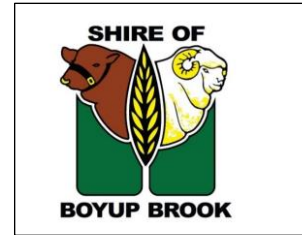


Date: 8 April 2024

To: Shire President  
Deputy Shire President  
Councillors  
Community



MINUTES - ORDINARY COUNCIL MEETING

28 March 2024

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

Leonard Long  
Chief Executive Officer

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## AGENDA

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

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

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 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

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## **Observers / Public Members**

Lynne Schreurs/Angela Hales left chambers at 6:11pm

Jodi Nield left chambers at 6:31pm

Donna Forsyth left chambers at 7:13pm

Shirley Broadhurst left chambers at 7:14pm

Jan Larkin left chambers at 7:14pm

Rayna Barr left chambers 7:19pm

John Imrie left chambers at 8:26pm

### **2.2 APOLOGIES**

Councillor

Cr Sarah Alexander

### **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 Lynne Schreurs/Angela Hales presented on behalf of St John Ambulance – Sub Centre for the consideration of renewing the MOU which expires 30 June 2024.

3.3.2 Jodi Nield from the Boyup Brook Community Resource Centre presented in regard to the MOU for Library Services which expires 30 June 2024.

3.3.3 Shirley Broadhurst presented on behalf of the Boyup Brook Tourism Association Inc in regard to the MOU which is expiring 30 June 2024.

3.3.4 John Imrie/Jan Larkin presented on behalf of the Boyup Brook Museum in regard to the MOU which is expiring 30 June 2024.

3.3.5 Donna Forsyth presented on behalf of the Country Music Club of Boyup Brook WA Inc on the benefit of having an MOU.

## **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

- 5.1.1 The Chief Executive Officer has declared a Financial Interest in Item 9.3.6 – Shire of Boyup Brook Policy Manual specifically proposed Policy C10 – Letting of Council Properties.
- 5.1.2 Cr Walker declared a Financial Interest in Item 12.2 – Support Shire of Nannup request to Hon. Peter Forest MLC the Chair of the Standing Committee on Environment and Public Affairs on inquiry into Pine Plantations, as having a financial relationship with FPC – land use at Wilga.

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

- 5.2.1 Cr King declared an Impartiality Interest in Item 9.4.1 – Development Application (Shipping Container) at 41 Boyup Brook-Cranbrook Road, Mayanup, Reserve 20039, as his wife submitted the application and both their children being involved in the Pony Club.

## 6. PREVIOUS COUNCIL MEETING MINUTES / OUT OF SESSION CONFIRMATIONS

### 6.1 SPECIAL COUNCIL MEETING MINUTES – 25 JANUARY 2024

Moved: Cr. Kaltenrieder

Seconded: Cr. O'Connell

**COUNCIL DECISION 24/03/028**

**That the minutes of the Special Council Meeting held on 25 January 2024 be confirmed as being a true and accurate record.**

**CARRIED 7/0**

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

**Against: Nil**

### 6.2 ORDINARY COUNCIL MEETING MINUTES – 29 FEBRUARY 2024

Moved: Cr. King

Seconded: Cr. Wright

**COUNCIL DECISION 24/03/029**

**That the minutes of the Ordinary Council Meeting held on 29 February 2024 be confirmed as being a true and accurate record.**

**CARRIED 7/0**

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

**Against: Nil**

## **7. PRESIDENTIAL COMMUNICATIONS**

### **March**

Tues 5<sup>th</sup>

- 10am Rylington Park re drafting merino wether lambs and feed plan.5pm WBAC All Councils meeting in Balingup.

Thurs 7<sup>th</sup>

- 1pm met with CEO, Water Corp and staff re Reservoir pipeline.

Fri 15<sup>th</sup>

- 8am Rylington Park Ladies Day on the gate with CEO.

Thurs 21<sup>st</sup>

- 10am Nannup for WBAC Board Facilitation session with CEO and Deputy Shire President.
- 6pm Rylington Park Committee meeting.

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

Nil

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## 9. REPORTS OF OFFICERS

### 9.1 OPERATIONAL SERVICES

Nil

### 9.2 CORPORATE AND COMMUNITY SERVICES

9.2.1 LIST OF ACCOUNTS PAID IN FEBRUARY 2024	
<b>File Ref:</b>	FM/1/002
<b>Previous Items:</b>	Nil
<b>Applicant:</b>	Nil
<b>Author and Title:</b>	Malcolm Armstrong, Finance Coordinator
<b>Declaration of Interest:</b>	Nil
<b>Voting Requirements:</b>	Simple Majority
<b>Attachment Number:</b>	9.2.1A List of Accounts Paid in February 2024

Moved: Cr. King

Seconded: Cr. Wright

#### COUNCIL DECISION 24/03/030

That Council:

1. Receives the list of accounts paid in February 2024, totalling \$761,795.00 from Municipal account, \$50,923.75 from Police Licensing account and \$0.00 from Boyup Brook Early Learning Centre account, as represented by:

Municipal	Cheques: 20640 - 20645	\$ 33,263.38
	EFT15260 – EFT15362	\$325,876.38
	Direct Payments	\$402,655.24
Police Licensing		\$ 50,923.75
BBELC		\$ 0
<b>Grand Total</b>		<b>\$812,718.75</b>

**CARRIED 7/0**

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

**Against: Nil**

#### SUMMARY

In accordance with the *Local Government (Financial Management) Regulations 1996* the list of accounts paid in February 2024 is 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 29 February 2024.

## **REPORT DETAIL**

Attachment 9.2.1A lists accounts/invoices the Shire paid by cheque or electronic means during the period 01 to 29 February 2024.

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

	<b>Key Imperatives</b>	<b>Governance and Organisation</b>
	<b>Objective</b>	Demonstrate effective leadership, advocacy and governance
	<b>Outcome</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 in line with a detailed 2023/24 Annual Budget.

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**Workforce**

Nil

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End

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<b>9.2.2 MONTHLY STATEMENT OF FINANCIAL ACTIVITY FOR THE PERIOD ENDING 29 FEBRUARY 2024</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>	9.2.2A – Monthly Financial Report 29 February 2024

<b>Moved: Cr. Wright</b>	<b>Seconded: Cr. King</b>
<b><u>COUNCIL DECISION 24/03/031</u></b>	
<b>That Council:</b>	
<ol style="list-style-type: none"> <li>1. <b>Receives the Monthly Financial Report for 29 February 2024, as presented (Attachment 9.2.2A).</b></li> </ol>	
<b>CARRIED 7/0</b> <b>For: Cr Walker, Cr O’Connell, Cr Kaltenrieder, Cr Inglis, Cr King</b> <b>Cr Caldwell, Cr Wright</b> <b>Against: Nil</b>	

### **SUMMARY**

The Monthly Financial Report for 29 February 2024 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:

1. Statement of Comprehensive Income by Program.
2. Statement of Comprehensive Income by Nature/Type.
3. Statement of Financial Activity by Nature.
4. Statement of Financial Activity by Program.

5. Summary of Net Current Asset Position.
6. Material Variances Report.
7. Statement of Financial Position.
8. Statement of Cash Flows.
9. Report on Progress of Capital Expenditure Program.
10. Report on Major Business Units.
11. Statement of Cash Back Reserves.
12. Loan Borrowings Report; and
13. 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 29 February 2024 shows a closing surplus of \$4,101,192.

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

	<b>Key Imperatives</b>	<b>Governance and Organisation</b>
	<b>Objective</b>	Demonstrate effective leadership, advocacy and governance
	<b>Outcome</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>
Medium	The reporting of the monthly spending by a local government is required to be presented to Council in terms of the relevant legislation. Not presenting this information to Council would be a breach of the <i>Local Government Act 1995</i> .

### **CONSULTATION**

Nil

### **RESOURCE IMPLICATIONS**

**Financial**

Nil

**Workforce**  
Nil

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End

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### 9.3 CHIEF EXECUTIVE OFFICER

<b>9.3.1 RYLINGTON PARK MONTHLY ACTIVITY REPORT FOR THE MONTH OF FEBRUARY 2024</b>	
<b>File Ref:</b>	RP/01/002
<b>Previous Items:</b>	Nil
<b>Applicant:</b>	Nil
<b>Author and Title:</b>	Erlanda Deas, Rylington Park Farm Coordinator
<b>Declaration of Interest:</b>	Nil
<b>Voting Requirements:</b>	Simple Majority
<b>Attachment Number:</b>	Nil

<b>Moved: Cr. Wright</b>	<b>Seconded: Cr. Inglis</b>
<b><u>COUNCIL DECISION 24/03/032</u></b>	
<b>That Council:</b>	
<ol style="list-style-type: none"> <li><b>1. Receives the monthly activity report for the Rylington Park Farm for the month of February 2024.</b></li> </ol>	
<b>CARRIED 7/0</b> <b>For: Cr Walker, Cr O’Connell, Cr Kaltenrieder, Cr Inglis, Cr King</b> <b>Cr Caldwell, Cr Wright</b> <b>Against: Nil</b>	

#### **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.



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## REPORT DETAIL

### Weed Control

- Pulling out and spraying melons

### Infrastructure and Equipment Maintenance

- Water system – no leaks at present, pumping from turkey's nest dam.
- Breaking down tank in paddock twenty and filling in the well
- Fencing maintenance clearing trees and limbs off fences
- Repairing oil leak on rock rake

### Crop Management

- Sold 89.71 tons Canola @ \$684,83 / ton including oil
- Sold 46.7 tons GM Canola @\$708,37 / ton including oil
- Sold 51.65 tons Barely @\$338,00 / ton

### Livestock Sales

- Sold 150 150 XB lambs @ \$79 / hd
- Sold 599 cull 4 age ewes @ \$51.11 / hd

### Feed on Hand

- Barley 149 ton
- Lupins 26 ton
- Hay 221 bales
- Barley straw 128 bales

### Feeding program

- 1550 adult ewes – barley 280 grams / hd / day
- 898 Maidens – barley, lupins (80:20) 320 grams / hd / day
- 720 ewe lambs - barley, lupins (70:30) 320 grams / hd / day
- 125 cull 4 age - barley 200 grams / hd / day
- 47 Rams (21=White Suffolk), 53 odds & sods(33=XB), 198 small wether lambs: barley, lupins 70:30. Between the lot (300 hd), they get 380grams / hd / day

Feeding hay to the mobs that have limited dry grass/stubble. Cut back a bit on how much feeding out - currently about 10 bales/week. Started putting straw out to the wethers on pellets but they don't seem very interested, so all the straw is still in the stack.

### Livestock Handling and Management

- Mycotic dermatitis - unsuitable ewe lambs are culled, selection of rams, jetting during high fly strike times and monitoring.
-

- Rams were taken out.

Livestock Inventory as of 31 February 2024

- 125 cull-for-age ewes, cull hoggets after scanning
- White Suffolk: twenty-three
- XB Lambs: 170
- Merino: 4,738

Wool Sales

- Sold five wool bales.


Shearing Schools

- Hosted Shearing Schools:
  - 26 February – 1 March 2024
- Future Shearing Schools:
  - 15-19 April 2024

A shearing school was held on the farm during 26 February and 1 March, the following concerns were raised by the Shearing Trainers:

- Sheep (wether lambs) provided were too thin and difficult for students to learn on, it resulted in several sheep being ‘nicked’ and a larger number than usual being hamstrung. Ewe lambs were also shorn and were in better condition and easy to shear and teach students on. The wethers have always been run “harder” than the ewe lambs & the percentage of wethers with dags was typical to any other year. The sheep were yarded on Sunday & were empty.
- Several of the sheep had significant ‘dags’ making it difficult for students to learn without ‘nicking’ the sheep. This is not the desired way to introduce students to the industry. Rylington Park sheep have always been sheared through the shearing schools – including the lambs. In the past sheep were crutched by the students if needed, before being shorn. This was part of their learning for the week. No issues have been raised in the past.

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

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

**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.

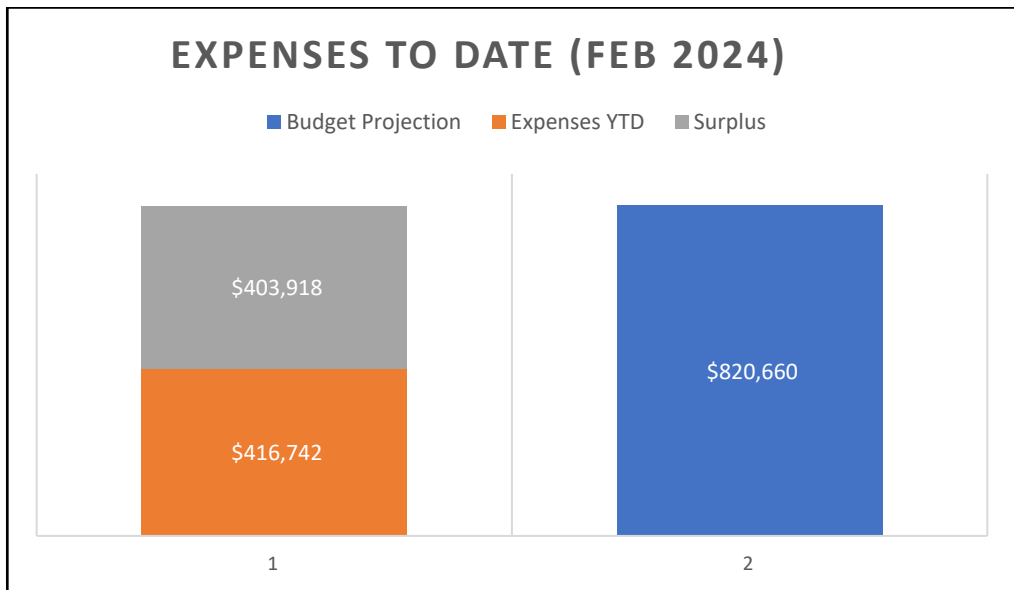
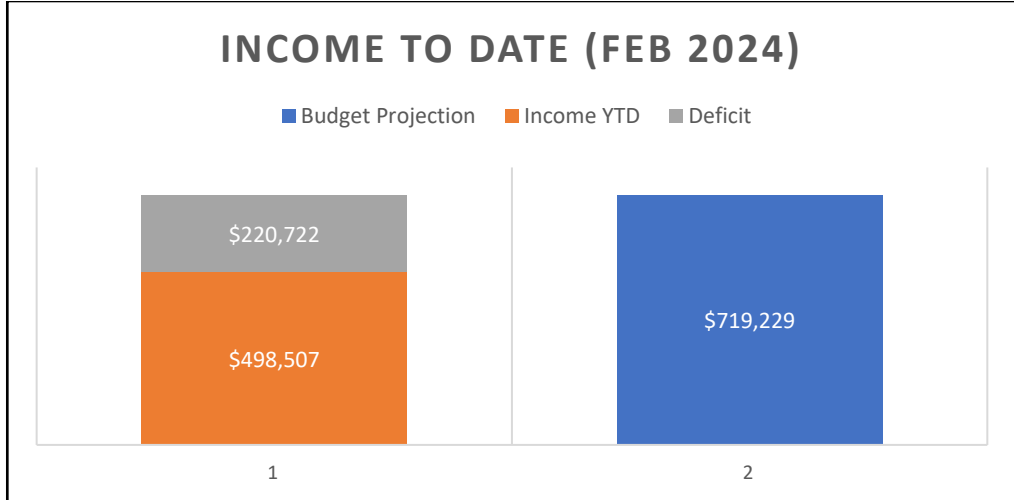
<b>Risk Level</b>	<b>Comment</b>
<b>Moderate</b>	<p>The Shire's risks regarding Rylington Park Farm include costs of operating the farm and funding programs may not always be covered by revenue or grants. Fluctuations in agricultural markets can affect the farm's economic viability.</p> <p>Extreme weather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

**CONSULTATION**

Nil

**RESOURCE IMPLICATIONS**

**Financial**



**Workforce**

Nil

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End

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<b>9.3.2 BOYUP BROOK EARLY LEARNING CENTRE MONTHLY ACTIVITY REPORT FOR THE MONTH OF FEBRUARY 2024</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

<b>Moved: Cr. King</b>	<b>Seconded: Cr. Kaltenrieder</b>
<b><u>COUNCIL DECISION 24/03/033</u></b>	
<b>That Council:</b>	
<b>1. Receives the monthly activity report for the Boyup Brook Early Learning Centre for the month of February 2024.</b>	
<b>CARRIED 7/0</b>	
<b>For: Cr Walker, Cr O’Connell, Cr Kaltenrieder, Cr Inglis, Cr King Cr Caldwell, Cr Wright</b>	
<b>Against: Nil</b>	

### **SUMMARY**

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

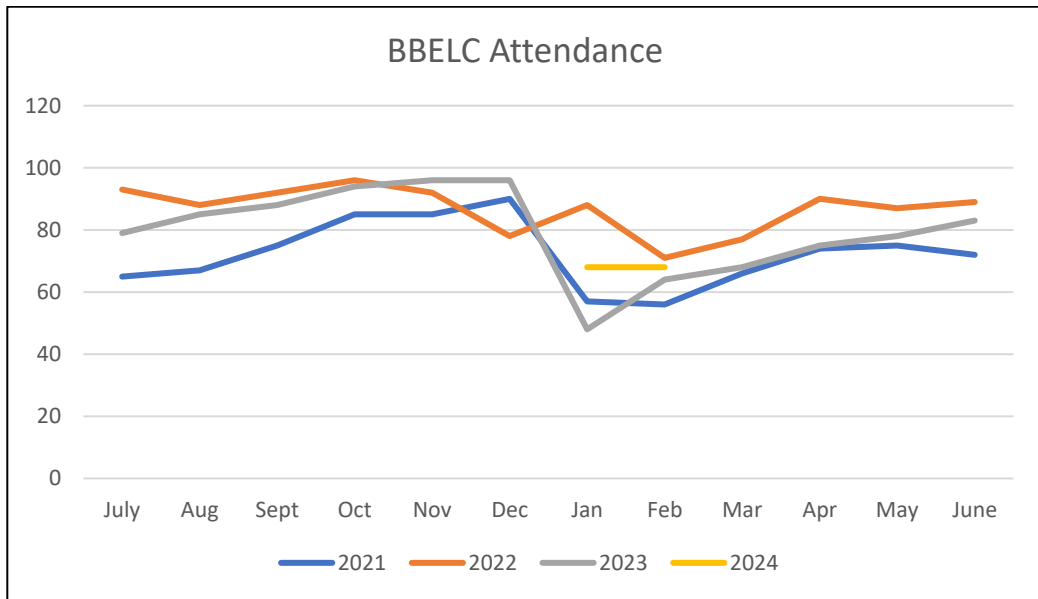
### **BACKGROUND**

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 attendance.



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

	<b>Key Imperatives</b>	<b>Social and Community</b>
	<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. Promote community participation, interactions and connections.

**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.

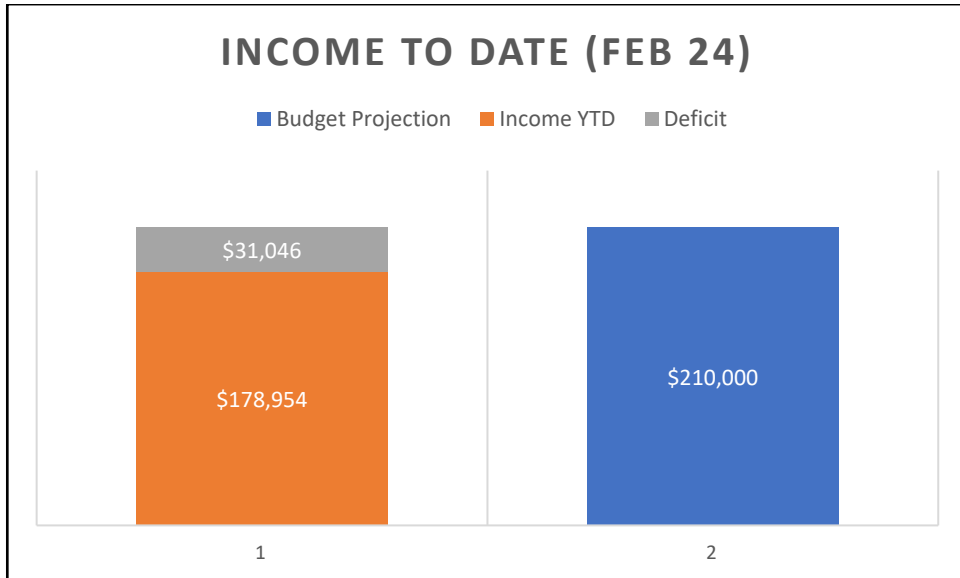
Risk Level	Comment
<b>Moderate</b>	The availability of early learning centres can be a factor in attracting and retaining young families in the area. Without such facilities, the Shire might experience a decline in population growth or struggle to attract new residents, which can have broader economic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

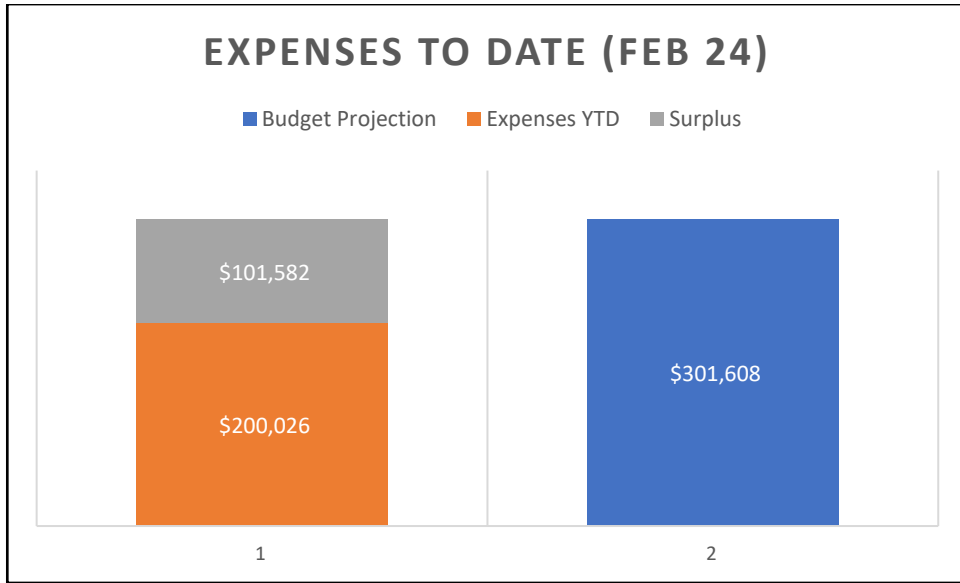
**CONSULTATION**

Nil

**RESOURCE IMPLICATIONS**

**Financial**





**Workforce**  
Nil

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End

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<b>9.3.3 BOYUP BROOK MEDICAL SERVICES MONTHLY ACTIVITY REPORT FOR THE MONTH OF FEBRUARY 2024</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

<b>Moved: Cr. O'Connell</b>	<b>Seconded: Cr. Caldwell</b>
<b><u>COUNCIL DECISION 24/03/034</u></b>	
<b>That Council:</b>	
<ol style="list-style-type: none"> <li><b>1. Receives the monthly activity report for the Boyup Brook Medical Services for the month of February 2024.</b></li> </ol>	
<b>CARRIED 7/0</b> <b>For: Cr Walker, Cr O'Connell, Cr Kaltenrieder, Cr Inglis, Cr King</b> <b>Cr Caldwell, Cr Wright</b> <b>Against: Nil</b>	

### **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, phycologist OT and audiologist).

**REPORT DETAIL**

Monthly appointments.



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

	<b>Key Imperatives</b>	<b>Social and Community</b>
	<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. Promote community participation, interactions and connections.

**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.

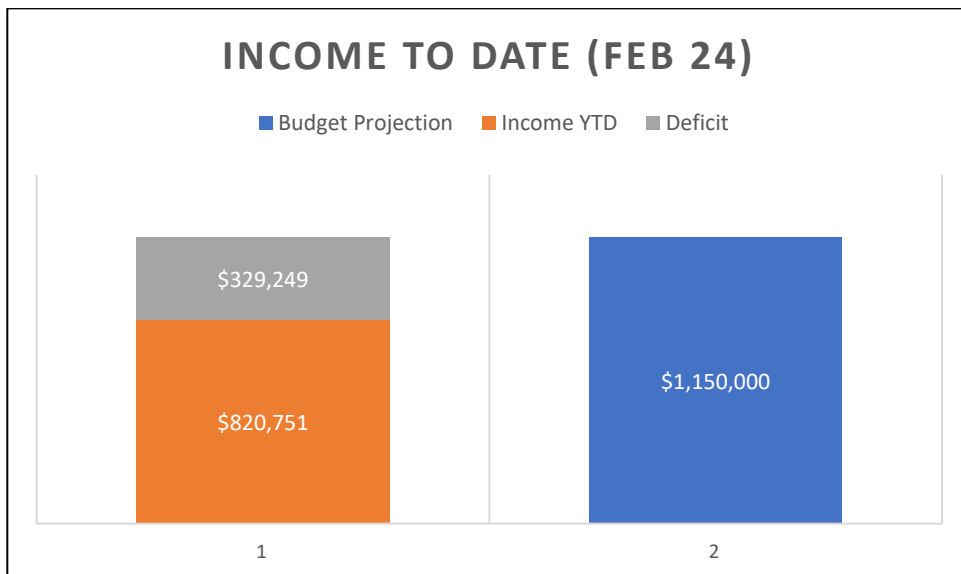
Risk Level	Comment
<b>Moderate</b>	Not having a medical centre would result in residents having to travel significant distances for medical care. In emergencies, the lack of a local medical centre could lead to delayed treatment and potentially poorer health outcomes. Without local healthcare services,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

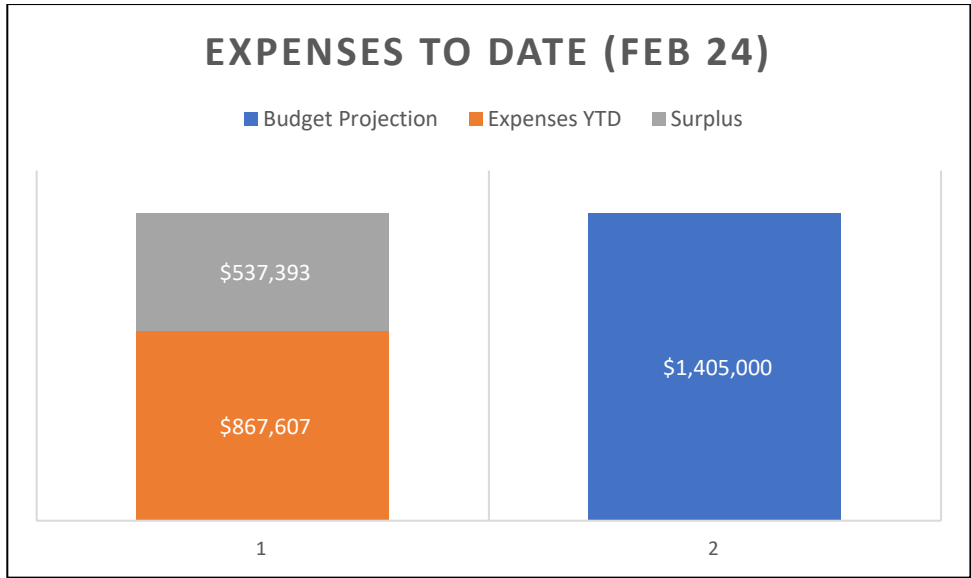
**CONSULTATION**

Nil

**RESOURCE IMPLICATIONS**

**Financial**





**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.

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End

<b>9.3.4 RECONSIDERATION OF RYLINGTON PARK SCHOLARSHIP REQUEST</b>	
<b>File Ref:</b>	RP/01/002
<b>Previous Items:</b>	Nil
<b>Applicant:</b>	Nil
<b>Author and Title:</b>	Leonard Long, Chief Executive Officer
<b>Declaration of Interest:</b>	Nil
<b>Voting Requirements:</b>	Simple Majority
<b>Attachment Number</b>	9.3.4A Letter for Scholarship

<b>Moved: Cr. Caldwell</b>	<b>Seconded: Cr. O'Connell</b>
<b><u>COUNCIL DECISION 24/03/035</u></b>	
That Council move into a Committee of the Whole as per clause 15.6 of the Standing Orders Local Law No.1 to allow free and open discussion on the matter.	
<b>CARRIED 7/0</b>	
<b>For: Cr Walker, Cr O'Connell, Cr Kaltenrieder, Cr Inglis, Cr King Cr Caldwell, Cr Wright</b>	
<b>Against: Nil</b>	

<b>Moved: Cr. Caldwell</b>	<b>Seconded: Cr. O'Connell</b>
<b><u>COUNCIL DECISION 24/03/036</u></b>	
That Council move out of a Committee of the Whole as per clause 15.6 of the Standing Orders Local Law No.1.	
<b>CARRIED 7/0</b>	
<b>For: Cr Walker, Cr O'Connell, Cr Kaltenrieder, Cr Inglis, Cr King Cr Caldwell, Cr Wright</b>	
<b>Against: Nil</b>	

<b>Moved: Cr. Kaltenrieder</b>	<b>Seconded: Cr. Caldwell</b>
<b><u>COUNCIL DECISION 24/03/037</u></b>	
That Council:	
<ol style="list-style-type: none"> <li>1. Request Mr Goerlings' son to comply with the RP Scholarship Application Form.</li> <li>2. Request Rylington Park Committee to consider the application.</li> <li>3. Will no longer receive any further scholarship applications for the 2023/24 calendar year.</li> </ol>	
<b>CARRIED 6/1</b>	
<b>For: Cr Walker, Cr O'Connell, Cr Kaltenrieder, Cr King, Cr Caldwell,</b>	

**Cr Wright  
Against: Cr Inglis**

### **SUMMARY**

As a result of additional investigations by officers, Council is requested to reconsider the request from Mr P. Goerling for a Rylington Park Scholarship for his son.

### **BACKGROUND**

At the Ordinary Council Meeting of 30 November 2023, Council resolved through a confidential item as follows:

*“Council Decision 23/11/245*

1. *Award the Rylington Park \$1,000 Scholarship to each of the following students:*
  - a. *RPS1*
  - b. *RPS2*
  - c. *RPS3*
  - d. *RPS4*
  - e. *RPS5*
2. *Request the Chief Executive Officer to prepare a new Rylington Park Scholarship Policy outlining the scholarship criteria.*

*CARRIED 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 names.”*

A request dated 29 January 2024 was received from Mr & Mrs Goerling, parents of Charlie Goerling Attachment 9.3.4A.

At the Rylington Park Committee meeting of 8 February 2024, the committee resolved as follows:

*“COMMITTEE DECISION RP 24/02/013*

1. *Requests the Chief Executive Officer to advise Mr. Goerling that the application cannot be considered as the scholarship submissions for 2023 were awarded in November 2023.”*

The above this decision was ratified by Council at its Ordinary Council Meeting held on 29 February 2024 – Council Decision 24/02/023.

### **REPORT DETAIL**


Following the Council meeting the Chief Executive Officer contacted Mr. Goerling advising of the Council decision not to award Mr. Goerling's son the scholarship.

Mr. Goerling advised that he was not able to find any advertisements placed advertising the scholarship and its subsequent closing date. This claim has been investigated by the Chief Executive Officer and it can be confirmed that the Scholarship was not advertised to the general public and was only distributed to students at the Boyup Brook District High School (BBDHS).

It must be pointed out that in the current scholarship application package it states the scholarship is open to any year 9 or 10 student residing in Boyup Brook.

As a result of the scholarship not being advertised to the general public and only promoted through the BBDHS. Other year 9 or 10 students being home-schooled or schooled outside of Boyup Brook but reside in Boyup Brook were at a disadvantage not knowing about the scholarship or the closing date details.

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

	<b>Key Imperatives</b>	<b>Social and Community</b>
	<b>Outcome</b>	Promote quality education, health, childcare, aged care and youth services.
	<b>Objective</b>	Improve support for youth and youth activities.

**OTHER STRATEGIC LINKS**

Nil

**STATUTORY ENVIRONMENT**

Nil

**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.

Risk Level	Comment
<b>Moderate</b>	As a result of not advertising the scholarship, it could be perceived that the process was not open and transparent.

**CONSULTATION**

Nil

**RESOURCE IMPLICATIONS****Financial**

The additional scholarship funds will need to be included in the current Rylington Park Budget.

**Workforce**

Nil

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End

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<b>9.3.5 ATTENDANCE AT THE 2024 ANNUAL SANDAKAN MEMORIAL SERVICE IN SANDAKAN MALAYSIA</b>	
<b>File Ref:</b>	CR/26/006
<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>	9.3.5A – Memorandum of Understanding

<b>Moved: Cr. O'Connell</b>	<b>Seconded: Cr. King</b>
<b><u>COUNCIL DECISION 24/03/038</u></b>	
<b>That Council:</b>	
<ol style="list-style-type: none"> <li><b>1. Delegates Cr Walker and partner to attend the Sandakan Day Memorial Service to be held on 15 August 2024 in Sandakan, Malaysia.</b></li> <li><b>2. Requests the Chief Executive Officer to extend an invitation to the Sandakan Municipal Council to send a representative to attend the Sandakan Memorial held in Boyup Brook on 10 September 2024.</b></li> </ol>	
<b>CARRIED BY ABSOLUTE MAJORITY 7/0</b>	
<b>For: Cr Walker, Cr O'Connell, Cr Kaltenrieder, Cr Inglis, Cr King Cr Caldwell, Cr Wright</b>	
<b>Against: Nil</b>	

### **SUMMARY**

Council is requested to consider nominating the Council Representative (usually the Shire President) and partner of the Shire of Boyup Brook to attend the Sandakan Memorial Day Service in Sandakan, Malaysia this year.

### **BACKGROUND**

The Sandakan Day Memorial service is held annually in Sandakan Malaysia. Council has a Memorandum of Understanding with the Sandakan Municipal Council (refer to attachment).

Council has made a practice of sending the President, and occasionally other Councillors, to Sandakan annually and has a policy to support this. It also invites the Sandakan Municipal Council President, and other dignitaries, to the annual service in Boyup Brook.

### **REPORT DETAIL**

This relationship between the two Councils is that it has its roots in the tragedies of the Second World War and the pain and suffering of people from both Countries.

But the MOU offers more than recognition of sacrifices people from both countries it also offers opportunity. The MOU provides as follows:

That the two Council's do hereby. extend friendship and co-operation to one another in accordance with their prevailing laws and regulations in the following fields;

1. Exchange of experts in order to improve the management of the two Council's;
2. Commerce, trade and tourism;
3. Administration and information;
4. Culture, arts and relic of the war;
5. Youth and sports.

Whilst the language, customs and predominant religion are not shared by both, the common bond of loss resulted in annual recognition services in both communities, and the pledge for the two Councils to work together.


It is suggested that the remembrance of those who died is sufficient cause to delegate the leader of this Council to attend services each year. And that the spirit of the MOU beckons delegates to stay on, or visit on other occasions, in order to pursue cooperation in the agreed fields.

Given the importance of the two Council relationship, recognition of the losses, and the opportunities that the MOU may bring, it is fitting that Council has a policy of sending its leader each year.

In past years Council has also delegated other members of Council to attend and it is suggested that Council may wish to consider this opportunity.

It is noted that it is customary for attendees at the Sandakan Day Memorial Service to be accompanied by their partners. It is suggested that Shire delegates be encouraged to also take their partners, just as the Sandakan Council delegates do when they attend the Boyup Brook service, as this will better show respect and add to the overall opportunity to further ideals of the MOU.

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

	<b>Key Imperatives</b>	<b>Social and Community</b>
	<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 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**

Current Policy M.09

Draft Policy C12

**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.

Risk Level	Comment
<b>Moderate</b>	Not delegating anyone from the Shire to attend the ceremony would not impact the council but could impact the relationship with Sandakan Municipal Council.

**CONSULTATION**

Nil

**RESOURCE IMPLICATIONS****Financial**

The cost of the attendance of the ceremony will be incorporated into the 2024/25 budget.

**Workforce**

Nil

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 End
 

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## Financial Interest

The Chief Executive Officer has declared a Financial Interest in Item 9.3.6 – Shire of Boyup Brook Policy Manual specifically proposed Policy C10 – Letting of Council Properties.

<b>9.3.6 SHIRE OF BOYUP BROOK POLICY MANUAL</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>	9.3.6A – Proposed Policy Manual 9.3.6B – Existing Policy Manual

**Moved: Cr. O’Connell**

**Seconded: Cr. King**

### **COUNCIL DECISION 24/03/039**

**That Council move into a Committee of the Whole as per clause 15.6 of the Standing Orders Local Law No.1 to allow free and open discussion on the matter.**

**CARRIED 7/0**

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

**Moved: Cr. Kaltenrieder**

**Seconded: Cr. Caldwell**

### **COUNCIL DECISION 24/03/040**

**That Council move out of a Committee of the Whole as per clause 15.6 of the Standing Orders Local Law No.1.**

**CARRIED 7/0**

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

**Moved: Cr. Inglis**

**Seconded: Cr. Kaltenrieder**

### **COUNCIL DECISION 24/03/041**

**That Council:**

- 1. Rescinds all previous policies and Adopts the revised Shire of Boyup Brook Policy Manual as per Attachment 9.3.6A.**

**CARRIED BY ABSOLUTE MAJORITY 7/0**

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

### **SUMMARY**

To ensure policies remain applicable and operational it is good practice to review policies on an annual basis. The proposed review is considered a major review of the existing policy manual.

### **BACKGROUND**

Extensive research and consultation has been undertaken in order to achieve documentation which completely supersedes Council’s previous policy manual and will be the basis for all future reporting and subsequent decision making.

To achieve this outcome there are three essential components to each policy which identify:

1. Whether the policy is a requirement of legislation (in which case the legislation is identified).
2. Whether the policy has an associated management procedure which will then form part of internal procedures (requiring approval of the Chief Executive Officer).
3. Whether the policy has an associated delegation which will then form part of the delegation register.

The objectives of Council’s policies are:

1. To provide Council with a formal written record of policy decisions;
2. To provide employees with clear direction to respond to issues and act in accordance with the Council’s direction;
3. To enable Councillors to adequately handle general enquiries relating to the role of Council;
4. To enable Council to maintain a process to continually review policy decisions and to ensure they are in keeping with the community expectations, current legislative trends and circumstances; and
5. To enable residents to obtain immediate advice on matters of Council policy.

Council decisions on single issues are not considered policy. Changes to policy will only be made as a result of:

1. An annual operational review; or
2. A Council decision arising from an agenda item.

### **REPORT DETAIL**

The index used for the policy manual has been amended to conform with the organisational departments / section of responsibility as well as ensuring compliance with the approved Record Keeping Plan.

The table below shows the new policies being proposed, some of which are legislatively required. Those that have a financial implication are discussed individually.

#### Policy G7 – Legal Representation – Cost Indemnification

As described in the policy intent, this policy is designed to protect the interests of Council Members and employees (including past members and former employees) where they become involved in legal proceedings because of performing their normal duties.

In most situations the Shire of Boyup Brook (Shire) may assist the individual in meeting reasonable expenses and any liabilities incurred in relation to these proceedings.

The objective of this policy is to ensure Council Members and employees of the Shire are represented in legal action relating to their roles and functions subject to considerations set out below.

Council Members and employees of the Shire performing their statutory roles and functions, may occasionally in the course of their duties, be exposed to legal action initiated by third parties. In these circumstances Council Members and employees may require legal advice and/or representation and should be able to expect the local government will provide financial assistance to meet the cost of the advice or representation. Accordingly, it is appropriate and prudent for the Shire to be able to assist members and employees by adopting a policy to fund or partly fund the cost of providing legal services in appropriate circumstances.

#### Policy C8 – Payments to employees in addition to a contract or award – staff farewell and presentations

A gratuity payment, in the form of a monetary payment or gift(s) to an equivalent value may be given as a token of appreciation for an employee's commitment and service to the Shire, when the employee reaches the number of years' service outlined in clause 5 of the policy.

This policy aids in the attraction and retention of staff by providing financial incentives for staff to remain with the Shire, however, this policy is not applicable to Executive Managers or the CEO.

The policy proposes the following gratuity payments for staff that reach the following continuous number of years:

<b>Number of years' service</b>	<b>Amount of gratuity</b>
Continuous service greater than 10 years	A Statement of Service and a monetary payment, to the value of \$500.00.
Continuous service greater than 20 years	A recognition plaque of Service and a monetary payment, to the value of \$1,000.
Continuous service greater than 30 years	A recognition plaque of Service and a monetary payment, up to the value of \$1500.00.

Continuous service greater than 40 years	A recognition plaque of Service and a monetary payment up to the value of \$2000.00.
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It is acknowledged that the above will have a financial impact on the Shire, however, this is small in comparison to the retention of experienced staff.

#### Policy C10 – Letting of Council Properties

Shire properties are considered to be an investment in its staff as well as the community, as such it is important that the Shire ensure the properties are looked after.

The policy is proposed to provide tenants of Shire houses with fair and equitable assistance in maintaining Shire properties to a high standard thereby securing the Shires property investment.

#### New policies

Policy Number	Policy Intent
M1 – Council Members access to Information	To provide guidance for Council Members to access Council information.
M3 - Communications	To provide clear guideline for Council Members when liaising with Council staff.
M5 – Council Members Recognition of Continuous Service	To provide guidelines for the recognition of Council Members who achieve a significant milestone with continuous service.
M9 – Electronic Attendance at Council Meetings by Council Members.	The purpose of this policy is to establish the parameters for when Council Members may attend Council meetings electronically.
G1 – Execution of Documents	To ensure that the Shire’s common seal is used, and documents are executed in accordance with the provisions of the <i>Local Government Act 1995 (Act)</i> .
G4 - Complaints	The intent of this policy is to establish the Shire of Boyup Brook (Shire) position about complaints received and the approach to be taken in their resolution.
G7 – Legal Representation – Cost Indemnification	<p>This policy is designed to protect the interests of Council Members and employees (including past members and former employees) where they become involved in legal proceedings because of performing their normal duties.</p> <p>In most situations the Shire of Boyup Brook (Shire) may assist the individual in meeting reasonable expenses and any liabilities incurred in relation to these proceedings.</p>

G11 – Citizen Event Dress Standards	To encourage and outline the reasonable dress standards for persons attending Citizenship Events conducted by the Shire of Boyup Brook (Shire).
G12 – Fraud and Corruption Control	<p>The Shire of Boyup Brook (Shire) is committed to the prevention, detection, investigation, response and monitoring of fraud and corruption related activities. The objective of this Policy is to ensure that the Shire actively seeks to identify and limit its exposure to fraud and corruption and provide an avenue for the reporting of fraud and corruption related activities.</p> <p>This Policy is consistent with, and supported by Council's legislative and policy obligations, and the Fraud and Corruption Control Strategy.</p>
G14 – Access and Inclusion	The Access & Inclusion Plan (hereafter referred to as 'the Plan'), is crafted in alignment with the <i>Disability Services Act 1993 (WA)</i> . It equips the Shire's governing Council with the necessary strategies to advance and advocate for accessibility and inclusion. The Plan lays out a strategic direction and framework for addressing long-term planning needs.
C1 – Customer Service Charter	To outline the Customer Service Charter that defines our commitment to customer service excellence. It establishes a set of standards that outline the level of service you can expect from us, and equally what you can do to assist us to achieve these standards.
C8 – Payments to employees in addition to a contract or award – staff farewell and presentation	To give effect to Section 5.50 of the <i>Local Government Act 1995</i> in relation to payments to employees in addition to a contract or award, upon leaving the organisation.
C10 – Letting of Council Properties	Council wishes to maintain continuous lease of its properties at fair rental.
C14 – Child Safe Awareness Policy	<p>The Shire of Boyup Brook (Shire) supports and values all children and young people. The Shire makes a commitment to support the safety and wellbeing of all children and young people, including protection from abuse. This Child Safe Awareness policy is one of the ways the Shire demonstrates its commitment to being child safe and a zero-tolerance approach to child abuse.</p> <p>This Policy aims to reduce the risk of harm and child sexual abuse in our communities by encouraging child safe environments to be created and maintained. The Shire is committed to encouraging local organisations to be child safe and ensure children are safe and empowered.</p>



	<p>This Child Safe Awareness policy has been developed in response to recommendation 6.12 of the Royal Commission into Institutional Responses to Child Sexual Abuse and recognises that the Shire is uniquely placed within the local community to demonstrate leadership by supporting organisations to be child safe and to protect children and young people from harm and/or abuse. The Shire will promote the safety and wellbeing of children across the community.</p>
C16 – Drugs and Alcohol	<p>This Policy is designed to eliminate the risks inherent in the use or abuse of drugs, alcohol or other substances and to provide a safe and productive workplace for employees.</p> <p>The Shire is committed to ensuring all employees take reasonable care not to endanger the safety of themselves or others (including customers) in the workplace.</p> <p>Alcohol and other drug usage becomes a work safety and health issue if a worker's ability to exercise judgment, coordination, motor control, concentration and alertness at the workplace is impaired.</p>
F5 - Debt Collection	<p>To outline clear and appropriate debt recovery procedures which will be undertaken by the Shire of Boyup Brook (Shire) to ensure effective control over all invoiced debts owed to the Shire whilst being sympathetic to those ratepayers and debtors suffering genuine financial hardship.</p>
F6 - Financial Hardship	<p>To give effect to our commitment to support the whole community to meet the unprecedented financial challenges, the Shire of Boyup Brook (Shire) recognises these challenges of our ratepayers.</p> <p>This Policy is intended to ensure that we offer fair, equitable, consistent, and dignified support to ratepayers suffering hardship, while treating all members of the community with respect and understanding at this difficult time.</p>
EM1 - Bushfire Preparedness, Prevention, Planning & Enforcement	<p>To confirm the critical importance of bushfire preparedness and prevention activities and appropriate planning to adequately prepare for or mitigate the spread or extension of bushfires in the district and acknowledge enforcement of the approved compliance standards or for additional notices (Special Works Orders).</p>
EM2 - Emergency Management	<p>To outline a commitment by the Shire of Boyup Brook (Shire) for the broad principles of Emergency Management in the district to support the community.</p>

C19 - Code of Conduct for Employees	<p>The Shire of Boyup Brook Code of Conduct (the Code) provides employees with clear guidelines for the standards of professional conduct expected of them in carrying out their functions and responsibilities.</p> <p>The Code addresses the broader issue of ethical responsibility and encourages transparency and accountability. The Code expresses the Shire of Boyup Brook's commitment to high standards of ethical and professional behaviour and outlines the principles in which individual responsibilities are based.</p>
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### Updated and amended policies

The updates and amendments to existing policies have been done in various forms albeit format changes or complete updates to bring the policy in line with operational requirements.

The following policy is considered a major departure from the current policy:

### Policy G9 – Purchasing

The main differences between the proposed and the current policy is outlined in the table below. Being located 'regional' it is often challenging to get more than one (1) quotation. The proposed thresholds will ensure works are carried out timeously and still within a financial responsible manner.

Current	Proposed
<b>Up to \$5,000</b> no quote is required	<b>Up to \$10,000</b> no quote is required
<b>\$5,001 to \$39,999</b> Reference to WALGA's preferred supplier panel or obtain at least two (2) written quotations	<b>Over \$10,000 and up to \$100,000</b> at least two (2) written quotations regardless of being on the WALGA panel.
<b>\$40,000 - \$150,000</b> Reference to WALGA's preferred supplier panel or obtain at least three (3) written quotations	<b>Over \$100,000 and up to \$250,000</b> at least three (3) written quotations regardless of being on the WALGA panel.
<b>More than \$150,000</b> WALGA's Preferred Supply Panel or via public tender	<b>Over \$250,000</b> WALGA's Preferred Supply Panel or via public tender

### Policy C15 – Superannuation

The current superannuation policy Policy A.03 provides a total superannuation by the Shire of 12%. Currently the legislative superannuation is 11% and will in 2025/26 be increased to 12%, making the current policy null and void.

The proposed policy says the Shire will match the additional contribution made by a staff member up to a maximum of 15%. As an example should a staff member want to salary sacrifice 2% in addition to the 11% (13%) the Shire will match that contribution with an additional 2% making the staff members total contribution 15%.

The policy has been developed in such a way as to provide staff with an incentive to firstly look after their retirement by increasing their super contribution and secondly is also a staff retention incentive.

Existing Policy Number	Policy Number	Policy Intent
M.02	M02 – Council Members and Chief Executive Officer Public Statements	<p>The <i>Local Government Act 1995</i> (the Act) (as amended), Section 2.8 provides that the Shire President speaks on behalf of the Local Government. Section 5.4(f) provides for the Chief Executive Officer (CEO) to speak on the day-to-day matters and / or when the Shire President authorises.</p> <p>Council Members, outside their official capacity as members of the Council, have the right to speak in public within the limits of the law. The performance of a role as a Council Member overlap with a role of the public, an imposes limitations on what would otherwise be a normal right to speak in public on local government affairs.</p> <p>The principal limitation is that a Council Member, who is not Shire President, cannot speak on behalf of the Council, as per the Act, Section 2.8.</p>
M.14	M4 – Council Members Continuing Professional Development	To ensure Council Members meet and comply with the prescribed professional development requirements, under the <i>Local Government Act 1995</i> (the Act), the <i>Local Government (Administration) Regulations 1996</i> (the Regulations), and to further encourage participation in other conferences or training specifically designed to enhance skills and knowledge relating to roles and responsibilities as a Council Member of the Shire of Boyup Brook (Shire).
M.16	M6 – Attendance at Events and Functions	Section 5.90A of the <i>Local Government Act 1995</i> (the Act) provides that a local government must prepare and adopt an Attendance at Events policy. This policy is made in accordance with those provisions.
M.10	M7 – Council Members Information, Communication and Technology	To provide an annual allowance to Council Members to adequately cover fixed and usage related telecommunications and information technology fees and the cost of consumables for printers. In addition, to set a position on the provision of computer equipment.

M.05	M8 – Council Members Fees, Allowances and Reimbursement of Expenses.	The purpose of this policy is to establish the parameters for the payment of Council Members fees, allowances, and reimbursement of expenses.
A.01	G2 – Senior Employees	To designate Senior Employees in accordance with Section 5.37 of the Local Government Act 1995 (the Act).
O.14	G3 – Honorary Freeman of the Shire of Boyup Brook	<p>The policy seeks to recognise and honour individuals who have rendered distinguished services to the community.</p> <p>The Shire will recognise the distinguished services of an individual by awarding them the title of “Honorary Freeman of the Shire of Boyup Brook”. This is a rare and exceptional award to be bestowed on any individual, recipients will be selected according to the criteria in this policy.</p>
A.12	G5 – Public Interest Disclosure	To detail internal procedures describing the way the Shire of Boyup Brook (Shire) will comply with its obligations under the <i>Public Interest Disclosure Act 2003</i> (the Act).
F.08	G6 – Risk Management	<p>The Shire of Boyup Brook (Shire) is committed to organisation wide risk management principles, systems and processes that ensure consistent, efficient, and effective assessment of risk in all planning, decision making and operational processes. The key objective of this policy is to ensure that sound Risk Management practice and procedures are fully integrated into the Council’s strategic and operational planning processes.</p> <p>This Policy will be supported by a Risk Management Strategy.</p>
A.02	G8 – Temporary Employment or Appointment of Acting Chief Executive Officer	The objective is to establish the processes for appointing an Acting CEO or Temporary CEO for periods of less than twelve months and to ensure effective management of the administration and Council is always maintained.
F.03	G9 – Purchasing	<p>The objectives of this Policy are to ensure that all Shire of Boyup Brook (Shire) purchasing activities:</p> <ul style="list-style-type: none"> <li>• demonstrate that best value for money is attained.</li> <li>• demonstrate support to purchasing local at every opportunity within the guidelines of this Policy.</li> </ul>

		<ul style="list-style-type: none"> <li>• are compliant with relevant legislations, including the Act and Regulations.</li> <li>• are recorded in compliance with the <i>State Records Act 2000</i> and associated records management practices and procedures.</li> <li>• mitigate probity risk by establishing consistent and demonstrated processes that promotes openness, transparency, fairness, and equity to all potential suppliers.</li> <li>• ensure that the sustainable benefits, such as environmental, social, and local economic factors are considered in the overall value for money assessment.</li> <li>• are conducted in a consistent and efficient manner; and</li> <li>• that ethical decision making is demonstrated.</li> </ul>
F.15	G10 – Disposal of Property	<p>To improve the process and time frame involved to:</p> <ol style="list-style-type: none"> <li>a. Dispose of Shire of Boyup Brook (Shire) property where the market value of the property to be disposed of (which does not include land) is less than \$20,000 or where the property that is disposed of as part of the consideration for other property that the local government is acquiring for a consideration where the total value of which is not more, or worth more, than \$75,000.</li> <li>b. Dispose of abandoned vehicles.</li> </ol>
O.14	G13 – Community Engagement	<p>To ensure that Shire of Boyup Brook (Shire) community engagement is meaningful, consistent across the entire organisation and undertaken in accordance with industry best practice.</p> <p>This Policy outlines minimum standards and requirements to ensure that:</p> <ol style="list-style-type: none"> <li>a. Community members and other stakeholders are influential and involved in decision-making that affects their lives and/or business operations.</li> <li>b. Community engagement is inclusive; and</li> <li>c. Community members and other stakeholders feel their input has been considered and appropriately reflected in the decisions made and actions taken.</li> </ol> <p>The Shire is committed to establishing a co-working relationship whereby the community,</p>

		other stakeholders and the Shire collaborate to build resilient communities and places. The Shire is committed to achieving transparency and accountability in our engagement endeavours to improve community trust especially in the perception that the Shire - its Council Members and staff, always act in the best interest of the community.
Stand alone Document	G15 - Standards for CEO Recruitment, Performance and Termination	These are the Shire of Boyup Brook Standards for CEO Recruitment, Performance and Termination
A.10	C2 – Annual Closure of the Shire of Boyup Brook Administration Office and Depot	To confirm Council's support for the annual closure of the Shire of Boyup Brook (Shire) Administration Office and Depot over the Christmas – New Year period.
A.13	C3 – Records Management	To ensure that records of all activities and decisions of Council are created, accessed, managed, and retained or disposed of appropriately, and in accordance with relevant legislation
A.14	C4 – Information Services	This policy outlines the conditions governing the use of all Information Services facilities provided by the Shire of Boyup Brook (Shire). The policy applies to Council Members, staff and to others to whom access to Information Services will be provided.
A.19	C5 – Closed Circuit Television	To outline a position on the operation of Shire of Boyup Brook (Shire) owned Closed Circuit Television (CCTV) systems and equipment.  This Policy applies to any Shire owned fixed CCTV systems and any mobile CCTV trailers. It does not apply to the operation and use of Body Worn Cameras and/or any vehicle dash mounted camera systems.  This Policy should be read in conjunction with any associated internal CCTV Procedures and/or Guidelines, approved by the Chief Executive Officer.
A.16	C6 – Work Health & Safety	The Shire of Boyup Brook is committed to providing and maintaining a safe and healthy workplace for all workers (including contractors


		and volunteers) as well as clients, visitors, and members of the public. Hazards and risks to health and safety will be eliminated or minimised, as far as is reasonably practicable.
A.20	C7 – Equal Employment Opportunity	To ensure the workplace is free of discrimination and harassment. Council is dedicated to providing a harmonious and safe working environment and encourages good working relationships between all employees. All recruitment, selection and employment decisions will be based on the individual merit of applicants and employees.
A.05	C9 – Staff Usage of Shire Vehicles	To establish the parameters relating to the use of vehicles provided and to the Shire of Boyup Brook (Shire) Shire Officers.
F.07	C11 – Assets Management	The key objective of this policy is to ensure that services delivered by the Shire of Boyup Brook (Shire) continue to be sustainably delivered. This will be achieved by managing infrastructure assets, so they provide the desired level of service to meet the community's needs and expectations in a financially sustainable manner. The policy will also provide clear direction as to how the Shire, as custodians of community assets, will manage those assets within a consistent management framework that is aligned to International Standard AS/NZS/ISO 55000:2014, integrated with the Shire's business practices, and is consistent with the State Governments integrated planning and reporting requirements.
M.09	C12 – Sandakan Municipality Friendship	To foster and enhance the Memorandum of Friendship between Sandakan Municipal Council and Boyup Brook Shire Council, aiming for mutual development and cooperation.
O.12	C13 Consumption of Liquor on Council Property by Outside Bodies	To control the consumption of liquor on Council properties by outside bodies using Council premises.
A.03	C15 - Superannuation	This Policy applies to all employees whether the full-time, part-time, or casual.
F.02	C17 Community Grants	The Council will provide the provision of financial assistance to promote and support community-based initiatives, which meet the Shire's strategic direction annually through the Community Grants Program.



F.12	F1 Regional Price Preference	To promote the growth development and retention of local and regional businesses employing local people to assist in generating economic benefits by maximising the use of competitive local and regional content in the supply of goods and services or for construction (building services) sourced by way of Tender on behalf of the Shire of Boyup Brook (Shire).
F.01	F2 Investment of funds	To invest the Shire of Boyup Brook surplus funds, with consideration of risk and the most favourable rate of interest available to it at the time for that investment type, while ensuring that Council's liquidity requirements are met.
F.09	F3 Related Party Disclosure	To ensure compliance with the Australian Accounting Standard AASB124 (AASB124) related party disclosures and the <i>Local Government Act 1995</i> (the Act) to prepare financial accountability documents, including general purpose financial statements.
F.05	F4 Corporate Credit Card	To enable flexibility in purchasing procedures and to provide information on the use and responsibilities of Council Corporate Credit Cards by approved Council Officers.
W.04	O1 Private Works	To confirm support for private works requests from residents, organisations or others located in the Shire of Boyup Brook.
A.18	C18 Smoke Free Work Place	The Shire of Boyup Brook recognises that passive smoking is hazardous to health and is committed to ensuring that all employees, elected members, visitors, and contractors are not exposed to tobacco smoke or vapours from e-cigarettes (vapes) in the workplace, including enclosed and outdoor spaces and Shire vehicles.



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

	<b>Key Imperatives</b>	<b>Social and Community</b>
	<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**

Policies which are required as a result of statutory legislation are to contain a statement providing a reference to the relevant legislation.

### **SUSTAINABILITY AND RISK CONSIDERATION**

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

Policies may have an impact on financial and economic processes and decisions, particularly those in the 'Finance' category.

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

Nil

### **POLICY IMPLICATIONS**

All policies have been included in this review. See the 'Report Detail' for information on policies which are proposed to be deleted, inserted or amended.

### **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>	Not having certain policies could be a breach of various Acts, further, policies also provide guidance to the community on a number of matters, without which could result in community angst in certain areas.

### **CONSULTATION**

Shire Staff

**RESOURCE IMPLICATIONS**

**Financial**

Nil

**Workforce**

Nil

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End

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## 9.4 PLANNING

### Impartiality Interest

Cr King declared an Impartiality Interest in Item 9.4.1 – Development Application (Shipping Container) at 41 Boyup Brook-Cranbrook Road, Mayanup, Reserve 20039, as his wife submitted the application and both their children being involved in the Pony Club.

Cr King took a comfort break and left the Chambers at 9:49pm

Cr King returned to the Chambers at 9:51pm.

<b>9.4.1 DEVELOPMENT APPLICATION – (SHIPPING CONTAINER) – 41 BOYUP BROOK -CRANBROOK ROAD, MAYANUP, RESERVE 20039</b>	
<b>File Ref:</b>	RESERVE 20039
<b>Previous Items:</b>	Nil
<b>Applicant:</b>	Mayanup Horse and Pony Club
<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 – Planning Application

**Moved: Cr. Inglis**

**Seconded: Cr. O'Connell**

### **COUNCIL DECISION 24/03/042**

**That Council:**

- 1. Approves the Development Application for the proposed Shipping Container, at Reserve 20039, subject to the following conditions and advice notes:**

#### **Conditions:**

- a. Prior to the use of the Shipping Container, unless varied by a condition of approval or a minor amendment to the satisfaction of the Chief Executive Officer, the development shall occur in accordance with the approved plans.**
- b. The shipping container shall be always screened from view from any public road through the use of either cladding or vegetation.**
- c. Should the applicant want to screen the shipping container as required in (b.) above using vegetation, such vegetation shall be planted with 6 months of the date of this approval.**

#### **Advice Notes:**

- a. Prior to use of the shipping container a Certified Building Permit is required.**

- b. If the development is not substantially commenced within a period of two (2) years, or another period specified in the approval, the approval will lapse and be of no further effect.**
  - c. 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. An application must be made within 28 days of the determination.**
- CARRIED 6/0**
- For: Cr Walker, Cr O’Connell, Cr Kaltenrieder, Cr Inglis, Cr Caldwell,  
Cr Wright**
- Against: Nil**

**SUMMARY**

The Shire received an application, on behalf of the ‘Mayanup Horse and Pony Club’, seeking approval to place a shipping container, at 41 Boyup Brook-Cranbrook Road, MAYANUP, Reserve 20039.

The shipping container is proposed to be used to store equipment associated with the Mayanup Horse and Pony Club.

**BACKGROUND**

In accordance with the Shire’s Local Planning Scheme No.2, the subject land is zoned ‘Rural’.

In accordance with Landgate Tenure data, the subject land is ‘Reserved’ for the purpose of Recreation (vesting – Shire of Boyup Brook).

The proposal conforms with the purpose of the subject ‘Reserve’ (Recreation).

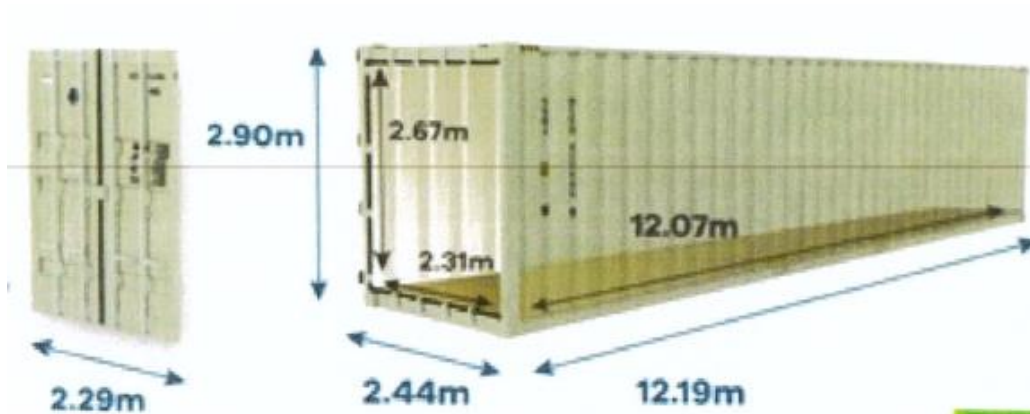


**REPORT DETAIL**

The Shipping Container is proposed to be developed in a cleared area, adjacent to an existing storage shed and within walking distance to recreation facilities.

The floor area of the facility amounts to 29.7m<sup>2</sup> and is featured in the following figure.

Proposed Shipping Container



To ensure the shipping container does not distract from the amenity of the area, it is proposed that the container either be clad in similar material as the existing buildings on the site or be screened from view from any public road by vegetation.

Council is recommended to approve the proposed Shipping Container at the subject location.

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

	<b>Key Imperatives</b>	<b>Social and Community</b>
	<b>Outcome</b>	Promote quality education, health, childcare, aged care and youth services.
	<b>Objective</b>	Improve support for youth and youth activities.

**OTHER STRATEGIC LINKS**

Nil

**STATUTORY ENVIRONMENT**

Nil

**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>	The proposed shipping container is proposed to be located in an area well setback from the main tourist route and is to be screened / cladded to blend with the surrounds.

**CONSULTATION**

Nil

**RESOURCE IMPLICATIONS****Financial**

Nil

**Workforce**

Nil

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End

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<b>9.4.2 DEVELOPMENT APPLICATION – (TREE FARM) – LOT 6250 CONDINUP ROAD, DINNINUP</b>	
<b>File Ref:</b>	A4170
<b>Previous Items:</b>	Nil
<b>Applicant:</b>	Mitsui Bussan Woodchip Oceania Pty Ltd
<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>	9.4.2A – Plantation Management Plan (March 2024) 9.4.2B – Plantation Map (March 2024) 9.4.2C – Social / Economic input 9.4.2D – Neighbour Comment 9.4.2E – DFES Comment (Feb 2024) 9.4.2F – WAPC Tree Farm Fact Sheet

**Moved: Cr. Caldwell**

**Seconded: Cr. O'Connell**

**COUNCIL DECISION 24/03/043**

**That Council:**

- 1. Approves the Development Application for the proposed Tree Farm on Lot 6250 Condinup Road, Dinninup, subject to the following conditions and advice notes:**

**Conditions:**

- a. All development shall occur in accordance with the Plantation Management Plan and Plantation Map dated March 2024.**
- b. Prior to the commencement of any works a plantation map shall be maintained at all times on-site in red PVC tubes located at each access point to the satisfaction of the Chief Executive Officer.**
- c. A 15m bare earth firebreak with a 5m vertical clearance shall be provide and maintain at all times to the satisfaction of the Chief Executive Officer.**
- d. Where a plantation is divided into compartments –**
  - (i) and the compartments do not exceed 30ha, a 6m wide bare earth firebreak with 5m vertical clearance shall be provided and maintained at all times between compartments to the satisfaction of the Chief Executive Officer.**
  - (ii) and the compartments exceed 30ha, a 10m wide bare earth firebreak with 5m vertical clearance shall be provided and maintained at all times between compartments to the satisfaction of the Chief Executive Officer.**

- e. Within six (6) months of the date of this approval, the owner / operator shall install a minimum 50,000 litre water tank (as shown on the Plantation Map dated March 2024) and fitted with connections to ensure fire brigades can connect to the tank, to the satisfaction of the Chief Executive Officer.**
- f. The owner / operator shall maintain a bare earth trafficable area of 10m around the water tank required in (e) above, at all times to the satisfaction of the Chief Executive Officer.**
- g. The owner / operator shall ensure the water tank required in (e.) above, is always maintained at a full level to the satisfaction of the Chief Executive Officer.**
- h. The owner / operator shall maintain a vehicle turnaround area at the water tank required in (e.) above at all times to the satisfaction of the Chief Executive Officer.**
- i. 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.**
- j. 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.**
- k. The owner / operator is to provide an updated Plantation Plan annually to the Shire to for approval.**

**Advice Notes:**

- a. A 50m wide bare earth firebreak is required 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.**
- b. Any variation to the Shire of Boyup Brook Firebreak Notice needs to be approved annually by the Chief Executive Officer prior to the commencement of fire season.**
- c. If the development is not substantially commenced within a period of two (2) years, or another period specified in the approval, the approval will lapse and be of no further effect.**
- d. Where power lines pass through the plantation, clear firebreaks in accordance with Western Power specifications (consult Western Power – phone 13 10 87).**



- e. **The removal of any native vegetation will require the approval of the Department of Water and Environmental Regulation.**
- f. **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. 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.**
- g. **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.**

**CARRIED 7/0**

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

**Against: Nil**

### **SUMMARY**

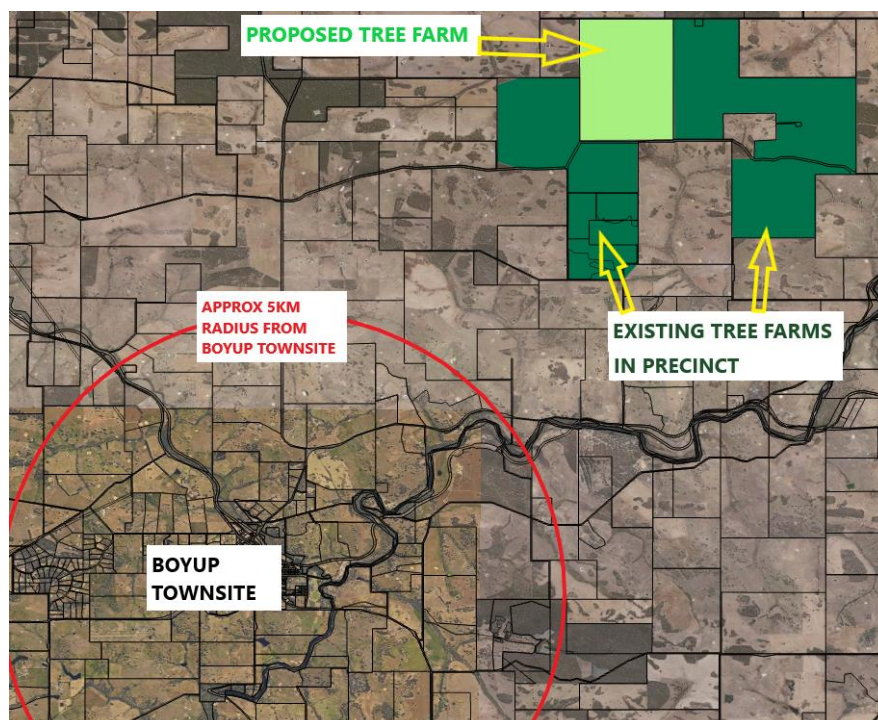
Council is requested to consider an application for Development Approval received for a ‘Tree Farm’ from MITSUI BUSSAN WOODCHIP OCEANIA PTY LTD, on Lot 6250 Condinup Road, Dinninup (404-hectare property).

### **BACKGROUND**

In September 2021, the State Government announced a \$350 million investment over 10 years to bolster the State’s softwood plantation estate. This was estimated to require an additional 33,000 ha of land for pine trees to support the forestry industry, and provide timber products to the construction industry, while also contributing to carbon capture and storage.

This subject property is 404 ha in size being ex-cropping and pasture with an area of approximately 260 hectares to be established with pine softwood (*P radiata*).

The subject farmland is located in Dinninup approximately 12 km north of the Boyup Brook townsite.



The proposal complies with the Shire’s Local Planning Scheme requirements and is to be managed in accordance with industry standards, including:

- Code of Practice for Timber Plantations in Western Australia
- Guidelines for Plantation Fire Protection (2011)
- Shire’s Fire Information and Firebreak Notice
- Plantation Managers Fire Agreement

### **REPORT DETAIL**

In accordance with Shire’s Local Planning Scheme, a ‘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.

The application site is zoned ‘Rural’ and in terms of the Shire’s Town Planning Scheme, a ‘Tree Farm’, requires Council to exercise its discretion on whether or not to approve the development proposal.

Clause 25 Rural Zone of the Shire’s Local Planning Scheme notes that when considering an application within a ‘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 Districts 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 capacity for further development.

Clause 25 goes on to state:

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 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 plantation and shall instead, encourage the diversification of rural activities.

In considering the requirements of clause 25 'Rural Zone' of the Shire's Local Planning Scheme, the Shire Officer offers the following:

The need to protect the agricultural practices of the rural zone in light of its importance to the Districts economy

Whilst the applicant has provided an 'economic and social impact statement', the statement does not seem to relate to the property in question, as it refers in multiple areas to "*short rotation Eucalypt plantation*", (Background & Scope), Likely land use and employment), "*converts an existing plantation operation into a new one*" (Summary).

Notwithstanding the above, the Shire Officer has taken into consideration the location of the proposed 'Tree Farm' to existing 'Tree Farms' adjoining the subject property to the east, south and west. The Shire Officer is of the opinion that a further development of a 260 ha 'Tree Farm' will not have a significant impact on the economy of the town.

The need to protect the area from uses which will reduce the amount of land available for agriculture

Although it is touted by the State Government that a 'Tree Farm' is an agricultural use, this is not fully supported by the Shire Officer. Due to the use 'locking' agricultural land for any conventional agricultural (crops & livestock) use for periods up to approximately 40 years depending on the amount of rotations.

However, as noted before the subject property is adjoined on multiple boundaries by existing 'Tree Farms' and only has approximately 260 ha of arable land making the use of the land on its own for conventional agriculture challenging.

#### Bushfire risk to the locality and adequacy of fire suppression measures

The Boyup Brook Shire is mostly located within a bush fire prone area. Whilst the proposal would increase the bushfire risk in the area it is considered that the Plantation Management Plan adequately addresses the potential fire risk mitigation. It is further recommended that an additional 50,000 litre water tank be placed onsite for an additional fire fighting water source in the area.

#### The need to preserve the rural character and rural appearance of the area

The Shire Officer is of the opinion that the rural character and appearance of the area has already been compromised by the existing 'Tree Farm' developments adjoining the subject property. It is considered that the proposed 'Tree Farm' will not compromise the character or rural appearance of the area further.

With regard to sub-clauses 2 – 4 of clause 25 of the Boyup Brook Local Planning Scheme, it is difficult to guide 'Tree Farm' developments without an approved Local Planning Policy. Notwithstanding this the subject property is unique mainly due to the fact it adjoining existing 'Tree Farms' on multiple boundaries. Potentially, had the proposed site been a 'stand alone greenfield' site located within close proximity to a townsite, tourist destination or where it would detrimentally impact the amenity of an area the Shire Officer would not be in a position to recommend approval.

#### *'Project contribution to employment and investment':*

An initial investment of \$500,000 in the first year and a further \$7 million over the rotation of the plantation is not questioned although may not be for the subject property. However, the Shire Officer is of the opinion that the majority of any financial investment would not be to the economic benefit of Boyup Brook.

#### *'Housing and demand for timber product':*

The demand for timber for construction of housing is not disputed. However, it is concerning that arable land used for conventional agriculture production (crops and livestock) could be 'locked in' for up to 40 years depending on the number of rotations. With the increase in housing comes an increase of population and potentially an additional demand on conventional agriculture production.

#### *'Broadacre farm and production':*

It is not disputed that farmers are also looking into the economies of scale by purchasing adjoining farms, which is likely to result in little direct employment opportunities.

However, this cannot be compared to 'Tree Farming'. The Shire Officer is of the opinion that 'Tree Farms' do very little for the economy of the town and mainly contributes to the larger Towns and Cities in the region. In contrast a conventional

agricultural use is likely to annually contribute directly to the economy of the town by purchasing local which in itself has positive flow on effects for the town.

*‘Farm Forestry’:*

The statement that the use of livestock to manage fuel loads beneath plantation trees is common, is not fully supported by the Shire Officer. Whilst this may be true for a limited number of years, once the trees reach a height where the canopy stops the sun from penetrating the ground it is unlikely that any substantial grazing will be available.

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

	<b>Key Imperatives</b>	<b>Economic Development</b>
	<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, 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.”*
- Shire’s draft Local Planning Strategy, which proposes the following action:
 

*“Prepare a local planning policy to guide Council’s exercise of discretion for tree farms in line with the requirements of SPP2.5 (State Planning Policy 2.5).”*
- ‘Code of Practice for Timber Plantations in Western Australia’

**STATUTORY ENVIRONMENT**

Local Planning Scheme No.2.

The Shire’s Local Planning Scheme 2, states:

**7 CONTENTS OF SCHEME**

- (1) In addition to the provisions set out in this document (the scheme text), this Scheme includes the following –
  - (a) the deemed provisions (set out in the Planning and Development (Local Planning Schemes) Regulations 2015 Schedule 2);

## 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.

## 50. 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 application includes an Economic Impact Statement, which identifies the following potential economic benefits to the locality/region:

- \$500,000 in operational expenditure in the first year
- >\$7m in harvest and haulage contracting

As mentioned before the Economic and social impact statement does not appear to be directly applicable to the subject site. Notwithstanding this the applicant has not demonstrated what the economic benefit of the 'Tree Farm' would be for the local economy.

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

Nil

**POLICY IMPLICATIONS**

State Planning Policy 2.5 - 'Rural Planning' policy, which states:

"Tree farming is supported and encouraged on rural land as a means of diversifying rural economies and providing economic and environmental benefit."

**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.

Risk Level	Comment
<b>High</b>	<p>Without the aid of an Approved Local Planning Policy, each application needs to be assessed as per the scheme. Given the location of the proposed site it is considered from a planning perspective to be suitable.</p> <p>Should Council not approve the application and the applicant appeals the decision through the State Administrative Tribunal, the Shire Officer is not confident that a refusal would be upheld.</p>

**CONSULTATION**

The application was advertised to:

- Shire's Chief Bushfire Control Officer (CBFCO).
  - Conditions requested from the CBFCO have been incorporated into the recommendation.
- Department of Fire and Emergency Services (DFES).

- The DFES responded noting that an updated Plantation Management Plan and Map should be provided to correctly reference standards in the 2011 Guidelines for Plantation Fire Protection (FESA). The applicant has provided an updated Plantation Management Plan and Plantation Map, which are provided as attachments to this report item.
  
- Neighbouring landholders.  
As a result of the neighbouring consultation one “comment” was received. The ‘comment’ is not considered an objection but rather outlines certain aspects of the application.

## **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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## 10. MINUTES OF COMMITTEES

### 10.1 RYLINGTON PARK COMMITTEE MINUTES - 19 FEBRUARY 2024

Moved: Cr. O'Connell

Seconded: Cr. Wright

#### COMMITTEE RECOMMENDATION 24/03/044

That Council:

1. Receives the confirmed minutes of the Rylington Park Committee Meeting held on 19 February 2024.
2. Authorises the Farm Manager to sell:
  - a. Approximately 125 cull-for-age ewes;
  - b. Approximately 750 wethers;
  - c. Approximately 200 tail-end ewe lambs;
  - d. Approximately 440 cull ewe hoggets.
3. Authorises the Farm Manager to place an order for the following fertilisers:
  - a. Up to 12.75 tonnes Super Potash 4:1 with selenium (mixing rate 50kg/ha);
  - b. Cropping blend as proposed by the current cropping plan as per;
  - c. Up to 27 tonnes Flexi-N;
  - d. Up to 17 tonnes Gran NS.

CARRIED 7/0

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

Against: Nil

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

Nil

## 12. LATE ITEMS / URGENT BUSINESS MATTERS

### 12.1 CONSIDERATION OF LATE ITEM

#### Financial Interest

Cr Walker declared a Financial Interest in Item 12.2 – Support Shire of Nannup request to Hon. Peter Forest MLC the Chair of the Standing Committee on Environment and Public Affairs on inquiry into Pine Plantations, as having a financial relationship with FPC – land use at Wilga.

Cr Walker Shire President left the Chambers at 9:54pm

The Deputy Shire President, Cr O’Connell, in the absence of the Shire President, took the Chair.

Cr Walker returned to the Chambers at 9:58pm.

The Shire President resumed the Chair.

**Moved: Cr. Inglis                      Seconded: Cr. King**

**COUNCIL DECISION 24/03/045**

**That Council:**

**1. Allow the consideration of Item 12.2, Support Shire of Nannup request to Hon. Peter Forest MLC the Chair of the Standing Committee on Environment and Public Affairs for an inquiry into Pine Plantations.**

**CARRIED 6/0**  
**For: Cr O’Connell, Cr Kaltenrieder, Cr Inglis, Cr King, Cr Caldwell, Cr Wright**  
**Against: Nil**

<b>12.2 SUPPORT SHIRE OF NANNUP REQUEST TO HON. PETER FOREST MLC THE CHAIR OF THE STANDING COMMITTEE ON ENVIRONMENT AND PUBLIC AFFAIRS FOR AN INQUIRY INTO PINE PLANTATIONS</b>	
<b>File Ref:</b>	EN/31/002
<b>Previous Items:</b>	Nil
<b>Applicant:</b>	Nil
<b>Author and Title:</b>	Leonard Long, Chief Executive Officer
<b>Declaration of Interest:</b>	Nil
<b>Voting Requirements:</b>	Simple Majority
<b>Attachment Number:</b>	12.2A – Confidential Nannup Correspondence 12.2B – Confidential Legal Advice 12.2C – Extract from uncorrected Hansard 12.2D – Concern letter to FPC Chair

**Moved: Cr. King                      Seconded: Cr. Kaltenrieder**

**COUNCIL DECISION 24/03/046**

**That Council:**

**1. Support the request from the Shire of Nannup to Hon. Peter Forest MLC Chair of the Standing Committee on Environment and Public Affairs to conduct an inquiry into the Ecological, Social and Economic cost of pine plantations to the communities of the Southwest particularly the Blackwood River Valley.**

**2. Write to the Hon. Peter Forest MLC expressing the Councils’ support in (1.) above.**

**CARRIED 6/0**  
**For: Cr O’Connell, Cr Kaltenrieder, Cr Inglis, Cr King, Cr Caldwell, Cr Wright**  
**Against: Nil**

### **SUMMARY**

Council is requested to support the request made by the Shire of Nannup to the Ho. Peter Forest MLC the chair of the Standing Committee on Environment and Public Affairs to conduct an inquiry into the Ecological, Social and Economic cost of pine plantations to the communities of the Southwest particularly the Blackwood River Valley.

### **BACKGROUND**

An application to develop a (Tree Farm – Pine Trees) on Lots 1182, 2944, 2945, 3944 and Lot 2 Cunningham Road, Wilga was submitted by the Forest Product Commission in February 2023.

At its Ordinary Council Meeting held on 25 May 2023 Council resolved to reject the application for the following reasons:

1. *Council favours preserving agricultural land within the Shire of Boyup Brook and although not totally opposed to tree plantations, these should be developed in smaller plantation lots on individual properties.*
2. *Whilst the applicant acceded to a request for an increase of a 100 metre buffer zone adjacent to the Wilga townsite, the plantation’s location still creates a significant bushfire hazard to dwellings and the overall neighbouring area.*
3. *The Shire of Boyup Brook’s Local Planning Scheme No.2 states the following in respect to preserving agricultural land:-*

#### **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 Districts’ 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, 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. 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. AMD 5 GG 25/9/98.*

- 3. The State Government's decision to ban logging in State Forests will likely see a proliferation of Development Approvals for tree plantations in the Shire of Boyup Brook and surrounding LGA's. Historically, the Shire of Boyup Brook has always been a broadacre farming area with intensive cropping. Whilst the Shire's location within the South West of Western Australia is conducive to tree plantations, the potential loss of agricultural land to tree plantations will have a significant effect on the local economy.*

Following the refusal the Forest Products Commission (FPC) lodges an appeal with the State Administrative Tribunal. However, prior to the tribunal proceeding FPC withdrew their appeal and provided the following advice:

*As an agent of the Crown in the right of the State whose activities constitute public work, the FPC advises that it intends to proceed with the above development, on the basis that, by reason of section 6 of the Planning and Development Act 2005 (the Act) it is entitled to do so, having previously consulted with the Shire as the responsible authority for the purpose of Local Planning Scheme 2.*

*Under the Act, the FPC does not require a development approval in order to lawfully conduct its proposed activities on the land. However, as provided for in section 6(2) of the Act, the FPC will have due regard to Council's planning priorities when establishing the above plantation and will continue to consult regularly with the Council throughout the course of establishment works.*

*The Commission proposes to implement its development in the manner previously advised, on the basis that it is consistent with the principles of orderly and proper planning and the amenity of the local shire as envisaged under the act.*

Following receipt of the above the Shire in conjunction with the Shire of Nannup who had received an identical letter obtained preliminary legal advice, see Confidential Attachment 12.2B.

Since the receipt of both the letter from FPC and the legal advice sort from the Shires Attorneys there has been numerous requests to Politicians to assist, unfortunately to no avail (Attachment 12.2C).

The Shire also wrote to the Chair of the FPC Ms Blaskett requesting information on how FPC intends to comply with the State Government Policy on Competitive Neutrality (Attachment 12.2D). Unfortunately, this has also not been responded to by FPC.

**REPORT DETAIL**


Whilst the Shire is not necessarily against ‘Tree Farms’ it does not support the concept of buying up conventional productive agricultural farms and replacing the entire farm as broad-acre tree plantations.

The Shire of Boyup Brook and Shire of Nannup will be impacted by the \$350 million allocated to the FPC to ramp up softwood timber production. More concerning is that no ecological, social or economic impact assessment has been undertaken (independently) to ascertain the impact broad-acre tree plantations.

Both the Shire of Boyup Brook and the Shire of Nannup continue to lobby where possible to get responses on our concerns. The Shire of Nannup have written to the Hon. Peter Foster MLC the Chair of the Standing Committee on Environment and Public Affairs requesting that an inquiry be conducted into the Ecological, Social and Economic cost of pine plantations to the communities of the Southwest with particular reference to the Blackwood River Valley. (Attachment 12.2A).

Given the uncertainty and the lack of FPC’s openness and transparency it is important for both Boyup Brook and Nannup Shires to continue lobbying.

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

	<b>Key Imperatives</b>	<b>Natural Environment</b>
	<b>Objective</b>	Manage natural resources sustainably
	<b>Outcome</b>	Manage and conserve the natural environment, lands and water.

**OTHER STRATEGIC LINKS**

Nil

**STATUTORY ENVIRONMENT**

Nil

**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.

Risk Level	Comment
<b>High</b>	Without a detailed investigation done on the Ecological, Social and Economic cost plantations have Council will not be able to make a complete informed decision.

**CONSULTATION**

Shire of Nannup

**RESOURCE IMPLICATIONS****Financial**

Nil

**Workforce**

Nil

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 End
**13. CONFIDENTIAL ITEMS OF BUSINESS**

Nil

**14. CLOSURE**

There being no further business the meeting closed at 9:58 pm.

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 Presiding Member

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 Date