



# Shire of Mukinbudin

## Unconfirmed Minutes

Ordinary Meeting of Council

Meeting held in Council Chambers at  
15 Maddock Street, Mukinbudin  
Commencing at 1.02pm Tuesday 18<sup>th</sup> July 2023

**\*\*\*\* DISCLAIMER \*\*\*\*****Disclaimer:**

The Shire of Mukinbudin assumes no responsibility for any act, omission, statement, or implication arising during Council or Committee meetings. The Shire of Mukinbudin explicitly disclaims any liability for any loss incurred as a result of reliance on such acts, omissions, statements, or implications by any individual or legal entity. Any person or legal entity who chooses to act or refrain from acting based on statements, acts, or omissions made during Council or Committee meetings does so at their own risk.

In particular, it should be noted that in discussions pertaining to planning applications or license applications, any statements or implications of approval made by members or officers of the Shire of Mukinbudin during meetings should not be construed as official notice of approval from the Shire of Mukinbudin. The Shire of Mukinbudin advises that individuals with pending applications must obtain written confirmation of the application's outcome and should only rely on such written confirmation, including any attached conditions determined by the Shire of Mukinbudin.

**Ethical Decision Making and Conflicts of Interest:**

Council adheres to a code of conduct and ensures that all decisions are based on an honest assessment of the matter, ethical decision-making, and personal integrity. Councillors and staff members comply with statutory requirements to disclose financial, proximity, and impartiality interests. Once declared, they abide by the relevant legislation.



Dirk Sellenger  
**CHIEF EXECUTIVE OFFICER**

**Vision Statement**

To assist our community towards a prosperous future by providing a positive environment in which to work and live.

## Table of Contents

- 1. Declaration of Opening**
  - 1.1 Declaration of Opening
  
- 2. Record of Attendance, Apologies, approved Leave of Absence**
  - 2.1 Present
  - 2.2 Staff
  - 2.3 Visitors
  - 2.4 Apologies
  - 2.5 Approved Leave of Absence
  - 2.6 Applications for Leave of Absence
  
- 3. Public Question Time**
  - 3.1 Response to previous questions taken on notice
  - 3.2 Declaration of Public Question time open
  - 3.3 Declaration of public time closed
  
- 4. Declarations of Interest**
  
- 5. Petitions, Deputations, Presentations**
  - 5.1 Petitions
  - 5.2 Deputations
  - 5.3 Presentations
  
- 6. Announcements by the presiding member without discussion**
  
- 7. Confirmation of minutes of previous meetings**
  - 7.1 Confirmation of Minutes of Ordinary Meeting of Council held on Tuesday 20<sup>th</sup> June 2023.
  
- 8. Committee Meetings**
  - 8.1 Receipt of Minutes of Committee Meetings**
    - 8.1.1 NEWROC Executive Meeting
    - 8.1.2 CEACA Management Committee Meeting
  
  - 8.2 Recommendations from Committee Meeting for Council Consideration
  
- 9. Reports**
  - 9.1 Council Monthly Information Reports**
    - 9.1.1 Receipt of July 2023 Information Report

**9.2 Finance Reports**

9.2.1 List of Payments – June 2023

9.2.2 Monthly Statement of Financial Activity Report – June 2023

**9.3 Chief Executive Officer's Reports**

9.3.1 WALGA Local Government Convention - Voting Delegate

9.3.2 2023/2024 Concrete Footpath Program

9.3.3 Lot 28314 – Request for Shire managed Reserve

9.3.4 2023/2024 Capital Roadworks Program

9.3.5 Development Application Kingdom Hall – 53 Shadbolt Street

**\*\*\*LATE AGENDA ITEM\*\*\***

**10. Elected members Motions of which previous notice has been given**

10.1

**11. Urgent Business Approved by Person Presiding or by Decision**

11.1

**12. Closure of Meeting**

12.1 Closure of Meeting

## AGENDA

Agenda of the Ordinary Meeting of Council held in Council Chambers, Maddock Street, Mukinbudin on Tuesday 18<sup>th</sup> July 2023.

### 1. Declaration of Opening

The Shire President to declare the Meeting open at 1.02pm

### 2. Record of attendance, apologies, and approved leave of absence

#### 2.1 Present:

Cr G Shadbolt	Shire President
Cr R Nicoletti	Deputy President

Cr G Bent  
 Cr C McGlashan  
 Cr S Paterson  
 Cr J Seaby  
 Cr A Walker

#### 2.2 Staff:

Dirk Sellenger	Chief Executive Officer
Renee Jenkin	Manager of Corporate and Community Services

#### 2.3 Visitors:

#### 2.4 Apologies:

Cr A Farina

#### 2.5 On leave of absence:

Cr Ventris

#### 2.6 Applications for leave of absence:

Nil

*Cr Seaby departed the meeting at 1.08pm*

### 3. Public Question Time (min 15 minutes)

#### 3.1 Response to previous questions taken on notice.

Nil

#### 3.2 Declaration of public question time opened (minimum 15 mins)

The Shire President to declare public question time open at 1.09pm.

#### 3.3 Declaration of public question time closed

The Shire President to declare public question time closed at 1.10pm.

#### 4. Declarations of Interest

Cr C McGlashan, Item number 9.3.5 Development Application Kingdom Hall 53 Shadbolt Street - Financial

#### 5. Petitions, deputations, and presentations

- 5.1 Petitions
- 5.2 Deputations
- 5.3 Presentations

#### 6. Announcements by the Presiding person without discussion

#### 7. Confirmation of the Minutes of previous meetings

- 7.1 Confirmation of Minutes for the Ordinary Meeting of Council held on the 20<sup>th</sup> June 2023.

#### Voting Requirement

Simple Majority

### OFFICER RECOMMENDATION

Council Decision Number – 01 07 2023

Moved: Cr Walker

Seconded: Cr Nicoletti

**That the Minutes of the Ordinary Meeting of Council held on the 20<sup>th</sup> June 2023 be accepted as a true and correct record of proceedings.**

**Carried 6 / 0**

## 8. Committee Meetings

### 8.1 Receipt of Minutes of Committee Meetings

8.1.1 NEWROC Council Meeting held 27<sup>th</sup> June 2023

[NEWROC Meeting Minutes](#)

8.1.2 CEACA Meeting held 29<sup>th</sup> May 2023

[CEACA Meeting Minutes](#)

### Voting Requirement

Simple Majority

*Cr Seaby returned to the meeting at 1.13pm*

### OFFICER RECOMMENDATION

Council Decision Number – 02 07 2023

Moved: Cr Nicoletti

Seconded: Cr McGlashan

That the Minutes of the following committee meetings be received.

- NEWROC Council Meeting held 27<sup>th</sup> June 2023
- CEACA Management Committee Meeting held 29<sup>th</sup> May 2023

Carried 7 / 0

## 8.2 Recommendations from Committee Meeting for Council Consideration

### 9.1 Monthly Information Report

<b>9.1.1 July 2023 Information Report</b>	
Location:	Mukinbudin
File Ref:	ADM 360
Applicant:	Dirk Sellenger, Chief Executive Officer
Date:	12 <sup>th</sup> July 2023
Disclosure of Interest:	Nil
Responsible Officer	Dirk Sellenger, Chief Executive Officer
Author:	Dirk Sellenger, Chief Executive Officer
Voting Requirements	Simple Majority
Documents Attached	<a href="#">July Information Report</a>
Documents Tabled	Nil

#### **Summary**

The purpose of this communication is to enable the Council to receive the Monthly Information Report, which includes reports from key personnel, namely the Caravan Park Manager, Acting Manager of Works, Community Resource Centre Coordinator, Manager of Corporate and Community Services, and the Chief Executive Officer.

#### **Background Information**

The Monthly Information Report serves as a means to provide Council with updates on various operational matters within the Shire of Mukinbudin. These reports offer valuable insights into the performance and progress of the respective areas under the purview of the aforementioned personnel.

#### **Officer Comment**

Refer to July Information Report.

#### **Consultation**

Tania Sprigg - Caravan Park Manager  
 Bob Edwards – Acting Manager of Works  
 Jessica McCartney – Community Resource Centre Coordinator  
 Renee Jenkin – Manager of Corporate and Community Services  
 Dirk Sellenger – Chief Executive Officer

**Statutory Environment** Nil

**Policy Implications** Nil

**Financial Implications** Nil



**OFFICER RECOMMENDATION****Council Decision Number – 03 07 2023****Moved: Cr Walker****Seconded: Cr Bent****That Council receive the July 2023 Information Report.****Carried 7 / 0**

## 9.2 Finance Reports

<b>9.2.1 List of Payments – June 2023</b>	
Location:	Mukinbudin
File Ref:	ADM 007
Applicant:	Edward Nind – Finance Manager
Date:	7 <sup>th</sup> July 2023
Disclosure of Interest:	Nil
Responsible Officer:	Edward Nind – Finance Manager
Author:	Lucia Scari – Senior Finance Officer
Voting Requirements	Simple Majority
Documents Attached	<a href="#">List of Payments – Municipal Account (6 pages)</a> <a href="#">List of Payments – Restricted Muni Account (1 page)</a> <a href="#">Corporate Credit Card Statement June 2023 (4 pages)</a> <a href="#">Credit Card Summary June 2023 (1 page)</a>
Documents Tabled	Nil

***If a Councillor has any questions regarding the enclosed finance report, please see the Finance Manager prior to the meeting so that a researched answer may be provided.***

### **Summary**

List of payments made in June 2023 for endorsement by Council.

### **Background Information**

A list of payments submitted to Council on 18<sup>th</sup> July 2023, for confirmation in respect of accounts already paid or for the authority to those unpaid. (Please refer to Payment listing attached).

### **Officer Comment**

Standard process of obtaining Council endorsement of payments.

**Strategic & Social Implications** N/A

**Consultation** N/A

### **Statutory Environment**

A list of payments is required to be presented to Council as per section 13 of the Local Government (Financial Management) Regulations 1996.

### **Policy Implications**

Council Policy No. 1.6.5 (e) states that a list of payments is required to be presented to Council each month in accordance with Financial Management Regulations 13(1) for recording in the minutes.

### **Financial Implications**

All payments have been made in accordance with the 2022/2023 Budget.

## OFFICER RECOMMENDATION

Council Decision Number – 04 07 2023

Moved: Cr Nicoletti

Seconded: Cr Paterson

That the list of payments made in June 2023, be endorsed for payment.

### Municipal Fund:

Muni EFTs	EFT 8135	to	EFT 8237	\$338,981.44
Muni Cheques	Chq 31953	to	Chq 31953	\$11,276.61
Muni Direct Debits (Superannuation, loans, leases)	DD 10455.1	to	DD 10554.10	\$54,071.21
Pays on (Not included on payment listing)	07/06/2023 & 21/06/2023			\$83,385.50
<b>Total Municipal Funds</b>				<b>\$487,714.76</b>

### Restricted Muni Fund:

RMF EFTs	EFT -	to	EFT -	\$0.00
RMF Cheques	Chq -	to	Chq -	\$0.00
RMF Direct Debits	DD 10475.0	to	DD 10601.1	\$36,745.30
<b>Total Restricted Muni Funds</b>				<b>\$36,745.30</b>

Carried 7 / 0

<b>9.2.2 Monthly Statement of Financial Activity Report – 30 June 2023</b>	
Location:	Mukinbudin
File Ref:	ADM 005
Applicant:	Edward Nind – Finance Manager
Date:	12 July 2023
Disclosure of Interest:	Nil
Responsible Officer	Edward Nind – Finance Manager
Author:	Edward Nind – Finance Manager
Voting Requirements	Simple Majority
Documents Attached	<a href="#">Statement of Financial Activity – For the period ended 30 June 2023 (23 Pages)</a> <a href="#">Schedules 2 to 14 For the period 1 July 2022 to 30 June 2023 (98 Pages)</a>
Documents Tabled	Nil

***If a Councillor has any questions regarding the enclosed finance report, please discuss these queries with the Finance Manager so that a researched answer may be provided for you.***

### **Summary**

This information is provided to Council on a monthly basis in accordance with provisions of the *Local Government Act 1995 and Local Government (Financial Management Regulations 1996)*.

The Monthly Statement of Financial Activity Report attached for consists of;

Statement of Financial Activity comprising:

1. Acquisition of Assets
2. Disposal of Assets
3. Information on Borrowings
4. Reserves
5. Net Current Assets
6. Rating Information
7. Restricted Municipal and Trust Funds
8. Operating Statement
9. Statement of Financial Position
10. Financial Ratios
11. Grants Revenue
12. Bank Balances & Investment Information

Schedules 2 - 14

The “Amended Budget” figures in the Statement Of Final Activity have been updated with the amendments adopted on 21 March 2023.

### **Background Information**

Within the Statement of Financial Activity, unspent grants and prepayments received are identified in Note 5, specifically in the "Net Current Assets" section.

The NRM Grant conditions stipulate the recognition of interest on unspent grants. Final reports for two of the grants have been submitted.

The "Original Budget" presented, adopted on August 23, 2022, is based on a carried-forward surplus of \$1,419,072, utilizing end-of-year figures at the time of estimation.

The actual surplus brought forward from 2021/2022 is \$1,397,667, which includes \$1,297,671 in advance Financial Assistant Grant payments for the 2022-2023 financial year.

If not for these advance payments totalling \$1,297,671, the brought forward surplus would amount to \$99,996, as per the final audited result. This represents a reduction of \$21,405 from the surplus on which the budget was based. More detailed information regarding these factors can be found in Note 5 of the Financial Statements.

In March 2023, the council adopted several amended budgets, including a reduction of the brought forward surplus by \$21,405. Based on these amendments, the projected end-of-year result is a deficit of \$22,169.

The account balances of the Community Resource Centre (CRC) have now been recorded in the council ledger, and the CRC bank accounts have been closed.

### **Officer Comment**

On June 30, 2023, the council received advance Financial Assistant Grant payments for the 2023-2024 financial year. These payments amount to \$1,254,521 for General Purpose Funding and \$673,184 for Roads, totalling \$1,927,705. This figure represents an approximate 6.3% increase compared to the total Financial Assistant Grant payments for 2022-2023.

In the grant notification letter, we have been informed that these advance payments do not encompass 100% of each local government's total grant allocation for 2023-24. Due to the calculation method and the significant size of the advance payment, some local governments will receive limited or no quarterly payments in 2023-24. The final grants will be confirmed in early August 2023.

As of June 30, 2023, the end-of-month position shows a surplus of \$2,480,029, including the \$1,927,705 advance Financial Assistant Grant payments for the 2023-2024 financial year. If not for these advance payments totalling \$1,297,671, the brought forward surplus would amount to \$552,324. However, the provided brought forward figure is subject to end-of-year adjustments and is not yet final.

The reported variances are based on the Year-To-Date (YTD) "Amended Budget" and are derived from the variations in the "Statement of Financial Activity By Program" rather than the "Statement of Financial Activity By Nature."

Transactions include the second round of reserve transfers, encompassing all Budget and Amended Budget to reserve transactions, as well as any budgeted transfers from reserves where the related expenditure has been incurred. The transfers to reserves also include a \$161,646 allocation to the CRC Reserve and \$175,000 to the Roadworks Reserve, based on unspent capital road and footpath budgets, as approved by the council in June 2023.

Reserve transfers pertaining to Joint Venture Reserves are still pending finalisation, but no transfers are expected.

Given the significant cash holdings, a new Municipal Term deposit has been established.

**Strategic & Social Implications** N/A

**Consultation** N/A

**Statutory Environment**

General Financial Management of Council, Council 2022/23 Budget, *Local Government (Financial Management) Regulations 1996, r34, Local Government Act 1995, section 6.4.*

**Policy Implications**

Council is required annually to adopt a policy on what it considers to be material as far as variances that require to be reported for Council.

Council adopted a policy on 23 August 2022 that the material variation be set at \$10,000 and 10%.

**Financial Implications**

There is no direct financial implication in relation to this matter.

**OFFICER RECOMMENDATION****Council Decision Number – 05 07 2023****Moved: Cr Bent****Seconded: Cr Seaby**

**That Council adopt the Monthly Financial Report for the period ending 30 June 2023 and note any material variances greater than \$10,000 and 10%.**

**Carried 7 / 0**

*Cr Paterson departed the meeting at 1.55pm*

### 9.3 Chief Executive Officer's Reports

<b>9.3.1 WALGA Local Government Convention - Voting Delegate</b>	
Location:	Mukinbudin
File Ref:	ADM 016
Applicant:	Dirk Sellenger, Chief Executive Officer
Date:	11 <sup>th</sup> July 2023
Disclosure of Interest:	Nil
Responsible Officer	Dirk Sellenger, Chief Executive Officer
Author:	Dirk Sellenger, Chief Executive Officer
Voting Requirements	Simple Majority
Documents Attached	Nil
Documents Tabled	Nil

#### **Summary**

The purpose of this communication is to select the voting delegates for the upcoming WALGA Annual General Meeting, which will take place during the Annual WALGA Conference in Perth on Monday, September 18th, 2023, starting at 5:00 pm.

#### **Background Information**

Traditionally, the Shire President and Deputy President have been designated as the Council representatives for this event. This year, both individuals will be attending the conference.

#### **Officer Comment**

Given that both the President (Cr Shadbolt) and Deputy President (Cr Nicoletti) will be present at the conference, it is recommended that they be nominated as the Council representatives accordingly.

Please note that while any Elected Member attending the conference can be nominated as the chosen representative, it is customary for the majority of the Council to select the most senior position holder for this role.

#### **Consultation**

Nil

#### **Strategic & Social Implications**

Nil

#### **Statutory Environment**

Nil

#### **Policy Implications**

Nil



**Financial Implications**

Nil

**OFFICER RECOMMENDATION****Council Decision Number – 06 07 2023****Moved: Cr Bent****Seconded: Cr Walker**

**That the Council officially nominates President, Cr Gary Shadbolt, and Deputy President, Cr Romina Nicoletti, as the designated Shire voting delegates for the 2023 WALGA Annual General Meeting. This meeting is scheduled to take place on Monday, September 18th, 2023.**

**Carried 6 / 0**

<b>9.3.2 2023/2024 Concrete Footpath Program</b>	
Location:	Various Town Streets
File Ref:	ADM 049
Applicant:	Dirk Sellenger, Chief Executive Officer
Date:	12 <sup>th</sup> July 2023
Disclosure of Interest:	Nil
Responsible Officer	Dirk Sellenger, Chief Executive Officer
Author:	Dirk Sellenger, Chief Executive Officer
Voting Requirements	Simple Majority
Documents Attached	Nil
Documents Tabled	Nil

### **Summary**

The purpose of this communication is to present the issue of determining the rollout of concrete footpaths in the Mukinbudin townsite to the Council for decision-making.

### **Background Information**

The Council initiated the Concrete Footpath rollout within the townsite back in 2017. Over the past six years, a total of 1715 meters of concrete path has been constructed, with an average annual rollout of 285 meters. However, due to contractor unavailability, no additional footpaths were built in the 22/23 financial year, despite having allocated funds for the purpose.

### **Officer Comment**

The lack of additional footpaths delivered in the previous financial year has contributed to the surplus at the end of the year, as of June 30th, 2023. To address this and to continue the improvement of infrastructure, an ambitious program is proposed for the 2023/2024 financial year. This program includes the construction of an additional 1000 meters of footpaths to replace old existing asphalt paths throughout the townsite.

It is important to note that the footpath program progresses at a gradual pace, and the inclusion of new paths throughout the townsite is crucial. A draft footpath plan for the 2023/2024 financial year has been developed for the Council's consideration and approval.

### **Consultation**

Councillors – Informal discussion out of session.

### **Strategic & Social Implications**

Nil

### **Statutory Environment**

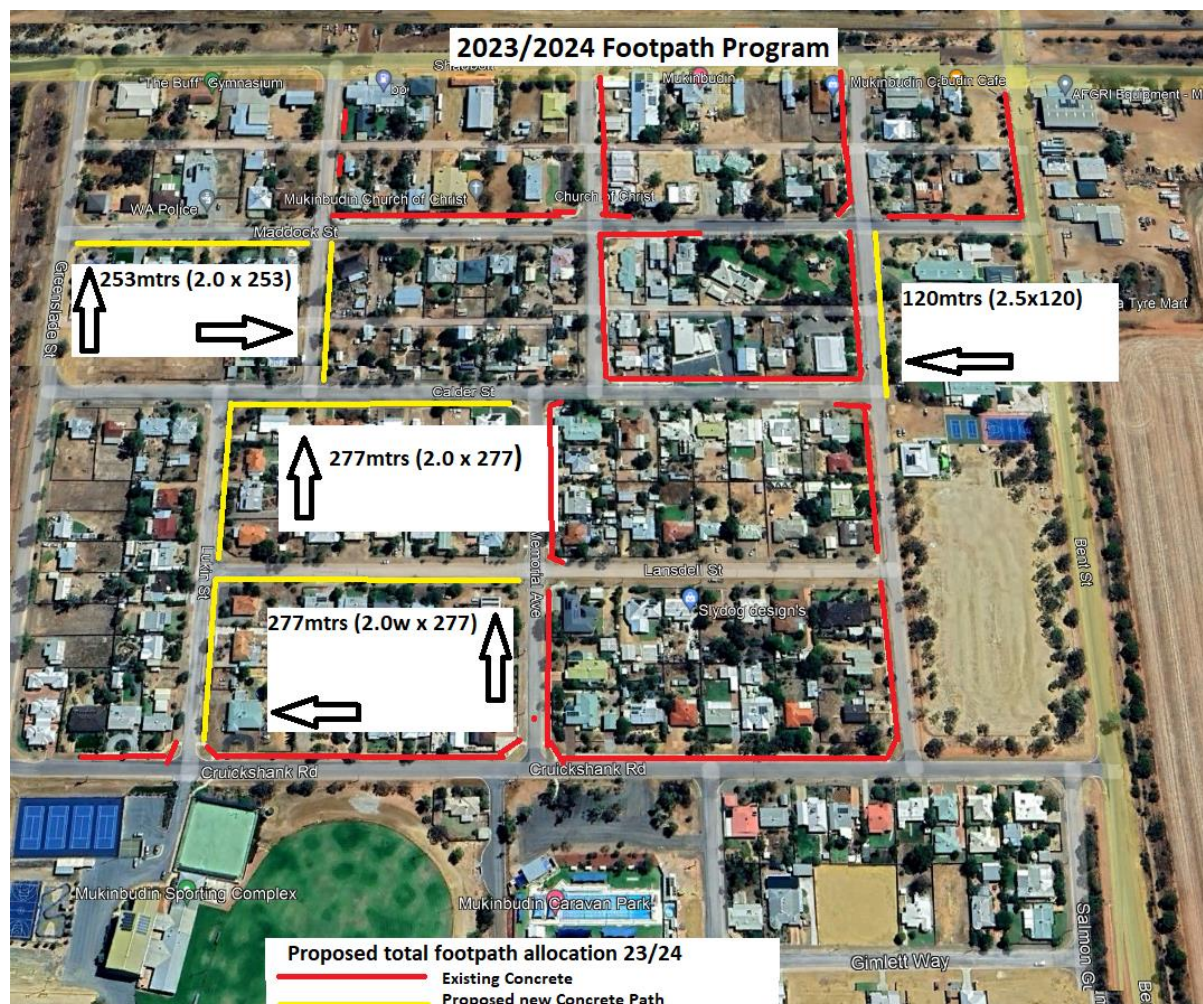
Local Government Act 1995

### **Policy Implications**

Nil

## Financial Implications

The estimated cost for the proposed footpath program in the 2023/2024 fiscal year is approximately \$230,000 (two hundred and thirty thousand dollars). Adequate provisions for this expenditure have been included in the Draft Budget document.



Cr Paterson returned to the meeting at 1.57pm

Cr Bent departed the meeting at 2.12pm

## OFFICER RECOMMENDATION

Council Decision Number – 07 07 2023

Moved: Cr Walker

Seconded: Cr Paterson

- That Council adopt the 2023/2024 Concrete footpath program as presented.
- That an allowance of \$230,000 (two hundred and thirty thousand dollars) be made in the 2023/2024 Budget for the continuation of the concrete footpath program.

Carried 6/0

<b>9.3.3 Lot 28314 – Request for Shire Managed Reserve</b>	
Location:	Lot 28314 Plan 194422
File Ref:	ADM 279
Applicant:	Dirk Sellenger, Chief Executive Officer
Date:	12 <sup>th</sup> July 2023
Disclosure of Interest:	Nil
Responsible Officer	Dirk Sellenger, Chief Executive Officer
Author:	Dirk Sellenger, Chief Executive Officer
Voting Requirements	Simple Majority
Documents Attached	Nil
Documents Tabled	Nil

### **Summary**

To allow Council to consider a recent request from the Department of Planning, Lands and Heritage.

### **Background Information**

The following request was recently received from the Department of Planning, Lands and Heritage requesting Council consider taking on a new reserve in the favour of the Shire.

**DPLH Case 1901741**  
**File 00740-1747**

*Shire of Mukinbudin*

**Attention: Chief Executive Officer**

15 Maddock Street

Mukinbudin WA 6479

*Dear Madam/Sir*

### **REQUEST FOR LEASE J266115 OVER LOT 28314 ON DEPOSITED PLAN 194422 FOR THE PURPOSE OF "GRAZING" WITHIN SHIRE OF MUKINBUDIN**

*The Department of Planning, Lands and Heritage (DPLH) advise the Shire of Mukinbudin (Shire) that DPLH will not be issuing a new lease over Lot 28314 on Deposited Plan 194422 due to objections from Department of Biodiversity, Conservation and Attractions (DBCA), Department of Primary Industries and Regional Development (DPIRD) and Department of Water and Environmental Regulation.*

*The Department of Planning, Lands and Heritage seek the Shire's comments on whether the Shire is agreeable to accepting the land, Lot 28314 through the creation of a new reserve with a management order in favour of the Shire.*

*If you have any queries and require any further information, please do not hesitate to contact me.*

*Kind regards*

Beth

**Beth Fowler**

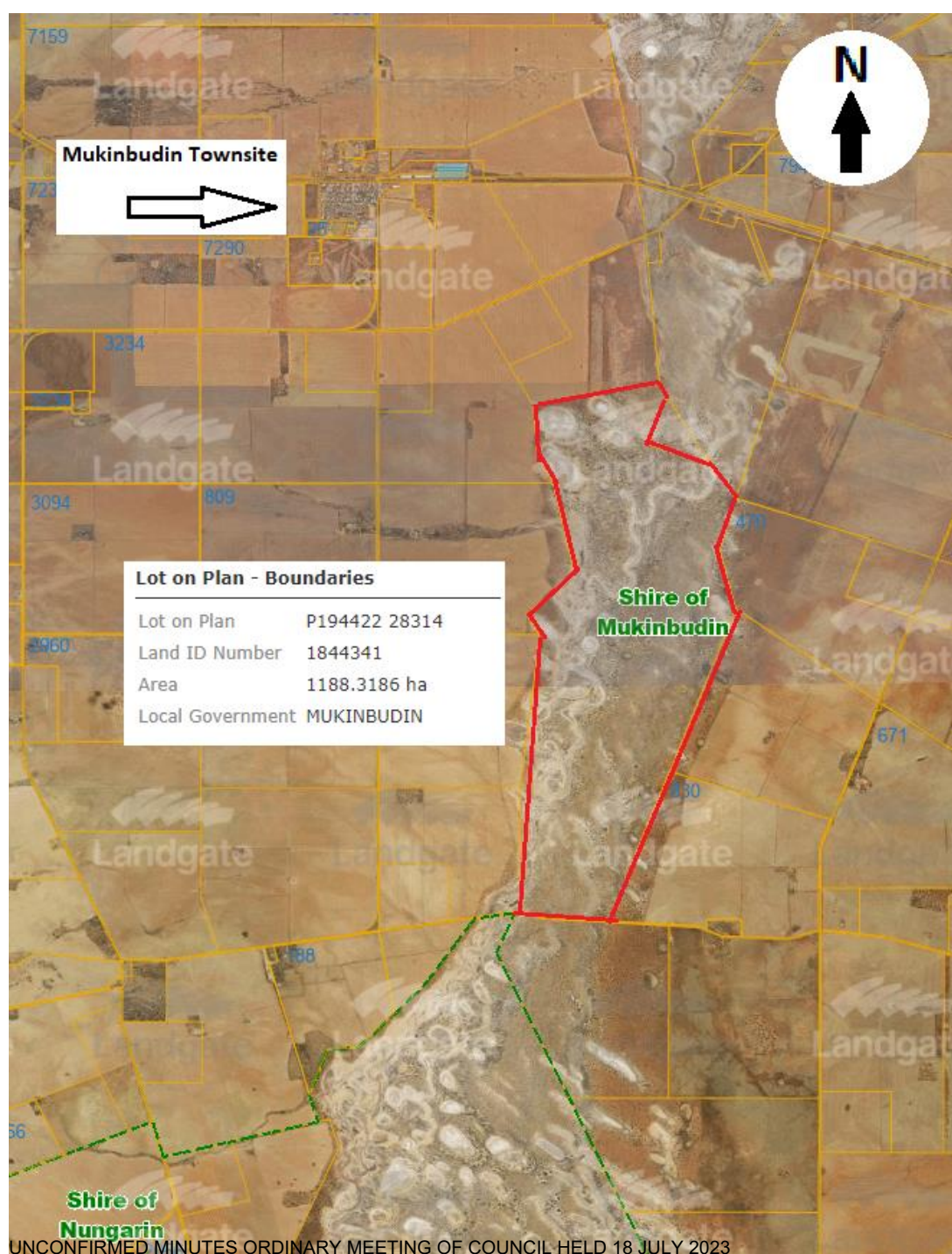
State Land Officer | Land Use Management

Department of Planning, Lands and Heritage

140 William Street, Perth WA 6000

**Officer Comment**

The author sees no direct or indirect benefit by having a new management order created in favour of the Shire for Lot 28314 totalling 1188ha. The land is currently Unallocated Crown Land (UCL) and is the responsibility of the State of Western Australia. The land in question which is a salt creek system and apart from stock grazing, which was recently requested from someone to the DPLH, the land is thought to be effectively worthless.



**Consultation**

Nil

**Strategic & Social Implications**

Nil

**Statutory Environment**

Local Government Act 1995

**Policy Implications**

Nil

**Financial Implications**

The land subject to the Management Order may not have any inherent value or potential for generating economic or practical advantages. It is deemed land with limited usability, such as environmentally protected areas, salt systems, steep slopes, or areas with restrictions on development.

In summary, if the Council were to agree to such a Management Order, it would not have any financial implications, but the land involved would also not offer any tangible benefits to the Shire or the Council.

*Cr Bent returned to the meeting at 2.13pm*

**OFFICER RECOMMENDATION**

**Council Decision Number – 08 07 2023**

**Moved: Cr Nicoletti**

**Seconded: Cr Walker**

**That Council advise the Department of Planning, Lands and Heritage that it has no interest in the land identified at Lot 28314 / P194422 and Council does not support the creating of a new Reserve in the favour of the Shire.**

**Carried 7 / 0**

<b>9.3.4 2023/2024 Capital Roadworks Program</b>	
Location:	Various Shire Roads and Streets
File Ref:	ADM 482
Applicant:	Dirk Sellenger, Chief Executive Officer
Date:	12 <sup>th</sup> July 2023
Disclosure of Interest:	Nil
Responsible Officer	Dirk Sellenger, Chief Executive Officer
Author:	Dirk Sellenger, Chief Executive Officer
Voting Requirements	Simple Majority
Documents Attached	Nil
Documents Tabled	Nil

### **Summary**

To allow Council to consider and decide on the 2023 / 2024 Road maintenance and construction Budget.

### **Background Information**

Every year, the Council implements an annual Roadworks program that encompasses different capital and maintenance tasks on the Shire's 935km road network. A draft program has been created, considering various factors such as feedback from the Council and the community, personal observations, and the results from the Annual Road inspection program conducted on Tuesday 4<sup>th</sup> April 2023.

### **Officer Comment**

The proposed program for 2023/2024 aims to maintain an extensive initiative across the Shire, considering the Council's road hierarchy, road usage patterns, school bus routes, and other relevant factors.

## 2023 / 2024 ROAD WORKS PROGRAM - ALL FUNDING SOURCES

Road Name	SLK	Length	Description of Works	Budget	Funding Source
Morrison Road	7.3 - 12.1	4.80	Gravel sheeting, improve drainage, replace culvert at 9.67	\$ 120,000.00	LRCI - Phase 4
Doig Road	0.00 - 1.40	1.40	Gravel sheeting, improve drainage	\$ 35,000.00	LRCI - Phase 4
Kuser Road	various	3.00	Gravel sheeting to cover exposed rock	\$ 75,000.00	LRCI - Phase 4
Spencers Road	various	3.00	Gravel sheeting to cover exposed rock	\$ 75,000.00	DIRECT Grant
Scotsman Road	0.81 - 4.2	3.39	Gravel sheeting, improve drainage	\$ 85,000.00	DIRECT Grant
Sheardown Road	7.05 - 8.50	1.45	Gravel sheeting, improve drainage	\$ 38,000.00	OWN
Toole Road	various	3.00	Gravel sheeting, improve drainage	\$ 75,000.00	OWN
Davis Road	3.26 - 5.50	2.24	Gravel sheeting, improve drainage	\$ 60,000.00	OWN
Earl Drive	0.26 - 0.70	0.44	Reconstruction, widening and improve drainage, TCS 14/7mm	\$ 95,000.00	RTR
Kununoppin Mukinbudin Road	0.0 to	3.74	Full reconstruction, two coat seal 14/10mm	\$ 645,000.00	RRG \$430k OWN \$215k
White Street (Calder to Cruickshank)	0.00 - 0.23	0.23	Full reconstruction, undersurface drainage, kerbing.	\$ 230,000.00	RTR
Nungarin North, McGregor, Koorda Bullfinch	Unknown	Unknown	Development Works Wheatbelt Secondary Freight Network	\$ 200,000.00	WSFN
Maintenance Grading	Various	N/A	Various Maintenance Grading Works	\$ 437,000.00	FIN ASSISTANCE _ ROADS
Maintenance - Other, Culvert, Mulching, Drainage	Various	N/A	Various non grading Maintenance	\$ 200,000.00	FIN ASSISTANCE - ROADS
				<u>\$ 2,370,000.00</u>	

### Funding Summary

LRCI - Phase 4 Road portion only	\$ 230,000.00
DIRECT GRANT	\$ 160,000.00
Regional Road Group	\$ 430,000.00
Own source	\$ 388,000.00
Road to Recovery (RTR)	\$ 325,000.00
WSFN (Development only)	\$ 200,000.00
Fin Assistance (Roads Only)	\$ 637,000.00
	<u>\$ 2,370,000.00</u>



**Consultation**

Bob Edwards – Acting Manager of Works  
 Councillors – Informal feedback  
 Community – Informal feedback and complaints

**Strategic & Social Implications**

Nil

**Statutory Environment**

Local Government Act 1995

**Policy Implications**

Nil

**Financial Implications**

The overall Road Funding Budget comprises a combination of funds from different sources, including Local, State, and Federal contributions. The Federal funds include the Road to Recovery and Local Roads and Community Infrastructure programs. The State funds consist of the Regional Road Group, Direct Grant, and Wheatbelt Secondary Freight Network. Additionally, the Local funds come from internal sources and serve as the required co-contribution towards the Federal and State funding initiatives.

*Cr Seaby departed the meeting at 2.30pm*

*Cr Seaby returned to the meeting at 2.31pm*

*Cr McGlashan departed the meeting at 2.33pm*

<b>OFFICER RECOMMENDATION</b>
-------------------------------

**Council Decision Number – 09 07 2023**

**Moved: Cr Paterson**

**Seconded: Cr Seaby**

- **That Council adopt the 2023/2024 Capital and Roadworks Maintenance program as presented.**
- **That an allowance of \$2,400,000 (two million four hundred thousand) dollars be made in the 2023/2024 Budget for the delivery of the 2023/2024 roadworks program.**

**Carried 6 / 0**

*Cr McGlashan returned to the meeting at 2.35pm*

**Cr McGlashan declared a financial interest and departed the meeting at 2.36pm and consequently took no part in discussions or voting pertaining to item 9.3.5**

Cr Paterson departed the meeting at 2.36pm

Cr Paterson returned to the meeting at 2.37pm

**\*\*\*LATE AGENDA ITEM\*\*\***

<b>9.3.5 DEVELOPMENT APPLICATION KINGDOM HALL – 53 SHADBOLT STREET</b>	
Location:	Mukinbudin
File Ref:	ADM 266
Applicant:	Callum McGlashan
Date:	14 <sup>th</sup> July 2023
Disclosure of Interest:	Cr McGlashan - Financial
Responsible Officer	Dirk Sellenger - CEO
Author:	Paul Bashall, Consultant Planner – Planwest (WA) Pty Ltd
Voting Requirements:	Absolute Majority
Documents Attached:	Nil
Documents Tabled:	Nil

### **Summary**

Callum McGlashan has requested Development Approval (DA) to use the Kingdom Hall property in Shadbolt Street, Mukinbudin, for residential purposes. A previous report to Council related to a request by real estate agents to gauge the Council's preparedness to approve the rezoning of the property to Residential. The Council's response did not support a Scheme amendment, but would be prepared to consider a repurposing of the property for residential use – subject to a DA.

### **Background Information**

The existing Kingdom Hall on the corner of Shadbolt and Greenslade Streets is no longer required as a religious venue and is for sale.

**FIGURE 1 – LOCATION PLAN**



Source: Landgate, Planwest

The DA is accompanied by an application form, copy of the title, a reason for the repurposing of the property and a site plan. Although the DA Form has not been signed by the owner, it is noted that a BA9 Form (Building Commission Form of an Application for occupancy permit) to apply for a change of use of the building from a place of worship to a single house, has been signed by the owners.

In view of the complexity of gaining another signature for the same purpose it considered that the BA9 form is acceptable as the owners approval for the DA.

No DA fee has been paid as at the day of writing this report, the DA therefore cannot be accepted as a formal application – and therefore cannot be determined – until such time as the fee has been paid.

### **Existing Development**

Kingdom Hall is a substantial building set back about 8 metres from Shadbolt Street and about 13.5 metres from Greenslade Street as shown in **Figure 1**. The property is 2,168m<sup>2</sup> and is about 40m by 50 metres deep with a rear laneway.

### **Proposed Use**

The real estate agents have had no interest from buyers to use the existing premises for religious purposes, however, the current DA proposes to repurpose the premises as a single house.

### **Strategic & Social Implications**

The Council is aware of the acute shortage of residential premises for sale or rent in Mukinbudin, however it needs to consider the implications for the loss of a 'Town Centre' property to a use that is clearly, in itself, not a town centre use.

### **Consultation**

Peter Hulme, Shire of Kalamunda.

### **Policy Implications**

There are no policy implications that relate to the proposed development.

### **Financial Implications**

Nil.

### **Statutory Environment**

The Shire of Mukinbudin Local Planning Scheme No 4 (Scheme 4) gazetted in 2003 designates the land as 'Town centre'.

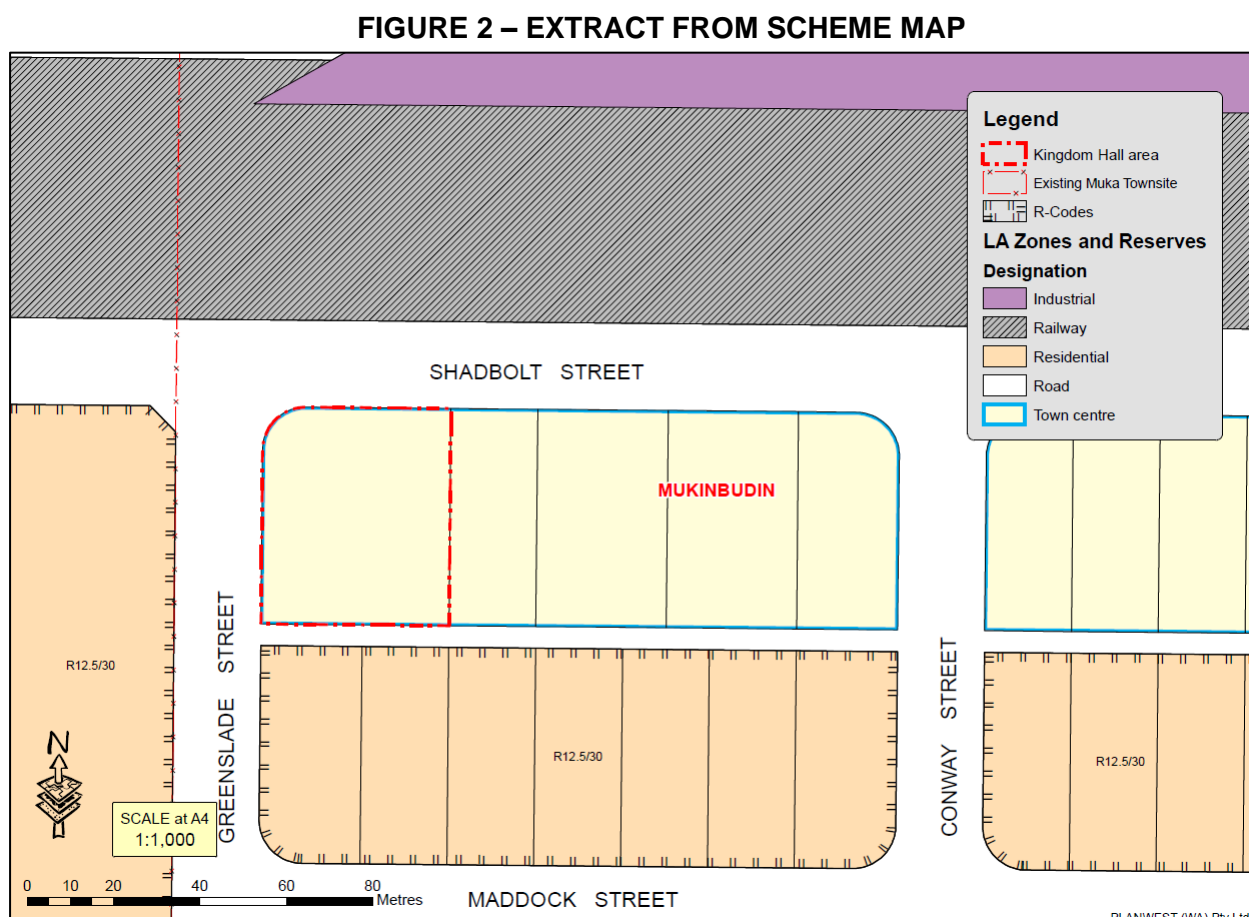
The objectives for the Town centre zone are as follows.

1. to ensure the established town centre in Mukinbudin remain the principal place for retail, commercial, civic, and administrative functions in the district.
2. to ensure development will not adversely affect local amenities, and will enhance the character of the townsite.
3. to provide for the efficient and safe movement of pedestrians and vehicles (including trucks, buses, and caravans).
4. to provide sufficient parking spaces for cars, caravans, and buses, without compromising pedestrian movements.
5. to provide an increased level of public amenities including public toilets, shaded areas, and street furniture.

6. to provide for expansion of commercial activity and community facilities to meet future demands.

Objectives 2-4 would not be affected by the change of use to residential, however objectives 1, 5 and 6 would not be achievable. Notwithstanding this, the change of use does not change the built environment and it must be assumed that the reversal of the use would be possible if the demand was so demonstrated.

**Figure 2** below shows an extract from the Scheme Map.



Source: DPLH, Landgate, Planwest

Table 1 – Zoning Table of the Scheme provides for the permissibility of certain uses in each zone of the Scheme.

A **Single house** in a Town centre zone is a 'D' use. (*"D" means that the use is not permitted unless the local government has exercised its discretion by granting development approval*).

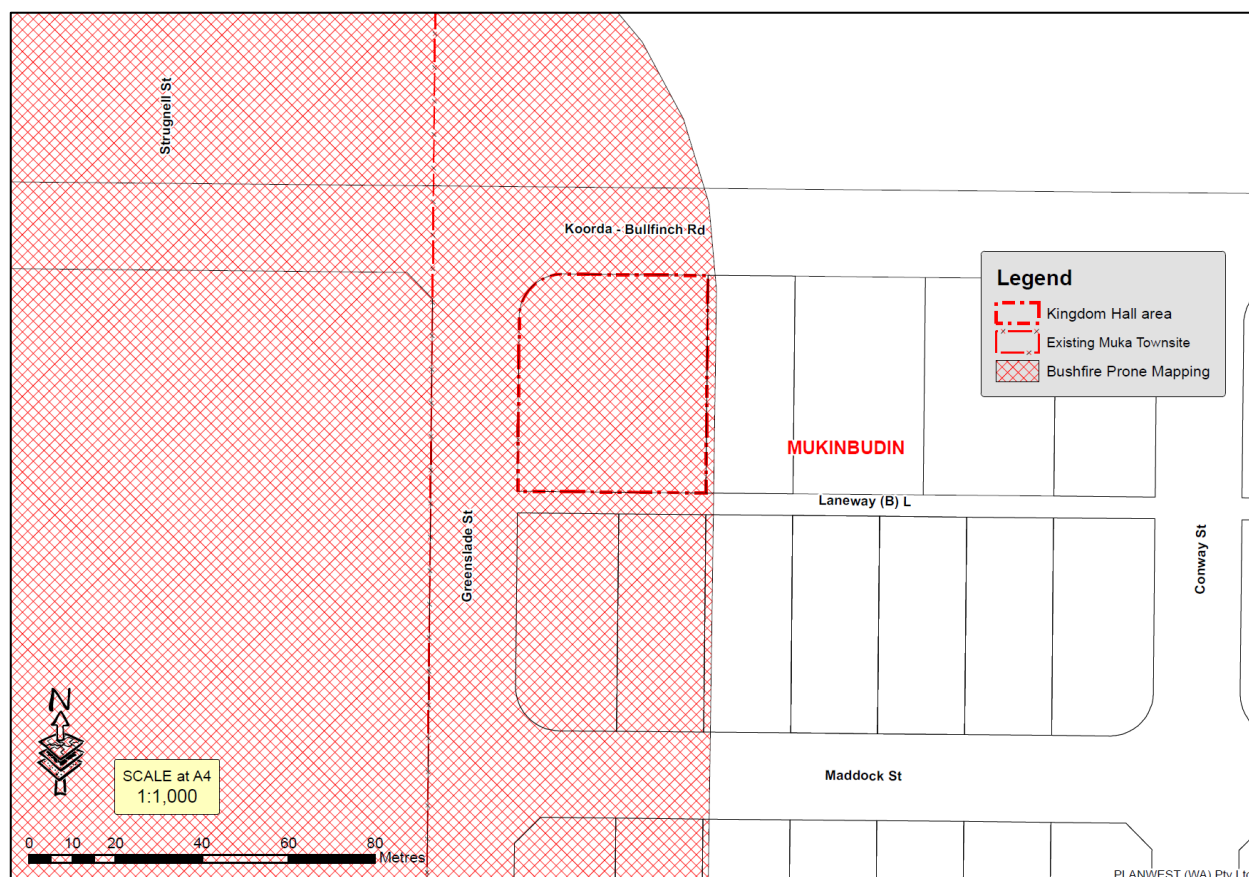
A **Grouped dwelling** in a Town centre zone is an A use. (*"A" means that the use is not permitted unless the local government has exercised its discretion by granting development approval after giving special notice in accordance with clause 64 of the deemed provisions*).

### **Bushfire Prone Mapping**

The property is in a Bushfire Prone area as shown in **Figure 3**. Lots below 1,100m<sup>2</sup> are exempt from requiring a Bushfire Attack Level (BAL), however this property is over 2,000m<sup>2</sup> and

therefore will require a BAL. The BAL relates to building construction standards set to the level assessed by a licenced bushfire consultant.

**FIGURE 3 – BUSHFIRE PRONE MAPPING**



Source: Landgate, DFES, Planwest

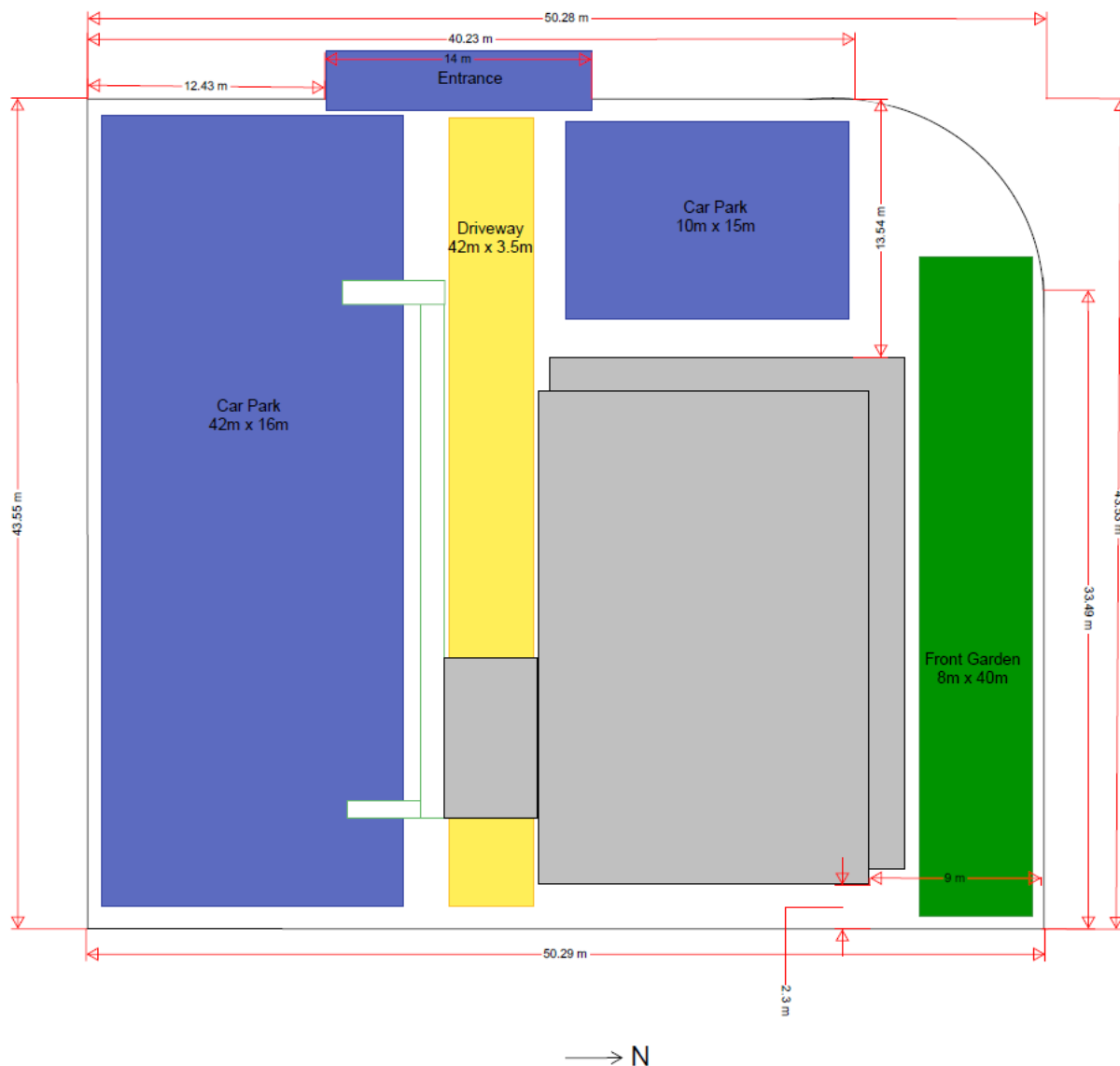
### **Officer Comment**

Whilst the repurposing of the Kingdom Hall to a residential use may not be the best outcome, it is possible to reverse the purpose.

Generally, buildings in a Town centre zone should be built up to the front boundary to provide a shaded environment with a series of shop fronts, either commercial or offices. These uses are indicated in the objectives for the zone.

Notwithstanding that, the Kingdom Hall is currently setback about 8 metres from Shadbolt Street and is not the ideally located on the property for a commercial development. The large lot provides ample potential for parking and other residential requirements. The site faces residential land to the west of Greenslade Street and backs on to residential land to the south in Maddock Street.

In view of the fact that the Council is able to approve residential uses in the Town centre zone, it appears unnecessary to rezone the property. Retaining the current zoning protects the town centre zone entity and opens the way in the future to return to a town centre use – should the demand ever arise.



Although there is no BAL attached to the DA the requirement will be a condition of development. Advice from the Council’s building advisors (Shire of Kalamunda) indicates that a building permit will be required - as well as a BAL assessment.

**OFFICER RECOMMENDATION****Council Decision Number – 10 07 2023****Moved: Cr Walker****Seconded: Cr Nicoletti**

**That the Council approve the DA for the repurposing of Kingdom Hall in Shadbolt Street for a single house, subject to the following condition:**

- 1. The preparation of a Bushfire Attack Level (BAL) completed by an authorised bushfire consultant to the satisfaction of the local government.**

**Note 1: This approval only relates to the repurposing of the property and does not relate to any additional works that have not been included in the DA.**

**Note 2: If the development, the subject of this approval, is not substantially commenced within a period of 24 months from the date of the approval, the approval will lapse and be of no further effect. For the purposes of this condition, the term “substantially commenced” has the meaning given to it in the *Planning and Development (Local Planning Schemes) Regulations 2015* as amended from time to time.**

**Note 3: The applicant is advised that granting of development approval does not constitute a building permit and that an application for relevant building permits must be submitted to the local government (where applicable) and be approved before any work requiring a building permit can commence on site.**

**Note 4: If an applicant or owner is aggrieved by this determination, there is a right of review by the State Administrative Tribunal in accordance with the *Planning and Development Act 2005* Part 14. An application must be made within 28 days of the determination.**

**Carried 6 / 0**

Shire of Mukinbudin



Notice of determination on application for development approval

**Location:** 53 Shadbolt St, Mukinbudin

**Lot:** 20

**Plan/Diagram:** 68100

**Vol. No:** 1742

**Folio No:** 27

**Application date:** 14 July 2023

**Received on:** 14 July 2023

**Description of proposed development:**

The repurposing of a place of worship to a single house.

The application for development approval is:

- Approved subject to the following conditions  
 Refused for the following reason(s)

**Conditions/reasons for refusal:**

- 1 The preparation of a Bushfire Attack Level (BAL) completed by an authorised bushfire consultant to the satisfaction of the local government.

**Date of determination:** 18 July 2023

**Advice notes:**

- 1 This approval only relates to the repurposing of the property and does not relate to any additional works that have not been included in the DA.
- 2 If the development, the subject of this approval, is not substantially commenced within a period of 24 months from the date of the approval, the approval will lapse and be of no further effect. For the purposes of this condition, the term “substantially commenced” has the meaning given to it in the *Planning and Development (Local Planning Schemes) Regulations 2015* as amended from time to time.
- 3 The applicant is advised that granting of development approval does not constitute a building permit and that an application for relevant building permits must be submitted to the local government (where applicable) and be approved before any work requiring a building permit can commence on site.
- 4 If an applicant or owner is aggrieved by this determination, there is a right of review by the State Administrative Tribunal in accordance with the *Planning and Development Act 2005* Part 14. An application must be made within 28 days of the determination.



*Cr McGlashan returned to the meeting at 2.44pm*

**10. Elected Members Motions of which previous notice has been given**

10.1 Nil

**11. Urgent Business Approved by Person Presiding or by Decision**

11.1 Nil

**12. Closure of Meeting**

**12.1** The Chairperson thanked Elected Members and Staff for attending and declared the meeting closed at 2.45pm.