



**MINUTES
OF THE
ORDINARY MEETING
OF COUNCIL**

HELD ON

18 June 2026

Council Chambers

Honour Avenue

Wyalkatchem

Commencement: 4:00pm

Closure: 4:47pm

Preface

When the Chief Executive Officer approved these Minutes for distribution they are in essence “*Unconfirmed*” until the following Ordinary Meeting of Council, where the minutes will be confirmed subject to any amendments.

The “*Confirmed*” Minutes are then signed off by the Presiding Member.

Unconfirmed Minutes

These unconfirmed minutes were approved for distribution on the 23 June 2026.



Tom Kettle
Chief Executive Officer

DISCLAIMER

No responsibility whatsoever is implied or accepted by the Shire of Wyalkatchem for any act, omission or statement or intimation occurring during this meeting. It is strongly advised that persons do not act on what is heard at this meeting and should only rely on written confirmation of Council’s decisions, which will be provided within ten days of this meeting.

DISCLOSURE OF INTEREST

Councillors and staff are reminded of the requirements of section 5.65 of the *Local Government Act 1995*, to disclose any interest or perceived interest in any matter to be discussed during a meeting, and also the requirement to disclose any item affecting impartiality.

Financial Interest:

Under section 5.60A of the *Local Government Act 1995*, a person is said to have a financial interest in a matter if it is reasonable to expect that the matter will, if dealt with by the Local Government in a particular way, result in a financial gain, loss, benefit or detriment for the person.

Proximity Interest:

Under section 5.60B of the *Local Government Act 1995*, a person is said to have a proximity interest in a matter if the matter concerns a proposed change to a planning scheme affecting land that adjoins the person's land; a proposed change to the zoning or use of land that adjoins the person's land; or a proposed development of land that adjoins the person's land.

Impartiality Interest:

As per the Shire of Wyalkatchem Code of Conduct for Council Members, Committee Members, and Candidates for Election, and to maintain transparency, it is important to disclose all interests, including impartiality interests which include interests arising from kinship, friendship and membership of associations. If it is possible that your vote on a matter may be perceived as impartial, you should disclose your interest. Having disclosed the interest, you may declare your objectivity on the matter, and remain in the Chamber, and chair, or move/second, speak and vote on the matter.

Disclosing an Interest:

Disclosures must be made, in writing, to the Chief Executive Officer prior to the meeting, or prior to consideration of the item in which an interest exists.

If you disclose a Financial or Proximity Interest, you must leave the room while the matter is discussed and voted on. Only after a decision has been reached may you return to the meeting, at which time the Presiding Person will inform you of Council's decision on the matter.

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1. DECLARATION OF OPENING

The Presiding Member, Cr Petchell declared the meeting open at 4:00pm.

2. PUBLIC QUESTION TIME

2.1. Response to Public Questions Previously Taken on Notice

Nil

2.2. Declaration of Public Question Time opened

Public Question Time opened at 4:01pm.

There were no public questions.

2.3. Declaration of Public Question Time closed

Public Question Time closed at 4:01pm.

3. ATTENDANCE, APOLOGIES, LEAVE OF ABSENCE

3.1. Attendance

| | |
|----------------------|--------------------------------|
| Cr Christy Petchell | President and Presiding Member |
| Cr Mischa Stratford | Deputy President |
| Cr Christopher Loton | |
| Cr Justin Begley | |
| Cr Tracy Dickson | |
| Cr Rod Lawson Kerr | |
| Cr Stephen Gamble | |

| | |
|------------------|----------------------------|
| Tom Kettle | Chief Executive Officer |
| Claire Trenorden | Manager Corporate Services |
| Aldo Lamas | Manager Works |

3.2. Visitors

Lesley Kemp

3.3. Apologies

Nil

3.4. Approved Leave of Absence

Nil

3.5. Applications for Leave of Absence

Nil

4. OBITUARIES

The President advised the following former resident of Wyalkatchem had recently passed away:

Mr Kieren Elliot

5. PETITIONS, DEPUTATIONS, PRESENTATIONS

5.1. Petitions

Nil

5.2. Deputations

Nil

5.3. Presentations

Nil

6. DECLARATIONS OF INTEREST

6.1. Financial and Proximity Interest

Tom Kettle declared a financial interest in item 10.3.3.

6.2. Impartiality Interests

Cr Lawson Kerr declared an impartiality interest in item 11.1.1.

7. CONFIRMATION AND RECEIPT OF MINUTES

7.1. Confirmation of Minutes

7.1.1. Ordinary Council Meeting – 21 May 2026

Minutes of the Shire of Wyalkatchem Ordinary Meeting held on Thursday 21 May 2026. (Attachment 7.1.1)

VOTING REQUIREMENT

Simple Majority

OFFICER RECOMMENDATION/COUNCIL RESOLUTION:

*(53/2026) Moved: Cr Stratford Seconded: Cr Lawson Kerr
That the minutes of the Shire of Wyalkatchem Ordinary Meeting of
Council of Thursday 21 May 2026 (Attachment 7.1.1) be confirmed as a
true and correct record.*

CARRIED 7/0

***Voted for: Cr Petchell, Cr Stratford, Cr Lawson Kerr, Cr Loton, Cr Gamble,
Cr Begley, Cr Dickson***

7.2. Receipt of Minutes

Nil

8. ANNOUNCEMENTS BY THE PRESIDING MEMBER WITHOUT DISCUSSION

The Presiding Member thanked Councillors for their time and dedication in attending all of the recent events. There was a great turn out at the Club and the CRC for the community consultation for the minor plan review. Thank you to staff for the fantastic evenings held at the Club for the Ladies and Men's nights.

The Landfill opening hours feedback has closed and will be collated and discussed at the next Council Workshop. A reminder was given that community members that you don't need to wait to be asked for feedback as you can contact the Shire Office at any time.

Cuppa with a Councillor was held on Wednesday 17 June, there was great attendance with at one point 35 community members. Thank you to the community for embracing the morning and sharing your thoughts with us and thank you to Councillors for making yourself available.

9. MATTERS FOR WHICH THE MEETING MAY BE CLOSED

Nil

10. REPORTS

10.1. CORPORATE AND COMMUNITY SERVICES

10.1.1. ACCOUNTS FOR PAYMENT – MAY 2026

| | |
|-------------------------|---|
| Applicant: | Shire of Wyalkatchem |
| Location: | Shire of Wyalkatchem |
| Date: | 11 June 2026 |
| Reporting Officer: | Claire Trenorden, Manager Corporate Services |
| Disclosure of Interest: | No interest to disclose |
| File Number: | 12.10.02 |
| Attachment Reference: | Attachment 10.1.1 – Accounts for payment – May 2026 |

SUMMARY

To provide the Council with a list of accounts paid by the Chief Executive Officer in accordance with delegated authority and for the Council to endorse the payments made for the prior month.

BACKGROUND

The *Local Government (Financial Management) Regulations 1996, s13(1)*, requires that if a local government has delegated to the CEO its power to make payments from the municipal fund or the trust fund, a list of accounts paid by the CEO is to be prepared each month showing all payments since the last such list was prepared.

The council has delegated to the CEO (delegation number 1.2.25) the power to make payments from the municipal fund or trust fund.

COMMENT

The payment listing for May 2026 is presented to the Council for their endorsement.

| Bank Account | Payment Type | Last Number | First Number in the report |
|---------------------|--------------|-------------|----------------------------|
| Municipal | Cheque | 0 | 0 |
| Municipal and Trust | EFT | EFT5295 | EFT5205 |
| Reserves | EFT | EFT | No Payments |
| DD | DD | DD4316.1 | DD4286.1 |

STATUTORY ENVIRONMENT

Local Government (Financial Management) Regulations, s.13.1

POLICY IMPLICATIONS

There are no direct policy implications in relation to this item.

FINANCIAL IMPLICATIONS

Expenditure in accordance with the 2025/26 Annual Budget.

COMMUNITY AND STRATEGIC OBJECTIVES

The matter before the Council generally accords with the Shire's desired outcome, as expressed in the revised Shire of Wyalkatchem Strategic Community Plan.

| | |
|--|--|
| Pillar 4 Civic Leadership | Statement of Strategic Outcome: We lead with accountability, connection and openness through best-practice systems, policies and financial controls |
| Goal No. | GOAL 11. High standard of governance |
| 11.3 | Ongoing long term financial planning and transparent financial management |

VOTING REQUIREMENT

Simple Majority

OFFICER RECOMMENDATION/COUNCIL RESOLUTION:

(54/2026) Moved: Cr Stratford

Seconded: Cr Begley

That Council endorse the total payments for the month of May 2026 being \$416,406.91 which comprised of:

- 1. Cheque payments in the Municipal Fund totalling \$0.00;*
- 2. Electronic Funds Transfer (EFT) payments in the Municipal Fund totalling \$338,340.81; and*
- 3. Direct Debit (DD) payments in the Municipal Fund totalling \$78,066.10.*

CARRIED 7/0

***Voted for: Cr Petchell, Cr Stratford, Cr Lawson Kerr, Cr Loton, Cr Gamble,
Cr Begley, Cr Dickson***

10.1.2. ACCOUNTS FOR PAYMENT – CREDIT CARDS – APRIL 2026

| | |
|-------------------------|--|
| Applicant: | Shire of Wyalkatchem |
| Location: | Shire of Wyalkatchem |
| Date: | 11 June 2026 |
| Reporting Officer: | Glenn Bradly, Finance Officer |
| Disclosure of Interest: | No interest to disclose |
| File Number: | File Ref: 12.10.02 |
| Attachment Reference: | Attachment 10.1.2 – Credit Card – April 2026 |

BACKGROUND

Council governance procedures require the endorsement of credit card payments at each OMC. The attached credit card payment report has been reviewed by the Manager of Corporate Services and the CEO.

STATUTORY ENVIRONMENT

Local Government Act 1995, Part 6 – Financial Management s.6.4
Local Government (Financial Management) Regulations 1996, R34

POLICY IMPLICATIONS

Policy Number 2.1 – Purchasing Policy.
Policy Number 2.3 – Credit Card Policy.

FINANCIAL IMPLICATIONS

Nil. Reported expenditure is assessed by management as being consistent with the 2025/2026 Annual Budget.

COMMUNITY AND STRATEGIC OBJECTIVES

The matter before the Council generally accords with the Shire's desired outcome, as expressed in the revised Shire of Wyalkatchem Strategic Community Plan.

| | |
|--|--|
| Pillar 4 Civic Leadership | Statement of Strategic Outcome: We lead with accountability, connection and openness through best-practice systems, policies and financial controls |
| Goal No. | GOAL 11. High standard of governance |
| 11.3 | Ongoing long term financial planning and transparent financial management |

VOTING REQUIREMENT

Simple Majority

OFFICER RECOMMENDATION/COUNCIL RESOLUTION:

**(55/2026) Moved: Cr Lawson Kerr Seconded: Cr Dickson
That Council endorse credit card payments for the period 28 March 2026 to
28 April 2026, totalling \$4,522.55 (refer to attachment 10.1.2).**

CARRIED 7/0

**Voted for: Cr Petchell, Cr Stratford, Cr Lawson Kerr, Cr Loton, Cr Gamble,
Cr Begley, Cr Dickson**

10.1.3. MONTHLY FINANCIAL REPORTS – MAY 2026

| | |
|-------------------------|---|
| Applicant: | Shire of Wyalkatchem |
| Location: | Shire of Wyalkatchem |
| Date: | 11 June 2026 |
| Reporting Officer: | Claire Trenorden, Manager Corporate Services |
| Disclosure of Interest: | No interest to disclose |
| File Number: | 25.08 |
| Attachment Reference: | Attachment 10.1.3 – Monthly Financial Report May 2026 |

BACKGROUND

The *Local Government (Financial Management) Regulations 34* requires a local government to prepare a monthly financial statement that reports on actual revenue and expenditure against the annual budget prepared under regulation 22(1) (d).

Council has adopted a material variance on 10% or \$10,000 whichever is the greater.

COMMENT

The attached reports include:

- Statement of Financial Activity by Program (p.3)
- Statement of Financial Activity by Nature and Type (p.4)

The statements provide details of the Shire's operations on an actual year to date basis. These statements and Notes 1 (p.5) and 2 (p.6) are statutory requirements and must be presented to Council.

The remaining notes all relate to the Statements of Financial Activity.

STATUTORY ENVIRONMENT

Local Government Act 1995, Part 6 – Financial Management S6.4
Local Government (Financial Management) Regulations, R34

POLICY IMPLICATIONS

There are no direct policy implications in relation to this item.

FINANCIAL IMPLICATIONS

May 2026

Total Cash Available as at 31 May 2026 is \$4,552,998;

- cash available is made up of unrestricted cash \$926,302 (20.34%) and
- restricted cash \$3,626,696 (79.66%).

Rates Debtors balance as at 31 May 2026 is \$98,482 and Rates Notices for 2025-26 were issued in August 2025. Rates collected as at end of May were \$1,446,716- 90%.

May 2026: Operating Revenue – Operating revenue of \$3,548,797 is made up of Rates - 44%, Grants - 44%, Fees and Charges - 7%, Interest – 3% and other – 2%.

Operating Expenses – Operating expenses of \$5,554,574 is made of Employee Costs – 26%, Materials and Contracts – 22%, Depreciation – 45%, Insurance – 4% and Utility – 3%.

COMMUNITY AND STRATEGIC OBJECTIVES

The matter before the Council generally accords with the Shire's desired outcome, as expressed in the revised Shire of Wyalkatchem Strategic Community Plan.

| | |
|--|--|
| Pillar 4 Civic Leadership | Statement of Strategic Outcome: We lead with accountability, connection and openness through best-practice systems, policies and financial controls |
| Goal No. | GOAL 11. High standard of governance |
| 11.3 | Ongoing long term financial planning and transparent financial management |

VOTING REQUIREMENT

Simple Majority

OFFICER RECOMMENDATION/COUNCIL RESOLUTION:

(56/2026) Moved: Cr Stratford

Seconded: Cr Dickson

That Council accepts the Statements of Financial Activity for the month ending 31 May 2026 (refer attachment 10.1.3).

CARRIED 7/0

Voted for: Cr Petchell, Cr Stratford, Cr Lawson Kerr, Cr Loton, Cr Gamble, Cr Begley, Cr Dickson

10.2. WORKS AND SERVICES

10.2.1. WORKS OFFICER'S REPORT – JUNE 2026

| | |
|-------------------------|----------------------------|
| Applicant: | Shire of Wyalkatchem |
| Location: | Shire of Wyalkatchem |
| Date: | 11 June 2026 |
| Reporting Officer: | Aldo Lamas – Works Manager |
| Disclosure of Interest: | No interest to disclose |
| File Number: | 13.05 |
| Attachment Reference: | Nil |

BACKGROUND

To inform Council of the activities of the Works and Services team for the month ending 10 June 2026.

OVERVIEW

SUMMARY - ROADS / TOWN/ BUILDINGS

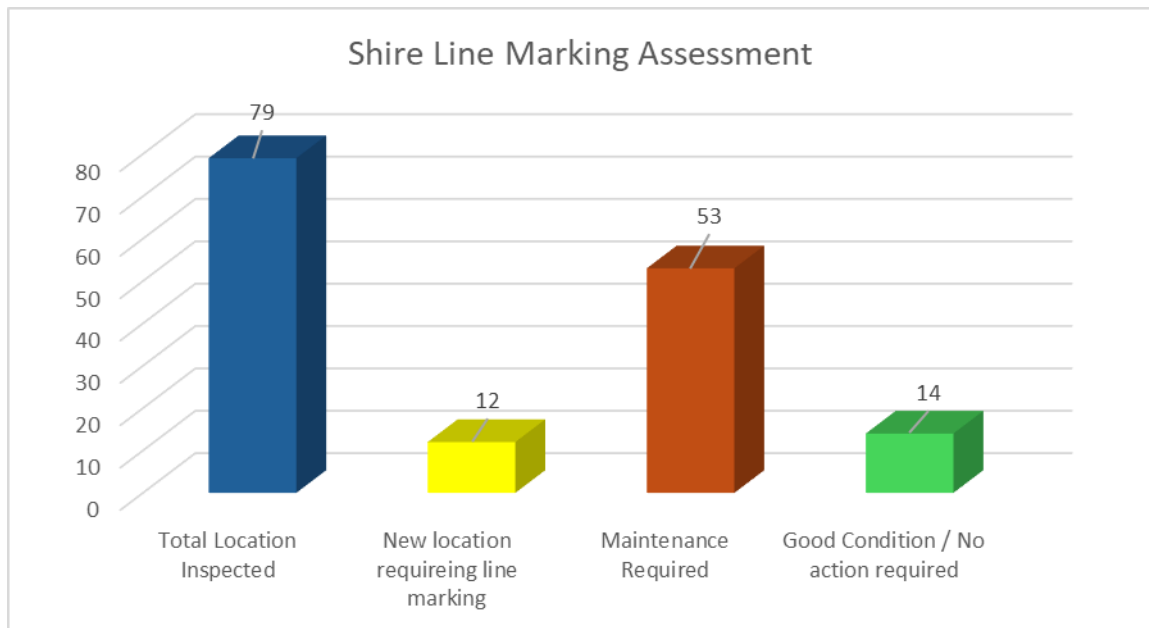
MAIN ROAD WESTERN AUSTRALIA (MRWA)

The Shire is working collaboratively with Main Roads Western Australia (MRWA) to improve road safety across the region.

Recently, the Works Manager met with MRWA's Regional Operations Project and Contract Manager to conduct a site inspection of line marking throughout the Shire. The purpose of the inspection was to identify locations where line marking is missing, non-reflective, or requires repair.

An inspection report, along with a proposed works program, will be provided to the Shire in the coming days. At this stage, the Project and Contract Manager has advised that the works are expected to be awarded in July, following the commencement of the 2026/27 budget.

Subject to weather conditions, the line marking works are anticipated to be scheduled for early September.



ROAD & MAINTENANCE

▪ **Refuse Site**

Routine weekly maintenance continued throughout the month at the Refuse Site.

▪ **Maintenance Grading**

Maintenance grading is continuing throughout the Shire, including clearing drains and off-shoots and re-shaping the road formation in preparation for winter maintenance grading.

1. RYAN RD
2. YORKRAKINE EAST RD
3. GREAVES RD
4. SHIELLS RD
5. ALLEN RD
6. LEWIS E/W RD
7. WALLAMBIN RD
8. PARSONS RD
9. HARDWICK RD
10. MAITLAND RD
11. YORKRAKINE WEST RD
12. COX RD
13. DIVERS RD
14. DEPIERRES RD
15. HOBDEN RD
16. DEPIERRES NORTH RD
17. GOLDFIELDS ROAD

18. TYLER RD

19. GANGELL RD

- **Vegetation Pruning Works**

Vegetation pruning works were completed along a section of road at Turner Road and Gangell Road to improve sight distance and increase lane width, enhancing safety for passing vehicles.

[Refer to Photographs in Attachment A](#)

PARKS AND GARDENS

- **Footpath Works**

A section of footpath was removed and replaced along Honour Avenue, Gamble Street, and Wilson Street following inspections and requests from members of the community through Council to identify tripping hazards. As part of these works, approximately 120 m² of footpath was replaced to improve pedestrian safety.

- **Swimming Pool**

Swimming pool renovation works in the change rooms are progressing well, with the installation of new shower partition. More works are scheduled for the coming week.

- **Cemetery**

Construction of two brick niche walls has been completed as part of Stage 2 of the cemetery development. We would like to extend our thanks to the Friends of the Cemetery for their valuable contribution, which made the second niche wall possible. The cemetery now has a total of three niche walls.

- **Railway Barrack Accommodation**

As part of the ongoing maintenance of Shire buildings, the outdoor flooring at the Railway Barrack accommodation has been renewed. This upgrade removes previous tripping hazards caused by uneven levels and provides safer, improved access for visitors and staff.

- **Recreation Centre**

Epoxy flooring resurfacing was recently carried out in the male and female toilet areas.

[Refer to Photographs in Attachment B](#)

STAFF & TRAINING

- **Quarterly Work Health and Safety Toolbox Meeting**

The quarterly Work Health and Safety (WHS) toolbox meeting was held on Thursday the 11th at the Shire depot. The session was conducted by Steve Taylor from Prompt Safety Solutions.

These meetings are an important part of maintaining a strong safety culture within the organisation. They provide an opportunity to reinforce safe work practices, discuss potential hazards, review recent incidents, and ensure staff remain informed about current safety procedures and responsibilities. Regular toolbox meetings also encourage open communication between staff and management, helping to identify risks early and support continuous improvement in workplace safety.

- **New Staff**

A new staff member has joined the Shire's Parks and Gardens team to fill the previously vacant position.

[Refer to Photographs in Attachment C](#)

STATUTORY ENVIRONMENT

There are no statutory environment implications in relation to this item.

POLICY IMPLICATIONS

There are no direct policy implications in relation to this item.

FINANCIAL IMPLICATIONS

There are some financial implications in relation to this item and they are reflected in the report.

COMMUNITY AND STRATEGIC OBJECTIVES

The matter before the Council generally accords with the Shire's desired outcome, as expressed in the revised Shire of Wyalkatchem Strategic Community Plan.

| | |
|-------------------------------|--|
| Pillar 1 Economy | Statement of Strategic Outcome: Local industry is sustained and can expand with critical and enabling infrastructure. The visitor economy diversifies our local economy and we enhance our community profile. |
| Goal No. | GOAL 1. Our transport network responds to the accessibility and connectivity needs of all |
| 1.2 | Deliver the Wheatbelt Secondary Freight Network Program |
| 1.3 | Participate in the Regional Road Group |
| Pillar 2 Community | Statement of Strategic Outcome: Our community is inclusive, it is a place where people feel valued and have access to opportunities to build their own capacity, lead healthy lifestyles and stay connected. |
| Goal No. | GOAL 5. A safe and healthy community for all ages |
| 5.9 | Upgrade facilities and equipment at the Wyalkatchem Swimming Pool |

VOTING REQUIREMENT

Simple Majority

OFFICER RECOMMENDATION/COUNCIL RESOLUTION:

*(57/2026) Moved: Cr Begley Seconded: Cr Lawson Kerr
That Council receives the Works Manager's report.*

CARRIED 7/0

***Voted for: Cr Petchell, Cr Stratford, Cr Lawson Kerr, Cr Loton, Cr Gamble,
Cr Begley, Cr Dickson***

Attachment A

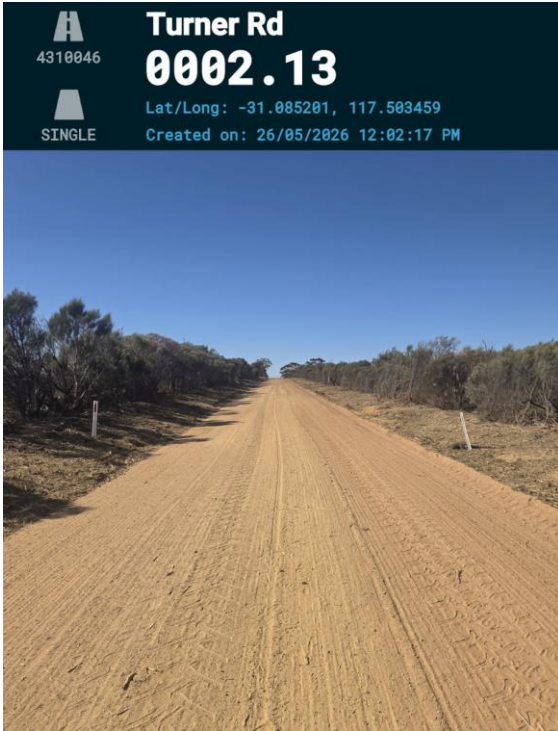
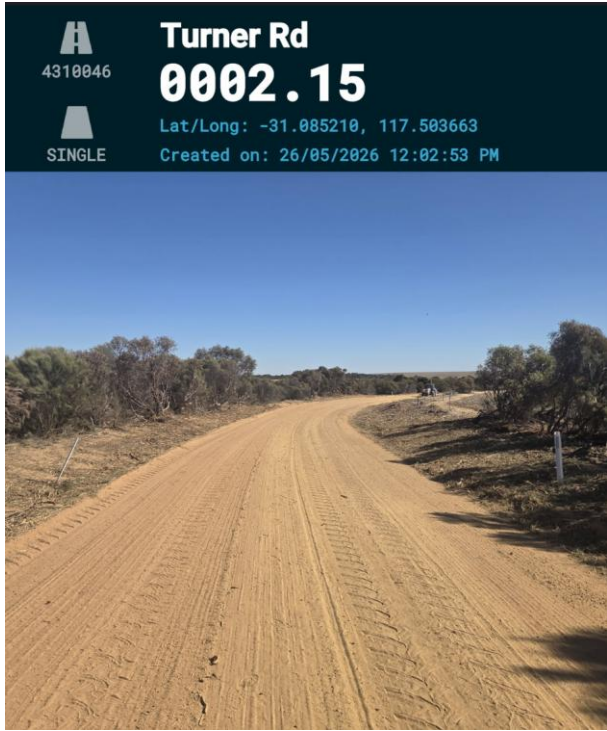


Photo: Turner Rd – Vegetation Clearing



Photo: Gangell Rd – Vegetation Clearing

Attachment B



Photo: Footpath Replacement Works



Photo: Before Pictures - Swimming Change Rooms Restoration



Photo: After Pictures - Swimming Change Rooms Restoration



Photo: Cemetery Works



Photo: Before Pictures - Recreation Centre Change Rooms



Photo: After Pictures - Recreation Centre Change Rooms



Photo: Before Pictures - Railway Barracks Accommodation



Photo: Before Pictures - Railway Barracks Accommodation

10.3. GOVERNANCE AND COMPLIANCE

10.3.1. CHIEF EXECUTIVE OFFICER'S REPORT – JUNE 2026

| | |
|-------------------------|-------------------------------------|
| Applicant: | Not Applicable |
| Location: | Whole of District |
| Date: | 11 June 2026 |
| Reporting Officer: | Tom Kettle, Chief Executive Officer |
| Disclosure of Interest: | No interest to declare |
| File Number: | 13.05.01 |
| Attachment Reference: | NIL |

BACKGROUND

This report is prepared by the CEO to inform Council and the Community about CEO activities and responsibilities, including progress against published plans and agreed performance criteria from 21 May to 18 June 2026.

COMMENT

The CEO continued to engage across a range of governance, community, regional and stakeholder meetings. These engagements have focused on progressing the 2026/27 budget, community engagement activities, regional collaboration, and strengthening relationships with key stakeholders.

Community engagement sessions were recently held at the Wyalkatchem Community Club and CRC to help shape Council's four-year priorities across the Council Plan, Access and Inclusion Plan and Public Health Plan, with sincere thanks extended to the host venues and community members for their valuable input and support.

The Men's and Ladies' Nights at the Wyalkatchem Club were well attended, and appreciation is extended to Shire staff, Holyoake, MindSpot and Regional Men's Health for their contributions to these important community wellbeing initiatives.

Significant work continues across the organisation to maintain momentum and progress key priorities. During the reporting period, attention has been directed to the following key areas:

- Advancing CEACA-related planning and housing matters, including development approvals and regulatory support.
- Land management initiatives under the Town Action Plan to activate underutilised land, support housing and commercial opportunities, and stimulate local economic development within the Shire.
- Strengthening governance frameworks, including Audit and Risk Committee (ARIC) engagement and audit processes.
- Progressing record keeping and organisational systems improvements to support compliance and internal communication.
- Managing grant funding, acquittals and compliance reporting across multiple programs.
- Eastern Wheatbelt Regional Organisation of Councils (NEWROC) and Newtravel and the future direction of the Pioneer Pathways Advisory Group.

Key Meetings 21 May 2026 to 18 June 2026

21 May Meeting with private citizen

21 May Budget Workshop and Ordinary Council Meeting

25 May Meeting with Pioneer Pathway Advisory Group
27 May online webinar with systems service provider
28 May Council Briefing with CBH Group
3 June Community Engagement session 1
4 June Community Engagement session 2
4 June Meeting with Local Health Advisory Group and WACHS
8 June Meeting with representative of state recreation organisation
9 June NEWROC Executive
9 June NEWTRAVEL Committee Meeting
10 June Meeting with regional local business
11 June WALGA Great Eastern Country Zone Meeting

Strong progress has been made across budget development, community engagement and regional collaboration, with a continued focus on advancing governance, housing and land initiatives, and strengthening partnerships to deliver community and economic outcomes.

STATUTORY ENVIRONMENT

Local Government Act 1995

Section 5.41 Role of the Chief Executive Officer.

Section 5.56 Planning for the future.

POLICY IMPLICATIONS

There is no policy directly relevant to this report.

FINANCIAL IMPLICATIONS

There is no direct financial implication to this report. The CEO seeks to add value to Council Decisions and maximise community benefit of operations and project outcomes.

RISK IMPLICATIONS

There is no direct risk implication to this report.

COMMUNITY AND STRATEGIC OBJECTIVES

All areas of the Strategic Community Plan are relevant to this report. The Acting CEO is actively examining opportunities for progress against the Plan.

VOTING REQUIREMENT

Simple Majority

OFFICER RECOMMENDATION/COUNCIL RESOLUTION:

(58/2026) Moved: Cr Stratford Seconded: Cr Begley

That Council accept the Chief Executive Officer's report as presented.

CARRIED 7/0

***Voted for: Cr Petchell, Cr Stratford, Cr Lawson Kerr, Cr Loton, Cr Gamble,
Cr Begley, Cr Dickson***

10.3.2. AUDIT RISK AND IMPROVEMENT COMMITTEE

| | |
|-------------------------|--|
| Applicant: | Shire of Wyalkatchem |
| Location: | Shire of Wyalkatchem |
| Date: | 14 May 2026 |
| Reporting Officer: | Tom Kettle, Chief Executive Officer |
| Disclosure of Interest: | No interest to disclose |
| File Number: | 12.10.02 |
| Attachment Reference: | Attachment 10.3.2 – Revised Terms of Reference |

BACKGROUND

The purpose of this report is for the Council to consider the adoption of the Audit, Risk and Compliance (ARC) Committee updated Terms of Reference (ToR).

These updates reflect recent legislative reforms introduced under the Local Government Amendment Act 2024.

This report was presented to the 21 May 2026 Ordinary Council Meeting, however voting on the ToR was inadvertently missed.

COMMENT

The ARC Committee is a formally constituted committee of the Shire of Wyalkatchem Council, established under Section 7.1A and 5.8 of the Local Government Act 1995. The Committee provides independent oversight of the Shire's financial management systems, audit processes, risk governance, and compliance initiatives.

Recent reforms to the Local Government Act 1995, effective from December 2024, have introduced significant changes to the governance and operation of council audit and risk committees. These include:

- Reclassification of audit committees as Audit, Risk and Improvement Committees (ARICs) to reflect a broader scope of responsibilities.
- Mandatory appointment of an independent presiding member, who must not be a council member or employee of the local government.
- Clarification of committee structure, including the roles of presiding members, deputy presiding members, and committee members.
- Provisions for shared ARICs among smaller local governments to reduce resource burdens.

The Shire's ARC reviewed the ToR at its' meeting on 16 April 2026 and endorsed the ARIC ToR provided in attachment 1.

The key changes include the following:

- Legislative (title) – Audit Risk and Management Committee amended to Audit, Risk and Improvement Committee (ARIC).
- Legislative (membership) – amendment for the inclusion of at least one independent member who must be the presiding member. Should the Council resolve to appoint a deputy presiding member, this person must also be independent.

- Legislative (chair) – amendment to the appointment of presiding member and deputy presiding member by absolute majority decision of the Council.
- Clarity and structure amendment – the implementation of a work plan to guide undertaking of tasks and responsibilities for the calendar year.
- Clarity amendment – update of the definition of the oversight responsibilities including improvement, risk management, internal control, external audit, financial reporting and compliance.

The delegated authority and role of the committee remains as provided for in the Shire's delegation register and aligned to relevant legislation.

The ToR have been drafted to provide the Council with the flexibility to appoint a minimum of three and a maximum of seven Councillors to the newly constituted ARIC. It is recommended that four Councillors are appointed to the ARIC with the independent presiding member as this creates an uneven number for voting purposes. The ARIC also reports to the Council, so it is standard practice not to include all Councillors however this is a decision for the Council to make.

STATUTORY ENVIRONMENT

Local Government Act 1995 – Section 7.1A, section 5.8 and 5.10
Local Government Amendment Act 2024
Local Government (Audit) Regulations 1996

POLICY IMPLICATIONS

There are no direct policy implications in relation to this item.

FINANCIAL IMPLICATIONS

There are no financial implications applicable to this item.

COMMUNITY & STRATEGIC OBJECTIVES

The matter before the Council generally accords with the Shire's desired outcome, as expressed in the revised Shire of Wyalkatchem Strategic Community Plan 2024-2034.

| | |
|--|--|
| Pillar 4 Civic Leadership | Statement of Strategic Outcome: We lead with accountability, connection and openness through best-practice systems, policies and financial controls |
| Goal No. | GOAL 11. High standard of governance |
| 11.3 | Ongoing long term financial planning and transparent financial management |

VOTING REQUIREMENT

Simple Majority

AUDIT AND RISK COMMITTEE RECOMMENDATION /COUNCIL RESOLUTION:

(59/2026) Moved: Cr Lawson Kerr Seconded: Cr Gamble

That Council adopt the updated Terms of Reference as presented in Attachment 1.

CARRIED 7/0

***Voted for: Cr Petchell, Cr Stratford, Cr Lawson Kerr, Cr Loton, Cr Gamble,
Cr Begley, Cr Dickson***

Tom Kettle declared a financial interest in item 10.3.3 and left the room at 4:25pm.

10.3.3. CEO PERFORMANCE REVIEW POLICY AND COMMITTEE

| | |
|-------------------------|--|
| Applicant: | Shire of Wyalkatchem |
| Location: | Shire of Wyalkatchem |
| Date: | 11 June 2026 |
| Reporting Officer: | Tom Kettle, Chief Executive Officer |
| Disclosure of Interest: | No interest to disclose |
| File Number: | 22.19 |
| Attachment Reference: | Attachment 10.3.3 – Proposed CEO Performance Review Policy |

BACKGROUND

The CEO Performance Review Policy has been developed to formalise the Shire's approach to reviewing the performance of the Chief Executive Officer (CEO) in accordance with legislative requirements and best practice.

Under section 5.38 of the *Local Government Act 1995*, Council is required to review the performance of the CEO at least once annually.

Recent reforms and guidance from the Department of Local Government, as well as the Model Standards for CEO performance reviews, necessitate a clear, structured, and transparent policy framework.

COMMENT

The draft policy establishes a formal, consistent, and compliant framework for undertaking CEO performance reviews. Key elements include:

- Legislative alignment with the *Local Government Act 1995* and *Local Government (Administration) Regulations 1996*.
- Annual review of CEO performance, including KPIs and remuneration.
- Establishment of a CEO Performance Review Committee, comprising at least three elected members and chaired by the Shire President.
- Option to engage an independent consultant to ensure objectivity and procedural fairness.
- A structured review process including:
 - KPI development aligned to the Council Plan
 - Collection of Councillor feedback
 - Preparation of a performance appraisal report
 - CEO right of response
 - Committee recommendation to Council
- Requirement for Council to determine the outcome by absolute majority.
- Emphasis on fairness, impartiality, evidence-based assessment, and CEO development.
- Confidential handling of performance information.

The policy also recognises the role of the Salaries and Allowances Tribunal (SAT) in determining remuneration parameters and reflects the Shire's Band 4 classification.

The CEO is currently within the six-month probation period outlined within the contract of employment. The adoption of the Policy and establishment of the Committee will provide time for the Committee to meet and establish annual KPI's in anticipation of the probation period ending in August 2026.

This approach will strengthen governance, ensure compliance, and provide clarity to both Council and the CEO regarding expectations and processes.

STATUTORY ENVIRONMENT

Local Government Act 1995 – Sections 5.8, 5. 10, 5.12, 5.38(1) and section 5.39

Local Government (Administration) Regulations 1996 – Regulation 18FA, Schedule 2, Division 3 – Standards for Review of Performance of CEO's

Salaries and Allowances Tribunal Annual Determination – sections 7A and 8

POLICY IMPLICATIONS

This is a new Policy.

FINANCIAL IMPLICATIONS

There are no financial implications applicable to this item, however the appointment of an independent consultant to support the process will have costs associated.

COMMUNITY & STRATEGIC OBJECTIVES

The matter before the Council generally accords with the Shire's desired outcome, as expressed in the revised Shire of Wyalkatchem Strategic Community Plan 2024-2034.

| | |
|-------------------------------|--|
| Pillar 1 Community | Statement of Strategic Outcome: Our community is inclusive, it is a place where people feel valued, and have access to opportunities to build their own capacity, lead healthy lifestyles and stay connected. |
| Goal No. | Support for community groups, volunteers and clubs |

OFFICER'S RECOMMENDATION 1/COUNCIL RESOLUTION:
(60/2026) Moved: Cr Stratford Seconded: Cr Loton

VOTING REQUIREMENT

Simple Majority

That Council adopt the CEO Performance Review Policy per attachment 1.

CARRIED 7/0

***Voted for: Cr Petchell, Cr Stratford, Cr Lawson Kerr, Cr Loton, Cr Gamble,
Cr Begley, Cr Dickson***

OFFICER'S RECOMMENDATION 2/COUNCIL RESOLUTION:
(61/2026) Moved: Cr Dickson Seconded: Cr Gamble

VOTING REQUIREMENT

Absolute Majority

That Council:

- 1. Establish the CEO Performance Review Committee under section 5.8 Local Government Act 1995, and***
- 2. Appoint Councillor Petchell, Councillor Begley and Councillor Stratford as members of the Committee under section 5.10 Local Government Act 1995.***

CARRIED 7/0

***Voted for: Cr Petchell, Cr Stratford, Cr Lawson Kerr, Cr Loton, Cr Gamble,
Cr Begley, Cr Dickson***

OFFICER'S RECOMMENDATION 3/COUNCIL RESOLUTION:
(62/2026) Moved: Cr Gamble Seconded: Cr Loton

VOTING REQUIREMENT

Absolute Majority

That Council:

- 1. Appoint Councillor Petchell as the Presiding Member of the Committee, and***
- 2. Appoint Councillor Stratford as the Deputy Presiding Member,
under section 5.12 Local Government Act 1995.***

CARRIED 7/0

***Voted for: Cr Petchell, Cr Stratford, Cr Lawson Kerr, Cr Loton, Cr Gamble,
Cr Begley, Cr Dickson***

Tom Kettle re-entered the room at 4:34pm.

10.3.4. DISPOSAL OF LOT 330 ON DEPOSITED PLAN 209541

| | |
|-------------------------|--|
| Applicant: | Shire of Wyalkatchem |
| Location: | Lot 333 on Deposited Plan 209541 |
| Date: | 11 June 2026 |
| Reporting Officer: | Tom Kettle, Chief Executive Officer |
| Disclosure of Interest: | No interest to disclose |
| File Number: | 05.02 |
| Attachment Reference: | Attachment 10.3.4 – Current Land Valuation |

BACKGROUND

The Shire owns the land described as:

- **Lot:** Lot 333 on Deposited Plan 209541 as contained in Certificate of Title Volume 2679 Folio 298
- **Address:** Mitchell Street, Wyalkatchem
- **Zoning:** Industrial
- **Area:** as below



The land has been assessed as no longer required for current or future service delivery and suitable for disposal.

An expression of interest has been received from Rick Jones and Elaine Bland as owners of Expanse Engineering Pty Ltd.

COMMENT

The *Local Government Act 1995* section 3.58 of requires that, before disposing of property, a local government must either comply with the statutory advertising provisions or satisfy the criteria for an exempt disposition. In this instance, the proposed disposal is not exempt and therefore must be advertised for public comment for a minimum period of 14 days.

The proposed disposal relates to land described as Lot 333 on Deposited Plan 209541 as contained in Certificate of Title Volume 2679 Folio 298, which Council has determined is

surplus to operational requirements and suitable for disposal to stimulate local economic development.

The proposed purchaser is Expanse Engineering Pty Ltd (Expanse Trust) and the agreed consideration is \$22,500, which is supported as the mid-point value contained in the current market valuation (attachment 1). This approach ensures that the local government is achieving an outcome consistent with the requirement to demonstrate market value or otherwise clearly justify the basis of disposal.

Advertising the proposal will provide the community with an opportunity to make submissions on the proposed disposal, ensuring transparency and compliance with legislative requirements. Any submissions received during the advertising period must be considered prior to the finalisation of the disposal.

To improve administrative efficiency while maintaining appropriate governance oversight, it is proposed that the Chief Executive Officer be authorised to review any submissions received. Where no submissions are received, or where submissions are received but do not object to the proposed disposal, the Chief Executive Officer will be authorised to proceed with finalising and executing the disposal on behalf of the local government.

In the event that any submission objects to the proposed disposal, the matter will be returned to Council for consideration and determination. This approach ensures that Council retains decision-making authority in circumstances where there is community concern, while allowing straightforward disposals to proceed without unnecessary delay.

Overall, the proposed process achieves compliance with section 3.58, provides appropriate transparency to the community, and reflects a pragmatic and efficient governance approach consistent with sector practice.

STATUTORY ENVIRONMENT

Local Government Act 1995
Section 3.58 – Disposal of property

Local Government (Functions and General) Regulations 1996
Relevant provisions regarding exempt dispositions

POLICY IMPLICATIONS

Nil.

FINANCIAL IMPLICATIONS

There are minor financial implications associated with disposal of the land including land valuation, advertising and conveyancing. These costs are provided for in the 2025/26 consultancy budget and are recouped through the sale of the property.

RISK IMPLICATIONS

There are minor compliance, reputational and financial risks associated with disposal of property by advertising under section 3.58. These risks are mitigated by advertising for

public submissions and referring the matter back to the Council should objections be received and the inclusion of an independent land valuation.

The upside opportunity is through supporting local economic development.

COMMUNITY & STRATEGIC OBJECTIVES

The matter before the Council generally accords with the Shire's desired outcome, as expressed in the revised Shire of Wyalkatchem Strategic Community Plan 2024-2034.

| | |
|-----------------------------|--|
| Pillar 1 Economy | Statement of Strategic Outcome: Local industry is sustained and can expand with critical and enabling infrastructure. The visitor economy diversifies our local economy and we enhance our community profile. |
| Goal No. | GOAL 3. Support entrepreneurship |
| 3.2 | Support initiatives by business groups in Wyalkatchem |

| | |
|--|--|
| Pillar 4 Civic Leadership | Statement of Strategic Outcome: We lead with accountability, connection and openness through best-practice systems, policies and financial controls |
| Goal No. | GOAL 11. High standard of governance |
| 11.3 | Ongoing long term financial planning and transparent financial management |

VOTING REQUIREMENT

Simple Majority

OFFICER'S RECOMMENDATION/COUNCIL RESOLUTION:
(63/2026) Moved: Cr Begley Seconded: Cr Gamble

That Council:

- 1. Authorises the proposed disposal of the property described as Lot 333 on Deposited Plan 209541 as contained in Certificate of Title Volume 2679 Folio 298 by way of sale,***
- 2. Pursuant to section 3.58(3) of the Local Government Act 1995, authorises the Chief Executive Officer to:***
 - Prepare and publish a local public notice of the proposed disposition, including:***
 - A description of the property;***
 - Details of the proposed disposition, including consideration and parties; and***
 - An invitation for public submissions for a period of not less than 14 days.***
- 3. Authorises the Chief Executive Officer to consider any submissions received during the advertising period.***
- 4. Authorises the Chief Executive Officer to finalise and execute the disposal of the land on behalf of the Shire of Wyalkatchem where no submissions are received, or where no submissions object to the proposed disposal, including the execution and affixing of the common seal on documents under the Local Government Act 1995.***
- 5. Where submissions are received objecting to the proposed disposal, requires a report to be presented back to Council for consideration.***

CARRIED 7/0

**Voted for: Cr Petchell, Cr Stratford, Cr Lawson Kerr, Cr Loton, Cr Gamble,
Cr Begley, Cr Dickson**

10.3.5. DELEGATIONS REGISTER REVIEW 2026

| | |
|-------------------------|--|
| Applicant: | Shire of Wyalkatchem |
| Location: | Whole of District |
| Date: | 11 June 2026 |
| Reporting Officer: | Tom Kettle, Chief Executive Officer |
| Disclosure of Interest: | No interest to disclose |
| File Number: | 22.02.02 |
| Attachment Reference: | Attachment 10.3.5 – Delegations Register |

BACKGROUND:

To review the delegations by Council to the Chief Executive Officer, Council Committees and other relevant employees in accordance with section 5.46(2) of the *Local Government Act 1995*

In early 2025 the then CEO engaged external consultants to undertake a comprehensive review of Council's Delegations made under various acts of parliament. The recommendations of that review were adopted by Council at the May 2025 Ordinary Council Meeting (see attached).

COMMENT:

The Local Government Act 1995 section 5.46 requires that delegations are reviewed at least once every financial year.

A desktop review has been undertaken by the Shire's Administration.

Due to the comprehensive review undertaken by Council in May 2025 no changes to the current Delegations Register are recommended.

Feedback was sought from the Council on any delegations that may require further investigation as part of the 2026 review at a workshop on 4 June 2026, with no requests for detailed review required.

The Delegation register per attachment 1 is recommended for adoption.

STATUTORY ENVIRONMENT:

Local Government Act 1995

Section 5.42 allows for delegation of some powers and duties by the Council to the CEO. All delegations are to be in writing and must be determined by an absolute majority of Council.

Section 5.43 lists the powers or duties that a local government cannot delegate to the CEO.

Section 5.44 permits the CEO to delegate to an employee of the local government and also list the conditions that extend to this.

Section 5.46 requires that at least once every financial year, delegations are to be reviewed by the delegator.

POLICY IMPLICATIONS:

The Policy Manual provides guidance on the use of delegated authority requiring alignment and consistency.

FINANCIAL IMPLICATIONS:

Nil

COMMUNITY AND STRATEGIC OBJECTIVES:

| | |
|--|---|
| Pillar 4 Civic Leadership | Statement of Strategic Outcome: We lead with accountability, connection and openness through best-practice systems, policies and financial controls. |
| Goal 11 | High standard of governance |

VOTING REQUIREMENTS:

Absolute Majority

OFFICER'S RECOMMENDATION/COUNCIL RESOLUTION:

(64/2026) Moved: Cr Lawson Kerr

Seconded: Cr Begley

That Council adopts the Delegations as presented in Attachment 1, Shire of Wyalkatchem Delegations Register, in accordance with section 5.46(2) of the Local Government Act 1995.

CARRIED 7/0

Voted for: Cr Petchell, Cr Stratford, Cr Lawson Kerr, Cr Loton, Cr Gamble, Cr Begley, Cr Dickson

11. PLANNING AND BUILDING

Cr Lawson Kerr declared an impartiality interest in item 11.1.1.

11.1.1. DEVELOPMENT APPROVAL (DA) APPLICATION – 36 FLINT ST, WYALKATCHEM

| | |
|-------------------------|--|
| Applicant: | Wyalkatchem Men's Shed |
| Location: | 36 Flint St, Wyalkatchem |
| Date: | 11 June 2026 |
| Reporting Officer: | Claire Trenorden, Manager Corporate Services |
| Disclosure of Interest: | No interest to disclose |
| File Number: | 07.02 |
| Attachment Reference: | 11.1.1 Development Application as submitted |

1 INTRODUCTION

A Development Approval (DA) application was submitted by the Wyalkatchem Men's Shed to build a 12m long x 6m wide x 3.5m high shed extension.

The DA was accompanied by;

- a signed DA application form,
- a set of plans showing floor plans and elevations of the proposed shed,
- a copy of the certificate of title,
- development specifications, and
- a site plan.

2 LOCATION

The proposed shed is located at the front right (as you view the property from Flint St) of the property that has two existing sheds and an existing building. The lot is about 20m x 50m measuring 1012m².

Figure 1 provides a location plan. The property is not affected by the Bushfire Prone mapping issued by DFES.

The management orders are vested in the Wyalkatchem Men's Shed.

FIGURE 1 – AERIAL PHOTOGRAPH OF SITE



3 PROPOSED DEVELOPMENT

The proposal seeks approval for a new shed measuring 6m x 12m and 4.083m high at its highest ridge point with side walls at 3.5m. The estimated cost of the development is stated as just under \$40,000.

The application form indicates that the shed will be used for the 'Storage shed'.

The floor area of the proposed shed is just over 126m² which is less than 10% of the site area.

The plans show a side setback is 1.55m.

4 LOCAL PLANNING SCHEME

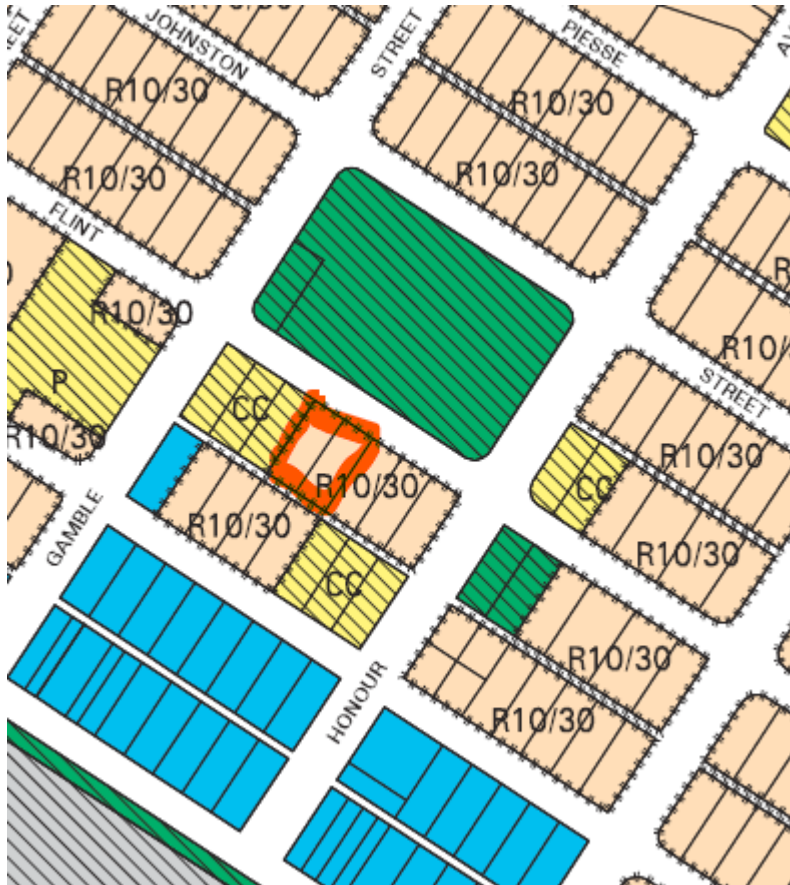
The land is zoned 'Residential' with a density of R10/30 in Local Planning Scheme No 4 (the Scheme). **Figure 2** shows an extract from the Scheme mapping of the property and surrounding land.

The Scheme requires that all residential development must comply with the R-Codes (Residential Design Codes). The Deemed Provisions (of the *Planning and Development (Local Planning Schemes) Regulations 2015*) do not exempt this development from requiring a DA (clause 61) as the development is not 'deemed-to-comply' with R-Code requirements.

Although not relevant in this case, the split density code implies that, where deep sewerage is available, the density can comply with the R30 code – otherwise the R10 applies.

The split density provides for the higher density (R30) where deep sewerage is available. This density has a minimum site area requirement of 260m² and average of 300m² per grouped dwelling. A lot of 1012m² has a theoretical potential of 3 dwellings.

FIGURE 2 – LOCAL PLANNING SCHEME EXTRACT



The Deemed-to-comply R-Codes for large and multiple outbuildings require a wall height of less than 2.4m, a ridge height of less than 4.2m and collectively (all outbuildings) does not exceed 60m² or 10% in aggregate of the site area (Lot).

It is clear that these requirements are not met by the proposed shed, however, the Design principles for Outbuildings is that '*Outbuildings that do not detract from the streetscape or the visual amenity of residents or neighbouring properties*'.

STATUTORY ENVIRONMENT

Planning and Development Act 2005

Shire of Wyalkatchem Local Planning Scheme No 4

POLICY IMPLICATIONS

This are no policy implications.

FINANCIAL IMPLICATIONS

There are no financial implications with this report.

COMMUNITY & STRATEGIC OBJECTIVES

The matter before the Council generally accords with the Shire's desired outcome, as expressed in the revised Shire of Wyalkatchem Strategic Community Plan 2024-2034.

| | |
|--|--|
| Pillar 4 Civic Leadership | Statement of Strategic Outcome: We lead with accountability, connection and openness through best-practice systems, policies and financial controls |
| Goal No. | GOAL 11. High standard of governance |

VOTING REQUIREMENT

Simple Majority

OFFICER'S RECOMMENDATION/COUNCIL RESOLUTION:

(65/2026) Moved: Cr Dickson Seconded: Cr Begley

That Council approves the proposed shed as submitted, subject to:

- drainage to be to the satisfaction of the local government,*

plus the addition of footnotes to address approval times, appeal rights and the need for a building permit.

CARRIED 7/0

***Voted for: Cr Petchell, Cr Stratford, Cr Lawson Kerr, Cr Loton, Cr Gamble,
Cr Begley, Cr Dickson***

11.1.2. DEVELOPMENT APPROVAL (DA) APPLICATION – 63 JOHNSTON ST, WYALKATCHEM

| | |
|-------------------------|---|
| Applicant: | David Bower |
| Location: | 63 Johnston St, Wyalkatchem |
| Date: | 11 June 2026 |
| Reporting Officer: | Paul Bashall, Planwest (WA) Pty Ltd |
| Disclosure of Interest: | No interest to disclose |
| File Number: | 07.02 |
| Attachment Reference: | 11.1.1 Development Application as submitted |

Executive Summary

This report considers a proposal to build a new modular dwelling measuring about 10.9m x 20m (including verandas), and two sea-containers (for building supplies) on a town lot in Johnston Street, Wyalkatchem.

1.1 Background

A Development Approval (DA) application was submitted by David Bower; Veronda Bower being the owner of the property. The DA was accompanied by;

- a signed DA application form,
- a set of floor plans and elevations of the proposed dwelling, and
- a site plan showing the location of the house and the 2 sea-containers.

1.2 Location

The proposed dwelling is proposed to be located on the vacant property facing Thurston Street (westwards). Lot 336 is a triangular-shaped lot measuring about 1,304m² with access to Thurston Street, Johnston Street and part of a 5m ROW (Right of Way). The 2 sea-containers are proposed to be placed on the boundary shared with the neighbouring house on Lot 337 (HN 61) Johnston Street.

Figure 1 provides a location plan showing how the property is affected by the Bushfire Prone mapping issued by DFES.

Figure 2 provides an enlargement of the property clearly showing the vacant land and the surrounding development.

1.3 Proposed Development

The proposal seeks approval for a new modular dwelling measuring about 10.9m x 20m with a ridge height of 4.6m. The estimated cost of the development is stated to be \$80,000 and to be completed within 18 months.

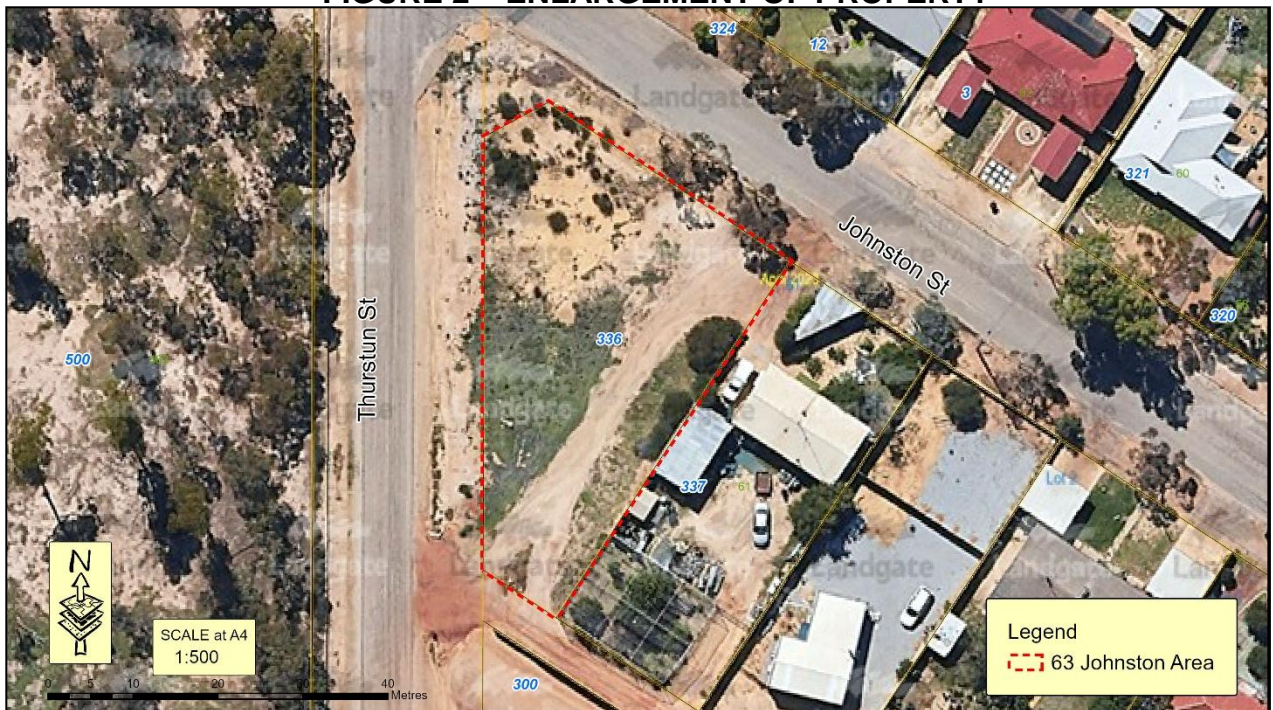
The site plan submitted is of poor quality, but it does clearly show setbacks from boundaries. The dwelling is well setback (for the R30 density code) from Thurston Street (8m) and Johnston Street (8m). There are no distances shown between the existing boundary to Lot 337 for the proposed sea-containers.

FIGURE 1 – LOCATION PLAN



Source: Landgate, DFES, Planwest

FIGURE 2 – ENLARGEMENT OF PROPERTY



Source: Landgate, Planwest

The plans show no carport or garage on the site plan. The location of a crossover to a street will be required when a driveway location is decided.

The applicant has provided an example of what the development may look like. This is shown in **Figure 3** below.

FIGURE 3 – APPEARANCE OF DEVELOPMENT



Source: Applicant, Planwest

Local Planning Scheme

The land is zoned 'Residential' with a density of R10/30 in Local Planning Scheme No 4 (the Scheme). **Figure 4** shows an extract from the Scheme mapping of the property and surrounding land.

The Scheme requires that all residential development must comply with the R-Codes (Residential Design Codes). The Deemed Provisions (of the *Planning and Development (Local Planning Schemes) Regulations 2015*) do not exempt this development from requiring a DA (clause 61) as the development is within a Bushfire Prone area and shows no carport/garage location as required by the R-Codes.

Because the land is within the Bushfire Prone mapping area, and the lot is greater than the 1,100m² size exemption, it will require compliance with a BAL (Bushfire Attack Level) rating. The determination of a BAL rating will need to be imposed as a condition of any approval. The building would subsequently need to comply with the rating requirements.

The Scheme provides for Local Planning Policies (LPP) to cover more detailed aspects of development within the Scheme area. These LPPs are prepared and adopted under the provisions of the Scheme (Part 2).

FIGURE 4 – SCHEME MAP EXTRACT



Source: DPLH, Landgate, Planwest

The LPP No 1 – Moveable Buildings, is one such LPP that was adopted by the Council to safeguard the quality of the streetscape in established residential areas by restricting the use of moveable buildings, like containers, dongas and transportable structures. It is considered that these structures may detract from an established streetscape. Notwithstanding the intent of this LPP, the proposed house may be considered a moveable building, however its appearance and location is considered acceptable in the streetscape.

Attachment A provides copy of LPP 1.

1.4 Consultation

Nil.

Statutory Environment

- Planning and Development Act 2005
- Shire of Wyalkatchem Local Planning Scheme No 4

Policy Implications

There are policy implications applicable to this item relating to the LPP 1 – Moveable Buildings, however, the appearance of the proposed structure is considered acceptable.

Financial Implications

There are no financial implications applicable to this item.

Strategic/Risk Implications

There are no strategic risk implications.

Discussion

The proposed house appears to be acceptable in the streetscape in this area as shown in **Figure 3**. It is doubtful that this house can be constructed for \$80,000 unless it is second-hand. Conditions will need to be imposed including a BAL assessment, vehicular access to the house and removal of the sea-containers when the house has been completed.

VOTING REQUIREMENT

Simple Majority

OFFICER'S RECOMMENDATION/COUNCIL RESOLUTION:

(66/2026) Moved: Cr Lawson Kerr

Seconded: Cr Loton

That the Council approves the Development Approval application subject to the following conditions.

- 1. The issue of a BAL rating PRIOR to construction of the house.*
- 2. The lodgment and approval of plans for the location of a garage or carport and where a driveway will require a crossover to a public street, to the satisfaction of the local government.*
- 3. The two sea-containers are to be removed when the house is deemed fit for occupation.*

CARRIED 6/1

***Voted for: Cr Petchell, Cr Lawson Kerr, Cr Loton, Cr Gamble,
Cr Begley, Cr Dickson***

Voted against: Cr Stratford



ATTACHMENT A

**SHIRE OF WYALKATCHEM
LOCAL PLANNING SCHEME No. 4**

The Shire of Wyalkatchem under and by virtue of the provisions and powers conferred upon it in that behalf by Local Planning Scheme No. 4, hereby adopts the following Policy.

**LOCAL PLANNING POLICY No. 1
MOVEABLE BUILDINGS**

DATE ADVERTISED:

DATE FINALLY ADOPTED:

1. DISCUSSION

Recent land price increases and substantially increased prices for dwellings within the metropolitan and major regional centres has resulted in a substantial portion of the community unable to purchase property. This has resulted in an increased demand for land within smaller communities and in particular the sale of homestead lots within the satellite towns.

The Council is experiencing an increase in the demand for more affordable housing types within the Shire. These 'affordable' housing types are often in the form of moveable, recycled and converted shed type structures. The Council is keen to restrict these types of dwellings amongst the existing residential areas as they are considered inappropriate to, the standard of existing housing stock, and the expectations of residents or owners already established in the area. The Council considers it reasonable to protect existing owners' investments in the town from development that may detract from the amenity of the residential character.

2. DEFINITIONS

A PERMANENT building is generally not designed to be moved and includes the following;

- a) **'Site Built'** structures are built on location as new permanent structures. They are of traditional appearance with pitched roofs and typical house layout, designed to accommodate families.
- b) **'Relocated'** dwellings are structures that have previously been constructed on a site elsewhere. The structures that are relocated are not necessarily designed to be relocated.

A MOVEABLE building is generally any structure capable of being transported from one location to another. There are three basic types as follows;

- a) **'Transportable'** structures are those designed and constructed at a location other than where they are intended to be established. For example dwellings prefabricated in Perth, transported in sections to their building site, and assembled on location.
- b) **'Donga Type'** structures are those usually designed to provide for workforce accommodation in small individual units. The structures are generally those (such as

ATCO, Western Portables or Durabuilt units) with skid mountings, metal sandwich panel and flat roof design. These portable modular structures are also used for other purposes.

- c) **'Containers'**: These structures, although considered 'buildings' by definition under the Building Code of Australia, are solely constructed to transport other goods. They are not in themselves designed, nor suitable, for storage of goods in an urban environment. A container includes 'seatainers' and other large vessels designed to carry, and be carried on specially designed vehicles or transporters.

3 BACKGROUND

Due to the historic uncertainty in the permanence of mining activities, and the mobility of mining operations, the establishment of permanent workforce accommodation in the region may not always be desirable or viable.

The use and reuse of moveable buildings is common. The downside of this trend is that the building stock may be second-hand, may contain undesirable materials like asbestos, and may be visually out of harmony with existing buildings in the locality. Many other Councils are not permitting buildings within their districts which contain asbestos. Without the appropriate controls Wyalkatchem could become a 'dumping ground' for such structures.

To ensure that the Council has the opportunity to consider such proposals, all applications for moveable buildings, as defined above, shall require the Council's Planning Consent prior to the issue of a Building Licence.

The Council has delegated authority to its Building Surveyor to determine Applications for Planning Consent for all applications for **transportable** and **relocated** dwellings in zones of the Scheme where dwellings are permitted. The Building Surveyor may impose appropriate conditions including the requirement for a bond or bank guarantee.

Donga type and **Containers** are subject to Council consideration.

4 POLICY

4.1 Council Policy on Moveable Buildings

a) All applications for moveable buildings, as defined above, shall require the Council's Planning Consent prior to the issue of a Building Licence. Generally the Council is not in favour of the use of moveable buildings, especially in the townsite areas, however the Council will consider each application on its merits.

b) The Council shall not permit the establishment, occupation or erection of **donga type** structures for residential purposes within a Townsite Boundary in Scheme Area, unless the site is set aside for Group Housing Accommodation and used as a camp site for accommodating a workforce. In these circumstances it may be argued that the development is not a permanent improvement, and may justify the use of such structures. In this case the Council must be satisfied that the development will not detract from the amenity of the surrounding area.

c) The Council will only permit **donga type** structures for uses *other than* residential uses where it considers the use or establishment of the structure will not be in conflict with the objectives of this policy.

d) The Council will only permit **site built** and **relocated** structures where it is satisfied that the standard and quality of building can satisfactorily be integrated into a residential area, and that the buildings do not contain unacceptable materials.

e) The Council will not permit the storing or use of a '**container**', as defined above, within a townsite area, other than in the areas zoned 'Industrial'. The Council considers the appearance, scale, and materials of these structures to be inappropriate for use in an urban environment, and are therefore in conflict with the objectives of the Scheme.

f) The Council may give special consideration for the use of '**containers**' outside the townsite areas of the Shire. In these circumstances the Council will need to be satisfied that there is no viable alternative to the use of these structures, and that the location of the '**containers**' will not detract from the amenity of the locality.

4.2 Measures to ensure Compliance with Planning Consent

When an application for Planning Consent for a Moveable Building is considered by the Council, or the Building Surveyor, that Consent may be granted subject to conditions requiring the applicant, or owner, to:

- a) lodge a bond or bank guarantee with the Council. The bond or bank guarantee will provide the surety for the completion of the moveable building to a standard acceptable to the Council;
- b) specify matters which require attention and the manner in which work is required to be completed in order to satisfy standards acceptable to the Council.
- c) obtain a special building licence of a specified duration.

5 OBJECTIVES OF POLICY

- a) To maintain high amenity standards of buildings, especially within the residential areas in the Townsites of the Shire.
- b) To ensure that the visual aesthetics of residential areas are not compromised by the introduction of moveable buildings that are generally out of character with the predominant housing style in the locality.
- c) To ensure that the moveable buildings, established within the Shire, do not use materials considered by the Council to be unacceptable (eg. asbestos).
- d) To avoid the erection and use of extensive areas of moveable structures for accommodating temporary workforces, or other business or company activities, in inappropriate areas.
- e) To prevent the introduction of housing, or other use structures, that are designed to be used on a temporary or short stay basis and that may detract from the standards already established in the residential areas of the Townsites.
- f) To protect the visual amenity of the urban environment by not permitting the establishment, storage or use of '**containers**' within the non-industrial areas of the townsite.

CHIEF EXECUTIVE OFFICER

Date



LG Ref: %%%

Planning and Development Act 2005

Shire of Wyalkatchem

Notice of determination on application for development approval

Location: 63 Johnston Street, Wyalkatchem.

Lots: 336

Plan/Diagram: 170397

Vol. No: 1611

Folio No: 585

Application date: 27 May 2026

Received on: 27 May, 2026

Description of proposed development:

The construction of a house and two sea-containers.
The application for development approval received on 27 May 2026 is:

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

Conditions/Reasons for refusal:

1. The issue of a BAL rating PRIOR to construction of the house.
2. The lodgment and approval of plans for the location of a garage or carport and where a driveway will require a crossover to a public street, to the satisfaction of the local government.
3. The two sea-containers are to be removed when the house is deemed fit for occupation.

Footnotes

- 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.
- 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.

Date of determination: 18 June 2026

11.1.3. DEVELOPMENT APPROVAL (DA) APPLICATION – 59 JOHNSTON ST, WYALKATCHEM

| | |
|-------------------------|---|
| Applicant: | Pawel and Karolina Kadlubicki |
| Location: | 59 Johnston St, Wyalkatchem |
| Date: | 11 June 2026 |
| Reporting Officer: | Paul Bashall, Planwest (WA) Pty Ltd |
| Disclosure of Interest: | No interest to disclose |
| File Number: | 07.02 |
| Attachment Reference: | 11.1.1 Development Application as submitted |

Executive Summary

This report considers a proposal to build a new transportable container dwelling measuring about 6m x 8.5m (54m²) at the front of a town lot in Johnston Street, Wyalkatchem.

Background

A Development Approval (DA) application was submitted by Pawel and. Karolina Kadlubicki, the owners. The DA was accompanied by;

- a signed DA application form,
- a set of floor plans and elevations of the proposed dwelling,
- a copy of the certificate of title,
- a few development specifications, and
- a site plan.

Location

The proposed dwelling is proposed to be located at the front of the property in Johnston Street that has an existing house located at the rear. Lot 1 is about 18m x 50m measuring about 908m² with access to a rear 5m laneway.

Figure 1 provides a location plan showing how the property is affected by the Bushfire Prone mapping issued by DFES.

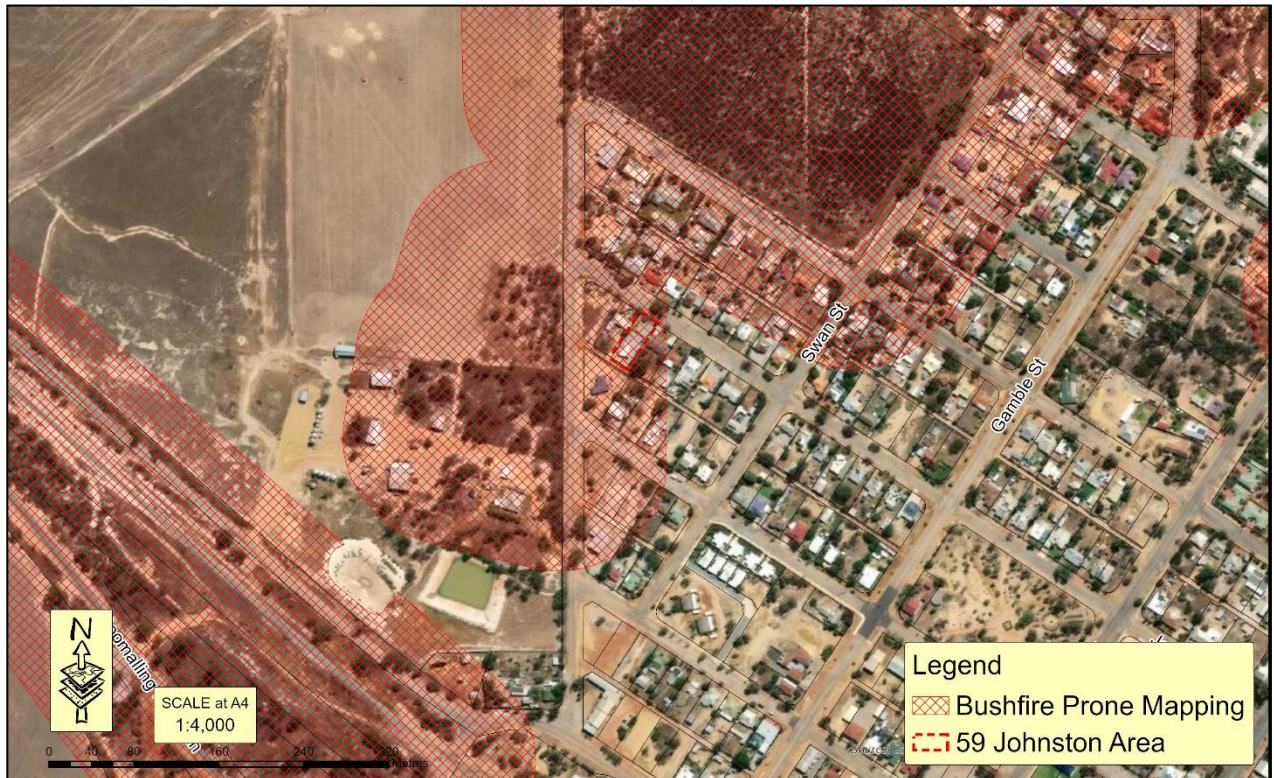
Figure 2 provides an enlargement of the property clearly showing the existing house at the rear of the lot. The house appears to have solar panels installed since the aerial photograph was taken. The front part – according to Google Streetview - has three caravan stored on site.

Proposed Development

The proposal seeks approval for a new container dwelling measuring about 6m x 8.5m and 2.5m high at the eaves. The estimated cost of the development is stated as just under \$130,000 to be completed within 6 months.

The plans submitted are of poor quality as they do not clearly show setbacks from boundaries and the ridge height of the dwelling. However, it is clear that the dwelling is well setback (for the R30 density code) from the road (Johnston Street) and side setbacks, and a second dwelling on the property is acceptable given the R-Code designation (R10/30). There are no distances shown between the existing and proposed dwelling, however, it appears to be adequate.

FIGURE 1 – LOCATION PLAN



Source: Landgate, DFES, Planwest

FIGURE 2 – ENLARGEMENT OF PROPERTY



The application form also indicates that the existing development on the property is a 6x10m shed, however the address on the certificate of title provides this address as the owners' residence.

The DA form also says the nature of the proposed development is 'Use' instead of 'Works'.

The plans show a carport on Johnston Street; however, it is unclear whether this is setback in accordance with the Residential Design Codes (R-Codes).

The site plans appear to be drawn incorrectly showing the width of the lot to be 17m rather than 18m.

The applicant has provided an example of what the development may look like. This is shown in **Figure 3** below.

FIGURE 3 – APPEARANCE OF DEVELOPMENT



Source: Applicant, Planwest

Local Planning Scheme

The land is zoned 'Residential' with a density of R10/30 in Local Planning Scheme No 4 (the Scheme). **Figure 4** shows an extract from the Scheme mapping of the property and surrounding land.

FIGURE 4 – SCHEME MAP EXTRACT



The Scheme requires that all residential development must comply with the R-Codes (Residential Design Codes). The Deemed Provisions (of the *Planning and Development (Local Planning Schemes) Regulations 2015*) do not exempt this development from requiring a DA (clause 61) as the development is not a single house (the only house on the lot). The addition of a second dwelling makes them both termed 'grouped dwellings'.

The split density code implies that, where deep sewerage is available, the density can comply with the R30 code – otherwise the R10 code applies.

Although the land is within the Bushfire Prone mapping, there is an exemption for development on lots less than 1,100m², from requiring a Bushfire Management Plan. Nevertheless, if approved, the applicant will require a Bushfire Attack Level assessment to determine the building standards required.

The Scheme provides for Local Planning Policies (LPP) to cover more detailed aspects of development within the Scheme area. These LPPs are prepared and adopted under the provisions of the Scheme (Part 2).

The LPP No 1 – Moveable Buildings is one such LPP that was adopted by the Council to safeguard the quality of the streetscape in established residential areas by restricting the use of moveable buildings, like containers, dongas and transportable structures. It is considered that these structures may detract from an established streetscape. Although the design of the current proposal may well hide the underlying container, it still presents

as a building without the character and features of a typical dwelling found elsewhere in the residential areas of Wyalkatchem.

Attachment A provides copy of LPP 1.

These types of buildings may be acceptable in grouped environments like an aged persons' complex or a workers' accommodation location, however, this is not consistent with objectives outlined in LPP.

Other circumstances where these may be more acceptable include a second dwelling at the rear of a property, or an ancillary dwelling, where it is less likely to impact the streetscape.

Consultation

Nil.

Statutory Environment

- Planning and Development Act 2005
- Shire of Wyalkatchem Local Planning Scheme No 4

Policy Implications

There are policy implications applicable to this item relating to the LPP 1 – Moveable Buildings.

Financial Implications

There are no financial implications applicable to this item.

Strategic/Risk Implications

There are strategic risk implications applicable to this item by approving the DA against the principles of an adopted policy that may create a precedence for future similar applications.

Discussion

The temptation, especially in the current housing stock shortage, is to welcome 'any' accommodation, however, this must be weighed against the longer-term implications of approving this DA. The risk of the Council approving 'moveable buildings' in existing residential areas is that there may be a flood of similar applications that will be difficult to object to – and will be there for the long-term.

There is little information on the durability of these types of structures that may be difficult to manage in the long term.

VOTING REQUIREMENT

Simple Majority

OFFICER'S RECOMMENDATION

That the Council refuses the Development Approval application on the following grounds:

- *The proposal does not comply with the Council's adopted Local Planning Policy No 1 – Moveable Buildings.*
- *The undesirable impact of container-type housing on the streetscape of an established residential street.*
- *The establishment of moveable-type buildings in prominent streetscape locations will compromise the visual aesthetics of residential areas.*
- *The introduction of moveable buildings are generally out of character with the predominant housing style in the locality.*

ALTERNATE MOTION

To defer this item to the July 2026 Special Meeting of Council to allow the Chief Executive Officer to provide further information to be brought to Council.

(67/2026) Moved: Cr Stratford

Seconded: Cr Lawson Kerr

CARRIED 7/0

**Voted for: Cr Petchell, Cr Stratford, Cr Lawson Kerr, Cr Loton, Cr Gamble,
Cr Begley, Cr Dickson**



ATTACHMENT A

**SHIRE OF WYALKATCHEM
LOCAL PLANNING SCHEME No. 4**

The Shire of Wyalkatchem under and by virtue of the provisions and powers conferred upon it in that behalf by Local Planning Scheme No. 4, hereby adopts the following Policy.

**LOCAL PLANNING POLICY No. 1
MOVEABLE BUILDINGS**

DATE ADVERTISED:

DATE FINALLY ADOPTED:

1. DISCUSSION

Recent land price increases and substantially increased prices for dwellings within the metropolitan and major regional centres has resulted in a substantial portion of the community unable to purchase property. This has resulted in an increased demand for land within smaller communities and in particular the sale of homestead lots within the satellite towns.

The Council is experiencing an increase in the demand for more affordable housing types within the Shire. These 'affordable' housing types are often in the form of moveable, recycled and converted shed type structures. The Council is keen to restrict these types of dwellings amongst the existing residential areas as they are considered inappropriate to, the standard of existing housing stock, and the expectations of residents or owners already established in the area. The Council considers it reasonable to protect existing owners' investments in the town from development that may detract from the amenity of the residential character.

2. DEFINITIONS

A PERMANENT building is generally not designed to be moved and includes the following;

- a) **'Site Built'** structures are built on location as new permanent structures. They are of traditional appearance with pitched roofs and typical house layout, designed to accommodate families.
- b) **'Relocated'** dwellings are structures that have previously been constructed on a site elsewhere. The structures that are relocated are not necessarily designed to be relocated.

A MOVEABLE building is generally any structure capable of being transported from one location to another. There are three basic types as follows;

- a) **'Transportable'** structures are those designed and constructed at a location other than where they are intended to be established. For example dwellings prefabricated in Perth, transported in sections to their building site, and assembled on location.
- b) **'Donga Type'** structures are those usually designed to provide for workforce accommodation in small individual units. The structures are generally those (such as

ATCO, Western Portables or Durabuilt units) with skid mountings, metal sandwich panel and flat roof design. These portable modular structures are also used for other purposes.

- c) **'Containers'**. These structures, although considered 'buildings' by definition under the Building Code of Australia, are solely constructed to transport other goods. They are not in themselves designed, nor suitable, for storage of goods in an urban environment. A container includes 'seainers' and other large vessels designed to carry, and be carried on specially designed vehicles or transporters.

3 BACKGROUND

Due to the historic uncertainty in the permanence of mining activities, and the mobility of mining operations, the establishment of permanent workforce accommodation in the region may not always be desirable or viable.

The use and reuse of moveable buildings is common. The downside of this trend is that the building stock may be second-hand, may contain undesirable materials like asbestos, and may be visually out of harmony with existing buildings in the locality. Many other Councils are not permitting buildings within their districts which contain asbestos. Without the appropriate controls Wyalkatchem could become a 'dumping ground' for such structures.

To ensure that the Council has the opportunity to consider such proposals, all applications for moveable buildings, as defined above, shall require the Council's Planning Consent prior to the issue of a Building Licence.

The Council has delegated authority to its Building Surveyor to determine Applications for Planning Consent for all applications for **transportable** and **relocated** dwellings in zones of the Scheme where dwellings are permitted. The Building Surveyor may impose appropriate conditions including the requirement for a bond or bank guarantee.

Donga type and **Containers** are subject to Council consideration.

4 POLICY

4.1 Council Policy on Moveable Buildings

a) All applications for moveable buildings, as defined above, shall require the Council's Planning Consent prior to the issue of a Building Licence. Generally the Council is not in favour of the use of moveable buildings, especially in the townsite areas, however the Council will consider each application on its merits.

b) The Council shall not permit the establishment, occupation or erection of **donga type** structures for residential purposes within a Townsite Boundary in Scheme Area, unless the site is set aside for Group Housing Accommodation and used as a camp site for accommodating a workforce. In these circumstances it may be argued that the development is not a permanent improvement, and may justify the use of such structures. In this case the Council must be satisfied that the development will not detract from the amenity of the surrounding area.

c) The Council will only permit **donga type** structures for uses *other than* residential uses where it considers the use or establishment of the structure will not be in conflict with the objectives of this policy.

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- e) The Council will not permit the storing or use of a **'container'**, as defined above, within a townsite area, other than in the areas zoned 'Industrial'. The Council considers the appearance, scale, and materials of these structures to be inappropriate for use in an urban environment, and are therefore in conflict with the objectives of the Scheme.
- f) The Council may give special consideration for the use of **'containers'** outside the townsite areas of the Shire. In these circumstances the Council will need to be satisfied that there is no viable alternative to the use of these structures, and that the location of the **'containers'** will not detract from the amenity of the locality.

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- a) To maintain high amenity standards of buildings, especially within the residential areas in the Townsites of the Shire.
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- e) To prevent the introduction of housing, or other use structures, that are designed to be used on a temporary or short stay basis and that may detract from the standards already established in the residential areas of the Townsites.
- f) To protect the visual amenity of the urban environment by not permitting the establishment, storage or use of **'containers'** within the non-industrial areas of the townsite.

CHIEF EXECUTIVE OFFICER

Date



Planning and Development Act 2005

Shire of Wyalkatchem

Notice of determination on application for development approval

Location: 59 Johnston Street, Wyalkatchem.

Lots: 1

Plan/Diagram: 35214

Vol. No: 502

Folio No: 115A

Application date: 4 May, 2026

Received on: 4 May, 2026

Description of proposed development:

The construction of a container dwelling.

The application for development approval received on 4 May 2026 is:

Approved subject to the following conditions

Refused for the following reason(s)

Conditions/Reasons for refusal:

1. The proposal does not comply with the Council's adopted Local Planning Policy No 1 – Moveable Buildings.
2. The undesirable impact of container-type housing on the streetscape of an established residential street.
3. The establishment of moveable-type buildings in prominent streetscape locations will compromise the visual aesthetics of residential areas.
4. The introduction of moveable buildings are generally out of character with the predominant housing style in the locality.

Date of determination: 18 June, 2026

12. MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil

13. QUESTIONS BY MEMBERS OF WHICH DUE NOTICE HAS BEEN GIVEN

Nil

14. URGENT BUSINESS APPROVED BY THE PERSON PRESIDING OR BY DECISION

Nil

15. MATTERS BEHIND CLOSED DOORS

Nil

16. CLOSURE OF THE MEETING

There being no further business, the Presiding Member closed the meeting at 4:47pm.