



CONFIRMED MINUTES

Special Council Meeting



Meeting held in Council Chambers at
15 Maddock Street, Mukinbudin
Commencing at 10.00am Thursday 9th July 2026.

****** 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
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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MINUTES

Unconfirmed Minutes of the Special Meeting of Council held in Council Chambers, Maddock Street, Mukinbudin on Thursday 9th July 2026.

1. Declaration of Opening

The Deputy Shire President declared the Meeting open at 10.00am and noted that this meeting is being recorded for publishing on the Shire's website.

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

2.1 Present:

Cr A Walker Deputy Shire President

Cr G Bent

Cr C McGlashan

Cr S Ventris

2.2 Staff:

Tanika McLennan Chief Executive Officer

Renee Jenkin Deputy Chief Executive Officer

2.3 Visitors:

Nil

2.4 Apologies:

Cr G Shadbolt Shire President

Cr A Brandis

Cr A Dagelet

2.5 On leave of absence:

Nil

2.6 Applications for leave of absence:

Nil

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 Deputy Shire President declared public question time open at 10.01am

3.3 Declaration of public question time closed

The Deputy Shire President declared public question time closed at 10.02am.

4. Declarations of Interest

Nil

5. Petitions, deputations, and presentations

5.1 Petitions Nil

5.2 Deputations Nil

5.3 Presentations Nil

6. Announcements by the Presiding person without discussion

Nil

7. Confirmation of the Minutes of previous meetings

Nil

8. Minutes of Committees and External Organisations**8.1 Receipt of Minutes of Council Committees**

Nil

8.2 Recommendations from Council Committees for Consideration

Nil

8.3 Receipt of Minutes from External Organisations

Nil

9.1 Monthly Information Report

Nil

9.2 Finance Reports

Nil

9.3 Chief Executive Officer's Reports

9.3.1 Development Approval Application – CEACA Housing Development

Location:	Lots 100-103 Calder Street, Mukinbudin
File Ref:	AS
Applicant:	Modularis Pty Ltd
Date:	2 nd July 2026
Disclosure of Interest:	Nil
Responsible Officer	Tanika McLennan - CEO
Author:	Paul Bashall, Consultant Planner - Planwest
Voting Requirements:	Simple Majority
Documents Attached:	Development Approval (DA) Application Form, DA Plan,
Documents Tabled:	Nil

Summary

An application for Development Approval (DA) has been received by the Council for the development of 6 single-storey modular residences in Mukinbudin. The proposal has been lodged by Modularis Pty Ltd, on behalf of the owner – CEACA (Central East Accommodation and Care Alliance). The site selected for the development is located on Lots 100-102 Calder Street, Mukinbudin.

Figure 1 shows the location of the proposed development in respect to the central west part of the Mukinbudin townsite.

FIGURE 1 – LOCATION PLAN



Source: Landgate, DPLH, Planwest

The DA form states that DPLH (Department of Planning, Lands and Heritage) is the owner as outlined in the copy of the certificate of title attached with the DA. However, an on-line search confirms that CEACA is the current owner as the land is no longer a Crown Reserve. It is assumed that there still may be an agreement whereby all such applications need the DPLH's consent.

The DA has been supported by Altus Planning (planning consultant) that has confirmed that the proposed development complies with the necessary Local Planning Scheme requirements.

Figure 2 shows an enlargement of the aerial photograph of the area demonstrating the nature of the surrounding residential development.

FIGURE 2 – AERIAL PHOTOGRAPH OF SUBJECT LAND



Existing Development

Figure 2 shows five lots, including the three lots the subject of this DA, as being cleared of development. Prior to the clearing, the land was used for the Shire's bowling club. The land has recently been rezoned from Special Use – Bowling Club to Residential with an R-Code of 12.5/30.

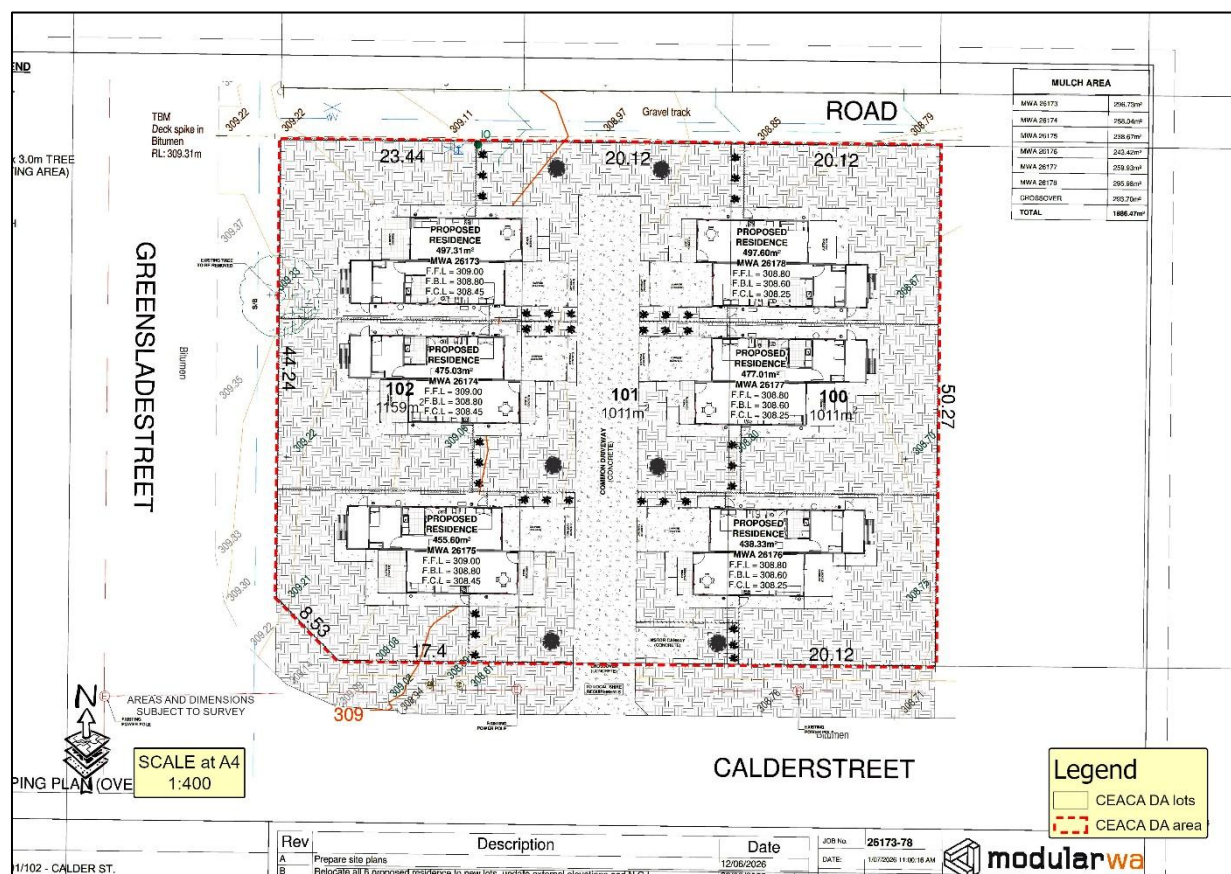
Proposed Development

The proposed development seeks to construct 6 single-storey dwellings over the 3 lots (Lots 100-102). Although building across lot boundaries is not permitted, it is understood that there is a current application with the WA Planning Commission to amalgamate these lots.

It is unclear whether the owner intends to further subdivide the property so that each of the dwellings is on its own lot, however the current DA is only for the development of 6 grouped dwellings.

Figure 3 shows an extract from the DA drawings of the proposed development. Each of the 6 dwellings appear to be similar in shape - albeit some are mirror images. Each dwelling provides for 2 bedrooms and 2 bathrooms and a common driveway that appears to terminate before the rear laneway on the north side of the development.

FIGURE 3 – EXTRACT OF THE PROPOSED DEVELOPMENT



Source: Modularis, Planwest

There appears to be only one existing tree that, according to the plan, will be removed. The plans show a single visitor parking bay as part of the south-eastern dwelling. The dwellings predominantly face north-south which is preferable for solar orientation, however it is not clear why only two of the six living areas face north – which is the preferred orientation to maximise solar access benefits.

The plans show that practically all the land that is not a building, will be mulch, with very minimal landscaping.

The carports are set back only 1m from the shared 6m central driveway. Although this may be acceptable for a grouped housing development, it may be non-compliant if a further subdivision is sought to provide a separate lot for each house.

There is no information on the construction materials of the buildings or the treatment of fences.

Strategic & Social Implications

Integrated Strategic Plan 2025–2035

Pillar 1: Economy – A prosperous and growing community

Goal 3 – Essential services and infrastructure drive local economic growth

- **Objective 3.5** – Develop a 10-year Council housing strategy to maintain, enhance and expand our housing stock.
- **Objective 3.7** – Develop residential land, considering lifestyle block options.

Pillar 2: Community – Our community enjoys a healthy, safe and inclusive environment for all ages

Goal 5 – A connected, inclusive and vibrant community

- **Objective 5.4** – Encourage housing diversity to meet the needs of current and future residents.

The proposed development will provide six additional residential dwellings within the Mukinbudin townsite, increasing the supply of contemporary housing and supporting accommodation for all ages.

The proposal is also consistent with Council's recently adopted 10-Year Housing Strategy, which identifies increasing housing supply and working collaboratively with regional partners, including the Central East Aged Care Alliance (CEACA), as key strategic priorities.

Financial Implications

Nil.

Consultation

Nil

Policy Implications

The Council has an adopted Local Planning Policy for Moveable Buildings (LPP No 1). This LPP was adopted to preclude moveable buildings, like dongas and containers, being used in townsites for residential purposes. The policy objective is to maintain the quality of streetscapes by restricting structures that the Council considers are not appropriate in townsites.

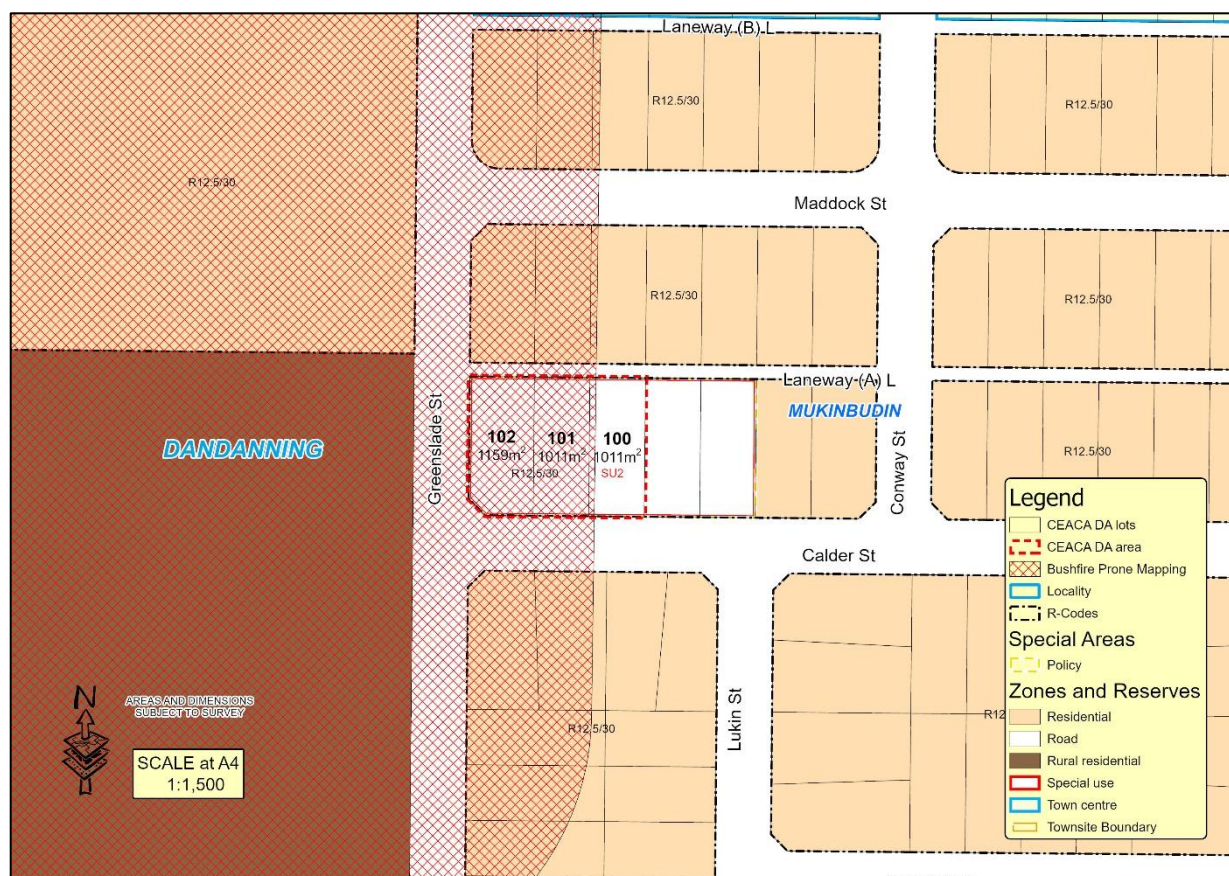
The LPP No 1 was drafted some 15 years ago when there was no shortage of accommodation. In view of the current supply of residences, it may now be ready for review.

Statutory Environment

The subject site is currently zoned Residential with a residential density of R12.5/30 under the Shire of Mukinbudin's Local Planning Scheme No 4 (the Scheme). The Residential zone allows for Grouped dwellings as a discretionary 'D' use, which requires Council's approval.

Figure 4 provides an extract from the Scheme mapping.

FIGURE 4 – EXTRACT FROM LOCAL PLANNING SCHEME



Source: Landgate, DPLH, Planwest

As pointed out by Altus Planning, pursuant to clause 4.3 of the Scheme, the proposal triggers the application of the 'R30' density coding given that the subject land is connected to reticulated sewer and is within an approximate 500m catchment of the District High School, Community Resource Centre, Health Centre and the Sports Grounds.

The R30 density code provides for a minimum land area of 260m² with an average of 300m²; a minimum of 45% of the site for open space, a primary street setback of 4 metres.

The land is impacted by the Bushfire Prone mapping prepared by the DFES (Department of Fire and Emergency Services). Although lots less than 1,100m² are exempt from complying with State Planning Policy 3.7 (Bushfire), the current proposal can only be developed if the three lots are amalgamated to an area larger than 1,100m² – therefore a Bushfire Attack Level is required.

Altus Planning indicates that 'As required, a Bushfire Attack Level (BAL) Assessment has been undertaken and found that the site is rated 'BAL12.5'. Accordingly, the dwellings will need to be constructed to 'BAL12.5' standards to comply with the requirements of SPP3.7'.

Officer Comment

The development largely complies with the Residential R30 code requirements for grouped housing as a single development. Although there are several outstanding issues, they are not significant enough to preclude a recommendation of approval.

Some of these issues can be resolved by imposing conditions, like BAL rating evidence and amalgamation of the three lots.

The elevations of the proposed dwellings do not appear to be in conflict with the intent of LPP No 1 even though the dwellings are within the definition of a 'Moveable Building'.

Theoretically the condition of amalgamation should not be imposed as it is beyond the power of the applicant to satisfy the condition, however, the alternative is to refuse the DA on the grounds that buildings cannot be built across a lot boundary.

Council may consider whether additional conditions relating to landscaping, fencing, building orientation and setbacks are warranted; however, officers are satisfied that the proposal can be supported subject to the recommended conditions.

OFFICER RECOMMENDATION

Council Decision Number – 01 07 2026

Moved: Cr Ventris

Seconded: Cr McGlashan

That Council;

Approves the application for Development Approval submitted on 15th June 2026 subject to the following conditions;

- 1. The applicant providing evidence of the Bushfire Attack Level (BAL) assessment to the satisfaction of the local government.**
- 2. Perimeter fencing to be provided to the satisfaction of the local government.**

Advice Notes

- 1. 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.**
- 2. 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.**

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 and be approved before any work requiring a building permit can commence on site.

Carried 4 / 0

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 Deputy President thanked Elected Members and Staff for attending and declared the meeting closed at 10.06am.



DECLARATION

I declare that these minutes of the Special Meeting of Council held on the 9th July 2026 were confirmed at the Ordinary Meeting of Council held on 21st July 2026.

Signed: _____

Being the person presiding at the meeting at which these minutes were confirmed.

Date: _____