



MINUTES

MEETING HELD ON

Thursday 24 November 2022

Commenced at 6.00pm

Shire of Boyup Brook Council Chambers, Boyup Brook

Dale Putland
Chief Executive Officer

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1. DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS

We acknowledge and pay our respects to the traditional custodians of the land on which we meet and work.

2. RECORD OF ATTENDANCE

PRESENT:	Shire President	Richard Walker
	Deputy Shire President	Helen O'Connell
	Councillor	Sarah Alexander
		Steele Alexander
		Cr Charles Caldwell
		Philippe Kaltenrieder
		Darren E King
		Kevin J Moir
		Adrian Price
	Chief Executive Officer	Dale Putland
	Deputy Chief Executive Officer	Carolyn Mallett
	Executive Assistant	Maria Lane

APOLOGIES: Nil

LEAVE OF ABSENCE: Nil

MEMBERS OF PUBLIC: Ms Shirley Broadhurst
Ms Mavis Sowry
Ms Fiona Murray
Mr Brian Cailes
Mr Graham Calley

3. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil

4. PUBLIC QUESTION TIME

Nil

5. PETITIONS/DEPUTATIONS/PRESENTATIONS/REPORTS

Fiona Murray provided a presentation to Council in relation to item 10.4.2.

6. DISCLOSURE OF INTEREST

Nil

7. CONFIRMATION OF MINUTES

7.1 Ordinary Council Minutes – 27 October 2022

COUNCIL DECISION & OFFICER RECOMMENDATION – ITEM 7.1

MOVED: Cr Helen O’Connell

SECONDED: Cr Philippe Kaltenrieder

That the minutes of the Ordinary Council Meeting held on Thursday 27 October 2022 be confirmed as an accurate record.

CARRIED 9/0

Res 22/11/157

7.2 Annual Electors Minutes – 27 October 2022

COUNCIL DECISION & OFFICER RECOMMENDATION – ITEM 7.2

MOVED: Cr Steele Alexander

SECONDED: Cr Sarah Alexander

That the minutes of the Annual Electors Meeting held on Thursday 27 October 2022 be confirmed as an accurate record.

CARRIED 9/0

Res 22/11/158

7.3 Special Council Minutes – 20 October 2022

COUNCIL DECISION & OFFICER RECOMMENDATION – ITEM 7.3

MOVED: Cr Charles Caldwell

SECONDED: Cr Darren King

That the minutes of Special Council Meeting held on Thursday 20 October 2022 be confirmed as an accurate record.

CARRIED 9/0

Res 22/11/159

8. PRESIDENTIAL COMMUNICATIONS

October

Sat 29th

11.30am Attended Water Bomber support training at the Boyup airstrip

November

Tuesday 1st - Dinninup for the UBAS opening of new ablutions

Thursday 3rd - Hyatt Regency Perth with Martin Bleechmore for a BAM Act review workshop, met with Minister Alannah McTeirnan to discuss issues with RBGs and the DPR.

Thursday 10th - LEMC at Shire Chambers.

5.00pm Met with the Sporting groups at the oval.

Friday 11th - Remembrance Day ceremony at the Boyup Brook Memorial.

Tuesday 15th - St Bridget's Parish for gathering to thank the Bunbury prisoners for the great work they do in our community.

Sunday 20th - The Heart Margaret River for Warren-Blackwood Community Cabinet met with Premier and Cabinet Ministers.

9. COUNCILLOR QUESTIONS ON NOTICE

Nil

10. REPORTS OF OFFICERS

10.1 Manager Works and Services

Nil

10.2 FINANCE

10.2.1 List of Accounts Paid in October 2022

Location:	<i>Not applicable</i>
Applicant:	<i>Not applicable</i>
File:	<i>FM/1/002</i>
Disclosure of Officer Interest:	<i>None</i>
Date:	<i>10/11/2022</i>
Author:	<i>Ben Robinson – Finance Manager</i>
Authorising Officer:	<i>Dale Putland – CEO</i>
Attachments:	<i>Yes – List of Accounts Paid in October</i>

SUMMARY

In accordance with the *Local Government (Financial Management) Regulations 1996* the list of accounts paid in October 2022 are presented to Council.

BACKGROUND

This report presents accounts/invoices received for the supply of goods and services, salaries and wages, and the like which were paid during the period 01 to 31 October 2022.

COMMENT

The attached listing represents accounts/invoices the shire paid by cheque or electronic means during the period 01 to 31 October 2022.

CONSULTATION

Nil

STATUTORY OBLIGATIONS

Local Government (Financial Management) Regulations 1996, Regulations 12 and 13 apply and are as follows:

12. *Payments from municipal fund or trust fund*

- (1) *A payment may only be made from the municipal fund or the trust fund —*
 - (a) *if the local government has delegated to the CEO the exercise of its power to make payments from those funds — by the CEO; or*
 - (b) *otherwise, if the payment is authorised in advance by a resolution of the council.*
- (2) *The council must not authorise a payment from those funds until a list prepared under regulation 13(2) containing details of the accounts to be paid has been presented to the council.*

13. *Lists of accounts*

- (1) *If the local government has delegated to the CEO the exercise of 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 for each account paid since the last such list was prepared —*
 - (a) *the payee's name;*
 - (b) *the amount of the payment;*
 - (c) *the date of the payment; and*
 - (d) *sufficient information to identify the transaction.*
- (2) *A list of accounts for approval to be paid is to be prepared each month showing —*
 - (a) *for each account which requires council authorisation in that month —*
 - (i) *the payee's name;*
 - (ii) *the amount of the payment; and*
 - (iii) *sufficient information to identify the transaction;**and*
 - (b) *the date of the meeting of the council to which the list is to be presented.*
- (3) *A list prepared under sub regulation (1) or (2) is to be —*
 - (a) *presented to the council at the next ordinary meeting of the council after the list is prepared; and*
 - (b) *recorded in the minutes of that meeting.*

POLICY IMPLICATIONS

Council's *Authority to Make Payments Policy* has application.

BUDGET/FINANCIAL IMPLICATIONS

Account payments accorded with a detailed 2022-23 Annual Budget

STRATEGIC IMPLICATIONS

Nil

VOTING REQUIREMENTS

Simple Majority

COUNCIL DECISION & OFFICER RECOMMENDATION – Item 10.2.1

MOVED: Cr Helen O’Connell

SECONDED: Cr Adrian Price

That at its November 2022 ordinary meeting Council receive as presented the list of accounts paid in October 2022, totalling \$895,135.84 from Municipal account, \$45,963.50 from Police Licensing account and \$0.00 from Boyup Brook Early Learning Centre account, as represented by:

Municipal Cheques	20586	\$ 4,970.88
Municipal Electronic Payments	EFT13091 – EFT13215	\$ 638,518.25
Municipal Direct Payments		\$ 251,646.71
Police Licensing Payments		\$ 45,963.50
BBELC Payments		\$ 0.00

CARRIED 9/0

Res 22/11/160

10.2.2 31 October 2022 Statement of Financial Activity

Location:	<i>Not applicable</i>
Applicant:	<i>Not applicable</i>
File:	<i>FM/10/003</i>
Disclosure of Officer Interest:	<i>None</i>
Date:	<i>11 November 2022</i>
Authors:	<i>D Long – Finance Consultant</i>
Authorizing Officer:	<i>Dale Putland – Chief Executive Officer</i>
Attachments:	<i>Yes</i>

SUMMARY

The Monthly Financial Report for 31 October 2022 is presented for Council's consideration.

BACKGROUND

The Local Government Act 1995 and the Local Government (Financial Management) Regulations 1996 require local governments to prepare monthly reports containing the information that is prescribed.

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

COMMENT

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

- (a) Statement of Comprehensive Income by Program;
- (b) Statement of Comprehensive Income by Nature/Type;
- (c) Statement of Financial Activity by Nature;
- (d) Statement of Financial Activity by Program;
- (e) Summary of Net Current Asset Position;
- (f) Material Variances Report;
- (g) Statement of Financial Position;
- (h) Statement of Cash Flows;
- (i) Report on Progress of Capital Expenditure Program;
- (j) Report on Major Business Units;
- (k) Statement of Cash Back Reserves;
- (l) Loan Borrowings Report; and
- (m) Detailed Operating and Non-Operating Schedules.

At its budget meeting, Council adopted a material variance threshold of \$10,000 or 10%. For interpretation purposes, this means any variance at Function/Program level that is greater than 10% and exceeds \$10,000 in value is reported on and commentary is provided to explain the YTD budget estimate to YTD actual variance. The material variance is shown on the Statement of Financial Activity, in accordance with the *Local Government (Financial Management) Regulations 1996*.

The material variance commentary is now provided in a separate statement, called the Material Variances Report. This statement categorises the variance commentary according to reporting Nature/Type and groups the variances by Operating Revenue, Operating Expenditure, Investing and Financing Activities.

The Statement of Financial Activity as at 31 October shows a closing surplus of \$4,622,929.

The Closing surplus figures brought forward from 30 June 2022 are interim only, and are subject to change due to year-end adjustments and any audit adjustments.

CONSULTATION – Nil

STATUTORY OBLIGATIONS

Local Government Act 1995

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

Local Government (Financial Management) Regulations 1996:

Regulation 34 states:

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

Sub regulations 2, 3, 4, 5, and 6 prescribe further details of information to be included in the monthly statement of financial activity.

POLICY IMPLICATIONS – Nil

BUDGET/FINANCIAL IMPLICATIONS

As presented in the attached reports.

STRATEGIC IMPLICATIONS - Nil

VOTING REQUIREMENTS

Simple Majority

COUNCIL DECISION & OFFICER RECOMMENDATION – Item 10.2.2

MOVED: Cr Darren King

SECONDED: Cr Steele Alexander

That Council receive the Monthly Financial Report for 31 October 2022, as presented.

CARRIED 9/0

Res 22/11/161

10.3 CHIEF EXECUTIVE OFFICER

10.3.1 Council Meeting Dates for 2023

Location:	N/A
Applicant:	Nil
Disclosure of Officer Interest:	Nil
Date:	12 November 2022
Author:	Maria Lane – Executive Assistant
Authorizing Officer:	Dale Putland – Chief Executive Officer
Attachments:	Nil

SUMMARY

To review the Ordinary Council meeting dates and times for the 2023 calendar year.

BACKGROUND

The Local Government Act 1995 requires a local government, at least once a year, to give local public notice of the dates, times and places at which Ordinary meetings of Council are held within the next 12 months.

COMMENT

Council has historically not had a January meeting and has brought forward the December meeting to a week or more before Christmas. It is suggested that the December meeting would be a week earlier. The reason for changing the February meeting forward is to reduce the time between the last meeting of 2022 and first meeting of 2023.

CONSULTATION

Ordinary Council meeting as follows:

Shire of Bridgetown is the last Thursday of each month which commences at 5.30pm.

Shire of Donnybrook is the fourth Wednesday of each month which commences at 5.00pm.

Shire of Kojonup is the third Tuesday of each month which commences at 3.00pm.

Shire of Manjimup is the third Thursday of each month which commences at 5.30pm.

STATUTORY OBLIGATIONS

Section 5.25(1)(g) of the Local Government Act 1995 provides for the giving of public notices of the date and agenda for Council; or Committee meetings.

Regulation 12(1) of the Local Government (Administration) Regulations 1996 provides: -

- (1) At least once each year a local government is to give local public notice of the dates on which and time and place at which –
 - a. (a) The ordinary council meetings; and

- b. The committee meetings that are required under the Act to be open to member of the public or that are proposed to be open to the members of the public, are to be held in the next 12 months.

In accordance with section 5.25(1)(g) of the Local Government Act 1995 and regulation 12 of the Local Government (Administration) Regulation 1996, Council is required to endorse the proposed meeting dates and give local public notice of the purpose, date and time of Committee and Council meeting sot be held over the following 12 month period.

In accordance with Regulations 12 of the Local Government (Administration) Regulations 1996 an advertisement will be placed in the local community paper. In addition, this advertisement will be placed on the Shire's website and on the Shire's notice boards.

POLICY IMPLICATIONS - Nil

BUDGET /FINANCIAL IMPLICATIONS

Advertising Costs of approximately \$500

STRATEGIC IMPLICATIONS - Nil

VOTING REQUIREMENT

Simple Majority

COUNCIL DECISION & OFFICER RECOMMENDATION – Item 10.3.1

MOVED: Cr Kevin Moir

SECONDED: Cr Adrian Price

That Council endorses the Briefing Agenda and Ordinary Council meeting dates in the table below which will commence at 6.00pm in the Shire Chambers at 55 Abel Street, Boyup Brook.

Meetings	Date	Week
Briefing Session	9 February 2023	Second Thursday
Ordinary Council Meeting	16 February 2023	Third Thursday
Briefing Session	23 March 2023	Fourth Thursday
Ordinary Council Meeting	30 March 2023	Last Thursday
Briefing Session	20 April 2023	Third Thursday
Ordinary Council Meeting	27 April 2023	Fourth Thursday
Briefing Session	18 May 2023	Third Thursday
Ordinary Council Meeting	25 May 2023	Fourth Thursday
Briefing Session	22 June 2023	Fourth Thursday
Ordinary Council Meeting	29 June 2023	Last Thursday
Briefing Session	20 July 2023	Third Thursday
Ordinary Council Meeting	27 July 2023	Fourth Thursday
Briefing Session	24 August 2023	Fourth Thursday
Ordinary Council Meeting	31 August 2023	Last Thursday
Briefing Session	21 September 2023	Third Thursday
Ordinary Council Meeting	28 September 2023	Fourth Thursday
Briefing Session	19 October 2023	Third Thursday
Ordinary Council Meeting	26 October 2023	Fourth Thursday
Briefing Session	23 November 2023	Fourth Thursday
Ordinary Council Meeting	30 November 2023	Last Thursday
Briefing Session	7 December 2023	First Thursday
Ordinary Council Meeting	14 December 2023	Second Thursday

CARRIED 9/0

Res 22/11/162

10.4 PLANNING

10.4.1 Scheme Amendment 22 – Rezoning various lots to the ‘Town Centre’ zone

Location:	<i>Boyup Brook townsite centre</i>
Applicant:	<i>Shire of Boyup Brook</i>
File:	<i>Amendment 22</i>
Disclosure of Officer Interest:	<i>None</i>
Date:	<i>17 November 2022</i>
Author:	<i>A. Nicoll, Town Planner</i>
Authorizing Officer:	<i>Dale Putland, Chief Executive Officer</i>
Attachments:	<i>1. Scheme Amendment (22) - Advertised Document 2. Schedule of Submissions 3. Submissions (letters/emails)</i>

SUMMARY

Council is requested to finally support the Scheme Amendment No. 22, which proposes to change the ‘Commercial’ zone classification in the Shire’s scheme, to the ‘Town Centre’ zone classification, and rezoning Lot 1 Forrest Street and Lot 35 Barron Street, from the ‘Residential’ zone to the ‘Town Centre’ zone.

The Scheme Amendment No.22 was advertised and the neighbour (Lot 36 Barron St) to the Lot 35 Barron Street indicated concern in relation to a potential loss to their residential amenity, due to the transfer of the Lot 35 property, from the ‘Residential’ zone to the ‘Town Centre’ zone.

In accordance with provisions of the Shire’s Scheme, the design of future development can be managed to ensure protection of the visual amenity of the locality.



BACKGROUND

In June 2022, Council resolved to initiate the Scheme Amendment No.22, which seeks to change the zone classification for specified lots in the Boyup town-centre.

Following Council resolution, the Scheme Amendment was referred to the Environmental Protection Authority (EPA) where it was resolved that the Scheme Amendment does not require assessment under Part IV Division 3 of the *Environmental Protection Act 1986* (EP Act) and that it is not necessary to provide any advice or recommendations.

Post Environmental Protection Authority consideration, the Scheme Amendment No.22 was advertised and at the close of advertising, nine (9) submissions were received.

The submissions and a schedule summarising the submissions are attached to this report item for the Council to review. The schedule delivers information on authorities making a submission, a summary of comments and recommendations.

COMMENT

The change in zone classification from 'Commercial' to 'Town Centre' is simply a name change.

It is considered that the 'Town Centre' classification, better reflects the location characteristic (centre of town) of the properties, which are currently classified as 'Commercial'.

The rezoning of the Lots 1 Forrest Street and 35 Barron Street, to the 'Town Centre' zone classification, would allow for the consideration of a mixture of uses at these Lots, including shop and/or housing type uses.

The Lots 1 Forrest Street and 35 Barron Street are suitably located to accommodate a mixture of land uses, for the following reasons:

- The sites are within walking distance to services and other established commercial activities located within the town centre;
- The sites are not subject to environmental constraints (e.g. extreme bushfire hazard or flooding); and
- The sites are connected to utilities including sealed roads, power and water.

During the advertising process, the 'Residential' zone property at Lot 36 Barron Street, indicated concern that any future commercial development/use, at Lot 35 Barron Street, may detrimentally impact on their current residential amenity.

In response to the concerns raised, Council is requested to consider the following scheme clause, which is used at the development stage, to ensure development and use of land, does not detrimentally impact on the amenity enjoyed by adjacent landholders:

35 PROTECTION OF AMENITY

No building shall be so constructed, finished or left unfinished that its external appearance would, in the opinion of the Council, detract from the visual amenity of the locality or have the potential to depreciate the value of adjoining property. All land and buildings shall be used and maintained as to preserve the local amenity to the satisfaction of the Council.

Council is recommended to finally support the scheme amendment and to agree to forward onto the Department of Planning, Lands and Heritage, with a request that the Hon. Minister for Planning grant approval to the amendment and its gazettal.

STATUTORY OBLIGATIONS

Regulation 50 of the *Planning and Development Regulations 2015* states:

(1) *In this regulation —*

consideration period, in relation to a standard amendment to a local planning scheme, means the period ending on the latest of the following days —

- the day that is 60 days after the end of the submission period for the amendment;*
- the day that is 21 days after the receipt of a statement in respect of the amendment delivered under section 48F(2)(a) of the EP Act;*
- the day that is 21 days after the receipt of a statement in respect of the amendment delivered under section 48G(3) of the EP Act if that statement is in response to a request by the local government made under section 48G(1) of the EP Act before the later of the days set out in paragraphs (a) and (b);*
- a day approved by the Commission;*

Regulation 53 of the *Planning and Development Regulations 2015* states:

(1) *After passing a resolution under regulation 50(3) the local government must provide the advertised amendment to the local planning scheme to the Commission together with the following —*

- a) *a schedule of submissions made on the amendment;*
- b) *the response of the local government in respect of the submissions;*
- c) *particulars of each modification to the amendment proposed by the local government in response to the submissions;...*
- d) *a copy of the resolution passed under regulation 50(3);*

Regulations 35 and 36 of the Shire's scheme state:

35 PROTECTION OF AMENITY

No building shall be so constructed, finished or left unfinished that its external appearance would, in the opinion of the Council, detract from the visual amenity of the locality or have the potential to depreciate the value of adjoining property. All land and buildings shall be used and maintained as to preserve the local amenity to the satisfaction of the Council.

36 NUISANCE

No land, building or appliance shall be used in such a manner as to permit the escape therefrom of smoke, dust, fumes, odour, noise, vibration or waste products in such quantity or extent, or in such a manner as, in the opinion of the Council, will create, or be a nuisance to, any inhabitant or to traffic or persons using roads in the vicinity.

POLICY IMPLICATIONS

There are no policy implications relating to this item.

CONSULTATION

The Scheme Amendment 22 was advertised and reviewed in accordance with the *Planning and Development Regulations 2015*. Adjoining properties and government agencies were requested to make comment.

BUDGET/FINANCIAL IMPLICATIONS

There are no financial implication relating to this item.

STRATEGIC IMPLICATIONS

There are no strategic implications relating to this item.

VOTING REQUIREMENTS

Simple majority.

CONCLUSION

The Scheme Amendment No.22 proposes to change the 'Commercial' zone classification in the Shire's scheme, to the 'Town Centre' zone classification, and rezoning Lot 1 Forrest Street and Lot 35 Barron Street, from the 'Residential' zone to the 'Town Centre' zone.

The neighbour to the Lot 35 Barron Street expressed concern that commercial type development adjacent to their residential property may detract from the current residential amenity.

In considering the scheme clause 35, which is used to protect the amenity of an area from incompatible development, the Council is requested to finally SUPPORT the Scheme Amendment No.22.

COUNCIL DECISION & OFFICER RECOMMENDATION – ITEM 10.4.1

MOVED: Cr Kevin Moir

SECONDED: Cr Sarah Alexander

THAT Council, pursuant to Part 5 of the *Planning and Development Act 2005*, resolves to:

- 1. Finally approve, Scheme Amendment No. 22, to amend the Shire of Boyup Brook *Local Planning Scheme No. 2* by:**

- a) Rezoning Lot 1 Forrest Street, Boyup Brook from the 'Residential' zone classification to the 'Town Centre' zone classification and amending the Scheme maps accordingly, which includes deleting the density coding R15/30.*
- b) Rezoning Lot 35 Barron Street, Boyup Brook from the 'Residential' zone classification to the 'Town Centre' zone classification and amending the Scheme maps accordingly, which includes deleting the density coding R15.*
- c) Amending the scheme maps by replacing the 'Commercial' zone classification with the 'Town Centre' zone classification.*
- d) Deleting the clause 30(2) as follows:*

Where a lot has dual density coding R15/30, the local government may approve residential development at a higher code where development is connected to a Septic Tank Effluent Disposal (STED) community scheme; and

- e) Re-numbering subsequent sub-clauses accordingly.*
- f) Amend text in the "Table of Contents" by:*
 - a. At Part 3, 28, replacing 'commercial' with 'Town centre'.*
- g) Amend text at Table 2 by:*

- a. Replacing the 'Commercial' zone classification with the 'Town Centre' zone classification.*

h) Amend text at Table 3 by:

a. Replacing 'Commercial' (column 2) with 'Town Centre'.

i) Amending text at clause 28 and Table 6 by:

a. Replacing the words 'COMMERCIAL' and 'Commercial', with the words 'TOWN CENTRE' and 'Town Centre' respectively.

j) Amending text at schedule 4, under column 1 (land use and/or development requiring advertisement), row 3 (Property Transactions) by:

a. Replacing the word 'Commercial' at b), with the words 'Town Centre'.

- 2. Note the submissions received as detailed in the Schedule of Submissions and Recommendations.**
- 3. Notify the applicant and submitters of Council's decision.**
- 4. Forward amendment documentation and submissions to the Western Australian Planning Commission with a request that the Hon. Minister for Planning grant approval to the amendment and its gazettal.**

The Amendment is a 'Standard' amendment under the provisions of the Planning and Development (Local Planning Schemes) Regulations 2015 for the following reasons:

- a) The amendment would have minimal impact on land in the scheme area that is not the subject of the amendment; and**
- b) The amendment does not result in any significant environmental, social, economic or governance impacts on land in the scheme area.**

CARRIED 9/0

Res 22/11/163

10.4.2 Scheme Amendment No.21– Lot 13129 Bridgetown Boyup Brook Road, Boyup Brook to Light Industry

Location:	<i>Lot 13129 Bridgetown Boyup Brook Road</i>
Applicant:	<i>Shire of Boyup Brook</i>
File:	<i>Amendment 21</i>
Disclosure of Officer Interest:	<i>None</i>
Date:	<i>24 November 2022</i>
Author:	<i>A. Nicoll, Town Planner</i>
Authorizing Officer:	<i>Dale Putland, Chief Executive Officer</i>
Attachments:	<i>1. Scheme Amendment (21) - Advertised Document 2. Schedule of Submissions 3. Submissions (letters/emails) 4. Environmental Protection Authority advice.</i>

SUMMARY

The purpose of this report is to put before Council the request to finally support the rezoning of Lot 13129 Bridgetown Boyup Brook Road, from the 'Rural' zone and the 'Public purposes' reserve (purpose: water and parkland), to the 'Light Industry' zone.

The following map illustrates the Lot, subject to the scheme amendment proposal.



The subject property is 3.9 hectares in area, is owned by the Shire of Boyup Brook, has direct access to a major road and has an extensive cleared and leveled building envelope of approx 2 hectares.

The current zone (Rural) and reserve (Public purposes) classifications pertaining to the land are not suitable. The Lot is not used for public purposes or for agriculture.

A 'Light Industry' zone classification is considered more appropriate, given the size of the property (too small for rural), natural vegetated buffers to surrounding land uses, and the cleared leveled areas accessible for development.

Submissions received on behalf of neighbouring properties, emphasized that light industrial development, would transform the amenity of the area, from a peaceful rural lifestyle to a noisy industrial operation. This report item recommends that the Council support the rezoning on the grounds that:

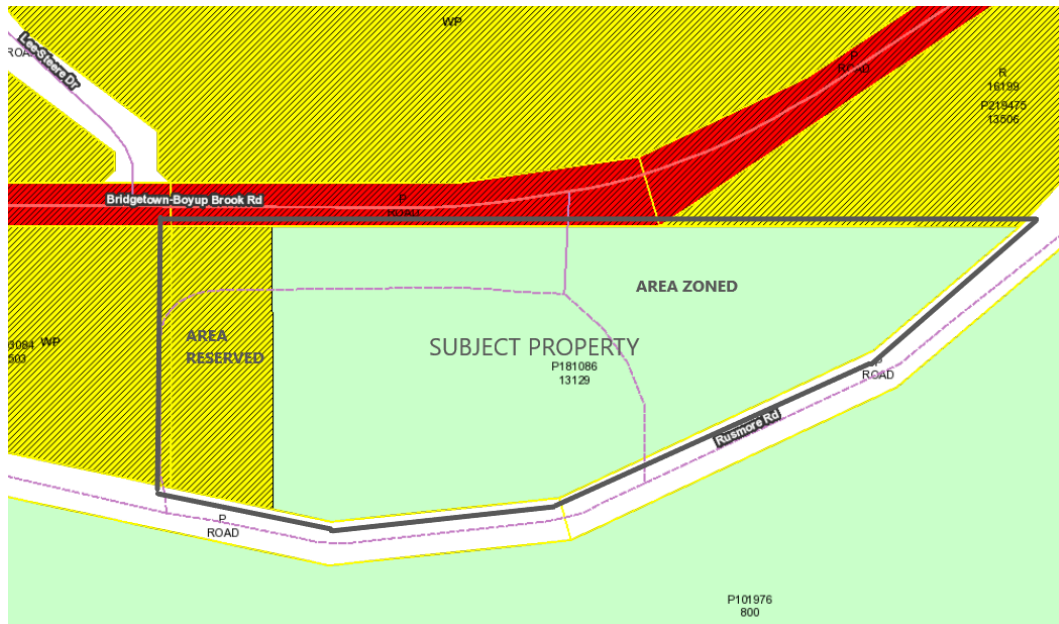
1. Light industrial activities have low impact characteristics (Light industry may include activities such as; furniture manufacturing, showrooms, fuel depot, garden centre and motor vehicle repairs. High impact industries are located in 'General Industry' areas).
2. Industrial development is required to adhere to the Shire's scheme provisions (provisions 35, 36, 37, 39 and 43), which are applied to ensure land use and development is undertaken, such that the amenity of the area is protected, as follows:
 - The pleasantness or attractiveness of the place, is maintained (cl.35)
 - Any smoke, dust, fumes, odour and noise is contained so as not to cause nuisance to any neighbouring inhabitants (cl.36)
 - The appearance of development is enhanced or screened with the use of landscaping (cl.37)
 - The height of development does not exceed 10m (cl.39)
 - Vegetation is protected and rehabilitated (cl.43)
3. Based on the scheme objectives for the light industry zone, it is expected that industrial development will occur to ensure the amenity of the area is maintained. In accordance with the Shire's scheme, the objectives of the Light Industry zone require the protection of the amenity of an area (e.g. protection of vegetation). Amenity' is defined in the Model Scheme Text, as: '... all those factors which combine to form the character of an area and include the present and likely future amenity'.
4. Agricultural activities may also generate noise, dust and odour during certain times of the year. The subject property is currently zoned 'Rural', which allows for activities such as 'intensive agriculture' (feedlot), 'commercial vehicle parking', 'garden centre', 'industry rural', 'industry service', 'motor vehicle repair', 'service station', 'telecommunications infrastructure', 'transport depot' and 'warehouse/storage'. These are all commercial type uses, not too dissimilar from activities that may be considered in a light industry zone.

The subject land is physically suited to accommodating light industrial development (cleared building envelope) and the Shire's scheme has suitable provisions to ensure the

amenity of the surrounding rural lifestyle areas are protected. It is therefore recommended that the Council support the rezoning of the site to light industry.

BACKGROUND

The majority of the subject land is zoned 'Rural', with a small area reserved for 'Public purposes' (Water and Parkland). The land is no-longer used for rural or public purpose activities.



The land the subject of this application was previously used for the yarding and sale of livestock, which involved the movement of large trucks to and from the site. A portion of the land is currently developed and used for the washing of trucks.

In June 2022, Council resolved to initiate the Scheme Amendment No.21, which seeks to make available the legitimate use of the land for light industrial activities. The initiation of the scheme amendment is based on a seriously entertained draft Local Planning Strategy, which recommends development of the subject site for light industry.

Following Council resolution, the amendment was referred to the Environmental Protection Authority (EPA), who advised that the scheme amendment does not require assessment under Part IV Division 3 of the *Environmental Protection Act 1986* and that it was not necessary for the EPA to provide any advice or recommendations. In summary, the EPA has not fundamental concern with the proposal to use the subject land for light industrial activities.

Following the EPA decision, the scheme amendment was advertised and at the close of advertising, 12 submissions had been received.

The submissions and a schedule summarising the submissions are attached to this report item for the Council to review. The schedule delivers information on:

- Authorities making a submission;
- A summary of comments made by each submission; and
- Recommendations.

The Council is required to consider all submissions when making its determination.

COMMENT

The subject Lot 13129 has direct access to a major road and contains a reasonably large cleared building envelope (central to the property) with vegetated areas on the boundaries of the property that can be utilized as buffer areas to protect the amenity of surrounding properties.

The cleared building envelope is a levelled site with internal access connecting to the Bridgetown - Boyup Brook Road. The cleared building envelope is approximately 260m from the nearest dwelling (37 Lee-Steer Drive). A second nearest dwelling located at 81 Rusmore Road, is approximately 360m from the cleared envelope (see figure below).



Submissions were received from surrounding properties, expressing concern that light industry may impact on their peaceful rural lifestyle and that light industry may impact on the amenity of the area, which includes native vegetation.

The Shire notes the concerns portrayed, which can be appropriately addressed at the development stage of the planning process.

Local planning schemes usually work on the premise that all development requires approval. The scheme then lists a number of exemptions from this requirement. In accordance with the Shire's scheme, industrial development is not exempt from development approval, meaning at the development stage, an application is to be submitted to the Shire for consideration in accordance with the scheme.

In considering an industrial development proposal, there are objectives and standards in the scheme to allow Council to enforce the preferred location of development and including the protection of vegetation (e.g. Provisions '35 Protection of Amenity' and '43 Remnant Vegetation').

The term 'orderly and proper planning' is one that is used often by town planners as a test to determine whether approval of an application should be given. The term takes on different meanings depending upon the factual scenario at hand. In broad terms, it requires the consideration of whether an application is consistent with the objectives that are set out in the local planning scheme, and any relevant policy, for the area in question.

In accordance with the Shire's scheme, the objectives of the Light Industry zone require the protection of the amenity of an area, which may include the protection of vegetation. The objectives of the light industry zone include:

- *To provide for a range of industrial uses and service industries generally compatible with urban areas, that cannot be located in commercial zones.*
- *To ensure that where any development adjoins zoned or developed residential properties, the development is suitably set back, screened or otherwise treated so as not to detract from the residential amenity.*

'Amenity' is defined in the Model Scheme Text, as: 'all those factors which combine to form the character of an area and include the present and likely future amenity'.

Therefore, one of the considerations that must be made at the development stage, is whether the amenity of a locality will be adversely affected.

Based on the scheme objectives for the light industry zone, it is expected that industrial development will occur to ensure the amenity of the area is maintained.

In accordance with the Shire's scheme clauses 35 (Protection of amenity), 36 (Nuisance), 37 (Landscaping), 39 (Maximum building height) and 43 (Remnant vegetation), the use and development of land shall be undertaken to preserve the pleasantness or attractiveness of the place. In accordance with the Shire's scheme clauses, the design of any future industrial development, should consider the following:

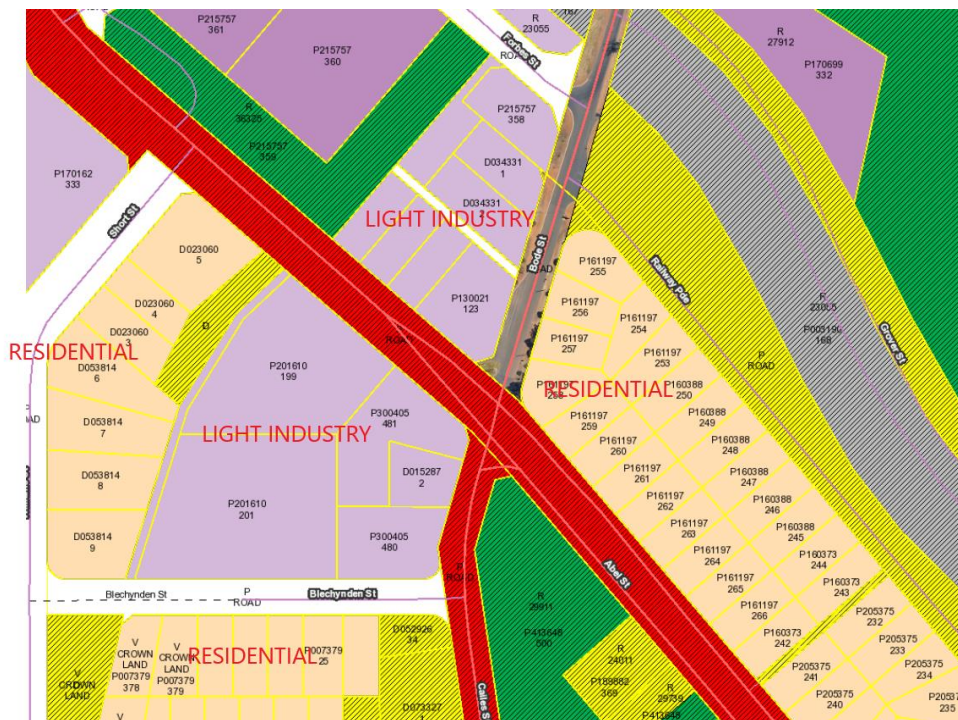
- Vegetation protected to maintain the attractiveness of the place
- Maximum building heights
- Building materials that blend to the surrounds and that mitigate noise
- Apparatus that limits the escape of dust, fumes and odours
- Safe and convenient access.

In summary, the Shire's scheme objectives and clauses 35, 36, 37, 39 and 43, can be administered to ensure any potential issues are appropriately dealt with, so as not to impact the amenity and existing or future neighbouring land uses.

The following diagram shows a potential building envelope (existing cleared area) and vegetated areas surrounding. The amenity of the area can be maintained by protecting the vegetation and ensuring buildings use material that blends with the surrounds (e.g. use of coloured materials that blend to the surrounding landscape).



As illustrated in the below diagram, the location of light industry adjacent to housing, is accepted practice in the Shire. The co-location of industry and housing, facilitates easy access (walking) to places of employment.



The Environmental Protection Authority (EPA) has developed a guidance document, which includes recommended separation distances (buffers) between industrial development and housing (to avoid land use conflict). For example, the EPA guide on separation distances, recommends a buffer distance of 200m between a panel beater (light industry) and a dwelling. Note, the subject site (Lot 13129) allows for setbacks in excess of the 200m recommendation (260m and 360m). Note also the EPA has no concerns with the proposal.

Should an industrial activity operate to cause land-use impact (noise, odour, dust) to a neighbouring sensitive use (e.g. dwelling), in accordance with the Shire's scheme and the *Environmental Protection Act 1986*, enforcement actions can be taken. Should a neighbouring property complain about noise, dust or odour, an officer can investigate and if a breach has occurred, then action can be undertaken and the offensive activity may have to cease operations or undertake mitigation measures in order to continue operating.

Should the Council resolve to recommend that the Minister amend the zoning to 'Light Industry', future development of the site for light industrial activities should be permitted ('P' uses), subject to complying with the provisions of the scheme. Note, in accordance with the *Planning and Development (Local Planning Schemes) Regulations 2015, Part 7, cl.60*, a person must not commence or carry out any works on, or use, land in the Scheme area unless the person has obtained the development approval of the local government.

As indicated by agencies (see schedule of submissions):

- There is the likelihood of bushfire risk due vegetation surrounding the subject site
- Future subdivision or development of the site should adhere to State Government Policy
- Waste disposal should be appropriately managed
- Future development should ensure safe access to and from the main road

- Water infrastructure may require upgrades

The factors raised by the agencies can be addressed at the development stage, in accordance with scheme provisions and Shire policy. In relation to bushfire, the bushfire construction provisions of the Building Code of Australia do not apply to commercial/industrial buildings (Class 4 to Class 9 buildings). In these instances the applicant has the discretion to utilise any or all of the elements of the Australian Standards (AS 3959) in the construction of the building that they deem appropriate.

The physical attributes of the site (e.g. existing cleared areas, existing access to a major road, existing vegetated buffers), allow for light industrial activities to occur, without impacting on the existing amenity.

The Shire's scheme objectives and clauses, provide the opportunity to ensure works and uses are designed and managed to protect the existing amenity.

The Council is recommended to finally support the scheme amendment as no fundamental issues, pertaining to the proposal, have been raised.

STATUTORY OBLIGATIONS

Regulation 50 of the *Planning and Development Regulations 2015* states:

(2) *In this regulation —*

consideration period, in relation to a standard amendment to a local planning scheme, means the period ending on the latest of the following days —

- e) the day that is 60 days after the end of the submission period for the amendment;*
- f) the day that is 21 days after the receipt of a statement in respect of the amendment delivered under section 48F(2)(a) of the EP Act;*
- g) the day that is 21 days after the receipt of a statement in respect of the amendment delivered under section 48G(3) of the EP Act if that statement is in response to a request by the local government made under section 48G(1) of the EP Act before the later of the days set out in paragraphs (a) and (b);*
- h) a day approved by the Commission;*

Regulation 53 of the *Planning and Development Regulations 2015* states:

(1) *After passing a resolution under regulation 50(3) the local government must provide the advertised amendment to the local planning scheme to the Commission together with the following —*

- e) a schedule of submissions made on the amendment;*
- f) the response of the local government in respect of the submissions;*
- g) particulars of each modification to the amendment proposed by the local government in response to the submissions;...*
- h) a copy of the resolution passed under regulation 50(3);*

Clauses 35, 36, 37, 39 and 43 of the Shire's scheme are stated as follows:

35 PROTECTION OF AMENITY

No building shall be so constructed, finished or left unfinished that its external appearance would, in the opinion of the Council, detract from the visual amenity of the locality or have the potential to depreciate the value of adjoining property. All land and buildings shall be used and maintained as to preserve the local amenity to the satisfaction of the Council.

36 NUISANCE

No land, building or appliance shall be used in such a manner as to permit the escape therefrom of smoke, dust, fumes, odour, noise, vibration or waste products in such quantity or extent, or in such a manner as, in the opinion of the Council, will create, or be a nuisance to, any inhabitant or to traffic or persons using roads in the vicinity.

37 LANDSCAPING

Landscaping shall be undertaken and maintained to Council's satisfaction for all development unless, in the opinion of the Council, such landscaping is considered unnecessary. Such landscaping shall generally be located in such positions on a site or sites so as to enhance the appearance of any development or screen from view any parking area, open storage area, drying areas and any other space which, by virtue of its use, is likely to detract from the visual amenity of the surrounding area.

39 MAXIMUM BUILDING HEIGHT

No site shall be developed or building constructed to contain more than two storeys or exceed 10 metres in height measured to the highest proportion of the building from mean natural ground level, or such other ground level, as may be determined by Council.

43 REMNANT VEGETATION

Where, in the opinion of Council, and with the advice of the Department responsible for agriculture, land, the subject of an application to subdivide or commence development, is degraded, Council may require the land owner to undertake such measures to rehabilitate the land to a satisfactory standard and to protect it from further degradation.

POLICY IMPLICATIONS

There are no policy implications relating to this item.

CONSULTATION

The Amendment 21 was referred to the Environmental Protection Authority, advertised and reviewed in accordance with the *Planning and Development Regulations 2015*.

BUDGET/FINANCIAL IMPLICATIONS

There are no financial implication relating to this item.

STRATEGIC IMPLICATIONS

There are no strategic implications relating to this item.

SUSTAINABILITY IMPLICATIONS

➤ **Environmental**

The proposal to amend the zoning and reservation has been assessed by the Environmental Protection Authority (EPA). The EPA decided that the scheme amendment does not require assessment under Part IV Division 3 of the *Environmental Protection Act 1986* and that it is not necessary to provide any advice or recommendations.

➤ **Economic and Social**

The vision is the creation light industrial uses operating to provide services and employment opportunities to the community of Boyup Brook.

VOTING REQUIREMENTS

Simple majority

CONCLUSION

The proposed amendment involves Rezoning Lot 13129 Bridgetown Boyup Brook Road, from the 'Rural' zone and the 'Public purposes' reserve (purpose: water and parkland), to the 'Light Industry' zone.

This scheme amendment creates an opportunity to make available additional land for light industrial activities. Industry creates employment opportunities for both skilled and unskilled workers, with opportunities for light manufacturing, repair, maintenance and service facilities.

As indicated in this report, the subject Lot 13129 is considered suitable for industrial activities. The Lot has a cleared level area, suitable for development and which is surrounded by vegetation to act as a natural buffer to neighbouring landholdings.

The Council is requested to FINALLY SUPPORT the scheme amendment for the following reasons:

- Submissions on the amendment have been adequately reviewed with no outstanding issues that cannot be addressed at the development stage.
- The proposal meets objectives of the scheme and State Planning Policy criteria.

COUNCIL DECISION & OFFICER RECOMMENDATION – ITEM 10.4.2

MOVED: Cr Philippe Kaltenrieder

SECONDED: Cr Kevin Moir

THAT Council, pursuant to Part 5 of the *Planning and Development Act 2005*, resolves to:

- 1. Finally approve, without modification, Scheme Amendment No. 21, to amend the Shire of Boyup Brook *Local Planning Scheme No. 2* by:**
 - a) Rezoning Lot 13129 Bridgetown Boyup Brook Road, from the ‘Rural’ zone and the ‘Public purposes’ reserve (purpose: water and parkland), to the ‘Light Industry’ zone.**
 - b) Amending the Scheme Maps accordingly.**
- 2. Note the submissions received as detailed in the Schedule of Submissions and Recommendations.**
- 3. Notify the applicant and submitters of Council’s decision.**
- 4. Forward amendment documentation and submissions to the Western Australian Planning Commission with a request that the Hon. Minister for Planning grant approval to the amendment and its gazettal - with no modifications.**

The Amendment is a ‘Standard’ amendment under the provisions of the *Planning and Development (Local Planning Schemes) Regulations 2015* for the following reason(s):

- a) The amendment would have minimal impact on land in the scheme area that is not the subject of the amendment; and**
- b) The amendment does not result in any significant environmental, social, economic or governance impacts on land in the scheme area.**

Amendment to Additional Scheme Provision

MOVED: Cr Helen O’Connell

SECONDED: Cr Sarah Alexander

All development, including for fire mitigation is to be contained within the cleared development area as identified in the Potential Building Envelope as shown in the attached diagram on page 25 of this report.

CARRIED 9/0

Res 22/11/164

MOTION

THAT Council, pursuant to Part 5 of the *Planning and Development Act 2005*, resolves to:

- 1. Finally approve, with modification, (point b) Scheme Amendment No. 21, to amend the Shire of Boyup Brook *Local Planning Scheme No. 2* by:**
 - a) Rezoning Lot 13129 Bridgetown Boyup Brook Road, from the 'Rural' zone and the 'Public purposes' reserve (purpose: water and parkland), to the 'Light Industry' zone.**
 - b) Include a scheme provision to ensure that all development, including for fire mitigation is to be contained within the cleared development area as identified in the Potential Building Envelope as shown in the attached diagram on page 25 of this report.**
 - c) Amending the Scheme Maps accordingly.**
- 2. Note the submissions received as detailed in the Schedule of Submissions and Recommendations.**
- 3. Notify the applicant and submitters of Council's decision.**
- 4. Forward amendment documentation and submissions to the Western Australian Planning Commission with a request that the Hon. Minister for Planning grant approval to the amendment and its gazettal - with one modification.**

The Amendment is a 'Standard' amendment under the provisions of the *Planning and Development (Local Planning Schemes) Regulations 2015* for the following reason(s):

- a) The amendment would have minimal impact on land in the scheme area that is not the subject of the amendment; and**
- b) The amendment does not result in any significant environmental, social, economic or governance impacts on land in the scheme area.**

CARRIED 9/0

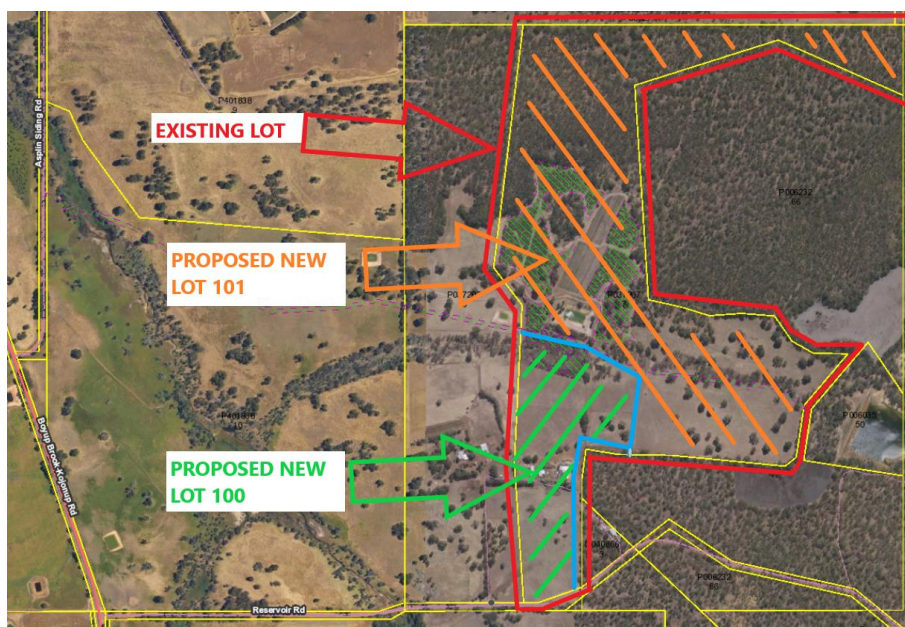
Res 22/11/165

10.4.3 Subdivision Application (WAPC Ref 162877) Lot 7 Reservoir Road, Boyup Brook

Location:	<i>Lot 7 Reservoir Road, Boyup Brook.</i>
Applicant:	<i>J Towie (Surveyor)</i>
File:	<i>WAPC 162877</i>
Disclosure of Officer Interest:	<i>None</i>
Date:	<i>24 November 2022</i>
Author:	<i>A. Nicoll, Town Planner</i>
Authorizing Officer:	<i>Dale Putland, Chief Executive Officer</i>
Attachments:	<i>1. Proposed Plan</i>

SUMMARY

Council is requested to advise the Western Australian Planning Commission (WAPC) to conditionally support the proposed 'Rural' Lot 7 Reservoir Road subdivision (1 lot into 2 lots).



In accordance with the Shire's scheme clause 25, the proposal is not expected to impact on the integrity of farming practices or rural character and rural appearance of the area. The property is somewhat constrained in its ability to farm, due to its irregular shape, small size, a watercourse running through the centre of the property and a substantial area of remnant vegetation.

BACKGROUND

The Western Australian Planning Commission forwarded the subdivision application to the Shire of Boyup Brook requesting information, comment or recommended conditions.

In accordance with the Commissions Development Control Policy 3.4, the application is proposed as a 'Homestead Lot' subdivision, meaning:

A small lot generally ranging from one to four hectares, but may be up to 20 hectares in size depending on site specific circumstances, which is excised from a larger farm holding for separate occupation, such as by a retiring farmer wishing to remain in an approved existing dwelling.

DISCUSSION

Lot 7 Reservoir Road is 63.9 hectares in area and is located approximately 5km south east of the Boyup Brook Townsite.

The Lot has an irregular shape with frontage to Reservoir Road on its southern boundary and comprises one single dwelling with associated outbuildings situated near the southern portion of the property.

The southern half of the property has been cleared through its historical agricultural use (primarily grazing). The northern half of the property includes a vineyard and remnant vegetation.

The centre of the property consists of a watercourse and water pipe infrastructure, which transports water from a reservoir located further to the east, to the Boyup townsite.

Proposed lot 100 will be 13.79 hectares in area with direct frontage to Reservoir Road.

Proposed Lot 101 will be 50.25 hectares in area with battle-axe-access to Reservoir Road.

The Shire notes the Western Australian Planning Commission Development Control Policy 3.4, which states:

In considering applications under section 6, the WAPC will consider rural subdivision...to allow for the continued occupation of existing homesteads when they are no longer used as part of a farming operation

Council is recommended to agree to support the proposed subdivision for the following reasons:

- The creation of the two lots is not expected to impact on the integrity of farming practices or rural character and rural appearance of the area.
- The property in its current format, is somewhat constrained in its ability to farm, due to its irregular shape, small size, an intermittent watercourse running through the centre of the property and a substantial area of remnant vegetation.

Council is recommended to agree to the following condition of subdivision:

1. Shared crossover between proposed lots 100 and 101, with direct frontage to Reservoir Road.

CONSULTATION

N/A

STATUTORY OBLIGATIONS

25 RURAL ZONE

1. *In considering applications for subdivision, rezoning and planning consent in the Rural Zone, Council shall have regard to:*
 - a) *the need to protect the agricultural practices of the Rural zone in light of its importance to the District's economy;*
 - b) *the need to protect the area from uses which will reduce the amount of land available for agriculture;*
 - c) *bushfire risk to the locality and adequacy of fire suppression measures;*
 - d) *the need to preserve the rural character and rural appearance of the area; and*
 - e) *where rural land is being subdivided for closer development, the proposal should be supported with evidence outlining the land's suitability and capability for further development.*

VOTING REQUIREMENTS

Simple majority

COUNCIL DECISION & OFFICER RECOMMENDATION – ITEM 10.4.3

MOVED: Cr Kevin Moir

SECONDED: Cr Steele Alexander

That Council advise the Western Australian Planning Commission to support the proposal to subdivide Lot 7 Reservoir Road from one lot, into two lots, for the following reasons and with the following condition:

Reason for support

- **The creation of the two lots is not expected to impact on the integrity of farming practices or rural character and rural appearance of the area. The property in its current format, is somewhat constrained in its ability to farm, due to its irregular shape, small size, an intermittent watercourse running through the centre of the property and a substantial area of remnant vegetation.**

Condition

1. T20 – Suitable arrangements being made with the local government for the provision of vehicular crossover(s) to service the lot(s) shown on the approved plan of subdivision.

Advice – Appears the current Lot may be accessing Reservoir Road via the adjoining Lot 66 (to the east). Both lots need to arrange direct access to Reservoir Road, via a shared crossover.

CARRIED 9/0

Res 22/11/166

Brian Cailes, Fiona Murray and Graham Calley, Shirley Broadhurst and Mavic Sowry left the Chambers at 7.00pm

11 COMMITTEE MINUTES

11.1 Rylington Park Committee Minutes
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COUNCIL DECISION & OFFICER RECOMMENDATION – ITEM 11.1

MOVED: Cr Helen O’Connell

SECONDED: Cr Charles Caldwell

That the confirmed minutes of the Rylington Park Committee held on Thursday, 13 October 2022 be received.

CARRIED 8/0

Res 22/11/167

12 MOTION OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN
Nil

13 URGENT BUSINESS BY APPROVAL OF THE PRESIDENT OR A MAJORITY OF COUNCILLORS PRESENT/CONFIDENTIAL MATTERS – BEHIND CLOSED DOORS

13.1 Appointing Bushfire Control Officers

Location:	<i>Shire of Boyup Brook</i>
Applicant:	<i>N/A</i>
File:	<i>RS/23/002</i>
Disclosure of Officer Interest:	<i>none</i>
Date:	<i>14 November 2022</i>
Author:	<i>Donna Forsyth – Ranger</i>
Authorizing Officer:	<i>Dale Putland</i>
Attachments:	<i>Nil</i>

SUMMARY

To authorise the Fire Control Officers and Deputy Fire Control Officers for the 2022-23 Fire Season for the Shire of Boyup Brook

BACKGROUND

BFAC minutes 2022 and VFRS notification Sept 2022 – Elected members

HISTORY

NA

COMMENT

Please refer to the table below in the recommendation.

CONSULTATION

Bush Fire Brigades

STATUTORY OBLIGATIONS

38. Local government may appoint bush fire control officer

(1) A local government may from time to time appoint such persons as it thinks necessary to be its bush fire control officers under and for the purposes of this Act, and of those officers shall subject to section 38A

(2) appoint 2 as the Chief Bush Fire Control Officer and the Deputy Chief Bush Fire Control Officer who shall be first and second in seniority of those officers, and subject thereto may determine the respective seniority of the other bush fire control officers appointed by it.

(2A) The local government shall cause notice of an appointment made under the provisions of subsection (1) to be published at least once in a newspaper circulating in its district

(2C) The local government shall fill any vacancy occurring in the office of Chief Bush Fire Control Officer or Deputy Chief Bush Fire Control Officer within one month after the vacancy occurs and if the local government fails or neglects to do so within that time, the FES Commissioner may by notice in writing require the local government to appoint a person to the vacant office within one month after service on it of such notice.

(2D) Where a local government that has been served with a notice pursuant to subsection (2C) fails or neglects to comply with the requirements of that notice, the FES Commissioner may appoint a person who is not employed in the Department to the vacant office.

(2E) A bush fire control officer appointed by a local government under the provisions of this section shall be issued with a certificate of appointment by the local government or, if he is appointed by the FES Commissioner, by the FES Commissioner.

POLICY IMPLICATIONS

Nil

BUDGET/FINANCIAL IMPLICATIONS

Administration costs for Burning Permits – Certificates of authorisation

STRATEGIC IMPLICATIONS

This is in line with the Shire of Boyup Brook Bushfire Mitigation Plan.

Governance & Organisation

1.2 Provide transparent decision making that meets our legal and regulatory obligations, reflects the level of associated risk, and is adequately explained to the community

SUSTAINABILITY IMPLICATIONS

- **Environmental**
There are no known environmental issues at this stage.
- **Economic**
There are no known economic issues at this stage.
- **Social**
There are no known social issues at this stage.

VOTING REQUIREMENTS

Simple Majority

COUNCIL DECISION & OFFICER RECOMMENDATION – Item 13.1**MOVED: Cr Charles Caldwell****SECONDED: Cr Helen O’Connell**

That Council authorises the Fire Control Officers and Deputy Fire Control Officers for the 2022-23 fire season in the table below:

BRIGADE	RANK	NAME	RADIO CALL	CONTACT
X-RAY TEAM	CHIEF BUSHFIRE CONTROL OFFICER	TRISTAN MEAD	HOTEL X-RAY	0497 671 340
	DEPUTY CHIEF BUSHFIRE CONTROL OFFICER	BEN THOMPSON	X-RAY 1	0427 673 072
	2 ND DEPUTY CHIEF BUSHFIRE CONTROL OFFICER	BRAD SKRAHA	X-RAY 2	0428 673 058
	COMMUNICATIONS OFFICER	DAVID FORTUNE	X-RAY 3	0428 672 061
	FIRE WEATHER OFFICER	BRAD FAIRBRASS	X-RAY 4	0428 673 054
	DEPUTY FIRE WEATHER OFFICER	WAYDE ROBERTSON	X-RAY 5	0427 673 090
BOYUP BROOK TOWNSITE VFRS	CAPTAIN - FCO	CLINTON WAWILOW		0407 091 540
	LIEUTENANT - FCO	GYULA BOGAR		0427 651 437
BENJINUP BFB	FIRE CONTROL OFFICER (FCO)	DAVID INGLIS	BENJINUP 1	0418 651 088
	DEPUTY FCO	ROB IMRIE	BENJINUP 2	0428 899 049
CHOWERUP BFB	FIRE CONTROL OFFICER (FCO)	GLENN MEAD	CHOWERUP 1	9769 1086
	DEPUTY FCO	SCOTT WHEATLEY	CHOWERUP 2	0488 319 065
DINNINUP BFB	FIRE CONTROL OFFICER (FCO)	TRISTAN MEAD	HOTEL X-RAY	0497 671 340
	DEPUTY FCO	WAYNE WHITE	DINNINUP 2	0428 384 893
EAST BOYUP BROOK BFB	FIRE CONTROL OFFICER (FCO)	JOHN RITSON	EAST 1	0427 033 010
	DEPUTY FCO	KEN HOLLAND	EAST 2	0428 991 773
GIBBS ROAD BFB	FIRE CONTROL OFFICER (FCO)	RON BINGHAM	GIBBS 1	0429 900 058
	DEPUTY FCO	MICHAEL GILES	GIBBS 2	0428 671 232
KENNINUP BFB	FIRE CONTROL OFFICER (FCO)	BRAD SKRAHA	X-RAY 2	0428 673 058
	DEPUTY FCO	NICK BAGSHAW	KENNINUP 2	0428 993 909

KULIKUP BFB	FIRE CONTROL OFFICER (FCO)	BRAD FAIRBRASS	X-RAY 4	0428 673 054
	DEPUTY FCO	HAYDEN BOCK	KULIKUP 2	0427 439 329
MAYANUP BFB	FIRE CONTROL OFFICER (FCO)	BEN CREEK	MAYANUP 1	0428 158 138
	DEPUTY FCO	MAT FRANKE	MAYANUP 2	0429 109 691
McALINDEN BFB	FIRE CONTROL OFFICER (FCO)	DAVID FORTUNE	X-RAY 3	0428 672 061
	DEPUTY FCO	KIEREN POWER	McALINDEN 2	0488 433 221
MICKALARUP/ DWALGANUP BFB	FIRE CONTROL OFFICER (FCO)	DARREN CHAPMAN	MICKALARUP 1	0427 673 047
	DEPUTY FCO	JAMIE FORBES	MICKALARUP 2	0457 903 024
NOLLAJUP BFB	FIRE CONTROL OFFICER (FCO)	MARCUS GIFFORD	NOLLAJUP 1	0428 644 040
	DEPUTY FCO	ROB INTROVIGNE	NOLLAJUP 2	0427 644 082
SCOTTS BROOK BFB	FIRE CONTROL OFFICER (FCO)	CHARLES CALDWELL	SCOTTS BROOK 1	
	DEPUTY FCO	WAYDE ROBERTSON	X-RAY 5	0427 673 090
TONEBRIDGE BFB	FIRE CONTROL OFFICER (FCO)	RONALD TUCKETT	TONE 1	0427 691 010
	DEPUTY FCO	MATT DELLA-GOLA	TONE 2	0427 767 177
TWEED BFB	FIRE CONTROL OFFICER (FCO)	DAVID MUIR	TWEED 1	0428 653 041
	DEPUTY FCO	SCOTT NIX	TWEED 2	0428 553 017
WEST BOYUP BROOK BFB	FIRE CONTROL OFFICER (FCO)	BRIAN CAILES	WEST 1	0408 151 800
	DEPUTY FCO	ROSS PARKER	WEST 2	0427 989 647

CARRIED 9/0

Res 22/11/168

13.2 2022 Rylington Park Scholarship

BEHIND CLOSED DOORS

MOVED: Cr Helen C O'Connell

SECONDED: Cr Sarah Alexander

That in accordance with Section 5.23 (2) (b) of the Local Government Act 1995 the next part of the meeting be closed to members of the public to allow the Council to consider a matter dealing with a confidential matter and the Council go into committee to allow members free discussion on the matter, the time being 7.06pm.

CARRIED 9/0

Res 22/11/169

NOTICE OF MOTION

(confidential matter)

CARRIED 8/1

Res 22/11/170

MOVED OUT FROM BEHIND CLOSED DOORS

Moved: Cr Philippe Kaltenrieder

SECONDED: Cr Helen O'Connell

That in accordance with Section 5.23(1) (a) of the Local Government Act 1995, Council come out from Behind Closed Doors and Council come out of committee, the time being 7.18pm.

CARRIED 9/0

Res 22/11/171

14 CLOSURE OF MEETING

There being no further business the Shire President, Cr Walker thanked all for attending and declared the meeting closed at 7.18pm.