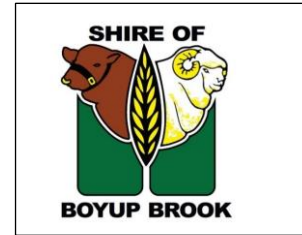


Date: 15 December 2023

To: Shire President  
Deputy Shire President  
Councillors  
Community



MINUTES - ORDINARY COUNCIL MEETING

14 December 2023

A handwritten signature in black ink, appearing to read "Leonard Long". The signature is written in a cursive style with a large, sweeping flourish at the end.

Leonard Long  
Chief Executive Officer

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## **AGENDA**

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

The Presiding Member declared the meeting open at 6:00pm.

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.

This meeting will be audio recorded for minute taking purposes.

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

#### **2.1 ATTENDANCE**

##### **Councillors**

Shire President

Deputy Shire President

Councillors

Cr Richard Walker

Cr Helen O'Connell

Cr Sarah Alexander

Cr Charles Caldwell

Cr Philippe Kaltenrieder

Cr Michael Wright

Cr Darren King

Cr David Inglis

##### **Council Officers**

Chief Executive Officer

Executive Officer

Executive Manager Corporate

& Community Services

Executive Manager Operational Services

Leonard Long

Magdalena Le Grange

Carolyn Mallett

Jason Forsyth

**Observers / Public Members**

Lisa Kocher

Talia Tweedie

Jordan Morgan

Joanne Harding

Steph Rahn

Shaun Sibbes

Chantay Norton

Kurt Norton

Monti Blechynden

Kim Marinoni

Adam Windsor

Courtney Cocks

Anyssa Treasure

Members of the public left the Chambers at 6:18pm.

**2.2 APOLOGIES**

Nil

**2.3 REQUEST FOR LEAVE OF ABSENCE**

Nil

**3. DEPUTATIONS, PETITIONS AND PRESENTATIONS****3.1 DEPUTATIONS**

Nil

**3.2 PETITIONS**

Nil

**3.3 PRESENTATIONS****3.3.1 BOYUP BROOK COUNTRY MUSIC CLUB**

Daly Winter, Vice President of the Country Music Club of Boyup Brook WA Inc to provide updates on the progress of the 2024 Boyup Brook Country Music Festival and Ute & Truck Muster.

Daly Winter left the Chambers at 6:07pm.

**4. PUBLIC QUESTIONS TIME****4.1 RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE**

Nil

**4.2 PUBLIC QUESTION TIME**

Nil

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

Nil

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

Nil

**6. PREVIOUS COUNCIL MEETING MINUTES / OUT OF SESSION CONFIRMATIONS****6.1 ORDINARY COUNCIL MEETING MINUTES – 30 NOVEMBER 2023**

Moved: Cr. Caldwell  
Seconded: Cr. O'Connell

**COUNCIL DECISION 23/12/247**

That the minutes of the Ordinary Council Meeting held on 30 November 2023 be confirmed as being a true and accurate record.

**CARRIED 8/0**  
**For: Cr Walker, Cr O'Connell, Cr Alexander, Cr Caldwell, Cr**  
**Kaltenrieder, Cr Wright, Cr King, Cr Inglis**  
**Against: Nil**

**7. PRESIDENTIAL COMMUNICATIONS****December**

Tues 5th

9am attended the Boyup Brook District High School - Primary School end of year presentations at the School ANZAC Amphitheatre

Thurs 7th

7pm attended the Boyup Brook District High School - Year 10 Graduation Ball and presented Rylington Park Scholarships to Indi Forbes, Boston Walker, Cowen Armstrong, Duncan Turner and Finnley Ruffino.

**8. COUNCILLOR QUESTIONS ON NOTICE**

Nil

## 9. REPORTS OF OFFICERS

### 9.1 OPERATIONAL SERVICES

<b>9.1.1 TENDER EVALUATION REPORT (TENDER 23-003) FOUR WHEEL DRIVE ARTICULATED FRONT END LOADER</b>	
<b>File Ref:</b>	EQ/57/001
<b>Previous Items:</b>	Nil
<b>Applicant:</b>	Nil
<b>Author and Title:</b>	Jason Forsyth, Executive Manager Operational Services
<b>Declaration of Interest:</b>	Nil
<b>Voting Requirements:</b>	Simple Majority
<b>Attachment Number:</b>	9.1.1A CONFIDENTIAL ATTACHMENT: Tender Evaluation Report: Tender 23-003 Four-wheel Drive Articulated Front End Loader

**Moved: Cr. O'Connell**

**Seconded: Cr. Kaltenrieder**

#### **COUNCIL DECISION 23/12/248**

**That Council:**

- 1. Awards Tender 23-003 for supply of a Front End Loader to Komatsu Ltd.**
- 2. Authorises the additional expenditure of \$21,281 to facilitate the purchase of the Komatsu WA 2740-6 Loader.**
- 3. Authorise the Chief Executive Officer to issue a Purchase Order for the tender amount of \$261,281 ex GST.**

**CARRIED 8/0**

**For: Cr Walker, Cr O'Connell, Cr Alexander, Cr Caldwell, Cr Kaltenrieder, Cr Wright, Cr King, Cr Inglis**

**Against: Nil**

#### **SUMMARY**

This report is for Council to consider and award the 23-003 request for tender to Supply a Four-wheel Drive Articulated Front End Loader.

#### **BACKGROUND**

The Shire is looking to replace one of its working loaders under replacement programme for older equipment. The loader being replaced is at its 10 year life span and has considerable wearing in the pivots of the bucket and the front arms. It also has transmission noise indicating future problems.

## **REPORT DETAIL**

Four (4) Tenders were received as noted below. All tenders provided meet the conditions for supply of the equipment and the Shire's requirements as per the tender document.

<b>Tenderer</b>	<b>Machine</b>	<b>Base Machine Cost</b>
Liebherr	L526-G6 Loader	\$315,000 ex GST
Hitachi	ZW140-5 Loader	\$231,209 ex GST
JCB Equipment	JCB 426HT Loader	\$255,800 ex GST
WesTrac	Caterpillar 924 Loader	\$317,788 ex GST
Komatsu Ltd	Komatsu WA 2740-6 Loader	\$261,281 ex GST
McIntosh & Son	Liugong 835H Loader	\$156,800 ex GST

The following assessment matrix was used by the evaluation panel when assessing the individual tenders.

<b>Tender Assessment Matrix</b>		
1	Pricing	45%
2	After Sales, Maintenance & Support	30%
3	Warranty	5%
4	Brand Acceptance in the Marketplace	5%
5	Resale	15%
		100%

Each of the tenderers offered additional attachments and various changes to warranty conditions thereby increasing total cost.

The evaluation panel's recommendation to purchase the heavy plant from Komatsu Ltd is supported by the following:

1. New machine and its ability are similar to the current machine operated by the works team no retraining would be necessary in its use.
2. Existing attachments are all interchangeable.
3. Price includes standard servicing & maintenance for 2 years /2000 hours.
4. Prior good history of service with Komatsu machines.



## **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*
- *Local Government (Functions and General) Regulations 1996 – Part 4 – Provision of goods and services.*

### **SUSTAINABILITY AND RISK CONSIDERATION**

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

A front-end loader can greatly enhance the efficiency of various public works projects like road maintenance, landscaping, and construction. Its versatility allows it to be used for multiple purposes, reducing the time and manpower needed for these tasks.

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

A loader can be instrumental in maintaining and improving roads, public spaces, and facilities. Better infrastructure means smoother roads, well-maintained parks, and overall improved public amenities, which directly enhances the daily experience of community members.

### **POLICY IMPLICATIONS**

Shire of Boyup Brook – Purchasing Policy F.03

### **RISK MANAGEMENT IMPLICATIONS**

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

<b>Risk Level</b>	<b>Comment</b>
<b>Medium</b>	Not replacing an aging loader may have a cost-saving measure in the short term, the long-term implications of increased maintenance, potential for costly emergencies, and reduced efficiency can strain the local government's budget.

**CONSULTATION**

Tenders were advertised in the West Australian on 9 October 2023 and closed at 2.00pm on 31 October 2023.

**RESOURCE IMPLICATIONS****Financial**

Budget allocation in the adopted 2023/24 budget for the purchase of a loader is \$240,000, since then, there has been price increases on the equipment.

However, it must be noted that due to legislative requirements the old plant being replaced will be auctioned. Following the auction, a report will be submitted to Council to consider a transfer from the Plant Reserve, the amount of the transfer will depend on the proceeds obtained through the sale of the plant which has been estimated to be \$80,000.

**Workforce**

Nil

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End

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<b>9.1.2 TENDER EVALUATION REPORT (TENDER 23-002) DIESEL MOTOR GRADER</b>	
<b>File Ref:</b>	EQ/57/001
<b>Previous Items:</b>	Nil
<b>Applicant:</b>	Nil
<b>Author and Title:</b>	Jason Forsyth, Executive Manager Operational Services
<b>Declaration of Interest:</b>	Nil
<b>Voting Requirements:</b>	Simple Majority
<b>Attachment Number:</b>	9.1.2A CONFIDENTIAL ATTACHMENT: Tender Evaluation Report: Tender 23-002 Diesel Motor Grader

**Moved: Cr. Kaltenrieder**  
**Seconded: Cr. Wright**

**COUNCIL DECISION 23/12/249**

**That Council:**

- 1. Awards Tender 23-002 for supply of a Diesel Motor Grader to Komatsu Ltd.**
- 2. Authorises the additional expenditure of \$25,359 to facilitate the purchase of the Komatsu GD555-5 Grader.**
- 3. Authorise the Chief Executive Officer to issue a Purchase Order for the tender amount of \$375,359 ex GST.**

**CARRIED 8/0**

**For: Cr Walker, Cr O’Connell, Cr Alexander, Cr Caldwell, Cr Kaltenrieder, Cr Wright, Cr King, Cr Inglis**  
**Against: Nil**

**SUMMARY**

This report is for Council to consider and award the 23-002 request for tender to Supply a Diesel Motor Grader as advertised and recorded in the Tenders Register.

**BACKGROUND**

Grader P196 is up to it is 10,000 hours on the clock. It is industry standard to change out a heavily used road graders when it has reached this time limit. The grader is also blowing smoke and is at it 10-year life cycle. It has had in recent times increased break downs whilst working on site. It has been identified in the 10 year replacement plan to be changed out this fiscal year.

## **REPORT DETAIL**

Four (4) Tenders were received as noted below with machine to be provided. All tenders provided meet the conditions for supply of the equipment and council's requirements as per the tender document.

<b>Tenderer</b>	<b>Machine</b>	<b>Base Machine Cost</b>
McIntosh & Son	Liugong 4230D Grader	\$272,400 ex GST
McIntosh & Son	Case 865B Grader	\$399,100 ex GST
WesTrac	Caterpillar 140JOY3 Grader	\$499,488 ex GST
Komatsu Ltd	Komatsu GD555-5 Grader	\$375,359 ex GST

The following assessment matrix was used by the evaluation panel when assessing the individual tenders.

<b>Tender Assessment Matrix</b>		
1	Pricing	45%
2	After Sales, Maintenance & Support	30%
3	Warranty	5%
4	Brand Acceptance in the Marketplace	5%
5	Resale	15%
		100%

Each of the tenderers offered additional attachments and various changes to warranty conditions thereby increasing total cost.

The evaluation panel's recommendation to purchase the heavy plant from Komatsu Ltd is supported by the following:

1. New machine and its ability is similar to the current machine operated by the works team no retraining would be necessary in its use.
2. Price includes standard servicing & maintenance for 2 years /2000 hours.
3. Tender is Second lowest price on tender documents.
4. Prior good history of service with Komatsu machines.

## **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 OBLIGATIONS**

- *Local Government Act 1995*
- *Local Government (Functions and General) Regulations 1996 – Part 4 – Provision of goods and services.*

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

Graders form an integral part of the Shire’s heavy plant inventory. Road infrastructure is essential for local economic growth. It facilitates the movement of goods and services, supports local businesses, and attracts investment. Improved roads can also boost tourism in areas with natural or cultural attractions.

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

Roads are vital for connecting communities, enabling residents to access essential services such as healthcare, education, and shopping. This is particularly important in remote or rural areas where distances to such services can be significant.

**POLICY IMPLICATIONS**

Shire of Boyup Brook – Purchasing Policy F.03

**RISK MANAGEMENT IMPLICATIONS**

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

<b>Risk Level</b>	<b>Comment</b>
<b>Medium</b>	Failure to replace machinery in terms of changeover policy could result in additional repair and maintenance costs and employee injury from running non-compliant machinery

**CONSULTATION**

Tenders from the public were called for commencing 9 October 2023 to 2.00pm on 31 October 2023 via a public notice in The West Australian newspaper.

The notice was put on the Shire website on 9 October 2023.

## **RESOURCE IMPLICATIONS**

### **Financial**

Budget allocation in the adopted 2023/24 budget for the purchase of a loader is \$350,000, since obtaining a quote for budget purposes the cost of the machine has increased by \$25,359.

However, it must be noted that due to legislative requirements the old plant being replaced will be auctioned. Following the auction, a report will be submitted to Council to consider a transfer from the Plant Reserve, the amount of the transfer will depend on the proceeds obtained through the sale of the plant which has been estimated to be \$195,000.

### **Workforce**

Nil

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End

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## 9.2 CORPORATE AND COMMUNITY SERVICES

<b>9.2.1 LIST OF ACCOUNTS PAID IN NOVEMBER 2023</b>	
<b>File Ref:</b>	FM/1/002
<b>Previous Items:</b>	Nil
<b>Applicant:</b>	Nil
<b>Author and Title:</b>	Joanna Hales-Pearce, Finance Officer
<b>Declaration of Interest:</b>	Nil
<b>Voting Requirements:</b>	Simple Majority
<b>Attachment Number:</b>	9.2.1A List of Accounts Paid in November 2023

Moved: Cr. Alexander  
 Seconded: Cr. O'Connell

### COUNCIL DECISION 23/12/250

That Council:

1. Receive the list of accounts paid in November 2023, totalling \$647,312.69 from Municipal account, \$55,400.95 from Police Licensing account and \$0.00 from Boyup Brook Early Learning Centre account, as represented by:

Municipal	Cheques	20621-20626	\$ 7,972.24
	EFT	EFT14875–EFT14985	\$356,277.75
	Direct Payments		\$283,062.70
Police Licensing			\$ 55,400.95
BBELC			\$ 0
<b>Grand Total</b>			<b>\$702,713.64</b>

**CARRIED 8/0**

**For: Cr Walker, Cr O'Connell, Cr Alexander, Cr Caldwell, Cr Kaltenrieder, Cr Wright, Cr King, Cr Inglis**  
**Against: Nil**

### SUMMARY

In accordance with the *Local Government (Financial Management) Regulations 1996* the list of accounts paid in November 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 30 November 2023.

## **REPORT DETAIL**

Attachment 9.2.1A lists accounts/invoices the Shire paid by cheque or electronic means during the period 01 to 30 November 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 CONSIDERATION**

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

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

### **POLICY IMPLICATIONS**

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

### **RISK MANAGEMENT IMPLICATIONS**

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

<b>Risk Level</b>	<b>Comment</b>
<b>Medium</b>	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**

Account payments accorded with a detailed 2023/24 Annual Budget.

#### **Workforce**

Nil

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End

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### 9.3 CHIEF EXECUTIVE OFFICER

<b>9.3.1 ENDORSEMENT OF THE SANDAKAN PARK PLAYGROUND CONCEPT PLAN</b>	
<b>File Ref:</b>	Reserve 29911
<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>	9.3.1A Sandakan Park Playground

**Moved: Cr. O'Connell**

**Seconded: Cr. King**

#### **COUNCIL DECISION 23/12/251**

**That Council:**

- 1. Endorse the Sandakan Park Playground Concept plan for implementation (Attachment 9.3.1A) in Sandakan Park.**
- 2. Subject to funding, authorise the construction of the Sandakan Playground in the following order:**
  - a) Year 1 – Mill Tower Zone.**
  - b) Year 2 – Junior Zone.**
  - c) Year 3 – Musical Zone.**
  - d) Year 4 – Perimeter fencing and Landscaping.**
  - e) Year 5 – Urban Warrior Course.**
  - f) Year 6 – Perimeter play equipment.**
  - g) Year 7 – Dog Park.**
- 3. Authorise the Chief Executive Officer to approve minor changes to the concept plan should the need arise during the construction phases.**
- 4. Request the Chief Executive Officer to where possible, repurpose any play equipment from the Sandakan Park Playground to the Recreation Precinct Playground.**

**CARRIED 7/1**

**For: Cr Walker, Cr O'Connell, Cr Alexander, Cr Caldwell, Cr Kaltenrieder, Cr Wright, Cr King**

**Against: Cr Inglis**

#### **SUMMARY**

Council is requested to consider the attached concept design for the redevelopment of the Sandakan Park Playground.

## **BACKGROUND**

The Sandakan Park Playground has served its purpose and has now reached its end of life. Council allocated funds towards the redevelopment of the playground in its 2023/24 budget.



## **REPORT DETAIL**

The Sandakan Park Playground will serve as a vital social hub, fostering a range of benefits that enhance the quality of life within the Shire. Firstly, it will provide an inclusive space where children of various backgrounds can interact, play, and develop essential social skills like sharing, teamwork, and empathy.

This early exposure to diversity promotes tolerance and understanding from a young age. Secondly, the playground will provide a common space for parents and guardians to meet, encouraging the formation of supportive social networks. These interactions can lead to the exchange of parenting advice, emotional support, and the development of friendships, reducing feelings of isolation.

Playgrounds often become the site of community events, further strengthening communal bonds and fostering a sense of belonging. By offering a safe and accessible space for leisure and social interaction, playgrounds contribute significantly to the social fabric of a community, enhancing overall well-being and cohesion.

In addition to the social and community benefit the playground as proposed can be a significant tourist attraction, providing unique benefits to the area. As a distinctive landmark, it can capture the imagination and curiosity of visitors, drawing families from both local and regional. The influx of tourists can lead to increased spending in the town, benefiting local businesses.

Further, the playground will promote the Shire as a family-friendly destination, and encourage visitors to share their experiences online, providing free marketing and further boosting its appeal to potential tourists. Overall, the playground not only enriches the experience of visitors but also contributes to the local economy, cultural and recreational appeal of the Shire.

In terms of locality the development of the playground near to the town centre could yield substantial economic benefits. Firstly, it acts as a draw for families, increasing foot traffic in the area. This is likely to boost patronage at nearby businesses, as parents and caregivers often combine playground visits with shopping or the like.

The playground will enhance the overall attractiveness of the town centre, making it more appealing to potential new residents and investors. A family-friendly environment can be a deciding factor for people looking to relocate, thus potentially increasing property values. In essence, it is likely the playground being near the town centre will assist in acting as a catalyst for economic growth, fostering a vibrant, family-friendly atmosphere that benefits businesses and residents alike.

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

<b>Key Imperatives</b>	Built Environment
<b>Outcome</b>	Preserve the history and heritage of our built environment
<b>Objective</b>	Improve management and maintenance of community, heritage and historic sites and facilities in the Shire

### **OTHER STRATEGIC LINKS**

Nil

### **STATUTORY ENVIRONMENT**

Nil

### **SUSTAINABILITY AND RISK CONSIDERATION**

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

Constructing the community park near the town centre can lead to positive economic outcomes, as it attracts more visitors and residents to the area, boosting local businesses. The increased foot traffic often translates into higher sales for nearby shops and cafes, fostering a more vibrant and economically thriving town centre.

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

A community park offers significant social benefits, such as providing a communal space for individuals and families to gather, socialise, and engage in recreational activities. It fosters community cohesion, encourages healthy lifestyles, and serves as a natural meeting point for people from diverse backgrounds, promoting inclusivity and strengthening social ties within the community.

### **POLICY IMPLICATIONS**

Nil

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## **RISK MANAGEMENT IMPLICATIONS**

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

<b>Risk Level</b>	<b>Comment</b>
<b>High</b>	The playground in its current state has become dangerous and if not redeveloped would need to be removed.

## **CONSULTATION**

- Initial consultation was undertaken with the Boyup Brook Play Group.
- A working group was established to consider the concept proposed for endorsement.

## **RESOURCE IMPLICATIONS**

### **Financial**

During the preparation of the 2023/24 budget \$200,000 was allocated to redevelopment of the Sandakan Park Playground. Of this approximately \$50,000 has been set aside for the cost of the preparation of the proposed concept plan as well as the preparation of the overall Sandakan Master Plan.

### **Workforce**

Nil

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End

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<b>9.3.2 RYLINGTON PARK MONTHLY ACTIVITY REPORT FOR THE MONTH OF NOVEMBER 2023</b>	
<b>File Ref:</b>	RP/01/002
<b>Previous Items:</b>	Nil
<b>Applicant:</b>	Nil
<b>Author and Title:</b>	Erlanda Deas, Farm Coordinator
<b>Declaration of Interest:</b>	Nil
<b>Voting Requirements:</b>	Simple Majority
<b>Attachment Number:</b>	Nil

**Moved: Cr. King**  
**Seconded: Cr. Wright**

**COUNCIL DECISION 23/12/252**

**That Council:**

- 1. Receives the monthly activity report for the Rylington Park Farm for the month of November 2023.**

**CARRIED 8/0**  
**For: Cr Walker, Cr O’Connell, Cr Alexander, Cr Caldwell, Cr Kaltenrieder, Cr Wright, Cr King, Cr Inglis**  
**Against: Nil**

**SUMMARY**

The monthly report is to provide Council with an update on the operations at the Rylington Park Farm.

**BACKGROUND**

The Rylington Park Institute for Agricultural Training and Research, known as Rylington Park, is a key agricultural asset located 27km from Boyup Brook, in Mayanup.

This 650-hectare property was donated to the Shire of Boyup Brook in 1985 by Mr. Eric Farleigh for agricultural research and training, aimed at the betterment of the Boyup Brook community. Managed by the Shire, the property runs various agricultural programs, including shearing schools and fertiliser and seed trials.

It also offers scholarships to youth in agriculture and has a strategic relationship with Edith Cowan University for research and education, with the intent to share findings with the local farming community. Rylington Park is committed to supporting the agricultural industry and the regional community through its various initiatives.

## **REPORT DETAIL**

### Weed Control

- Sprayed crops for Thistles

### Infrastructure and Equipment Maintenance

- Serviced sheep feeder and replaced the plugs.
- Removed the fire unit radio from the old ute and installed into the Toyota.
- Installed a new startyer rope on the chemical shed pump.
- Installed a second water pump on the western side of the road.
- Installed an impeller in the water pump.
- Installed roll-over bars on the four wheelers and purchased crash helmets.
- The contractors commenced installation of the new house roof.

### Crop Management

- Carting and stacking Hay bales
- Crops to be harvested:
  - 92ha of Canola
  - 62.5ha of Barley

### Livestock Sales

- Sales Transactions:
  - Sold 194 XB lambs at an average price of \$82.36 each.
  - Sold 500 XB lambs to feedlot at \$1.30kg/ live weight.
  - Pending sale of 400 cull hoggets at \$45 each.

### Livestock Handling and Management

- Feeding all sheep.
- Worked through XB lambs together with stock agent to draft, weigh and split lambs into groups.
- Jetted ewes for flystrike (Extinisd).
- Shearing school crutched all XB lambs, shore light weights and 309 store lambs.
- Cleaned Merinao lambs faces (grass seeds) and jetted all with Extinisd.

### Livestock Inventory as of November

- White Suffolk: 18
- XB Lambs: 170 (October 870)
- Merino: 4854

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

<b>Key Imperatives</b>	Social and Community
<b>Outcome</b>	Promote quality education, health, childcare, aged care and youth services
<b>Objective</b>	Develop and maintain partnerships with schools and police
<b>Key Imperatives</b>	Economic Development

<b>Outcome</b>	Be a business-friendly shire and create conditions for economic growth
<b>Objective</b>	Partner with key stakeholders and support development of industry / business incubation, innovation and entrepreneurship using a planned approach.

### **OTHER STRATEGIC LINKS**

Nil

### **STATUTORY ENVIRONMENT**

Nil

### **SUSTAINABILITY AND RISK CONSIDERATIONS**

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

Rylington Park Farm contributes economically to both the Shire and Region by providing education and skill development in agriculture which can enhance the workforce, leading to more efficient and innovative farming practices.

Conducting agricultural research can lead to better farming techniques and increased productivity, positively impacting the local economy. The farm also hosting field days and the event draws visitors locally and regionally which can stimulate local spending.

Offering scholarships encourages local youth to pursue careers in agriculture, potentially leading to a more skilled labour pool. Shearing schools support the sheep industry, vital for the local economy. These activities can lead to job creation, increased productivity, and the overall growth of Boyup Brook's agricultural sector.

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

Rylington Park Farm can impact the quality of life in the Boyup Brook community by enhancing access to agricultural training and education, boosting local economy through job creation and agricultural advancements.

The farm also brings community members together during events and field days, and through its training encourages young people to consider futures in agriculture, aiding in community retention.

### **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.



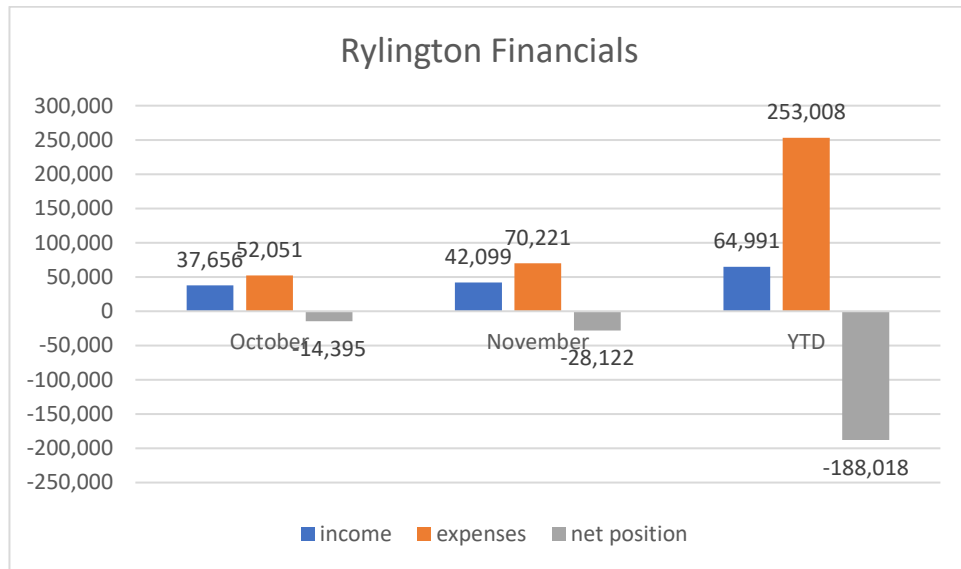
Risk Level	Comment
<b>Moderate</b>	<p>The Shire's risks regarding Rylington Park Farm include costs of operating the farm and funding programs may not always be covered by revenue or grants. Fluctuations in agricultural markets can affect the farm's economic viability.</p> <p>Extreme weather events could impact farm operations and ensuring all farming practices meet regulatory standards.</p>

**CONSULTATION**

Nil

**RESOURCE IMPLICATIONS**

**Financial**



NB: It should be noted that expenses have been incurred to date for crops yet to be harvested and stock sales yet to happen for the year.

**Workforce**

Nil

end

<b>9.3.3 BOYUP BROOK EARLY LEARNING CENTRE MONTHLY ACTIVITY REPORT FOR THE MONTH OF NOVEMBER 2023</b>	
<b>File Ref:</b>	A190
<b>Previous Items:</b>	Nil
<b>Applicant:</b>	Nil
<b>Author and Title:</b>	Jimina Shaw-Sloan, Director Early Learning Centre
<b>Declaration of Interest:</b>	Nil
<b>Voting Requirements:</b>	Simple Majority
<b>Attachment Number:</b>	Nil

**Moved: Cr. Alexander**  
**Seconded: Cr. O'Connell**

**COUNCIL DECISION 23/12/253**

**That Council:**

- 1. Receives the monthly activity report for the Boyup Brook Early Learning Centre for the month of November 2023.**

**CARRIED 8/0**  
**For: Cr Walker, Cr O'Connell, Cr Alexander, Cr Caldwell, Cr Kaltenrieder, Cr Wright, Cr King, Cr Inglis**  
**Against: Nil**

**SUMMARY**

The monthly report is to provide Council with an update on the operations at the Boyup Brook Early Learning Centre.

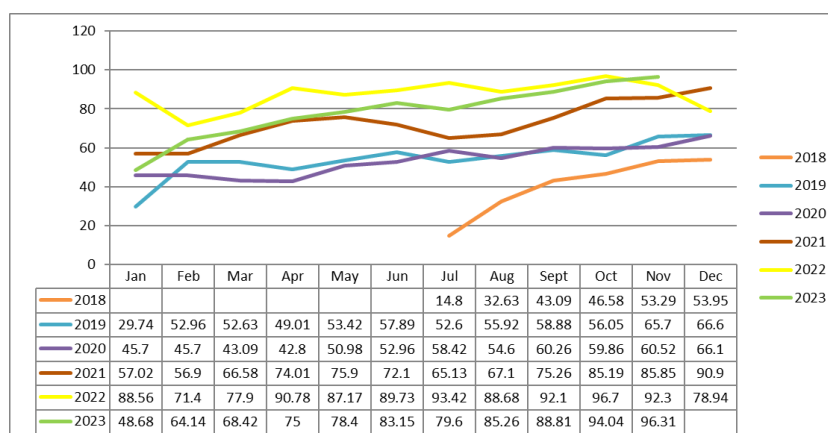
**BACKGROUND**

Boyup Brook Early Learning Centre is a multi-aged single space facility catering for children aged 0 – 7 years of age. Operating Tuesday to Friday from 8.15am to 5.15pm.

The centre offers a play-based program, with an emphasis on child led experiences within a natural environment and real-world resources.

**REPORT DETAIL**

Average monthly utilisation tracker.



**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**

Nil

**SUSTAINABILITY AND RISK CONSIDERATIONS**

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

The Boyup Brook Early Learning Centre holds significant importance for the local economy, it provides a critical service for working parents, enabling them to continue their employment or education without the burden of childcare. This support is particularly crucial in rural areas, where access to childcare facilities might be limited. By ensuring that parents can work, the centre directly contributes to the economic activity and productivity of the town.

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

The Boyup Brook Early Learning Centre brings significant social benefits to the community. The centre offers a safe and nurturing environment for children, allowing parents, to pursue employment or education opportunities that were previously inaccessible due to childcare responsibilities.

**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.

Risk Level	Comment
Moderate	The availability of early learning centres can be a factor in attracting and retaining young families in the area. Without such facilities, the Shire might experience a decline in population growth or struggle to attract new residents, which can have broader economic implications

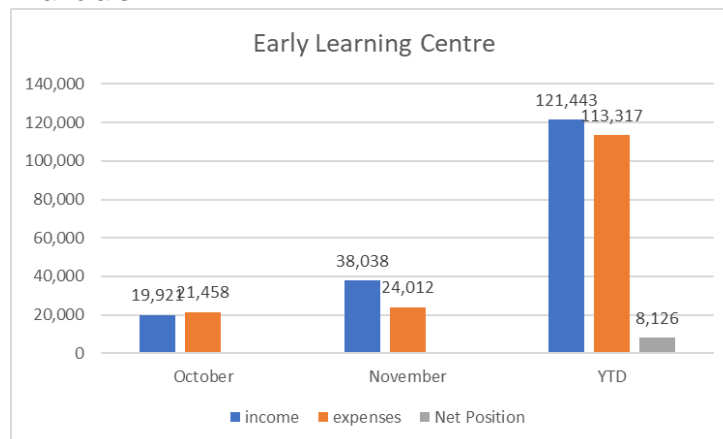
**CONSULTATION**

Nil

**RESOURCE IMPLICATIONS**

**Financial**

November Financials:



Current employee agreements providing use of the centre during working hours relates to an additional indicative income of approximately \$5,385 p/a. This figure is likely to reduce in the future due to staff movements.

**Workforce**

As a result of difficulties in securing appropriately qualified educator’s the centre will be reducing intake numbers for 2024, to 14 children (4 x 0–3-year-olds and 10 x 3–7-year-olds).

end

<b>9.3.4 BOYUP BROOK MEDICAL SERVICES MONTHLY ACTIVITY REPORT FOR THE MONTH OF NOVEMBER 2023</b>	
<b>File Ref:</b>	A1270
<b>Previous Items:</b>	Nil
<b>Applicant:</b>	Nil
<b>Author and Title:</b>	Janette Kuypers, Practice Manager
<b>Declaration of Interest:</b>	Nil
<b>Voting Requirements:</b>	Simple Majority
<b>Attachment Number:</b>	Nil

**Moved: Cr. King**

**Seconded: Cr. Kaltenrieder**

**COUNCIL DECISION 23/12/254**

**That Council:**

- 1. Receives the monthly activity report for the Boyup Brook Medical Services for the month of November 2023.**

**CARRIED 8/0**

**For: Cr Walker, Cr O’Connell, Cr Alexander, Cr Caldwell, Cr Kaltenrieder, Cr Wright, Cr King, Cr Inglis**

**Against: Nil**

**SUMMARY**

The monthly report is to provide Council with an update on the operations at the Boyup Brook Medical Services.

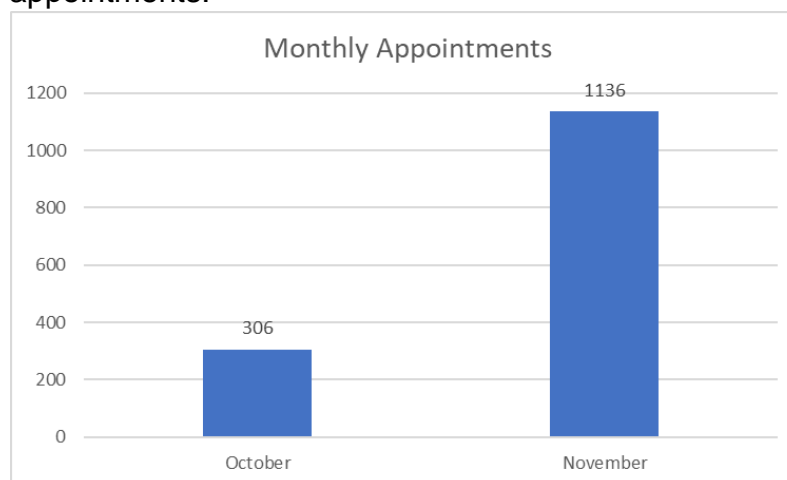
**BACKGROUND**

Boyup Brook Medical Services is an AGPAL (RACGP Standards) accredited practice. It provides general practice and nursing services to the community. Operating Monday to Friday from 8.00am to 4:30pm.

It is a mixed billing practice. Concession card holders and children under 16 are bulk billed. Appointment times are in 15-minute slots, however longer appointments can be requested. The practice also provides a room for visiting allied health practitioners (physio, osteo, podiatrist, dietician, psychologist OT and audiologist).

**REPORT DETAIL**

Monthly appointments.

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

<b>Key Imperatives</b>	Social and Community
<b>Outcome</b>	Support a healthy, active, vibrant community
<b>Objective</b>	Facilitate access to health facilities, services and programs to achieve good general and mental health wellbeing in the community.

**OTHER STRATEGIC LINKS**

Nil

**STATUTORY ENVIRONMENT**

Nil

**SUSTAINABILITY AND RISK CONSIDERATIONS**

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

The Medical Centre offers several economic benefits to the community. It provides local access to healthcare, which can improve overall community health and productivity. It creates jobs, from medical staff to administrative roles. Employees and patients may spend locally, supporting other businesses.

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

The social benefits of having a medical centre in the community includes enhanced access to health services which can lead to earlier detection and treatment of diseases, improving overall community health. Local access to medical care is more convenient, especially for elderly, disabled, or those without transportation. These social benefits contribute to the well-being and quality of life in Boyup Brook.

**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.

Risk Level	Comment
Moderate	Not having a medical centre would result in residents having to travel significant distances for medical care. In emergencies, the lack of a local medical centre could lead to delayed treatment and potentially poorer health outcomes. Without local healthcare services, residents might leave for areas with better access, impacting local businesses and overall economy.

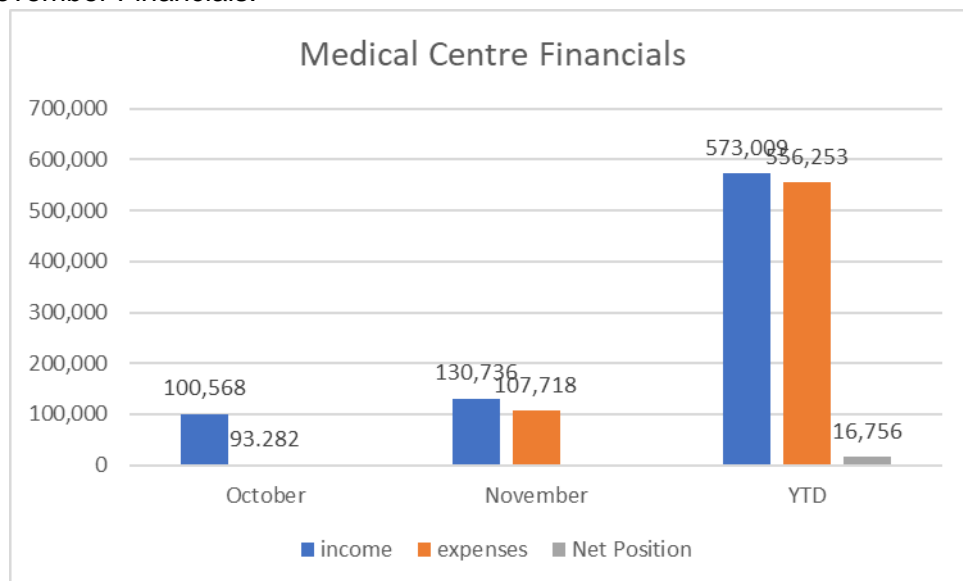
**CONSULTATION**

Nil

**RESOURCE IMPLICATIONS**

**Financial**

November Financials:



**Workforce**

The centre employs two (2) Doctors (1 x 3 days/week, 1 x 4 days/week at the practice), 3 parttime receptionists, 1 nurse and a practice manager.

end

<b>9.3.5 ADOPTION OF THE BOYUP BROOK LOCAL PLANNING STRATEGY 2023-2038</b>	
<b>File Ref:</b>	LN/42/004
<b>Previous Items:</b>	Res 22/5/56
<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>	9.3.5A Submissions Received 9.3.5B Schedule of Submissions 9.3.5C Advertised Local Planning Strategy

**Moved: Cr. King**  
**Seconded: Cr. Alexander**

**COUNCIL DECISION 23/12/255**

**That Council:**

- 1. Pursuant to Regulation 14(2) of the *Planning and Development (Local Planning Schemes) Regulations 2015*, considers the submissions (Attachment 9.3.5A) received on the draft Local Planning Strategy.**
- 2. Pursuant to Regulation 25(3) of the *Planning and Development (Local Planning Schemes) Regulations 2015*, adopts the draft Local Planning Strategy subject to modifications detailed in the Schedule of Submissions (Attachment 9.3.5B).**
- 3. Authorise the Chief Executive Officer to:**
  - a) Pursuant to Regulation 14(3) and 28 of the *Planning and Development (Local Planning Schemes) Regulations 2015*, forward all relevant information required to the Western Australian Planning Commission.**
  - b) Execute documents and modifications as required by the *Planning and Development (Local Planning Schemes) Regulations 2015 and Planning and Development Act 2005*.**

**CARRIED BY ABSOLUTE MAJORITY 8/0**  
**For: Cr Walker, Cr O'Connell, Cr Alexander, Cr Caldwell, Cr**  
**Kaltenrieder, Cr Wright, Cr King, Cr Inglis**  
**Against: Nil**

**SUMMARY**

- Under the *Planning and Development (Local Planning Schemes) Regulations 2015*, a local government must prepare a local planning strategy for its local planning scheme.



- The draft Local Planning Strategy sets the strategic direction for settlement growth, informs amendments to the Shire’s Local Planning Scheme, decisions in relation to land use and development over the next ten to fifteen years.
- Council is asked to support the draft Local Planning Strategy subject to the proposed modifications and resolve to submit the draft Strategy to the WAPC for the endorsement.
- The WAPC may request the Shire to make modifications to the draft Local Planning Strategy prior to endorsement.

### **BACKGROUND**

The Shire engaged Taylor Burrell Barnett (TBB) to prepare a Local Planning Strategy for the Shire that will address the current and future needs of the Boyup Brook Community.

At its Ordinary Council Meeting of 26 May 2022 Council resolved as follows:

*“COUNCIL DECISION & OFFICER RECOMMENDATION – ITEM 10.3.4*

*MOVED: Cr Steele Alexander*

*SECONDED: Cr Helen O’Connell*

*That Council:*

- 1. Endorses Shire’s draft Local Planning Strategy subject to minor edits and requests the Western Australian Planning Commission (WAPC) approve the amended draft Local Planning Strategy for advertising to allow for community and stakeholder input prior to final consideration by Council and the WAPC.*
- 2. THAT Council, in pursuance to the Planning and Development (Local Planning Schemes) Regulations 2015, RESOLVES to provide a copy of the Boyup Brook Local Planning Strategy to the Western Australian Planning Commission to certify that the Strategy complies with Part 3, Clause 11 (2) of the Planning and Development (Local Planning Schemes) Regulations 2015 for the purpose of proceeding to advertise the Strategy.*
- 3. In accordance with the Planning and Development (Local Planning Schemes) Regulations 2015, advertise the strategy once certification has been provided by the Western Australian Planning Commission.*

*CARRIED BY ABSOLUTE MAJORITY 8/0*

*Res 22/5/56”*

### **REPORT DETAIL**

The draft Local Planning Strategy is guided by the Shire’s Strategic Community Plan and aims to address the current lack of industrial and commercial land, while also designating areas for residential and rural residential development.

After the Western Australian Planning Commission (WAPC) approves it, the LPS will lay the groundwork for modifications to the Shire’s Local Planning Scheme, enabling rezoning for commercial, industrial, and residential purposes. The rezoning of the old saleyards and bowling green have already been finalised in accordance with the draft Local Planning Strategy.

The LPS intentionally allocates more land for residential and industrial growth than necessary to avoid reliance on a limited number of developers for the town's expansion.

During the Local Planning Strategy development, the State Government announced plans to heavily invest in new pine plantations. This has instilled grave concerns regarding the economic and social impact the proliferation of Tree Farms would have on the Shire in the long term especially where it entails the development of active farming operations.

### **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, visitors accommodation and tourism infrastructure

### **OTHER STRATEGIC LINKS**

Nil

### **STATUTORY ENVIRONMENT**

*Planning and Development (Local Planning Schemes) Regulations*

#### ***Part 3 – Local planning strategies***

#### ***11. Requirement for local planning strategy for local planning scheme***

- 1) *A local government must prepare a local planning strategy in accordance with this Part for each local planning scheme that is approved for land within the district of the local government.*
- 2) *A local planning strategy must —*
  - (aa) be prepared in a manner and form approved by the Commission; and*
  - (a) set out the long-term planning directions for the local government; and*
  - (b) apply any State or regional planning policy that is relevant to the strategy; and*
  - (c) provide the rationale for any zoning or classification of land under the local planning scheme.*

- 3) *A local planning strategy may be prepared concurrently with the local planning scheme to which it relates.*
- 4) *[Regulation 11 amended: SL 2020/252 r. 6.]*

## **12. Certification of draft local planning strategy**

- 1) *Before advertising a draft local planning strategy under regulation 13 the local government must provide a copy of the strategy to the Commission.*
- 2) *On receipt of a copy of a draft local planning strategy the Commission must, as soon as reasonably practicable, assess the strategy for compliance with regulation 11(2).*
- 3) *If the Commission is not satisfied that a draft local planning strategy complies with regulation 11(2) the Commission may, by notice in writing, require the local government to —*
  - (a) *modify the draft strategy; and*
  - (b) *provide a copy of the draft strategy as modified to the Commission for assessment under subregulation (2).*
- 4) *If the Commission is satisfied that a draft local planning strategy complies with regulation 11(2) it must certify the strategy accordingly and provide a copy of the certification to the local government for the purpose of proceeding to advertise the strategy.*

## **13. Advertising and notifying local planning strategy**

- 1) *A local government must, as soon as reasonably practicable after being provided with certification that a local planning strategy complies with regulation 11(2), advertise the strategy as follows —*
  - (a) *publish in accordance with regulation 76A the strategy and a notice giving details of —*
    - (i) *how the strategy is made available to the public in accordance with regulation 76A; and*
    - (ii) *the manner and form in which submissions may be made; and*
    - (iii) *the period under subregulation (2) for making submissions and the last day of that period;*
  - [(b) deleted]*
  - (c) *give a copy of the notice to each public authority that the local government considers is likely to be affected by the strategy;*
  - [(d) deleted]*
  - (e) *advertise the strategy as directed by the Commission and in any other way the local government considers appropriate.*
- 2) *The period for making submissions on a local planning strategy is —*

- (a) *the period of 21 days after the day on which the notice of the strategy is first published under subregulation (1)(a); or*
- (b) *a longer period approved by the Commission.*

*[(3) deleted] (4) Notice of a local planning strategy as required under subregulation (1) may be given in conjunction with the notice to be given under regulation 20(1) for the scheme to which it relates.*

*[Regulation 13 amended: SL 2020/252 r. 7.]*

#### **14. Consideration of submissions**

- 1) *After the expiry of the period within which submissions may be made in relation to a local planning strategy, the local government must review the strategy having regard to any submissions made.*
- 2) *The local government may —*
  - (a) *support the local planning strategy without modification; or*
  - (b) *support the local planning strategy with proposed modifications to address issues raised in the submissions.*
- 3) *After the completion of the review of the local planning strategy the local government must submit to the Commission —*
  - (a) *a copy of the advertised local planning strategy; and*
  - (b) *a schedule of the submissions received; and*
  - (c) *particulars of any modifications to the advertised local planning strategy proposed by the local government.*

#### **15. Endorsement by Commission**

- 1) *Within 60 days of the receipt of the documents referred to in regulation 14(3) the Commission may —*
  - (a) *endorse the strategy without modification; or*
  - (b) *endorse the strategy with some or all of the modifications proposed by the local government; or*
  - (c) *require the local government to modify the strategy in the manner specified by the Commission before the strategy is resubmitted to the Commission for endorsement; or*
  - (d) *refuse to endorse the strategy.*
- 2) *The Minister or an authorised person may extend the time referred to in subregulation (1).*

#### **16. Publication of endorsed local planning strategy**

- 1) *The Commission must ensure that an up-to-date copy of each endorsed local planning strategy that is in effect is published in a manner the Commission considers appropriate.*

- 2) *A local government must ensure that an up-to-date copy of each endorsed local planning strategy of the local government that is in effect is published in accordance with regulation 76A.*
- 3) *Subregulation (2) is an ongoing publication requirement for the purposes of regulation 76A(5)(a).*

*[Regulation 16 inserted: SL 2020/252 r. 8.]*

## **SUSTAINABILITY AND RISK CONSIDERATION**

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

A local planning strategy can significantly contribute to both the local and regional economy through various means. Firstly, it can stimulate economic growth by prioritising infrastructure development, which improves connectivity and accessibility. Furthermore, by incorporating community needs into the planning process, the strategy ensures that development is inclusive and beneficial to all local stakeholders, thus fostering a resilient and diverse economic base.

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

A local planning strategy significantly enhances the quality of life in a community by providing a comprehensive framework for sustainable development. It ensures that growth is managed in a way that balances environmental protection with economic and social needs. By planning for amenities like parks, schools, and healthcare facilities, it fosters a sense of community and well-being. Overall, a well-crafted local planning strategy leads to a harmonious, well-organised community where residents can thrive.

## **POLICY IMPLICATIONS**

A Local Planning Strategy is a document used to inform and amend the Local Town Planning Scheme and guides the need for the preparation of Planning Policies.

## **RISK MANAGEMENT IMPLICATIONS**

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

<b>Risk Level</b>	<b>Comment</b>
<b>High</b>	The current Local Planning Strategy is dated and urgently needs a complete review. The approval of the Local Planning Strategy will also provide certainty to potential developers.

## **CONSULTATION**

Council commenced advertising the Local Planning Strategy on 29 March 2023, initially the closing date for submissions was 10 May 2023. This submission date

was extended to 30 June 2023 to allow the public additional time in which to lodge submissions following an Information Session held on 11 May 2023. The submissions received are addresses as per Attachment 9.3.5A.

During the preparation of the draft Local Planning Strategy the following consultation was undertaken:

- Chairman of the Western Australian Planning Commission.
- Assistant Director General, Department of Planning, Lands and Heritage.
- Planning Director Regional South, Department of Planning, Lands and Heritage.
- Councillors.

### **RESOURCE IMPLICATIONS**

#### **Financial**

Funds have been set aside in the approved budget to complete this project.

#### **Workforce**

Nil

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End

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<b>9.3.6 COMMITTEES OF COUNCIL – BOYUP BROOK TOURISM ASSOCIATION</b>	
<b>File Ref:</b>	GO/51/001
<b>Previous Items:</b>	Res 23/10/203
<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

Moved: Cr. Caldwell  
 Seconded: Cr. King  
 Third: Cr. Alexander

**COUNCIL DECISION ONE (1) - 23/12/256**

**Note: this recommendation will require three (3) Councillors support to be considered.**

**That Council:**

- Partially Rescind part (2(g)) of its Resolution 23/10/203, Ordinary Council Meeting of 26 October 2023, as follows:**

***“g) Boyup Brook Tourism Association (BBTA)***

***Deputy Shire President Cr O’Connell be appointed to BBTA, and Cr Wright as deputy.”***

**CARRIED BY ABSOLUTE MAJORITY 8/0**

**For: Cr Walker, Cr O’Connell, Cr Alexander, Cr Caldwell, Cr Kaltenrieder, Cr Wright, Cr King, Cr Inglis**

**Against: Nil**

Moved: Cr. Caldwell  
 Seconded: Cr. Alexander

**COUNCIL DECISION TWO (2) - 23/12/257**

**That Council:**

- Appoint the following Elected Member to replace Cr Wright as the deputy member on the Boyup Brook Tourism Association: Cr Inglis.**

**CARRIED BY ABSOLUTE MAJORITY 8/0**

**For: Cr Walker, Cr O’Connell, Cr Alexander, Cr Caldwell, Cr Kaltenrieder, Cr Wright, Cr King, Cr Inglis**

**Against: Nil**

**SUMMARY**

Council is requested to nominate an alternative Elected Member on the Boyup Brook Tourism Association Committee.

**BACKGROUND**

At the Ordinary Council Meeting of 26 October 2023 Council resolved inter alia as follows:

“2. *Appoint the following Elected Members as a Delegate on the following external / internal committees / groups:*

.....

*g.) Boyup Brook Tourism Association (BBTA)*

*Deputy Shire President Cr O’Connell be appointed to BBTA, and Cr Wright as deputy.*

.....

*CARRIED BY ABSOLUTE MAJORITY 8/0  
For: Cr Walker, Cr O’Connell, Cr Kaltenrieder, Cr King, Cr Alexander, Cr Caldwell, Cr Inglis, Cr Wright  
Against: Nil”*

Since the Council made the resolution Cr. Wright’s wife has accepted a paid position with the Boyup Brook Tourism Association.

**REPORT DETAIL**

As a result of Cr. Wright’s wife accepting a paid position with the Boyup Brook Tourism Association, Cr. Wright has requested due to any potential perceived interest that he be replaced as the deputy member on the committee.

**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*

### **5.8 Establishment of committees**

*A local government may establish\* committees of 3 or more persons to assist the council and to exercise the powers and discharge the duties of the local government that can be delegated to committees.*

*\*Absolute majority required.*

### **5.9 Committees, types of**

- (1) *In this section —*  
**other person** means a person who is not a council member or an employee.
- (2) *A committee is to comprise —*
  - (a) *council members only; or*
  - (b) *council members and employees; or*
  - (c) *council members, employees, and other persons; or*
  - (d) *council members and other persons; or*
  - (e) *employees and other persons; or*
  - (f) *other persons only.*

### **5.10 Committee members, appointment of**

- (1) *A committee is to have as its members —*
  - (a) *persons appointed\* by the local government to be members of the committee (other than those referred to in paragraph (b)); and*
  - (b) *persons who are appointed to be members of the committee under subsection (4) or (5).*

*\* Absolute majority required.*

- (2) *At any given time each council member is entitled to be a member of at least one committee referred to in section 5.9(2)(a) or (b) and if a council member nominates himself or herself to be a member of such a committee or committees, the local government is to include that council member in the persons appointed under subsection (1)(a) to at least one of those committees as the local government decides.*
- (3) *Section 52 of the Interpretation Act 1984 applies to appointments of committee members other than those appointed under subsection (4) or (5) but any power exercised under section 52(1) of that Act can only be exercised on the decision of an absolute majority of the council.*

- (4) *If at a meeting of the council a local government is to make an appointment to a committee that has or could have a council member as a member and the mayor or president informs the local government of his or her wish to be a member of the committee, the local government is to appoint the mayor or president to be a member of the committee.*
- (5) *If at a meeting of the council a local government is to make an appointment to a committee that has or will have an employee as a member and the CEO informs the local government of his or her wish —*
- (a) to be a member of the committee; or*
  - (b) that a representative of the CEO be a member of the committee,*
- the local government is to appoint the CEO or the CEO's representative, as the case may be, to be a member of the committee.*

#### **5.11 Committee membership, tenure of**

- (1) *Where a person is appointed as a member of a committee under section 5.10(4) or (5), the person's membership of the committee continues until —*
- (a) the person no longer holds the office by virtue of which the person became a member, or is no longer the CEO, or the CEO's representative, as the case may be; or*
  - (b) the person resigns from membership of the committee; or*
  - (c) the committee is disbanded; or*
  - (d) the next ordinary elections day,*
- whichever happens first.*
- (2) *Where a person is appointed as a member of a committee other than under section 5.10(4) or (5), the person's membership of the committee continues until —*
- (a) the term of the person's appointment as a committee member expires; or*
  - (b) the local government removes the person from the office of committee member, or the office of committee member otherwise becomes vacant; or*
  - (c) the committee is disbanded; or*
  - (d) the next ordinary election day,*

*Whichever happens first.*

### **SUSTAINABILITY AND RISK CONSIDERATION**

**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 risk that may impact on the achievement of its business objectives.

<b>Risk Level</b>	<b>Comment</b>
<b>Moderate</b>	Non-representation on the various committees / groups could result in the Council not being included in certain initiatives

**CONSULTATION**

Nil

**RESOURCE IMPLICATIONS****Financial**

Nil

**Workforce**

Nil

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End

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## 9.4 PLANNING

<b>9.4.1 DEVELOPMENT APPLICATION (TREE FARM – PINE TREES) LOTS 13 AND 12179 CONDINUP ROAD, DINNINUP</b>	
<b>File Ref:</b>	A40101
<b>Previous Items:</b>	Nil
<b>Applicant:</b>	Mitsui Bussan Woodchip Oceania Pty Ltd
<b>Author and Title:</b>	Adrian Nicoll, Urban and Regional Planner
<b>Declaration of Interest:</b>	Nil
<b>Voting Requirements:</b>	Simple Majority
<b>Attachment Number:</b>	9.4.1A – Tree Farm Application 9.4.1B – Objection 9.4.1C – WAPC Tree Farm – Fact Sheet

Item has been withdrawn as per request from the applicant to allow for further consultation regarding the proposed conditions.

Moved: .....

Seconded: .....

### OFFICER RECOMMENDATION 23/12/...

**That Council:**

1. Approve the Development Application for the proposed Tree Farm on Lots 13 and 12179 Condinup Road, Dinninup, subject to the following conditions:

**Conditions:**

- a) All development shall occur in accordance with the Plantation Management Plan and Plantation Map.
- b) Prior to the commencement of any works the owner / operator shall amend the Plantation Management Plan and Plantation Map to clearly show:
  - i. 15m wide trafficable bare earth firebreaks to Lot 12 Condinup Road, with an additional 10m wide no ladder fuel zone.
  - ii. 15m wide trafficable bare earth firebreaks with an additional 10m wide no ladder fuel zone on all other external boundaries to the Tree Farm.
  - iii. The location of the water tank as required in (c.) below.
- c) Within six (6) months of the date of this approval, the owner / operator shall install a minimum 50,000 litre water tank on the southern side of Condinup Road (Lot 12179) to the satisfaction of the Chief Executive Officer.

- d) The owner / operator shall ensure the water tanks required in (c) above are maintained at a full level at all times to the satisfaction of the Chief Executive Officer.**
- e) Within six (6) months of the date of this approval the water tank required in (c.) above shall be fitted with the required connections to ensure fire brigades can connect to the tank.**
- f) Prior to the commencement of any works a plantation map shall be maintained on-site in red PVC tubes located at each access point to the satisfaction of the Chief Executive Officer.**
- g) The owner / operator shall be responsible for the repair of any undue damage to public roads caused by harvesting operations and or the movement of machinery associated with the plantation to the satisfaction of the Chief Executive Officer.**
- h) Any change in the species of tree being planted shall require the submission and approval by the Chief Executive Officer an updated Plantation Management Plan.**

#### **Advice Notes**

- a) Clear a 15m wide bare earth firebreak immediately inside all external boundaries of the land by removing all inflammable matter and vegetation to a height of 5m.**
- b) Ensure all inflammable matter and vegetation greater than 5m above the ground is separated by no less than 10m.**
- c) Where a plantation is divided into compartments:**
  - i. If the compartments do not exceed 30ha, a 6m wide bare earth firebreak between compartments must be cleared by removing all inflammable matter and vegetation within the 6m firebreak between the ground and 5m above the ground.**
  - ii. If compartments exceed 30ha, a 10m wide bare earth firebreak between compartments must be cleared by removing all inflammable matter and vegetation within the 10m wide firebreak between the ground and 5m above the ground.**
- d) Clear a 50m wide bare earth firebreak around all buildings and fuel storage areas by removing all inflammable matter and vegetation within the 50m firebreak between the ground and 5m above the ground.**
- e) Where power lines pass through the plantation, clear firebreaks in accordance with Western Power specifications (consult Western Power Ph: 12 10 87).**

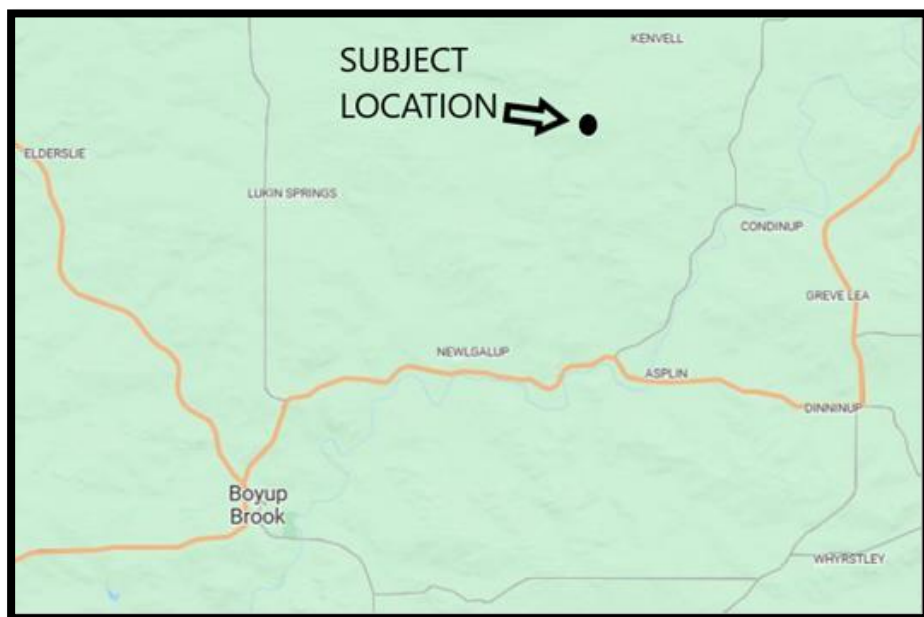
- f) The removal of any native vegetation will require the approval of the Department of Water and Environmental Regulation.
- g) If the development the subject of this approval is not substantially commenced within a period of 2 years, or another period specified in the approval after the date of determination, the approval will lapse and be of no further effect.
- h) 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.
- i) 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.

.....  
For:  
Against:

**SUMMARY**

The Lots 13 and 12179 Condinup Road, Dinninup were previously established as a Tree Farm, consisting of eucalypts. The eucalypts have since been harvested and the landholder is now seeking Council approval to re-establish 574 hectares with pine softwood.

The subject farmland is located approximately 16 km north of the Boyup townsite.



It is recommended the Council support the application subject to conditions.

### **BACKGROUND**

The Shire received a Tree Farm application involving converting an existing Eucalyptus Tree Farm, to a Pine Tree Farm.

Tree Farms do have the potential to have an impact on the economy of the Shire. However, in this instance the property has already been approved for the planting of Eucalyptus trees which have recently been harvested. The landowner does not intend to revert the land back to commercial farming as such, there will be minimal if any impact to the economy of the Shire.

### **REPORT DETAIL**

The proposal seeks to establish 574 hectares with pine softwood following a eucalyptus rotation recently harvested.

The application submitted included a Plantation Management Plan, which includes information pertaining to planting areas, bushfire management and social and economic opportunities.

The Shire's Local Planning Scheme No.2 (LPS2), seeks to ensure that Tree Farms do not impact on the landscape and amenity of the area and are developed in accordance with industry standards (the 'Code of Practice for Timber Plantations in Western Australia' and 'FESA's Guidelines for Plantation Fire Protection').

The following paragraphs provide a response to the Shire's scheme standards, landholder concerns and bushfire control officer concerns.

#### LPS2 - Landscape and Amenity

As required by the Shire's scheme, the proposed tree farm is not expected to impact on the landscape or amenity of the area.

The subject land is currently developed as a tree farm. The tree farm is not expected to impact key views from important travel routes. The tree farm is expected to accord with the visual expression of the surrounding landscape.

#### LPS2 - Industry Standards

As required by the Shire's scheme, the application has included information to prove compliance with industry standards. The Shire's scheme states:

Council shall, in considering applications for 'Plantations', have regard to –

- a) The Code of Practice for Timber Plantations in Western Australia;
- b) Council's Firebreak Order; and
- c) FESA's Guidelines for Plantation Fire Protection.

As required by the 'Code of Practice for Timber Plantations in Western Australia', a 'Plantation Management Plan' has been provided as part of the Tree Farm proposal. The 'Plantation Management Plan' includes management for planting, tending and bushfires.

As required by the 'FESA's Guidelines for Plantation Fire Protection', a Plantation Map has been provided to show the development of trees in maximum size cells (30ha) and the development of firebreaks, as follows:

- External firebreaks are a minimum of 15m wide;
- Internal breaks are a minimum 6m wide, with a minimum 6m trafficable and 4.5m vertically;
- All breaks do not exceed a maximum grade of 1 in 8, or a maximum cross fall of 1 in 33;
- Internal tracks are a minimum 3m clearance on either side of the pavement with (total 6m) have a minimum 4m vertical clearance and a minimum load limit of 15 tonnes;
- Turnarounds have a minimum inner radius of 12m.

As indicated in the Plantation Management Plan, in the event of a fire, 000 should be immediately called, then the Shire Chief Fire Control Officer (CFCO) should be notified. The CFCO should in turn contact Bunbury Fibre Exports, who in turn contact the plantation industry.

The plantation industry has recognised the importance of a unified approach to the control and management of fires within or close to its plantation estates and has developed the Plantation Managers Fire Agreement to ensure the most efficient and effective responses are made to bushfires.

#### Permanent Water Source

The Plantation Map, submitted as part of the application, does not show a permanent water source. The map should be updated to include a min 50,000L permanent water source.

### **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, visitors accommodation and tourism

### **OTHER STRATEGIC LINKS**

The Department of Planning, Lands and Heritage has developed a Tree Farm – Fact Sheet (Attachment 9.4.1C), which states:

WAPC policy is that tree farms should be supported and encouraged on rural land. Therefore, any local planning strategies or schemes seeking to prohibit or severely restrict tree farming would not be in keeping with State policy.



## **STATUTORY ENVIRONMENT**

Local Planning Scheme No.2.

The Shire's Local Planning Scheme 2, states:

### **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.
2. Council shall encourage the continued use of land within the Rural Zone for the entire spectrum of broadacre and intensive rural activities except in close proximity to the town where such activities, by their very nature, may detract from the residential and environmental quality within the town.
3. Council, in considering the granting of approval to plantations in the Rural Zone will take into account the landscape and amenity of the area and may refuse to grant approval for the planting of tree species which it does not consider to be appropriate for the area and is not supported by adequate bushfire suppression measures.
4. With a view to protecting the agricultural base of the District, Council shall discourage the wholesale planting of broadacre rural holdings for plantations and shall instead, encourage the diversification of rural activities.

### **42. TREE FARMING**

Tree farm as defined in Part 6 – 'Terms referred to in Scheme' is a permissible use in the 'Rural' zone subject to compliance with all requirements of this Scheme.

In addition to those other matters contained in clause 25, Council shall, in considering applications for 'Plantations', have regard to –

- a) The Code of Practice for Timber Plantations in Western Australia;
- b) Council's Firebreak Order; and
- c) FESA's Guidelines for Plantation Fire Protection.

## 51. LAND USE TERMS USED

Tree farm means land used commercially for tree production where trees are planted in blocks of more than one hectare, including land in respect of which a carbon right is registered under the *Carbon Rights Act 2003* section 5.

### **SUSTAINABILITY AND RISK CONSIDERATION**

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

The economic contribution (if any) will not change because of the potential approval due to the fact the property was initially used as a tree farm albeit Eucalypt trees.

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

Nil

### **POLICY IMPLICATIONS**

#### Draft Tree Plantation Policy

The overarching goal is to protect the use of land for broad-acre agriculture (farms engaged in the production of crops or the grazing of livestock for meat or wool, or other forms of intensive agriculture that provides for establishment of local jobs and industries), to ensure the Environmental, Social and Economic benefits for Boyup Brook and the State economy are protected.

#### *“Policy Position*

- 1. Rural zoned land in the Shire of Boyup Brook is considered a priority area for broad-acre farming.*
- 2. Development Approval is required prior to establishing a plantation of more than 20ha on land zoned Rural or where the total area of the plantation on a property is more than 10% of the effective arable area.*
- 3. This policy expresses a presumption against establishment of whole farm tree plantations that result in loss of broad-acre farming practices, particularly where this may result in the loss of farming families and existing on farm local employment from the Shire.*
- 4. This policy supports the establishment of plantations that are integrated into farming operations and are less than 10% of the effective arable area of the farming property and where the plantation areas are 20ha or less whilst ensuring sufficient land is made available for broad-acre farm operations.*
- 5. Where the total area of plantation blocks exceeds 140ha (i.e., more than 7 X 20ha plantation blocks), an approved fire unit manned by suitably trained personnel, is to be stationed on the property named on the Development Approval for firefighting purposes.*

6. *The location of plantations shall ensure the protection of remnant vegetation and prevent spread of seedlings outside of the plantation area.*
7. *Plantations shall be designed in such a way to prevent the increase of a bushfire threat to the locality.*
8. *A 100m setback between the plantation and an existing or approved habitable building must be maintained unless the building has been constructed to an appropriate higher standard.*
9. *Fire breaks must be maintained in line with the Annual Fire Break Notice developed by the Shire of Boyup Brook which may be varied from time to time.*
10. *A minimum of 50,000 litres of water must be permanently available on site at accessible locations for initial use during fire response.*
11. *Plantations adjacent to water courses to control salinity levels or to rehabilitate degraded areas are encouraged.”*

### **RISK MANAGEMENT IMPLICATIONS**

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

<b>Risk Level</b>	<b>Comment</b>
High	Should Council not approve the application and the applicant requests an appeal of the decision through the State Administrative Tribunal, it is unlikely the Councils refusal would be upheld due to the fact the property was originally used and approved for a Tree Farm.

### **CONSULTATION**

The application was advertised, one objection was received from a neighbouring landholder (Attachment 9.4.1B.). The objection can be summarised as follows:

Concerns relating to:

- the local economy;
- feral animals; and
- bushfire.

In response to the objections, it must be noted the property is an existing tree farm (recently harvested) and whilst officers agree with the objector’s concerns, the continuation of the use (tree farm) will not create any additional issues as what has currently been the case for the past 10 – 15 years.

The application has also been circulated to the Boyup Brook Chief Bushfire Officer, the following comment was received and is included in the officer’s recommendation:

- The development of a permanent water source;
- Firebreaks around the internal Lot 12 Condinup Road (see figure below for Lot 12).



## **RESOURCE IMPLICATIONS**

### **Financial**

Should Council refuse the application, it may be necessary to engage either an Attorney or Town Planner to deal with the matter at the State Administrative Tribunal.

### **Workforce**

Should Council refuse the application, it may be necessary for the Chief Executive Officer to attend the various State Administrative Tribunal hearings in Perth if not able to attend via electronic means.

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End

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<b>9.4.2 SUBDIVISION APPLICATION (WAPC REF - 164269) – LOT 24 WILLIAMS STREET, BOYUP BROOK</b>	
<b>File Ref:</b>	S164269
<b>Previous Items:</b>	Nil
<b>Applicant:</b>	Harley Dykstra Pty Ltd
<b>Author and Title:</b>	Adrian Nicoll, Urban and Regional Planner
<b>Declaration of Interest:</b>	Nil
<b>Voting Requirements:</b>	Simple Majority
<b>Attachment Number</b>	Nil

**Moved: Cr. Kaltenrieder**  
**Seconded: Cr. Inglis**

**COUNCIL DECISION 23/12/258**

**That Council:**

- 1. Authorise the Chief Executive Officer to advise the Western Australian Planning Commission the proposal (WAPC Ref 164269) to subdivide Lot 24 Williams St (1 Lot into 3 Lots) is supported, subject to the following conditions:**
  - a) The landowner/applicant dismantling existing fencing (fronting Williams St) and installing suitable rural fencing of good standard in accordance with the proposed road widening and lot configuration.**
  - b) Suitable arrangements being made with the local government for the provision and/or upgrading of vehicular crossovers to service the lots shown on the approved plan of subdivision.**

**CARRIED 8/0**  
**For: Cr Walker, Cr O’Connell, Cr Alexander, Cr Caldwell, Cr Kaltenrieder, Cr Wright, Cr King, Cr Inglis**  
**Against: Nil**

**SUMMARY**

Council is requested to support the proposed ‘Rural Residential’ Lot 24 Williams Street Subdivision into three (3) lots.

**BACKGROUND**

The WAPC received an application to subdivide the Lot 24 Williams St, to create a total of three (3) Lots.

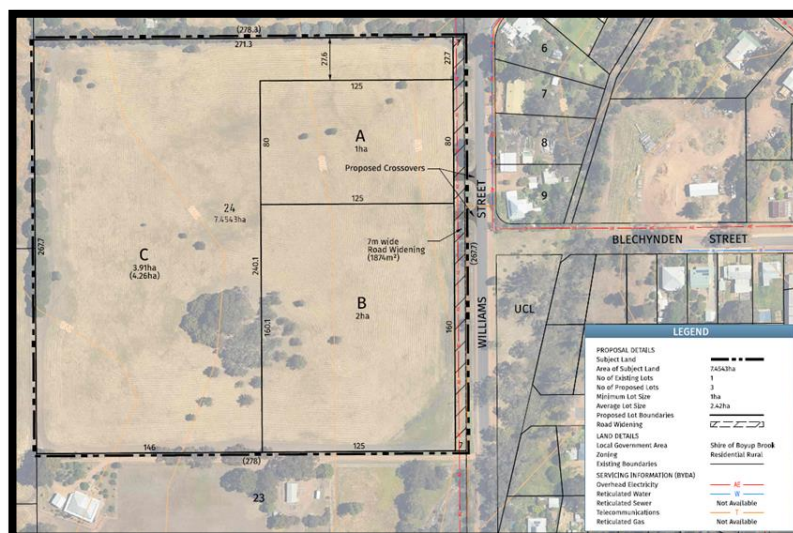
The WAPC forwarded the application to the Shire of Boyup Brook requesting information, comment or recommended conditions.

A Bushfire Management Plan and a Site and Soil Evaluation Plan were submitted to identify any constraints associated with bushfire and effluent disposal.

## REPORT DETAIL

The application aims to subdivide Lot 24 Williams St into three Lots of approximately 1ha, 2ha and 3.9ha. Two of the proposed Lots front Williams Street and the remaining larger Lot is accessed via a battle-axe configuration. A road widening is proposed, running 7m parallel to Williams Street to accommodate existing Western Power overhead cable infrastructure.

A copy of the Plan of Subdivision follows:



In accordance with the Shire's Scheme, the subject property is zoned 'Rural Residential' (Area 5). A key objective, defined in the Scheme for land zoned 'Rural Residential', is to provide for lot sizes in the range of 1ha to 4ha. The proposed subdivision complies with the Scheme objective, with the creation of three (3) Lots ranging in size from 1 - 3.9ha.

The property is situated west of residential lots within the Boyup Brook townsite. Lots to the north, south and west of the subject land are zoned Rural Residential with lots ranging from approximately 3ha to 8ha in size.

The property is gently undulating rising from approximately 193m AHD from Williams Street on the eastern boundary to approximately 210m AHD on the western boundary.

There are no existing structures on the site and a small stand of trees is located towards the southern part of the property with some vegetation along the boundaries. As the site falls within a bushfire prone area, a Bushfire Management Plan was undertaken, which determined that the site has a Moderate bushfire hazard rating, meaning that subdivision is compliant with the State's Guidelines.

The subject land is currently used for small-scale rural activities consistent with the surrounding properties to the north, south, and west.

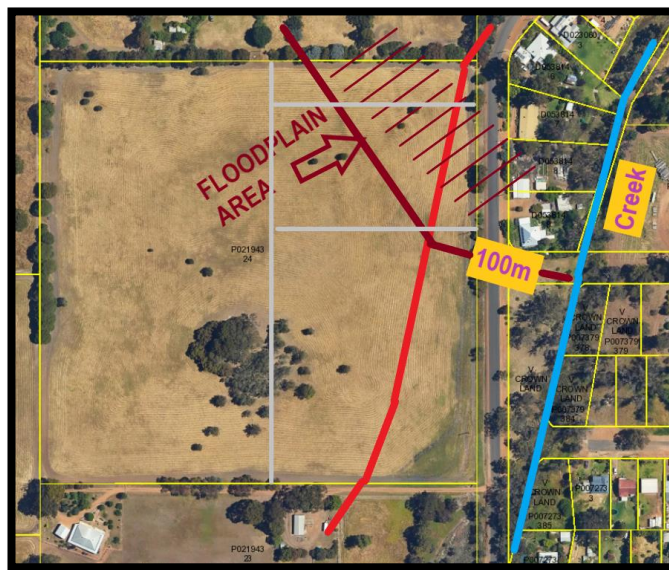
Power and reticulated water run past the subject land. It's expected that the proposed lots will connect to power and water mains.



The subject site is not connected to a reticulated sewer network as this is not available within the Boyup Brook townsite and surrounds. As the lots are generally less than 4ha and will not be connected to reticulated sewer, a Site and Soil Evaluation (SSE) was undertaken to determine that:

- Future effluent disposal areas should be capable of locating min 100m from the existing waterway located east of the site (a tributary connection to Boyup Brook) and outside the 1% AEP Floodplain Development Control Area located within the northeast corner of the site.

As illustrated in the below figure, effluent disposal areas are available outside of the prescribed 100m setback and flood-prone area.



The proposed subdivision represents a logical subdivision of Lot 24 Williams Street, Boyup Brook and is justified on the following grounds:

- The proposal will allow for the creation of three (3) Rural Residential zone lots;
- The proposal is consistent with the Shire of Boyup Brook Local Planning Scheme No. 2, State Planning Policy 3.7 Planning in Bushfire Prone Areas and the Government Sewer Policy 2019.

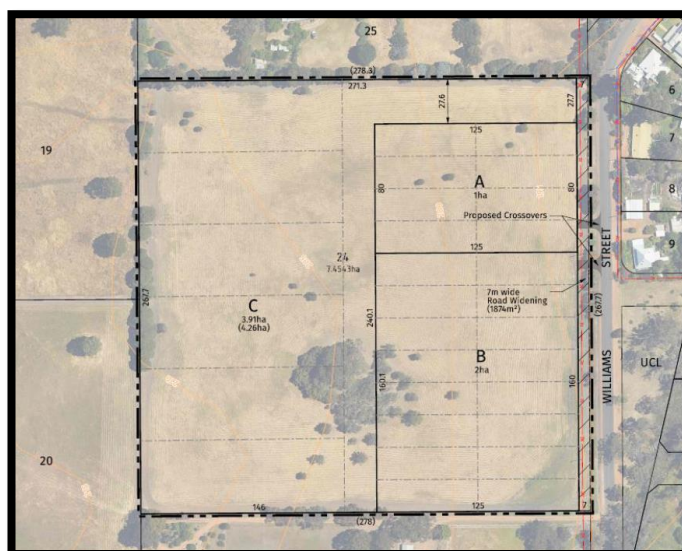
**SHIRE OF BOYUP BROOK STRATEGIC COMMUNITY PLAN 2021 - 2031**

<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**

The Shire of Boyup Brook has prepared a draft Local Planning Strategy (the draft Strategy) to guide the long-term direction in terms of planning for the Shire.

The draft Strategy identifies the subject site as 'Residential' within the proposed land use areas. As illustrated by the below concept plan, the proposed subdivision allows the lots to be developed further at a later stage, subject to the development of an internal road.



## **STATUTORY ENVIRONMENT**

The property is currently zoned 'Rural Residential' (RR5) by Shire's Local Planning Scheme No. 2 (LPS 2).

The proposed subdivision is considered to align with the objectives defined in the LPS 2, for the 'Rural Residential' zone, as follows:

- To provide for lot sizes in the range of 1 ha to 4 ha.
- To provide opportunities for a range of limited rural and related ancillary pursuits on rural-residential lots where those activities will be consistent with the amenity of the locality and the conservation and landscape attributes of the land.
- To set aside areas for the retention of vegetation and landform or other features which distinguish the land.

## **SUSTAINABILITY AND RISK CONSIDERATIONS**

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

New lots and subsequent developments can attract investors looking for real estate opportunities. This can lead to more significant, long-term investments in the area, potentially leading to sustained economic growth.



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

Additional lots can provide a variety of housing options, catering to different income levels and family sizes. This diversity in housing can make it easier for people to find homes that fit their needs and budgets.

**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>
<b>Moderate</b>	Without new developments, a community might face housing shortages, particularly as the population grows. This can lead to increased housing prices and rent, making it difficult for low- and middle-income families to afford housing.

**CONSULTATION**

Nil

**RESOURCE IMPLICATIONS****Financial**

Nil

**Workforce**

Nil

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end

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## 10. MINUTES OF COMMITTEES

### 10.1 RYLINGTON PARK COMMITTEE MINUTES – 15 NOVEMBER 2023

Moved: Cr. O'Connell

Seconded: Cr. King

#### COUNCIL DECISION 23/12/259

That Council:

1. Receive the unconfirmed minutes of the Rylington Park Committee Meeting held on 15 November 2023 (Attachment 10.1A).

**CARRIED 8/0**

**For: Cr Walker, Cr O'Connell, Cr Alexander, Cr Caldwell, Cr  
Kaltenrieder, Cr Wright, Cr King, Cr Inglis**

**Against: Nil**

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

Nil

## 12. LATE ITEMS / URGENT BUSINESS MATTERS

<b>12.1.1 PROPOSED FLAX MILL SIGNAGE</b>	
<b>File Ref:</b>	FM/25/088
<b>Previous Items:</b>	Nil
<b>Applicant:</b>	Nil
<b>Author and Title:</b>	Nicola Jones, Community Development Officer
<b>Declaration of Interest:</b>	Nil
<b>Voting Requirements:</b>	Simple Majority
<b>Attachment Number</b>	12.1.1A Quote for manufacturing signage

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

### **COUNCIL DECISION 23/12/260**

**That Council:**

- 1. Authorise the Chief Executive Officer to arrange the manufacture of the multipaneled signage.**
- 2. Approve the location for the installation of the signage in (1.) on the western side of the camp kitchen as marked in the report as 'Location 1'.**

**CARRIED 8/0**

**For: Cr Walker, Cr O'Connell, Cr Alexander, Cr Caldwell, Cr Kaltenrieder,  
 Cr Wright, Cr King, Cr Inglis**  
**Against: Nil**

### **SUMMARY**

Council is requested to consider the type and location of the proposed Flax Mill Signage.

### **BACKGROUND**

At its Ordinary Council Meeting of 28 April 2022, Council resolved as follows:

*“COUNCIL DECISION & OFFICER RECOMMENDATION – ITEM 10.3.2*

*MOVED: Cr Darren King*

*SECONDED: Cr Helen O'Connell*

*That Council supports an Interpretive Sign to be constructed at Lot 336 Jackson Street, Boyup Brook and allocate funding from the Caravan Park Flax Mill Complex – Building Operation – Tourism (GL code 1321008)*

*Carried 8/1*

*Res 22/4/39”*

The Caravan Park located at Lot 336 Jackson Street, Boyup Brook is the site of the Boyup Brook Flax Mill which was officially opened in 1943 and operated under the Department of Defence until 1949. A Growers Co-op was then formed, and the mill continued to process flax until 1965. The interpretive signage to be

placed at the Flax Mill tells the story of how the mill operated including the stages from growing the flax to the end product.

### **REPORT DETAIL**

There is the option of two (2) different configurations of the signage. It could consist of five (5) panels which can be displayed as individual panels providing greater flexibility with regards to placement, or as one (1) large display.

Whilst the five (5) individual panels provide greater flexibility, it costs approximately \$1155.00 ex GST, plus installation more than the single panel configuration.

Officers are of the opinion that the five (5) panel option will provide a better “story” than the single option. Regarding location, it is proposed to locate the five (5) panels in a half circle configuration on the western side of the camping kitchen.

This location will allow safe viewing by pedestrians as well as parking for tourist not necessarily staying at the caravan park.

#### **Location 1:**



Other locations along Jackson Street have also been considered but are not ideal due to potential pedestrian and traffic clashing as a result of no designated parking or safe pedestrian pathways.

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

<b>Key Imperatives</b>	Built Environment
<b>Outcome</b>	Preserve the history and heritage of our built environment
<b>Objective</b>	Restore, enhance and activate the Flax Mill buildings and caravan park
<b>Key Imperatives</b>	Social and Community
<b>Outcome</b>	Support a healthy, active, vibrant community
<b>Objective</b>	Promote community participation, interactions and connections
<b>Key Imperatives</b>	Social and Community
<b>Outcome</b>	Encourage the preservation of our culture, heritage and history
<b>Objective</b>	Partner with stakeholders to promote Boyup Brook, preserving our history for future generations and sharing the rich heritage of the Shire

**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)

The interpretive signage is a snapshot of the important part Boyup Brook played during WWII. It provides the rich history of the area showing what locals did to support the war effort, with some of these families still residing in Boyup Brook.

**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>
<b>Low</b>	The risk is deemed low due to positive community and tourist engagement

**CONSULTATION**

Nil

## **RESOURCE IMPLICATIONS**

### **Financial**

There will be a minimal financial cost to the Shire. The Heritage Grant is for \$3128.50 ex GST leaving a co-contribution of between \$1206.50 – \$2361.50 depending on choice of signage plus installation costs.

### **Workforce**

The Shire is required to install the signage as part of the in-kind contribution as per the grant agreement.

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End

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<b>12.1.2 LATE ITEM: MONTHLY STATEMENT OF FINANCIAL ACTIVITY FOR THE PERIOD ENDING 30 NOVEMBER 2023</b>	
<b>File Ref:</b>	FM/10/003
<b>Previous Items:</b>	Nil
<b>Applicant:</b>	Nil
<b>Author and Title:</b>	Darren Long, Finance Consultant
<b>Declaration of Interest:</b>	Nil
<b>Voting Requirements:</b>	Simple Majority
<b>Attachment Number:</b>	12.1.2A – Monthly Financial Report 30 November 2023

**Moved: Cr. Kaltenrieder**  
**Seconded: Cr. Alexander**

**COUNCIL DECISION 23/12/261**

**That Council:**

- 1. Receive the Monthly Financial Report for 30 November 2023, as presented (Attachment 12.1.2A).**

**CARRIED 8/0**

**For: Cr Walker, Cr O’Connell, Cr Alexander, Cr Caldwell, Cr Kaltenrieder, Cr Wright, Cr King, Cr Inglis**  
**Against: Nil**

**SUMMARY**

The Monthly Financial Report for 30 November 2023 is presented for Council’s 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:

- Statement of Comprehensive Income by Program.
- Statement of Comprehensive Income by Nature/Type.
- Statement of Financial Activity by Nature.
- 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 30 November 2023 shows a closing surplus of \$5,334,250.

### **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 CONSIDERATION**

**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 risk that may impact on the achievement of its business objectives.

<b>Risk Level</b>	<b>Comment</b>
<b>Medium</b>	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**

Nil

**Workforce**

Nil

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End

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## 13. CONFIDENTIAL ITEMS OF BUSINESS

### 13.1. CLOSURE OF MEETING TO THE PUBLIC

<p>Moved: Cr. O'Connell Seconded: Cr. Alexander</p> <p><b><u>COUNCIL DECISION 23/12/262</u></b></p> <p>1. Proceed behind closed doors as per Section 5.23(2) of the <i>Local Government Act 1995</i>, to consider item 13.1.1, the time being 6:30pm.</p> <p style="text-align: right;"><b>CARRIED 8/0</b> <b>For: Cr Walker, Cr O'Connell, Cr Alexander, Cr Caldwell, Cr Kaltenrieder, Cr Wright, Cr King, Cr Inglis</b> <b>Against: Nil</b></p>
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<b>13.1.1 CONFIDENTIAL: SUPPORT TO CONTRIBUTE TO LOCAL GOVERNMENT INDUSTRIAL RELATIONS TRANSITION FUND</b>	
<b>File Ref:</b>	GR/31/002
<b>Previous Items:</b>	Nil
<b>Applicant:</b>	Nil
<b>Author and Title:</b>	Carolyn Mallett, Executive Manager Corporate and Community
<b>Declaration of Interest:</b>	Nil
<b>Voting Requirements:</b>	Simple Majority
<b>Attachment Number:</b>	Nil

<p>Moved: Cr. O'Connell Seconded: Cr. Alexander</p> <p><b><u>COUNCIL DECISION 23/12/263</u></b></p> <p>Note: Council Resolution for item 13.1.1 (Council Resolution 23/12/263) remains confidential in accordance with Regulation 14(2) of the <i>Local Government (Administration) Regulations 1996</i>.</p> <p style="text-align: right;"><b>CARRIED 8/0</b> <b>For: Cr Walker, Cr O'Connell, Cr Alexander, Cr Caldwell, Cr Kaltenrieder, Cr Wright, Cr King, Cr Inglis</b> <b>Against: Nil</b></p>
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<b>13.1.2 CONFIDENTIAL: BESTOWING THE TITLE OF HONORARY FREEMAN OF BOYUP BROOK</b>	
<b>File Ref:</b>	CM/43/001
<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

**Moved: Cr. Alexander**  
**Seconded: Cr. Inglis**

**COUNCIL DECISION 23/12/264**

**That Council:**

- 1. Bestow the title of Honorary Freeman of Boyup Brook upon the following community members:**
  - a. FM1**
  - b. FM2**
  - c. FM3**

**CARRIED BY ABSOLUTE MAJORITY 8/0**  
**For: Cr Walker, Cr O’Connell, Cr Alexander, Cr Caldwell, Cr Kaltenrieder, Cr Wright, Cr King, Cr Inglis**  
**Against: Nil**

Note: This Council Resolution will remain confidential in accordance with Regulation 14(2) of the *Local Government (Administration) Regulations 1996*. The minutes will not reflect any nominee names.

Note: Council Resolution for item 13.1.1 (Council Resolution 23/12/263) and item 13.1.2 (Council Resolution 23/12/264) remains confidential in accordance with Regulation 14(2) of the *Local Government (Administration) Regulations 1996*.

**13.2 PROCEED WITH THE MEETING IN PUBLIC**

**Moved: Cr. Caldwell**  
**Seconded: Cr. Kaltenrieder**

**COUNCIL DECISION 23/12/265**

**That Council:**

- 1. Proceed with the meeting in public, the time being 6:35pm.**

**CARRIED 8/0**  
**For: Cr Walker, Cr O’Connell, Cr Alexander, Cr Caldwell, Cr Kaltenrieder, Cr Wright, Cr King, Cr Inglis**  
**Against: Nil**

**14. CLOSURE**

There being no further business the meeting closed at 6:35pm.

\_\_\_\_\_  
 Presiding Member

\_\_\_\_\_  
 Date