



AGENDA

Ordinary Meeting of Council



Meeting to be held in Council Chambers at
15 Maddock Street, Mukinbudin
Commencing at 2.30pm Tuesday 17th September 2024

****** 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.



Tanika McLennan

ACTING CHIEF EXECUTIVE OFFICER

Vision Statement

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

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AGENDA

Agenda of the Ordinary Meeting of Council to be held in Council Chambers, Maddock Street, Mukinbudin on Tuesday 17th September 2024

1. Declaration of Opening

The Shire President to declare the Meeting open at 2._pm

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

2.1 Present:

Cr G Shadbolt	Shire President
Cr R Nicoletti	Deputy Shire President

Cr G Bent
Cr A Farina
Cr C McGlashan
Cr S Ventris
Cr A Walker

2.2 Staff:

Tanika McLennan	Acting Chief Executive Officer
Renee Jenkin	Manager of Corporate and Community Services

2.3 Visitors:

2.4 Apologies:

2.5 On leave of absence:

2.6 Applications for leave of absence:

3. Public Question Time (max 15 minutes)

3.1 Response to previous questions taken on notice.

Nil

3.2 Declaration of public question time opened (maximum 15 mins)

The Shire President to declare public question time open at ____pm.

3.3 Declaration of public question time closed

The Shire President to declare public question time closed at ____pm.

4. Declarations of Interest

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 20th August 2024.

Voting Requirement

Simple Majority

OFFICER RECOMMENDATION

Council Decision Number –

Moved: Cr

Seconded: Cr

That the Minutes of the following meetings be accepted as a true and correct record of proceedings.

- **Ordinary Meeting of Council held on 20th August 2024.**

Carried /

8. Committee Meetings

8.1 Receipt of Minutes of Committee Meetings

8.1.1 NEWROC Executive Meeting 30th August 2024

[NEWROC Minutes](#)

8.1.2 Great Eastern Country Zone Meeting 15th August 2024

[GECZ Minutes](#)

8.1.3 Eastern Wheatbelt Biosecurity Group Meeting 16th October 2023

[EWBG Minutes](#)

8.1.4 Eastern Wheatbelt Biosecurity Group Meeting 27th March 2024

[EWBG Minutes](#)

Voting Requirement

Simple Majority

OFFICER RECOMMENDATION

Council Decision Number –

Moved: Cr

Seconded: Cr

That the Minutes of the following committee meetings be received.

- NEWROC Executive Meeting held 23rd August 2024
- Great Eastern Country Zone Meeting held 15th August 2024
- Eastern Wheatbelt Biosecurity Group Meeting held 16th October 2023
- Eastern Wheatbelt Biosecurity Group Meeting held 27th March 2024

Carried /

8.2 Recommendations from Committee Meeting for Council Consideration

Nil

9.1 Monthly Information Report

9.1.1 September 2024 Information Report	
Location:	Mukinbudin
File Ref:	ADM 360
Applicant:	Tanika McLennan, Acting Chief Executive Officer
Date:	10 th September 2024
Disclosure of Interest:	Nil
Responsible Officer	Tanika McLennan, Acting Chief Executive Officer
Author:	Renee Jenkin, Manager of Corporate & Community Services
Voting Requirements	Simple Majority
Documents Attached	September Information Report
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, Works Supervisor, Community Resource Centre Coordinator and Manager of Corporate and Community Services.

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 September Information Report.

Consultation

Tania Sprigg – Caravan Park Manager

Craig Powell – Works Supervisor

Jessica McCartney – Community Resource Centre Coordinator

Renee Jenkin – Manager of Corporate and Community Services

Statutory Environment

Nil

Policy Implications

Nil

Financial Implications

Nil

OFFICER RECOMMENDATION

Council Decision Number –

Moved: Cr

Seconded: Cr

That Council receive the September 2024 Information Report.

Carried /

9.2 Finance Reports

9.2.1 List of Payments – August 2024	
Location:	Mukinbudin
File Ref:	ADM 007
Applicant:	Tanika McLennan, Acting Chief Executive Officer
Date:	4 th September 2024
Disclosure of Interest:	
Responsible Officer:	Tanika McLennan, Acting Chief Executive Officer
Author:	Lucia Scari, Senior Finance Officer
Voting Requirements	Simple Majority
Documents Attached	List of Payments – Municipal Account (5 pages) List of Payments – Restricted Municipal Account (1 page) Corporate Credit Card Statement – August 2024 (6 pages) Credit Card Summary – August 2024 (1 page) Fuel Cards Statement – August 2024 (4 pages)
Documents Tabled	Nil

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

Summary

List of payments made in August 2024 for endorsement by Council.

Background Information

A list of payments submitted to Council on 17th September 2024, 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 2024/2025 Budget.

OFFICER RECOMMENDATION

Council Decision Number –

Moved: Cr

Seconded: Cr

That the list of payments made in August 2024, be endorsed for payment.

Municipal Fund:

Muni EFTs	EFT 9443	to	EFT 9527	\$522,969.77
Muni Cheques	Chq 31983	to	Chq 31984	\$14,066.43
Muni Direct Debits	DD 12182.1	to	DD 12220.13	\$26,440.89
(Superannuation, loans, leases)				
Pays on	01/08/24 & 15/08/24 & 29/08/24			\$183,662.32
(Not included on payment listing)				
Total Municipal Funds				\$747,139.41

Restricted Muni Fund:

RMF EFTs	EFT -	to	EFT -	\$0.00
RMF Cheques	Chq -	to	Chq -	\$0.00
RMF Direct Debits	DD 12141.1	to	DD 12239.1	\$15,426.00
Total Restricted Muni Funds				\$15,426.00

Carried /

9.2.2 Monthly Statement of Financial Activity Report – 31 August 2024	
Location:	Mukinbudin
File Ref:	ADM 005
Applicant:	Darren Long – Financial Consultant
Date:	11 th September 2024
Disclosure of Interest:	Nil
Responsible Officer	Tanika McLennan, Acting Chief Executive Officer
Author:	Darren Long – Financial Consultant
Voting Requirements	Simple Majority
Documents Attached	Monthly Statement of Financial Activity Report
Documents Tabled	Nil

If a Councillor has any questions regarding the enclosed finance report, please discuss these queries with the Acting CEO so that a researched answer may be provided for you from the Financial Consultant.

Summary

The Monthly Financial Report for 31 August 2024 is presented for Councils consideration.

Background Information

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

Officer Comment

The Shire prepares the monthly financial statements in the statutory format along with other supplementary financial reports consisting of:

- (a) Statement of Comprehensive Income by Function/Program;
- (b) Statement of Comprehensive Income by Nature/Type;
- (c) Statement of Financial Activity by Nature/Type;
- (d) Statement of Financial Activity by Function/Program;
- (e) Summary of Net Current Asset Position;
- (f) Statement of Material Variances;
- (g) Statement of Financial Position;
- (h) Statement of Cash Flows;
- (i) Capital acquisitions;
- (j) Disposal of Assets;
- (k) Statement of Cash Back Reserves;
- (l) Loan Borrowings Statement;
- (m) Restricted Cash Statement;
- (n) Trust Fund Statement; and
- (o) Detailed Operating and Non-Operating Schedules.

The Regulations require local governments to prepare annual budget estimates and month by month budget estimates so that comparatives can be made to Year to Date (YTD) Actual amounts of expenditure, revenue and income, and materials variances can be commented on.

The Statement of Financial Activity as at 31 August shows a closing surplus of \$3,053,551.

Strategic & Social Implications

N/A

Consultation

Darren Long – Financial Consultant

Statutory Environment

Local Government Act 1995

Section 6.4—Specifies that a local government is to prepare such other financial reports as are prescribed.

Local Government (Financial Management) Regulations 1996:

Regulation 34 states:

- (1) A local government is to prepare each month a statement of financial activity reporting on the sources and applications of funds, as set out in the annual budget under regulation 22(1)(d) for that month in the following detail:
 - (a) annual budget estimates, taking into account any expenditure incurred for an additional purpose under section 6.8(1)(b) or (c);
 - (b) budget estimates to the end of month to which the statement relates;
 - (c) actual amounts of expenditure, revenue and income to the end of the month to which the statement relates;
 - (d) material variances between the comparable amounts referred to in paragraphs (b) and (c);
 - (e) the net current assets at the end of the month to which the statement relates.

Sub regulations 2, 3, 4, and 5 prescribe further details of information to be included in the monthly statement of financial activity.

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. Last year Council adopted a policy that the material variation be set at \$11,000 and 10%.

Financial Implications

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

OFFICER RECOMMENDATION

Council Decision Number –

Moved: Cr

Seconded: Cr

That Council receive the Monthly Financial Report for the period ending 31 August 2024.

Carried /

9.3 Chief Executive Officer's Reports

9.3.1 Use Of Common Seal	
Location:	Whole of Shire
File Ref:	ADM 003
Applicant:	Tanika McLennan – Acting Chief Executive Officer
Date:	27 th August 2024
Disclosure of Interest:	Nil
Responsible Officer	Tanika McLennan – Acting Chief Executive Officer
Author:	Lucia Scari – Senior Finance Officer
Voting Requirements	Absolute Majority
Documents Attached	Letter of Offer – Business Credit Card Facility
Documents Tabled	Nil

Summary

To allow Council to endorse the use of the Shire Common Seal.

Background Information

At the May 2024 Ordinary Meeting of Council, Council approved the increase to the existing Credit Card limit from \$5,000 (five thousand dollars) to \$20,000 (twenty thousand dollars). Bendigo Bank have approved the new limit. The signatures of the Acting CEO and Shire President are to be affixed to the Letter of Offer, to accept the new limit.

Officer Comment

The Common Seal is required to be attached to the following document along with the authorising signatures of the Acting CEO and Shire President.

- Letter of Offer – Business Credit Card Facility (Dated 26 August 2024)

Statutory Environment

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.

[Section 9.49A inserted by No. 17 of 2009 s. 43.]

Policy Implications

As per Policy Manual:

1.14 Use of Common Seal

POLICY

A document is validly executed by the Shire of Mukinbudin when the seal of the Shire is affixed to it by the Shire President and the CEO, and the President and CEO attest the affixing of the seal.

OBJECTIVES

To validate the procedure for the execution of legal documents

GUIDELINES

When affixing the common seal, the following clause is to be notated on the document:

“The common seal of the Shire of Mukinbudin was hereunto affixed by authority of its Council in the presence of...”

“Use of the Common Seal Register.”

HISTORY

Previous Policy

REVIEW

Council

Financial Implications

Any increase to the Credit Card is deemed effectively an overdraft for the purpose of the financial statement and any credit increase will be reflected in the financial statement accordingly.

Strategic And Social Implications

Nil

OFFICER RECOMMENDATION

Council Decision Number -

Moved: Cr

Seconded: Cr

That Council authorise the use of the Shire Common Seal on the Letter of Offer – Business Credit Card Facility (Dated 26 August 2024).

Carried /

9.3.2 Request for Support for Commonwealth Postal Savings Bank	
Location:	All of Shire
File Ref:	ADM 489
Applicant:	Nil
Date:	10 th September 2024
Disclosure of Interest:	Nil
Responsible Officer	Tanika McLennan, Acting Chief Executive Officer
Author:	Tanika McLennan, Acting Chief Executive Officer
Voting Requirements	Simple Majority
Documents Attached	Commonwealth Postal Savings Bank Bill
Documents Tabled	Nil

Summary:

Council is asked to consider supporting the draft bill to establish a Commonwealth Savings Postal Bank (CPSB).

Background Information:

The following emailed correspondence was received from the Strathfield Council in New South Wales on 22 August 2024:

Dear Australian Councils,

I ask that you please forward this email onto all your Councillors.

Strathfield Council resolved at their meeting in June 2024 to seek the support of all Councillors in Australia in supporting the draft bill to establish a Commonwealth Savings Postal Bank (CPSB).

They are asking that all Councillors be forwarded this email to request them to pass a similar motion to the below:

That Council write to the relevant Federal Ministers and all Federal Members of Parliament urging that they support the Commonwealth Postal Saving Bank Bill 2021 for:

- i. the betterment of every Strathfield and Australian citizen; and*
- ii. the betterment of Strathfield Council's and all Australian Councils' finances.*

All Councils are encouraged to also write to their local Federal MP and all Federal senators, particularly in their state.

Strathfield Council understands that public banking built much of this country with the original Commonwealth Bank, before its privatisation, and further understands that public banking originated in the United States with the first Secretary of the Treasury, under George Washington, Alexander Hamilton, in 1790.

Strathfield Council encourages the embrace of post office banking because:

- a) *Banking services (including opening hours) among the 'Big Four' banks are diminishing in our LGA and throughout Australia.*
- b) *Hundreds of millions of dollars profit of a Public Postal Bank can be invested into our and all Australian LGA's.*
- c) *Joint responsibilities of our council and councils throughout Australia can be effectively funded through public banking, like in the past.*
- d) *Council rates can be reduced and the slice of the budget dedicated to rubbish services and roads can be reduced in our LGA and LGA's throughout Australia.*

Strathfield Council thanks councils which have already embraced Post Office Banking.

The Rationale for this is:

- *Banking is an essential service.*
- *Privatisation of the CBA and our state banks has resulted in the inability for all levels of government to self-fund.*
- *Billions of dollars of capital invested and repaid by the public that would have otherwise contributed to building to meet our infrastructure backlog has been diverted to Big Four profits.*
- *Privatisation of services, sale of assets, PPP's and borrowing on interest from private banks, have largely caused the disappearance of the 'lucky country'.*
- *Public banking, in the form of a postal bank, has support from the Greens, One Nation, the Australian Citizens Party and several members of other parties. It has growing support internationally, both in the east and the west.*
- *Spread of its popularity is hindered by Australia's most powerful lobby, the banks.*
- *Postal banking has been successful in other countries, including Japan with its world-class infrastructure despite its lack of minerals and tourism. China has risen to be a leading economic power through the use of public banking to fund national infrastructure.*
- *Public banking originated with Alexander Hamilton, George Washington's Treasury Secretary and helped bring the USA to its post-WW2 industrial and manufacturing greatness.*
- *Australia's Commonwealth Bank functioned as a public bank from 1911 until 1996, building this country. Council chambers, roads, bridges, rail, airports, planes, artillery and other goods, infrastructure and amenity were built with funds and loans which can ultimately be traced to the Commonwealth Bank.*
- *Public banking has had numerous other successes reversing economic slumps throughout the world over the past centuries. It helped make the Australian standard of living the envy of foreigners and can do so again. I urge you to support this motion.*

Kind regards,



Amanda Rutherford | *Manager, Governance & Procurement*

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65 Homebush Rd, Strathfield NSW 2135

www.strathfield.nsw.gov.au

Officer Comment:

The Commonwealth Postal Savings Bank Bill has been prepared in response to the 2018 Royal Commission into Misconduct in the Banking, Superannuation and Financial Services Industry (Banking Royal Commission) and aims to establish a new, government-owned savings bank. The Bill will be debated in the federal parliament and Council is not required to comment however, if Council has a strong opinion, either in support or against the Bill, it may wish to write and convey this opinion to the relevant federal ministers.

Consultation:

Nil

Strategic & Social Implications

Outcome 1.4 - A quality lifestyle

1.4.4 Proactively plan for growth

Outcome 2.1 - An innovative, vibrant and entrepreneurial local economy

2.1.1 A business friendly Shire with a diverse economic base

2.1.2 A skilled and capable local workforce with diverse career opportunities

2.1.3 Lobby for the infrastructure necessary to support commercial and business growth

Statutory Environment

A bill, which is a formal document prepared in the form of a draft Act, is no more than a proposal for a law or a change to the law. A bill becomes an Act - a law - only after it has been passed in identical form by both Houses of the Parliament and has been assented to by the Governor General.

Policy Implications

Nil

Financial Implications:

Nil

OFFICER RECOMMENDATION**Council Decision Number –****Moved: Cr****Seconded: Cr**

That Council write to the relevant Federal Ministers and all Federal Members of Parliament urging that they support the Commonwealth Postal Savings Bank Bill 2021 for:

- **the betterment of every Mukinbudin and Australian citizen; and**
- **the betterment of the Shire of Mukinbudin and all Australian Councils' finances.**

Carried /

9.3.3 Subdivision – Lots 22728 & 24512 Mukinbudin North East Road, Mukinbudin	
Location:	Lots 22728 & 24512 Mukinbudin North East Road, Mukinbudin
File Ref:	AS1062
Applicant:	Scanlan Surveys for Murray Colin Ventris
Date:	10 th September 2024
Disclosure of Interest:	
Responsible Officer	Tanika McLennan, Acting Chief Executive Officer
Author:	Tanika McLennan, Acting Chief Executive Officer
Voting Requirements	Simple Majority
Documents Attached	WAPC Referral Letter Location Plan for Subdivision – Lots 22728 & 24512 Mukinbudin North East Rd, Mukinbudin
Documents Tabled	Nil

Summary:

The purpose of this report is for Council to consider a proposed subdivision/adjustment to the boundaries between Lots 22728 and 24512 on Deposited Plan 202061.

Background Information:

Correspondence has been received from the WA Planning Commission advising that it has received an application for planning approval for the subdivision of Lots 22728 and 24512 on Deposited Plan 202061 and inviting comment from Council.

Officer Comment:

The purpose of this application is to facilitate the cadastral boundary to better align with the current land use and to use the existing UCL (old pipeline reserve) boundary as the division between the lots, creating two similar sized parcels. The land is currently used for agricultural purposes and will continue to be used in this manner.

Consultation:

Nil

Strategic & Social Implications

Nil

Statutory Environment

Planning and Development Act 2005

138. Commission's functions when approving subdivision etc.

- (1) The Commission may give its approval under section 135 or 136 subject to conditions which are to be carried out before the approval becomes effective.
- (2) Subject to subsection (3), in giving its approval under section 135 or 136 the Commission is to have due regard to the provisions of any local planning scheme that applies to the land under consideration and is not to give an approval that conflicts with the provisions of a local planning scheme.

(3) The Commission may give an approval under section 135 or 136 that conflicts with the provisions of a local planning scheme if —

- (a) the local planning scheme was not first published, or a consolidation of the local planning scheme has not been published, in the preceding 5 years and the approval is consistent with a State planning policy that deals with substantially the same matter; or
- (b) the approval is consistent with a region planning scheme that deals with substantially the same matter; or
- (c) in the opinion of the Commission —
 - (i). the conflict is of a minor nature; or
 - (ii). the approval is consistent with the general intent of the local planning scheme;

or

- (d) the local planning scheme includes provisions permitting a variation of the local planning scheme that would remove the conflict; or
- (e) in the case of an application under section 135, the local government responsible for the enforcement of the observance of the scheme has been given the plan of subdivision, or a copy, under section 142 and has not made any objection under that section; or
- (f) the approval is given in circumstances set out in the regulations.

(4) Despite subsection (3), the Commission is to ensure that an approval under section 135 or 136 complies with the provisions of a local planning scheme to the extent necessary for compliance with an environmental condition relevant to the land under consideration.

142. Consultation requirements as to proposed subdivision

(1) When, in the opinion of the Commission, a plan of subdivision may affect the functions of a local government, a public authority, or a utility services provider, the Commission is to forward the plan or a copy of the plan to that local government, public authority or utility services provider for objections and recommendations.

(2) A local government, public body or utility services provider receiving such a plan or copy is to, within 42 days of receipt of the plan or copy or within such longer period as the Commission allows, forward it to the Commission with —

- (a) a memorandum in writing containing any objections to, or recommendations in respect of, the whole or part of that plan; and
- (b) in the case of a local government receiving a plan or copy relating to land within the area to which an assessed scheme (as defined in the EP Act) applies, advice of any relevant environmental condition to which the assessed scheme is subject.

(3) If a local government, public authority or utility services provider does not forward a memorandum within the time allowed under subsection (2), the Commission may determine that it is to be taken to have no objections or recommendations to make or advice to give.

Policy Implications

Nil

Financial Implications:

Nil

OFFICER RECOMMENDATION**Council Decision Number –****Moved: Cr****Seconded: Cr****That:**

- **Western Australian Planning Commission Application No: 200714 – Mukinbudin North East Road, Mukinbudin, be endorsed; and**
- **No information, comment or recommended conditions pertinent to this application be provided to the Western Australian Planning Commission.**

Carried /

9.3.4 Town Planning Scheme Amendment – Old Bowling Club Site	
Location:	Lots 98-102 Calder Street, Mukinbudin
File Ref:	A341
Applicant:	Tanika McLennan – Acting Chief Executive Officer
Date:	11 th September 2024
Disclosure of Interest:	Nil
Responsible Officer	Tanika McLennan – Acting Chief Executive Officer
Author:	Paul Bashall – Planwest (WA) Pty Ltd
Voting Requirements:	Simple Majority
Documents Attached:	Town Planning Scheme Amendment
Documents Tabled:	Nil

Summary

A Scheme Amendment (No 2) has been prepared for the Council's adoption to rezone the old bowling club site in Calder Street from 'Special use – Club premises' to 'Residential' and adding a new Residential density code of R12.5/30.

Concurrent with this Amendment, the Council will resolve to lodge an application with the Department of Planning, Lands and Heritage (DPLH) to cancel the Crown Reserve on the current land to enable the lots to be zoned for residential purposes.

Background Information

The Council's old bowling club land, on the corner of Calder and Greenslade Streets in Mukinbudin, is now no longer required for the purpose of a Crown Reserve. The bowling club has been relocated into the Shire's recreation ground in Cruickshank Street and therefore the Calder Street land is longer required for the club premises.

The subject land is shown in **Figure 1** and comprises of 5 lots of 1,011.7m² (the equivalent to the old quarter acre) and the corner lot of 1,160.9m².

FIGURE 1 – LOCATION PLAN

Source: Planwest, Landgate

The subject land, Lots 98-102 Calder Street, Mukinbudin, is currently a Crown 'C' class Reserve 25406 which has a total legal area of 0.5206 hectares. The current purpose of the Reserve is 'Recreation bowling club' with the management order vested in the Shire of Mukinbudin. The Shire has the power to lease for any term not exceeding 21 years, subject to the consent of the Minister for Lands. The lots are all part of Certificate of Title number LR3022/220 on Deposited Plan 186571. The Responsible Authority is the Department of Planning, Lands and Heritage.

Figure 2 provides a recent aerial photograph of the site showing that the land is now cleared and ready for development. The surrounding land is all developed for residential purposes except the area immediately west of Greenslade Street which is currently vacant and zoned 'Rural residential'.

FIGURE 2 – AERIAL PHOTOGRAPH OF SUBJECT LAND

Source: Planwest, Google Earth, Landgate

Officer Comment

There are 2 actions that are required to enable these 5 lots to be used for residential development. The first action is to rezone the subject land to 'Residential' in Council's Town Planning Scheme. The second action is the cancellation of the Crown Reserve and the issue of titles to create freehold lots. There is no reason that these two actions cannot be progressed simultaneously.

During advertising, the documents will be forwarded to servicing agencies and nearby residents for comment. At the close of advertising (after 42 days), the Council will assess the submissions received and decide whether to proceed with Amendment, modify the proposal, or decide not to continue with the proposal.

Strategic & Social Implications

The Council has no local planning strategy; however, it is apparent that the subject land would be better used for residential purposes consistent with the surrounding development. There is no need to subdivide the land unless the Council feels the need to create smaller lots with narrower frontages.

Zoning these additional lots residential will provide a short-term stock of land for new development. The land will be within easy reach of all the necessary town services including water, power, and roads. As the land is in the Mukinbudin townsite it has easy access to all the other social, recreation, commercial and administration services.

Consultation

Department of Planning, Lands and Heritage, EPA.

Statutory Environment

Section 75 of the *Planning and Development Act 2005*

Policy Implications

The Shire of Mukinbudin Local Planning Scheme No 4 (the Scheme) was gazetted on 29th April 2003. An extract from the Scheme is shown in **Figure 3**.

FIGURE 3 – EXTRACT FROM SCHEME MAP



Source: Planwest, DPLH, Landgate

The Scheme was updated in April 2016 (Amendment No 1) to ensure that the Scheme was aligned with the deemed provisions of Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015*.

There are no Local Planning Policies adopted under the provisions of the Scheme that relate to, or affect, the amendment area.

Financial Implications

There may be some financial implications to progress the cancelling of the Crown Reserve and creation of new titles, however these costs are not yet known. If the costs become prohibitive, the Council may choose to discontinue with the project.

OFFICER RECOMMENDATION

Council Decision Number –

Moved: Cr

Seconded: Cr

That:

1. Pursuant to section 75 of the Planning and Development Act 2005, the Shire of Mukinbudin Local Planning Scheme No. 4 be amended, by rezoning Lots 98-102 Calder Street, Mukinbudin, from 'Special use – Club premises' to 'Residential' with an 'R12.5/30' R-Code.
2. A copy of the Scheme Amendment documents be forwarded to:
 - a) the Department of Planning, Lands and Heritage (DPLH) for consent to advertise
 - b) the Environmental Protection Authority for clearance under Section 81 of the *Planning and Development Act 2005*
3. The Acting Chief Executive Officer be authorised to forward a Crown Land Enquiry Form (CLEF) to the Department of Planning, Land and Heritage (DPLH), requesting cancellation of the bowling club Crown Reserve.

Carried /

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 The Chairperson thanked Elected Members and Staff for attending and declared the meeting closed at ____pm.