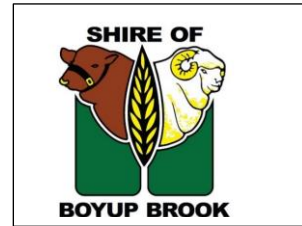


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Date: 5 July 2023

To: Shire President  
Deputy Shire President  
Councillors  
Community



## ORDINARY COUNCIL MEETING MINUTES

29 JUNE 2023

A handwritten signature in black ink, which appears to read "Leonard Long". The signature is written in a cursive style with a large, looping initial "L".

**Leonard Long**

**Chief Executive Officer**

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## **AGENDA**

### **1. DECLARATION OF OPENING**

The Presiding Member declared the meeting open at 6:01pm.

Acknowledgement of Traditional Custodians

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

Council Meetings are public meetings.

The Council Chambers are not a parliament and Parliamentary Privilege does not apply.

Elected Members and staff risk being held personally liable if their comments are defamatory, or breach any duty of confidentiality.

Statements made during Council meetings are solely those of the person making them. Nothing expressed at a Council Meeting can be attributed to the Shire, unless it is adopted by a resolution of Council.

The Confirmed Minutes of a Council Meeting are the official record of that Council meeting. Verbatim Minutes are not required.

May I ask everyone here today, to make sure your mobiles are turned off or on silent for the duration of the Meeting.

### **2. RECORD OF ATTENDANCE**

#### **2.1 ATTENDANCE**

##### **Councillors**

Shire President

Deputy Shire President

Councillors

Cr Richard F Walker

Cr Helen C O'Connell

Cr Steele Alexander

Cr Charles A D Caldwell (via MS Teams, joined 6:04pm)

Cr Philippe Kaltenrieder

Cr Darren E King

Cr Kevin J Moir

Cr Adrian Price

##### **Council Officers**

Chief Executive Officer

Deputy Chief Executive Officer

Manager Finance

Executive Officer

Leonard Long

Carolyn Mallett

Ben Robinson

Maggie Le Grange

##### **Observers / Public Members**

Nil

## 2.2 APOLOGIES

Councillor	Sarah E G Alexander
Manager Works and Services	Jason Forsyth
Urban & Regional Planner	Adrian Nicoll

## 2.3 REQUEST FOR LEAVE OF ABSENCE

Nil

## 3. DEPUTATIONS, PETITIONS AND PRESENTATIONS

### 3.1 DEPUTATIONS

Nil

### 3.2 PETITIONS

Nil

### 3.3 PRESENTATIONS

Nil

## 4. PUBLIC QUESTION TIME

### 4.1 RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Questions taken and Answers Provided at the Annual Electors Meeting held on 15 June 2023

#### Questions from Sue White

1. In the introduction in the Annual Report, cropping is defined. Wheat has not been mentioned and should be included.
2. Shire President mentioned funding for local roads in his report. Can I please be advised when the edges of Area Road are going to be attended to. Currently a long drop along some of the edges that could cause tyre damage and damage to the road edges.
3. As the organisational structure is listed, is it possible to have names of people responsible for these positions.
4. Who is responsible for cleaning the gym? There is a lot of dust under the gear.

#### Responses from the Shire President

1. It must be an oversight and should have been included.
2. The repairs of road edges will be included in the Shire's annual roads maintenance program.
3. Getting in touch with staff comes through Reception but senior management names can be included in the structure. (CEO responded)
4. Will need to follow up on this.

#### Question from Sandy Chambers

1. Gibbs Street needs to be graded.

#### Response from the Shire President

With the amount of rain lately, the moisture in the gravel is ideal for maintenance. A request will be put in with the Manager Works and Services to include Gibbs Street in the maintenance program.

**4.2 PUBLIC QUESTION TIME**

Nil

**5. DECLARATIONS OF INTEREST****5.1 FINANCIAL AND PROXIMITY INTEREST**

- a) Cr O’Connell declared a financial interest in item 9.3.3 Blackwood Basin Group Landcare Officer Proposal, page 21, being employed by the Blackwood Basin Group.

**5.2 DISCLOSURES OF IMPARTIALITY INTEREST THAT MAY CAUSE A CONFLICT**

- a) Cr King declared an impartiality interest in item 9.3.3 Blackwood Basin Group Landcare Officer Proposal, page 21, being a Blackwood Basin Committee Member.
- b) Cr Price declared an impartiality interest in item 9.3.3 Blackwood Basin Group Landcare Officer Proposal, page 21, being the Shire Representative on the Blackwood Basin Group.

**6. PREVIOUS COUNCIL MEETING MINUTES / OUT OF SESSION CONFIRMATION****6.1 ORDINARY COUNCIL MEETING MINUTES – 25 MAY 2023****COUNCIL RESOLUTION 23/06/106**

**That the Minutes of the Ordinary Council Meeting held on 25 May 2023 be confirmed as being a true and accurate record.**

**Moved: Cr Kaltenrieder**

**Seconded: Cr O’Connell**

**CARRIED 8/0****6.2 ANNUAL ELECTORS MEETING MINUTES – 15 JUNE 2023****COUNCIL RESOLUTION 23/06/107**

**That the Minutes of the Annual Electors Meeting held on 15 June 2023 be confirmed as being a true and accurate record.**

**Moved: Cr O’Connell**

**Seconded: Cr Steele Alexander**

**CARRIED 8/0**

## **7. PRESIDENTIAL COMMUNICATIONS**

### **May**

Thursday, 18 May 2023, 12.20pm  
Boyup Brook DHS  
National Road Safety Week - “How safe is my ride” event.

2.00pm  
Council Chambers  
Talison discussions about local opportunities.

### **June**

Tuesday, 6 June 2023, 5pm  
Warren Blackwood Alliance of Council Meeting, Bridgetown Council Chambers.

Tuesday, 27 June 2023, 9.00am  
Southwest Zone of WALGA, City of Busselton Council Chambers.

## **8. COUNCILLOR QUESTIONS ON NOTICE**

Cr Caldwell: How much has been spent on the Kulikup Hall repairs and how much money is still available.

## **9. REPORTS OF OFFICERS**

### **9.1 Manager Works and Services**

Nil

## 9.2 Manager Finance

<b>9.2.1 LIST OF ACCOUNTS PAID IN MAY 2023</b>	
<b>File Ref:</b>	FM/1/002
<b>Previous Items:</b>	Nil
<b>Applicant:</b>	Nil
<b>Author and Title:</b>	Ben Robinson, Manager Finance
<b>Declaration of Interest:</b>	Nil
<b>Voting Requirements:</b>	Simple Majority
<b>Attachment Number</b>	9.2.1 – List of Accounts Paid in May 2023

### **COUNCIL RESOLUTION 23/06/108**

**That Council Resolves to:**

**A. Receive the list of accounts paid throughout the month of May 2023:**

<b>Municipal</b>	<b>Cheques</b>	<b>20602–20603</b>	<b>\$ 3,942.09</b>
	<b>EFT</b>	<b>EFT1400–EFT14167</b>	<b>\$558,767.10</b>
	<b>Direct Debit</b>		<b>\$160,550.61</b>
	<b>Police Licensing</b>		<b>\$ 53,553.40</b>
	<b>BBELC</b>		<b>\$ 0</b>
	<b>Grand Total</b>		<b>\$723,259.80</b>

**Moved: Cr O’Connell**

**Seconded: Cr Steele Alexander**

**CARRIED 8/0**

### **SUMMARY**

In accordance with the *Local Government (Financial Management) Regulations 1996* the list of accounts paid in May 2023 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 May 2023.

### **REPORT DETAIL**

The attached listing represents accounts/invoices the shire paid by cheque or electronic means during the period 01 to 31 May 2023.



**SHIRE OF BOYUP BROOK STRATEGIC COMMUNITY PLAN 2021 - 2031**

<b>Key Imperatives</b>	Governance and Organisation
<b>Outcome</b>	Demonstrate effective leadership, advocacy, and governance
<b>Objective</b>	Provide transparent decision making that meets our legal and regulatory obligations, reflects the level of associated risk, and is adequately explained to the community.

**OTHER STRATEGIC LINKS**

Nil

**STATUTORY ENVIRONMENT**

*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.*

**SUSTAINABILITY AND RISK CONSIDERATIONS**

**Economic** – (Impact on the Economy of the Shire and Region)

Nil

**Social – (Quality of life to community and / or affected landowners)**

Nil

**POLICY IMPLICATIONS**

Nil

**RISK MANAGEMENT IMPLICATIONS**

Shire of Boyup Brook’s commitment to the identification and management of risks that may impact on the achievement of its business objectives.

<b>Risk Level</b>	<b>Comment</b>
Medium	The reporting of the monthly spending by a local government is required to be presented to Council in terms of the relevant legislation. Not presenting this information to Council would be a breach of the <i>Local Government Act 1995</i> .

**CONSULTATION**

Nil

**RESOURCE IMPLICATIONS**

**Financial**

Funds used for account payments are included in the approved 2022/23 budget.

**Workforce**

Nil

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end

<b>9.2.2 MONTHLY STATEMENT OF FINANCIAL ACTIVITY FOR THE PERIOD ENDING 31 MAY 2023</b>	
<b>File Ref:</b>	FM/10/003
<b>Previous Items:</b>	Nil
<b>Applicant:</b>	Nil
<b>Author and Title:</b>	Ben Robinson, Manager Finance Darren Long, Finance Consultant
<b>Declaration of Interest:</b>	Nil
<b>Voting Requirements:</b>	Simple Majority
<b>Attachment Number</b>	9.2.2 – Monthly Financial Report 31 May 2023

### **COUNCIL RESOLUTION 23/06/109**

**That Council Resolves to:**

**A. Receive the Monthly Financial Report for 31 May 2023, as presented.**

**Moved: Cr King**

**Seconded: Cr Caldwell**

**CARRIED 8/0**

### **SUMMARY**

The Monthly Financial Report for 31 May 2023 is presented for Councils adoption.

### **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.

### **REPORT DETAIL**

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 of 31 May 2023 shows a closing surplus of \$1,509,191.

### **SHIRE OF BOYUP BROOK STRATEGIC COMMUNITY PLAN 2021 - 2031**

<b>Key Imperatives</b>	Governance and Organisation
<b>Outcome</b>	Demonstrate effective leadership, advocacy, and governance
<b>Objective</b>	Provide transparent decision making that meets our legal and regulatory obligations, reflects the level of associated risk, and is adequately explained to the community.

### **OTHER STRATEGIC LINKS**

Nil

### **STATUTORY ENVIRONMENT**

#### *Local Government Act 1995*

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

#### *Local Government (Financial Management) Regulations 1996:*

Regulation 34 states:

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

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

**SUSTAINABILITY AND RISK CONSIDERATIONS****Economic** – (Impact on the Economy of the Shire and Region)

Nil

**Social** – (Quality of life to community and / or affected landowners)

Nil

**POLICY IMPLICATIONS**

Nil

**RISK MANAGEMENT IMPLICATIONS**

Shire of Boyup Brook’s commitment to the identification and management of risks that may impact on the achievement of its business objectives.

<b>Risk Level</b>	<b>Comment</b>
Medium	The reporting of the monthly spending by a local government is required to be presented to Council in terms of the relevant legislation. Not presenting this information to Council would be a breach of the <i>Local Government Act 1995</i> .

**CONSULTATION**

Nil

**RESOURCE IMPLICATIONS****Financial**

Funds used for account payments are included in the approved 2022/23 budget.

**Workforce**

Nil

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 end

**9.3 Chief Executive Officer**

<b>9.3.1 WESTERN AUSTRALIAN LOCAL GOVERNMENT ASSOCIATION CONVENTION AND ANNUAL GENERAL MEETING 2023</b>	
<b>File Ref:</b>	GR/31/002
<b>Previous Items:</b>	Nil
<b>Applicant:</b>	Nil
<b>Author and Title:</b>	Maggie Le Grange, Executive Officer
<b>Declaration of Interest:</b>	Nil
<b>Voting Requirements:</b>	Simple Majority
<b>Attachment Number</b>	9.3.1A – Information Brochure 9.3.1B – Policy M.01 – Seminars, Conferences and Training

**COUNCIL RESOLUTION 23/06/110**

That Council Suspends Standing Orders as they relate to the Order of Business to allow discussions on Item 9.3.1

Moved: Cr Kaltenrieder  
Seconded: Cr King

**CARRIED 8/0**

**COUNCIL RESOLUTION 23/06/111**

That Council resumes Standing Orders

Moved: Cr Kaltenrieder  
Seconded: Cr Moir

**CARRIED 8/0**

**COUNCIL RESOLUTION 23/06/112**

That Council Resolves to:

- A. Approve Shire President, Cr(s) O’Connell and Chief Executive Officer to attend the 2023 Western Australian Local Government Convention to be held on 18 and 19 September 2023.
- B. Authorise the Shire President and Councillor O’Connell to be the voting delegates at the Western Australian Local Government Annual General Meeting.
- C. Authorise Councillor King and Chief Executive Officer to be the proxy delegates should one of the Councillors in (B.) not be able to attend the Western Australian Local Government Annual General Meeting.
- D. Request the Chief Executive Officer to arrange accommodation at Crown Promenade.
- E. Authorise the Chief Executive Officer to issue the necessary purchase orders for expenses incurred by the delegates, as per Council Policy M.01.

**F. Authorise the Chief Executive Officer to issue the necessary purchase orders for expenses incurred by the delegates, as per Council Policy M.01.**

**Moved: Cr King**  
**Seconded: Cr O'Connell**

**CARRIED 8/0**

### **SUMMARY**

The 2023 WA Local Government Convention will be held at Crown Perth on Monday, 18 and Tuesday, 19 September 2023, with an invite only event for all Local Government Mayors and Presidents on 17 September 2023 (3:30pm – 5:00pm).

This report recommends Council be represented at both the convention and Annual General Meeting by nominating delegates and proxies accordingly.

### **BACKGROUND**

The Local Government Convention is the premier event for Elected Members and Officers within Local Government.

Themed *Local Futures*, this year's Convention will explore how Local Governments can enact and drive change for the benefit of their communities and the diversity of solutions that can emerge when you start local.

### **REPORT DETAIL**

The Convention will feature panels on pressing issues such as active mobility, regional housing and diverse representation, where experts and insiders will share their thoughts on how to tackle some of the most important topics facing Local Governments today (Attachment 11.3.1(A)).

The Association's Annual General Meeting forms part of the convention program and will be held on 18 September 2023 at 2:00pm – 5:00pm. A separate report will be presented to Council to provide Council direction regarding the agenda recommendations of Annual General Meeting, once the agenda has been provided.

In accordance with Western Australian Local Government's constitution, member Councils are entitled to have two (2) voting delegates and up to two (2) proxies. Registration of the voting delegates and the proxies is required by 8 September 2023.

Member Local Governments are invited to submit motions for the following:

- Constitutional amendments, submission deadline 26 June 2023; and
- Motions for the Annual General Meeting, submission deadline 4 August 2023.

In previous years Boyup Brook has been well represented with at least three Councillors and the Chief Executive Officer attending.

Whilst it is often hard to quantify the benefit of attending conferences, the convention get together does provide the opportunity to view a range of vendors wares, speak with various representatives.

It also provides a good opportunity for delegates to network with each other potentially over matters currently being experienced in their local government. This interaction is important in so many ways as it provides a forum for sharing ideas and experiences and as such is more akin to training.

### **SHIRE OF BOYUP BROOK STRATEGIC COMMUNITY PLAN 2021 - 2031**

<b>Key Imperatives</b>	Governance and Organisation
<b>Outcome</b>	Demonstrate effective leadership, advocacy, and governance
<b>Objective</b>	Strengthen leadership, advocacy and governance capabilities.

### **OTHER STRATEGIC LINKS**

Nil

### **STATUTORY ENVIRONMENT**

Nil

### **SUSTAINABILITY AND RISK CONSIDERATIONS**

**Economic** – (Impact on the Economy of the Shire and Region)

Nil

**Social** – (Quality of life to community and / or affected landowners)

Nil

### **POLICY IMPLICATIONS**

Nil

### **RISK MANAGEMENT IMPLICATIONS**

Shire of Boyup Brook's commitment to the identification and management of risks that may impact on the achievement of its business objectives.

<b>Risk Level</b>	<b>Comment</b>
Low	The Convention program will enable delegates to gain information that will benefit local government in Boyup Brook, as will interaction with elected members from throughout Western Australia.

### **CONSULTATION**

Nil

### **RESOURCE IMPLICATIONS**

#### **Financial**

The cost of the convention is included in the approved 2022/23 budget.

#### **Workforce**

Nil

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end



<b>9.3.2 REVIEW OF BIOSECURITY AND AGRICULTURE MANAGEMENT ACT 2007</b>	
<b>File Ref:</b>	EN/45/002
<b>Previous Items:</b>	Nil
<b>Applicant:</b>	Nil
<b>Author and Title:</b>	Leonard Long, Chief Executive Officer
<b>Declaration of Interest:</b>	Nil
<b>Voting Requirements:</b>	Simple Majority
<b>Attachment Number</b>	9.3.2 – Discussion Paper

### **COUNCIL RESOLUTION 23/06/113**

**That Council Resolves to:**

**A. Authorise the Chief Executive Officer to submit an on-line submission to the Department of Primary Industries and Regional Development on the *Biosecurity and Agriculture Management Act 2007* Review, detailing the following:**

- 1. That Council opposes the proposed rating approach and broadening the revenue base of the Declared Pest Rate (DPR) Model through a uniform (where possible) progressive ad valorem (according to value) rating structure applied to land across WA that has significant land management requirements (including pest control) as outlined in “Opportunity 13” of the Discussion Paper.**
- 2. In opposing the proposed ad valorem rating structure, Council advises that landholders in the Shire of Boyup Brook will be adversely affected by this proposal as they currently pay a flat Declared Pest Rate and changing it to the ad valorem system of rating, would significantly increase landholders’ contributions.**

**Moved: Cr Moir  
Seconded: Cr Kaltenrieder**

**CARRIED 8/0**

### **SUMMARY**

For Council to consider providing a submission to the Department of Primary Industries and Regional Development (DPIRD) on the Review of the *Biosecurity and Agriculture Management (BAM) Act 2007*.

### **BACKGROUND**

The BAM Act is WA’s primary biosecurity legislation. It provides the legal framework to manage biosecurity risks to WA in any situation, whether it is endangering WA’s primary industries, our unique environment, or our way of life. It also deals with agriculture management, contributing to the safety and integrity of our food and fibre produce and products.

The BAM Act’s biosecurity provisions relate to organisms that can cause harm and the things that can carry those organisms.

The agriculture management provisions are treated quite separately. They primarily relate to agricultural and veterinary chemicals and other contaminants of soil, water, animals and agricultural products that can negatively impact the quality or safety of those products.

This dual focus of the BAM Act has created some confusion among stakeholders regarding the scope of 'biosecurity' under the Act.

The Discussion Paper draws on the information gathered from consultations and stakeholder engagement during Stages 1 and 2 of the review of the Biosecurity and Agriculture Management Act 2007 (BAM Act), as well as additional research, to present legislative and non-legislative reform opportunities.

The paper provides an overview of the BAM Act Review Panel's (panel) approach and is then divided into nine sections, each addressing an area for reform identified by the panel.

The nine reform areas describe the challenges stakeholders raised through the review process, outline the desired outcomes for each area, and present ways (specific opportunities) in which these outcomes might be achieved. Some of these opportunities are legislative, some are not.

This discussion paper has been prepared to assist people who might like to comment on the reform opportunities that the panel is investigating. Your views will help the panel finalise its recommendations to government.

The discussion paper does not address technical amendments<sup>1</sup> required to the BAM Act that have been raised with the panel through the consultation and engagement processes to date.

## **REPORT DETAIL**

One of the major proposals in the Discussion Paper relates to "Opportunity 13" where it discusses simplifying the rating approach and broadening the revenue base of the Declared Pest Rate (DPR) Model through a uniform (where possible) progressive ad valorem (according to value) rating structure applied to land across WA that has significant land management requirements (including pest control).

Under this proposed simplification, a DPR would be applied across WA to freehold or leasehold rural land classes of sufficient size. In this context, this would include land of a minimum size (e.g., one, five or 10 hectares) with rural characteristics such as agricultural and pastoral properties, privately-owned conservation land, market gardens, vineyards, and rural lifestyle properties.

It is understood that landholders in the Shire of Boyup Brook currently pay a flat DPR and changing it to the ad valorem system of rating, it would significantly increase landholders' contributions.

The BAM Act Review has been advertised locally advising notifying residents that submissions are currently being sought. DPIRD also advertised same in the "Western Australian" newspaper on Saturday, 27 May 2023.

The A/CEO also circularised, via email, to Councillors on Tuesday, 30 May alerting them to the Review process and seeking comments for inclusion in the Shire of Boyup Brook's submission.

DPIRD are requesting that submissions be made on-line prior to 30 June 2023.

**SHIRE OF BOYUP BROOK STRATEGIC COMMUNITY PLAN 2021 - 2031**

<b>Key Imperatives</b>	Natural Environment
<b>Outcome</b>	Manage Natural Resources Sustainability
<b>Objective</b>	Work with key stakeholders to manage land, fire, disease, pest animals and weeds.

**OTHER STRATEGIC LINKS**

Nil

**STATUTORY ENVIRONMENT**

*Biosecurity and Agriculture Management Act 2007*

**SUSTAINABILITY AND RISK CONSIDERATIONS**

**Economic** – (Impact on the Economy of the Shire and Region)

The proposed simplifications would have a negative impact on the economy due to the higher contribution cost imposed on landowners.

**Social** – (Quality of life to community and / or affected landowners)

Nil

**POLICY IMPLICATIONS**

Nil

**RISK MANAGEMENT IMPLICATIONS**

Shire of Boyup Brook's commitment to the identification and management of risks that may impact on the achievement of its business objectives.

<b>Risk Level</b>	<b>Comment</b>
High	Although only a commenting authority it is important for Council to ensure the interests of the community are protected.

**CONSULTATION**

The BAM Act Review Discussion Paper was advertised throughout the district to alert landholders that submissions were being called.

**RESOURCE IMPLICATIONS****Financial**

An increase in the DPR would impact the Shire, being a rural landowner.

**Workforce**

Nil

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end

**Financial Interest**

Cr O’Connell declared a financial interest in item 9.3.3 – employed by the Blackwood Basin Group.

Cr O’Connell left Chambers 6:27pm.

Cr O’Connell returned to Chamber 6:29pm

**Impartiality Interest**

Cr King declared an Impartiality interest in item 9.3.3 – Committee member of the Blackwood Basin Group.

Cr Price declared an Impartiality interest in item 9.3.3 - Shire Representative on the Blackwood Basin Group.

<b>9.3.3 BLACKWOOD BASIN GROUP – LANDCARE OFFICER PROPOSAL</b>	
<b>File Ref:</b>	CR/31/004
<b>Previous Items:</b>	Nil
<b>Applicant:</b>	Blackwood Basin Group
<b>Author and Title:</b>	Leonard Long, Chief Executive Officer
<b>Declaration of Interest:</b>	Nil
<b>Voting Requirements:</b>	Simple Majority
<b>Attachment Number</b>	Nil

**COUNCIL RESOLUTION 23/06/114**

**That Council Resolves to:**

- A. Advise the Blackwood Basin Group it will give due consideration to the engagement of a Landcare Officer for the Shire of Boyup Brook in its 2023/2024 Budget deliberations.**
- B. Further advise the Blackwood Basin Group it supports the concept of a shared Landcare Officer with neighboring Local Governments as a means of ensuring a collaborative catchment scale approach to Landcare issues and requests the Blackwood Basin Group investigate this option prior to Council committing to the appointment of a Landcare Officer.**

**Moved: Cr Steele Alexander**

**Seconded: Cr King**

**CARRIED 7/0**

**SUMMARY**

For Council to consider providing funding in its 2023/2024 Budget for the provision of appointing a part-time Landcare Officer.

**BACKGROUND**

At the May 2023 Ordinary Council Meeting Ms. Belinda O’Brien from the Blackwood Bason Group provided a presentation to Council on the benefits of Local Government’s employing Landcare Officers.

Ms O'Brien advised the Blackwood Basin Group is a non-profit, community-based organisation that coordinates environmental management within the Blackwood River Catchment. Whilst locals can come in anytime to receive information from Blackwood Basin Group expertise, a Landcare Officer employed locally would allow the Shire to have specific, tailored projects designed for the Shire focusing on local community needs.

The proposal presented to Council was to consider funding a Landcare Officer for up to 6 hours per week, through a Memorandum of Understanding (MOU) between the Shire of Boyup Brook and the Blackwood Basin Group.

### **REPORT DETAIL**

Ms O'Brien advised the benefits of having a Landcare Officer working for the community of Boyup Brook is expansive and includes:

- **Funding Opportunities** - This role will allow someone to write funding applications for the Shire of Boyup Brook and bring in funding for the community to access.
- **Coordinate workshops in the local community** - Community engagement is critical in natural resource management and the communities can make some good grass roots decisions in their Shire with a Landcare Officer to run events and workshops that are engaging all ages in the community.
- **Bring in new ideas and innovation** – Having someone on the lookout on behalf of the Shire for new innovations in the agricultural community which will be beneficial for local farming systems.
- **Providing on ground advice and support for landholders** - This is invaluable, for a local Shire to have a Landcare Officer to provide support and advice to the community.

In the presentation provided, Ms O'Brien indicated a Landcare Officer could be employed for up to 6 hours per week for 50 weeks of the year which would cost Council in the vicinity of \$21,450/annum.

In Ms O'Brien's correspondence to Council since the presentation, she has provided Council with three employment options as listed below:

**Option 1:**

**6 hours per week for 50 weeks of the year @\$65.00 per hour, Total \$21,450**

**Option 2:**

**4 hours per week for 50 weeks of the year @\$65.00 per hour, Total \$14,300**

**Option 3:**

**2 hours per week for 50 weeks of the year @\$65.00 per hour, Total \$7,150**

At the May OCM, Council queried whether a shared Landcare Officer arrangement could be considered with MS O'Brien advising in the above correspondence that there are many benefits to having one person working across two Shires, especially when those Shires have similar issues and challenges. In fact, it would help to determine a collaborative catchment scale approach.

**SHIRE OF BOYUP BROOK STRATEGIC COMMUNITY PLAN 2021 - 2031**

<b>Key Imperatives</b>	Natural Environment
<b>Outcome</b>	Manage Natural Resources Sustainability
<b>Objective</b>	Work with key stakeholders to manage land, fire, disease, pest animals and weeds.

**OTHER STRATEGIC LINKS**

Nil

**STATUTORY ENVIRONMENT**

*Biosecurity and Agriculture Management Act 2007*

**SUSTAINABILITY AND RISK CONSIDERATIONS**

**Economic** – (Impact on the Economy of the Shire and Region)

Nil

**Social** – (Quality of life to community and / or affected landowners)

Nil

**POLICY IMPLICATIONS**

Nil

**RISK MANAGEMENT IMPLICATIONS**

Shire of Boyup Brook's commitment to the identification and management of risks that may impact on the achievement of its business objectives.

<b>Risk Level</b>	<b>Comment</b>
Medium	Not having a local Landcare Officer may impact on the Shires ability to conserve important environments.

**CONSULTATION**

A presentation by Ms O'Brien made to Council at its May 2023 Ordinary Council Meeting regarding the proposal.

**RESOURCE IMPLICATIONS****Financial**

Any financial commitment would place additional pressures on the budget.

**Workforce**

Nil

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end

<b>9.3.4 ELECTED MEMBERS ALLOWANCE AND MEETING ATTENDANCE FEES 2023/24</b>	
<b>File Ref:</b>	PE/29/001
<b>Previous Items:</b>	Nil
<b>Applicant:</b>	Nil
<b>Author and Title:</b>	Leonard Long, Chief Executive Officer
<b>Declaration of Interest:</b>	Nil
<b>Voting Requirements:</b>	Absolute Majority
<b>Attachment Number</b>	Nil

#### **COUNCIL RESOLUTION 23/06/115**

That Council Suspends Standing Orders as they relate to the Order of Business to allow discussions on Item 9.3.4

Moved: Cr O’Connell  
Seconded: Cr King

**CARRIED 8/0**

#### **COUNCIL RESOLUTION 23/06/116**

That Council resumes Standing Orders

Moved: Cr O’Connell  
Seconded: Cr Kaltenrieder

**CARRIED 8/0**

#### **COUNCIL RESOLUTION 23/06/117**

That Council Resolves to:

A. Approve the following meeting attendance fees and allowances (per) Elected Member for the 2023/24 financial year to remain as is.

1. Presidents Annual Allowance	\$10,280
2. Presidents Council Meeting Attendance Fee	\$14,640
3. Deputy Presidents Annual Allowance	\$ 2,570
4. Elected Members Council Meeting Attendance Fee	\$ 7,462
5. Elected Members Annual ICT Allowance	\$12,960

Moved: Cr O’Connell  
Seconded: Cr King

**CARRIED BY ABSOLUTE MAJORITY 8/0**

#### **SUMMARY**

Council is requested to consider and set the Elected Members Sitting Fees and Allowances which are to be incorporated into the 2023/24 budget.

## **BACKGROUND**

The Salary and Allowance Tribunal (SAT) through the *Salaries and Allowances Act 1975* determine the minimum and maximum salaries and allowances for local government Elected Members and Chief Executive Officers.

Elected Members are provided these fees and allowances to recognise the commitment of their time and to ensure they are not out of pocket for expenses properly incurred in the fulfilment of their duties.

The SAT in 2013 stated that “*fees and allowances provided to elected members are not intended to be full time salaries for members*” recognising the degree of voluntary community service in the role of elected members.

Two payment options are available to Elected Members:

- Payment per meeting attended (Council meetings, meetings representing Council); or
- Payment annually which takes into consideration attendance at all official Council meetings.

In the past the Shire has opted to utilise the annual payment option.

## **REPORT DETAIL**

The Salaries and Allowances Tribunal earlier this year (2023) determined Elected Members attendance fees, and annual allowance ranges be increased by 1.5%, rounded to the nearest \$5. This was considered appropriate given the expectation of a degree of voluntary service as an elected member, and as fees and allowances are not intended to be full time salaries.

The *Salaries and Allowances Act 1975* (the Act) classifies the Shire of Boyup Brook as a Band 4 Local Government. Table 8 of the Act provides the scales of annual attendance fees in lieu of council meeting, committee meeting and prescribed meeting attendance fees for Elected Members and the Shire President.

**Table 8: Annual attendance fees in lieu of council meeting, committee meeting and prescribed meeting attendance fees – local governments**

Band	For a council member other than the mayor or president		For a council member who holds the office of mayor or president	
	Minimum	Maximum	Minimum	Maximum
1	\$25,600	\$32,960	\$25,600	\$49,435
2	\$15,470	\$24,170	\$15,470	\$32,410
3	\$8,000	\$17,030	\$8,000	\$26,370
4	\$3,735	\$9,890	\$3,735	\$20,325

The current annual attendance fees for Elected Members, Deputy and President are as follows:

	Current	+1.5%
Presidents' annual attendance fee	\$14,640	\$14,859
Elected Members (incl Deputy President)	\$7,462	\$7,573



Regarding the Presidents and Deputy's annual allowance, table 10 of the Act provides the scale applicable to the Shire President. The Act also specifies that the Deputy Presidents allowance is calculated at 25% of the Presidents allowance.

**Table 10: Annual allowance for a mayor or president of a local government**

For a mayor or president		
Band	Minimum	Maximum
1	\$53,330	\$93,380
2	\$16,000	\$65,915
3	\$1,070	\$38,450
4	\$535	\$20,875

	Current	+1.5%
Presidents' annual allowance	\$10,280	\$10,434
Deputy Presidents' annual allowance	\$2,570	\$2,608

The ICT expense defined as follows:

- (a) Rental charges in relation to one telephone and one facsimile machine, as prescribed by regulation 31(1)(a) of the LG Regulations;
- (b) Any other expense that relates to information and communication technology (for example, telephone call charge and internet service provider fees) and that are a kind of expense prescribed by regulation 32(1) of the LG Regulations; or
- (c) Any expense, including the purchase cost, of ICT hardware provided to elected members.

The Salaries and Allowance Tribunal have determined, Councils can provide an annual allowance instead of reimbursing particular ICT type of expenses with the minimum being \$500 and the maximum \$3,500.

	Current	+1.5%
Elected Members annual ICT allowance	\$12,960	\$13,154

### **SHIRE OF BOYUP BROOK STRATEGIC COMMUNITY PLAN 2021 - 2031**

<b>Key Imperatives</b>	Governance and Organisation
<b>Outcome</b>	Demonstrate effective leadership, advocacy, and governance
<b>Objective</b>	Strengthen leadership, advocacy and governance capabilities.

### **OTHER STRATEGIC LINKS**

Nil

### **STATUTORY ENVIRONMENT**

- Local Government Act 1995
- Salaries and Allowance Act 1975
- Local Government (Administration) Regulations 1996

**SUSTAINABILITY AND RISK CONSIDERATIONS****Economic** – (Impact on the Economy of the Shire and Region)

Nil

**Social** – (Quality of life to community and / or affected landowners)

Nil

**POLICY IMPLICATIONS**

Nil

**RISK MANAGEMENT IMPLICATIONS**

Shire of Boyup Brook’s commitment to the identification and management of risks that may impact on the achievement of its business objectives.

<b>Risk Level</b>	<b>Comment</b>
Medium	Although Elected Members position are largely considered to be voluntary it is imperative to ensure Elected Members are not left out of pocket because of being on Council. This could result in a situation where nobody in the community is willing to become an Elected Member which could have a significant negative impact on the operations of the Shire.

**CONSULTATION**

Nil

**RESOURCE IMPLICATIONS****Financial**

The Allowances and Meeting Attendance Fees will be included in the 2023/24 budget.

**Workforce**

Nil

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 end

## 9.4 Planning

<b>9.4.1 DEVELOPMENT APPLICATION (CHALET – SHORT STAY HOLIDAY ACCOMMODATION) – LOT 1829 BOYUP BROOK CRANBROOK ROAD, CHOWERUP</b>	
<b>File Ref:</b>	A7050
<b>Previous Items:</b>	Nil
<b>Applicant:</b>	S & K Kay
<b>Author and Title:</b>	A. Nicoll, Urban and Regional Planner
<b>Declaration of Interest:</b>	Nil
<b>Voting Requirements:</b>	Simple Majority
<b>Attachment Number</b>	9.4.1A – Property Management Plan 9.4.1B – Bushfire Evacuation Plan 9.4.1C – Shires’ Farm Chalets Policy

### **COUNCIL RESOLUTION 23/06/118**

**That Council Resolves to:**

- A. Approve the Development Application for the proposed Chalet (short term accommodation) on Lot 1829 Boyup Brook Cranbrook Road, Chowerup subject to the following conditions and advice notes:**

**Conditions:**

- 1. Management of the Chalet is to occur in accordance with the Property Management Plan (Dated 29 June 2023, Attachment 9.4.1A).**
- 2. The owner/manager of the Chalet is to provide guests (on arrival) with a Bushfire Emergency Evacuation Procedure plan (Dated – 29 June 2023, Attachment 9.4.1B, which indicates (as a minimum):**
  - a) Emergency contacts (e.g., DFES, Police);**
  - b) Location of safety equipment;**
  - c) Location of muster point; and**
  - d) Directions for safe (leave early) access/egress.**
- 3. The ‘Chalet’ shall be used for short stay accommodation only and shall not be occupied by the same person or persons for more than 3 months in any 12-month period.**
- 4. A sufficient amount of water for drinking and firefighting purposes, is to be made available at all times to the satisfaction of the Shire.**
- 5. A car parking area is to be developed and maintained to a gravel standard, to the satisfaction of the Shire.**
- 6. The operator or manager of the Chalet shall maintain a register and receipt book containing details of all people who stay on the premises throughout the year, to the satisfaction of the Shire of Boyup Brook.**

**Advice Notes:**

1. **Sign(s) shall not be placed on the lot without the prior approval of the Shire of Boyup Brook.**
2. **If the development the subject of this approval is not substantially commenced within a period of 2 years, or another period specified in the approval after the date of determination, the approval will lapse and be of no further effect.**
3. **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.**

**Moved:** Cr King  
**Seconded:** Cr O'Connell

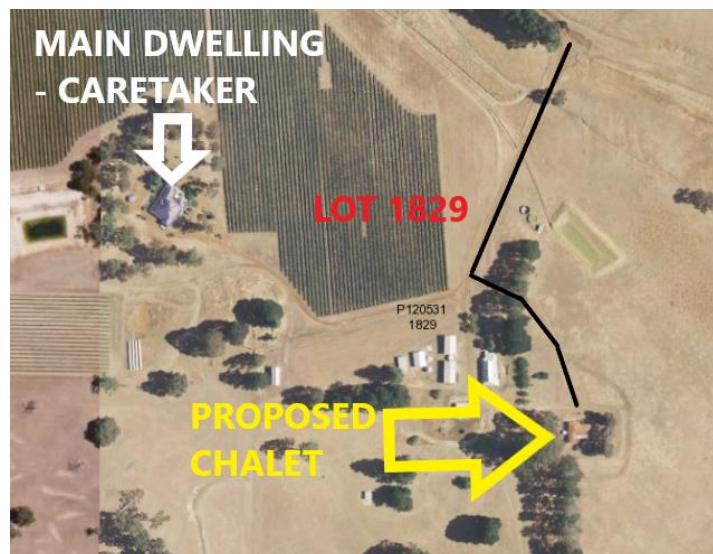
**CARRIED 8/0**

**SUMMARY**

The Shire received an application seeking approval to operate an existing dwelling as a 'Chalet', for short term guest accommodation.

In accordance with the Shire's scheme, 'Chalet' means, a dwelling forming part of a tourist development designed to provide short-term accommodation for guests. 'Tourist development' means a building used to provide short-term accommodation for guests.

The location of the proposed 'Chalet' is Lot 1829 Boyup Brook Cranbrook Road, Chowerup which forms part of a 'Rural' (farming) enterprise (see below figure). Caretaking of the chalet is to be undertaken by the landholder, who resides in a dwelling at the Lot 1829, located approximately 300m from the chalet.



## **BACKGROUND**

The owner of the 'Rural' property approached the Shire with the idea of converting a second dwelling into a 'Chalet', for the purpose of holiday accommodation.

The Shire confirmed:

1. In accordance with the Shire's 'Farm Chalets' Policy (P.06), one chalet may be considered for every 2 hectares.
2. Due to risks associated with bushfire, Shire officers requested the applicant submit a 'Bushfire Evacuation Plan' to identify procedures for evacuation in the event of a bushfire. Subsequently, an evacuation plan (Attachment 9.4.1B) was submitted, identifying:
  - Important emergency contacts;
  - Necessary emergency equipment; and
  - Evacuation procedure.
3. The applicant was also advised to provide a 'Property Management Plan' outlining operational procedures. Subsequently, a Property Management Plan (Attachment 9.4.1A) was submitted, identifying responsibilities of the caretaker and any tenants of the chalet.

## **REPORT DETAIL**

The subject property is located 35km south of the Boyup townsite, approximately 81ha in area and zoned 'Rural'.

The property is currently developed with two houses and farm sheds.

The application for consideration involves using one of the dwellings for short term accommodation (chalet). The dwelling/chalet has suitable space for car parking and is provided with potable water and an effluent management system.

A caretaker will be on-site to manage tenants in accordance with a Property Management Plan and a Bushfire Evacuation Plan, which will be provided to tenants on entry.

Fire safety equipment will be made available in the chalet for use in the instance of a hazard.

Should Council decide to approve the use of the building as a Chalet, it is recommended the following conditions are included in an approval notice:

- Management of the Chalet is to occur in accordance with the Property Management Plan.
- The owner/manager of the Chalet is to provide guests (on arrival) with an Emergency Evacuation Procedure plan, which indicates (as a minimum):
  - Emergency contacts (e.g., DFES, Police).
  - Location of safety equipment.
  - Location of muster point; and
  - Directions for safe (leave early) access/egress.
- The 'Chalet' shall be used for short stay accommodation only and shall not be occupied by the same person or persons for more than 3 months in any 12-month period.

- A sufficient amount of water for drinking and firefighting purposes, is to be made available at all times to the satisfaction of the Shire.
- A car parking area is to be developed and maintained to a gravel standard, to the satisfaction of the Shire.

### **SHIRE OF BOYUP BROOK STRATEGIC COMMUNITY PLAN 2021 - 2031**

<b>Key Imperatives</b>	Economic Development
<b>Outcome</b>	Make land available for economic growth, development and improvement
<b>Objective</b>	Increase land availability for industry, housing, visitor accommodation and tourism.

### **OTHER STRATEGIC LINKS**

Nil

### **STATUTORY ENVIRONMENT**

In accordance with the *Planning and Development (Local Planning Schemes) Regulations 2015*, 'tourist development' means a building, or a group of buildings forming a complex, other than a bed and breakfast, a caravan park or holiday accommodation, used to provide — (a) short-term accommodation for guests; and (b) onsite facilities for the use of guests; and (c) facilities for the management of the development.

In accordance with the Shire's *Local Planning Scheme No.2*, 'chalet' means a dwelling forming part of a tourist development or caravan park that is -  
 (a) a self-contained unit that includes cooking facilities, bathroom facilities and separate living and sleeping areas; and  
 (b) designed to provide short-term accommodation for guests

### **SUSTAINABILITY AND RISK CONSIDERATIONS**

**Economic** – (Impact on the Economy of the Shire and Region)

The introduction of any 'businesses would have a positive impact on the region and Shires' economy.

**Social** – (Quality of life to community and / or affected landowners)

Nil

### **POLICY IMPLICATIONS**

The application complies with the Shire's 'Farm Chalets' Policy, which requires the following:

- A minimum of two (2) ha per chalet;
- Car parking spaces being provided to a gravel pavement finish and properly drained;
- A minimum of eighty thousand (80 000) litres of potable water per chalet;
- Bushfire safety precautions.

The Shire's 'Farm Chalets' Policy is provided as Attachment 9.4.1C.

**RISK MANAGEMENT IMPLICATIONS**

Shire of Boyup Brook's commitment to the identification and management of risks that may impact on the achievement of its business objectives.

<b>Risk Level</b>	<b>Comment</b>
Low	The Shire's policy supports the type of use proposed, as such the approval would not hold any risk to the Shire.

**CONSULTATION**

Nil

**RESOURCE IMPLICATIONS****Financial**

Nil

**Workforce**

Nil

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end

<b>9.4.2 DEVELOPMENT APPLICATION (ANCILLARY ACCOMMODATION) – LOT 219 KAUFMANN CLOSE, BOYUP BROOK</b>	
<b>File Ref:</b>	A15068
<b>Previous Items:</b>	Nil
<b>Applicant:</b>	G & C Ball
<b>Author and Title:</b>	A. Nicoll, Urban and Regional Planner
<b>Declaration of Interest:</b>	Nil
<b>Voting Requirements:</b>	Simple Majority
<b>Attachment Number</b>	Nil

**COUNCIL RESOLUTION 23/06/119**

**That Council Resolves to:**

- A. Approve the Development Application for the proposed ‘Ancillary Accommodation’ on Lot 219 Kaufmann Close, Boyup Brook subject to the following conditions and advice notes:**

**Conditions:**

- 1. Development is to occur in accordance with the approved plans, to the satisfaction of the Shire of Boyup Brook.**
- 2. Stormwater from the lot shall be managed to the satisfaction of the Shire of Boyup Brook.**

**Advice Notes**

- 1. Approval is required for the development of an effluent disposal system.**
- 2. A Building Permit is required for a Class 1A structure.**
- 3. If the development the subject of this approval is not substantially commenced within a period of 2 years, or another period specified in the approval after the date of determination, the approval will lapse and be of no further effect.**
- 4. Where an approval has so lapsed, no development must be carried out without the further approval of the local government having first been sought and obtained.**
- 5. 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.**

**Moved: Cr Kaltenrieder**

**Seconded: Cr King**

**CARRIED 8/0**



**SUMMARY**

The Shire received an application proposing to develop ‘Ancillary Accommodation’ at a ‘Rural Residential’ zone property, located at Lot 219 Kaufmann Close, Boyup Brook (west of the Boyup townsite).



‘Ancillary Accommodation’ means a self-contained dwelling on the same lot as a single house which may be attached to, integrated with or detached from the single house.

The proposal complies with the standards of the Shire’s Local Planning Scheme No.2.

It is recommended the Council approve the proposed Ancillary Accommodation.

**BACKGROUND**

The Shire received an enquiry, with a proposal to transport a building to Lot 219 Kaufmann Close, Boyup Brook for the purpose of a granny flat (Ancillary Accommodation).

Photo of building



The subject property is zoned ‘Rural Residential’, area No.6.

In accordance with the Shire's scheme, the following uses may be considered at the Rural Residential property:

- Ancillary Accommodation
- Bed & Breakfast
- Holiday accommodation
- Holiday Home
- Home Business
- Home Occupation
- Home Office
- Industry – Cottage
- Rural Pursuit
- Single House
- Veterinary Centre

The only appropriate use classification that aligns with the proposed development is 'ancillary accommodation'.

Shire staff requested the proponent submit an application for planning approval, in order to assess for compliance with scheme standards.

### **REPORT DETAIL**

In accordance with the State Planning Policy 7.3 (Residential Design Codes), an ancillary dwelling is to be no greater than 70m<sup>2</sup>.

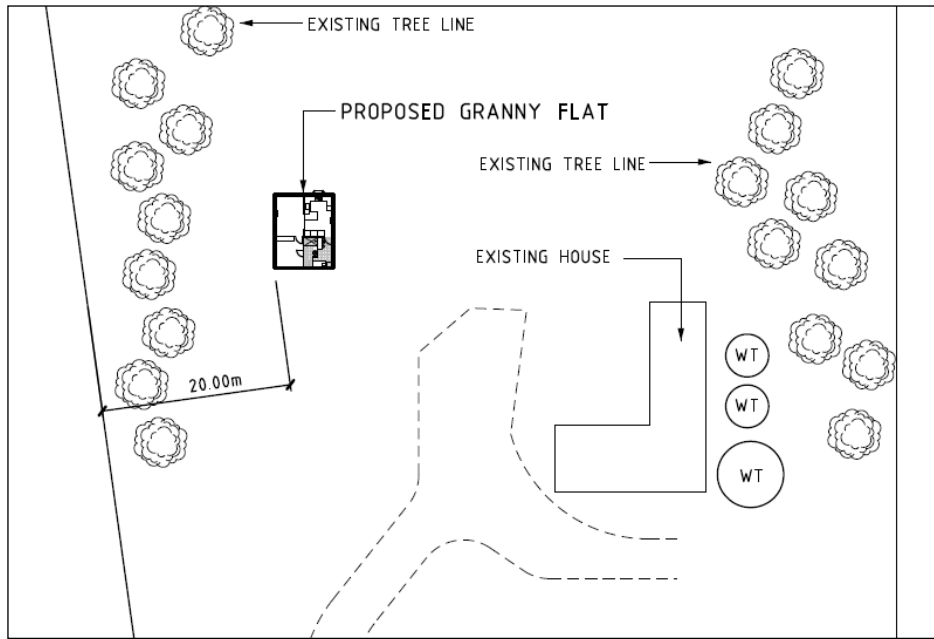
In accordance with the Shire's scheme, ancillary accommodation is to be co-located with the single house and to be constructed to a standard that ensures the visual amenity of the area is not adversely impacted.

The ancillary accommodation is proposed to be located adjacent to an existing single house and is less than the prescribed max 70m<sup>2</sup>.

The proposed 'ancillary accommodation' is a single storey development comprising 1 bedroom, 1 bathroom with a floor area of 46m<sup>2</sup> (7.6m x 6.1m). The ancillary dwelling will be developed with weatherboard cladding on the walls and colourbond roofing (grey colour scheme).

The ancillary accommodation is proposed to be located outside of any bushfire prone areas and is setback from boundaries to comply with scheme standards.

**Site Plan**



The proposal complies with State Planning Policy and scheme standards. The proposal is not expected to impact on the amenity of the area.

It is recommended that the Council approve the proposed ‘Ancillary Accommodation’.

**SHIRE OF BOYUP BROOK STRATEGIC COMMUNITY PLAN 2021 - 2031**

<b>Key Imperatives</b>	Economic Development
<b>Outcome</b>	Make land available for economic growth, development, and improvement
<b>Objective</b>	Increase land availability for industry, housing, visitor accommodation and tourism.

**OTHER STRATEGIC LINKS**

State Planning Policy 7.3 (Residential Design Codes).

**STATUTORY ENVIRONMENT**

The Shire’s Local Planning Scheme No.2 states:

*The Council may permit a caretaker dwelling or ancillary accommodation where it is:*

- a) *appropriately justified by the applicant and addresses relevant planning consideration; and*
- b) *located within a defined building envelope area or building exclusion area on a structure plan or the immediate curtilage of the primary dwelling where a building envelope is not defined and complies with the criteria applicable to an ‘Ancillary dwelling’ in the R-Codes and the local government’s Local Planning Policy.*

*Approval however is not considered to be justification for subdivision of the land under the Act or the Strata Title Act 1985.*

### **SUSTAINABILITY AND RISK CONSIDERATIONS**

**Economic** – (Impact on the Economy of the Shire and Region)

The introduction of any additional accommodation types would have a positive impact on the region and Shires' economy.

**Social** – (Quality of life to community and / or affected landowners)

Nil

### **POLICY IMPLICATIONS**

Nil

### **RISK MANAGEMENT IMPLICATIONS**

Shire of Boyup Brook's commitment to the identification and management of risks that may impact on the achievement of its business objectives.

<b>Risk Level</b>	<b>Comment</b>
Low	The proposal is in line with the relevant state planning policies as such the approval would not hold any risk to the Shire.

### **CONSULTATION**

Nil

### **RESOURCE IMPLICATIONS**

**Financial**

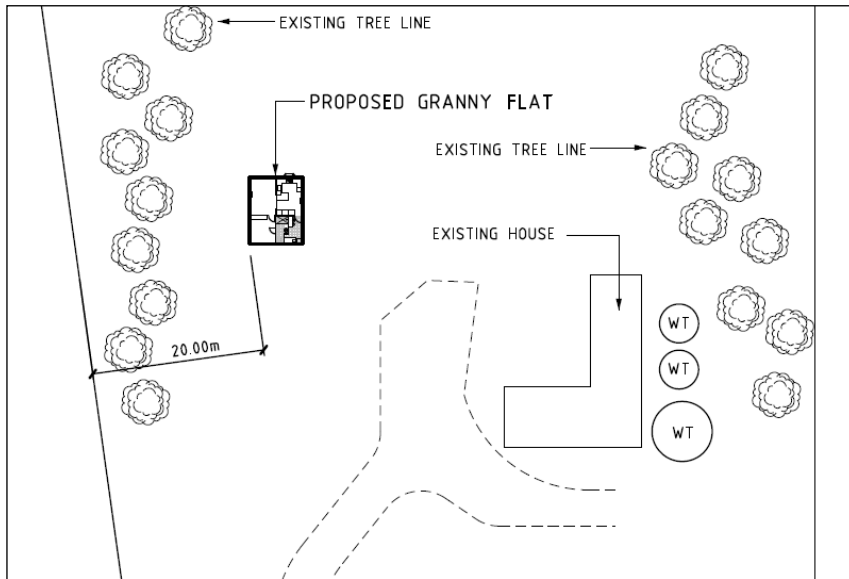
Nil

**Workforce**

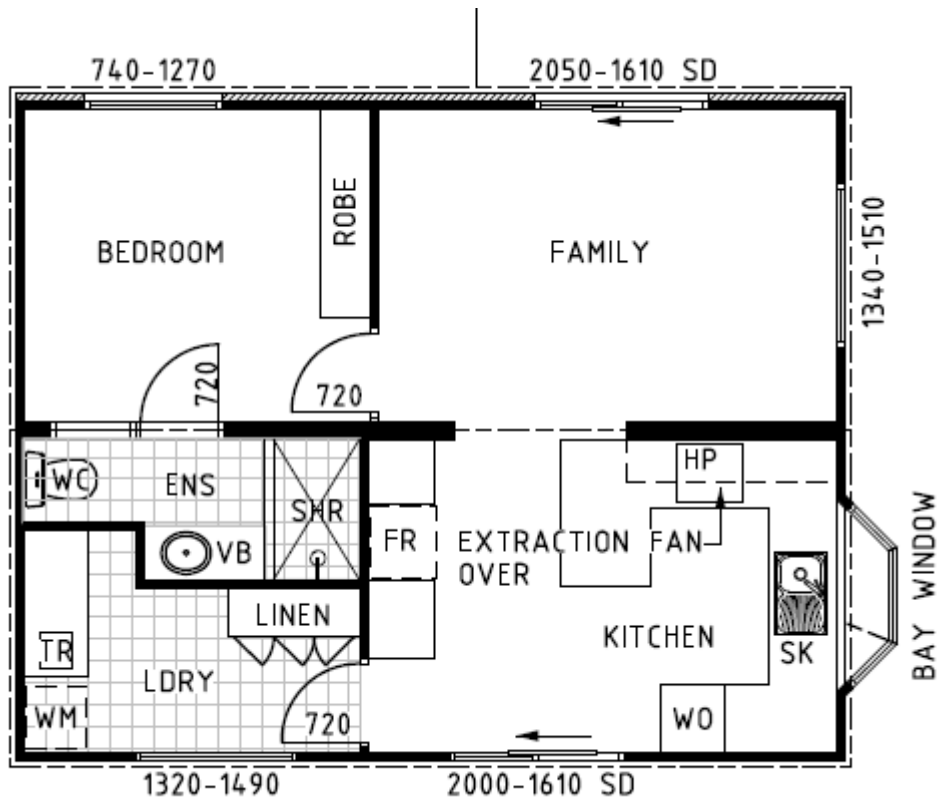
Nil

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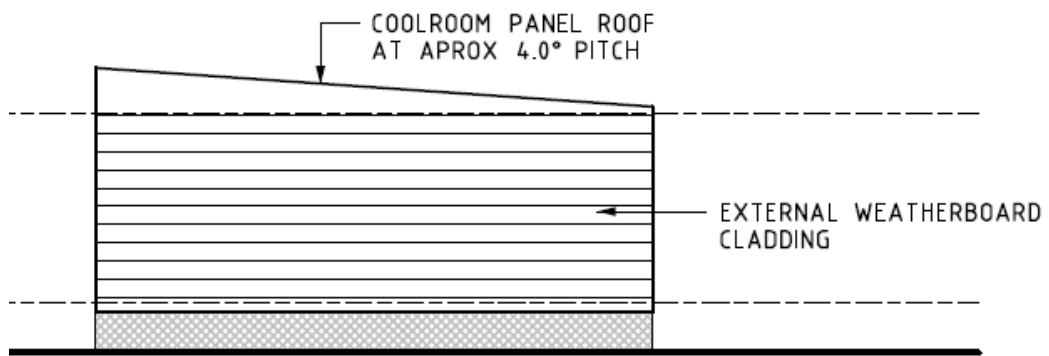
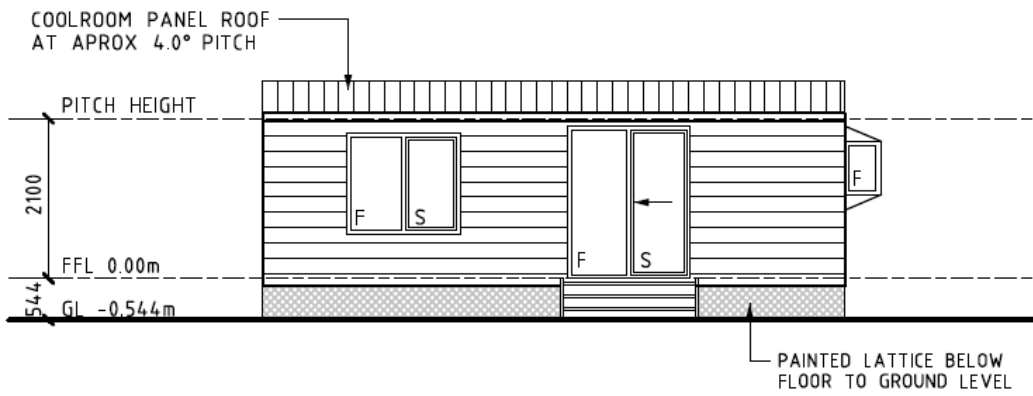
### Approved Site Plan



### Approved Floor Plan



**Approved Elevations**



end

**10. COMMITTEE MINUTES OF COUNCIL FOR ADOPTION****10.1 Bushfire Advisory Committee Minutes – 23 May 2023****COUNCIL RESOLUTION 23/06/120**

**A. That the unconfirmed Minutes of the Bushfire Advisory Committee Meeting held on 23 May 2023 be received.**

**B. That Council adopts the following recommendations made to Council by the Bushfire advisory Committee as per the unconfirmed minutes in (A.) above:**

**1. *That the following members be appointed as Officers as defined under Section 38 of the Bushfires Act 1954:***

- |  |                        |
|--|------------------------|
| - Chief Bush Fire Control Officer:                   | <b>Ben Thompson</b>    |
| - 1 <sup>st</sup> Deputy Chief Fire Control Officer: | <b>Tristan Mead</b>    |
| - 2 <sup>nd</sup> Deputy Chief Fire Control Officer: | <b>Brad Skraha</b>     |
| - Communications Officer:                            | <b>David Fortune</b>   |
| - Fire Weather Officer:                              | <b>Brad Fairbrass</b>  |
| - Deputy Fire Weather Officer:                       | <b>Wayde Robertson</b> |
| - Training Officer:                                  | <b>Rosalyn Edwards</b> |

**Fire Control Officers from each Brigade**

- **Benjinup Brigade: Delegates / Fire Control Officers  
Rob Imrie and Clint Westphal**
- **Chowerup Brigade: Delegates / Fire Control Officers  
Glenn Mead and Luke Harding**
- **Dinninup Brigade Delegates / Fire Control Officers  
Tristan Mead and Wayne White**
- **East Boyup Brook Brigade Delegates / Fire Control Officers  
John Ritson and Ken Holland**
- **Gibbs Brigade Delegates / Fire Control Officers  
Ron Bingham and Michael Giles**
- **Kenninup Brigade Delegates / Fire Control Officers  
Geoff Dalton and Nick Bagshaw**
- **Kulikup Brigade Delegates / Fire Control Officers  
Brad Fairbrass and Hayden Bock**
- **Mayanup Brigade Delegates / Fire Control Officers  
Ben Creek and Mat Franke**
- **McAlinden Brigade Delegates / Fire Control Officers  
David Fortune and Kieren Power**
- **Mickalarup/Dwalganup Brigade Delegates / Fire Control Officers  
Darren Chapman and Jamie Forbes**
- **Nollajup Brigade Delegates / Fire Control Officers  
Marcus Gifford and Rob Introvigne**
- **Scotts Brook Brigade Delegates / Fire Control Officers  
Charles Caldwell and Wayde Robertson**

- **Tonebridge Brigade Delegates / Fire Control Officers  
Matt Della-Golla and David Turner**
- **Tweed Brigade Delegates / Fire Control Officers  
David Muir and Scott Nix**
- **West Boyup Brigade Delegates / Fire Control Officers  
Brian Cailles and Ross Parker**
- **Boyup Brook Townsite Delegates / Fire Control Officers  
Clinton Wawilow and Gyula Bogar.**

**Fire Control Officers for the Shire of Boyup Brook as part of *Section 33, 58 and 59 of the Bush Fires Act 1954* compliance, powers of entry and enforcement of the Act.**

**Rosalyn Edwards and Donna Forsyth**

- 2. No changes be made to the 2023/24 Fire Information and Firebreak Notice, and that the notice be reviewed next season.**
- 3. That in consultation with the X-Ray team an alternative servicing provider be sourced for the fire units and trailers.**
- 4. The Bushfire Advisory Committee is to be provided a minimum one (1) months' notice of a Bushfire Advisory Committee meeting date.**
- 5. Information for Brigades to address and review must be sent at the beginning of April and include any recommended changes.**

**Moved: Cr Caldwell**

**Seconded: Cr Kaltenrieder**

**CARRIED 8/0**

## **10.2 Rylington Park Committee Minutes – 14 June 2023**

### **COUNCIL RESOLUTION 23/06/121**

- A. That the unconfirmed Minutes of the Rylington Park Committee Meeting held on 14 June 2023 be received.**

**Moved: Cr Steele Alexander**

**Seconded: Cr O'Connell**

**CARRIED 8/0**



**11. MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN**

Nil

**12. LATE ITEMS / URGENT BUSINESS MATTERS**

<b>12.1.1 BUDGET COMMITMENT FOR THE INSTALLATION OF AN EFFLUENT TREATMENT SYSTEM – BOYUP BROOK VISITORS CENTRE</b>	
<b>File Ref:</b>	CP/31/005
<b>Previous Items:</b>	Nil
<b>Applicant:</b>	Nil
<b>Author and Title:</b>	Leonard Long, Chief Executive Officer
<b>Declaration of Interest:</b>	Nil
<b>Voting Requirements:</b>	Absolute Majority
<b>Attachment Number</b>	Nil

**COUNCIL RESOLUTION 23/06/122**

That Council Resolves to:

- A. Commit an amount of \$90,000 in the 2023/24 budget for the installation of an effluent disposal system at the Boyup Brook Visitors Centre.**
- B. Subject to compliance with the Policy F.03 – Purchasing Policy, authorise the Chief Executive Officer to issue the relevant purchase order.**
- C. Request the Chief Executive Officer to include the amount referred to in (1.) above in the 2023/24 budget to be considered by Council.**

**Moved: Cr O’Connell****Seconded: Cr Price****CARRIED BY ABSOLUTE MAJORITY 8/0****SUMMARY**

Council is requested to consider approving the pre-commitment of funds to the 2023/24 budget, to allow for urgent works to be undertaken at the Boyup Brook Tourist Centre.

**BACKGROUND**

The issues with the current effluent disposal system at the Boyup Brook Tourist Centre have been ongoing for quite some and is in need of urgent repairs. The system in its current form does not cope with the volumes and is creating a health hazard for the community.

**REPORT DETAIL**

It is proposed to upgrade the current system to a commercial system large enough to cater for approximately 500 people per day, this is considered a sufficient size and will resolve the current issue.

The works proposed will include the installation of new reticulation as well as the removal of the existing system.

### **SHIRE OF BOYUP BROOK STRATEGIC COMMUNITY PLAN 2021 - 2031**

<b>Key Imperatives</b>	Built Environment
<b>Outcome</b>	Provide sustainable infrastructure that serves the current and future needs of the community
<b>Objective</b>	Construct / redevelop community and sporting facilities in a manner that maximises their life span, capacity and function

### **OTHER STRATEGIC LINKS**

Nil

### **STATUTORY ENVIRONMENT**

- *Health Act 1911*

### **SUSTAINABILITY AND RISK CONSIDERATIONS**

**Economic** – (Impact on the Economy of the Shire and Region)

Nil

**Social** – (Quality of life to community and / or affected landowners)

Whilst in a small manner the installation of an appropriately sized effluent disposal system will improve the quality of life.

### **POLICY IMPLICATIONS**

Nil

### **RISK MANAGEMENT IMPLICATIONS**

Shire of Boyup Brook's commitment to the identification and management of risks that may impact on the achievement of its business objectives.

<b>Risk Level</b>	<b>Comment</b>
Extreme	Not replacing the current system may result in a serious health risk to the community as well as a breach of the <i>Health Act 1911</i> , as such it is imperative that the issues be rectified as soon as possible.

### **CONSULTATION**

Nil

### **RESOURCE IMPLICATIONS**

#### **Financial**

Should Council accept the recommendation, the amount of \$90,000 will be included in the 2023/24 budget to be adopted by Council.

#### **Workforce**

Nil

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end

<b>12.1.2 BUDGET COMMITMENT FOR THE INSTALLATION OF A SAFETY FENCE AROUND A NEW CELL IN AREA 'E' OF THE LANDFILL SITE</b>	
<b>File Ref:</b>	WM/4/001
<b>Previous Items:</b>	Nil
<b>Applicant:</b>	Nil
<b>Author and Title:</b>	Leonard Long, Chief Executive Officer
<b>Declaration of Interest:</b>	Nil
<b>Voting Requirements:</b>	Absolute Majority
<b>Attachment Number</b>	Nil

### **COUNCIL RESOLUTION 23/06/123**

**That Council Resolves to:**

- A. Commit an amount of \$35,000 in the 2023/24 budget for the installation of a fence around new cell in area E at the Landfill site.**
- B. Subject to compliance with the Policy F.03 – Purchasing Policy, authorise the Chief Executive Officer to issue the relevant purchase order.**
- C. Request the Chief Executive Officer to include the amount referred to in (1.) above in the 2023/24 budget to be considered by Council.**

**Moved: Cr Kaltenrieder**

**Seconded: Cr Price**

**CARRIED BY ABSOLUTE MAJORITY 8/0**

### **SUMMARY**

Council is requested to consider approving the pre-commitment of funds to the 2023/24 budget, to allow for urgent fencing works to be undertaken at the landfill site.

### **BACKGROUND**

The existing bulk disposal cells are reaching their end of life and a new cell is urgently required to be able to continue accepting waste from the transfer station.

### **REPORT DETAIL**

It is proposed to develop a new cell measuring approximately 50m long x 8 metres wide and 4 metres deep at its deepest level. To ensure the safety of the users as well as the staff it is a work, health and safety requirement to ensure the excavated site is securely fenced.

Due to the potential safety risks the excavation on the new cell can only commence once the fence has been installed. Given the tight timeframe to achieve this without disrupting the disposal of waste the fence installation is required urgently.

**SHIRE OF BOYUP BROOK STRATEGIC COMMUNITY PLAN 2021 - 2031**

<b>Key Imperatives</b>	Built Environment
<b>Outcome</b>	Provide sustainable infrastructure that serves the current and future needs of the community
<b>Objective</b>	Construct / redevelop community and sporting facilities in a manner that maximises their life span, capacity and function

**OTHER STRATEGIC LINKS**

Nil

**STATUTORY ENVIRONMENT**

- *Health Act 1911*
- *Work Health and Safety Act 2020*

**SUSTAINABILITY AND RISK CONSIDERATIONS**

**Economic** – (Impact on the Economy of the Shire and Region)

Nil

**Social** – (Quality of life to community and / or affected landowners)

It is generally taken for granted that waste disposal facilities will be available. Should this no longer be the case it could dramatically impact community's quality of life.

**POLICY IMPLICATIONS**

Nil

**RISK MANAGEMENT IMPLICATIONS**

Shire of Boyup Brook's commitment to the identification and management of risks that may impact on the achievement of its business objectives.

<b>Risk Level</b>	<b>Comment</b>
Extreme	<p>The installation of the required fence is urgent from both a time factor as well as a safety factor. The installation of the fence cannot be considered to be optional. Delaying the installation may result in the Shire no longer being able to accept bulk waste.</p> <p>Additionally, not installing a fence would place Council in a precarious legal position should an incident occur.</p>

**CONSULTATION**

Nil

**RESOURCE IMPLICATIONS****Financial**

Should Council accept the recommendation, the amount of \$35,000 will be included in the 2023/24 budget to be adopted by Council.

**Workforce**

Nil

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end

**13. CONFIDENTIAL ITEMS OF BUSINESS**

Nil

**14. CLOSURE**

There being no further business the meeting closed at 6:45pm.

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Presiding Member

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Date