.47 |
| 51451 | 27/10/2016 | DEPT. OF MINES & PETROLEUM | DANGEROUS GOODS SITE LICENCE RENEWAL 10/11/2016 - 09/11/2017- KLC | 199.00 |
| 51452 | 27/10/2016 | HORIZON POWER | ELEC. INCL. STAFF HOUSING, RETICULATION, KNX LANDFILL 10/09/16 - 11/10/16 | 933.33 |
| 51453 | 27/10/2016 | TELSTRA | EXECUTIVE INTERNET | 193.28 |
| 51454 | 27/10/2016 | WATER CORPORATION | WATER USE & SERV.CHARGES - KNX OVAL, RETIC, WYN POOL 25/7/16 - 4/10/16 | 16,918.80 |
| TOTAL MUNICIPAL CHEQUE PAYMENTS | | | | 117,162.23 |

| CHQ/EFT | DATE | NAME | DESCRIPTION | AMOUNT |
|-----------------------------|------------|---------------------------------|---|-----------------|
| 955 | 12/10/2016 | BUILDING & CONST. INDUSTRY FUND | BCITF COLLECTIONS FOR SEPTEMBER 2016 | 557.00 |
| 956 | 12/10/2016 | SHIRE OF WYNDHAM EAST KIMBERLEY | BCITF COMMISSIONS FOR SEPTEMBER 2016 | 49.50 |
| 957 | 12/10/2016 | SHIRE OF WYNDHAM EAST KIMBERLEY | BSL COMMISSION FOR SEPTEMBER 2016 | 40.00 |
| 958 | 12/10/2016 | WA DEPT. OF COMMERCE | BSL COLLECTIONS FOR SEPTEMBER 2016 | 710.28 |
| 960 | 27/10/2016 | DEPARTMENT OF HEALTH | BOND REFUND KLC HALL HIRE 08/09/16 | 250.00 |
| 961 | 27/10/2016 | HAMISH SUTHERLAND | BOND REFUND - KERB - BP:041/2016 AP:102037 | 1389.40 |
| 962 | 27/10/2016 | NGNOWAR-AERWAH ABORIG. CORP | BOND REFUND - PRMH HIRE & KEY | 300.00 |
| 963 | 27/10/2016 | SAVE THE CHILDREN | BOND REFUND - KLC HIRE 07/10/16 | 500.00 |
| 964 | 27/10/2016 | TAYLOR'S CARNIVAL FUN FAIR | BOND REFUND - WYN OVAL HIRE & KEYS | 550.00 |
| 965 | 27/10/2016 | TOBI MCNAMARA | BOND REFUND - CELEBRITY TREE PARK HIRE 01/10/16 | 250.00 |
| TOTAL TRUST PAYMENTS | | | | 4,596.18 |

| CHQ/EFT | DATE | NAME | DESCRIPTION | AMOUNT |
|---------|------------|--------------------|-----------------------------|--------|
| 501259 | 03/10/2016 | TRUST DPI CLEARING | TRANSPORT CLEARING 03/10/16 | 207.90 |
| 501260 | 05/10/2016 | TRUST DPI CLEARING | TRANSPORT CLEARING 05/10/16 | 443.25 |
| 501261 | 06/10/2016 | TRUST DPI CLEARING | TRANSPORT CLEARING 06/10/16 | 382.65 |
| 501262 | 07/10/2016 | TRUST DPI CLEARING | TRANSPORT CLEARING 07/10/16 | 55.40 |
| 501263 | 10/10/2016 | TRUST DPI CLEARING | TRANSPORT CLEARING 10/10/16 | 41.80 |

| | | | | |
|--|------------|--------------------|-----------------------------|-----------------|
| 501264 | 11/10/2016 | TRUST DPI CLEARING | TRANSPORT CLEARING 11/10/16 | 451.60 |
| 501265 | 12/10/2016 | TRUST DPI CLEARING | TRANSPORT CLEARING 12/10/16 | 956.00 |
| 501266 | 13/10/2016 | TRUST DPI CLEARING | TRANSPORT CLEARING 13/10/16 | 608.90 |
| 501267 | 14/10/2016 | TRUST DPI CLEARING | TRANSPORT CLEARING 14/10/16 | 440.05 |
| 501268 | 17/10/2016 | TRUST DPI CLEARING | TRANSPORT CLEARING 17/10/16 | 1,355.30 |
| 501269 | 19/10/2016 | TRUST DPI CLEARING | TRANSPORT CLEARING 19/10/16 | 1,573.70 |
| 501270 | 20/10/2016 | TRUST DPI CLEARING | TRANSPORT CLEARING 20/10/16 | 1,032.45 |
| 501271 | 21/10/2016 | TRUST DPI CLEARING | TRANSPORT CLEARING 21/10/16 | 66.00 |
| 501272 | 24/10/2016 | TRUST DPI CLEARING | TRANSPORT CLEARING 24/10/16 | 29.05 |
| 501273 | 25/10/2016 | TRUST DPI CLEARING | TRANSPORT CLEARING 25/10/16 | 286.60 |
| 501274 | 26/10/2016 | TRUST DPI CLEARING | TRANSPORT CLEARING 26/10/16 | 29.05 |
| 501275 | 27/10/2016 | TRUST DPI CLEARING | TRANSPORT CLEARING 27/10/16 | 492.50 |
| 501276 | 28/10/2016 | TRUST DPI CLEARING | TRANSPORT CLEARING 28/10/16 | 712.90 |
| 501277 | 31/10/2016 | TRUST DPI CLEARING | TRANSPORT CLEARING 31/10/16 | 52.80 |
| TOTAL DIRECT DEBIT TRANSPORT PAYMENTS | | | | 9,217.90 |

| CHQ/EFT | DATE | NAME | DESCRIPTION | AMOUNT |
|-------------------------------|-------------|-------------|--------------------|-------------------|
| | 12/10/2016 | PAYROLL | PAYROLL | 232,243.98 |
| | 26/10/2016 | PAYROLL | PAYROLL | 228,149.31 |
| TOTAL PAYROLL PAYMENTS | | | | 460,393.29 |

| CHQ/EFT | DATE | NAME | DESCRIPTION | AMOUNT |
|------------------------------------|-------------|--------------------------|---------------------------------------|------------------|
| | 03/10/2016 | NATIONAL AUSTRALIA BANK | BPAY FEES | 69.19 |
| | 03/10/2016 | BANKWEST | EFTPOS FEES | 626.28 |
| | 03/10/2016 | BANKWEST | BANK FEES | 211.95 |
| | 25/10/2016 | BANKWEST | BANK FEES | 4.50 |
| | 27/10/2016 | BANKWEST | BANK FEES | 10.00 |
| | 13/10/2016 | CLICK SUPER | EMPLOYEE SUPERANNUATION CONTRIBUTIONS | 82,908.96 |
| | 20/10/2016 | BANKWEST | PERIODICAL PAYMENT TO MASTERCARD* | 1,423.08 |
| | 21/10/2016 | WRIGHT EXPRESS AUSTRALIA | PUMA FUEL CARD PURCHASES SEPT 2016 | 867.10 |
| | 06/10/2016 | MESSAGES ON HOLD | MESSAGES ON HOLD | 507.00 |
| TOTAL DIRECT DEBIT PAYMENTS | | | | 86,628.06 |

***DETAILS OF MASTERCARD TRANSACTIONS INCLUDED IN DIRECT DEBIT 20/10/2016**

| CHQ/EFT | DATE | NAME | DESCRIPTION | AMOUNT |
|----------------|-------------|-------------------------------|---|-----------------|
| | 30/08/2016 | QANTAS AIRWAYS LIMITED | FLIGHTS KNX-CRNS 25/9/16 - STAFF MEMBER AS PER CONTRACT | 533.04 |
| | 31/08/2016 | KIMBERLEY MARKETING | STORAGE TUBS - KUNUNURRA ADMINISTRATION SERVER ROOM | 89.70 |
| | 1/09/2016 | FUSION BROAD BAND | BROADBAND - WYNDHAM ADMINISTRATION OFFICE | 177.65 |
| | 1/09/2016 | COLES | GIFT FOR STAFF MEMBER AS PER ORGANISATIONAL DIRECTIVE OD-4305 | 200.00 |
| | 2/09/2016 | ALTRONIC DISTRIBUTORS PTY LTD | PART FOR AUDIO EQUIPMENT- KUNUNURRA CHAMBERS | 36.00 |
| | 2/09/2016 | HOTEL KUNUNURRA | REFRESHMENTS FOR THE OPENING NIGHT OF 2016 KIMBERLEY WRITERS FESTIVAL | 566.50 |
| | 3/09/2016 | RIOTANAK SOAMRIETH | MEALS FOR STAFF & AUTHORS - OPENING NIGHT OF 2016 KIM. WRITERS FESTIVAL | 420.00 |
| | 5/09/2016 | JB HI FI | LOGITECH KEYBOARD AND MOUSE- KUNUNURRA ICT | 123.95 |
| | 13/09/2016 | COUNTRY ARTS | ANNUAL MEMBERSHIP FEE FOR COUNTRY ARTS WA | 110.00 |
| | 13/09/2016 | COLES | REFRESHMENTS FOR COUNCIL MEETINGS | 53.17 |
| | 14/09/2016 | VIRGIN | FLIGHTS PER - KNX 18/09/16 TEMPORARY STAFF MEMBER AS PER CONTRACT | 389.00 |
| | 14/09/2016 | VIRGIN | CREDIT CARD SURCHARGE | 5.06 |
| | 14/09/2016 | MESSAGE MEDIA | SERVER SMS ALERT NOTIFICATION SERVICE | 3.54 |
| | 15/09/2016 | HEALTH CORPORATE NET | REFUND DUE TO OVER PAYMENT | - 4,170.00 |
| | 20/09/2016 | ROYAL LIFE SAVING | ENROLMENT FEES - STAFF MEMBER AS PER CONTRACT | 135.00 |
| | 20/09/2016 | ISENTIA PTY LTD | TRANSCRIPT OF MEDIA REPORT - ABC KIMBERLEY 7:30AM NEWS 19/09/16 | 157.89 |
| | 20/09/2016 | EMOS ELECTRONICS | PART TO REPAIR LCD MONITOR - KUNUNURRA ICT | 88.24 |
| | 22/09/2016 | AVIATION ID AUSTRALIA | AVIATION SECURITY IDENTIFICATION CARD FOR EKRA STAFF MEMBER | 222.00 |
| | 22/09/2016 | KUNUNURRA HOME AND GARDEN | KEY CUTTING - ADDITIONAL GENERATOR KEY FOR KNX DEPOT | 4.95 |
| | 22/09/2016 | FRV CORPORATION | REPLACEMENT PHONES FOR EXECUTIVE STAFF MEMBERS | 724.00 |
| | 23/09/2016 | HARRIS TECHNOLOGY | SUPPLY OF BACKUP BATTERIES FOR DESKTOP PC'S - KUNUNURRA ADMINISTRATION | 573.00 |
| | 24/09/2016 | IBIS STYLES KUNUNURRA | ACCOMMODATION FOR POTENTIAL CANDIDATE 22/09/16 - 23/09/16 | 153.99 |
| | 27/09/2016 | ENVIRONMENTAL HEALTH | LICENCE TO OPERATE SCREENING X-RAY EQUIPMENT - EKRA | 140.00 |
| | 28/09/2016 | ACE DOOR CLOSER SPECIALIST | SUPPLY OF ADJUSTABLE PEDESTRIAN GATE CLOSER - EKRA | 587.40 |
| | 28/09/2016 | BANKWEST | ACCOUNT FEES | 99.00 |
| | | | TOTAL MASTERCARD PAYMENTS | 1,423.08 |

12.4.5 Interim Monthly Statement of Financial Activity for the Period Ended 31 October 2016

| | |
|---------------------------------|-------------------------------------|
| DATE: | 22 November 2016 |
| AUTHOR: | Asset Management Accountant |
| RESPONSIBLE OFFICER: | Carl Askew, Chief Executive Officer |
| FILE NO: | FM.09.5 |
| DISCLOSURE OF INTERESTS: | Nil |

VOTING REQUIREMENT

Simple Majority

OFFICER'S RECOMMENDATION

That Council receives the interim monthly financial report as at 31 October 2016.

COUNCIL DECISION

Minute No: 22/11/16-11547

Commissioner resolved:

That Council receives the interim monthly financial report as at 31 October 2016.

Carried 1/0

PURPOSE

For Council to receive the interim monthly financial report for the period ended 31 October 2016.

NATURE OF COUNCIL'S ROLE IN THE MATTER

Regulator - enforce state legislation and local laws

BACKGROUND/ PREVIOUS CONSIDERATIONS BY COUNCIL/ COMMITTEE

Council is to prepare monthly financial reports as required by the *Local Government (Financial Management Regulations) 1996*.

At the 15 September 2016 Ordinary Council Meeting, the Council resolved the following:

COUNCIL DECISION

Minute No: 11491

Moved: Cr B Robinson

Seconded: Cr N Perry

That the Council, in accordance with Regulation 34(5) of the Local Government (Financial Management) Regulations 1996, approves the materiality level for monthly reporting to be set at +/- 10% and +/- \$20,000 at account level and +/- 10% and +/- \$100,000 at financial statement level.

Carried 9/0

These materiality levels have been applied in the preparation of this report.

STATUTORY IMPLICATIONS

Local Government Act 1995, Section 6.4.

Local Government (Financial Management) Regulations 1996, Regulation 34.

POLICY IMPLICATIONS

No policy implications apply in the preparation of the report.

FINANCIAL IMPLICATIONS

Monthly financial reporting is a primary financial management and control process; it provides the Council with the ability to oversee the Shire's financial performance against budgeted target.

STRATEGIC IMPLICATIONS

Strategic Community Plan 2012-2022

Goal 1: Strong leadership and governance that underpins a more strategic approach to community engagement, regional development and organisational sustainability

Objective 1.4: Business innovation, efficiency and improved services

Strategy 1.4.1 : Ensure legislative compliance and follow best practice principles in planning and service delivery

RISK IMPLICATIONS

Strategic Risk: Failure to comply with legislative requirements leading to damage of reputation and/or financial loss.

COMMUNITY ENGAGEMENT

The Shire of Wyndham East Kimberley's CP/GOV-3100 Community Engagement Policy has been considered in relation to this item.

No community engagement is required.

COMMENTS

Comments in relation to budget to actual variances are included as a note in the Financial Report attached.

ATTACHMENTS

Attachment 1 - Interim Monthly Financial Report as at 31 October 2016



Shire of Wyndham East Kimberley

Interim Monthly Financial Report 2016/2017

As at 31 October 2016

Contents:

- Statement of Financial Activity
- Note to Statement of Financial Activity (Net Current Asset Position)
- Note to Statement of Financial Activity (Explanation of Material Variances)
- Note to Statement of Financial Activity (Budget Remaining to Collect/Spend)
- Monthly Report on Investment Portfolio (Cash)

Financial Activity Legend:
Above Budget Expectations: ▲
Below Budget Expectations: ▼

Shire of Wyndham East Kimberley

Statement of Financial Activity (Interim Report)

Year to Date Actual v Year to Date Budget
as at 31 October 2016

| | YTD Actual 2016/17 \$ | YTD Budget 2016/17 \$ | YTD Variance 2016/17 \$ | % | |
|--|--------------------------------|--------------------------------|----------------------------------|-------------|----------|
| Estimated Surplus/(Deficit) July 1 B/Fwd | 2,939,845 | 2,939,845 | 0 | 0% | ▲ |
| Revenue | | | | | |
| General Purpose Funding | 1,083,149 | 1,069,433 | 13,716 | 1% | ▲ |
| Governance | 59,081 | 8,082 | 50,999 | 631% | ▲ |
| Law, Order, Public Safety | 381,230 | 383,686 | (2,456) | -1% | ▼ |
| Health | 32,106 | 31,565 | 541 | 2% | ▲ |
| Education and Welfare | 4,574 | 3,659 | 915 | 25% | ▲ |
| Housing | 42,941 | 46,621 | (3,680) | -8% | ▼ |
| Community Amenities | 2,011,721 | 2,009,524 | 2,197 | 0% | ▲ |
| Recreation and Culture | 320,119 | 299,174 | 20,945 | 7% | ▲ |
| Transport | 1,485,353 | 1,489,612 | (4,259) | 0% | ▼ |
| Economic Services | 18,703 | 17,042 | 1,662 | 10% | ▲ |
| Other Property and Services | 67,634 | 37,459 | 30,175 | 81% | ▲ |
| | 5,506,611 | 5,395,856 | 110,755 | 2% | ▲ |
| Expenses | | | | | |
| General Purpose Funding | (26,437) | (35,890) | 9,452 | -26% | ▼ |
| Governance | (293,562) | (371,761) | 78,199 | -21% | ▼ |
| Law, Order, Public Safety | (361,011) | (329,071) | (31,940) | 10% | ▲ |
| Health | (98,214) | (91,677) | (6,537) | 7% | ▲ |
| Education and Welfare | (61,788) | (61,399) | (388) | 1% | ▲ |
| Housing | (173,989) | (187,778) | 13,789 | -7% | ▼ |
| Community Amenities | (1,320,915) | (1,346,519) | 25,604 | -2% | ▼ |
| Recreation & Culture | (2,230,739) | (2,207,503) | (23,236) | 1% | ▲ |
| Transport | (3,098,850) | (3,196,998) | 98,148 | -3% | ▼ |
| Economic Services | (151,217) | (170,603) | 19,385 | -11% | ▼ |
| Other Property and Services | (508,974) | (598,544) | 89,570 | -15% | ▲ |
| | (8,325,696) | (8,597,743) | 272,047 | -3% | ▼ |
| Operating activities excluded from budget | | | | | |
| (Profit)/Loss on asset disposals | (5,500) | (25,500) | 20,000 | -78% | ▲ |
| Loss on revaluation of non current assets | 0 | 0 | 0 | 0% | |
| Depreciation on assets | 2,388,832 | 2,425,975 | (37,143) | -2% | ▼ |
| Movement in employee benefit provisions | 0 | 0 | 0 | 0% | ▼ |
| Amount attributable to operating activities | 2,504,092 | 2,138,433 | 365,659 | 17% | ▼ |
| INVESTING ACTIVITIES | | | | | |
| Non-operating grants, subsidies and contributions | 766,609 | 705,409 | 61,200 | 9% | ▲ |
| Purchase property, plant and equipment | (526,070) | (534,266) | 8,196 | -2% | ▼ |
| Purchase and construction of infrastructure | (882,454) | (926,094) | 43,640 | -5% | ▲ |
| Proceeds from disposal of assets | 144,000 | 144,000 | 0 | 0% | ▲ |
| Amount attributable to investing activities | (497,915) | (610,951) | 113,036 | -19% | ▲ |
| FINANCING ACTIVITIES | | | | | |
| Repayment of debentures | (168,709) | (168,709) | 0 | 0% | ▲ |
| Proceeds from new debentures | 0 | 0 | 0 | 0% | ▼ |
| Proceeds from self supporting loans | 0 | 0 | 0 | 0% | ▼ |
| Advances to community groups | 0 | (5,556) | 5,556 | -100% | ▲ |
| Transfers to Reserves (Restricted Assets) | (60,010) | (30,000) | (30,010) | 100% | ▲ |
| Transfers from Reserves (Restricted Assets) | 0 | 0 | 0 | 0% | ▼ |
| Amount attributable to financing activities | (228,718) | (204,265) | (24,454) | 12% | ▼ |
| Surplus(deficiency) before general rates | 1,777,459 | 1,323,217 | 454,242 | 34% | ▲ |
| Total amount raised from general rates | 10,178,304 | 10,151,361 | 26,943 | 0% | ▲ |
| Net current assets at June 30 c/fwd - surplus/(deficit) | 11,955,763 | 11,474,578 | 481,184 | | |

Shire of Wyndham East Kimberley
Note to Statement of Financial Activity (Interim Report)

Net Current Assets
as at 31 October 2016

Composition of Estimated Net Current Asset Position

| | YTD Actual 2016/17 | Brought Forward^① 1 July 2016 |
|---|-----------------------------------|--|
| CURRENT ASSETS | | |
| Cash - Municipal (Restricted & Unrestricted) ^② | 9,118,380 | 2,775,896 |
| Cash - Restricted Reserves | 9,235,411 | 11,060,849 |
| Receivables | 5,392,761 | 1,697,671 |
| Inventories & Other Financial Assets | 18,589 | 21,258 |
| | <u>23,765,141</u> | <u>15,555,674</u> |
| LESS: CURRENT LIABILITIES | | |
| Payables and Provisions | (2,573,967) | (1,554,980) |
| Less: | | |
| Restricted - Reserves | (9,235,411) | (11,060,849) |
| | <u>11,955,763</u> | <u>2,939,845</u> |
| NET CURRENT ASSET POSITION | | |
| Less: | | |
| Restricted - Unspent Grants | (1,094,395) | |
| Restricted - Unspent Loans | (791,117) | |
| ADJUSTED NET CURRENT ASSET POSITION^③ | <u><u>10,070,251</u></u> | |

② Cash - Municipal brought forward balances represented by:

| | | |
|-----------------------------|------------------|------------------|
| Cash on Hand | 1,850 | 1,850 |
| Cash at Bank - Municipal | | |
| Unrestricted | 7,231,018 | 2,774,046 |
| Restricted - Unspent Grants | 1,094,395 | 0 |
| Restricted - Unspent Loans | 791,117 | 0 |
| | <u>9,118,380</u> | <u>2,775,896</u> |

① B/F balance for 2016/17 is calculated based on interim data, this will change as end of year adjustments for 2015/16 are still to be finalised.

③ Net current asset position and Unrestricted cash will remain overstated until the position of grants/loans and reserves are finalised for the 2015/16 financial year.

Shire of Wyndham East Kimberley
Notes to Statement of Financial Activity (Interim Report)
For the Period Ended 31 October 2016

Explanation of Material Variances (between YTD Budget and YTD Actual)

Variances +/- 100,000 and 10% at Financial Statement Level

Variances +/- \$20,000 and 10% at Account Level

Operating

| | | |
|---|--------|---|
| Recurrent Income - Excluding Rates | ▲ | |
| Rates | | |
| Rates Revenue - Interim Rates | 32,300 | ▲ Due the uncertainty and fluctuation throughout the year interim rates were not included in the Budget. This will be reviewed as part of the Mid Year Budget Review. |
| General Purpose Funding | ▲ | |
| No material variances to report | | |
| Governance | ▲ | |
| LGIS Members Experience Income - Other Governance | 48,100 | ▲ Reimbursement income related to eligible risk management expenditure recouped by LGIS. Budget to be amended at the Mid Year Budget Review. |
| Law, Order and Public Safety | ▼ | |
| No material variances to report | | |
| Health | ▲ | |
| No material variances to report | | |
| Education and Welfare | ▲ | |
| No material variances to report | | |
| Housing | ▼ | |
| No material variances to report | | |
| Community Amenities | ▲ | |
| No material variances to report | | |
| Recreation and Culture | ▲ | |
| No material variances to report | | |
| Transport | ▼ | |
| No material variances to report | | |
| Economic Services | ▲ | |
| No material variances to report | | |
| Other Property and Services | ▲ | |
| Transfer in Long Service Leave Entitlements | 30,000 | ▲ Reimbursement of Long Service Leave entitlement from other Shires. |

Shire of Wyndham East Kimberley
Notes to Statement of Financial Activity (Interim Report)
For the Period Ended 31 October 2016

Explanation of Material Variances (between YTD Budget and YTD Actual)

Variances +/- 100,000 and 10% at Financial Statement Level

Variances +/- \$20,000 and 10% at Account Level

| | | | |
|--|------------|--|--|
| Recurrent Expenditure | ▼ | | |
| General Purpose Funding | ▼ | | |
| No material variances to report | | | |
| Governance | ▼ | | |
| Mediation and Facilitation Expenses - Members | 48,800 ▼ | | Potential savings of \$30k for financial year 2016/17. Mediation terminated earlier than anticipated. Budget to be amended at the Mid Year Budget Review. |
| Administration Salary and Wages Allocated - Members of Council | 36,900 ▼ | | Non cash item. Variance due to allocation is based on actual expenditure for the sub programme and Administration overheads. Budget to be amended at the Mid Year Budget Review |
| Risk Management | (28,100) ▲ | | Variance due to increase in scope of work related to asbestos audit. This is an eligible risk management expenditure which will be recouped from LGIS. Budget to be amended at the Mid Year Budget Review. |
| Law, Order and Public Safety | ▲ | | |
| No material variances to report | | | |
| Health | ▲ | | |
| No material variances to report | | | |
| Education and Welfare | ▲ | | |
| No material variances to report | | | |
| Housing | ▼ | | |
| No material variances to report | | | |
| Community Amenities | ▼ | | |
| Write Offs and Waivers - Waste Disposal Charges - Impact on Waste Mgmt Reserve | (23,900) ▼ | | Timing variance. Less waste vouchers utilised than anticipated for the period. |
| Consultants - Local Planning Strategy | 23,900 ▲ | | Carry over project from 2015/16. This will be reviewed as part of the Mid Year Budget Review. |
| Recreation and Culture | ▲ | | |
| Parks and Gardens Maintenance - Kununurra | 23,200 ▲ | | Timing variance. Increase in works prior to wet season. |
| Joint Use Contribution - Libraries | (79,100) ▼ | | Timing variance. Awaiting supplier invoice. |
| Transport | ▼ | | |
| Rural Road Maintenance | (50,700) ▼ | | Timing variance. Related to reduced activity due to staff vacancies, which also has reduced internal plant and overhead allocations. |
| Urban Road Maintenance - Wyndham | (35,500) ▼ | | Timing variance. Related to reduced activity due to staff vacancies, which also has reduced internal plant and overhead allocations. |
| Urban Road Maintenance - Kununurra | (27,000) ▼ | | Timing variance. Related to reduced activity due to staff vacancies, which also has reduced internal plant and overhead allocations. |
| Admin Overheads Allocated - Streets, Roads & Bridges - Maintenance | (29,600) ▼ | | Non cash item. Variance due to allocation is based on actual expenditure for the sub programme and Administration overheads. Budget to be amended at the Mid Year Budget Review |
| Depreciation - Streets, Roads & Bridges - Maintenance | 35,000 ▲ | | Non cash item. Variance due to the anticipated capital projects to be completed at the last financial year end and carry forward projects. Budget to be amended at the Mid Year Budget Review |
| Economic Services | ▼ | | |
| No material variances to report | | | |
| Other Property and Services | ▲ | | |
| Indirect Salaries - Outdoor Workforce | (21,300) ▼ | | Reduced expenditure due to staff vacancies. |
| Depreciation - Plant Operation | (77,200) ▼ | | Non cash item. Variance due to asset revaluation process. Budget to be amended at the budget review. |

Shire of Wyndham East Kimberley
Notes to Statement of Financial Activity (Interim Report)
For the Period Ended 31 October 2016

Explanation of Material Variances (between YTD Budget and YTD Actual)

Variances +/- 100,000 and 10% at Financial Statement Level

Variances +/- \$20,000 and 10% at Account Level

Non Cash Expenditure and Revenue

Adjustments and Accruals

| | | | |
|---|----------|---|---|
| Depreciation - Streets, Roads & Bridges - Maintenance | (35,000) | ▲ | Non cash item. Variance due to the anticipated capital projects to be completed at the last financial year end and carry forward projects. Budget to be amended at the Mid Year Budget Review |
| Depreciation - Plant Operation | 77,200 | ▼ | Non cash item. Variance due to asset revaluation process. Budget to be amended at the budget review. |

INVESTING ACTIVITIES

Non-operating grants, subsidies and contributions

| | | | |
|--------------------------------------|----------|---|--|
| State Local Road Black Spot - Income | (61,200) | ▲ | Timing variance. Grant income based on progress of projects. Project completed earlier than anticipated. |
|--------------------------------------|----------|---|--|

Purchase property, plant and equipment

No material variances to report

Purchase and construction of infrastructure

| | | | |
|--|----------|---|--|
| Egret Close - Re-construct and Seal | (54,700) | ▼ | Widening and drainage work completed for the financial year 2016/17. Project completed. Savings for the financial year 2016/17. Budget to be amended at the Mid Year Budget Review |
| Mills Road reconstruct failures | (20,700) | ▼ | 100% Roads to Recovery funded project. The savings will be offset by reduced income. Budget to be amended at the budget review. |
| Spray seal resurfacing program (R2R) - Wyndham Town Site | (90,700) | ▼ | |
| Coolibah & Ironwood Path Improvements | 131,300 | ▲ | Timing variance. Project completed earlier than anticipated. |

Proceeds from disposal of assets

No material variances to report

FINANCING ACTIVITIES

Repayment of debentures

No material variances to report

Proceeds from new debentures

No material variances to report

Proceeds from self supporting loans

No material variances to report

Advances to community groups

No material variances to report

Transfers to Reserves (Restricted Assets)

No material variances to report

Transfers from Reserves (Restricted Assets)

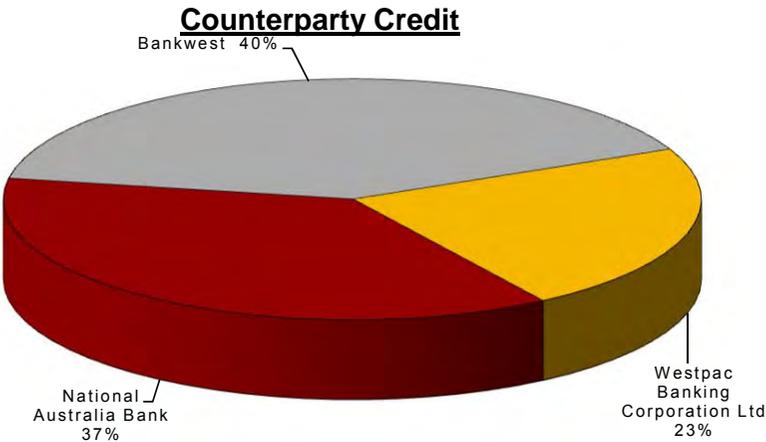
No material variances to report

Shire of Wyndham East Kimberley

Statement of Financial Activity Budget Remaining to Collect/Spend as at 31 October 2016

| | YTD Actual 2016/17 \$ | Annual Budget 2016/17 \$ | Budget Remaining 2016/17 \$ | % | |
|--|--------------------------------|--------------------------------|--------------------------------------|-------------|----------|
| Estimated Surplus/(Deficit) July 1 B/Fwd | 2,939,845 | 2,939,845 | 0 | 0% | ▼ |
| Revenue | | | | | |
| General Purpose Funding | 1,083,149 | 4,098,519 | 3,015,370 | 74% | ▼ |
| Governance | 59,081 | 25,901 | (33,180) | -128% | ▲ |
| Law, Order, Public Safety | 381,230 | 431,646 | 50,416 | 12% | ▼ |
| Health | 32,106 | 97,328 | 65,222 | 67% | ▼ |
| Education and Welfare | 4,574 | 11,130 | 6,557 | 59% | ▼ |
| Housing | 42,941 | 152,500 | 109,559 | 72% | ▼ |
| Community Amenities | 2,011,721 | 3,049,482 | 1,037,761 | 34% | ▼ |
| Recreation and Culture | 320,119 | 981,502 | 661,383 | 67% | ▼ |
| Transport | 1,485,353 | 4,161,489 | 2,676,137 | 64% | ▼ |
| Economic Services | 18,703 | 53,000 | 34,297 | 65% | ▼ |
| Other Property and Services | 67,634 | 66,846 | (788) | -1% | ▲ |
| | 5,506,611 | 13,129,343 | 7,622,732 | 58% | ▼ |
| Expenses | | | | | |
| General Purpose Funding | (26,437) | (316,971) | (290,533) | 92% | ▼ |
| Governance | (293,562) | (1,544,087) | (1,250,525) | 81% | ▼ |
| Law, Order, Public Safety | (361,011) | (1,036,202) | (675,191) | 65% | ▼ |
| Health | (98,214) | (301,590) | (203,376) | 67% | ▼ |
| Education and Welfare | (61,788) | (243,391) | (181,603) | 75% | ▼ |
| Housing | (173,989) | (593,526) | (419,537) | 71% | ▼ |
| Community Amenities | (1,320,915) | (5,607,807) | (4,286,892) | 76% | ▼ |
| Recreation & Culture | (2,230,739) | (7,017,063) | (4,786,324) | 68% | ▼ |
| Transport | (3,098,850) | (12,090,218) | (8,991,368) | 74% | ▼ |
| Economic Services | (151,217) | (533,771) | (382,554) | 72% | ▼ |
| Other Property and Services | (508,974) | (581,408) | (72,434) | 12% | ▼ |
| | (8,325,696) | (29,866,033) | (21,540,337) | 72% | ▼ |
| Operating activities excluded from budget | | | | | |
| (Profit)/Loss on asset disposals | (5,500) | (27,328) | (21,828) | 80% | ▼ |
| Loss on revaluation of non current assets | 0 | 0 | 0 | 0% | |
| Depreciation on assets | 2,388,832 | 7,277,932 | 4,889,100 | 67% | ▲ |
| Movement in employee benefit provisions | 0 | (9,832) | (9,832) | 100% | ▼ |
| Amount attributable to operating activities | 2,504,092 | (6,556,072) | (9,060,164) | 138% | ▼ |
| Capital Expenditure and Revenue | | | | | |
| Non-operating grants, subsidies and contributions | 766,609 | 3,265,708 | 2,499,099 | 77% | ▲ |
| Purchase property, plant and equipment | (526,070) | (1,405,380) | (879,310) | 63% | ▼ |
| Purchase and construction of infrastructure | (882,454) | (6,542,068) | (5,659,614) | 87% | ▼ |
| Proceeds from disposal of assets | 144,000 | 192,588 | 48,588 | 25% | ▲ |
| Amount attributable to investing activities | (497,915) | (4,489,153) | (3,991,237) | 89% | ▼ |
| FINANCING ACTIVITIES | | | | | |
| Repayment of debentures | (168,709) | (999,565) | (830,857) | 83% | ▼ |
| Proceeds from new debentures | 0 | 50,000 | 50,000 | 100% | ▲ |
| Proceeds from self supporting loans | 0 | 2,128 | 2,128 | 100% | ▲ |
| Advances to community groups | 0 | (50,000) | (50,000) | 100% | ▼ |
| Transfers to Reserves (Restricted Assets) | (60,010) | (6,278,646) | (6,218,636) | 99% | ▼ |
| Transfers from Reserves (Restricted Assets) | 0 | 8,169,947 | 8,169,947 | 100% | ▼ |
| Amount attributable to financing activities | (228,718) | 893,864 | 1,122,582 | 126% | ▼ |
| Surplus(deficiency) before general rates | 1,777,459 | (10,151,361) | (11,928,820) | 118% | ▲ |
| Total amount raised from general rates | 10,178,304 | 10,151,361 | (26,943) | 0% | ▲ |
| Net current assets at June 30 c/fwd - surplus/(deficit) | 11,955,763 | 0 | (11,955,763) | | |

REPORT ON INVESTMENT PORTFOLIO AS AT 31 October 2016

| INVESTMENT POLICY - CP FIN - 3203 | | | | | | | | | | | |
|---|------------|-----------------------------|-------------------------------|------------------|------------|----------------------|------------------|---------------|-----------|----------------------|----------------|
| S&P Rating | | Portfolio Credit Framework | Counterparty Credit Framework | | | | | | | | |
| Long Term | Short Term | Direct Investment Maximum % | | | | | | | | | |
| AAA | A-1+ | 100% | 45% | | | | | | | | |
| AA | A-1 | 100% | 35% | | | | | | | | |
| A | A-2 | 60% | 20% | | | | | | | | |
| <small>Note: "S & P" relates to Standard & Poors credit rating agency</small> | | | | | | | | | | | |
| TERM TO MATURITY FRAMEWORK | | | | | | | | | | | |
| Overall Portfolio Term to Maturity Limits | | | | | | | | | | | |
| <i>Portfolio % < 1 year</i> | | <i>100% max 40% min</i> | | | | | | | | | |
| <i>Portfolio % > 1 year</i> | | <i>60%</i> | | | | | | | | | |
| <i>Portfolio % > 3 year</i> | | <i>35%</i> | | | | | | | | | |
| Individual Investment Maturity Limits | | | | | | | | | | | |
| <i>Authorised Deposit Institution</i> | | <i>12 Months</i> | | | | | | | | | |
| <i>State/Commonwealth Government Bonds</i> | | <i>3 years</i> | | | | | | | | | |
| <h3>Counterparty Credit</h3>  | | | | | | | | | | | |
| | | | | Institution Name | S&P Rating | Term to Maturity | Interest Rate | Maturity Date | Principal | Interest on Maturity | % of portfolio |
| MUNICIPAL FUNDS | | | | | | | | | | | |
| NAB | | A-1+/AA | 3 Months | 2.70% | 27-Feb-17 | 1,000,000.00 | 9,024.66 | 9% | | | |
| Bankwest | | | 2 Months | 2.55% | 23-Dec-16 | 1,000,000.00 | 3,982.19 | 9% | | | |
| Bankwest | | | 1Month | 2.25% | 29-Nov-16 | 1,000,000.00 | 2,034.25 | 9% | | | |
| TOTAL MUNICIPAL INVESTMENTS | | | | | | 3,000,000.00 | 15,041.10 | 27% | | | |
| RESERVE FUNDS | | | | | | | | | | | |
| NAB | | A-1+/AA | 3 Months | 2.65% | 10-Dec-16 | 770,847.37 | 5,036.91 | 7% | | | |
| Bankwest | | | 2 Months | 2.55% | 8-Nov-16 | 1,053,644.52 | 4,637.48 | 9% | | | |
| NAB | | | 4 Months | 2.65% | 21-Jan-17 | 1,833,388.76 | 15,973.09 | 16% | | | |
| Bankwest | | | 2 Months | 2.55% | 22-Nov-16 | 1,000,000.00 | 4,191.78 | 9% | | | |
| Bankwest | | | 2 Months | 2.55% | 22-Nov-16 | 500,000.00 | 2,095.89 | 4% | | | |
| Westpac | | | 4 Months | 2.70% | 27-Feb-17 | 1,113,705.52 | 10,133.19 | 10% | | | |
| Westpac | | | 4 Months | 2.70% | 27-Feb-17 | 1,000,000.00 | 9,098.63 | 9% | | | |
| NAB | | | 3 Months | 2.70% | 23-Feb-17 | 555,519.16 | 4,931.18 | 5% | | | |
| TOTAL RESERVE INVESTMENTS | | | | | | 7,827,105.33 | 56,098.15 | 69% | | | |
| TRUST FUNDS - T292 | | | | | | | | | | | |
| Westpac | | A-1+/AA | 4 Months | 2.70% | 29-Nov-16 | 448,661.66 | 4,115.40 | 4% | | | |
| TOTAL TRUST INVESTMENTS | | | | | | 448,661.66 | 4,115.40 | 4% | | | |
| TOTAL INVESTMENTS HELD & INTEREST PAID | | | | | | 11,275,766.99 | 75,254.64 | 100% | | | |

12.5 INFRASTRUCTURE

12.5.1 Casual Rental Fee for Wyndham Airport Storage Sheds

| | |
|---------------------------------|---|
| DATE: | 22 November 2016 |
| AUTHOR: | East Kimberley Regional Airport Manager |
| RESPONSIBLE OFFICER: | David Klye, Director Infrastructure |
| FILE NO: | TT.15.2 |
| DISCLOSURE OF INTERESTS: | Nil |

VOTING REQUIREMENT

Absolute Majority

OFFICER'S RECOMMENDATION

That Council:

1. In accordance with the *Local Government Act 1995*, Sections 6.16 and 6.17 adopt a monthly fee for aviation related use of space within the buildings at Wyndham Airport at a cost of \$2.00/m²/month GST inclusive, for a minimum of 20m² from 15 December 2016.
2. In accordance with the *Local Government Act 1995*, Sections 6.16 and 6.17 adopt a security charge for the use of the buildings at Wyndham Airport, equal one month's charge for the proposed use, which shall be paid prior to any such use effective from 15 December 2016.
3. In accordance with the *Local Government Act 1995*, Section 6.19 give local public notice of its intention to introduce;
 - a. the fee for aviation related use of space within the buildings at Wyndham Airport, and
 - b. a security charge for the use of the buildings at Wyndham Airport;including the date on which the fee is to commence and the details of the fee.
4. Note that the fee shall be for aviation related use of space within the buildings at Wyndham Airport.

COUNCIL DECISION

Minute No: 22/11/16-11548

Commissioner resolved:

That Council:

1. In accordance with the *Local Government Act 1995*, Sections 6.16 and 6.17 adopt a monthly fee for aviation related use of space within the buildings at Wyndham Airport at a cost of \$2.00/m²/month GST inclusive, for a minimum of 20m² from 15 December 2016.
2. In accordance with the *Local Government Act 1995*, Sections 6.16 and 6.17 adopt a security charge for the use of the buildings at Wyndham Airport, equal one month's charge for the proposed use, which shall be paid prior to any such use effective from 15 December 2016.
3. In accordance with the *Local Government Act 1995*, Section 6.19 give local public notice of its intention to introduce;
 - a. the fee for aviation related use of space within the buildings at Wyndham Airport, and
 - b. a security charge for the use of the buildings at Wyndham Airport;including the date on which the fee is to commence and the details of the fee.
4. Note that the fee shall be for aviation related use of space within the buildings at Wyndham Airport.

Carried 1/0

PURPOSE

The purpose of this report is to establish a new fee that provides improved access to short term use of space within the buildings and storage sheds at Wyndham Airport.

NATURE OF COUNCIL'S ROLE IN THE MATTER

Facilitator - bring stakeholders together

Provider - provide physical infrastructure and essential services

BACKGROUND

The Storage Shed facilities have been vacant for the past ten years. Their utilisation can assist the viability of the Airport and provide a modest income towards asset maintenance.

STATUTORY IMPLICATIONS

The *Local Government Act 1995* Sections 6.16, 6.17 & 6.19 applies to this report.

POLICY IMPLICATIONS

There are no policy implications however all leases need to be implemented within the Shires risk and probity framework.

FINANCIAL IMPLICATIONS

Income achieved through the fee can support the asset maintenance of the Storage Shed Buildings and overall return from the Wyndham Airport.

STRATEGIC IMPLICATIONS

Strategic Community Plan 2012-2022

Goal 2: Greater returns from regional investment to ensure sustainable provision of appropriate physical and social infrastructure

Objective 2.3: Assets are appropriate for their intended purpose and factor in whole of life costing and maintenance

Objective 3.4: Enhancement of community facilities

Strategy 2.3.1: Manage and maintain assets in a strategic and cost effective manner

Strategy 3.4.3: Ensure Shire facilities are planned and managed to meet community needs

RISK IMPLICATIONS

Risk:

Inability to deliver levels of service expected by the community.

Control:

Develop agreed standards of service and communicate with the community.

Risk:

Failure to comply with legislative requirements leading to damage of reputation and/or financial loss.

Control:

Review policies and procedures (eg building, planning, health, childcare) in accordance with review schedule.

COMMUNITY ENGAGEMENT

Community Engagement will occur in the form of public notification in accordance with the *Local Government Act 1995* for new or revised Fees and Charges.

COMMENTS

A request has been received for use of a secure and covered area in the storage sheds at Wyndham Airport. The request is to store Avgas in drums to support air operations in the area over the upcoming wet season.

There are several buildings at the Airport that are currently vacant and would be suitable for aviation related storage (Attachment 1). A fee for use of the buildings for aviation purposes is expected to increase landings at Wyndham thereby generating additional income from landing fees.

To allow the Shire to consider this and potentially other requests for use of the vacant buildings it is proposed that Council adopt a formal monthly charge for use of the buildings at the Wyndham airport. The following criteria are based on similar principles to those adopted for Wyndham Hangar:

- Period: Multiples of monthly periods up to 24 months beyond which a formal lease would be sought.
- Area: Minimum of 20m².
- Cost: \$2.00 per m² per month
- A security deposit equal to one month's rental.
- There are no utility services connected to the Sheds.

ATTACHMENTS

Attachment 1 - Wyndham Storage Sheds - areas proposed to be made available for casual use



SHIRE OF WYNDHAM
EAST KIMBERLEY



Designed:
B.SARGEANT
Drawn:
B.SARGEANT

WYNDHAM AIRPORT STORAGE SHEDS

Scale:
NOT TO SCALE

Sheet:
Date:
09/11/2016

Drawing No:
Approved:

12.5.2 Additional flight options from East Kimberley Regional Airport

| | |
|---------------------------------|---|
| DATE: | 22 November 2016 |
| AUTHOR: | Manager East Kimberley Regional Airport |
| RESPONSIBLE OFFICER: | Carl Askew, Chief Executive Officer |
| FILE NO: | TT.15.3 |
| DISCLOSURE OF INTERESTS: | Nil |

VOTING REQUIREMENT

Simple Majority

OFFICER'S RECOMMENDATION

That Council:

1. Provide *in principle* support for a trial of an air service proposed by East Kimberley Marketing Group between Kununurra and Melbourne for forty (40) return services between May and October 2017 and authorise the CEO to enter into negotiations with the East Kimberley Marketing Group and their partners on the basis of the following:
 - a. Consideration of a supporting financial package comprising:
 - i. Waiver of Passenger Service Fees for screening and terminal usage.
 - ii. Operational subsidy to maximum of \$250,000 (acknowledging an additional contribution from the local community of at least \$100,000).
 - iii. Marketing campaign funded and professionally resourced to promote the commencement and for the duration of the trial service.
 - b. Advise the East Kimberley Marketing Group that Landing Fees should be met for flights as they comprise a contribution towards the asset management and maintenance of the runway and other airside infrastructure.
 - c. Further negotiate with East Kimberley Marketing Group regarding pricing structure, landing fees, marketing, key performance indicators, underwriting and "claw back" mechanism and Council's assistance with the proposed trial.
2. Refer the cost of the trial for consideration in both the Mid-Year Budget Review 2016-17 and Annual Budget 2017-18.

COUNCIL DECISION

Minute No: 22/11/16-11549

Commissioner resolved:

That Council:

1. Provide *in principle* support for a trial of an air service proposed by East Kimberley Marketing Group between Kununurra and Melbourne for forty (40) return services between May and October 2017 and authorise the CEO to enter into negotiations with the East Kimberley Marketing Group and their partners on the basis of the following:
 - a. Consideration of a supporting financial package comprising:
 - i. Waiver of Passenger Service Fees for screening and terminal usage.
 - ii. Operational subsidy to maximum of \$200,000 (acknowledging an additional contribution from the local community of at least \$100,000).
 - iii. Marketing campaign funded and professionally resourced to promote the commencement and for the duration of the trial service.
 - b. Advise the East Kimberley Marketing Group that Landing Fees should be met for flights as they comprise a contribution towards the asset management and maintenance of the runway and other airside infrastructure.
 - c. Further negotiate with East Kimberley Marketing Group regarding pricing structure, landing fees, marketing, key performance indicators, underwriting and “claw back” mechanism and Council’s assistance with the proposed trial.
2. Refer the cost of the trial for consideration in both the Mid-Year Budget Review 2016-17 and Annual Budget 2017-18.

Carried 1/0

REASON FOR VARYING THE OFFICER’S RECOMMENDATION

The Commissioner made minor changes to the recommendation 1 (a) (ii) Operational Subsidy. In providing “in principle” support the Commissioner noted that there were still a number of areas that required further negotiation and finalisation between the parties and which may require further reports to Council. The Commissioner was keen to ensure that the Shire minimised any risk exposure for Council and the community whilst maximising the intent of the trial to increase visitors to the East Kimberley

PURPOSE

This report provides an initial assessment of a proposal that has been submitted by the East Kimberley Marketing Group (EKMG) to establish direct air services to east coast that can be both a catalyst for regional economic development and improve connectivity for the local community.

The work of the EKMG has led to Alliance Airlines proposing a trial operation comprising twice weekly return flights for a period of 20 weeks from May to October 2017.

The trial is outlined in the attached EKMGM proposal and references contributions from the region, with a monetary value in the order of \$600,000, inclusive of foregone revenue by the Shire and in-kind contributions. It advocates for the delivery of a new (additional) air service between Melbourne and Kununurra aimed at providing both a boost to local tourism and the broader local economy as well as increasing capacity of the local community to take advantage of the increased connection with the East coast of Australia.

NATURE OF COUNCIL'S ROLE IN THE MATTER

Advocator - advocate and support initiatives on behalf of the community and the Kimberley

Facilitator - bring stakeholders together

Funder - provide funds or other resources

Provider - provide physical infrastructure and essential services

BACKGROUND

This proposal has not previously been reported to Council however the role of EKMGM in supporting economic development, including the attraction of additional flights, has been advised previously and has been the focus of the EKMGM for the last 18 months, with Council appointing an Elected Member representative to the Group. The organisation has also previously received funding support from the Shire for various related studies as outlined in their current proposal.

STATUTORY IMPLICATIONS

Council is subject to a number of provisions under the Local Government Act in relation to the allocation of funds.

Council also needs to be mindful of issues related to the National Competition Policy and associated Competition Principles Agreement - an intergovernmental agreement between the Commonwealth and State/Territory governments that sets out how governments will apply National Competition Policy principles to public sector organisations within their jurisdiction.

The State Government released a policy statement effective from July 1996 called the Clause 7 Statement, which forms part of the Competition Principles Agreement. The provisions of Clause 7 requires Local Government to report annually on their implementation, application and effects of Competition Policy as well as the structural reform of public monopolies and the implementation of Legislative review. Competition Policy does not require contracting out or competitive tendering. It does not preclude local government from continuing to subsidize its business activities from general revenue, nor does it require privatisation of government functions. Competitive neutrality principles apply to those significant business activities conducted by (or under the control of) one or more local government.

POLICY IMPLICATIONS

There are no specific policy implications that impact on the consideration of this report however there is a need to meet good governance principles in assessing the request.

FINANCIAL IMPLICATIONS

The total financial value of the package sought by EKMG is in the order of \$600,000 with the majority sought from the Shire through a combination of foregone revenue and direct contributions. Components such as marketing/promotion and contributions from commercial operators, other levels of government and individual community members have been identified.

EKMG/Alliance are seeking support including:

- Waiving Terminal Passenger Handling Fee by Shire (for arrivals and departures) and Screening Fee (departures) - approximately \$65 per passenger return trip.
- Waiving landing fee by Shire - estimated at \$1,000 per return trip.
- Regional lead to marketing campaign to promote flights.
- A contribution per return flight towards operations - estimated at \$400,000 for the trial.

The requested funds are not allocated in the current budget but could be addressed through the Mid-Year Budget Review for 2016-17 and the following Annual Budget for financial year 2017-18.

STRATEGIC IMPLICATIONS

Strategic Community Plan 2012-2022

Goal 1: Strong leadership and governance that underpins a more strategic approach to community engagement, regional development and organisational sustainability

Objective 1.4: Business innovation, efficiency and improved services

Strategy 1.4.2 : Improve the efficiency and productivity of Shire services

Goal 2: Greater returns from regional investment to ensure sustainable provision of appropriate physical and social infrastructure

Objective 2.2: Maintenance of economic diversity and greater community returns from investment in the region

Strategy 2.2.8 : Support and advocate for further development of the East Kimberley Regional Airport to attract more aircraft and greater competition

Goal 3: Protection and enhancement of lifestyle values, community facilities and the environment to provide safe and inviting communities.

Objective 3.1: A broad range of lifestyle opportunities and activities are available for East Kimberley residents

Strategy 3.1.4 : Facilitate activities that link communities.

The Shire's East Kimberley Tourism Action Plan 2022 is also relevant to this proposal.

RISK IMPLICATIONS

The wider risk implications are as follows:

Risk: Inability to deliver levels of service expected by the community.

Control: Develop agreed standards of service and communicate with the community

Risk: Failure to comply with legislative requirements leading to damage of reputation and/or financial loss.

Control: Increased accountability to the Audit (Finance and Risk) Committee

COMMUNITY ENGAGEMENT

No community engagement has been undertaken to date other than via communication with EKMG and associated meetings.

COMMENTS

Context and proposal:

While the East Kimberley Regional Airport receives RPT services provided by Airnorth and Virgin to Darwin, Perth and Broome more distant trips particularly to east coast can involve lengthy transits and ticketing costs. This leads to challenges for residents to visit family/friend outside the region and economic impacts on potential tourists and those seeking to undertake business.

A number of regional airports in Western Australia have been able to establish direct services to the east coast although several have reverted to connecting services due to reduced economic/ resources activity. A weekly service between Broome and Melbourne is still operated by Qantas.

It should be noted that due to the limited length of the current EKRA runway flights to major cities need to be provided by Class 3C planes with aircraft having a range of over 3,100km without refuelling. In comparison many of the competing regional WA aerodromes have runways capable of operating longer distance Class 4C aircraft. The Council decision at the October 2016 Ordinary Meeting to support a lengthening of EKRA Runway by 601m will address this matter in the longer term.

The proposal before Council has been provided by EKMG and includes the following:

- Background: Alliance is Australia's third largest air operator and has previously assisted in developing new routes e.g. between Melbourne and Uluru.
- Proposal: Trial operation of twice weekly Melbourne - Kununurra - Melbourne from May 2017 for 20 weeks.
- Support: EKMG/Alliance seek support including:
 - Waiving Terminal Passenger Handling Fee by Shire (for arrivals and departures) and Screening Fee (departures) per passenger return trip.
 - Waiving landing fee by Shire per return trip.
 - Regional lead to marketing campaign to promote flights.
 - Contribution per return flight towards operations (estimated at \$400,000).

The following sections provide comment on the proposal and related considerations.

Specification of air-services:

The proposal will require further detail to be negotiated including:

- Type of aircraft (it is assumed Fokker 70 with 80 seats and range of 3,500km).
- Flight schedules for arrivals/departures and the implications for connections with Melbourne Airport and services required of EKRA.
- Confirmation of the opportunity for Code-Share, booking arrangements and seamless ticketing or connectivity to secondary destinations.
- Confirmation of details related to fare structures and ticketing costs.

Subject to support *in principle* by Council these are all matters that can be pursued, negotiated and finalised as part of progressing the current proposal.

Continuation of service:

With the level of support being sought from the region there will be a need to negotiate and determine acceptable KPI's that would result in the trial operations being sufficient for the service to be considered viable and scheduled beyond October 2017. Similarly with the trial during the dry season guidance has not been received as to whether the service will be viewed as a year round operation if specified outcomes are reached however these are matters that would be pursued during and after the trial.

Alternate approaches to improve connectivity:

Recognising the level of subsidy during the trial period and uncertainty over longer-term viability Officers should also consider alternative approaches that could improve air services to Kununurra from the east coast. One option that has been identified is some limited changes to Air North's return service between Darwin - Kununurra - Broome services that may provide high level connectivity with the daily Qantas Melbourne - Darwin service while maintaining the link to the daily Perth - Broome service. While this has not formally raised with Air North at this time it has been noted in the EKMG proposal as part of previous discussions and would be expected to involve minimal costs or flight impacts. While it could reasonably be raised that compared to a direct flight passengers may have a higher fare due to transit costs in Darwin – it needs to be acknowledged that the Melbourne – Darwin leg would utilise larger aircraft. The fare would be a single transaction due to the Qantas-Airnorth Code Share.

Commercial considerations for trial and its extension:

There could be a criticism if the Shire were to subsidise an Airline's operational costs long term and this needs to be viewed as a limited trial "underwriting" process that and will need to be further explored with current operators Air North and Virgin, who may have an interest in such a route and/or providing such a service. However the EKMG proposal does address this issue and it would appear that neither current operator has an appetite for this route/service at this time.

Contributions from the region (Marketing and Advertising/Promotions):

While the Shire through its representation of local and regional interests could appropriately provide support to the trial it is considered that a wider spread of support is appropriate and this is canvassed and addressed by EKMG in their proposal and more importantly in the significant number of letters of support as well as the indicated financial support.

It is also noted that support/sponsorship has also been identified from Tourism WA (TWA) and Australia's North West (ANW) including both in-principle and actual support for advertising and marketing, including adjusting a TV promotion suiting the East Kimberley for direct marketing in Melbourne. With such a proposal the importance of targeted marketing and advertising could be the difference between the success or failure of the trial. The marketing should include not only the range of tourists but also residents and businesses in the region. Advice from EKMG on the participation of Tourism WA is an important step but needs to be augmented by initiatives across other sectors.

Fees:

The proposal seeks the Shire to waive its passenger service, screening and landing fees for all passengers. It may be appropriate to review the proposal to limit the requested subsidy to the “*break-even point*” of the flight so that once commercial viability is reached or exceeded there is no requirement for any underwriting and the EKMG proposal refers to a “possible claw-back arrangement” - noting that this will also need to be a point of negotiation between the Shire EKMG and the Airline.

If the flights were scheduled to arrive/depart during periods when the Airport Services Team is on duty a reduction in fees could be supported as basic costs would be met in current budget. Some minor costs may be encountered as other duties such as cleaning/maintenance would be reduced to some extent.

The current proposal requests that landing fees be waived. While the specific aircraft details have not been provided they estimate each landing being subject to a \$1,000 fee and hence total over trial period of \$42,000.

This contribution should be held in the airport reserve for runway and other airside asset maintenance and needs to be recognised in terms of prior capital works such as the resurfacing of the runway that in 2015 cost \$5.1m.

Operational Subsidy:

The requested operational subsidy is a significant contribution and as previously detailed should link to business case that identifies KPIs that need to be met for a permanent service (and any seasonality). Initial advice on commercial/community contributions from EKMG is a positive message and can provide some sharing of the funding - and may possibly extend to other levels of government? Recognising this additional local community financial support (at least \$100,000 and potentially more) it is proposed that the Shire set aside \$250,000 across this and into next financial year, in addition to the requested fee waivers estimated to be in the order of \$150,000.

Conclusion:

The request is a positive move for the Kununurra and East Kimberley tourism market and the Shire should look to support the economic development and growth of the Town, specifically in the areas of Tourism however the request also represents a significant investment (with some risk) for the Shire. There is also further detail that needs to be negotiated and agreed before a final commitment can be made and this can be achieved, subject to goodwill from all parties to negotiate in good faith. As such the proposal is worthy of Council’s favourable consideration.

ATTACHMENTS

Attachment 1 - East Kimberley Marketing Group Proposal

Attachment 2 - Appendix One EKMG Acquittal Report KCCF Final 230216

Attachment 3 - Appendix Two EKMG Acquittal Report KDC Small grant 210316

Attachment 4 - Appendix Three 1322 - TWA Potential for Direct Flights to Kununurra final Report 16.12.15

Attachment 5 - Appendix Four List of businesses & residents letters of support



EAST KIMBERLEY MARKETING GROUP PROPOSAL TO THE SHIRE OF WYNDHAM EAST KIMBERLEY

DIRECT FLIGHTS FROM MELBOURNE TO KUNUNURRA

Purpose

This proposal to the Shire of Wyndham East Kimberley (SWEK) is to request financial support in the form of funds to assist Alliance Airlines to off-set the risk of commencing a new flight route to Kununurra, direct from Melbourne for a 20-week period commencing 15 May, 2017.

Background

The East Kimberley Marketing Group (EKMG) was formed due to industry forums held in Kununurra during late 2013 and early 2014 when tourism operators came together to discuss the best way of giving tourism a 'boost' in the region. With the SWEK *East Kimberley Tourism Action Plan 2022* and more specifically *Part B – Operational Marketing Plan* as a guide, the EKMG set about putting a structure, systems, culture and people in place.

With remote areas facing mounting challenges for the tourism dollar, the change in consumer demands and increasing local, national and international competition, it became apparent that now more than ever, a collective approach to marketing and promotion of Kununurra and the East Kimberley was critical.

The Shire's *East Kimberley Tourism Action Plan 2022* also specifies the following four objectives as key to promotion of the region:

1. Targeting growth markets that are relevant to the East Kimberley.
2. Improving access to the East Kimberley.
3. Building the value of tourism in the East Kimberley.
4. Developing new and existing tourism products (including events) to meet the expectations of the targeted market segments

The EKMG has further added a 5th objective:

5. Increasing visitor length of stay.

The target markets outlined in the Plan include Grey Explorers, Dedicated Discoverers, Aspirational Achievers, Family Connectors and Business/Corporate clientele.

At a meeting with Tourism WA in June 2014, it was agreed that the EKMG should select **two key focus** areas and promote these to the target markets:

Improving access to the East Kimberley: more specifically, *airline* access. Conversations with airlines commenced in 2014 for a flight direct Melbourne>Kununurra.

Increasing visitor length of stay: the EKMG is working with industry, the Kununurra Visitor Centre (KVC) and Australia's North West (ANW), to promote icons, distances and the length of time required to see it all.

Structure & Collaboration

Incorporation: the Constitution of the group was accepted at a meeting to be held on Wednesday 24 September, 2014. The current Management Committee is as follows (please note, the EKMG Constitution has a requirement for Representative members from ANW, SWEK, Shire of Halls Creek, KVC and the East Kimberley Chamber of Commerce & Industry (EKCCI):

| | |
|----------------|---|
| Chairman | Michael McConachy, Freshwater East Kimberley Apartments |
| Vice Chairman | Charlie Sharpe, Lake Argyle Resort, Caravan Park & Tours |
| Secretary | Ebony Muirson, Freshwater East Kimberley Apartments |
| Treasurer | Tony Chafer, Cambridge Gulf Ltd |
| Committee | Leigh Rawlings, Kimberley Air Tours |
| Committee | Lee Irvin, Kimberleyland Holiday Park (resigned 15/11/16 – leaving Kununurra) |
| Committee | Frank Rodriguez, Northern Airport Services |
| Committee | Dylan Lodge, Triple J Tours |
| Representative | Glen Chidlow, Australia's North West Tourism |
| Representative | Vivienne McEvoy, Kununurra Visitor Centre |
| Representative | Matt Hobson, Shire of Halls Creek |
| Representative | Vacant, Shire of Wyndham East Kimberley |
| Representative | Jill Williams, East Kimberley Chamber of Commerce & Industry |
| Ex-Officio | Narelle Brook, Coordinator – EKMG |
| Ex-Officio | Carl Askew, Chief Executive Officer, Shire of Wyndham East Kimberley |

Funding & Projects

Seed funding: to have a paid coordinator manage the 'business' side of the EKMG, the SWEK approved \$15,000 (plus GST) during 2013/2014. Australia's North West also contributed \$15,000 (plus GST) toward the EKMG. Prior to the EKMG becoming incorporated, an MOU was developed between SWEK, EKCCI, KVC, ANW, the East Kimberley Sub-Committee of ANW and the Contractor (Brook Project Management & Marketing) outlining details of the funding which was to be managed by the (then) Kununurra Chamber of Commerce & Industry (now EKCCI). This funding also paid for the development of the Group's Constitution by Salerno Law.

I Work in Tourism: during 2014, the SWEK Council approved a further \$5,000 (plus GST) for the "I Work in Tourism" project which focused on improvement across the business sector and ensuring all businesses were aware that tourism impacts on their operations during 2014. This MOU was signed off by the SWEK, EKCCI, EKMG, KVC, Small Business Centre East Kimberley and the Kimberley Training Institute (who, as part of the 'I Work in Tourism' project offered training services in tourism and hospitality).

Project One – Market Potential Analysis for Direct Flights from the East Coast to Kununurra: to undertake research and analysis to identify the market potential of direct flights between the east coast of Australia and Kununurra. Funding was provided through the following sources:

- Kimberley Development Commission R4R Community Chest Fund \$20,000
- Tourism WA \$20,000
- Shire of Wyndham East Kimberley \$10,000
- Tourism Industry (specifically Management Committee members of the EKMG) \$15,000

In-kind assistance was provided by the following:

- Tourism WA \$2,000
- Shire of Wyndham East Kimberley \$1,000
- Nexia Australia \$1,000

On completion of the research, it was proposed that the EKMG would then be armed with required knowledge to approach the most appropriate airline and east coast location (Melbourne) for direct air access to Kununurra with the aim of increasing tourism and business opportunities for the region.

Appendix One: Acquittal Report – R4R Community Chest Fund

Project Two: Marketing Potential Analysis Project 2015 (current market analysis) – local and past visitors: a further \$7,100 was requested through the Kimberley Development Commission's R4R Small Grants Scheme to undertake additional survey work of past visitors and residents of Kununurra. The EKMG felt it pertinent to find out from past visitors to the East Kimberley and local East Kimberley residents the appeal of the potential for direct flights from the East Coast (Melbourne) to Kununurra.

Appendix Two: Acquittal Report – R4R Small Grant Scheme

Appendix Three: 1322 - TWA Potential for Direct Flights to Kununurra Final Report 16.12.15

Project Three: Marketing Analysis and Plan: this is the current project that a Scope is currently being drafted for. Funding for this project has been received as follows:

- Kimberley Development Commission R4R Kimberley Regional Grants Scheme \$60,000
- Shire of Wyndham East Kimberley \$35,000

A further \$20,000 from Tourism WA was committed for an Airline Business Case however, with the quick progression of the EKMG in direct dealings with airlines, the use of these funds is still to be finalised as it is felt the Business Case is not required.

Case Study – Voyages Uluru

The EKMG has undertaken substantial research on other areas that have had significant uplift due to the introduction of new flights to a region and these comments from Voyages Uluru indicate the success that direct flights can bring to a community.

“We ran a charter series over a three-month period over week-ends only during a reasonably high demand period April-June. This was a couple of years ago. It was initiated after much discussion and using as a basis the fact that if an airline isn’t doing it, then there is probably a very good reason why it’s not happening!

It was very successful in as much as we sold out a 100-seat Fokker aircraft every week-end.

I would not attach too much significance to its role in our current success. This has been principally due to a list of other factors, involving significant investment and focused sales and marketing activity. However, it may have been a small factor in the introduction of a Jetstar schedule of four times weekly from Melbourne to Uluru which launched immediately after we finished the charter series.

Here are some key points which contributed to its success:

- *It was set up, managed, financed and bookings handled by one entity – Voyages. This is a critical point as you look at your way forward. We have a great team here and everybody played a major role in concert.*
- *The flight schedule reflected a natural customer need of a week-end stay in a clearly identifiable and iconic destination – very simple. A major issue to consider in the project you’re proposing would be the relative complexity of the East Kimberley destination (stunning but varied and possibly requiring more time thus complicating the flight schedule leaving it open to highly variable load factors).*
- *A flexible agreement with the air charter company to minimise the risk and given that the required flight schedule reflected the greatest availability of aircraft for the carrier.*
- *A centralised point of reservations in our already established Voyages Travel Centre.*
- *An advertising campaign and major editorial support from Melbourne media.*
- *Some limited support from a few of our tour partners.*

Regarding the occupancy levels – as it was only a 100-seat aircraft – it equates to an additional fifty rooms for a two night stay; so 100 room nights additional each week-end. That’s around 15% of our total inventory. So, over the three-month period there were 100 room nights by 13 week-ends which equal an additional 1300 room nights. This equates to roughly \$575,000 in total revenue, including the local spend once at the resort. There is no question that this was all additional revenue to that same period the year before.

Additionally, it gave us a profile in the Melbourne market, really for the first time. As mentioned before, we do believe that it would have been a small factor in the introduction of four Jetstar flights a week shortly after”.

**Ray Stone, Executive General Manager,
Sales – Marketing – Distribution, Voyages - Uluru**

Airlines

Discussions with airlines commenced late in 2014. These airlines have included:

- Airnorth/QANTAS;
- Virgin Australia;
- Alliance Airlines.

Members of the EKMG Board have flown to Darwin to meet with Airnorth on several occasions in the past 12-18 months and at the last meeting held in June, 2016 Airnorth advised that they would not be able to commit to direct flights from Melbourne unless the flights were fully underwritten by the East Kimberley community. Airnorth were invited to provide the EKMG with a proposal however, they instead offered improved connections between their flights to/from Kununurra and connections with flights to the east coast. The EKMG Board agreed that this was not the outcome of choice.

Alliance Airlines has provided the offer currently being discussed.

Virgin Australia will potentially work with Alliance Airlines across their networks.

Marketing & Promotion

Based on recent discussions that EKMG has had with Tourism WA regarding the direct flight proposal, there has been a strong indication that Tourism WA would consider a variation to their planned 'just another day in WA' campaign scheduled for east coast televisions in February 2017. This campaign will focus on the north west of WA and provide a targeted marketing campaign on the East Kimberley to an approximate value of \$300-500K. Tourism WA are willing to include a focus on the new flights as a part of this campaign. Australia's North West is a valued member of the EKMG Board and Chief Executive Officer, Glen Chidlow has indicated that they too would realign their marketing to support the new flights.

There is substantial interest from travel agents, wholesalers and inbound agents to package up Kununurra as part of selling the East Kimberley. These agents include Broome, Kimberley & Beyond – a key wholesaler for East Kimberley product to travel agents, Best of the Kimberley as well as nationally and internationally recognised companies such as Australian Pacific Touring (APT), Outback Spirit, the Kimberley Cruise Centre and many more. Local tourism operators and organisations are also in the early stages of discussing packaging of the various tours and accommodation to draw people to the region.

It is important to note that visitation to Uluru is advised as approximately 350,000 people per annum since their revised marketing and increased air access project. Visitation to Purnululu National Park (Bungle Bungle) is hovering around 20,000 people per annum. The marketing and promotion of the proposed direct flights will likely feature the World Heritage Listed Purnululu National Park as a key focus of the campaign, together with other imagery of the east Kimberley region.

The logic behind this imagery is that 350,000 people per annum flock to Uluru and there are minimal other 'highlights' for visitors to the region. The East Kimberley region has a plethora of incredible natural icons that appeal to the adventurous traveller, yet the jewel in the East Kimberley crown (the Bungle Bungle), sees only 6% of the number of visitor to Uluru.

Summary of Alliance Airlines Proposal

The Alliance Airlines Proposal is about passenger taxes, security screening and landing fees to be waived as well as a contribution towards a buffer to make the viability of the flights a reality in the initial trial phase.

Further Information – Alliance Airlines Proposal

Excepting the requests above, Alliance Airlines will take all other commercial risk during the trial period and it likely that they will partner with a major airline for code-sharing. Aircraft will be a Fokker 70, seating 80 passengers.

The viability of the route is a combination of yield and loading and it will be up to Alliance Airlines to look at their own business case for the route.

Fare prices and structure will be at the discretion of the airline per demand and the EKMG will work hard to ensure the East Kimberley community books the flights and assist with promoting the route. The trial suggested is for a period of 20 weeks commencing on the 15 May, 2017. After the trial, it will be a commercial decision for Alliance Airlines as to whether the flights will continue in 2018. Together with the original recommendation from Tourism WA to promote the East Kimberley region to the key market of Victoria, both Alliance Airlines and the EKMG have undertaken significant research into the level of demand into this flight route and both parties have the confidence that this trial will become self-sustaining. This has been proven with the Voyages Uluru case study mentioned previously.

Scheduling of flights will be discussed by Alliance Airlines with the EKMG and the SWEK to minimise the need for additional staff and resources at the Kununurra Airport. It would be important for the Shire to be part of the discussions around scheduling in the interests of minimising any additional cost to the Shire and maximising the results of the trial.

Regarding a possible 'claw-back' arrangement with the requested \$400,000 funds, this is still to be negotiated and it is something that SWEK and the EKMG will negotiate with Alliance Airlines directly and come up with a strategy that is suitable and fair for all parties.

Appendix Four – List of businesses and residents who have provided Letters of Support

Request

The East Kimberley Marketing Group requests that the Shire of Wyndham East Kimberley consider a contribution in the order of \$250-300,000 to see these flights to fruition commencing 15 May, 2017 as outlined above. The Group will also be requesting financial support from the East Kimberley community to supplement the financial support requested from the Shire. EKMG have already received verbal commitment from local industry and individuals of approximately \$100,000 and we are anticipating that we will be able to raise an additional \$50,000 with the assistance of the East Kimberley Chamber of Commerce & Industry. The Group's request is that the SWEK provides a minimum of \$250,000 as part of the total \$400,000 required.

The quick and generous financial support from the local community and the attached letters of support clearly demonstrates the strong desire by local community to see this proceed. The strong level of interest from the local community over the past 18 months for the direct flights has been a motivating factor in the EKMG pursuing this project to this point and we are delighted with the proposal received from Alliance Airlines. The EKMG strongly encourages the SWEK to consider our request for the future growing of our local economy and the improved liveability of our region.

The timing is becoming critical on this and we look forward to seeing this progress.

Narelle Brook
Coordinator
EAST KIMBERLEY MARKETING GROUP
PO Box 1477, Kununurra WA 6743
E | eastkimberleymarketing@gmail.com
M | 0407 478 406





Royalties for Regions Kimberley Community Chest Fund

Acquittal Report

SUMMARY INFORMATION

| | |
|---|--|
| ORGANISATION NAME | East Kimberley Marketing Group Inc. |
| PROJECT TITLE | Market Potential Analysis for Direct Flights East Coast to Kununurra |
| GRANT AMOUNT RECEIVED (EX GST) | \$20,000 |
| CONTACT PERSON | Narelle Brook |
| TELEPHONE | 0407 478 406 |

KCCF AQUITTAL REQUIREMENTS

The Commission is required to undertake a full evaluation of how the grants provided from Royalties for Regions were utilised and what benefits were accrued from the project through the provision of those funds.

Your acquittal requirements are detailed in Schedule 2 of your Grant Agreement.

The intention of the acquittal is to compare the actual results to the original proposal. This includes not only the project outcomes and benefits but also the financial aspects such as the total project cost, other partners, various incomes, how the money was spent compared to the proposal and to satisfy auditors that that government funds were appropriately expended and that all conditions have been met.

You are required to complete the *Project Aims and Objectives Report* and the *Statement of Income and Expenditure* on the following pages and have signed where required. Following receipt of this Acquittal Report, the Commission may request additional information from your organisation to finalise the acquittal.

Please return original forms to:

Kimberley Development Commission
PO Box 172 BROOME WA 6725

E: royaltiesforregions@kdc.wa.gov.au

T: (08) 9194 3000 **F:** (08) 9193 6142

PROJECT AIMS AND OBJECTIVES REPORT

Information required in the project report includes:

- The effectiveness of the project against the aims and objectives detailed in the Grant Application including a comparison of proposed to actual outcomes and evidence any new initiatives;
- How these project aims and objectives impacted on the Kimberley Community Chest Fund Objectives; the Kimberley Development Commission's Strategic Plan, Blueprint and/or other nominated documents;
- Evidence of acknowledgement including copies of promotion and publications and media items relating to the project;
- Any reports or research documents as a result of the project;
- Photos which detail the progress and implementation of the project (where available);
- Other documentation to support project outcomes, and;
- Evidence of compliance with any special conditions placed on the grant.

What were you going to do

The East Kimberley Marketing Group (EKMG) applied for funding in order to undertake research and analysis to identify the market potential of direct flights between the east coast of Australia and Kununurra.

Matching funding was provided through the following sources:

Tourism WA \$20,000
Shire of Wyndham East Kimberley \$10,000
Tourism Industry (specifically Management Committee members of the EKMG) \$15,000

In-kind assistance was provided by the following:

Tourism WA \$2,000
Shire of Wyndham East Kimberley \$1,000
Nexia Australia \$1,000

On completion of the research, it was proposed that the EKMG would then be armed with required knowledge in order to approach the most appropriate airline and east coast location (Melbourne) for direct air access to Kununurra with the aim of increasing tourism and business opportunities for the region.

What did you do

The EKMG together with co-funder Tourism WA, called for organisations to tender for the analysis work. Metrix Consulting was selected as the successful applicant and on agreeing with the fee that fit within our budget, we worked with our Management Committee, Metrix, Tourism WA and the Kimberley Development Commission to finalise the Scope of Works for the market analysis project on the East Coast of Australia. Once the brief was agreed upon (Project 1 – Market Potential Analysis for Direct Flights from the East Coast to Kununurra), Metrix commenced surveying (via a 15 minute online survey):

- 632 Melbourne metropolitan residents;
- aged 25-64 years;
- with a household income of \$100,000K plus; and
- who travelled in the past 12 months or intended to travel in the next 12 months.

During the course of discussions, the EKMG Management Committee found that just having a report on 'tourism' members only was not going to give an 'overall' view of the market potential. The Committee discussed the need for an additional project to survey local residents and past visitors to the region which would also then pick up on the potential for private/personal travel as

well as business travel to and from Kununurra. Additional funding was sought through the Kimberley Development Commission to undertake this secondary report (Project 2 – Local Resident and Past Visitor Survey).

Again, meetings/discussions were held with Tourism WA and Metrix Consulting to ensure we were seeking the right information for Project 2. Once the questionnaire confirmed, Project 2 was undertaken via social media channels in Kununurra, Wyndham and Halls Creek and surveyed (via a 5min online survey):

- 186 past visitors to Kununurra; and
- 623 residents of the East Kimberley.

The results of both surveys were combined into one final report which is attached as Appendix Two.

What was the result

Key findings from Project One – Market Potential Analysis for Direct Flights from the East Coast to Kununurra were as follows:

- 93% were aware of the Kimberley region;
- 4% were aware of East Kimberley destinations (ie. Kununurra, Wyndham, Halls Creek);
- 61% were aware of East Kimberley attractions (ie. Bungle Bungle (50%), Lake Argyle (27%), Mitchell Falls and El Questro (18% ea), Gibb River Road (12%).
- 23% had visited the Kimberley in the last 10 years.
- 9% had been to Kununurra, 6% to Wyndham, 6% to Halls Creek (17% to Broome).
- 75% were 'quite', 'very' or 'definitely likely' to visit the East Kimberley.
- 53% were motivated to visit because of the scenery and/or natural aspects.
- 56% (as expected) found that barriers to visit were expense and distance.
- 88.4% would be open to visiting Kununurra if a direct flight option became available and if that pricing was around \$1200 (return).

Findings:

1. As the West Kimberley is better known, the region's marketing strategy should be reviewed.
2. A targeted marketing strategy is required to maximize ROI.
3. The East Kimberley has a stronger appeal amongst males and older people.
4. Cost and time remain key barriers to travel to the area.
5. Communications and media strategies should be refined to reflect the core audience (ie. males and older people).
6. Introduction of direct flights may improve conversion given the key barriers are time and cost.
7. Direct flights present the opportunity to grow visitation to the region.

Were there any problems

No.

Would you do anything differently

No.

Do you have any supporting reports, documents, photos

See attached Appendices:

APPENDIX ONE – EKMG Management Committee List *(please note representation on the Committee from Australia's North West, Shire of Wyndham East Kimberley, Shire of Halls Creek, Kununurra Chamber of Commerce & Industry (now East Kimberley Chamber of Commerce & Industry) and the Kununurra Visitor Centre).*

APPENDIX TWO – 1322 – TWA Potential for Direct Flights to Kununurra Presentation 24.09.15.

STATEMENT OF INCOME AND EXPENDITURE

INCOME

| SOURCES OF INCOME | BUDGET (\$) | ACTUAL (\$) |
|---------------------------------|-------------|-----------------|
| Kimberley Community Chest Fund | | \$20,000 |
| Tourism WA | | \$20,000 |
| Shire of Wyndham East Kimberley | | \$15,000 |
| Tourism Industry | | \$15,000 |
| | | |
| TOTAL INCOME | | \$65,000 |
| | | |
| TOTAL OF IN KIND SUPPORT | | \$4,000 |

EXPENDITURE

| DATE | EXPENDITURE PURPOSE | BUDGET (\$) | ACTUAL (\$) |
|--------------------------|---|-------------|-------------------------|
| 13/11/15 | Metrix Invoice 0879 | \$55,000 | \$46,100 |
| | | | <i>*Balance \$8,900</i> |
| | Brook Project Management & Marketing: | | |
| 30/04/15 | Invoice 24 | \$10,000 | \$279.09 |
| 31/05/15 | Invoice 30 | | \$262.50 |
| 01/07/15 | Invoice 38 | | \$825.00 |
| 31/07/15 | Invoice 45 | | \$987.50 |
| 31/08/15 | Invoice 52 | | \$962.50 |
| 30/09/15 | Invoice 60 | | \$1911.43 |
| 31/10/15 | Invoice 64 | | \$2128.41 |
| 30/11/15 | Invoice 73 | | \$907.95 |
| 31/12/15 | Invoice 82 | | \$1388.59 |
| 31/01/16 | Invoice 85 | | \$295.45 |
| | | | |
| | <i>Total Brook Project Management & Marketing</i> | | \$9948.42 |
| TOTAL EXPENDITURE | | | \$56,048.42 |

**Balance \$8,900 was approved for use in Project Two – KDC Small Grant for Local and Past Visitor Survey Work. See APPENDIX THREE – KDC Small Grant Acquittal.*

I HEREBY CERTIFY THAT THIS INCOME AND EXPENDITURE STATEMENT IS A COMPLETE AND ACCURATE ACCOUNT OF THE EXPENDITURE OF THIS GRANT.

SIGNATURE OF AUTHORISED PERSON
(Chairperson, CEO or Equivalent)



NAME AND POSITION

Michael McConachy, Chairman

DATE

24/12/16

FOR GRANTS OVER \$20,000 YOUR INCOME AND EXPENDITURE STATEMENT IS REQUIRED TO BE AUDITED BY A QUALIFIED AUDITOR

IMPORTANT NOTE : PLEASE ATTACH A COPY OF ALL INVOICES AND PAYMENTS THAT SUBSTANTIATE EXPENDITURE OF GRANT FUNDS.



ROYALTIES
FOR REGIONS



Royalties for Regions Kimberley Development Commission

Acquittal Report

SUMMARY INFORMATION

| | |
|---------------------------------------|---|
| ORGANISATION NAME | East Kimberley Marketing Group Inc. |
| PROJECT TITLE | Market Potential Analysis Project 2015 (current market analysis) – locals and past visitors |
| GRANT AMOUNT RECEIVED (EX GST) | \$7,100 |
| CONTACT PERSON | Narelle Brook |
| TELEPHONE | 0407 478 406 |

KDC AQUITTAL REQUIREMENTS

The Commission is required to undertake a full evaluation of how the grants provided from Royalties for Regions were utilised and what benefits were accrued from the project through the provision of those funds.

Your acquittal requirements are detailed in Condition 12 of your Grant Agreement.

The intention of the acquittal is to compare the actual results to the original proposal. This includes not only the project outcomes and benefits but also the financial aspects such as the total project cost, other partners, various incomes, how the money was spent compared to the proposal and to satisfy auditors that that government funds were appropriately expended and that all conditions have been met.

You are required to complete the *Project Aims and Objectives Report* and the *Statement of Income and Expenditure* on the following pages and have signed where required. Following receipt of this Acquittal Report, the Commission may request additional information from your organisation to finalise the acquittal.

Please return original forms to:

Kimberley Development Commission

PO Box 172 BROOME WA 6725

E: royaltiesforregions@kdc.wa.gov.au

T: (08) 9194 3000 E: (08) 9193 6142

PROJECT AIMS AND OBJECTIVES REPORT

Information required in the project report includes:

- The effectiveness of the project against the aims and objectives detailed in the Grant Application including a comparison of proposed to actual outcomes and evidence any new initiatives;
- How these project aims and objectives impacted on the Kimberley Regional Grant Scheme Objectives; the Kimberley Development Commission's Strategic Plan, Blueprint and/or other nominated documents;
- Evidence of acknowledgement including copies of promotion and publications and media items relating to the project;
- Any reports or research documents as a result of the project;
- Photos which detail the progress and implementation of the project (where available);
- Other documentation to support project outcomes, and;
- Evidence of compliance with any special conditions placed on the grant.

What were you going to do

To enhance our request for funding through the Kimberley Community Chest Fund for the 'Market Potential Analysis for Direct Flights East Coast to Kununurra', additional survey work was recommended by the East Kimberley Marketing Group (EKMG) in order to find out from past visitors to the East Kimberley and local East Kimberley residents the appeal of the potential for direct flights from the East Coast (Melbourne) to Kununurra. A condition of this small grant was to include Australia's North West in discussion regarding this survey. Glen Chidlow, Chief Executive Officer – Australia's North West is a member of our EKMG Management Committee.

What did you do

The EKMG worked with Tourism WA, the Kimberley Development Commission and existing consultants Metrix Consulting to finalise the Local and Past Visitor Survey questions to discover the appeal of the possibility of direct flights from the east coast to Kununurra as well as to find out how past visitors travelled to Kununurra, why and for how long. Once the questionnaire was agreed upon for Project 2 – Market Potential Analysis Project 2015 – current market analysis (locals and past visitors), the survey was promoted via Kununurra, Wyndham and Halls Creek social media channels as well as in The Kimberley Echo (through advertising the link).

What was the result

Details of people who followed the link to the online 5 minute survey are as follows:

- 186 past visitors;
 - 25% aged under 34 yrs, 46% aged 35-54 yrs, 28% aged 55+ yrs;
 - 42% with a household income of \$100,000K plus;
 - 89% were 'very'/'definitely likely' to return to Kununurra;
 - 37% were in Kununurra to visit family and friends;
 - 23% travelled for business purposes
- 623 East Kimberley residents;
 - 41% aged under 34 yrs, 45% aged 35-54 yrs, 13% aged 55+ yrs;
 - 49% with a household income of \$100,000K plus;
 - 91% travelled out of Kununurra at least 2 or more times per year (of that 91%, 70% went 3 plus times per year);
 - 85% fly out of Kununurra compared to 15% driving;
 - 51% were visiting friends and relatives, 28% for holidays/leisure, 17% on business;
 - 32% of people departing Kununurra had Melbourne as their end travel destination, 31% went to Perth, 9% NSW, 8% NT, 7% Qld, 3% SA, 1% Tas and 7% overseas.

The results of both surveys were combined into one final report which is attached as Appendix Two.

Where there any problems

The EKMG felt that, despite direct emails and phone calls, the distribution of the survey to past visitors (by East Kimberley accommodation houses) was left very much to the last minute – hence a return of quite a small sample size of 186 surveys.

Would you do anything differently

Unfortunately, a question regarding the return flight price for local residents in particular, was not included as part of the survey. It would have been very useful to hear what our local residents would be prepared to pay for a direct flight Kununurra-Melbourne.

Do you have any supporting reports, documents, photos

See attached Appendices:

APPENDIX ONE – Management Committee List *(please note representation on the Committee from Australia's North West, Shire of Wyndham East Kimberley, Shire of Halls Creek, Kununurra Chamber of Commerce & Industry (now East Kimberley Chamber of Commerce & Industry) and the Kununurra Visitor Centre).*

APPENDIX TWO – Market Potential for Direct Flights to Kununurra, Metrix Consulting, November 2015

STATEMENT OF INCOME AND EXPENDITURE

INCOME

| SOURCES OF INCOME | BUDGET (\$) | ACTUAL (\$) |
|----------------------------------|-------------|----------------|
| Kimberley Development Commission | | \$7100 |
| KDC R4R Community Chest Fund | | \$8900 |
| East Kimberley Marketing Group | | \$1000 |
| | | |
| | | |
| TOTAL INCOME | | \$17000 |
| | | |
| TOTAL OF IN KIND SUPPORT | | \$0 |

EXPENDITURE

| DATE | EXPENDITURE PURPOSE | BUDGET (\$) | ACTUAL (\$) |
|--------------------------|---|-------------|----------------|
| 13/11/15 | Metrix Consulting Inv 0880 | | \$6620 |
| 31/10/15 | The West Australian Inv 19667563029509 | | \$800 |
| 02/12/15 | Cash Prize – Danielle Lang (Money Order purchased by Brook PM&M & Inv 0082 to EKMG for reimbursement attached with Australia Post receipt – Inv 0082 was paid within invoicing for KDC Community Chest Funds) | | \$200 |
| 10/12/15 | Cash Prize – Rhonda Prouten (Bank Transfer of funds) | | \$200 |
| 21/12/15 | Metrix Consulting Inv 0905 | | \$6620 |
| 21/12/15 | Cash Prize – Steve Castle (Chq #2) | | \$200 |
| 22/12/15 | Cash Prize – Wes Jilley (Chq #1) | | \$200 |
| 12/01/16 | Cash Prize – Jai Stokes (Chq #3) | | \$200 |
| | | | |
| | | | |
| TOTAL EXPENDITURE | | | \$15040 |
| BALANCE | | | \$1960 |

I HEREBY CERTIFY THAT THIS INCOME AND EXPENDITURE STATEMENT IS A COMPLETE AND ACCURATE ACCOUNT OF THE EXPENDITURE OF THIS GRANT.

SIGNATURE OF AUTHORISED PERSON
(Chairperson, CEO or Equivalent)



NAME AND POSITION

Michael McCann - CHAIRPERSON

DATE

24/03/16

FOR GRANTS OVER \$20,000 YOUR INCOME AND EXPENDITURE STATEMENT IS REQUIRED TO BE AUDITED BY A QUALIFIED AUDITOR

IMPORTANT NOTE : PLEASE ATTACH A COPY OF ALL INVOICES AND PAYMENTS THAT SUBSTANTIATE EXPENDITURE OF GRANT FUNDS.

Market Potential for Direct Flights to Kununurra

November 2015



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Scope of Engagement



Scope of Engagement



Known as the 'Gateway to the East Kimberley', Kununurra is growing in importance as a tourism hub of Western Australia, with many tours and experiences leaving from this destination. Direct flights from Melbourne are viewed as a positive way to drive visitation growth. As a result, Tourism Western Australia (Tourism WA) and The East Kimberley Marketing Group are seeking to measure the market potential of direct flights from Melbourne.

The overall objective of this research is to understand the market potential of direct flights and uncover the most compelling offer to maximise interest.

The research objectives of this engagement were to understand:

1.

Current awareness & likelihood to visit

- Measure awareness of East Kimberley destinations and attraction.
- Measure appeal and likelihood to visit or revisit the region.
- Identify motivators and barriers to travelling to Kununurra and the Kimberley region.
- Develop a demographic profile of potential visitors.

2.

Appeal of direct flights offerings

- Measure visitation potential for direct flight and triangulated service options.
- Understand the most compelling offer that will maximise interest.
- Measure the impact on likelihood to visit Kununurra as a result of introducing direct flights from Melbourne.

3.

Consumer profiling

- Measure individual and household demographics.
- Measure travel segments.
- Measure past visitation to WA and the Kimberley region.
- Understand travel behaviours of East Kimberley residents.

Research Approach



Stage 1: Potential Visitors

A 15 minute online survey was conducted between 26 August and 3 September 2015 with 632 people in the Melbourne Target Market, which was defined as follows:

- Metropolitan residents
- 25 to 64 years old
- \$100K or higher household income
- Travelled in the past 12 months or intend to travel in the next 12 months

The overall sample size provided a margin of error of +/- 3.9% at the 95% confidence interval.

| | Sample Size n = | Weighted | Unweighted |
|----------------------|-----------------|-------------|-------------|
| Total | 632 | 100% | 100% |
| Age 25-54 | 468 | 80% | 74% |
| Age 55+ | 164 | 20% | 26% |
| Male | 291 | 45% | 46% |
| Female | 341 | 55% | 54% |
| HHI \$100k to \$149k | 411 | 58% | 65% |
| HHI \$150k | 221 | 42% | 35% |

Stage 2: Past Visitors and Local Residents

A five minute online survey was conducted via an open link which was distributed by accommodation providers and on community Facebook pages in Kununnurra, Wyndham and Halls Creek.

The survey was conducted between 13 October and 15 November 2015, and completed by 186 Visitors and 623 East Kimberley Residents.

| | Visitors | Locals |
|----------------------|------------|------------|
| Total | 186 | 623 |
| Age under 34 | 47 | 259 |
| Age 35-54 | 86 | 282 |
| Age 55+ | 53 | 82 |
| Male | 69 | 176 |
| Female | 117 | 447 |
| HHI >\$100k | 72 | 257 |
| HHI \$100k to \$149k | 46 | 156 |
| HHI \$150k+ | 33 | 151 |
| n/a | 35 | 59 |

Segment Definition



Tourism Western Australia have four target segments in the domestic market. These are defined as follows:

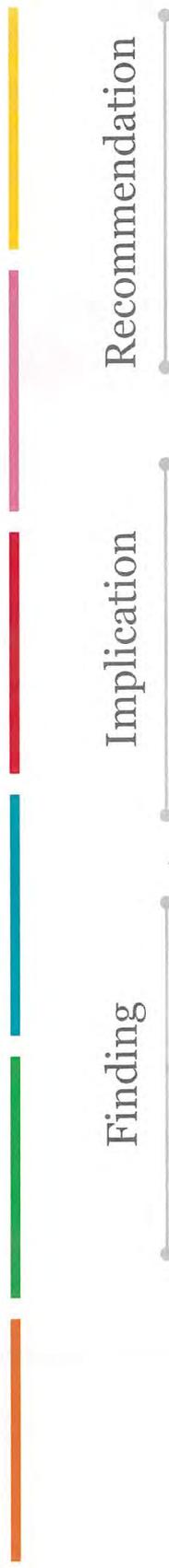
Thinking about your typical holidays and short breaks, which of the following best describes you?



Executive Summary



Brand and Communications



Finding

Brand Equity and Investment

- The West Kimberley has stronger brand awareness and appears to be the driving force behind visitation to the Kimberley.
- The East Kimberley appears to be a 'bucket list' destination for many interested.

Implication

There is a clear opportunity for major investment in the brand. If an appropriate level of investment in the brand is not feasible, strong consideration should be given to working more closely with West Kimberley to leverage its brand equity and expand itineraries to include destinations and attractions in East Kimberley.

Recommendation

Review the marketing strategy based on the intelligence collected from this engagement and the upcoming Kimberley destination research.

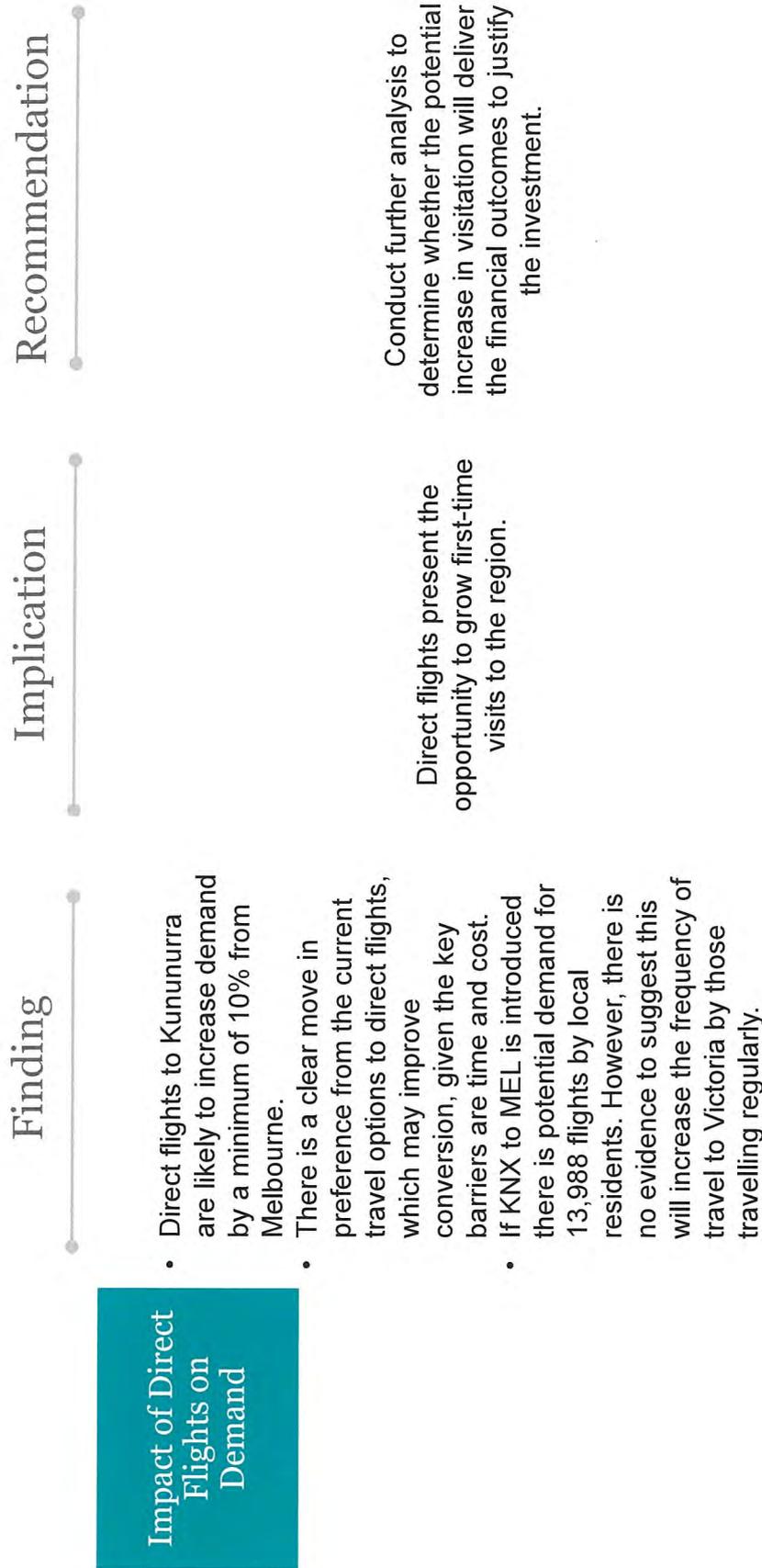
Target Audience

- Interstate Visitors to the East Kimberley tend to fall into Tourism WA's core audience of Affluent Travellers (35 years old, \$100k+ HH).
- Cost and time remain key barriers, which suggests the need to focus on travellers with high disposable incomes.

A targeted marketing strategy is required to maximise ROI.

Refine the communications and media strategy to reflect the core audience.

Direct Flights Potential



Awareness



Awareness of the Kimberley Region



Approximately nine in ten Affluent Melbourne Travellers are aware of the Kimberley region. Three in ten were spontaneously able to recall Broome, but there is a big fall off in destination awareness following this.

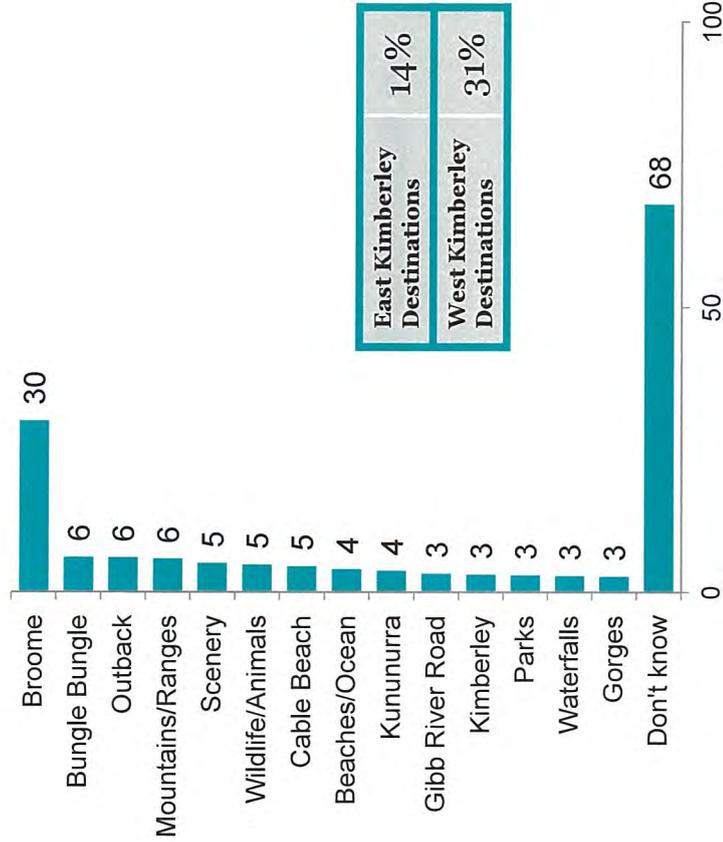
Awareness of Kimberley Region



% of Affluent Melbourne Travellers

n=632
Q2 Have you heard of the Kimberley region in Western Australia before today?
Source: Stage one – Potential Visitors

Unprompted Destination Awareness



| | |
|-----------------------------|-----|
| East Kimberley Destinations | 14% |
| West Kimberley Destinations | 31% |

n=632
Q3 What are the first three destinations or attractions you think of when you hear of the Kimberley region? (Open ended question with coded responses)
Source: Stage one – Potential Visitors

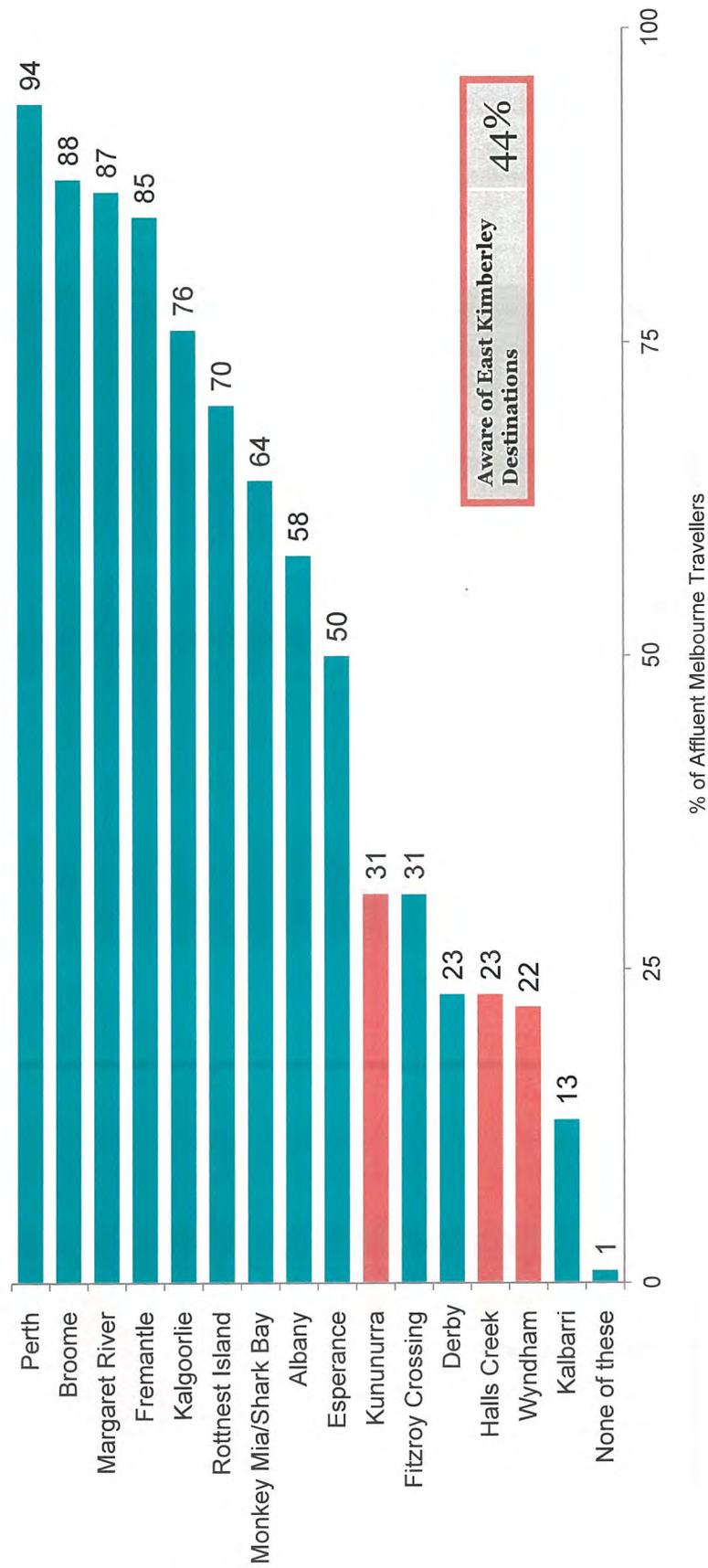
November 2015

Awareness of East Kimberley Destinations



A little over four in ten Affluent Melbourne Travellers are aware of at least one destination in the East Kimberley region, with Kununurra the most commonly recognised (31%). Dedicated Discoverers are significantly more likely to be aware of Kununurra than the other segments (42% compared to 25%), consistent with their propensity to like lesser known or undiscovered destinations.

Prompted Destination Awareness

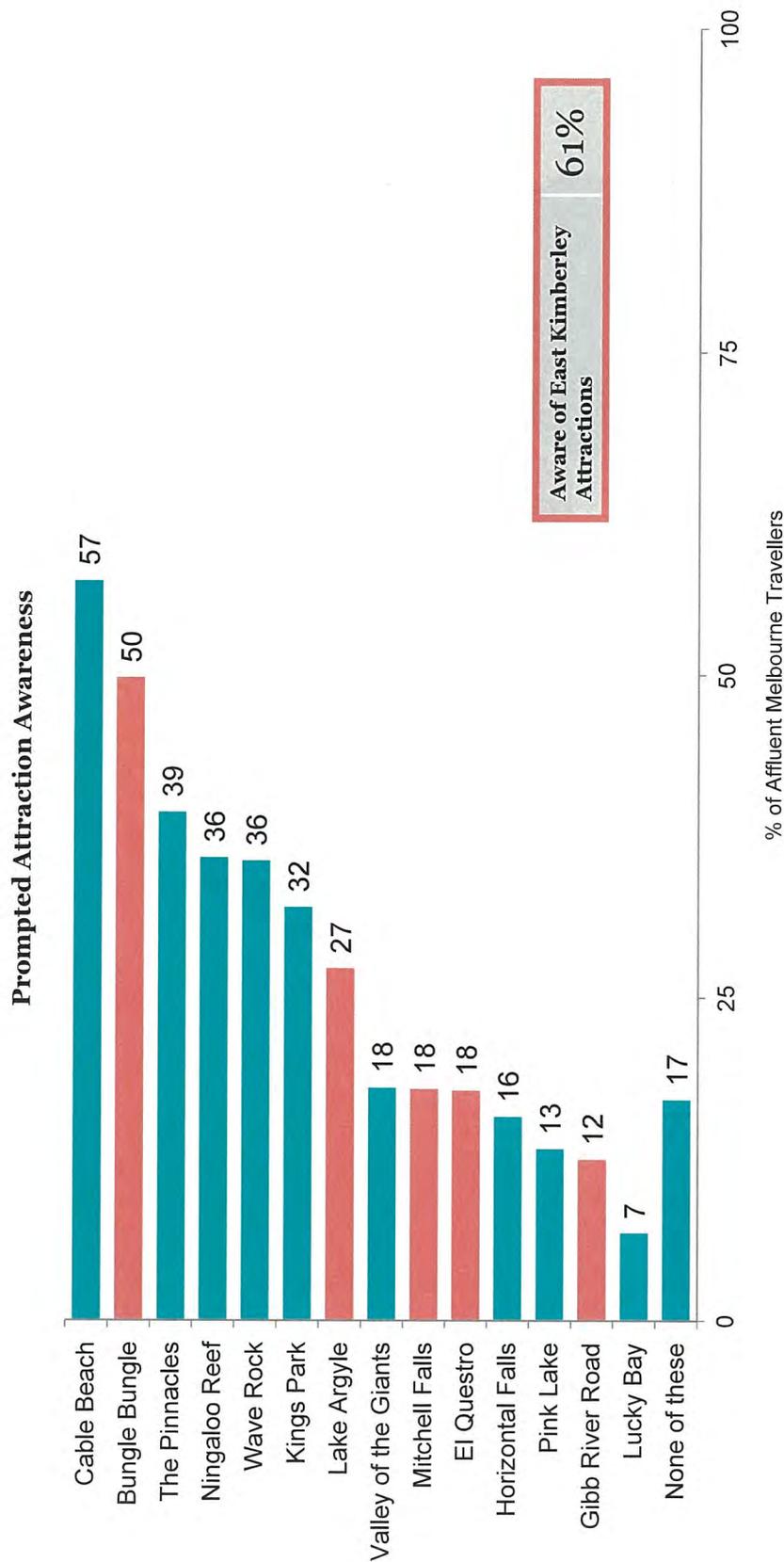


n=632
 Q4 Which of the following holiday destinations within Western Australia have you heard of before today?
 Source: Stage one – Potential Visitors



Awareness of East Kimberley Attractions

Awareness of the attractions in the East Kimberley region is high, with six in ten aware of at least one. Bungle Bungle was recalled by half of the target audience and Lake Argyle by one-quarter.



n=632 Q5 Which of the following attractions within Western Australia have you heard of before today?
Source: Stage one – Potential Visitors

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13

November 2015

Past Visitation

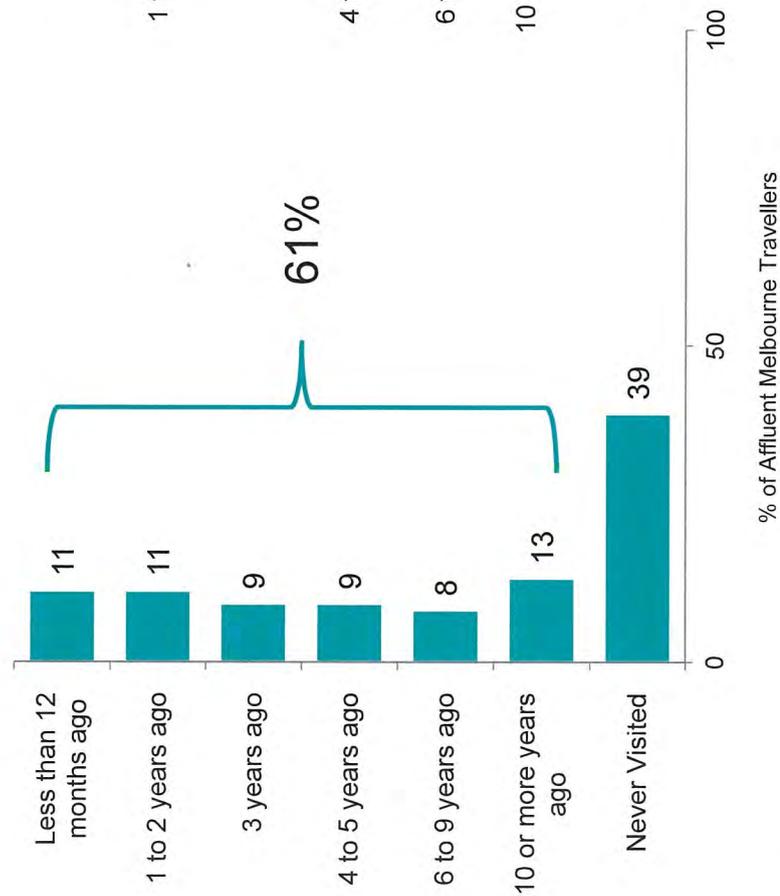


Past Visitation to Western Australia



Six in ten Affluent Melbourne Travellers have visited WA in the past, and one-quarter have visited the Kimberley. One in ten have visited in the past year, with approximately half visiting the Kimberley region.

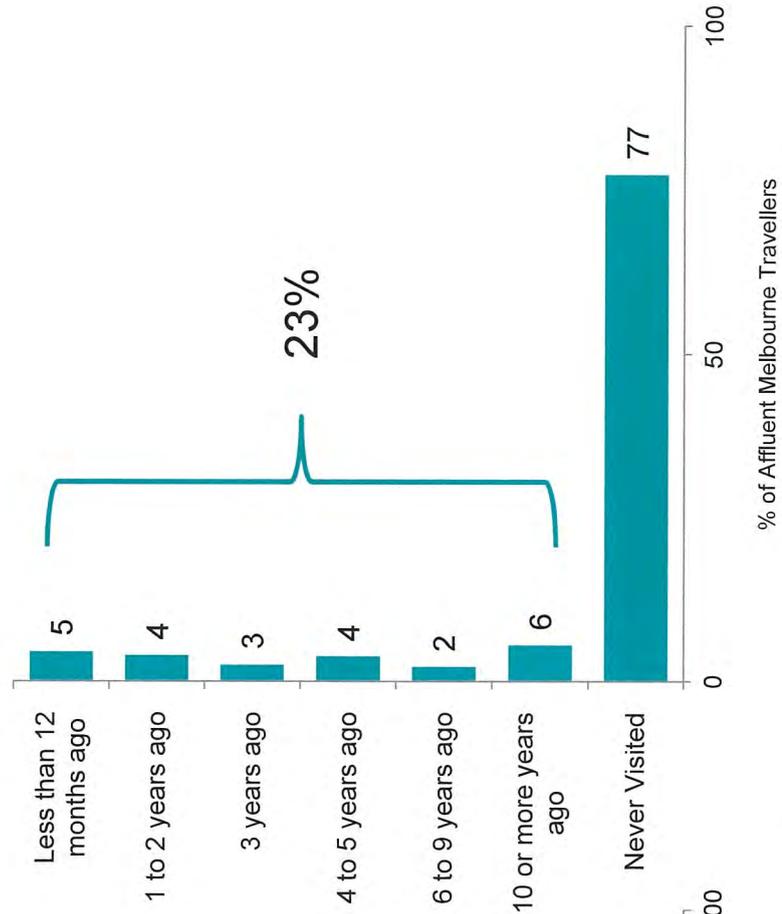
Last Trip to Western Australia



n=632
Q1 When was your last trip to Western Australia?
Source: Stage one – Potential Visitors

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Last Trip to the Kimberley



n=632
Q6 When was your last trip to the Kimberley region?
Source: Stage one – Potential Visitors

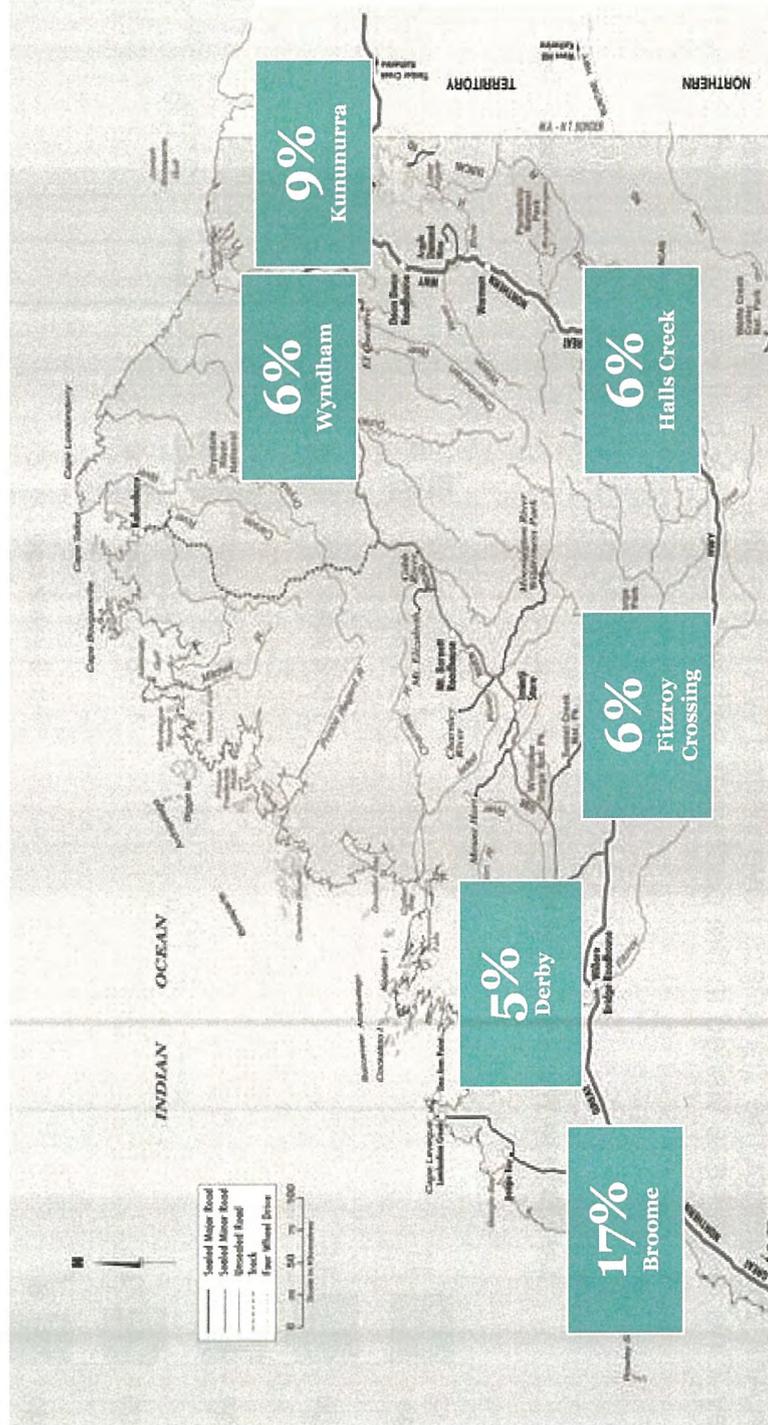
15

November 2015

Town Visitation in the Kimberley Region



The most commonly visited destinations in the Kimberley region were Broome (17%) and Kununurra (9%).



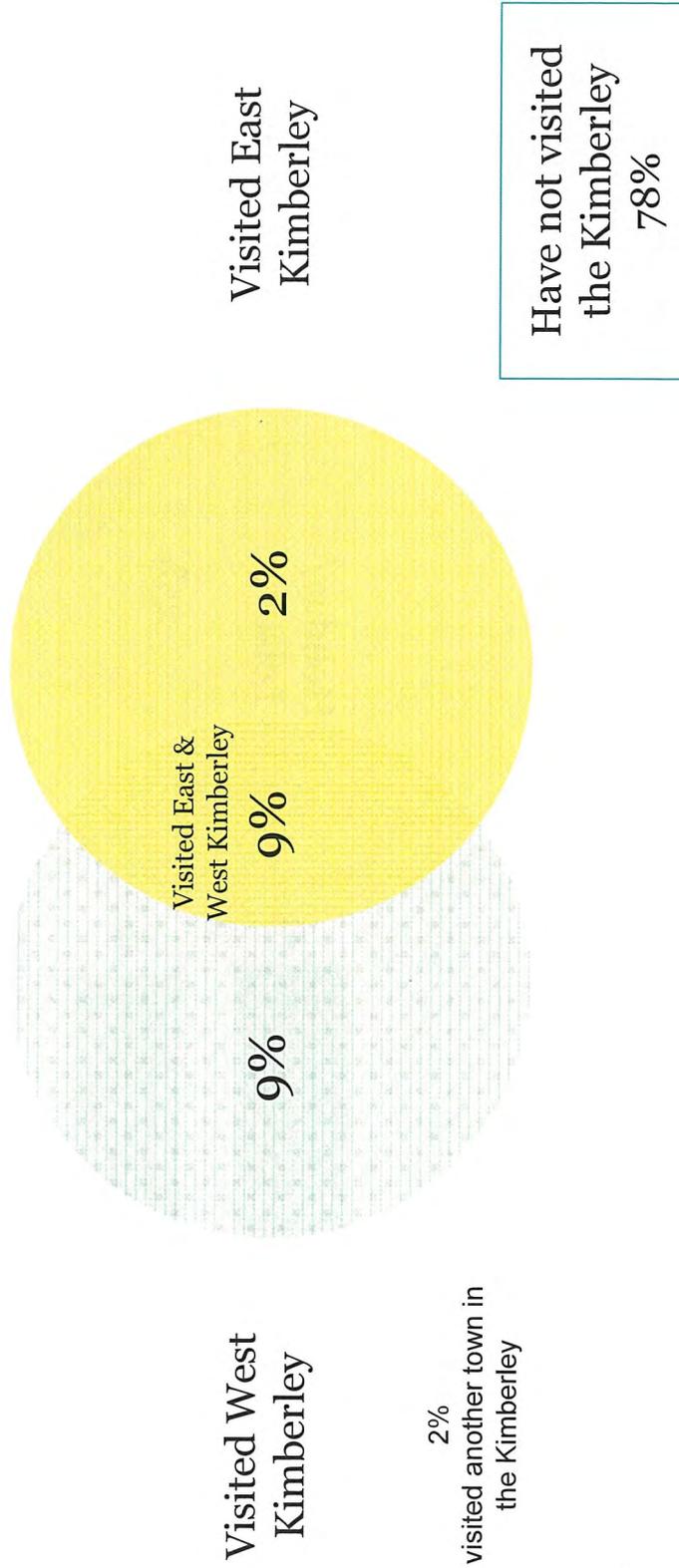
% of Affluent Melbourne Travellers

n=632
 Q7 Which of the following towns in the Kimberley region have you visited?
 Source: Stage one – Potential Visitors

Region Visitation



Based on brand awareness and visitation data, the West Kimberley appears to be a driving force in enticing people to visit the Kimberley region.



% of Affluent Melbourne Travellers

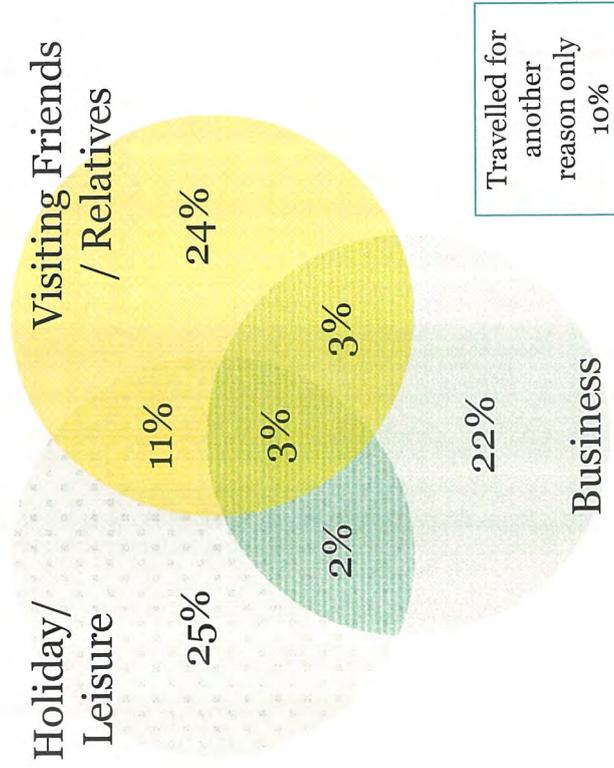
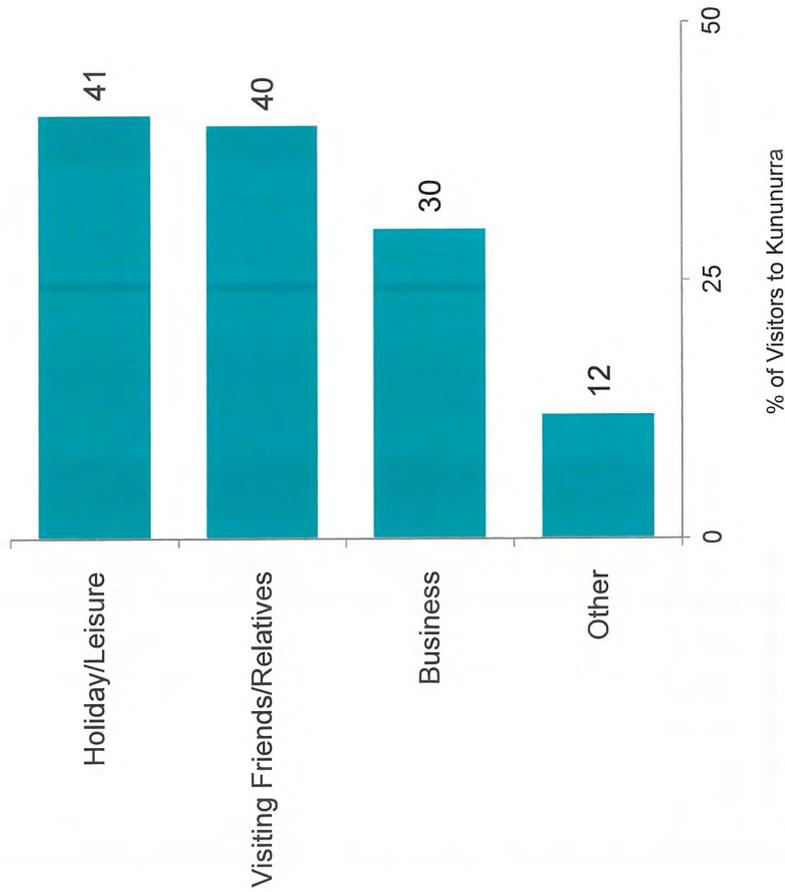
n=632 Q7 Which of the following towns in the Kimberley region have you visited?
Source: Stage one – Potential Visitors

© 2015 Metrix (Confidential)

Reason for Travel



The main reasons for a visit to Kununurra were for a holiday/leisure or to visit friends and relatives.



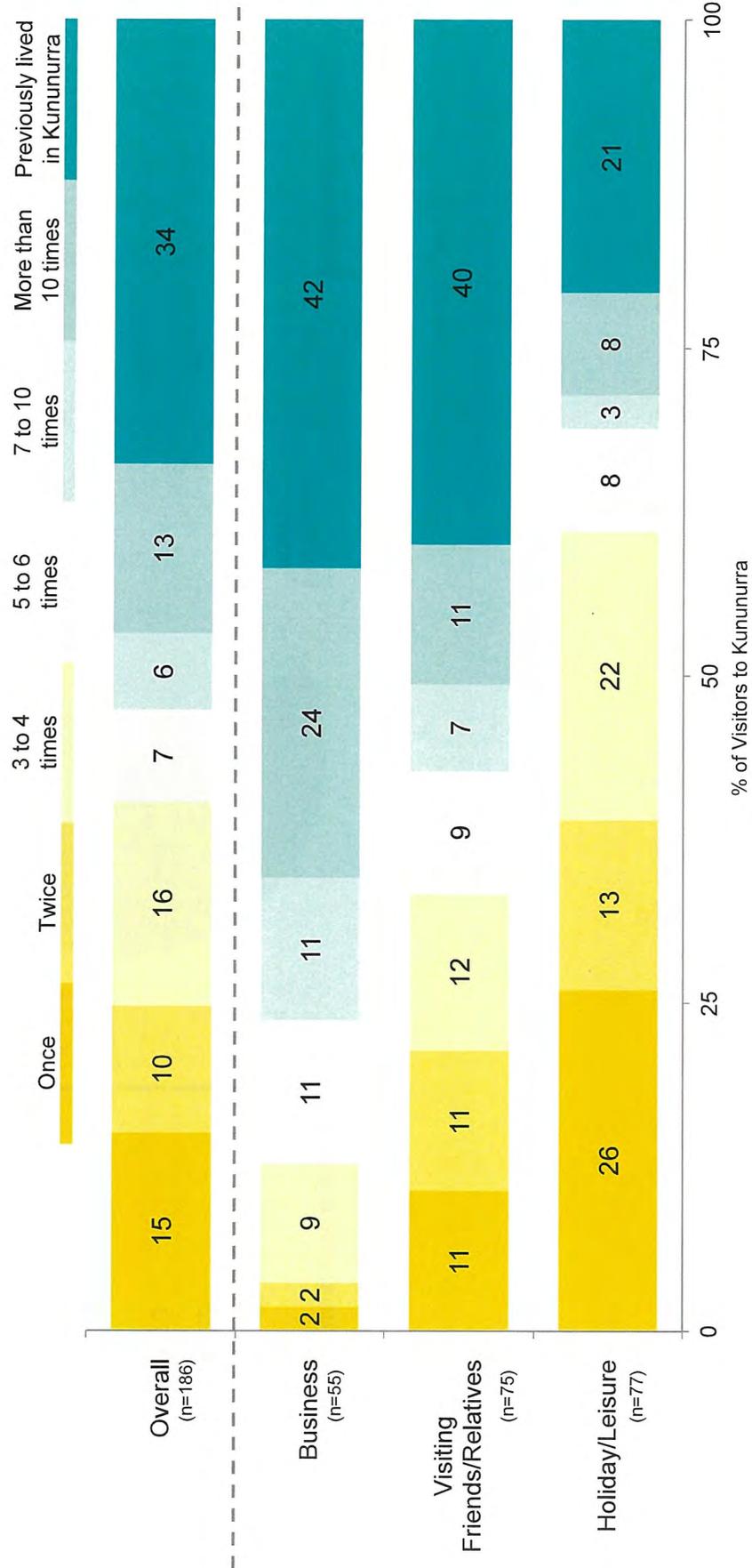
n=186
 Q2 What was the purpose of your trip to Kununurra?
 Source: Stage one – Potential Visitors

© 2015 Metrix (Confidential)

Frequency of Visitation to Kununurra



A large proportion of visitors to Kununurra were ex-residents, returning for business or to visit friends and family. Of those who had not previously lived in the town, the majority had visited 4 times or less. Business travellers visit Kununurra more frequently than those travelling for other reasons.



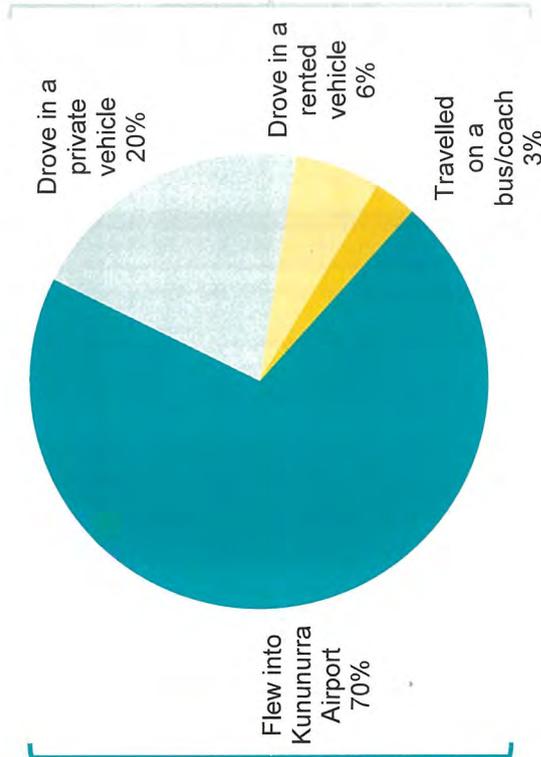
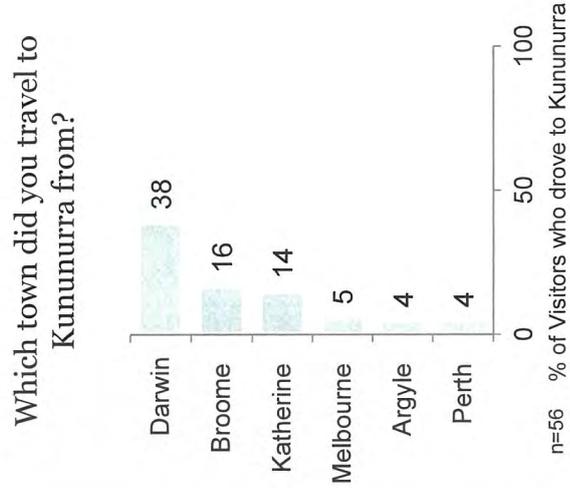
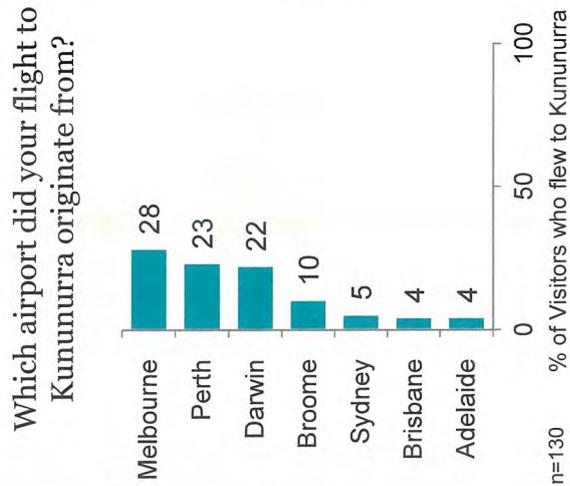
S2 How many times have you visited Kununurra?
Source: Stage 2 - Past Visitors and Local Residents

*Caution small sample size
November 2015

Visitor Mode of Travel to Kununurra



The majority (70%) of visitors currently fly into Kununurra, with the most source markets Melbourne, Perth and Darwin. Three in ten travelled via road, with a little over half coming from Darwin and Broome.



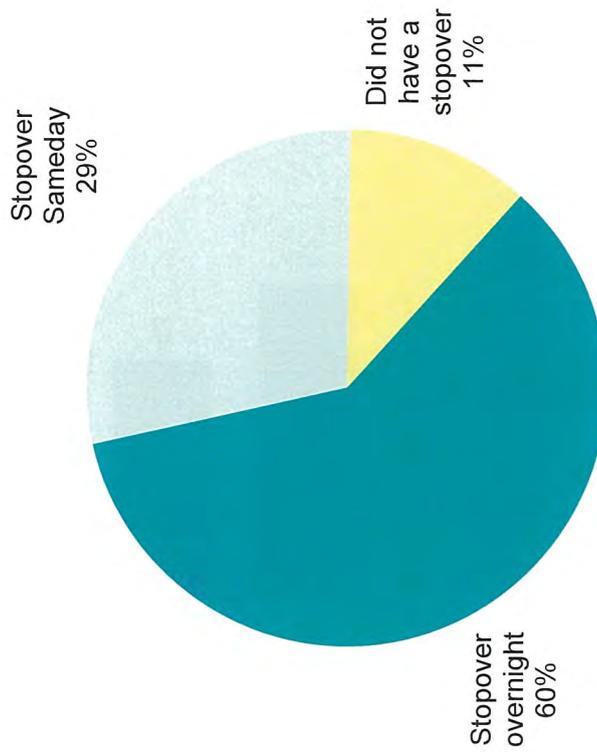
% of Visitors to Kununurra

n=186
 Q3 How did you arrive in Kununurra?
 Source: Stage 2 - Past Visitors and Local Residents
 © 2015 Metrix (Confidential)

Flight Stopovers



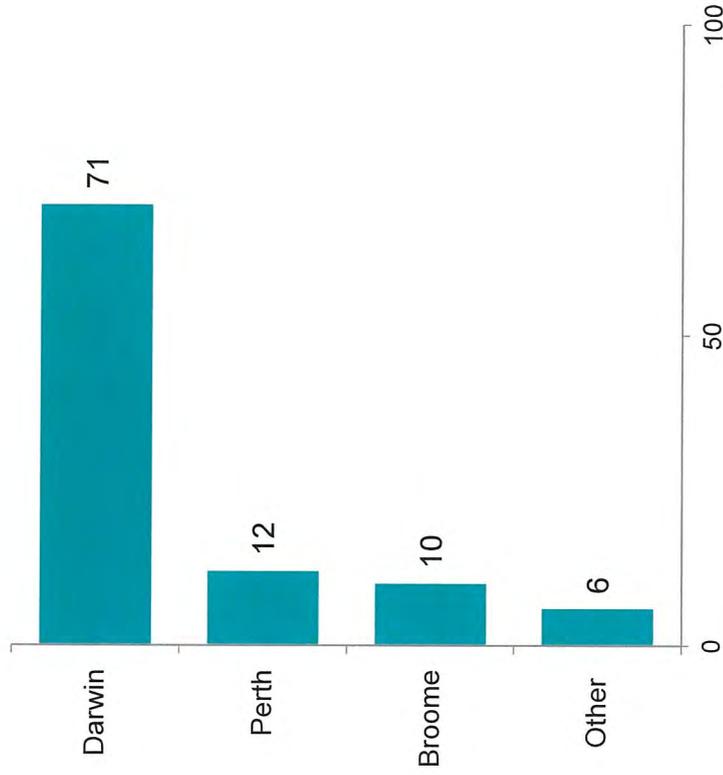
The majority of Interstate visitors had an overnight stopover during their flight to Kununurra. The most common destination for a stopover was Darwin.



% of Interstate Visitors to Kununurra

n=87
Q7 Was your stopover overnight?
Source: Stage 2 - Past Visitors and Local Residents

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% of Interstate Visitors to Kununurra that had a stopover

n=77
Q6 Where did you stopover?
Source: Stage 2 - Past Visitors and Local Residents

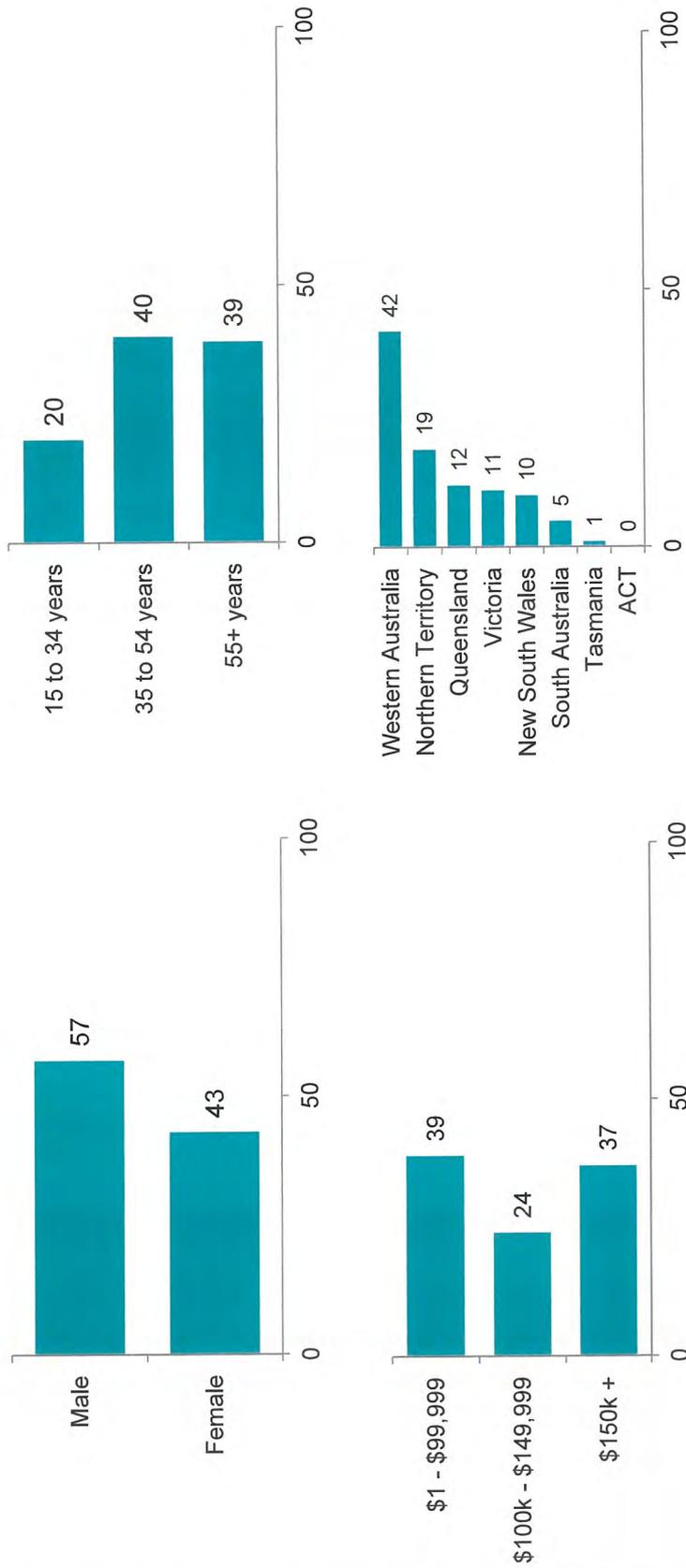
21

November 2015

Demographic Profile – Domestic Visitors



The majority of visitors to Kununurra are over the age of 35 and have a household income above \$100k. This is consistent with Tourism WA's Target Market.

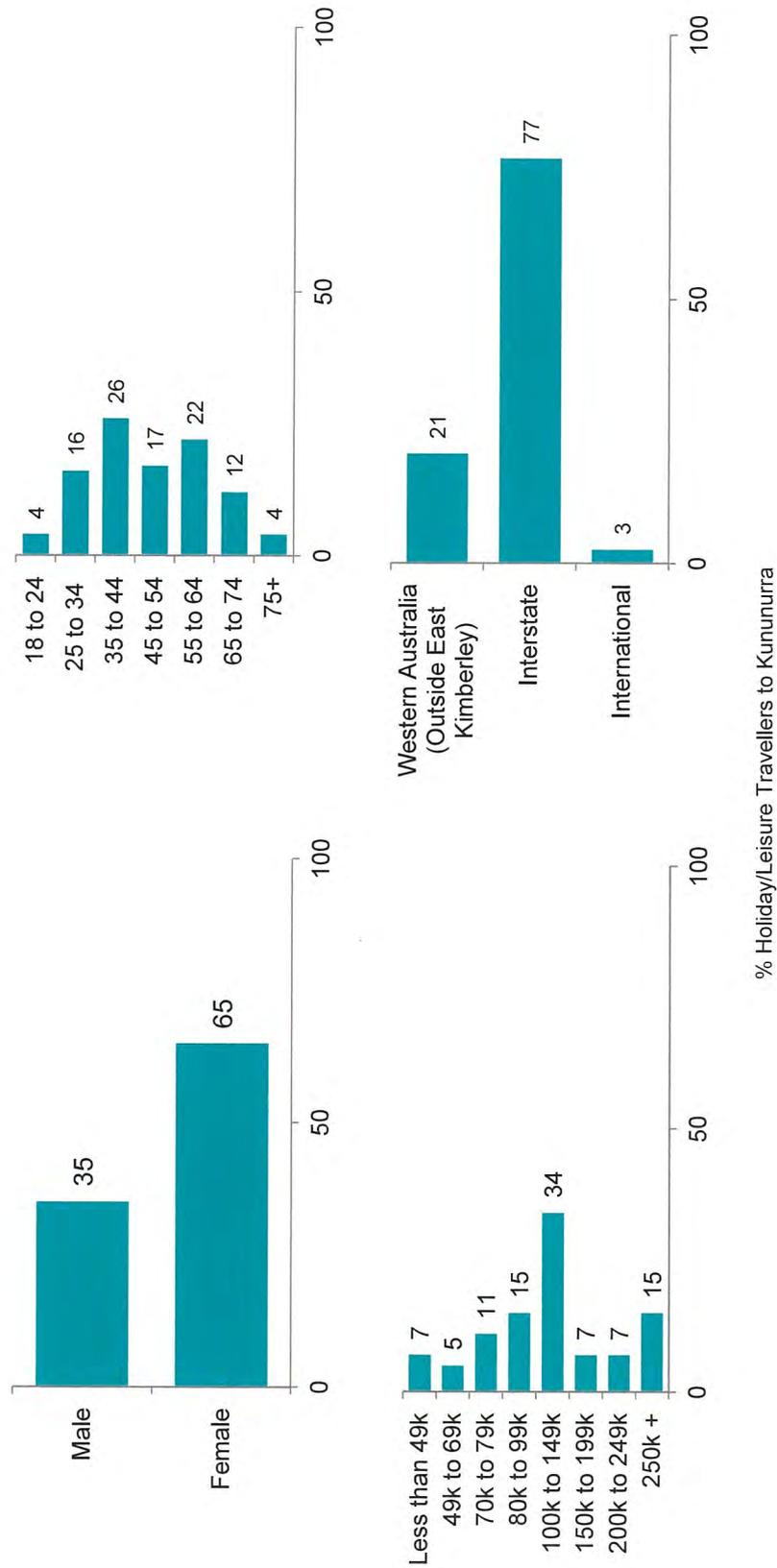


% Domestic Visitors to Kununurra

Demographic Profile – Leisure Travellers



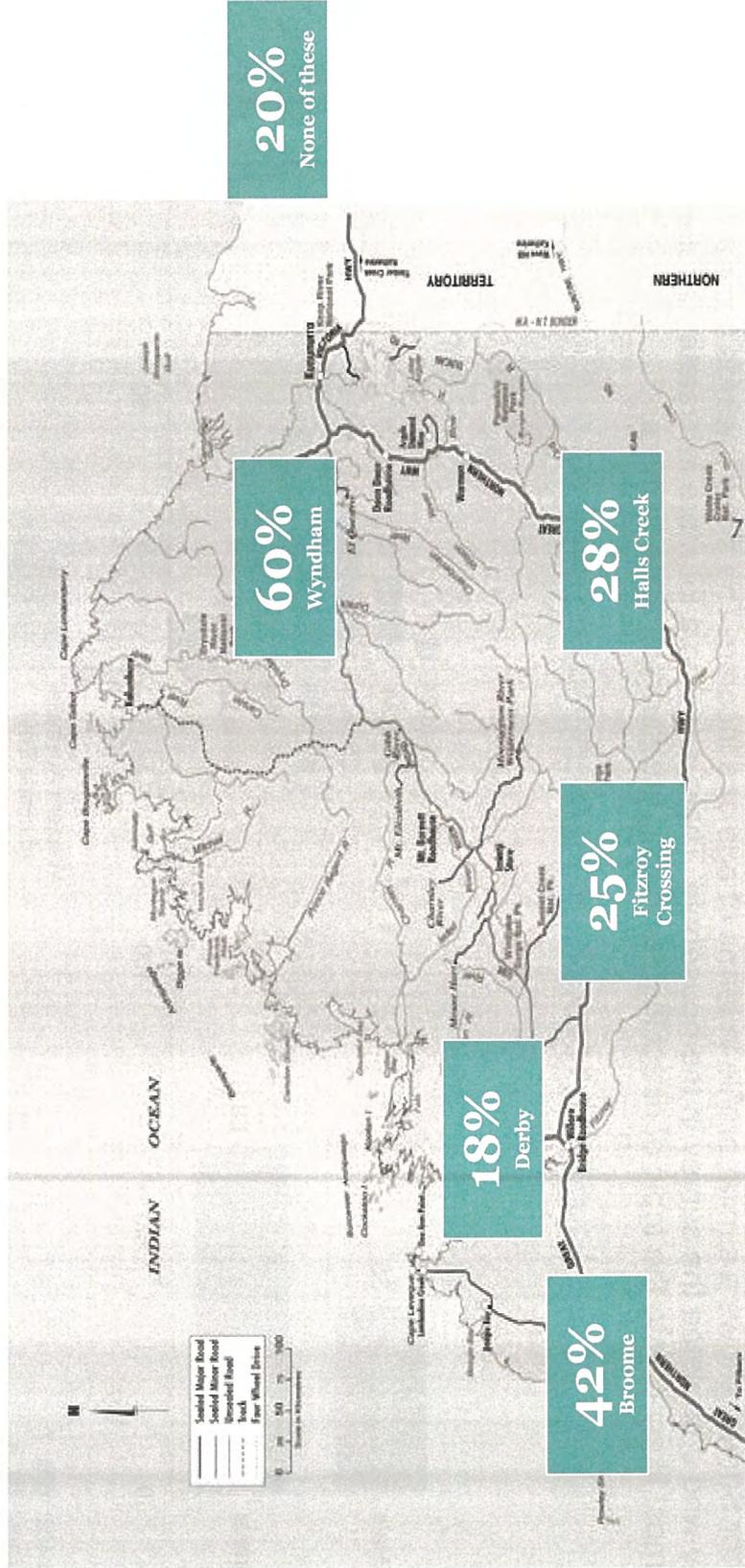
The Visitor Survey shows a similar profile in terms of age and income. The skew towards females is likely driven by who completed the survey in the household. There are also a lot more interstate travellers in the survey, most likely due to the topic of direct flights holding greater relevance to them.



Kununurra Visitor Dispersal



The most commonly visited destinations other than Kununurra were Wyndham (60%) and Broome (42%).



% of Visitors to Kununurra

n=115
 Q9a Which of the following towns in WA, if any, did you visit as part of this trip?
 Source: Stage 2 - Past Visitors and Local Residents

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Appeal of the East Kimberley



Likelihood to Return to Kununurra



Previous visitors to Kununurra have strong intentions (89%) to visit again in the future. Visitors on business or visiting friends and relatives have the strongest intentions.

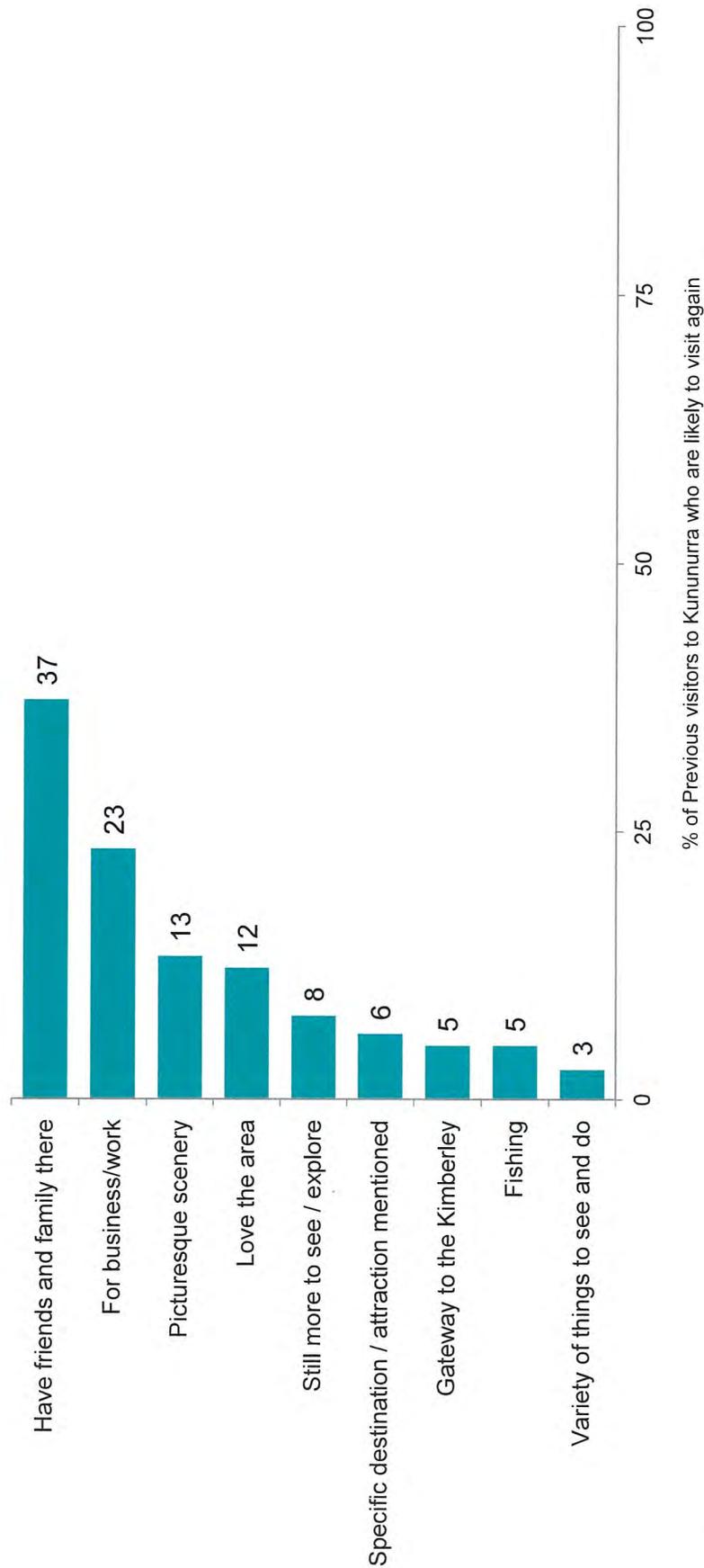


n=185
 Q10 Thinking about your entire experience in Kununurra, how likely are you to visit Kununurra again in the future? Excluding Don't Know
 Source: Stage 2 - Past Visitors and Local Residents

Motivators to Re-Visit Kununurra



The major motivations for people to re-visit Kununurra were to see family and friends or for business. These are the visitor groups that expressed the strongest intent.



n=180

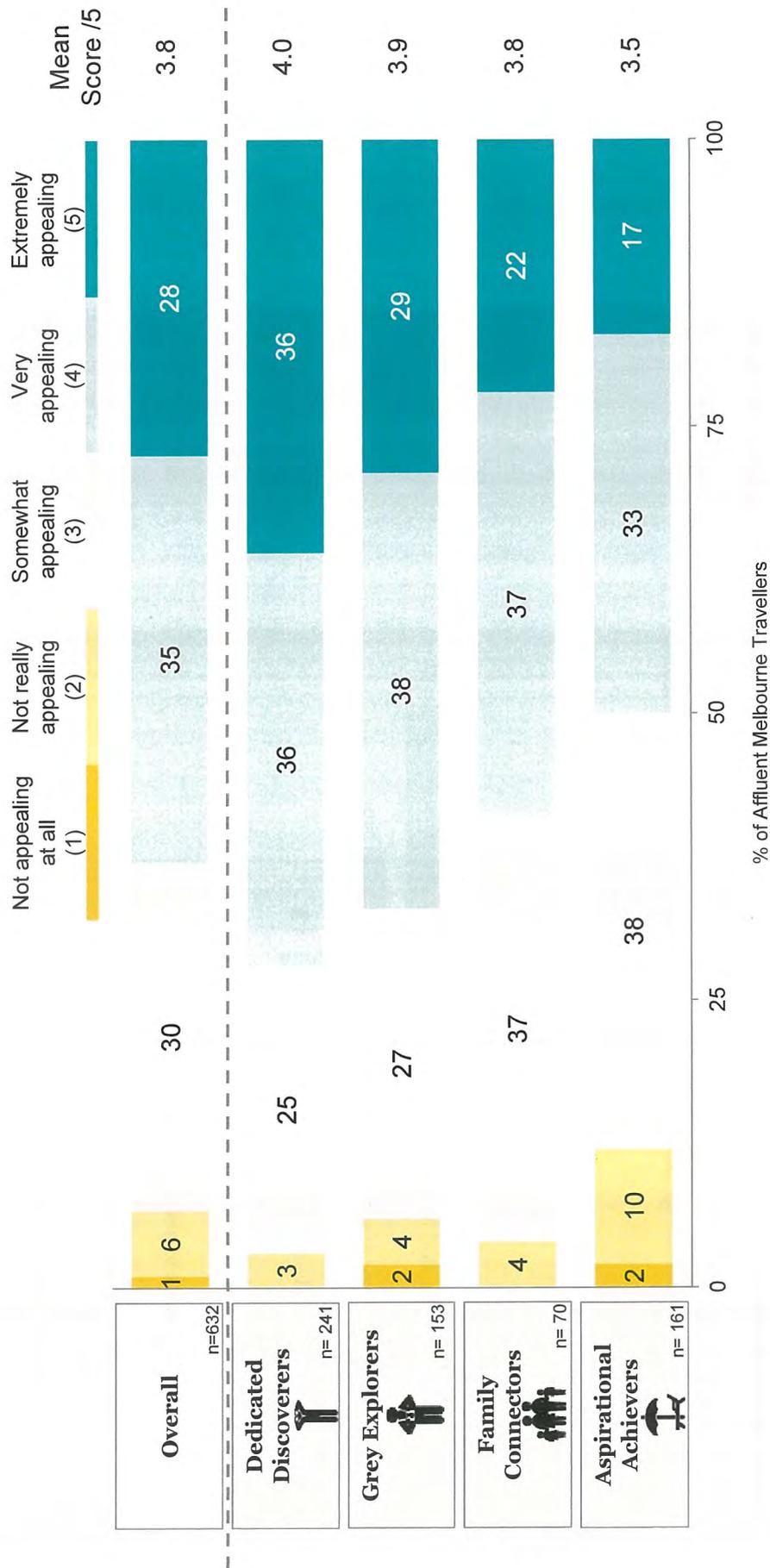
Q11 Why are you likely to travel to the East Kimberley region? What in particular is appealing about the region? (Open ended question with coded responses)
 Source: Stage 2 - Past Visitors and Local Residents

*Motivations under 3% are not shown
 November 2015

Appeal of the East Kimberley Region



Overall, the East Kimberley region is considered appealing to 93% of Affluent Melbourne Travellers. Dedicated Discoverers and Grey Explorers find the destination most appealing. When looking at the age profile, appeal is highest amongst those older (55+).

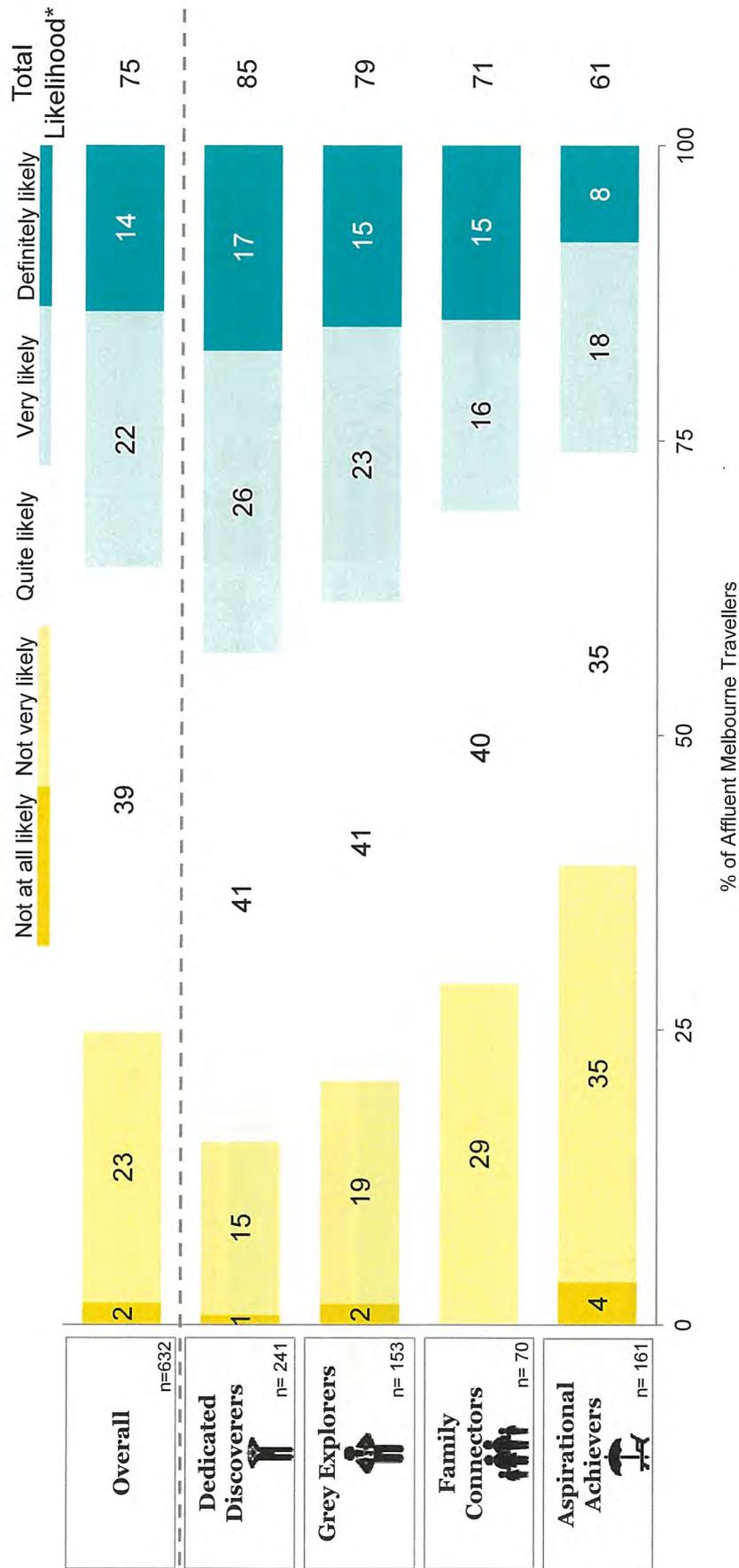


Q8 Based on what you know about the East Kimberley region and what you have just read, how appealing to you is the East Kimberley region as a place to visit?
Source: Stage one – Potential Visitors

Likelihood to Visit the East Kimberley Region



Approximately three-quarters of Affluent Melbourne Travellers indicate some likelihood of visiting East Kimberley in the future. Consistent with appeal, Dedicated Discoverers and Grey Explorers are most likely to travel to the region. Travellers who have visited WA in the past are more likely to visit the Kimberley region in the future (79% vs. 69%), suggesting that previous visitation to WA may remove some of the barriers to travel.

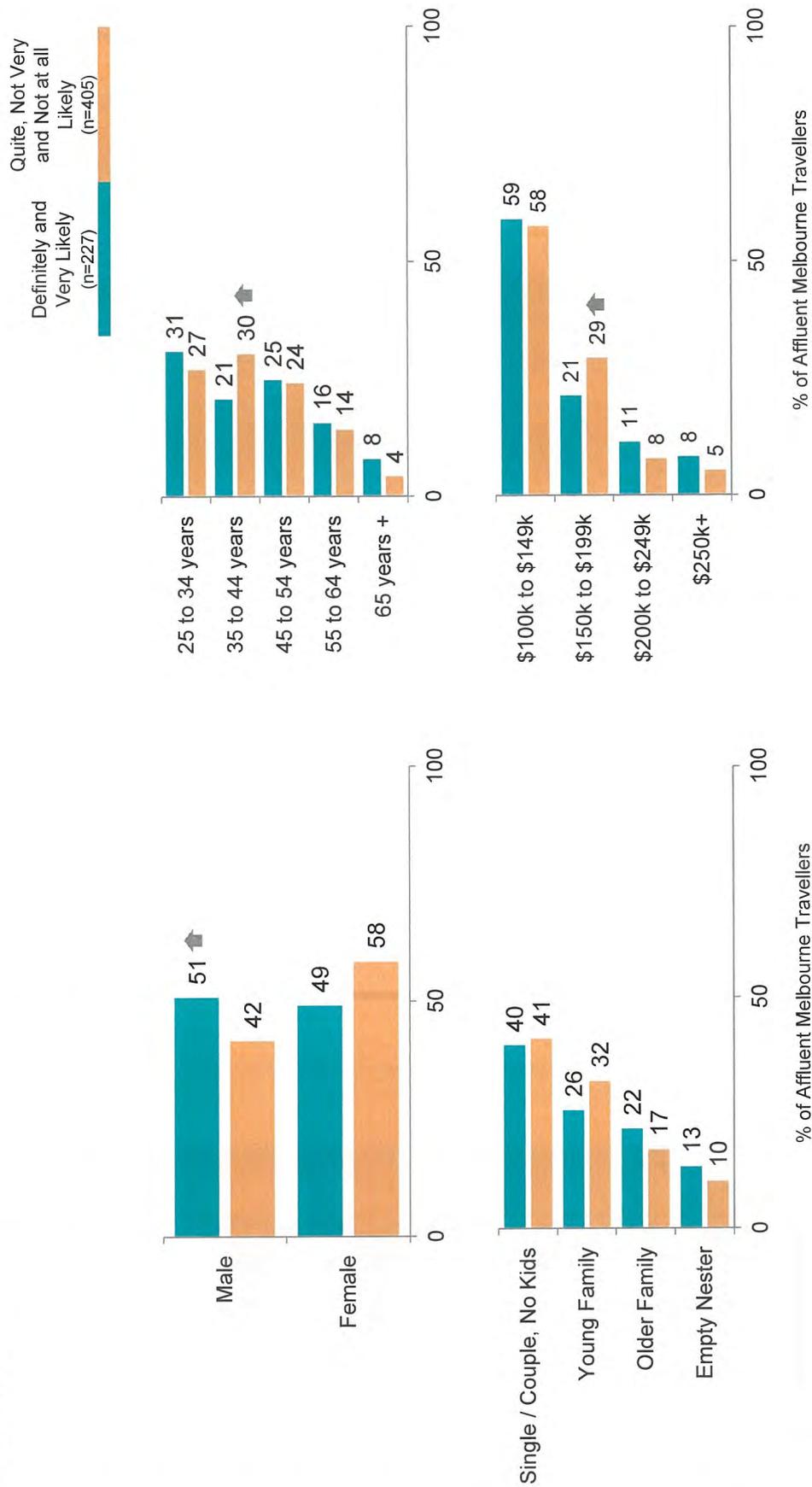


Q9 Based on what you know about the East Kimberley region and what you have just read, how likely are you to visit the region for a future holiday or break?
 Source: Stage one – Potential Visitors



Demographic Profile – Likelihood to Visit

Interest in the region appears to be stronger amongst males, perhaps a reflection of the type of holiday the East Kimberley offers. While not significant, the trend shows stronger interest amongst high income earners as well.



Source: Stage one – Potential Visitors
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↑ Significantly higher at the 95% confidence interval
 November 2015

Motivators to Visit Kununurra in the Future



A summary of the motivators to re-visit Kununurra are as follows:

Family and Friends

"Visit friends and family."

"Because we have several very good friends based through the Kimberley."

"We love going to Kununurra to visit family."



Business / Work

"Business and clients in Kununurra. We travel as a group of six every year, sometimes twice per year."

"The majority of our business is conducted in Kununurra."

"I travel in an out of Kununurra to go to work as a school teacher."

Scenery

"The landscape, scenery, the overall experience. A wonderful place to bring family and friends."

"The sheer beauty of the region and still lots of places and experiences not seen and done."



Love the Area

"It is home to me. Although I don't live there anymore, I will always love it and will continue to go back."

"I love the region. I also have friends and family in town so will be back to see them too."

More to see / explore

"We loved the whole area and would like to spend more time exploring. The one week we were there was not enough."

"The sheer beauty of the region and still lots of places and experiences not seen and done."



Specific Destination / Attraction

"To return to 'Faraway Bay'; and on another trip to 4WD the rest of the region that we haven't seen yet."

"We had a wonderful time. The scenery is spectacular. Loved Lake Argyle & El Questro."



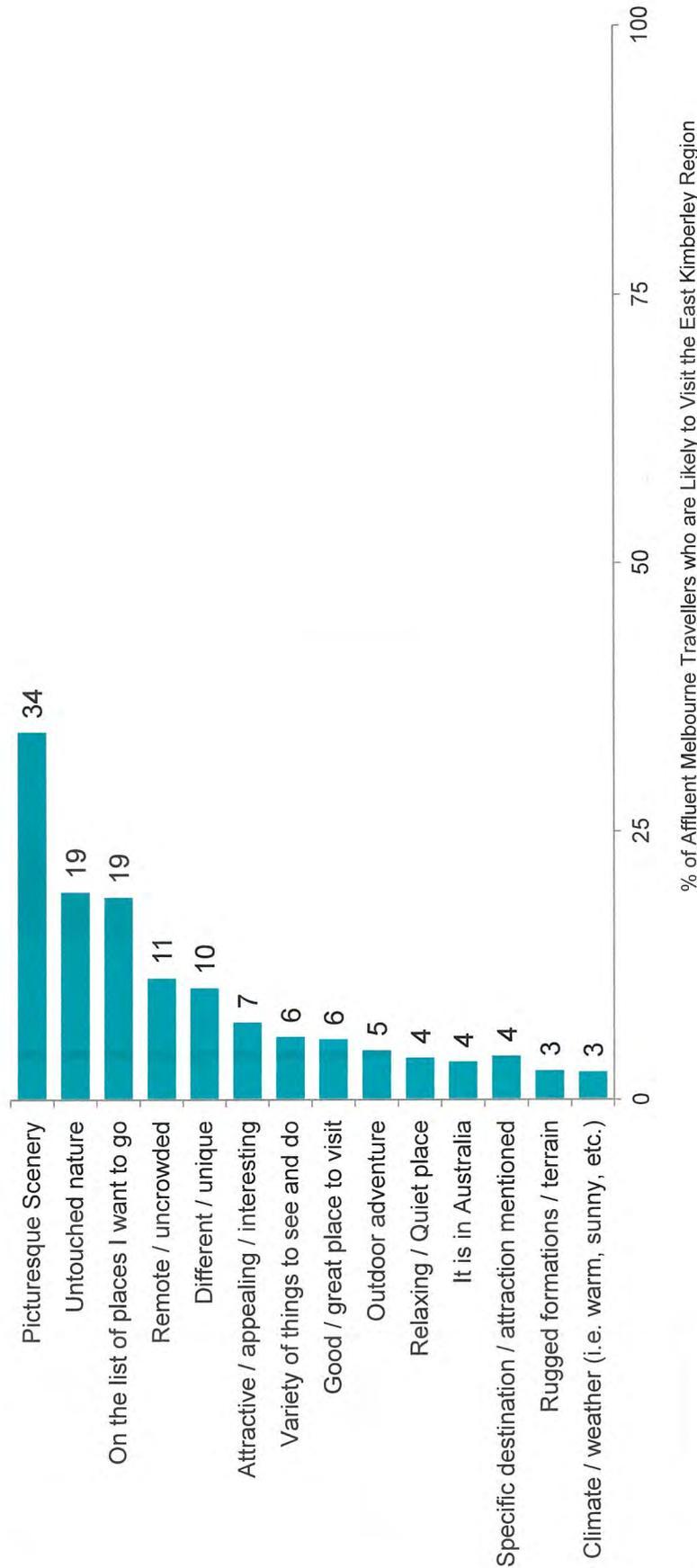
Q11 Why are you (answer at Q10) to visit Kununurra in the future?

Source: Stage 2 - Past Visitors and Local Residents
© 2015 Metrix (Confidential)

Motivators to Travel to the East Kimberley



The main motivators for people to travel to the East Kimberley are the picturesque scenery and untouched nature. One in five also mentioned that it is on their list of places to go.



n=479

Q11 Why are you likely to travel to the East Kimberley region? What in particular is appealing about the region? (Open ended question with coded responses)

Source: Stage one – Potential Visitors

*Motivations under 3% are not shown

November 2015

32

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Motivators to Travel to the East Kimberley



A summary of the motivators to visitation are as follows:

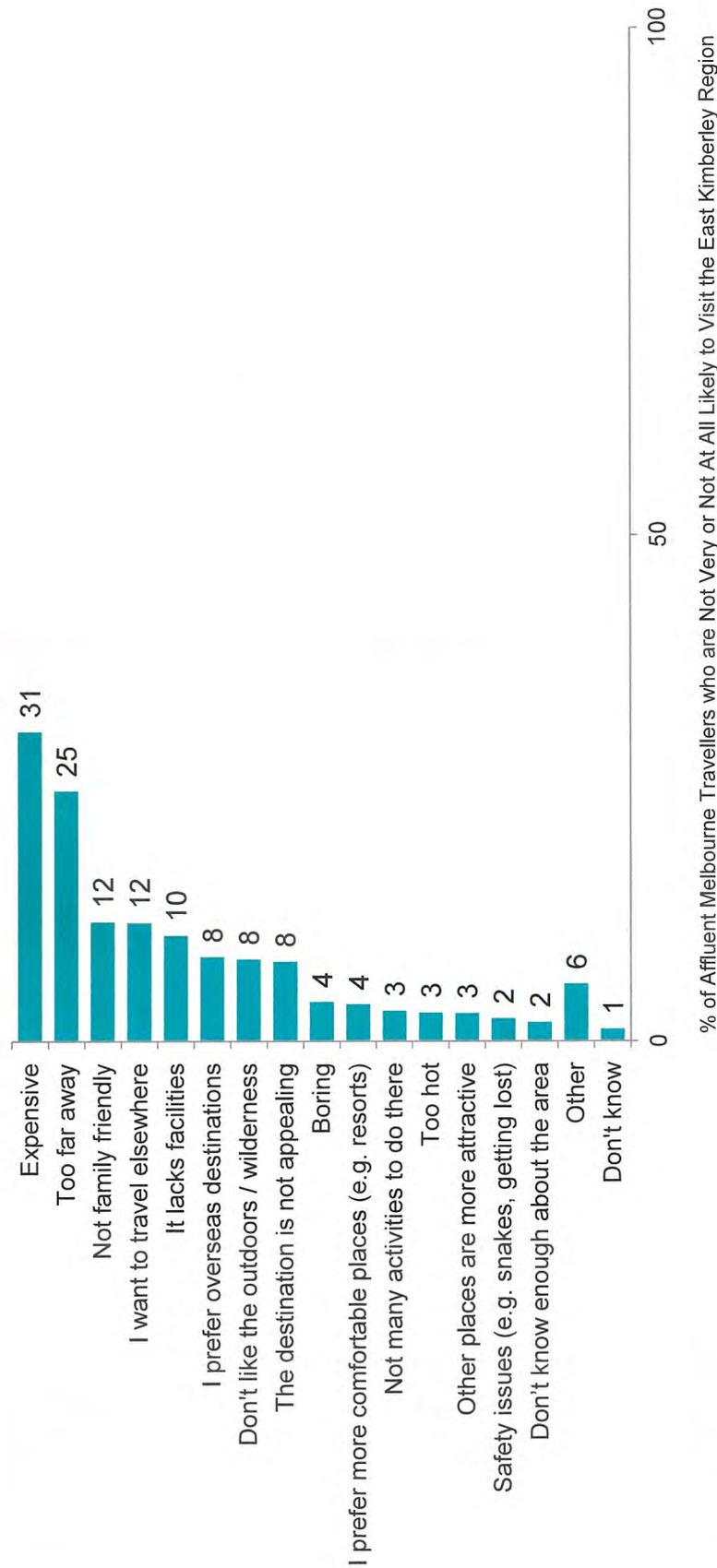
| | |
|--|--|
|  <p>Scenery</p> <p><i>"I've always wanted to go there. The region has magnificent landscapes and natural wonders - it's vast and spectacular."</i></p> <p><i>"It looks breathtakingly beautiful. A rare environment, a world away from Melbourne."</i></p> |  <p>Untouched Nature</p> <p><i>"Natural and remote while not being too touristy."</i></p> <p><i>"The East Kimberley is a rugged, beautiful place which is relatively unspoilt."</i></p> <p><i>"It's different and unique. Remote and unspoilt."</i></p> |
|  <p>On the List of Places to Go</p> <p><i>"I would definitely like to go there, but maybe when I am a bit older. I want to do some more overseas travel first."</i></p> <p><i>"It's somewhere I've always wanted to visit and hope to in the future."</i></p> <p><i>"It is an area I have never been before."</i></p> |  <p>Remote / Uncrowded</p> <p><i>"I love the Kimberley region as there are not many tourists visiting this area."</i></p> <p><i>"It seems very rugged and remote."</i></p> |
|  <p>Different / Unique</p> <p><i>"It's looks peaceful, different, and a part of Australia I've not seen."</i></p> <p><i>"It is a unique part of Australia that I would like to take my children to when they are older."</i></p> <p><i>"Just the remoteness and beauty. It's so different to the rest of Australia."</i></p> |  <p>Attractive / Appealing / Interesting</p> <p><i>"It looks very interesting and is a state in Australia that I haven't visited yet."</i></p> <p><i>"I like the idea of a vast range of activities in a different part of the world. It seems to be unique and appealing."</i></p> |

Q10 Why are you likely to travel to the East Kimberley region? What in particular is appealing about the region?
Source: Stage one – Potential Visitors

Barriers to Travel to the East Kimberley



Consistent with previous research, the main barriers to travelling to the East Kimberley region are cost and distance. A lack of knowledge also appears to play a role, with travellers citing that the destination is not family friendly and is lacking in facilities.



n=153
 Q11 Why are you not likely to travel to the East Kimberley region? What in particular might stop you from visiting? (Open ended question with coded responses)
 Source: Stage one – Potential Visitors

Barriers to Travel to the East Kimberley



A summary of the potential barriers to visitation are as follows:

| | |
|--|---|
|  <p>Expensive <i>“A bit too remote and I’ve heard that Broome and surrounds is very expensive. I think I can probably get better value for my money elsewhere.”</i> <i>“It’s too expensive for a family of four.”</i> <i>“It would cost too much to get there.”</i></p> |  <p>Too far away <i>“Too far away, I can think of similar places and experiences to visit within Australia which are closer to me and cheaper.”</i> <i>“There are other places in Australia just as appealing and considerably closer to home.”</i></p> |
|  <p>Not family friendly <i>“I just don’t think of it as a family destination.”</i> <i>“My kids would be bored.”</i> <i>“I have young kids that wouldn’t enjoy that sort of holiday.”</i></p> |  <p>Want / planned to go elsewhere <i>“Too hard to get to and it’s not much different to more attractive areas in Queensland.”</i> <i>“Other destinations are more attractive at the moment.”</i> <i>“I have other places I would prefer to travel first.”</i></p> |
|  <p>Too remote <i>“There doesn’t appear to be much infrastructure for family holidays.”</i> <i>“It looks nice, but it’s very remote and there’s not much to do.”</i> <i>“I currently travel alone and this looks too remote for me.”</i></p> |  <p>Prefer overseas destinations <i>“I prefer travelling overseas. It’s much cheaper.”</i> <i>“Distance from home and it’s my partner’s preference to travel overseas.”</i> <i>“I would rather see places in other countries.”</i></p> |

Q11 Why are you unlikely to travel to the East Kimberley region? What in particular might stop you from visiting?
 Source: Stage one – Potential Visitors

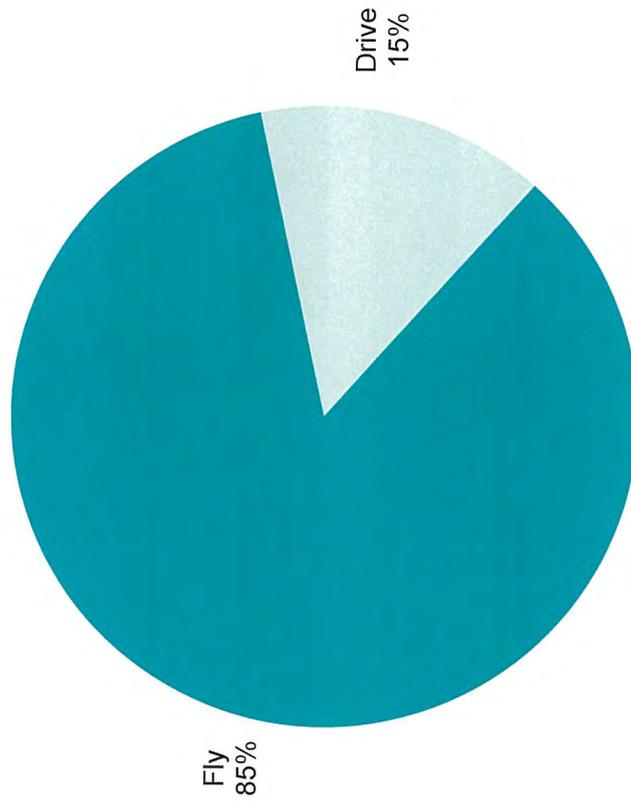
Kununurra Residents Travel Behaviour



Mode of Travel Out of Kununurra



Flying is the most common mode of transport out of the region, with only 15% choosing to drive.



% of Local Residents

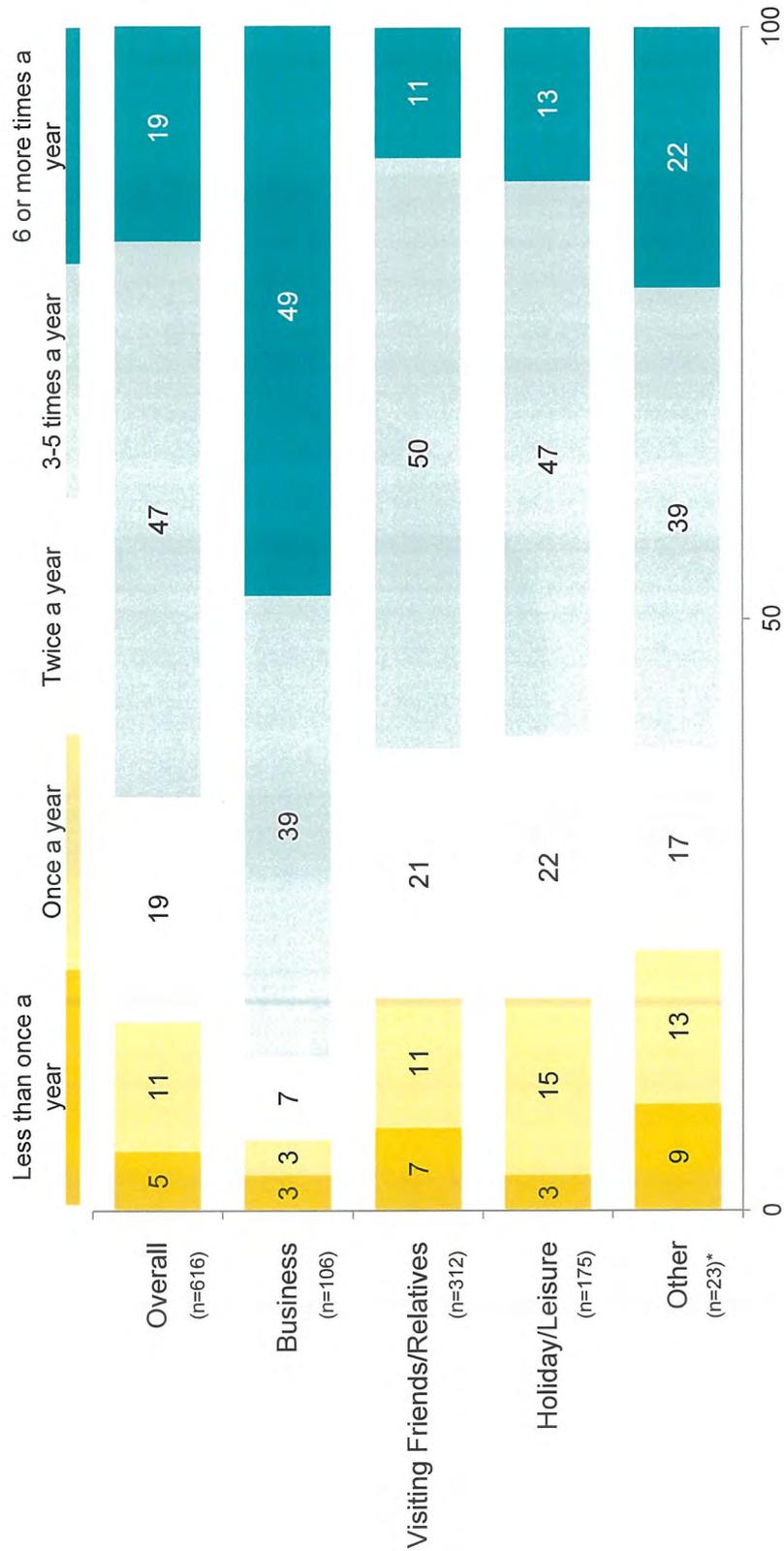
n=623
Q14 How do you typically travel out of the East Kimberley region?
Source: Stage 2 - Past Visitors and Local Residents

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Travel Frequency Out of KNX



Two-thirds of local residents fly out of KNX three or more times a year. People who fly most often for business use the airport most frequently, with half flying six or more times a year.



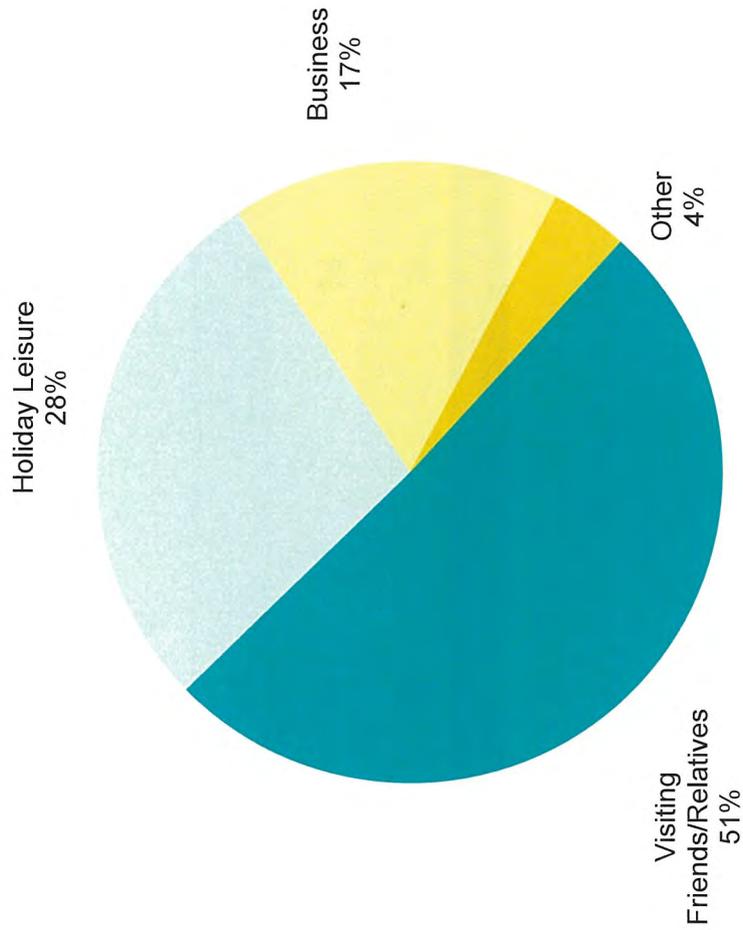
% of Local Residents who fly out of Kununurra Airport

Q15 How often do you fly out of Kununurra airport?
Source: Stage 2 - Past Visitors and Local Residents
© 2015 Metrix (Confidential)

Reasons for Travel Out of Kununurra



Visiting friends and relatives is the most common reason residents fly out of Kununurra Airport.



% of Local Residents who fly out of Kununurra Airport

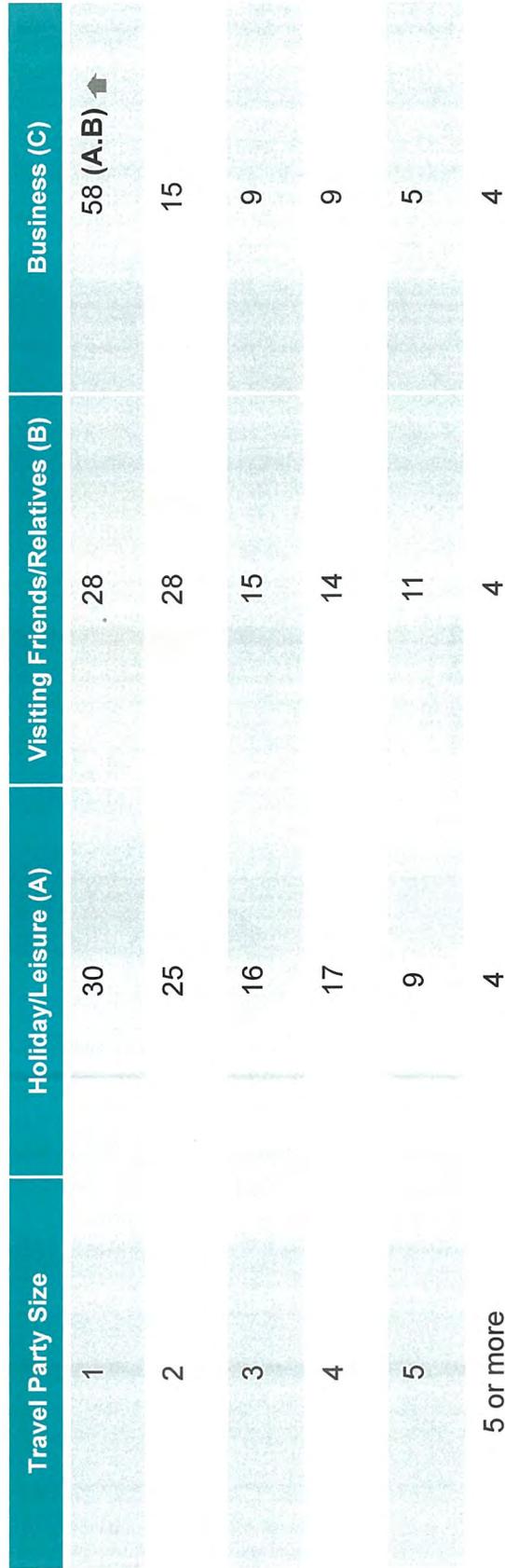
n=616
Q16 When you fly out of Kununurra Airport, for what purpose are you most often travelling?
Source: Stage 2 - Past Visitors and Local Residents

© 2015 Metrix (Confidential)

Travel Party Out of Kununurra



The majority of travel parties from Kununurra Airport consist of 1 to 3 people. Residents flying predominantly for business are most likely to travel alone.



% of Local Residents who fly out of Kununurra Airport

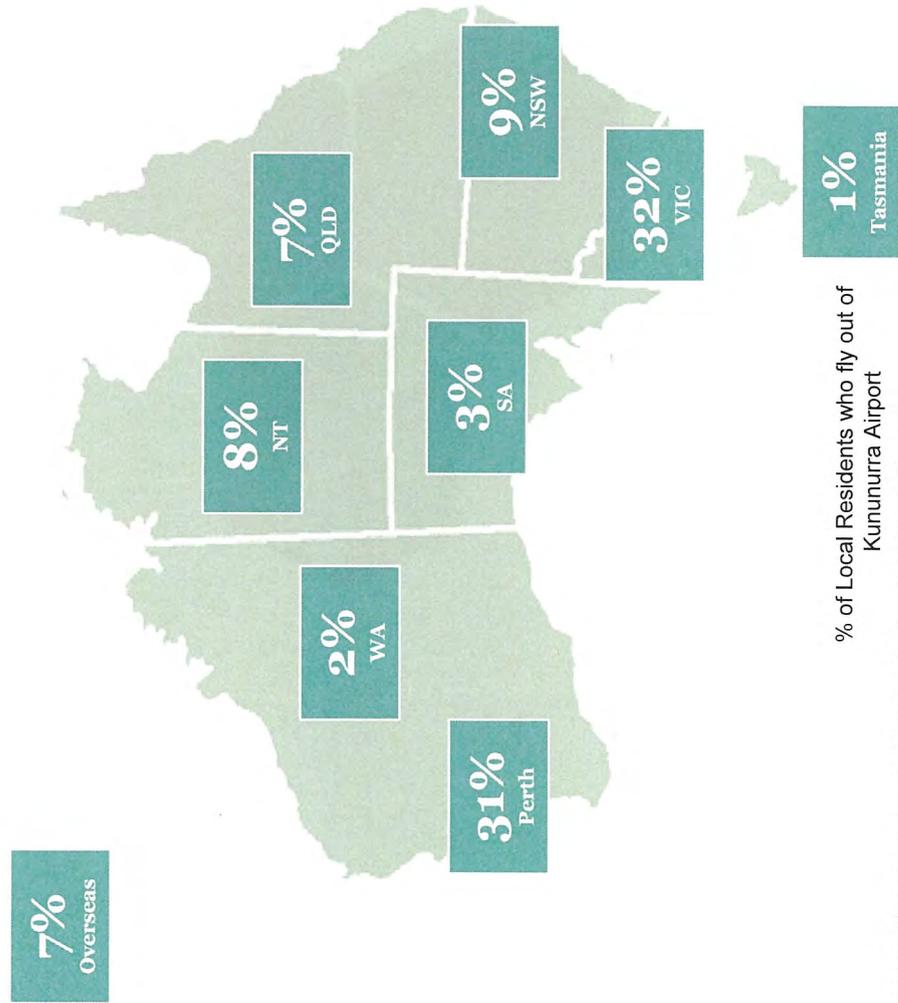
n=616
 Q18a How many other people are you most often traveling with?
 Source: Stage 2 - Past Visitors and Local Residents

↑ Significantly higher at the 95% confidence interval
 November 2015

Outbound Travel Destinations



The majority of outbound flight traffic from the East Kimberley region is arriving in Victoria and Perth.



% of Local Residents who fly out of Kununurra Airport

n=616
Q15a When you fly out of Kununurra Airport, where are you most often traveling to?
Source: Stage 2 - Past Visitors and Local Residents

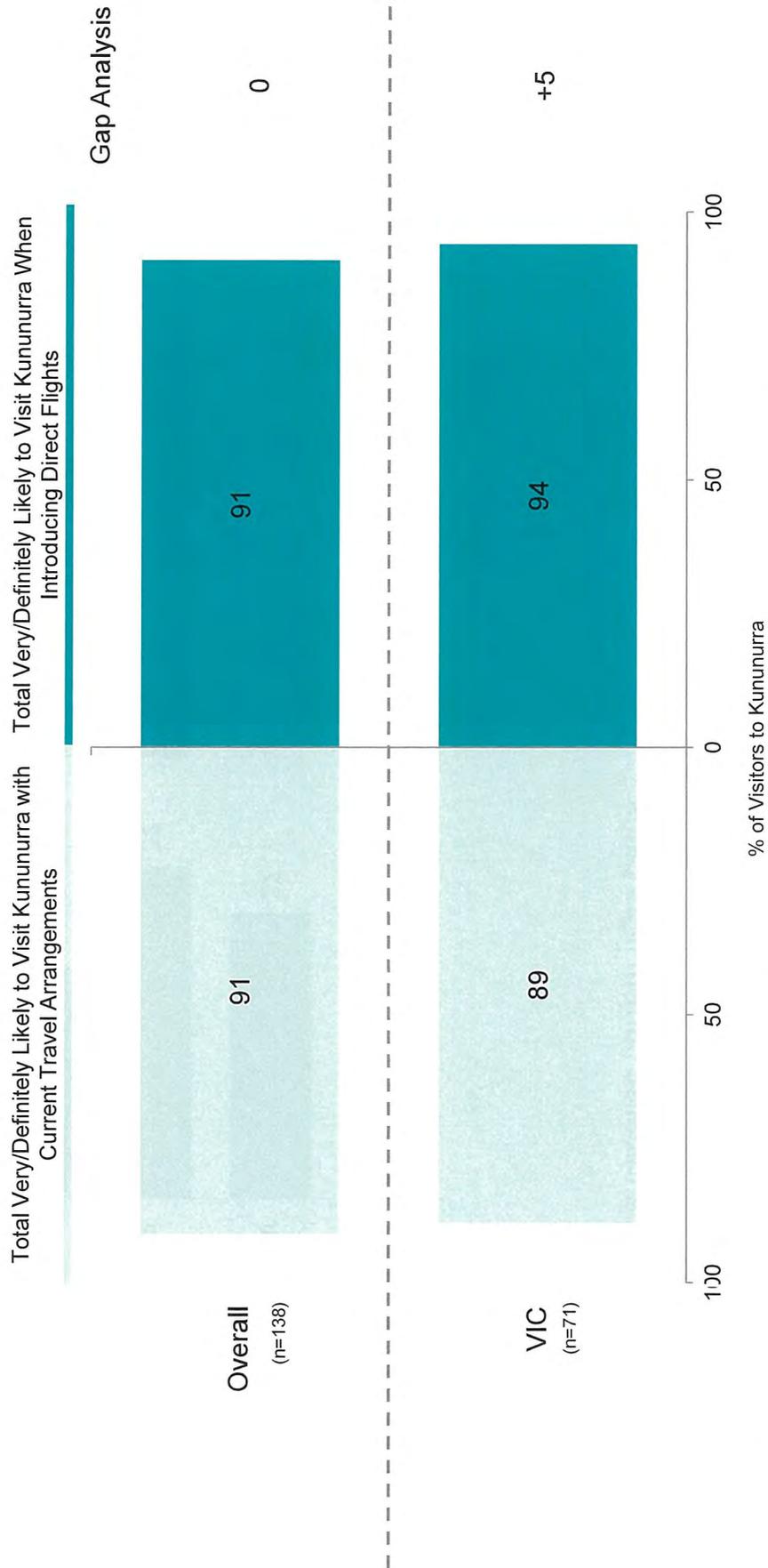
Introducing Direct Flights



Direct Flight Impact on Repeat Visits



Direct flights from Melbourne appear to have a minimal impact on penetration amongst past visitors, with Victorian residents the only market to show an uplift (5%). It is possible that the convenience and costs savings could drive a higher number of repeat visits, but this was not tested in the research.

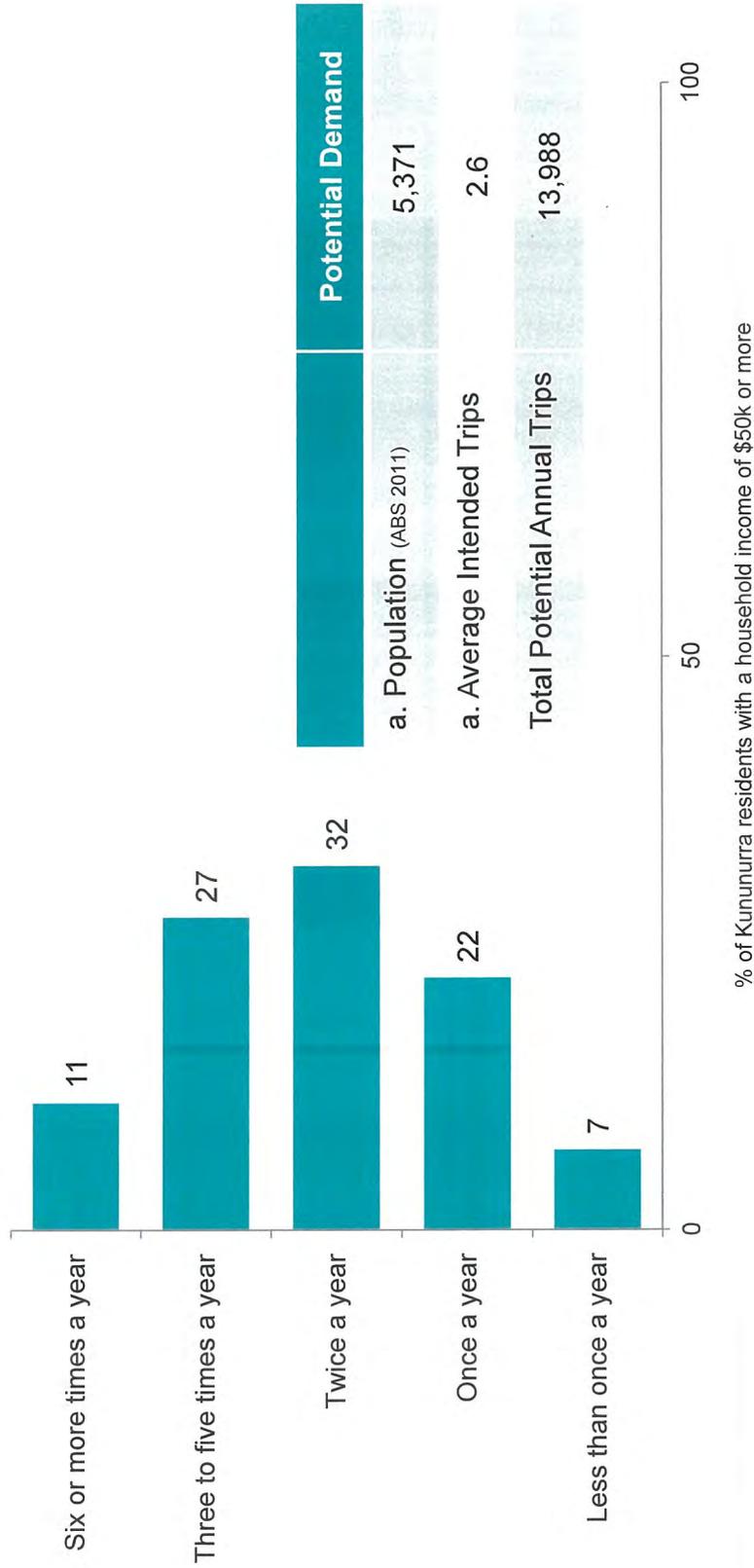


Q10 Thinking about your entire experience in Kununurra, how likely are you to visit Kununurra again in the future? Excluding Don't Know
 Q12 If direct services were available, how likely would you be to visit Kununurra in the future? Excluding Don't Know
 Source: Stage 2 - Past Visitors and Local Residents

Local Direct Service Demand



Direct services are likely to be used by the majority of residents, with 2.6 trips the assumed average. Direct services are not likely to have a significant impact on the number of flights residents take to Victoria, and are instead likely to cannibalise current flight paths.

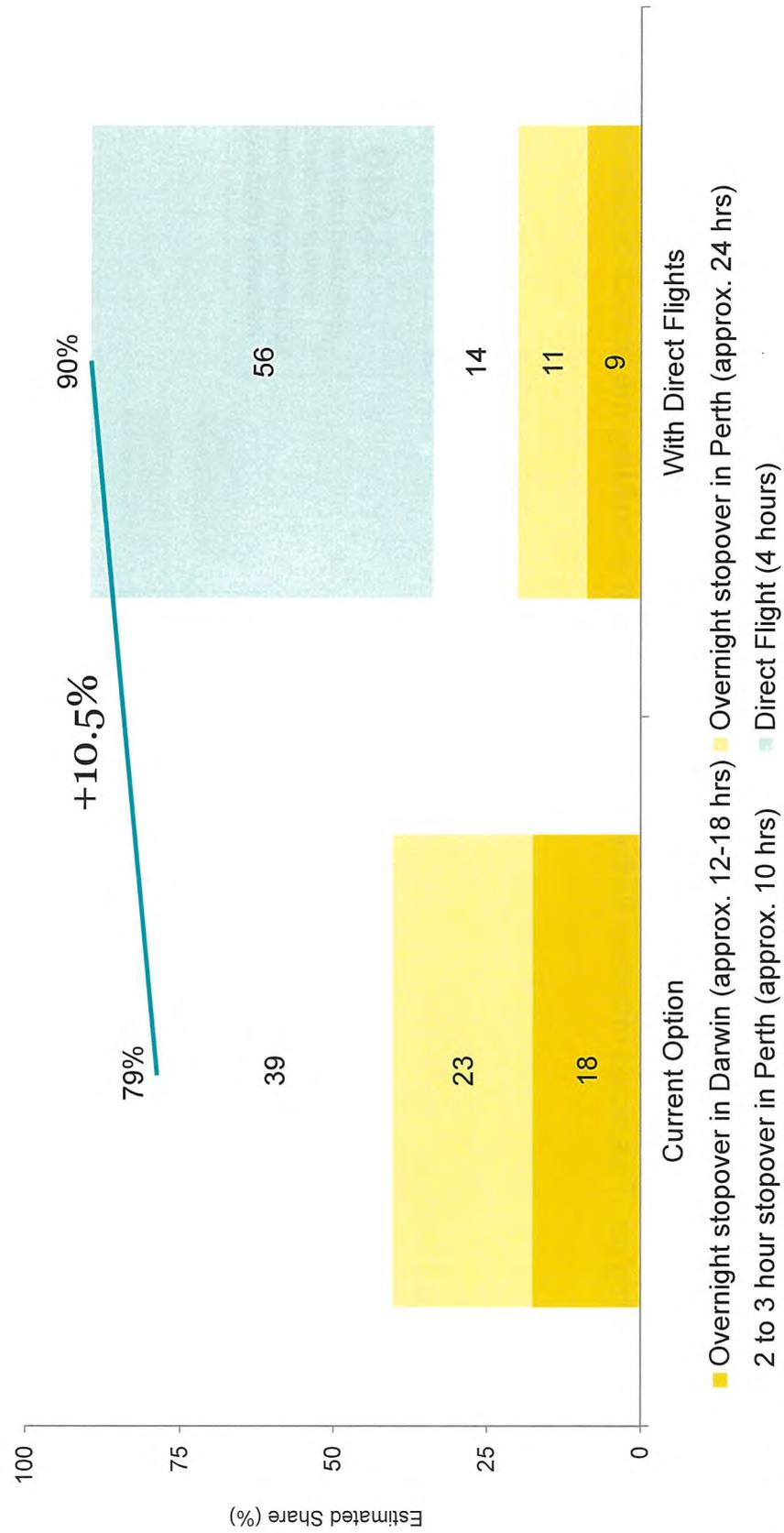


n=532
 Q19 If direct services to Melbourne were available, how often would you use this service?
 Source: Stage 2 - Past Visitors and Local Residents
 © 2015 Metrix (Confidential)

Product Mix Implications



At a minimum, the introduction of direct flights to Kununurra is likely to increase demand by 10.5%. There is also a clear move in preference from the current options to direct flights, highlighting the potential impact this could have on strengthening booking conversion, given the key barriers of cost and time.

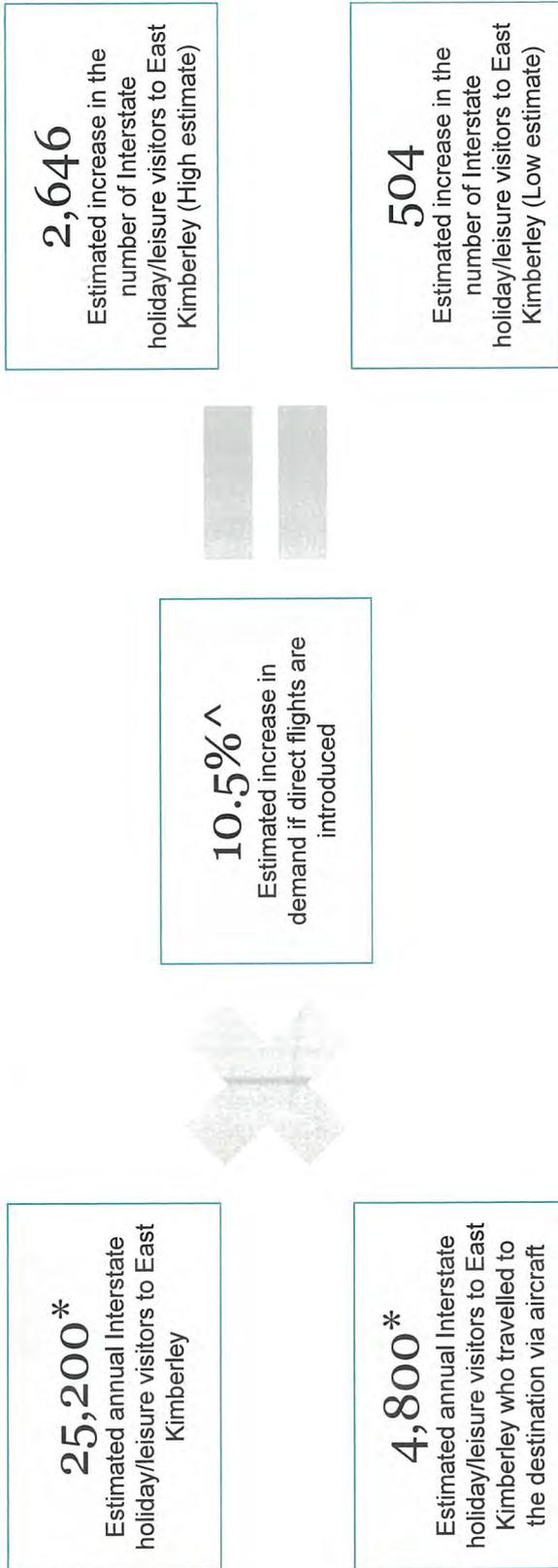


Source: choice based conjoint analysis. Stage one – Potential Visitors

Estimated Uplift in Interstate Visitation



If direct flights are introduced, between 504 and 2,646 additional Interstate people are estimated to visit the East Kimberley region. This could increase further with investment in building the brands of destinations in the region.



Assumptions:
 • The uplift in visitation recorded in the Melbourne Target Market also applies to the General Population

*Source: Tourism Research Australia, National Visitor Survey
 Note: Visitors aged 15 years and over who spent at least one night in the region and were visiting for holiday/leisure purposes. Annual estimate based on a five year average (2010-11 to 2014-15). 'East Kimberley' includes Halls Creek and Kununurra Statistical Area Level 2s as defined by the Australian Bureau of Statistics.
 ^Source: Choice based conjoint analysis. Stage one – Potential Visitors

Reasons that Direct Flights Appeal



A summary of the motivators to visitation when direct flights are introduced for repeat visitors are as follows:

No overnight stop required
“1 to 2 days lost traveling via Darwin makes a visit more difficult. Direct flights are much more convenient and allows for better use of time.”
“We had to have a stopover in Darwin and it was very difficult and expensive for one night.”



Better for business
“I travel to Kununurra for business twice a year and it would drastically reduce my costs and time if there was a direct flight available.”
“Opens up the area and makes the region easier for me to sell to eastern states clients.”



Easier to get there
“Getting there would be a lot less of a hassle.”
“I would always prioritise a more streamlined way to travel to get there, and would work my schedule around accessing that flight.”



Time and cost effective
“Would be cheaper and more convenient to travel direct. Wouldn't need to take a week off work for a three day visit.”
“It would allow for an alternate, and possible cheaper route to travel from Perth to Kununurra.”



Q12 Why are you (answer at Q11) to visit Kununurra in the future if direct flights to/from the east coast becomes available?
 Source: Stage 2 - Past Visitors and Local Residents

Product Evaluation

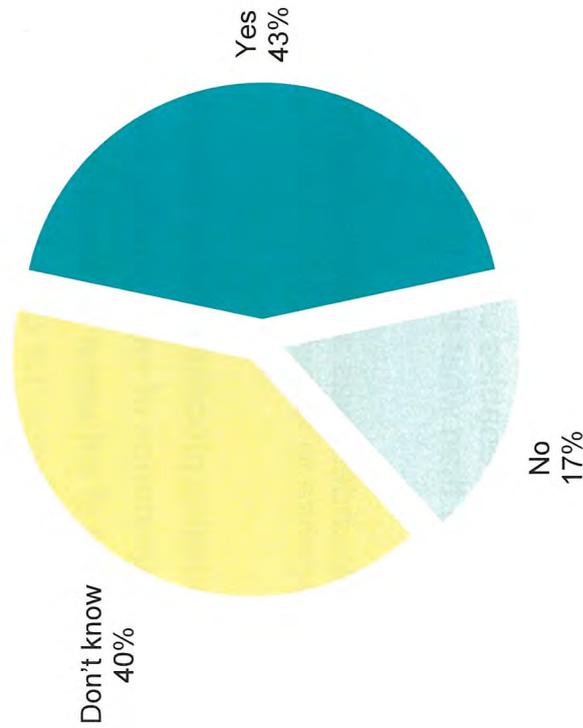


Interest in Holiday Packages



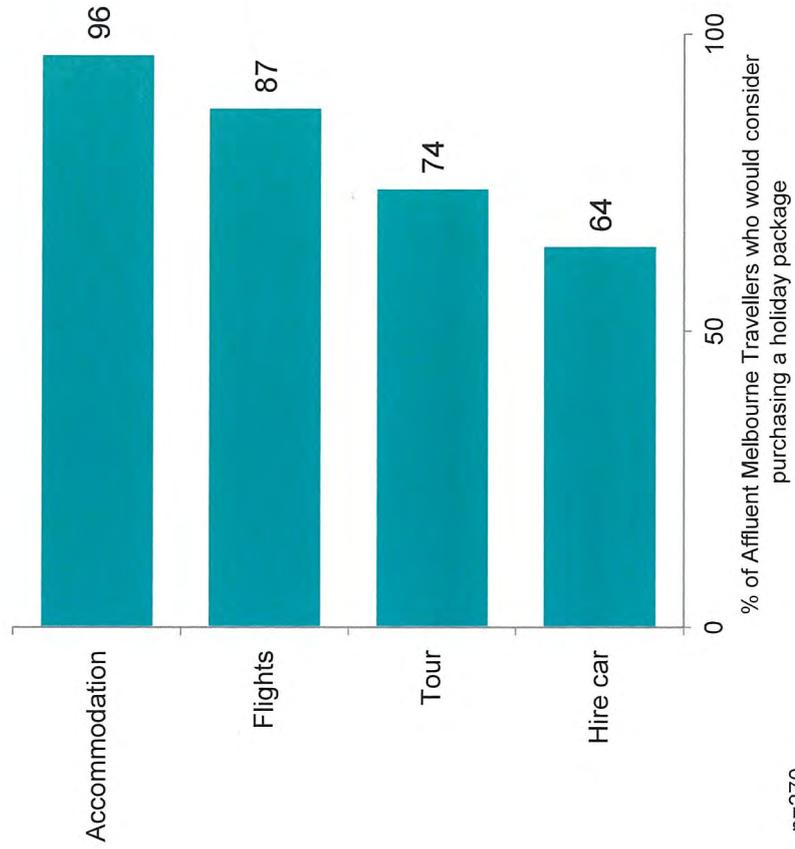
Just under half of travellers would consider purchasing a holiday package, with accommodation and flights the most popular inclusions.

Interest in Holiday Package



n=632
Q12 If you were visiting the East Kimberley region, would you consider purchasing a holiday package?
Source: Stage one – Potential Visitors
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Package Inclusions



n=270
Q13 If you were to design your ideal holiday package in the East Kimberley, which of the following would it include?
Source: Stage one – Potential Visitors

Choice Modelling Overview

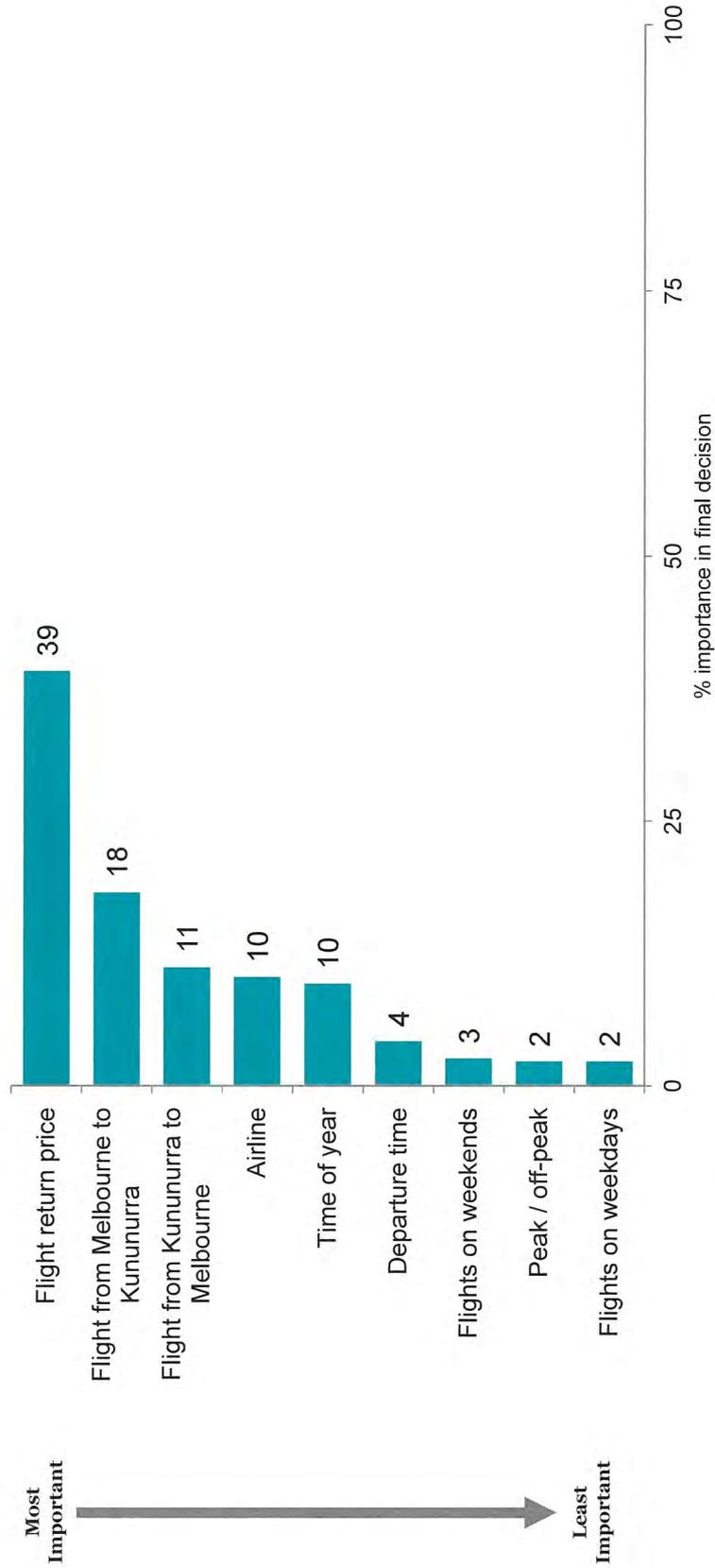


- Choice modelling was used to evaluate a range of possible product scenarios.
- This technique enables us to determine likely consumer behaviour based on the choices consumers make, rather than what they have stated.
- Each respondent was asked to evaluate 44 product combinations, with this data being used to calculate their response to all potential product scenarios.
- The modelling process delivers the following outputs:
 - The importance of each product feature.
 - The level of influence for the options tested for each product feature.
 - The price window for each brand tested.

Relative Importance of Elements



Regardless of demographic, the price of flights is the most important feature when travellers are deciding between travel options. This is followed by the type of flight available to the region and airline. Travellers place a higher value on the speed of getting to a destination, likely a reflection of them wanting to begin their holiday as quickly as possible.



The scores above indicate the extent to which different features influence take up. Scores are derived based on the choice customers make (choice based conjoint analysis), rather than what they have stated.

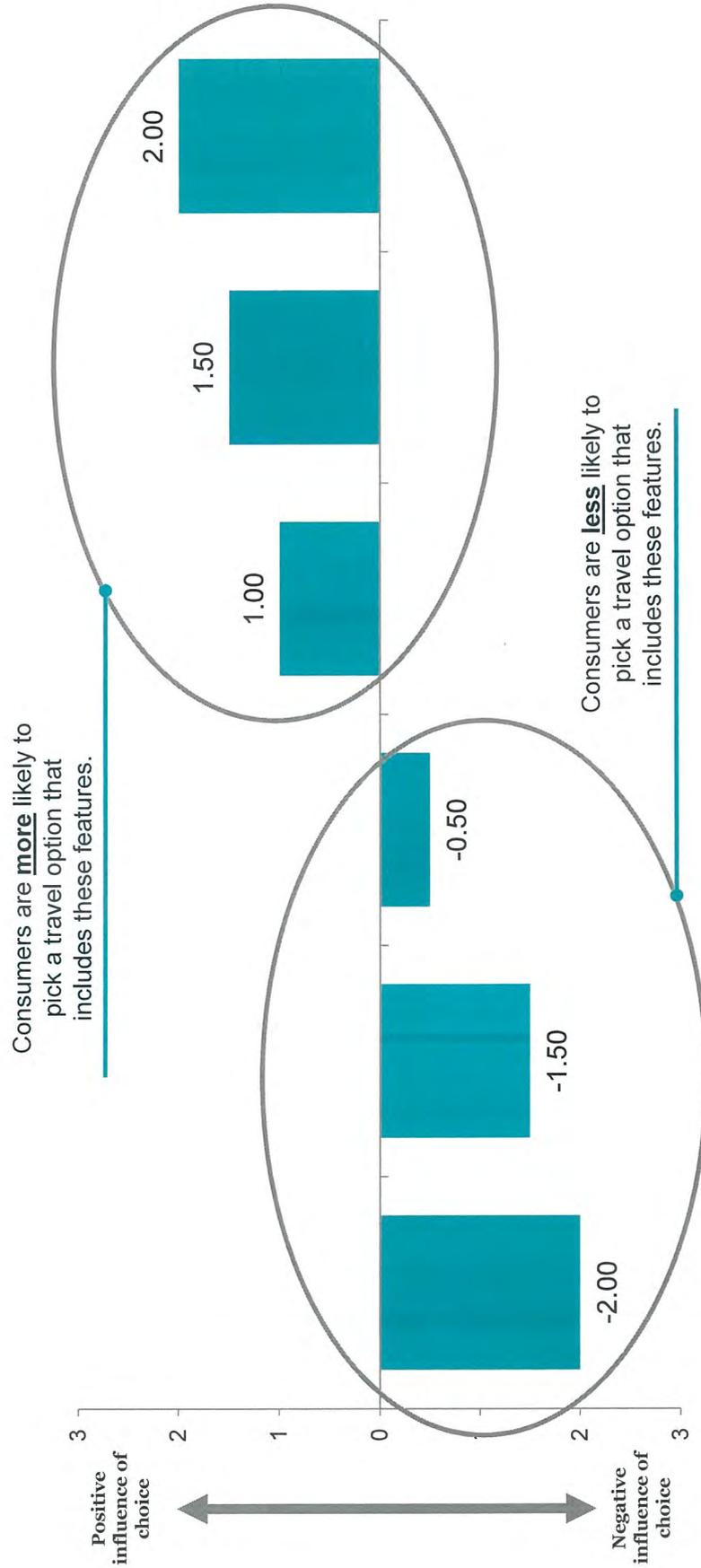
Source: Stage one – Potential Visitors

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Overview of Choice Part-Worths Output



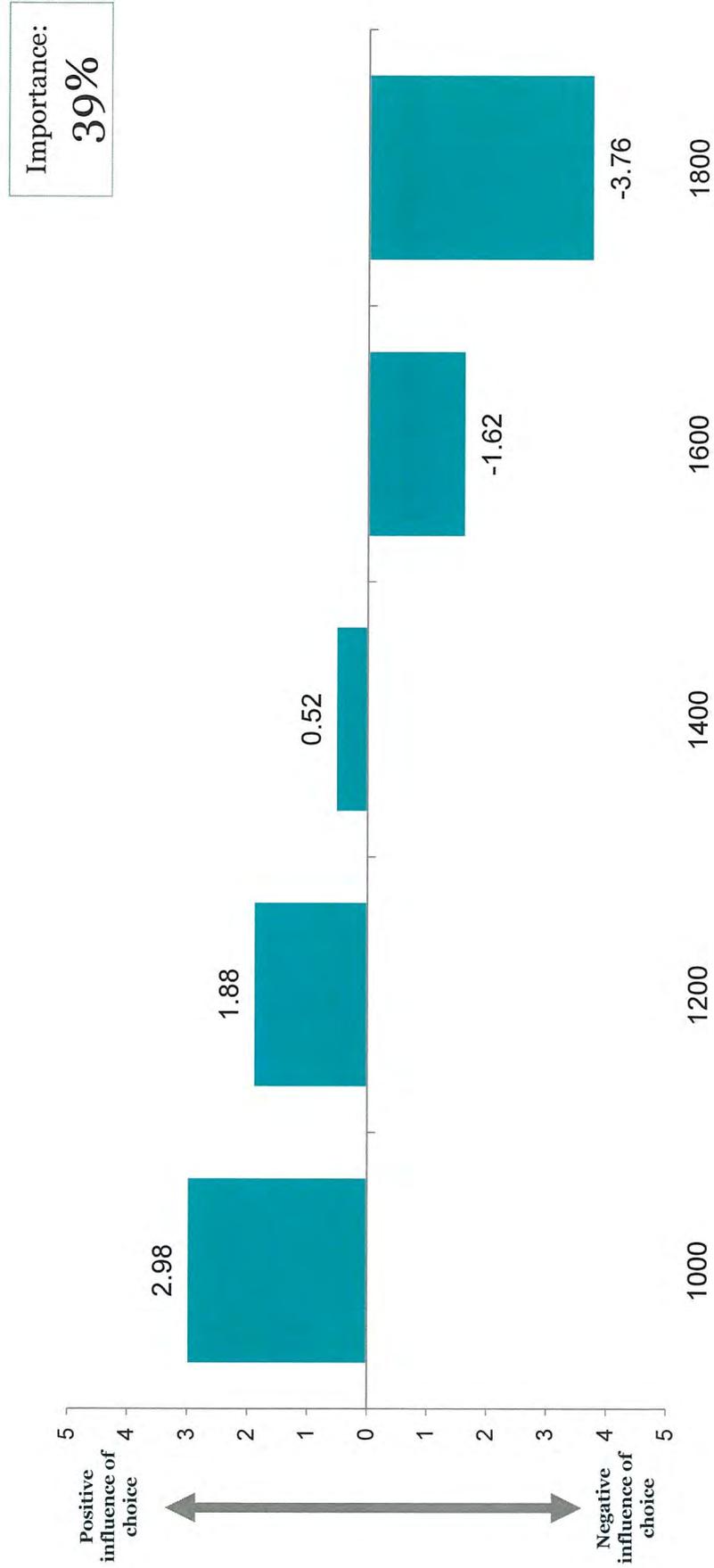
The scores below indicate the extent to which different options influence take-up. Scores are derived based on the choice customers make rather than what they have stated. Numbers greater than zero have a positive impact on choice and numbers below zero have a negative impact on choice.



Flight Return Price



As expected, lower priced flights are a strong driver of visitation, whilst more expensive flights can become a barrier. Lower income households (\$100k to \$149k) place a higher importance relative to those earning more than \$150k or over (42 vs. 36).



Source: choice based conjoint analysis. Stage one – Potential Visitors

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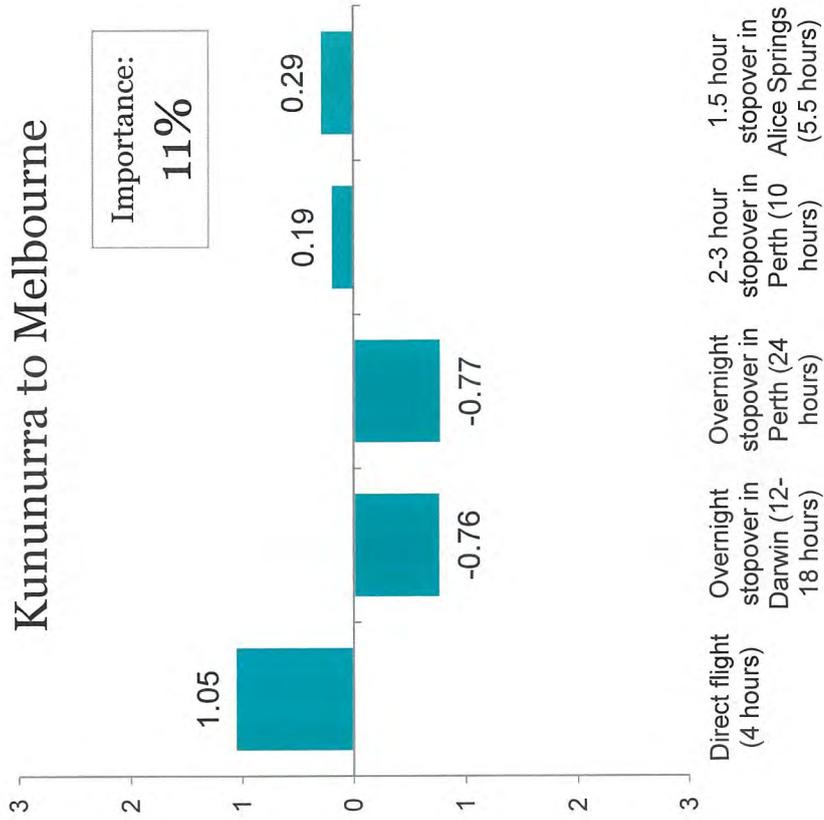
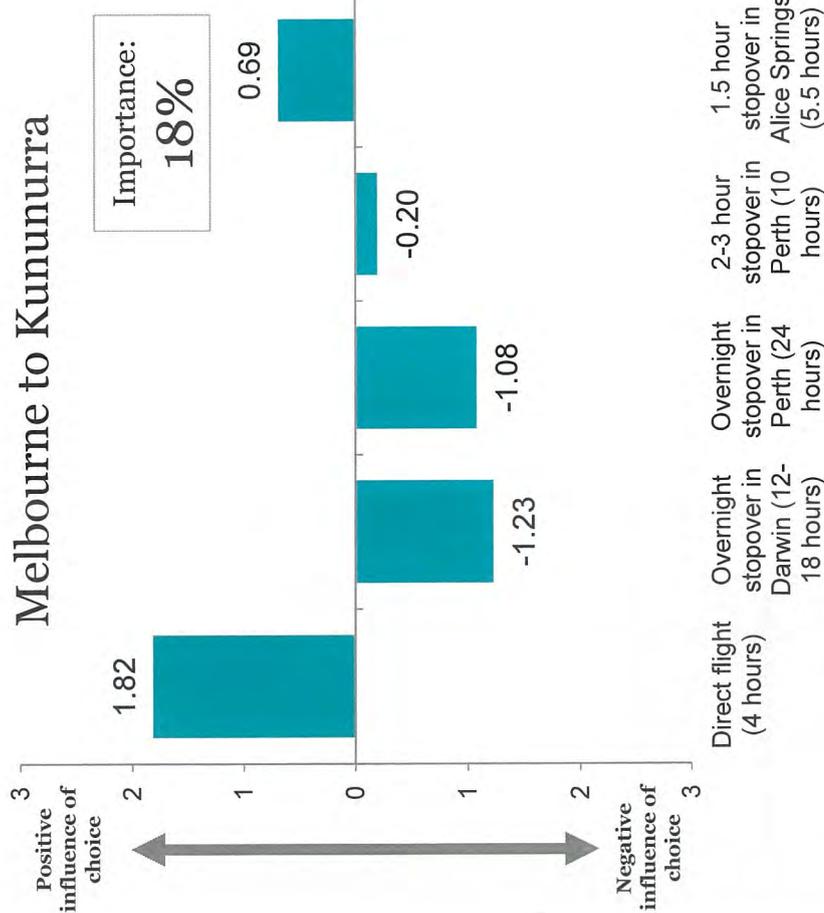
53

November 2015

Flight Type



For both flights, the direct flight option is shown to be the most popular. Like price, the longer the travel time the less positive the influence. On the way home, travellers are more open to a longer travel time, with a 2-3 hour stopover in Perth scoring positively.



Source: choice based conjoint analysis. Stage one – Potential Visitors

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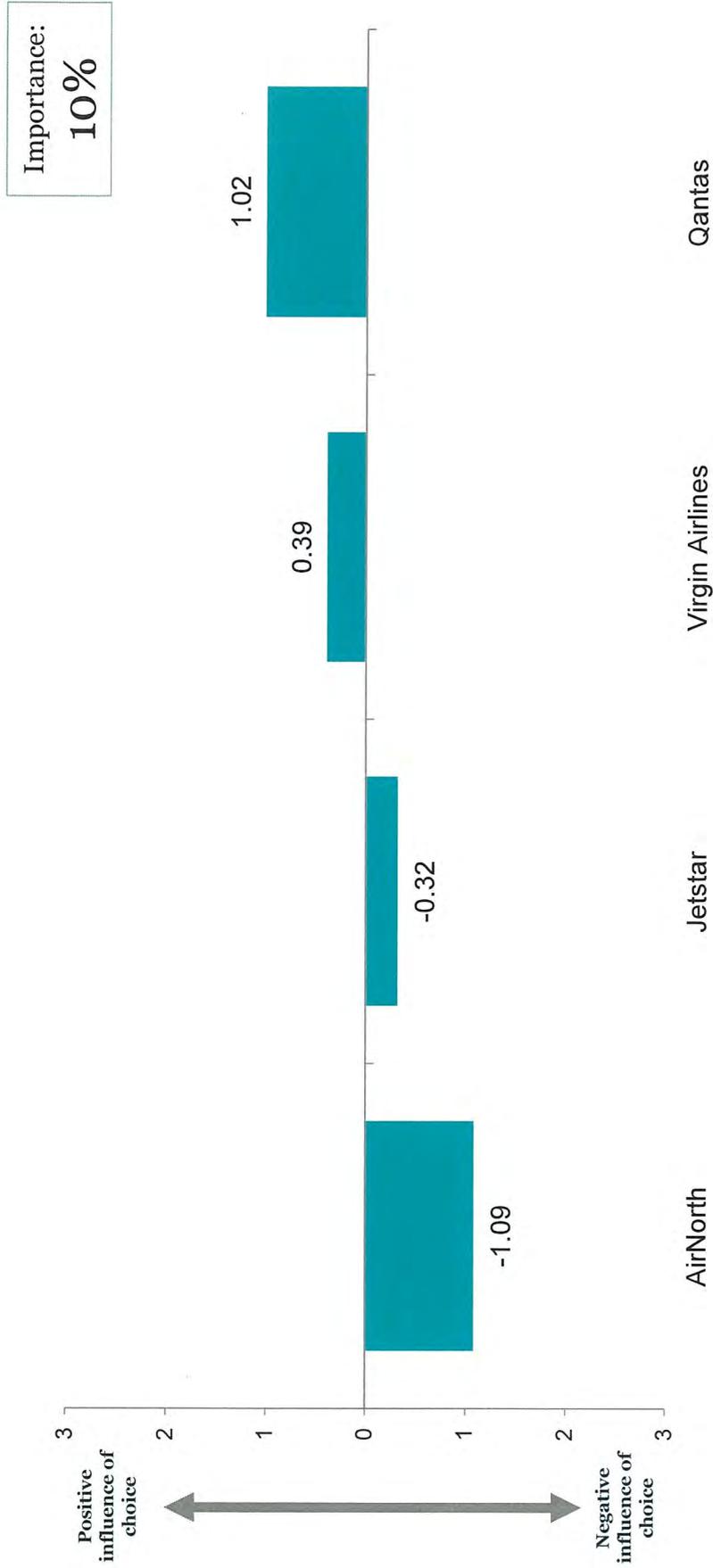
54

November 2015

Airline



Qantas and Virgin are the airlines most likely to drive visitation. Without some brand building, AirNorth may be a barrier for some travellers.



Source: choice based conjoint analysis. Stage one – Potential Visitors

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56

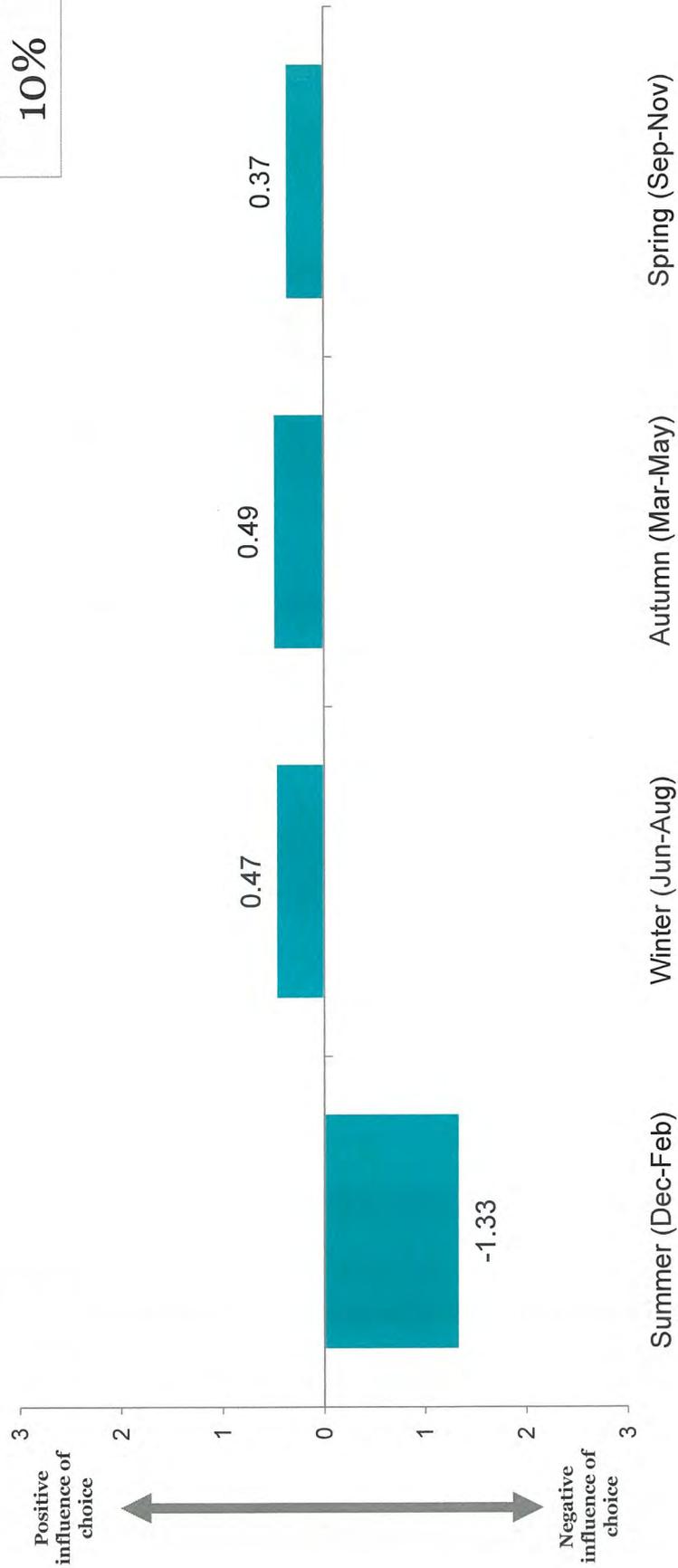
November 2015

Time of Year



Summer flights are the least likely to encourage visitation, likely driven by a combination of the hot weather and holiday season. Flights during all other times of the year have a similar impact.

Importance:
10%



Source: choice based conjoint analysis. Stage one – Potential Visitors

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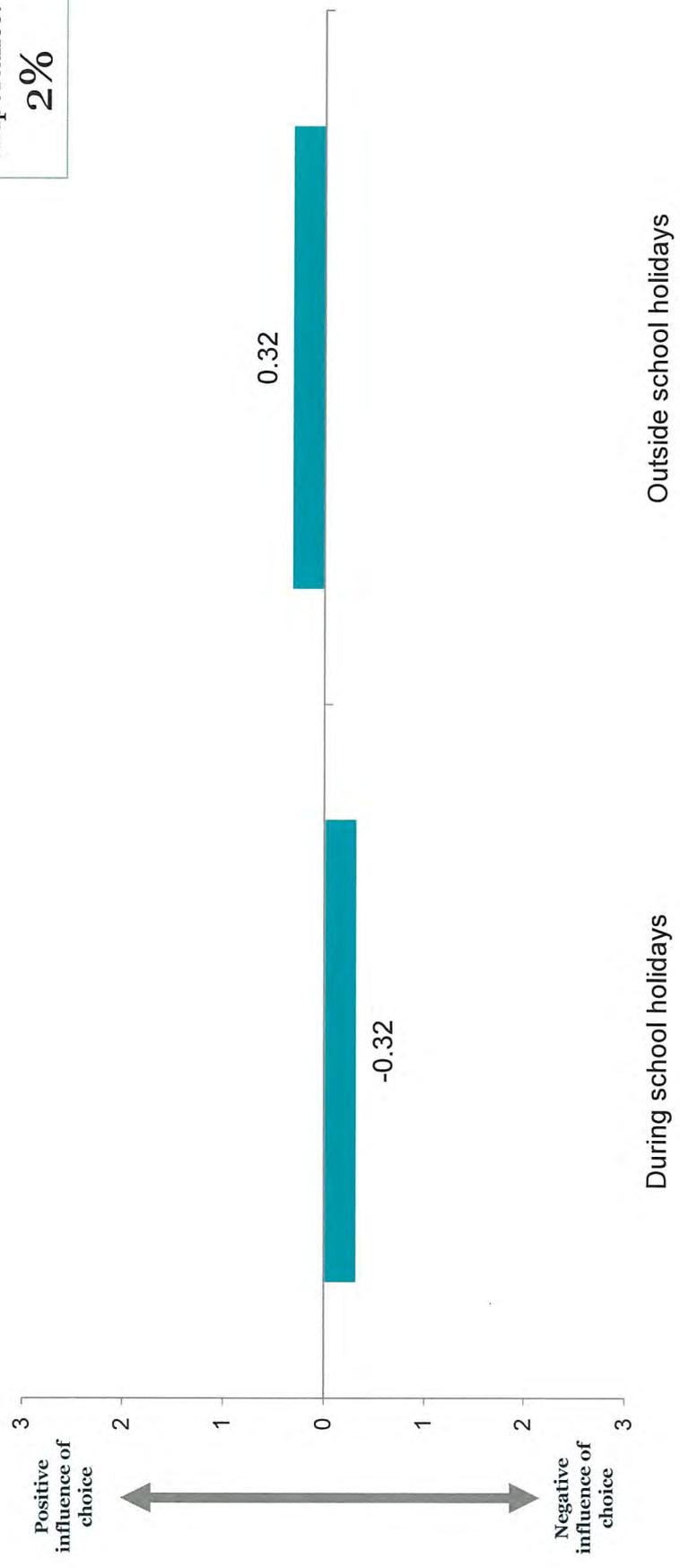
November 2015

School Holidays



Although given low importance, flights outside of school holidays were a slightly greater motivator to visitation than those during school holidays. For families the difference between the options was smaller, indicating this segment is happy to travel during either period.

Importance:
2%



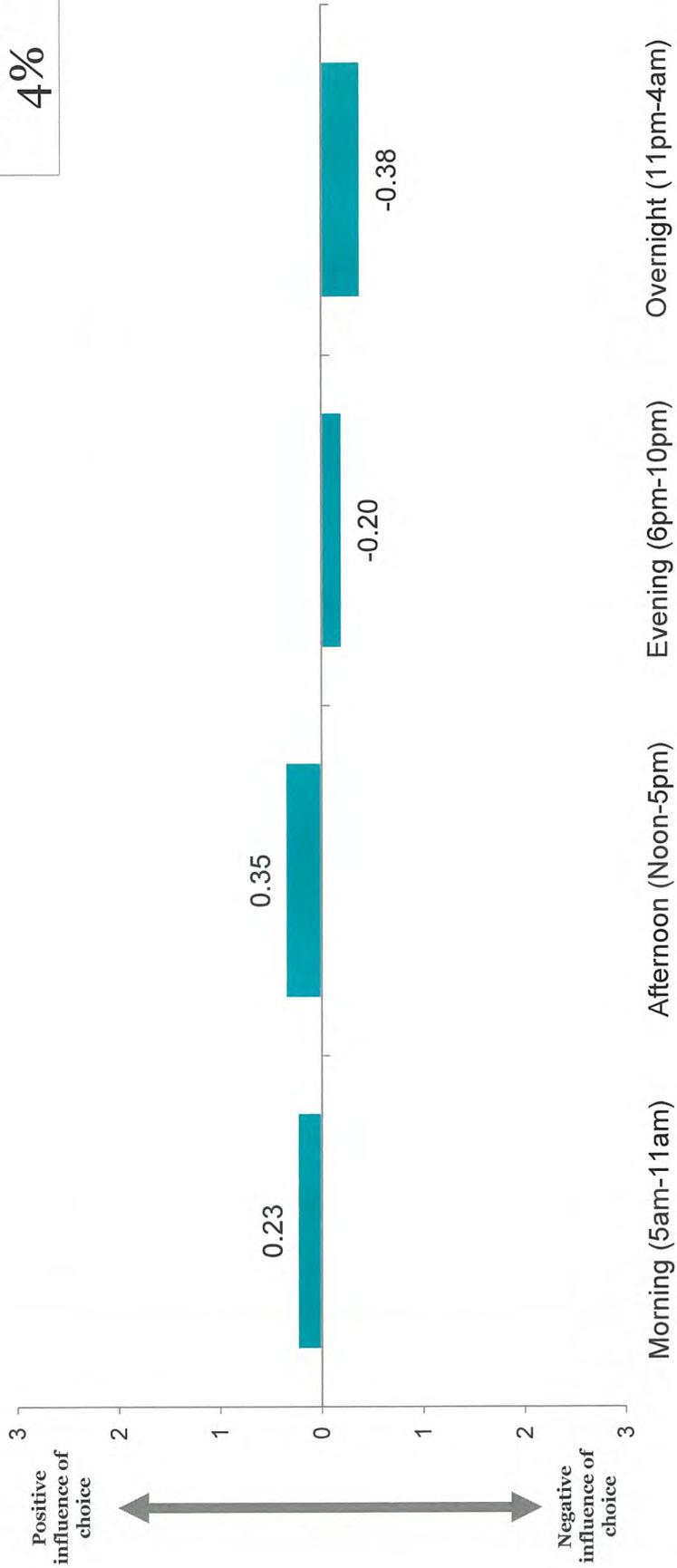
Source: choice based conjoint analysis, Stage one – Potential Visitors
© 2015 Metrix (Confidential)

Departure Time



Although generally of low importance to potential visitors, given a choice they would prefer to fly during the day.

Importance:
4%

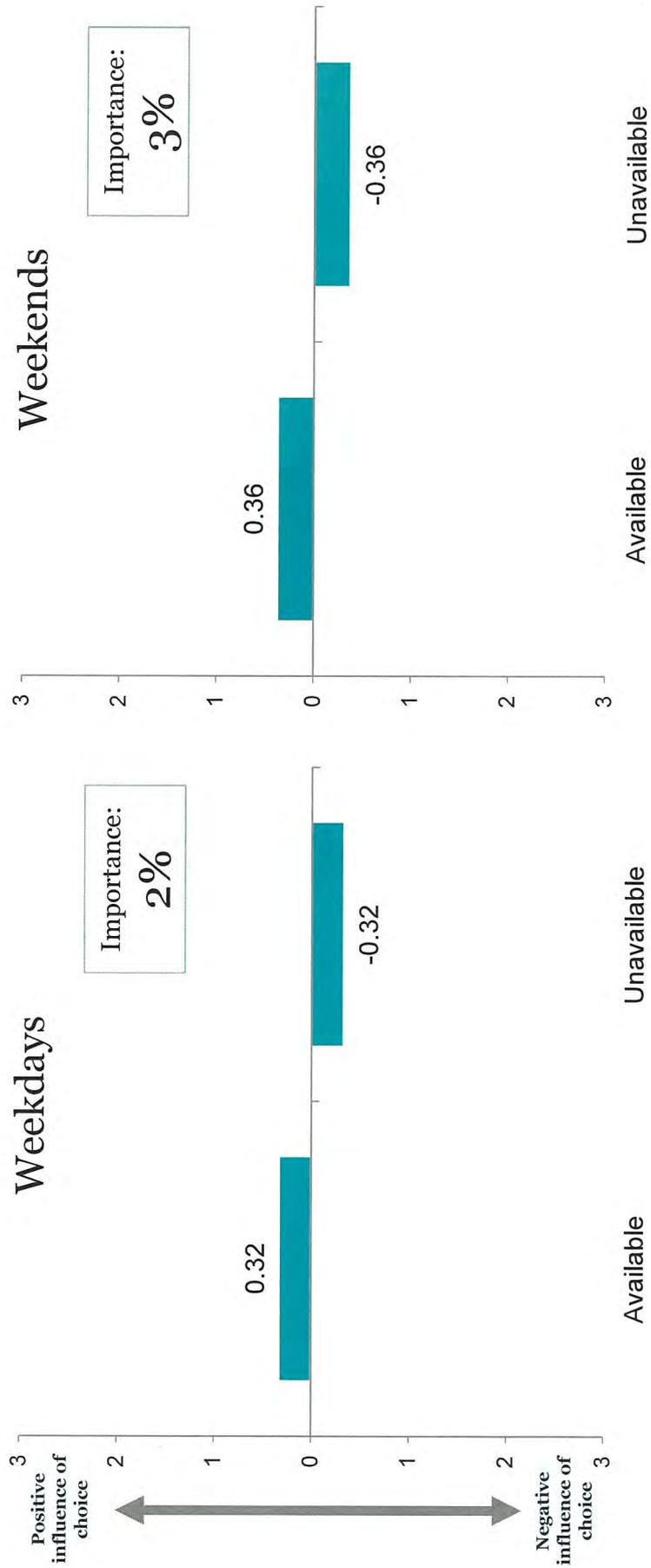


Source: choice based conjoint analysis. Stage one – Potential Visitors
© 2015 Metrix (Confidential)

Weekday / Weekend



Ideally both options would be available to potential visitors to the region, but if only one was available, the preference would be to fly on the weekends.



Source: choice based conjoint analysis. Stage one – Potential Visitors

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November 2015

Market Modelling Example



Market Modelling Simulator



- The market modelling simulator enables a more detailed analysis of different product scenarios based on consumer choice.
- The 'Simulator' tab allows you to create up to four different flight options, and understand the maximum potential market share each would achieve if offered in the real world. It also allows you to vary the product delivery mix to see the relative change in maximum market share that the variation causes.
- The 'Filters' tab allows you to select from a range of key variables a specific audience of interest, so the results shown reflect the group selected.
- The 'Projections' tab enables you to select the current flight offers to Kununnurra and see the impact the introduction of direct flights has on the estimated market share and overall market potential.

Current Product Offering Potential



| | Option One | Option Two | Option Three |
|------------------------------------|--|--|--|
| Flight from Melbourne to Kununurra | Overnight stopover in Darwin (approx. 12-18 hrs) | Overnight stopover in Perth (approx. 24 hrs) | 2 to 3 hour stopover in Perth (approx. 10 hrs) |
| Flight from Kununurra to Melbourne | Overnight stopover in Darwin (approx. 12-18 hrs) | Overnight stopover in Perth (approx. 24 hrs) | Overnight stopover in Perth (approx. 10 hrs) |
| Time of year | Winter | Winter | Winter |
| Peak/off-peak | Outside School Holidays | Outside School Holidays | Outside School Holidays |
| Flights on weekdays | Available | Available | Available |
| Flights on weekends | Available | Available | Available |
| Departure time | Morning | Morning | Morning |
| Airline | Virgin Airlines | Virgin Airlines | Virgin Airlines |
| Flight return price | \$1,200 | \$1,200 | \$1,200 |

With the three current options available, it is estimated that **79.1 %** are open to visiting Kununurra*

*Please note this calculation assumes 100% awareness of what the East Kimberley has to offer and no barriers to stop people from visiting.

New Product Offering Potential



| | Option One | Option Two | Option Three | New Option |
|------------------------------------|--|--|--|-------------------------|
| Flight from Melbourne to Kununurra | Overnight stopover in Darwin (approx. 12-18 hrs) | Overnight stopover in Perth (approx. 24 hrs) | 2 to 3 hour stopover in Perth (approx. 10 hrs) | Direct Flight (4 hours) |
| Flight from Kununurra to Melbourne | Overnight stopover in Darwin (approx. 12-18 hrs) | Overnight stopover in Perth (approx. 24 hrs) | Overnight stopover in Perth (approx. 10 hrs) | Direct Flight (4 hours) |
| Time of year | Winter | Winter | Winter | Winter |
| Peak/off-peak | Outside School Holidays | Outside School Holidays | Outside School Holidays | Outside School Holidays |
| Flights on weekdays | Available | Available | Available | Available |
| Flights on weekends | Available | Available | Available | Available |
| Departure time | Morning | Morning | Morning | Morning |
| Airline | Virgin Airlines | Virgin Airlines | Virgin Airlines | Virgin Airlines |
| Flight return price | \$1,200 | \$1,200 | \$1,200 | \$1,200 |

With the addition of direct flights, it is estimated that **89.6%** are open to visiting Kununurra*

*Please note this calculation assumes 100% awareness of what the East Kimberley has to offer and no barriers to stop people from visiting.

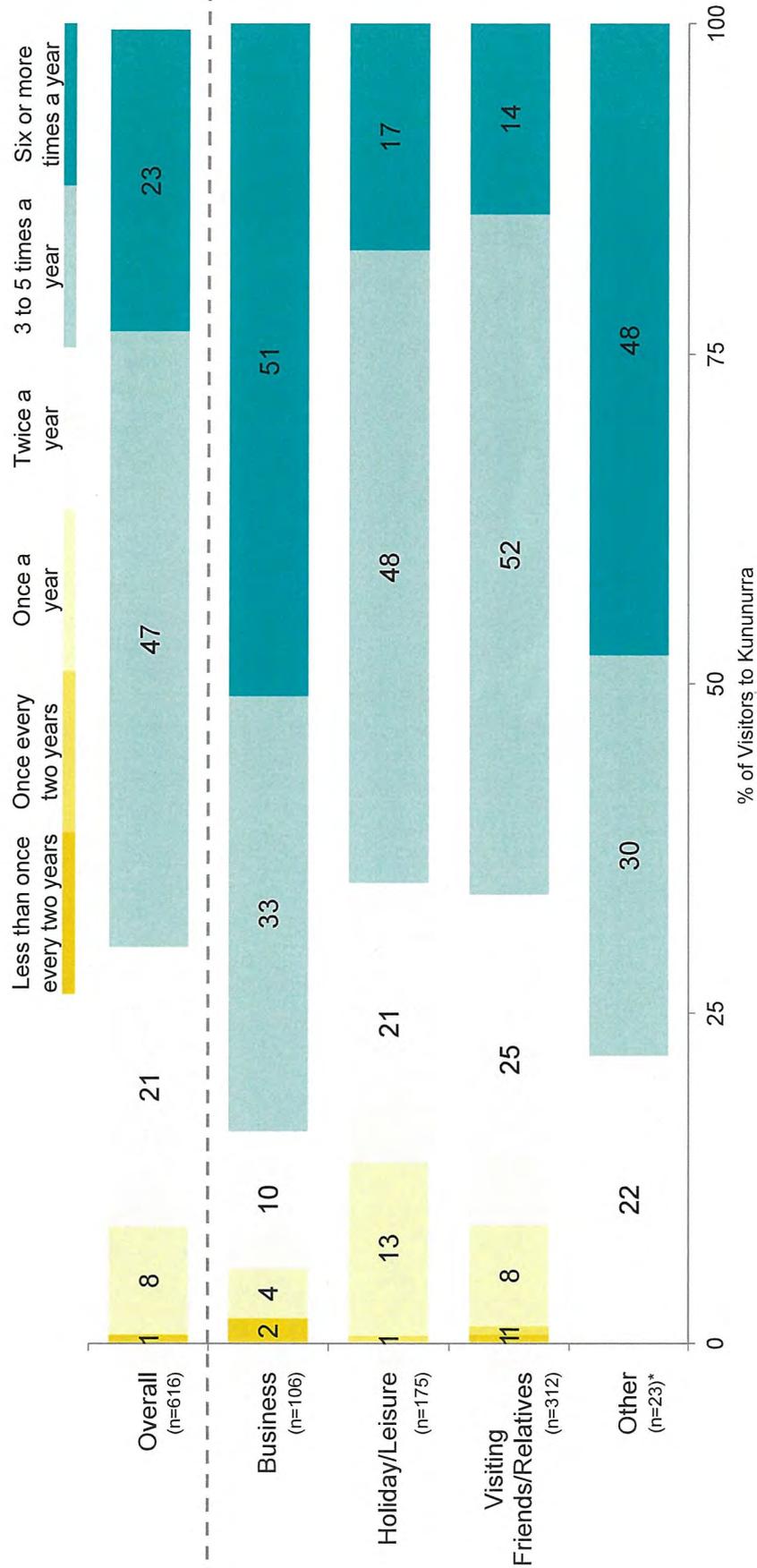
Appendix



Frequency of Travel Out of Kununurra



Overall, close to seven in ten East Kimberley residents travel out of the region three times or more a year. Residents travelling for business do so most frequently, with more than eight in ten travelling three or more times a year.



Q13 How often do you travel out of the East Kimberley region?
Source: Stage 2 - Past Visitors and Local Residents

© 2015 Metrix (Confidential)

*Caution small sample size
November 2015





**EKMG Proposal to SWEK regarding direct flights from Melbourne to Kununurra
November, 2016**

Letters of support have been received from:

BUSINESS

Adventure Wild
Australian Pacific Touring (APT)
Australian Helicopter Academy
Aviair
Best of the Kimberley
Broome, Kimberley & Beyond
Bungle Bungle Guided Tours
Delaware North
Diggers Rest Station
East Kimberley Chamber of Commerce & Industry
East Kimberley Tours
& Bungle Bungle Savannah Lodge
Faraway Bay
Freshwater East Kimberley Apartments
HeliSpirit
Ibis Styles
JSW Holdings Pty Ltd
Kimberley Boab Consulting
Kimberley Marketing
Kununurra Country Club Resort
Kununurra Couriers
Kununurra Visitor Centre
Lake Argyle Cruises
Lake Argyle Resort & Caravan Park
Lake Argyle Tours
Northbound Charters
Northern Australian Crop Research Alliance
Ord Valley Chiropractic
Outback Spirit
Regional Development Australia
Rio Tinto – Argyle Diamonds
Seafarms
Spektrum
The Chia Company
Triple J Tours
Zebra Rock Gallery

RESIDENT

Bruce Livett
Courtney Cox
Dylan Lodge
Elise Petty
Elle & Rory Weier
Fiona Kuiper
Gary Boote
Geoff Johns
Grant & Sarah Lodge
Jacqueline Rodriguez
James Bondfield
Jane Cooper
Jenny Nash
Julia Durack
Keith Wright
Landi Bradshaw
Lauren & Jordan Barham
Matt Cox
Nick Stielow
Paul & Narelle Brook
Peter & Lorraine Scott
Ruth Rummery-Hoath
Sarah Woodyard
Stephanie Corbet
Tiarne Cox
Toni Jarvis
Vanessa Hall

12.5.3 Fee for Disposal of Animal Carcasses

| | |
|---------------------------------|-------------------------------------|
| DATE: | 22 November 2016 |
| AUTHOR: | Director Infrastructure |
| RESPONSIBLE OFFICER: | David Klye, Director Infrastructure |
| FILE NO: | WM.05.4 |
| DISCLOSURE OF INTERESTS: | Nil |

VOTING REQUIREMENT

Absolute Majority

OFFICER'S RECOMMENDATION

That Council

1. In accordance with the *Local Government Act 1995*, Sections 6.16 and 6.17 adopt a disposal charge for the disposal of animal carcasses of \$176.30 GST inclusive, per cubic metre with a minimum charge of \$176.30 GST inclusive, effective from 15 December 2016.
2. In accordance with the *Local Government Act 1995*, Section 6.19 give local public notice of its intention to introduce the charge for the disposal of animal carcasses including the date on which the charge is to commence and the details of the charge.

COUNCIL DECISION

Minute No: 22/11/16-11550

Commissioner resolved:

That Council

1. In accordance with the *Local Government Act 1995*, Sections 6.16 and 6.17 adopt a disposal charge for the disposal of animal carcasses of \$176.30 GST inclusive, per cubic metre with a minimum charge of \$176.30 GST inclusive, effective from 15 December 2016.
2. In accordance with the *Local Government Act 1995*, Section 6.19 give local public notice of its intention to introduce the charge for the disposal of animal carcasses including the date on which the charge is to commence and the details of the charge.

Carried 1/0

PURPOSE

The purpose of this report is to establish a new fee that provides for appropriate disposal of animal carcasses.

NATURE OF COUNCIL'S ROLE IN THE MATTER

Provider - provide physical infrastructure and essential services.

BACKGROUND/ PREVIOUS CONSIDERATIONS BY COUNCIL

The Shire has received a request to accept animal carcasses for disposal. The Shire currently does not have a disposal charge for the disposal of animal carcasses.

STATUTORY IMPLICATIONS

There are no statutory implications associated with this report.

POLICY IMPLICATIONS

There are no policy implications associated with this report.

FINANCIAL IMPLICATIONS

This is a cost recovery charge, the income generated as a result of the proposed disposal charge will offset the cost to the Shire of the disposal.

STRATEGIC IMPLICATIONS

Strategic Community Plan 2012-2022

Goal 3: Protection and enhancement of lifestyle values, community facilities and the environment to provide safe and inviting communities.

Objective 3.2: Sustainable waste management and protection of the environment.

Strategy 3.2.1 : Provide an integrated approach to waste management that includes waste minimisation strategies.

RISK IMPLICATIONS

Risk:

Inability to deliver levels of service expected by the community.

Control:

Develop agreed standards of service and communicate with the community.

Risk:

Failure to comply with legislative requirements leading to damage of reputation and/or financial loss.

Control:

Review policies and procedures (eg building, planning, health, childcare) in accordance with review schedule.

COMMUNITY ENGAGEMENT

Community Engagement will occur in the form of public notification in accordance with the *Local Government Act 1995* for new or revised Fees and Charges.

COMMENTS

The Shire has received a request to accept animal carcasses for disposal. Under its current licence conditions the Shire is able to accept animal carcasses at both of its landfill sites. The Department of Environment Regulation has provided advice that while not a licence requirement, animal carcasses should be disposed of in a similar manner to medical waste. An animal carcass should be covered immediately to reduce the opportunity for disease to develop and spread.

It is proposed that a charge for disposal of animal carcasses be set equivalent to the charge for the disposal of medical waste.

ATTACHMENTS

Nil

13 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil

14 QUESTIONS BY MEMBERS OF WHICH DUE NOTICE HAS BEEN GIVEN

Nil

**15 URGENT BUSINESS APPROVED BY THE PERSON PRESIDING OR BY
DECISION**

Nil

16 MATTERS BEHIND CLOSED DOORS

COUNCIL DECISION

Minute No: 22/11/16-11551

Commissioner resolved:

That Council move into camera with staff to remain

Carried 1/0

Council moved into camera at 5:43pm.

16.1 CONFIDENTIAL - LEGAL CLAIM

| | |
|---------------------------------|--|
| DATE: | 22 November 2016 |
| AUTHOR: | Director Infrastructure |
| RESPONSIBLE OFFICER: | David Klye, Director Infrastructure |
| FILE NO: | LS.01.6 |
| DISCLOSURE OF INTERESTS: | I, David Klye disclose an impartiality interest in this matter. The nature of the interest is that the claimant lodged a formal complaint against me in early 2015 which remains unresolved. As a consequence, there may be a perception that my impartiality on the matter may be affected. I declare that I am able to and will treat this matter on its merits and provide impartial, objective professional advice where required. |

This item is recommended to be considered behind closed doors in accordance with the *Local Government Act 1995: Section 5.23 - Meetings generally open to public.*

- 5.23 (2) *If a meeting is being held by a council or by a committee referred to in subsection (1)(b), the council or committee may close to members of the public the meeting, or part of the meeting, if the meeting or the part of the meeting deals with any of the following —*
- (a) *a matter affecting an employee or employees; and*
 - (b) *the personal affairs of any person; and*
 - (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; and*
 - (d) *legal advice obtained, or which may be obtained, by the local government and which relates to a matter to be discussed at the meeting; and*
 - (e) *a matter that if disclosed, would reveal —*
 - (i) *a trade secret; or*
 - (ii) *information that has a commercial value to a person; or*
 - (iii) *information about the business, professional, commercial or financial affairs of a person, where the trade secret or information is held by, or is about, a person other than the local government; and*
 - (f) *a matter that if disclosed, could be reasonably expected to —*
 - (i) *impair the effectiveness of any lawful method or procedure for preventing, detecting, investigating or dealing with any contravention or possible contravention of the law; or*
 - (ii) *endanger the security of the local government's property; or*
 - (iii) *prejudice the maintenance or enforcement of a lawful measure for protecting public safety; and*
 - (g) *information which is the subject of a direction given under section 23(1a) of the Parliamentary Commissioner Act 1971; and*
 - (h) *such other matters as may be prescribed.*
- (3) *A decision to close a meeting or part of a meeting and the reason for the decision are to be recorded in the minutes of the meeting.*

VOTING REQUIREMENT

Simple Majority

Mr D Klye left the Council Chambers at 5:48pm.

COUNCIL DECISION

Minute No: 22/11/16-11552

Commissioner resolved:

That Council notes;

- **Progress of the General Procedure Claim in relation to tender T16. 2014 including the Notice of Discontinuance of Claim; and**
- **The application to the Court for a determination as to costs in relation to the matter.**

Carried 1/0

PURPOSE

To update Council in relation to the status of a General Procedure Legal Claim in relation to T16. 2014.

COUNCIL DECISION

Minute No: 22/11/16-11553

Commissioner resolved:

That Council come out of camera.

Carried 1/0

Council came out of camera at 5:55pm.

Mr Klye and the gallery returned to the Council Chambers.

The resolution and voting results of the item considered behind closed doors was read out to the members of the public by the Commissioner.

17 CLOSURE

The Commissioner closed the meeting at 5:56pm.