



Shire of Mukinbudin
Local Planning Scheme No. 4

Amendment No. 3

Summary of Standard Amendment Details

*Creation of a new 'Urban Development' zone,
Rezoning Lots 91, 66 and 66 Bent Street, **Mukinbudin**,
from 'Rural' and 'Road' to 'Urban Development' and
Rezoning of portion of Lot 90 Koorda-Bullfinch Road, **Mukinbudin**,
from 'Rural' to 'Town Centre'*

October 2024

PLANWEST

(WA) PTY LTD A.B.N. 77 665 477 168

**CONSULTANTS IN PLANNING,
DESIGN AND MANAGEMENT**

Planning and Development Act 2005

**RESOLUTION TO ADOPT AN AMENDMENT
TO LOCAL PLANNING SCHEME**

Shire of Mukinbudin Local Planning Scheme No. 4

Amendment No. 3

Resolved that the Local Government pursuant to section 75 of the *Planning and Development Act 2005*, amend the above Local Planning Scheme by:

- a) Creation of a new 'Urban Development' zone,
- b) Rezoning Lots 91, 66 and 66 Bent Street, **Mukinbudin**, from 'Rural' and 'Road' to 'Urban Development' and
- c) Rezoning of portion of Lot 90 Koorda-Bullfinch Road, **Mukinbudin**, from 'Rural' to 'Town Centre'

As more clearly shown on the Scheme Amendment Map.

This amendment is a **standard amendment** because it is;

- (c) an amendment to the scheme so that it is consistent with a region planning scheme that applies to the scheme area, other than an amendment that is a basic amendment;
- (e) an amendment that would have minimal impact on land in the scheme area that is not the subject of the amendment;
- (f) an amendment that does not result in any significant environmental, social, economic or governance impacts on land in the scheme area;
- (g) any other amendment that is not a complex or basic amendment.

Dated this _____ day of _____ 20____

(Chief Executive Officer)

MINISTER FOR PLANNING**PROPOSAL TO AMEND A SCHEME**

1. **LOCAL AUTHORITY:** Shire of Mukinbudin
2. **DESCRIPTION OF LOCAL:**
PLANNING SCHEME Local Planning Scheme No. 4
3. **TYPE OF SCHEME:** District Zoning Scheme
4. **SERIAL NUMBER OF AMENDMENT:** Amendment No. 3
5. **PROPOSAL To**
 - a) Create a new zone 'Urban Development'
 - b) Rezone Lots 91, 66 and 66 Bent Street, **Mukinbudin**, from 'Rural' and 'Road' to 'Urban Development', and
 - c) Rezone portion of Lot 90 Koorda-Bullfinch Road, **Mukinbudin**, from 'Rural' to 'Town Centre'.

REPORT BY: Shire of Mukinbudin**1.0 INTRODUCTION**

This Amendment seeks to a) create a new 'Urban Development' zone by adding new zone objectives, modifying Table One – Zoning Table to insert a permissibility against each use class in the Table. b) rezoning Lots 91, 66 and 66 Bent Street, **Mukinbudin**, from 'Rural' and 'Road' to 'Urban Development', and c) rezoning the eastern portion of Lot 90 Koorda-Bullfinch Road, **Mukinbudin**, from 'Rural' to 'Town Centre'.

The land is located adjacent to the Mukinbudin townsite and will provide a variety of residential lots, additional commercial land, and an alternative lifestyle option for local residents and would-be settlers who want to move to, or remain in, the area.

2.0 BACKGROUND

The Shire is experiencing a shortage of available residential lots in and near Mukinbudin and is keen to facilitate the development of additional land for a variety of lot sizes from 800m² to 1.7 hectares. This will be implemented through the development of a Structure Plan for the area.

In addition to the residential lots, the Structure Plan will provide for open space and several commercial lots. The introduction of a new zone (Urban Development) is to cater for a degree of flexibility whilst a Structure Plan for the area is being developed and refined.

It is anticipated that a future review of the Scheme may replace the Town Centre zone with a Commercial zone. The proposed new objectives for the new Urban Development zone will be

consistent with the model scheme provisions of the *Planning and Development (Local Planning Schemes) Regulations 2015*.

2.1 Location and Site Area

The subject land, Lots 90 and 91 Koorda-Bullfinch Road, Mukinbudin, have areas of 1.68 hectares and 42.8 hectares respectively. The majority of the land, (Lot 91) is owned by the Shire of Mukinbudin, and is proposed to provide a variety of residential lots to supplement the existing townsite lots located immediately west of Kununoppin-Mukinbudin Road (also named Bent Street). Also, part of the proposal is to create an additional 5 commercial lots on Bent Street and 9 Rural Residential lots ranging from about 8,200m² (0.8ha) and 1.7 hectares.

The Council has received several inquiries over the years regarding the availability of larger rural residential properties around Mukinbudin, however, the Council has not been in a position to offer a choice of residential options.

Figure 1 provides a Google Earth Street View of Lot 91 from Bent Street (Kununoppin-Mukinbudin Road) near the Earl Drive intersection. The land is currently cropped under contract and is relatively flat with the only vegetation being a tree-lined border on the Bent Street boundary.

FIGURE 1 – STREET VIEW FROM KUNUNOPPIN-MUKINBUDIN ROAD



Source: Planwest, Google Earth.

A major part of the subject land is shown in the aerial photograph in **Figure 2** is composed of about 44.5 hectares of cropped land adjacent to the Mukinbudin townsite area. There is virtually no existing development over the amendment area, however Lot 90 Kununoppin-Mukinbudin Rd has a large shed on the eastern portion of the lot that remains 'Rural'. This area will be part of this amendment but **not** part of the Structure Plan.

It is likely that, on completion of this Amendment, the Council will seek to modify the townsite boundary to include the structure plan area as well as Lot 90 Koorda-Bullfinch Road.

In addition to these two larger lots are two other small lots, both designated as Lot 66. These are small areas at the rear of lots facing Bent Street and appear to be laneways. These areas have been included to allow the Council the option to amalgamate these areas with the abutting lots facing Bent Street.

These areas are contained in 4 certificates of title as shown in **Table 1**. Copies of these titles are attached in **Schedule 1**.

TABLE 1 – LAND DETAILS

LOT	PLAN/DIAG	OWNER	AREA	VOLUME	FOLIO
66 Bent St	D31338	State of WA	1,705m ²	2771	802
66 Bent St	D29815	Shire of Mukinbudin	307m ²	2907	510
90 Kununoppin-Mukinbudin Rd	P424339	Magical Jessica P/L	1.69ha	4025	256
91 Kununoppin-Mukinbudin Rd	P424339	Shire of Mukinbudin	42.84	4025	257

Source: Landgate

FIGURE 2 – LOCATION PLAN



Source: Planwest, ESRI, Landgate

Figure 3 provides an enlargement of the two Lot 66s.

FIGURE 3 – ENLARGEMENT OF LOT 66s, REAR OF BENT STREET



Source: Planwest, ESRI, Landgate

2.2 Services and Amenities

The subject land has access to all the necessary town services including water, power and communications. As the land is located adjacent to the Mukinbudin townsite it has easy access to all the other social, recreation, commercial and administration services.

3.0 LOCAL PLANNING CONTEXT

3.1 Regional Planning Context

Although there was a draft Wheatbelt Regional Strategy prepared in 2015, this has not been finally adopted. The proposed amendment is not considered to be a significant change that would be impacted by any proposals set out in any regional strategy.

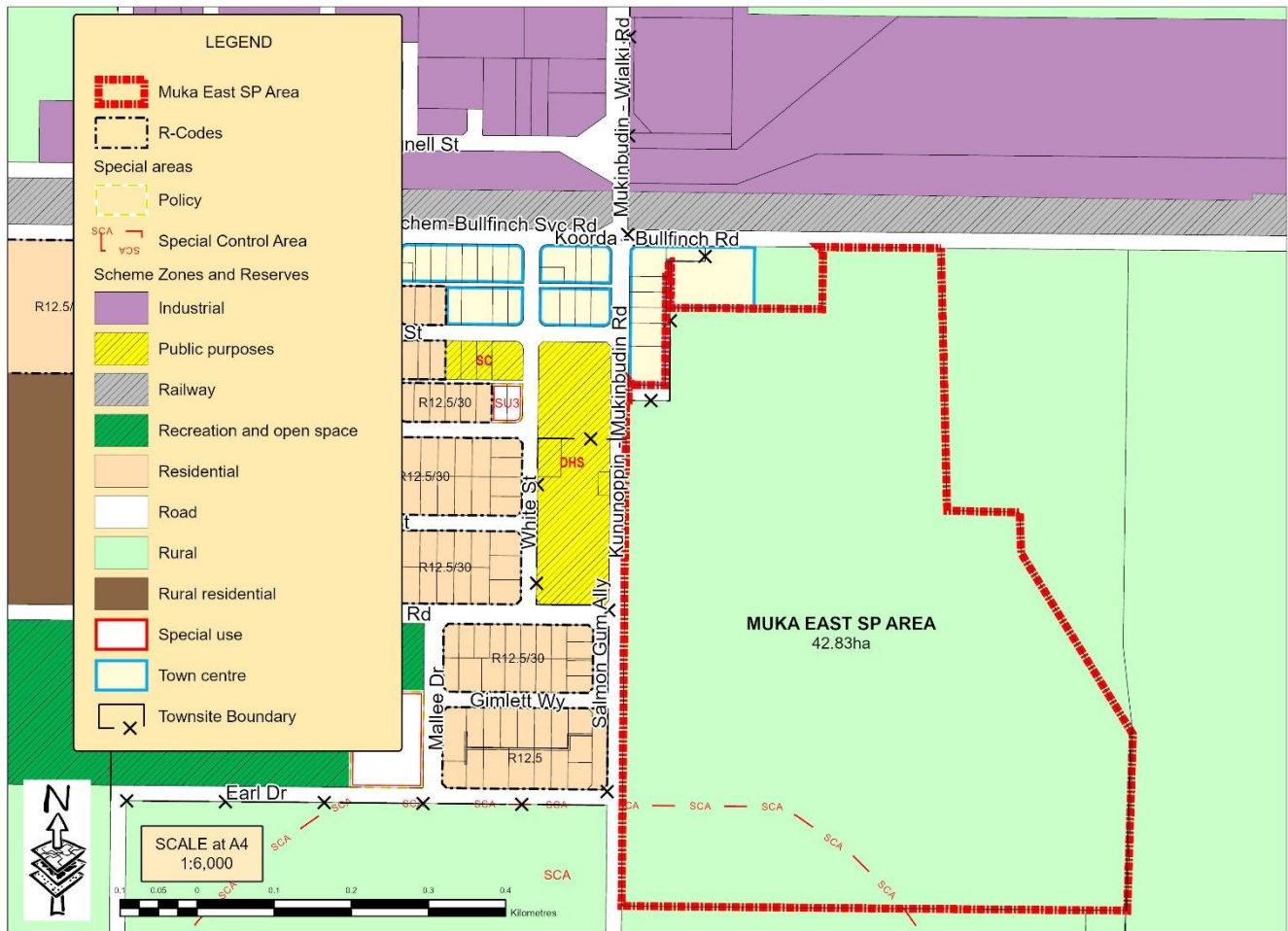
3.2 Local Planning Strategy

The Shire of Mukinbudin has no Local Planning Strategy.

3.3 Local Planning Scheme

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

FIGURE 4 – 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*.

The southwest portion of the proposed estate is affected by a 500m buffer from the Council's wastewater treatment plant. Any affected lots in this area will require a notification on title advising of the proximity to this facility.

3.4 Local Planning Policies

There are no Local Planning Policies adopted under the provisions of the Scheme that relate to, or effect, the amendment area. The Council has adopted other building/planning/health type policies in its Policy & Procedures Manual, however, none of these policies relate to this Scheme Amendment.

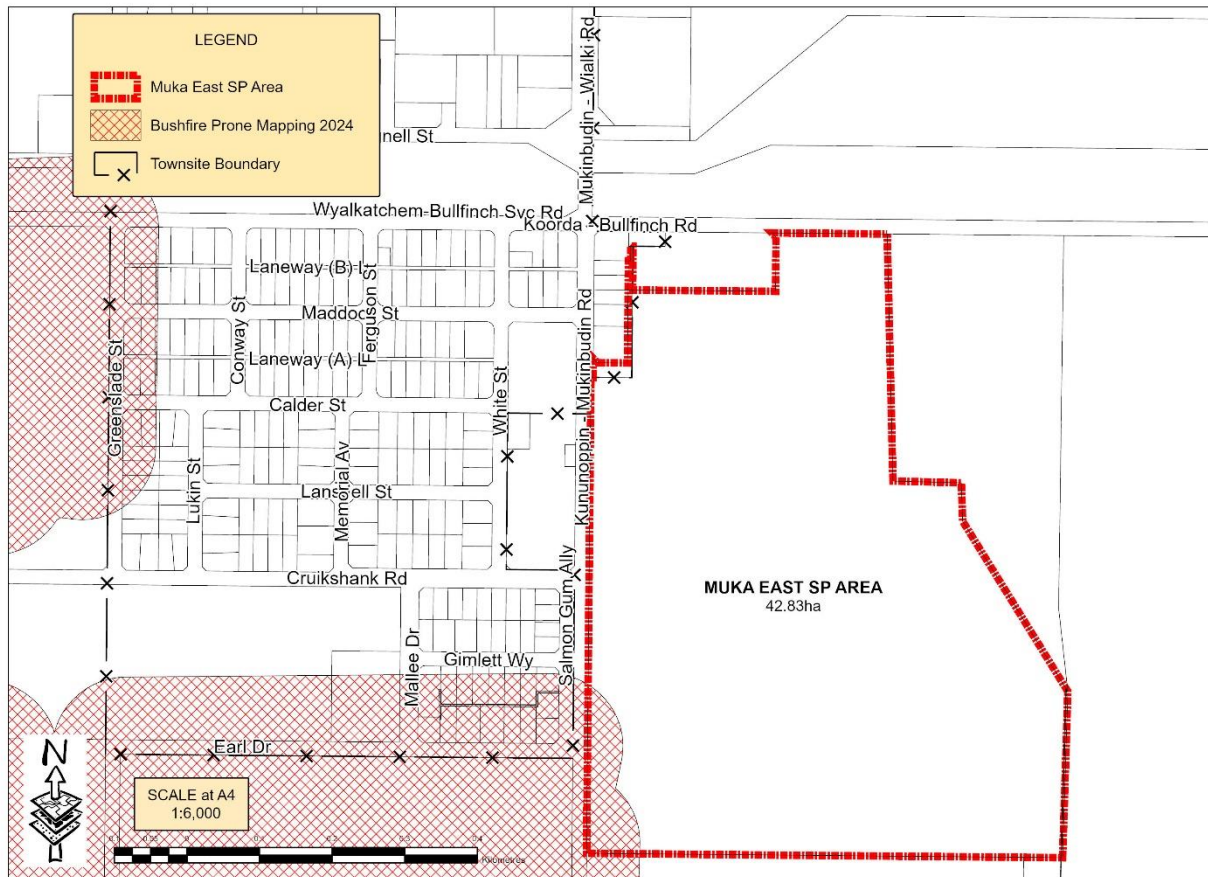
3.5 Bushfire Prone Mapping

The subject land is only affected by the Bushfire Prone Mapping in the southwest corner of the property because the area is within 100 metres of the golf course vegetation.

This affected area is separated from the bush source by the main road (Kununoppin-Mukinbudin Road). The new lots affected by this bushfire mapping may require a Bushfire Attack Level (BAL) or Bushfire Management Plan (BMP) prior to development.

Figure 5 shows the extent of the Bushfire Prone Mapping.

FIGURE 5 – BUSHFIRE PRONE MAPPING



Source: Planwest, DFES, Landgate

4.0 LANDFORM DESCRIPTION

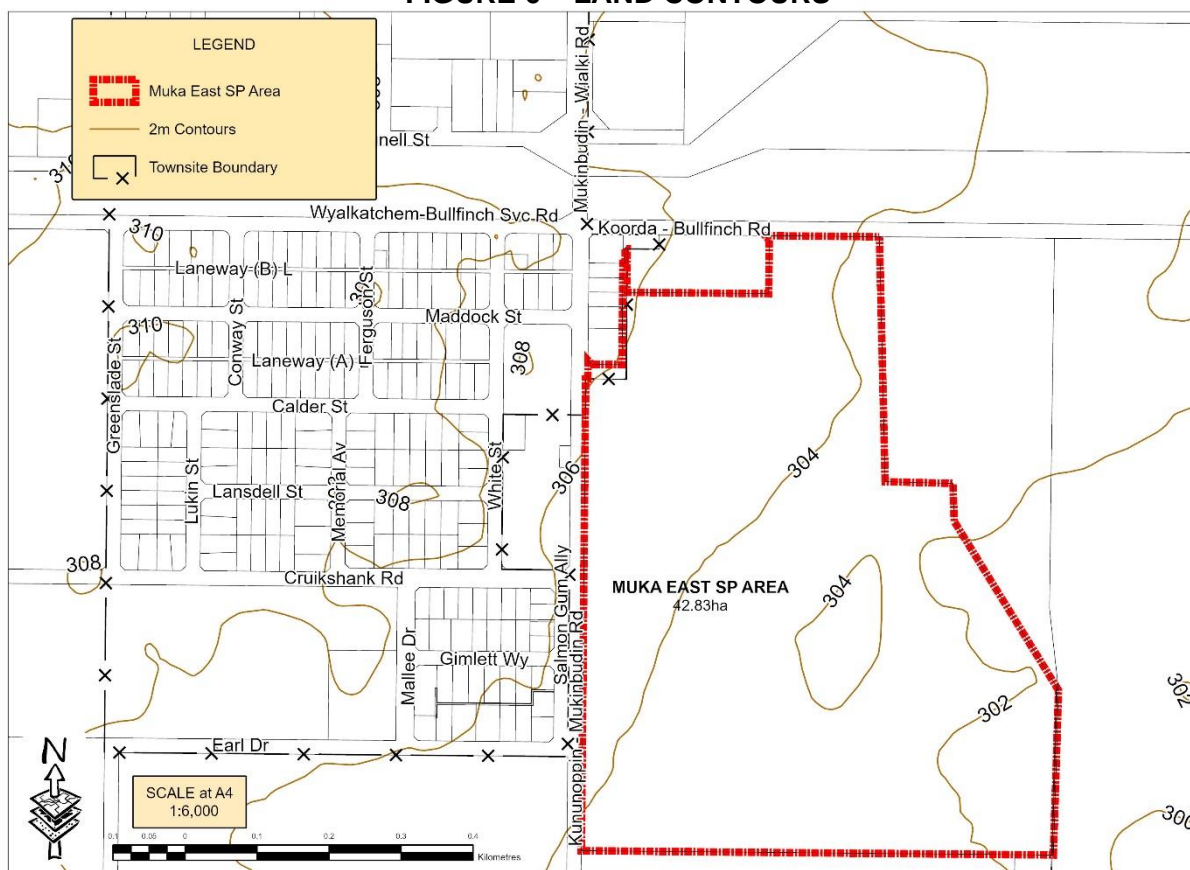
The land has been cropped for many years with very little remnant vegetation remaining. There is a lineal buffer along the boundary with Bent Street that partially screens the land from the main road. This vegetation will be retained and protected by a 10-metre landscaped buffer area to Bent Street.

There is no evidence of a high water-table, erosion, wetlands or acid suphate soils on the property. The land consists of part of an ancient plain over weathered granite typical of conditions in the district.

There is no record of previous uses that may have created contaminated soils, and there are no cultural or historic records over the land that impact this proposal.

The land is relatively flat with a slight downward slope from the north west towards the south east corner of the property. This equates to a slope of about 1m in every 100 horizontal metre. These contours are shown in **Figure 6**.

FIGURE 6 – LAND CONTOURS



Source: Planwest, Landgate

5.0 PROPOSAL

This Amendment is essentially in two parts, the first and major component is the rezoning of the Structure Plan area to 'Urban Development'. The second part is the tidying up of the part of Lot 90 Koorda-Bullfinch Road that is partly zoned Town Centre and part Rural.

To implement the Amendment, the Council considers it appropriate to create a new 'Urban Development' zone. The introduction of the new zone will cater for a degree of flexibility whilst a Structure Plan for the area is being developed and refined.

The second part will simply extend the existing Town Centre zone to include the whole of Lot 90 Koorda-Bullfinch Road.

Figure 7 provides a preliminary design for the Structure Plan area. Most of the land will provide for a variety of residential lot sizes as shown in the Table 2 below.

TABLE 2 – PRELIMINARY STRUCTURE PLAN LOT SIZES

Designation	Size Range	Number of Lots	Site Area/Dwelling
R20	782-1,411m ²	95	450m ²
R2.5	3,600 – 7,3360m ²	26	4,000m ²
Rural Residential	8,250m ² -1.74ha	9	1-4 hectares
Commercial	2,000-2500m ²	5	

The design of the estate reflects a grid pattern that rural townsites residents are comfortable with and creates rectangular shaped lots that are simpler to develop.

Future development will be assessed according to the Density code and the Residential Design Codes Volume 1.

95 of the proposed lots will be allocated a density code of R20. This provides for single houses in most cases, however there are exceptions where R20 lots are over 900m² thus allowing a second dwelling on the property. Twenty metre frontages are consistent with the existing townsites and will provide for a similar streetscape.

A lot with an R20 density code has a minimum site area of 350m² and an average of 450m².

The remainder of the proposed Residential zone will include 26 R2.5 lots. These lots range from 3,600m² to over 7,000m² - all of which can only have a single house on each lot.

A lot with an R2.5 density code has a minimum land area requirement of 4,000m².

There are only 9 larger Rural Residential sized lots that range from 1 hectare to 4 hectares. Only a single house will be permitted in these properties.

The five commercial lots on Bent Street will supplement the town's supply for new businesses that do not need to be located in the 'Town Centre' zone.

It is likely that the Council will independently, and as a separate process, seek to modify the existing townsites boundary to reflect this Amendment.

6.0 CONCLUSION

The Amendment is supported by the Council as it will better service an unmet demand for a variety of residential lots and rationalise existing zoning on Koorda-Bullfinch Road.

Legend

STRUCTURE PLAN EAST v3

- Other use
- Residential
- Commercial
- Rural Residential
- Parks and Recreation
- Road
- Muka East SP Area
- Townsite Boundary

MUKA STRUCTURE PLAN EAST CONCEPT PLAN ONLY v3

SCALE at A2 1:1,750

AREAS AND DIMENSIONS SUBJECT TO SURVEY

0.04 0.02 0 0.04 0.08 0.12 0.16 Kilometres

Local Planning Scheme 4 - Amendment No 3

**RESOLUTION TO ADOPT AN AMENDMENT
TO LOCAL PLANNING SCHEME**

Shire of Mukinbudin Local Planning Scheme No. 4

Amendment No. 3

Resolved that the Local Government pursuant to section 75 of the *Planning and Development Act 2005*, amend the above Local Planning Scheme by:

a) Create a new zone 'Urban Development' by

i. Adding a new dot point to clause 3.2 Objectives of the Zones as follows:

- 'Urban Development Zone
 - To provide an intention of future land use and a basis for more detailed structure planning in accordance with the provisions of this Scheme.
 - To provide for a range of residential densities to encourage a variety of residential accommodation.
 - To provide for the progressive and planned development of future urban areas for residential purposes and for commercial and other uses normally associated with residential development.'

ii. Inserting a new column in Table 1 – Zoning Table with the permissibilities as follows:

	URBAN DEVELOPMENT
USES	
aged or dependent persons dwelling	D
agriculture - extensive	X
agriculture - intensive	X
ancillary accommodation	D
ancillary tourist use	D
animal establishment	A
animal husbandry - intensive	A
aquaculture	X
caretaker's dwelling	D
club premises	D

educational establishment	A
fuel depot	A
grouped dwelling	A
home business	D
hotel	D
industry - extractive	X
industry - general	X
industry - light	X
industry - rural	X
motel	X
motor vehicle, boat, or caravan sales	A
motor vehicle repair	A
office	A
place of worship	A
plant nursery	A
residential building	A
restaurant	A
rural pursuit	A
service station	A
shop	A
single house	A
transport depot	A
Transported building	A
veterinary centre	P
workers accommodation	A

iii. Adding a new clause to Part 4 – General Development Requirements as follows:

‘4.19 URBAN DEVELOPMENT ZONE

4.19.1 Site Requirements:

The minimum site requirements for any development shall be in accordance with the Scheme provisions relating to the use designated on an adopted Structure Plan or a Structure Plan approved by the WA Planning Commission as if that use was a Scheme zone.

4.19.2 General Development Requirements

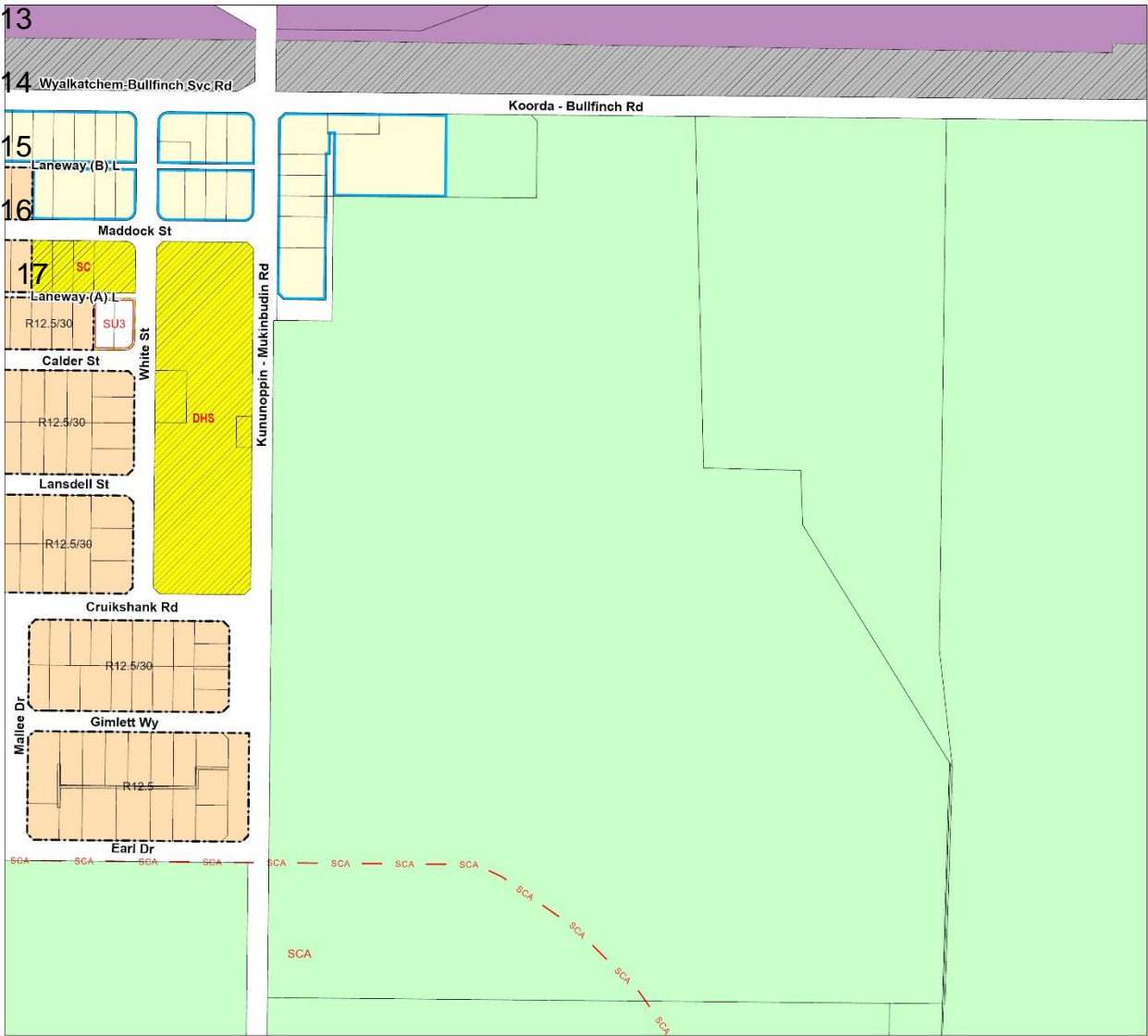
In considering any application for development approval the local government will have due regard to the requirements of the use designated on an adopted Structure Plan or a Structure Plan approved by the WA Planning Commission as if that use was a Scheme zone.

4.19.3 Subdivision

Subdivision of land within the Urban Development zone shall generally conform to the Structure Plan as adopted by the local government and approved by the WA Planning Commission.

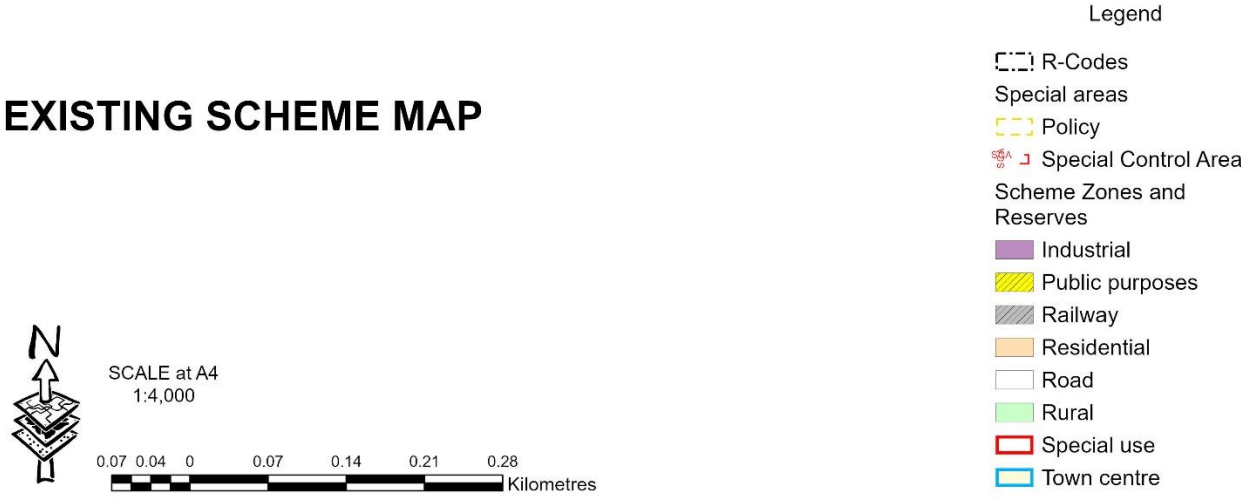
- b) Rezone Lot 91, Bent Street, **Mukinbudin**, from 'Rural' to 'Urban Development',
- c) Rezone Lots 66 and 66 Bent Street, **Mukinbudin**, from 'Road' to 'Urban Development',
- d) Rezone portion of Lot 90 Koorda-Bullfinch Road, **Mukinbudin**, from 'Rural' to 'Town Centre', and.
- e) Amend the Scheme Map accordingly.

EXISTING SCHEME MAP

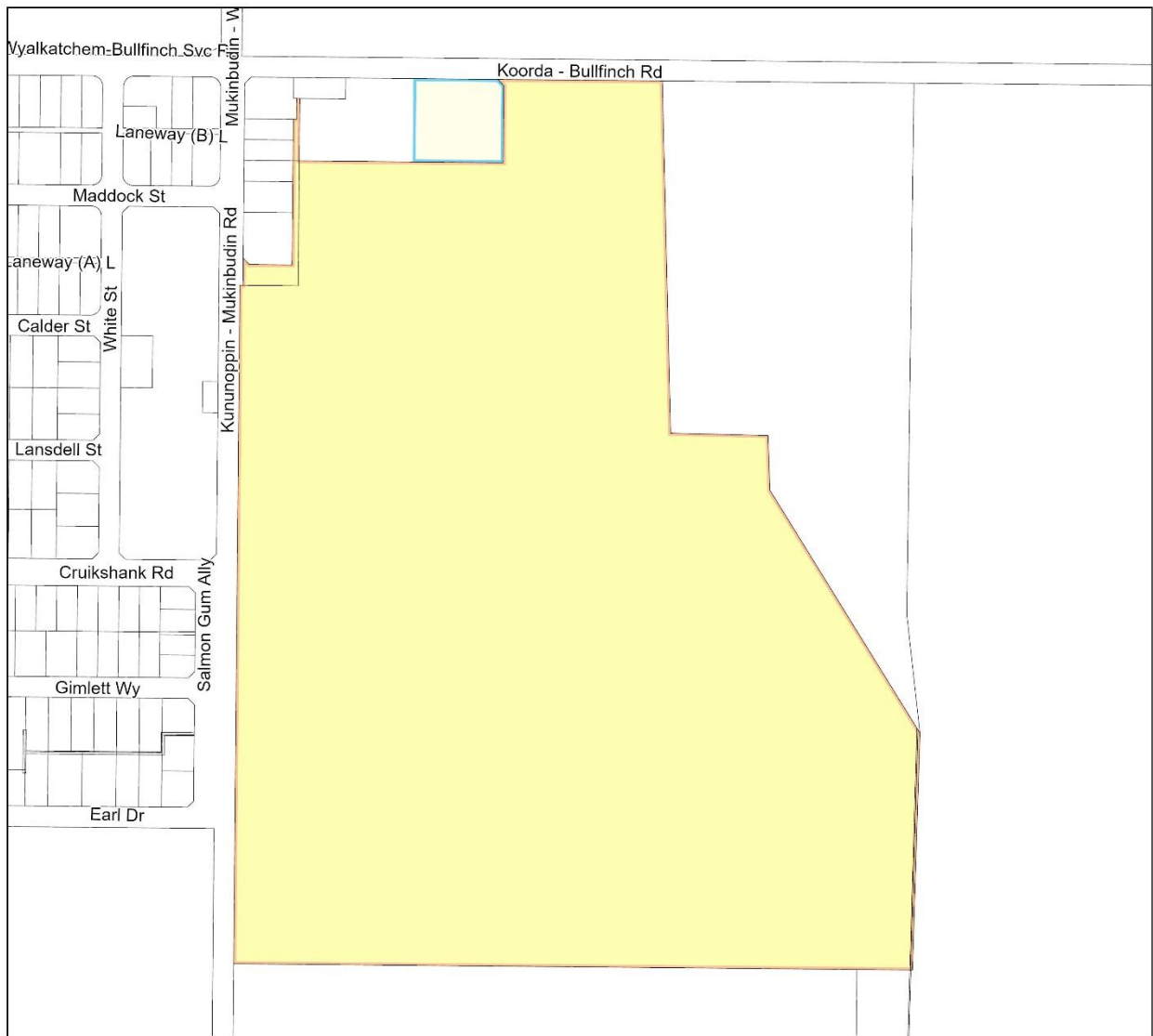


SHIRE OF MUKINBUDIN LOCAL PLANNING SCHEME No 4 AMENDMENT No 3

EXISTING SCHEME MAP



SCHEME AMENDMENT MAP

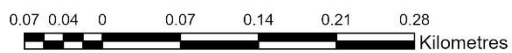


SHIRE OF MUKINBUDIN LOCAL PLANNING SCHEME No 4 AMENDMENT No 3

SCHEME AMENDMENT MAP



SCALE at A4
1:4,000



LEGEND

zone

- Town Centre
- Urban Development

CO18UNCIL ADOPTION

This Standard Amendment was adopted and is recommended for approval by resolution of the Council of the Shire of Mukinbudin at the Ordinary Meeting of the

Council held on the _____ day of _____ 202... and the Common Seal of the Shire of Mukinbudin was hereunto affixed by the authority of a resolution of the Council in the presence of:

SHIRE PRESIDENT

CHIEF EXECUTIVE OFFICER

WAPC RECOMMENDATION FOR APPROVAL

DELEGATED UNDER S.16 OF
THE P&D ACT 2005

DATE.....

APPROVAL GRANTED

MINISTER FOR PLANNING

DATE.....



Planning and Development Act 2005
LOCAL PLANNING SCHEME NO 4 – AMENDMENT No 3

SCHEME AMENDMENT AVAILABLE FOR INSPECTION

EAST MUKINBUDIN STRUCTURE PLAN AREA

Notice is hereby given that the Shire of Mukinbudin has prepared the above-mentioned Scheme amendment in regard to a proposed rezoning of properties (lots 90, 91, 66 and 66) east of Bent Street and south of Koorda-Bullfinch Road, **Mukinbudin**.

Plans and documents setting out and explaining the Scheme amendment have been deposited at 15 Maddock Street, **MUKINBUDIN**, WA 6479 and will be open for inspection during office hours up to and including **[END DATE]**.

The Scheme amendment can also be viewed on the Shire of Mukinbudin website at www.mukinbudin.wa.gov.au

Submissions on the Scheme amendment can be lodged in writing and are to include the Amendment number, the property affected and details of the submission and lodged with the undersigned on or before **[END DATE]**.

Please note: The Scheme amendment is being advertised to seek public comment on the proposal. The advertising of the Scheme amendment does not indicate any formal support of the proposal by the Shire of Mukinbudin or the Western Australian Planning Commission.

.....
(Chief Executive Officer)

WESTERN



AUSTRALIA

TITLE NUMBER

Volume

Folio

2771

802

RECORD OF CERTIFICATE OF TITLE
UNDER THE TRANSFER OF LAND ACT 1893

The person described in the first schedule is the registered proprietor of an estate in fee simple in the land described below subject to the reservations, conditions and depth limit contained in the original grant (if a grant issued) and to the limitations, interests, encumbrances and notifications shown in the second schedule.

BGRoberts
REGISTRAR OF TITLES



LAND DESCRIPTION:

LOT 66 ON DIAGRAM 31338

REGISTERED PROPRIETOR:
(FIRST SCHEDULE)

STATE OF WESTERN AUSTRALIA

(A 31807/1965) REGISTERED 6/5/1965

LIMITATIONS, INTERESTS, ENCUMBRANCES AND NOTIFICATIONS:
(SECOND SCHEDULE)

1. VESTED BY THE REGISTRAR UNDER SECTION 20A OF THE TOWN PLANNING AND DEVELOPMENT ACT 1928 FOR THE PURPOSE OF RIGHT OF WAY

Warning: A current search of the sketch of the land should be obtained where detail of position, dimensions or area of the lot is required.
Lot as described in the land description may be a lot or location.

-----END OF CERTIFICATE OF TITLE-----

STATEMENTS:

The statements set out below are not intended to be nor should they be relied on as substitutes for inspection of the land and the relevant documents or for local government, legal, surveying or other professional advice.

SKETCH OF LAND:	D31338
PREVIOUS TITLE:	1298-266
PROPERTY STREET ADDRESS:	NO STREET ADDRESS INFORMATION AVAILABLE.
LOCAL GOVERNMENT AUTHORITY:	SHIRE OF MUKINBUDIN
RESPONSIBLE AGENCY:	DEPARTMENT OF PLANNING, LANDS AND HERITAGE (SPAW)

WESTERN



AUSTRALIA

TITLE NUMBER

Volume

Folio

2907

510

RECORD OF CERTIFICATE OF TITLE
UNDER THE TRANSFER OF LAND ACT 1893

The person described in the first schedule is the registered proprietor of an estate in fee simple in the land described below subject to the reservations, conditions and depth limit contained in the original grant (if a grant issued) and to the limitations, interests, encumbrances and notifications shown in the second schedule.

B. Roberts
REGISTRAR OF TITLES



LAND DESCRIPTION:

LOT 66 ON DIAGRAM 29815

REGISTERED PROPRIETOR:
(FIRST SCHEDULE)

SHIRE OF MUKINBUDIN OF PO BOX 67 MUKINBUDIN

(T N382213) REGISTERED 13/7/2016

LIMITATIONS, INTERESTS, ENCUMBRANCES AND NOTIFICATIONS:
(SECOND SCHEDULE)

1. EASEMENT BURDEN FOR RIGHT OF CARRIAGEWAY PURPOSES SEE SECTION 167A T.L.A. AND DIAGRAM 29815

Warning: A current search of the sketch of the land should be obtained where detail of position, dimensions or area of the lot is required.
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-----END OF CERTIFICATE OF TITLE-----

STATEMENTS:

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SKETCH OF LAND: D29815
PREVIOUS TITLE: 1281-435
PROPERTY STREET ADDRESS: NO STREET ADDRESS INFORMATION AVAILABLE.
LOCAL GOVERNMENT AUTHORITY: SHIRE OF MUKINBUDIN

LANDGATE COPY OF ORIGINAL NOT TO SCALE 08/12/2023 08:24 AM Request number: 65964390



www.landgate.wa.gov.au

WESTERN



AUSTRALIA

TITLE NUMBER

Volume Folio

4025 256

RECORD OF CERTIFICATE OF TITLE UNDER THE TRANSFER OF LAND ACT 1893

The person described in the first schedule is the registered proprietor of an estate in fee simple in the land described below subject to the reservations, conditions and depth limit contained in the original grant (if a grant issued) and to the limitations, interests, encumbrances and notifications shown in the second schedule.

BG Roberts
REGISTRAR OF TITLES



LAND DESCRIPTION:

LOT 90 ON DEPOSITED PLAN 424339

REGISTERED PROPRIETOR: (FIRST SCHEDULE)

MAGICAL JESSICA PTY LTD OF 30 KINGLAKE CRESCENT PIMPAMA QLD 4209

(T P314603) REGISTERED 11/10/2022

LIMITATIONS, INTERESTS, ENCUMBRANCES AND NOTIFICATIONS: (SECOND SCHEDULE)

1. P314604 MORTGAGE TO COMMONWEALTH BANK OF AUSTRALIA REGISTERED 11/10/2022.

Warning: A current search of the sketch of the land should be obtained where detail of position, dimensions or area of the lot is required.
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-----END OF CERTIFICATE OF TITLE-----

STATEMENTS:

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SKETCH OF LAND:	DP424339
PREVIOUS TITLE:	2219-879, 2717-893
PROPERTY STREET ADDRESS:	1 BENT ST, MUKINBUDIN.
LOCAL GOVERNMENT AUTHORITY:	SHIRE OF MUKINBUDIN

LANDGATE COPY OF ORIGINAL NOT TO SCALE 07/12/2023 09:11 AM Request number: 65958802


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WESTERN



AUSTRALIA

TITLE NUMBER

Volume Folio

4025 257

RECORD OF CERTIFICATE OF TITLE
UNDER THE TRANSFER OF LAND ACT 1893

The person described in the first schedule is the registered proprietor of an estate in fee simple in the land described below subject to the reservations, conditions and depth limit contained in the original grant (if a grant issued) and to the limitations, interests, encumbrances and notifications shown in the second schedule.

BGRoberts
REGISTRAR OF TITLES



LAND DESCRIPTION:

LOT 91 ON DEPOSITED PLAN 424339

REGISTERED PROPRIETOR:
(FIRST SCHEDULE)

SHIRE OF MUKINBUDIN OF PO BOX 67 MUKINBUDIN WA 6479

(AF P302581) REGISTERED 29/9/2022

LIMITATIONS, INTERESTS, ENCUMBRANCES AND NOTIFICATIONS:
(SECOND SCHEDULE)

1. EASEMENT BURDEN CREATED UNDER SECTION 136C T.L.A. FOR WATER SUPPLY PURPOSES - SEE DEPOSITED PLAN 424339 AS CREATED ON DEPOSITED PLAN 62707
2. P302582 NOTIFICATION CONTAINS FACTORS AFFECTING THE WITHIN LAND. LODGED 29/9/2022.

Warning: A current search of the sketch of the land should be obtained where detail of position, dimensions or area of the lot is required.
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-----END OF CERTIFICATE OF TITLE-----

STATEMENTS:

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SKETCH OF LAND:	DP424339
PREVIOUS TITLE:	2717-893
PROPERTY STREET ADDRESS:	NO STREET ADDRESS INFORMATION AVAILABLE.
LOCAL GOVERNMENT AUTHORITY:	SHIRE OF MUKINBUDIN

LANDGATE COPY OF ORIGINAL NOT TO SCALE 07/12/2023 09:11 AM Request number: 65958802



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