

Date: 3 December 2024

To: Shire President  
Deputy Shire President  
Councillors  
Community



## Minutes – Ordinary Council Meeting

28 November 2024

A handwritten signature in black ink, appearing to read "Long", is written in a cursive style.

Leonard Long  
Chief Executive Officer

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## Agenda

### 1. Declaration of Opening

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

Acknowledgement of Traditional Custodians.

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

Council Meetings are public meetings.

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

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

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

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

Please make sure your mobile phones 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 (Via Teams)

Cr Philippe Kaltenrieder

Cr Darren King

Cr David Inglis

Cr Michael Wright

**Council Officers**

Chief Executive Officer	Leonard Long
Executive Officer	Magdalena Le Grange
Executive Manager Operational Service	Jason Forsyth
Manager Financial Services	Malcolm Armstrong

**Observers / Public Members**

Keith Cobber Lethbridge left the Chambers at 6:29pm.

**2.2 Apologies**

Councillor	Cr Sarah Alexander ((Approved Leave)
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Executive Manager Corporate Services	Carolyn Mallett
Manager Community Services	Nicola Jones

**2.3 Request for Leave of Absence**

- Cr Sarah Alexander - for both the November and December Ordinary Council Meetings.
- Cr David Inglis, December 2024 Ordinary Council Meeting.

**3. Deputations, Petitions and Presentations****3.1 Deputations**

Nil

**3.2 Petitions**

Nil

**3.3 Presentations**

Nil

**4. Public Question Time****4.1 Response to Previous Public Questions Taken on Notice**

Nil

**4.2 Public Question Time**

Nil

**5. Declarations of Interest**

**5.1 Financial and/or Proximity Interest**

Nil

**5.2 Disclosures of Impartiality Interest that may cause Conflict**

Nil

**6. Previous Council Meeting Minutes / Out of Session Confirmation****6.1 Ordinary Council Meeting Minutes – 31 October 2024**

**Moved: Cr. O'Connell**

**Seconded: Cr. Inglis**

**Council Decision 24/11/236**

**That the minutes of the Ordinary Council Meeting held on 31 October 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 Wright, Cr Caldwell  
Against: Nil**

**7. Presidential Communications****November**

Tuesday 5th & Wednesday 6th

- 8am attended 2024 Innovative Industries of the Future (IFF) conference at Bunbury Regional Entertainment Centre. This was organised by the South West Development Commission and was a very informative and engaging event attended by a plethora of innovative industry representatives from across Australia and around the world.

I met with the new CEO at Talison Lithium, Rob Telford and we discussed the current projects happening in Boyup Brook, their connections and relevance to Talison, both individually and collectively as well as the local benefits for our community.

Evolving renewable energy projects, in particular solar and wind, were discussed at length during the conference, including their integration into our landscape and lifestyle locally. Associated projects and industries are already important components of and influencing our local economy.

Friday 22nd

- 9am attended South West Zone WALGA meeting in Manjimup Council Chambers. Matters discussed included Sporting facilities grant funding, bike paths, DFES funded fleet/assets, EV charging stations can be fully funded- 50% Tesla/ 50% Government.

- 1pm Aboriginal Heritage Act workshop same venue Focus on Section 18 notice application and time frames for Heritage protection, Regulations 10 & 7 for minor activities.

**8. Councillor Questions on Notice**  
Nil

**9. Reports of Officers**

## 9.1 Operational Services

9.1.1 Reservoir Dam standpipe arrangements and cost	
<b>File Ref:</b>	LS/62/040
<b>Previous Items:</b>	Nil
<b>Applicant:</b>	Nil
<b>Author and Title:</b>	Jason Forsyth
<b>Declaration of Interest:</b>	Nil
<b>Voting Requirements:</b>	Simple Majority
<b>Attachment Number:</b>	Nil

**Moved: Cr. Wright**

**Seconded: Cr. Inglis**

**Council Decision 24/11/237**

**That Council:**

- 1. Approves the access to the standpipe to be between 8:30am and 1:30pm Monday to Thursday by appointment only.**
- 2. The cost of the water shall be \$1.00 per kilolitre.**

**CARRIED 7/0**

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

### Summary

Council is requested to consider the proposed arrangements for the provision of non-potable water to farmers should the need arise this summer season.

### Background

During the upcoming dry season, a temporary standpipe is proposed to supplement farmers' water needs for cattle. This standpipe will draw from the Water Corporation-owned reservoir under a non-potable water agreement. The initiative aims to provide essential support to the agricultural community while ensuring responsible water use.

### Report Detail

Water will be supplied at a rate of \$0.40 per kilolitre from the Water Corporation. Farmers will be charged \$1 per kilolitre, with the additional




charge helping to recover costs associated with labour, plant, and other operational expenses.

The initial setup involves an estimated 6 hours of labour, plant, and equipment use, at a cost of approximately \$590. There are no additional material costs, as all necessary components were procured in the previous financial year and reimbursed by the Department of Water and Environmental Regulation (DWER). Similarly, the pack-down process will take approximately 4 hours, at a cost of \$410.

Ongoing costs for water provision will include approximately 1.5 hours of daily labour and plant use for tasks such as refuelling, unlocking and relocking the reservoir gate, and conducting minor maintenance checks, based on scheduled appointments and community needs. These activities are estimated to incur daily operational costs of around \$180, which also includes a small fee for a SIM card used to activate the pump.

This initiative provides a cost-effective solution to address water shortages, with a modest fee helping to offset some of the daily operational expenses. The majority of the costs will be covered by the Shire, ensuring that the support remains affordable for the community.

### Shire of Boyup Brook Strategic Community Plan 2021 - 2031

	<b>Key Imperatives</b>	<b>Natural Environment</b>
	<b>Outcome</b>	Manage Natural Resource Sustainability.
	<b>Objective</b>	Improve water security and drought proofing measures.

### Other Strategic Links

Nil

### Statutory Environment

*Water Corporations Act 1995*: This act governs the use and management of water resources within Western Australia, and the Shire is operating within the guidelines set out by the Water Corporation in terms of drawing water from the reservoir.

### Sustainability and Risk Considerations

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

The \$1 per kilolitre charge will not fully cover the operational costs of the reservoir temporary standpipe. The majority of the overhead expenses

will be subsidised by the Shire, ensuring the system remains sustainable throughout the dry season. This support will help the community and local farmers, helping towards alleviating the impact of reduced water catchment and product loss.

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

The standpipe initiative aims to support the wellbeing of local farmers by ensuring a reliable water supply for livestock as needed. This initiative is designed to help reduce stress on farmers and promote the Shire's commitment to supporting community stability and resilience wherever possible.

**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>Low</b>	Minimal risk, including minor operational or environmental concerns. Financial and social risks are low due to the self-sustaining nature of the initiative and clear guidelines for equitable access

**Consultation**

The Water Corporation has been consulted and has assisted the Shire with some guidance on the temporary standpipe initiative since its inception, supporting the community's drought relief efforts.

**Resource Implications**

**Financial**

The costs associated with setting up, packing up, and maintaining the standpipe are low, with the majority of material costs already covered by the Department of Water and Environmental Regulation (DWER) in the previous financial year. Ongoing operational costs, including the SIM card for pump activation and labour-plant, are expected to remain modest. While the \$1 per kilolitre charge may not fully cover these costs, it will contribute to partial cost recovery.

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## **Workforce**

All setup, pack-down, and routine maintenance tasks will be handled by the Shire's existing workforce. Any major repairs or troubleshooting, if required, will also be managed by Shire staff during regular working hours, with the goal of minimising disruptions to Shire resources.

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End

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## 9.2 Corporate Services

9.2.1 List of Accounts Paid in October 2024	
<b>File Ref:</b>	FM/1/002
<b>Previous Items:</b>	Nil
<b>Applicant:</b>	Nil
<b>Author and Title:</b>	Joanna Hales-Pearce, Finance Officer
<b>Declaration of Interest:</b>	Nil
<b>Voting Requirements:</b>	Simple Majority
<b>Attachment Number:</b>	9.2.1A List of Accounts Paid in October 2024

Moved: Cr. O'Connell

Seconded: Cr. Inglis

Council Decision 24/11/238

That Council:

1. Receive the list of accounts paid in October 2024, totalling \$1,079,079.94 from Municipal account, and \$51,268.95 from Police Licensing account, as represented by:

Municipal Cheques	20671-20674	\$	7,816.85
EFT	EFT16374–EFT16528	\$	783,544.57
Direct Payments		\$	<u>287,718.52</u>
			\$1,079,079.94
Police Licensing		\$	51,268.95
Grand Total			\$1,130,348.89

CARRIED 7/0

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

Against: Nil

### Summary

In accordance with the *Local Government (Financial Management) Regulations 1996* the list of accounts paid in October 2024 are presented to Council.


### Background

This report presents accounts/invoices received for the supply of goods and services, salaries and wages, and the like which were paid during the period 01 to 31 October 2024.

## Report detail

**Attachment 9.2.1A** lists accounts/invoices the Shire paid by cheque or electronic means during the period 01 to 31 October 2024.

## Shire of Boyup Brook Strategic Community Plan 2021 - 2031

	Key Imperatives	Governance and Organisation
	Objective	Demonstrate effective leadership, advocacy and governance.
	Outcome	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 *Register of Delegations 2.8.18 Payments from the Municipal or Trust Funds* and *Register of Sub Delegations 2.5.12 Payments from the Municipal or Trust Funds* 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>Moderate</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

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## **Resource Implications**

### **Financial**

Account payments accorded with the adopted 2024/2025 Annual Budget.

### **Workforce**

Nil

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End

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<b>9.2.2 Monthly Statement of Financial Activity for the period ending 31 October 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 31 October 2024

<b>Moved: Cr. Kaltenrieder</b>	<b>Seconded: Cr. Wright</b>
<b>Council Decision 24/11/239</b>	
<b>That Council:</b>	
<b>1. Receive the Monthly Financial Report for 31 October 2024, as presented (Attachment 9.2.2A).</b>	
<p style="text-align: right;"><b>CARRIED 7/0</b></p> <p style="text-align: right;"><b>For: Cr Walker, Cr O’Connell, Cr Kaltenrieder, Cr Inglis, Cr King, Cr Wright, Cr Caldwell</b></p> <p style="text-align: right;"><b>Against: Nil</b></p>	

### Summary

The Monthly Financial Report for 31 October 2024 is presented to Council.

### 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 31 October 2024 shows a closing surplus of \$5,079,932.

### Shire of Boyup Brook Strategic Community Plan 2021 - 2031

	Key Imperatives	Governance and Organisation
	Objective	Demonstrate effective leadership, advocacy and governance.
	Outcome	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.

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

**Consultation**

Nil

**Resource Implications****Financial**

Nil

**Workforce**

Nil

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End

### 9.3 Chief Executive Officer

<b>9.3.1 Boyup Brook Early Learning Centre monthly activity report for October 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

**Moved: Cr. King**

**Seconded: Cr. Inglis**

**Council Decision 24/11/240**

**That Council:**

- 1. Receive the monthly activity report for the Boyup Brook Early Learning Centre for the month of October 2024.**

**CARRIED 7/0**

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

### Summary

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

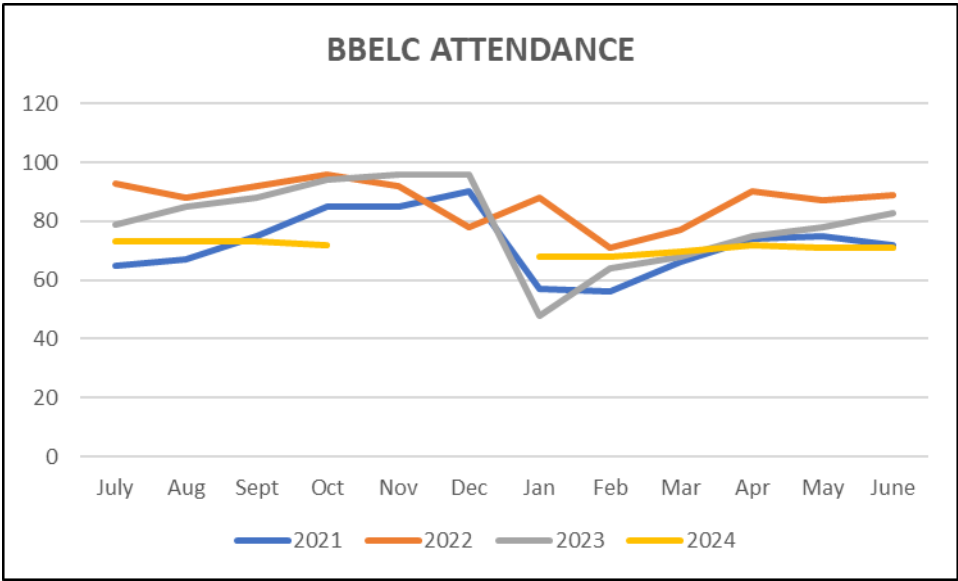
### Background

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


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

Report Detail

Average monthly 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.

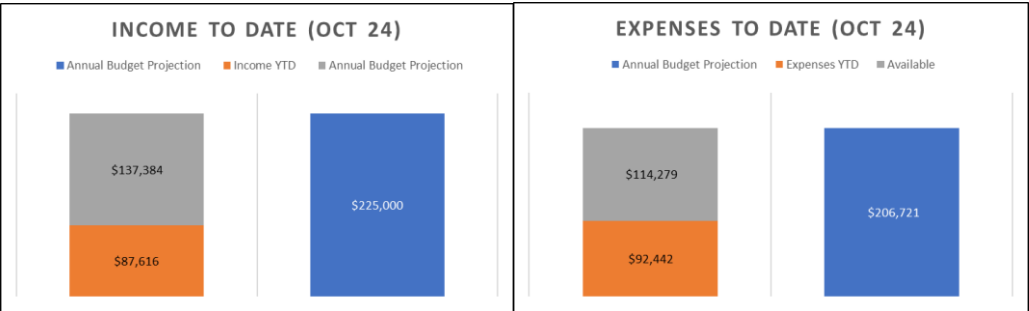
Risk Level	Comment
Moderate	The availability of early learning centres can be a factor in attracting and retaining young families in the area. Without such facilities, the Shire might experience a decline in population growth or struggle to attract new residents, which can have broader economic implications.

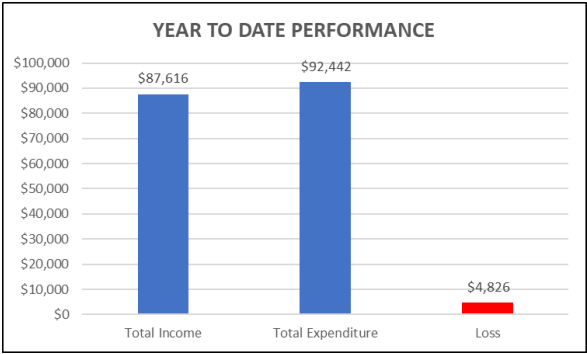
**Consultation**

Nil

**Resource Implications**

**Financial**





The year-to-date loss as reduced from \$5,355.

**Workforce**

Nil

End

<b>9.3.2 Boyup Brook Medical Services monthly activity report for October 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. Wright</b>	<b>Seconded: Cr. O'Connell</b>
<b>Council Decision 24/11/241</b>	
<b>That Council:</b>	
<b>1. Receive the monthly activity report for the Boyup Brook Medical Services for the month of October 2024.</b>	
<p style="text-align: right;"><b>CARRIED 7/0</b></p> <p><b>For: Cr Walker, Cr O'Connell, Cr Kaltenrieder, Cr Inglis, Cr King, Cr Wright, Cr Caldwell</b></p> <p style="text-align: right;"><b>Against: Nil</b></p>	

### Summary

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

### Background

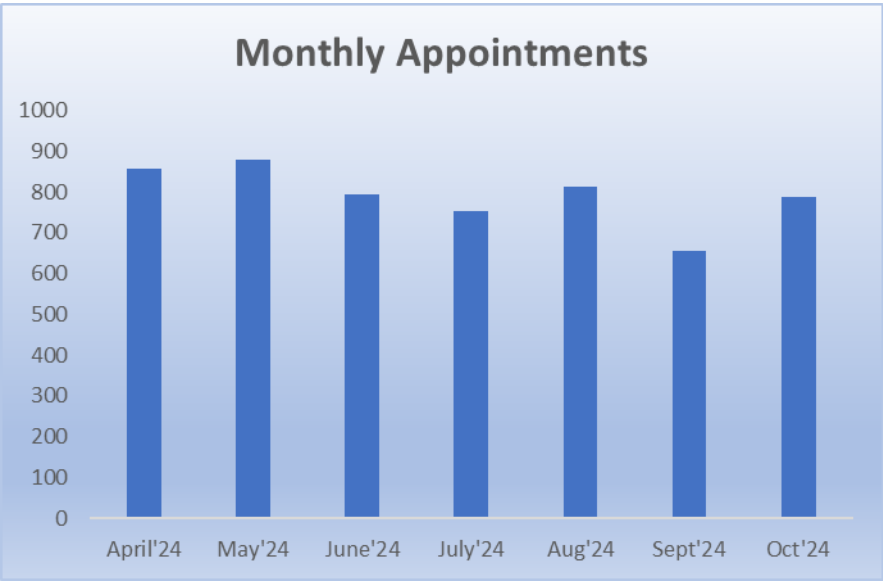
Boyup Brook Medical Services is an AGPAL (RACGP Standards) accredited practice. It provides general practice and nursing services to the community. Operating Monday to Friday from 8.00am to 4:30pm.

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.



*NOTE: This graph represents the total number of patients seen per month. Patients include hospital inpatients, ED patients, all patients seen at the practice plus scripts and referrals written without a consult.*

Shire of Boyup Brook Strategic Community Plan 2021 - 2031

	Key Imperatives	Social and Community
	Outcome	Support a healthy, active, vibrant community.
	Objective	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.

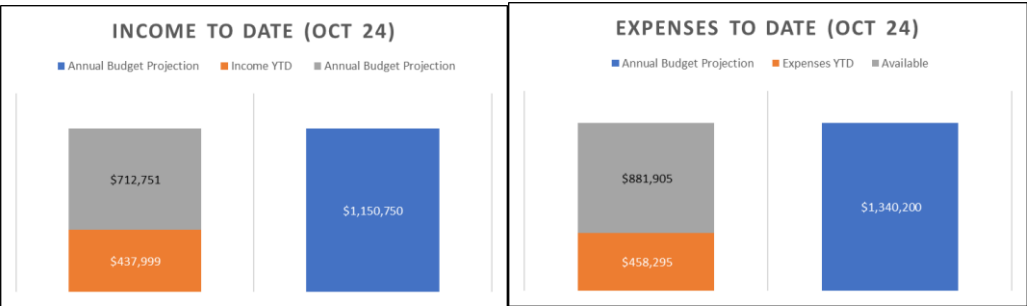
Risk Level	Comment
Moderate	Not having a medical centre would result in residents having to travel significant distances for medical care. In emergencies, the lack of a local medical centre could lead to delayed treatment and potentially poorer health outcomes. Without local healthcare services, residents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

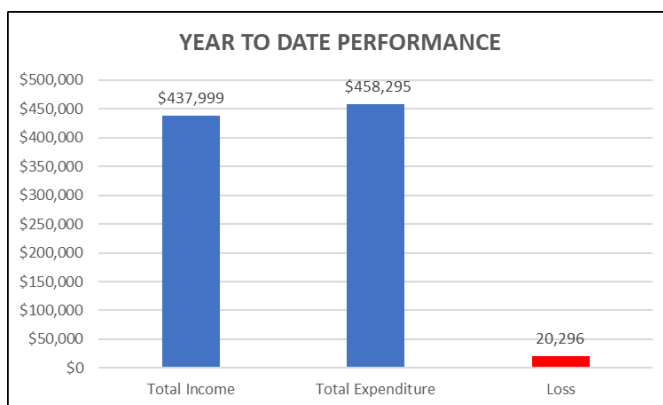
**Consultation**

Nil

**Resource Implications**

**Financial**





The year-to-date loss has reduced from \$23,033.

### **Workforce**

The centre employs one (1) Doctor (4.5 days/week at the practice), 2 part-time receptionists, 1 part time nurse and a practice manager.

---

End

<b>9.3.3 Rylington Park monthly activity report for October 2024</b>	
<b>File Ref:</b>	RP/01/002
<b>Previous Items:</b>	Nil
<b>Applicant:</b>	Nil
<b>Author and Title:</b>	Peter Grainger, Working Farm Manager
<b>Declaration of Interest:</b>	Nil
<b>Voting Requirements:</b>	Simple Majority
<b>Attachment Number:</b>	Nil

**Moved: Cr. Wright****Seconded: Cr. Inglis****Council Decision 24/11/242****That Council:**

- 1. Receive the monthly activity report for the Rylington Park Farm for the month of October 2024.**

**CARRIED 7/0**

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

## Summary

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

## Background

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

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

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

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## Report Detail

### Weed Control

- Spray topped 50,1,2 Gromoxone 400ml plus wetter.
- Sprayed 20,45,2.5 Glyphosate plus wetter.
- Sprayed canola for grubs 30ml Trojan.

### Infrastructure and Equipment Maintenance

- Repaired sheep yard chains on gates.
- Ongoing fencing maintenance and cleared fallen branches from fences.
- Continued cleaning up workshop (wet weather job).
- Grease FEL tractor.
- Repaired pipe to main dam water tank.

### Crop Management

- Cut hay paddocks.
- Barley crop – looking good.
- Canola crop – looking good.

### Livestock Sales

- 262 Blue XB lambs @ \$160 on farm.

### Feed on Hand

- Barley 38 tonnes.
- Lupins 3 tonnes.
- Hay 20 bales.
- Barley straw 0 bales.

### Feeding program

- Barley straw was needed.

### Livestock Handling and Management

- Weaned vaccinated drenched Merino lambs.
  - Moved mobs as required to maximize paddock feed.
  - 16 deaths due to fly strike 1 White Suffolk ram.
-

## Livestock Inventory

- White Suffolk Rams: 18.
- Merina ewe hoggets': 406.
- Marino rams: 31.
- Merino mixed sex hoggets' 202.
- Merino ewes: 2,160.
- XB Lambs: 698.
- Merino lambs 904.
- Total: 4,419.
- All sheep numbers will be confirmed at lamb marking and when drafting blue tag hoggets for sale.


## Wool Sales

- None.

## Shearing Schools, events & trials

- None.

## 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.

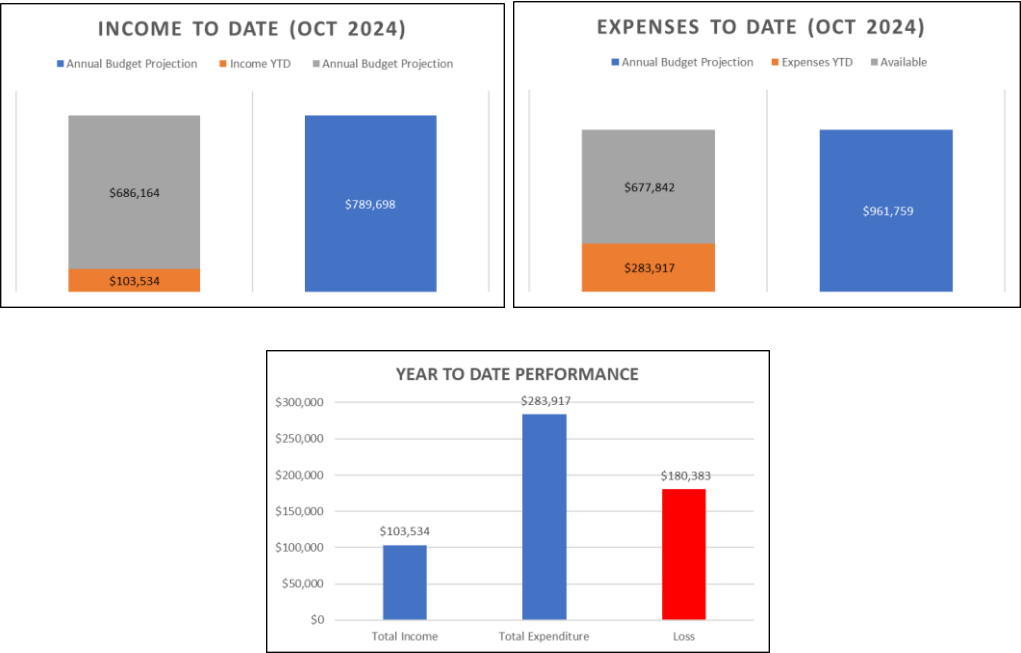
<b>Risk Level</b>	<b>Comment</b>
<b>Moderate</b>	<p>The Shire's risks regarding Rylington Park Farm include costs of operating the farm and funding programs may not always be covered by revenue or grants. Fluctuations in agricultural markets can affect the farm's economic viability.</p> <p>Extreme weather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

**Consultation**

Nil

Resource Implications

Financial



Workforce

Nil

End



<b>9.3.4 Boyup Brook Caravan Park monthly report for October 2024</b>	
<b>File Ref:</b>	A2007
<b>Previous Items:</b>	Nil
<b>Applicant:</b>	Nil
<b>Author and Title:</b>	Malcolm Armstrong, Manager Finance
<b>Declaration of Interest:</b>	Nil
<b>Voting Requirements:</b>	Simple Majority
<b>Attachment Number:</b>	Nil

**Moved: Cr. Kaltenrieder**

**Seconded: Cr. O'Connell**

**Council Decision 24/11/243**

**That Council:**

- 1. Receive the monthly report for the Boyup Brook Caravan Park for the month of October 2024.**

**CARRIED 7/0**

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

## Summary

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

## Background

The Boyup Brook Caravan Park is owned by the Shire of Boyup Brook and situated in the heart of Boyup Brook, Western Australia. Known for its tranquil setting and proximity to local attractions, it serves as a well-known stop for tourists. As a small, rural town, Boyup Brook's caravan park plays a significant role in attracting visitors to the area, contributing to the local economy and providing a welcoming spot for travellers to experience the charm of the region.

The Shire entered into an arrangement with the Campervan and Motorhome Club of Australia (CMCA), a national organisation that supports the needs of caravan and motorhome enthusiasts across the country. The CMCA arrangement aims to boost visitor numbers, improve park services, and ensure ongoing economic benefits for Boyup Brook.


## Report Detail

The partnership with the CMCA has already begun to yield positive results. Visitor numbers have increased since the arrangement was first introduced, with a noticeable spike during the winter months, which are traditionally quieter for the park. This has provided a much-needed boost to local businesses, which benefit from the steady flow of tourists spending on food, services, and fuel.

In addition to attracting more tourists, the arrangement with CMCA has raised the profile of Boyup Brook on a national level. Being listed in CMCA's directory and marketed directly to their membership base has positioned Boyup Brook Caravan Park as a must-visit destination for travellers.

The park management has also received positive feedback from guests regarding the friendly and helpful staff, which is an essential part of maintaining high customer satisfaction levels.

## 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)

The partnership between the Shire and the CMCA has had a positive impact on the local economy of the Shire and surrounding region. Increased visitor numbers, particularly from CMCA members, have led to greater spending in local businesses. The park's growing profile encourages repeat visits, contributing to the long-term economic sustainability of Boyup Brook and the wider region.

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

The partnership between the Shire and the CMCA has positively impacted the quality of life for the local community. With increased tourism, local businesses benefit from more customers, helping them to thrive and create job opportunities. Additionally, the improvements to the caravan park's facilities have enhanced the town's appeal, fostering a sense of pride and contributing to a stronger, more connected community.

## **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.

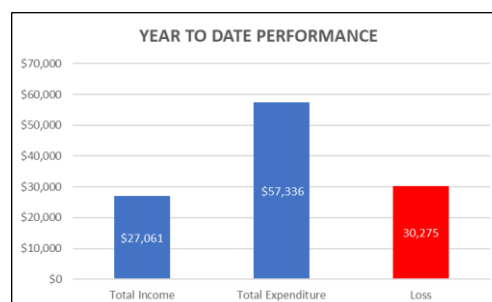
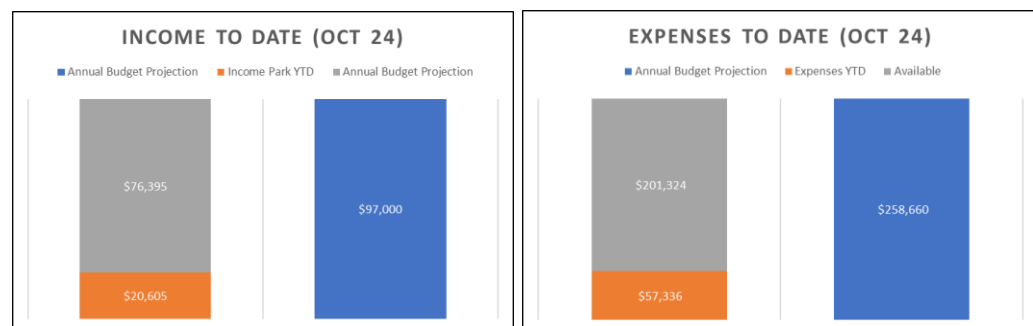
<b>Risk Level</b>	<b>Comment</b>
<b>Moderate</b>	The primary risk for the Shire is over-reliance on tourism, if visitor numbers decline, local businesses may experience reduced income, impacting the overall economy.

## **Consultation**

Nil

## **Resource Implications**

## **Financial**



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## **Workforce**

Nil

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End

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<b>9.3.5 Boyup Brook Swimming Pool monthly report for October 2024</b>	
<b>File Ref:</b>	RE/45/002
<b>Previous Items:</b>	Nil
<b>Applicant:</b>	Nil
<b>Author and Title:</b>	Tara Reid, Pool Manager
<b>Declaration of Interest:</b>	Nil
<b>Voting Requirements:</b>	Simple Majority
<b>Attachment Number:</b>	Nil

**Moved: Cr. Wright**

**Seconded: Cr. Inglis**

**Council Decision 24/11/244**

**That Council:**

- 1. Receive the monthly report for the Boyup Brook Swimming Pool for the month of October 2024.**

**CARRIED 7/0**

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

## Summary

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

## Background

The Boyup Brook Swimming Pool was originally built in 1971. It has long been a key recreational facility for the local community, offering a space for residents to cool off, exercise, and gather for social events.

In 2004, the pool underwent significant renovations. These upgrades were aimed at modernising the facilities, improving safety, and ensuring compliance with contemporary standards. The renovation included upgrades to the pool's filtration system, better accessibility features, and enhancements to the overall user experience. The revamp also helped extend the life of the pool, ensuring it could continue to serve the community for years to come.

The Boyup Brook Swimming Pool remains a popular spot for locals, hosting swimming lessons, school events, and community gatherings. It plays an important role in promoting physical activity and providing a recreational outlet in our community.

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## Report Detail

The swimming pool will be opening to the public on Monday 28<sup>th</sup> October 2024.

### General Opening Hours

Monday, Tuesday, Wednesday and Friday 10:00am – 6:00pm

Saturday and Sunday 12:00pm – 6:00pm

Season Passes have been popular again this year with 225 patrons using the Season Pass

Early Morning Swim has commenced Monday, Wednesday and Friday 5:30am -7:15am with a consistence 10 swimmers. We are counting our laps and converting to kilometre travel up the Western Australian Coastline. We have just passed Wilga.

Water Aerobics Monday & Wednesday 8:45am has been we received again this year with 28 participates in the first 2 classes.

The Boyup Brook high school are attending Monday and Friday afternoons for Physical Education.

A Work Experience Student from the Boyup Brook District High School will be at the pool from 25<sup>th</sup> – 29<sup>th</sup> November 2024.

St Marys Catholic School have completed Interim Swimming Lessons with 47 children attending over 5 days.

Management is working with the Water Corporation to become a Water Wise Aquatic Centre. The Water Corporation has agreed to pay for these waterwise upgrades.


This includes the successful waterwise upgrade equating to \$22,538 for the Swimming Pool & Tennis Courts. Works will commence soon.

## Gym

A survey will be going out to members in December to assist with improving the Gym experience and determine the usage of equipment and what equipment is required as we approach the end of our lease.

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## 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>	Promote community participation, interactions and connections.

### Other Strategic Links

Nil

### Statutory Environment

Nil

### Sustainability and Risk Consideration

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

A public swimming pool facility offers significant economic benefits. It attracts both locals and visitors. It encourages community events like swimming lessons or competitions, which can generate additional income. By improving the town's appeal and enhancing the quality of life, the pool can contribute to population retention and even attract new residents, fostering long-term economic growth.

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

A public pool facility enhances the community's quality of life by providing a safe and accessible space for recreation, exercise, and social interaction. It promotes health and well-being, offering people of all ages a place to stay active, learn water safety, and cool off during the hot months. The pool also fosters a sense of community, bringing people together for activities, events, and relaxation, helping to reduce isolation and improve mental health in our community.

### 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.

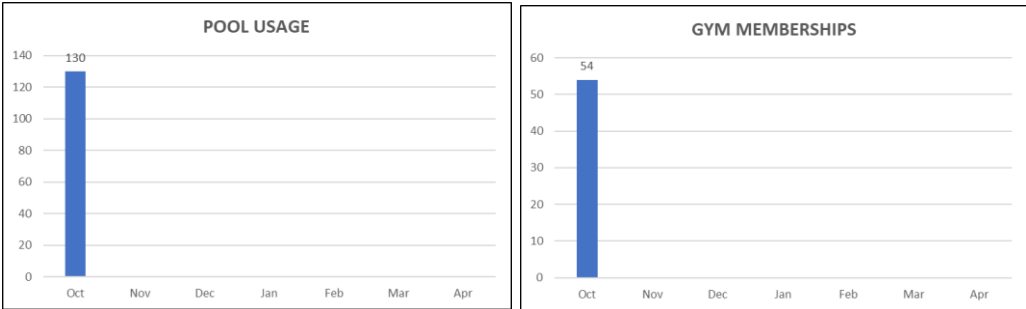
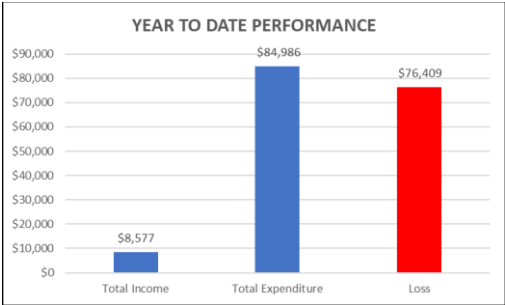
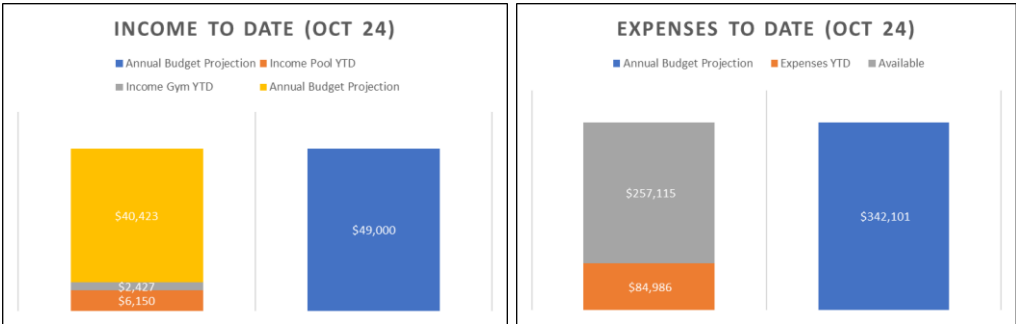
<b>Risk Level</b>	<b>Comment</b>
<b>High</b>	The main risk of having a public swimming pool lies in the ongoing costs of maintenance, staffing, and insurance, which can be significant. Pools require regular upkeep to

	ensure safety standards are met, and without proper management, unexpected repairs or liabilities could arise.
--	--

Consultation  
Nil

Resource Implications

Financial



Workforce  
Nil

End



<b>9.3.6 Council Meeting Dates for 2025</b>	
<b>File Ref:</b>	CM/52/002
<b>Previous Items:</b>	Nil
<b>Applicant:</b>	Nil
<b>Author and Title:</b>	Magdalena Le Grange, Executive Officer
<b>Declaration of Interest:</b>	Nil
<b>Voting Requirements:</b>	Simple Majority
<b>Attachment Number</b>	Nil

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

**Council Decision 24/11/245**

**That Council:**

- 1. Adopt the following dates for the 2025 Ordinary Council Meetings commencing at 6:00pm at the Council Chambers at 55 Abel Street, Boyup Brook:**

**Thursday, 27 February 2025**  
**Thursday, 27 March 2025**  
**Thursday, 24 April 2025**  
**Thursday, 29 May 2025**  
**Thursday, 26 June 2025**  
**Thursday, 31 July 2025**  
**Thursday, 28 August 2025**  
**Thursday, 25 September 2025**  
**Thursday, 30 October 2025**  
**Thursday, 27 November 2025**  
**Thursday, 18 December 2025.**

- 2. Approve the publishing of the Council meeting dates, times, and location in the Gazette and on the Shire social media pages in addition to legislative requirements.**

**CARRIED 7/0**

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

## **Summary**

The purpose of this report is for Council to consider the Ordinary Council Meeting dates and times for the 2025 calendar year.

## **Background**

The *Local Government Act 1995* and the *Local Government (Administration Management) Regulations 1996* require local

governments to at least once a year, give local public notice of the dates, times and places at which Ordinary Council Meetings are held within the next 12 months.

Each year Council is legally compelled to set the dates for Ordinary Council Meetings, and the Chief Executive Officer is responsible for publishing the dates.

Council officers have suggested dates which coincide with previous practice and include changes where necessary or practical. Council does have the opportunity to amend the frequency, dates and times of Council and committee meetings.

### **Report Detail**

Ordinary Council Meetings are currently held on the last Thursday of the month, except in January and December for the following reasons:

- Prior to 2007 Council resolved to not hold an Ordinary Council Meeting in January to enable a holiday recess for Elected Members and Council officers.
- December meetings are held earlier in the month to allow for the administration Christmas closure period.

A Closed Council Forum which commences at 4:00pm is held on the same day as the Ordinary Council Meeting which will commence at 6:00pm.

At the Closed Forum, Councillors will be briefed on current and proposed projects as well as upcoming issues they may need to know about.


Having both meetings on the same day will reduce overtime, catering costs and travel expenses. It will save Councillors significant time in not needing to attend two meetings per month to work through essentially the same agenda.

The agenda for Ordinary Council meeting will be provided to Councillors the Friday prior to the meeting thereby allowing time to go through the agenda. Councillors can email any questions to the Chief Executive Officer and will have the opportunity to seek clarifications related to the agenda at the Closed Forum, ensuring they are well-prepared for the Ordinary Council Meeting.

This approach will still ensure Councillors receive timely, relevant, and comprehensive information, enabling them to make well-informed decisions during the Ordinary Council Meetings. This proposal respects

the balance between transparency, fiscal responsibility, and the practical needs of the Council's operation.

### Shire of Boyup Brook Strategic Community Plan 2021 - 2031

	Key Imperatives	Governance and Organisation
	Objective	Demonstrate effective leadership, advocacy, and governance.
	Outcome	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

Section 5.25(1)(g) of the *Local Government Act 1995* provides for giving public notices of the date and agenda for council or committee meetings.

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

- (1) In this regulation —  
**meeting details**, for a meeting, means the date and time when, and the place where, the meeting is to be held.
- (2) The CEO must publish on the local government's official website the meeting details for the following meetings before the beginning of the year in which the meetings are to be held —
  - (a) ordinary council meetings; and
  - (b) committee meetings that are required under the Act to be open to members of the public or that are proposed to be open to members of the public.

### Sustainability and Risk Considerations

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

Nil

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

Nil

**Policy Implications**

Nil

**Risk Management Implications**

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

<b>Risk Level</b>	<b>Comment</b>
<b>High</b>	The determining of Ordinary Council Meeting dates is a requirement of the Act. Further, it provides the administration with certainty on when items requiring Council approval can be presented, this ensures timely discussion making.

**Consultation**

Nil

**Resource Implications****Financial**

Nil

**Workforce**

Nil

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End

<b>9.3.7 Amendment to the Rylington Park Committee Terms of Reference</b>	
<b>File Ref:</b>	RP/01/002
<b>Previous Items:</b>	OCM 30 May 2024, Resolution 24/05/087, RP 28 October 2024, Resolution RP 24/10/073
<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>	9.3.7A Amended Terms of Reference

**Moved: Cr. O'Connell**

**Seconded: Cr. Kaltenrieder**

**Council Decision 24/11/246**

- 1. Approve the amended Terms of Reference for the Rylington Park Committee and Rylington Park Sub-Committee as per attachment 9.3.7A.**

**CARRIED BY ABSOLUTE MAJORITY 7/0**

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

**Against: Nil**

## Summary

The purpose of this report is to provide Council with an opportunity to consider the Rylington Park Committees' recommendation to approve the Rylington Park Committee and sub-committee Terms of Reference.

## Background

It is important for any committee to have 'Terms of Reference' to ensure the Committee operates smoothly and within the authority approved by Council.

## Report Detail

The Shire has a close working relationship with ECU and would like to continue this relationship regarding any prospective trials or educational opportunities to be held at Rylington Park.

The ECU representative is currently a voting member on the Committee and required to attend all meetings. This is considered unnecessary and very time consuming for the ECU representative. This could also be seen to potentially be a conflict of interest due to the operational type of decisions the Committee is required to make.

### 3. Membership

- (a) The Committee will consist of up to six (6) Councillors, one (1) (non-voting) representative of Edith Cowan University and two (2) community members.

The following staff, although not Committee members, will represent the Shire at Committee meetings:


- Chief Executive Officer
- Working Farm Manager

### 11. Voting

Only the eight (8) Councillors / Members are permitted to vote on any item presented for consideration. Should there be a tied vote the Shire President will cast the deciding vote.

All Councillors / Members are required to vote and may not abstain from voting.

### 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

Nil

#### Sustainability and Risk Considerations

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

Nil

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

Nil

**Policy Implications**

Nil

**Risk Management Implications**

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

<b>Risk Level</b>	<b>Comment</b>
<b>Low</b>	Given that majority of Councillors (six) are on the committee and the decision made at the committee level is likely to be further approved by the full Council, the risk is considered moderate.

**Consultation**

Nil

**Resource Implications****Financial**

Nil

**Workforce**

Nil

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End

## 9.4 Planning

<b>9.4.1 Development Application ('Animal Husbandry – Intensive' – Chicken Farm) – Lot 12 Condinup Road, Dinninup</b>	
<b>File Ref:</b>	A3225
<b>Previous Items:</b>	Nil
<b>Applicant:</b>	R Wollard and K Mlynkec
<b>Author and Title:</b>	A. Nicoll, Urban and Regional Planner
<b>Declaration of Interest:</b>	Nil
<b>Voting Requirements:</b>	Simple Majority
<b>Attachment Number</b>	9.4.1A Application Report

**Moved: Cr. Kaltenrieder**

**Seconded: Cr. Caldwell**

**Council Decision 24/11/247**

**That Council Resolves to:**

**A. Approve the Development Application for the proposed 'Animal husbandry – intensive' chicken farm at Lot 12 Condinup Road, Dinninup, subject to the following conditions and advice notes:**

**Conditions:**

- 1. The number of chickens does not exceed 3000 and the number of portable structures does not exceed 6.**
- 2. A buffer distance of 100m being maintained between chickens and neighbouring property boundaries.**
- 3. Dead bird storage and disposal methods conforming to applicable hygienic containment and environmental compliance requirements. Dead vermin should be removed promptly and appropriately to avoid scavenging by poultry within production areas and other animals outside production areas. In the instance of a mass mortality, dead chickens are to be transported in sealed containers and disposed of at an approved licensed facility.**
- 4. A sign is to be developed at the entry to the premise stating:**  
  
**"Biosecure Area - No Entry Unless Authorised" or similar wording. In addition, signage must direct visitors to contact the producer before proceeding (i.e. telephone number and/or enquire at house).**



5. Feeding systems, including silos, storage bins, feed troughs and feeder pans must, wherever possible, be secure to ensure access by wild birds and vermin is restricted. Feed spills should be cleaned up as soon as practicable to prevent the attraction of wild birds and vermin, and scatter feeding in range areas should not be undertaken.
6. All portable equipment that is used should be periodically cleaned, detergent washed and disinfected. An insecticide should also be considered where there is the risk of transferring parasites.
7. The use of a quality potable water supply free of potential pathogens is critical to achieving good biosecurity.
8. An appropriate vermin control strategy with provisions for managing rodents, foxes, and wild dogs and cats must be developed and implemented. This includes ensuring that any baits used are registered and approved for the specific vermin species.

#### Advice Notes

1. 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.
2. 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.
3. If an applicant or owner is aggrieved by this determination, there is a right of review by the State Administrative Tribunal in accordance with the *Planning and Development Act 2005* Part 14. An application must be made within 28 days of the determination.

**CARRIED 7/0**

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

## Summary

The Shire received an application proposing to develop an 'Animal husbandry – intensive' free range chicken farm at a 'Rural' zone property, located at Lot 12 Condinup Road, Boyup Brook.

'Animal husbandry – intensive' means *premises used for keeping, rearing or fattening of...poultry (for either egg or meat production) in feedlots, sheds or rotational pens.*

In accordance with the Shire's Local Planning Scheme, 'Animal husbandry – intensive' is a discretionary (D) use, meaning the use is not permitted unless the Council has exercised its discretion by granting development approval.

The proposed free-range chicken farm involves a maximum of 3000 chickens, foraging for food, over approximately 57 hectares of farmland.

The proposed free-range chicken operation complies with min expected setback distances to neighbouring dwellings. The subject property is located approximately 2.6km to the nearest neighbouring dwelling and is currently buffered on three sides by tree farms. The minimum required setback to neighbouring dwellings is 500m.

As indicated by the attached 'Application Report', the proposed free-range chicken operation is expected to comply with regulatory standards outlined by the Department of Health and the Department of Primary Industries and Regional Development.

It is recommended the Council approve the proposed 'Animal husbandry – intensive' chicken farm, subject to complying with measures to ensure the health of the chickens, the control of disease and the management of vermin.

## Background

The Shire received an application proposing to accommodate up to 3000 egg laying chickens on a farming property located north-east of the Boyup Brook townsite.

The application includes an operational plan (see attachment) which was reviewed by the Shire's Planner and Environmental Health Officer (EHO) for compliance with regulatory standards, including the:

- 'Environmental Code of Practice for Poultry Farms in WA'

- Department of Health, '*Standard 4.2.5 – Primary Production and Processing Standard for Eggs and Egg Products*'
- Department of Primary Industries and Regional Development, '*Egg Industry and Environmental Guidelines*' and '*National Farm Biosecurity Technical Manual for Egg Production*'.

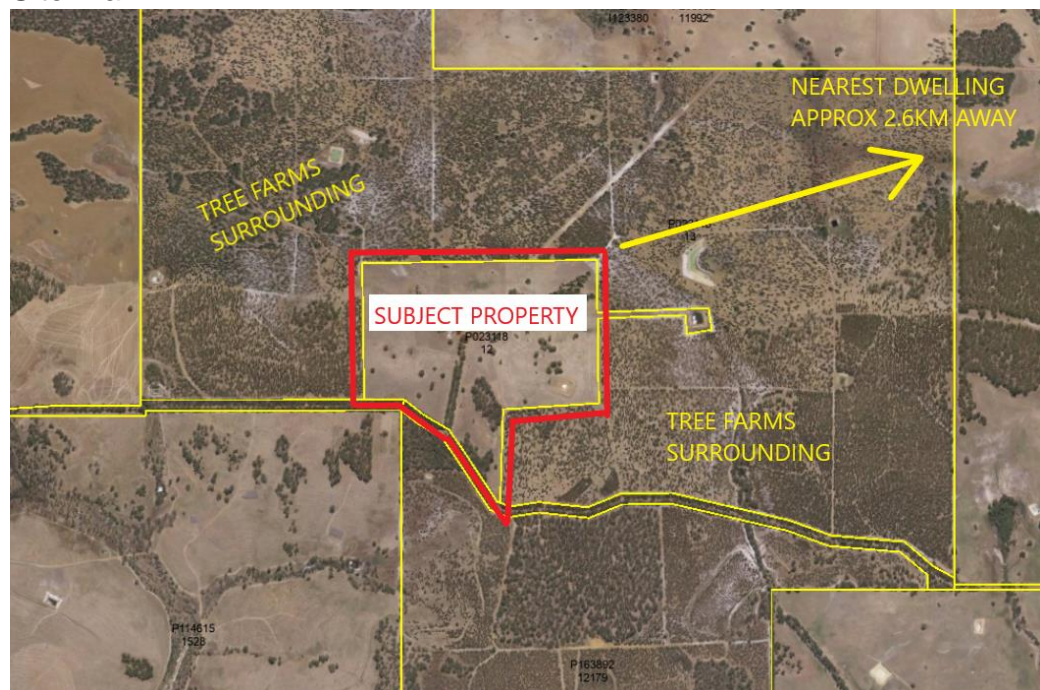
Key regulatory measures include:

- Community amenity – minimum 500m separation distance between the impact source and any land use zone that is not compatible with the development (e.g. residential, rural residential)
- Surface water and groundwater protection - this is achieved by catching and containing wastewater that may occur
- Biosecurity - fencing, gates and quarantine signs to restrict vehicular movements and the entry of people
- Dead bird disposal - dead bird storage and disposal methods must conform to applicable hygienic containment.

### Report Detail

The subject property is not located within a water source protection area and is well buffered to neighbouring sensitive premises. The subject property is located approximately 2.6km from the nearest neighbouring dwelling and is currently surrounded on three sides by tree farms.

### Site Plan



It's proposed that chickens are housed in portable structures, which are periodically cleaned and relocated across a 57 hectare 'Rural' property.

The portable structures (2.9m X 8m) can house up to 500 chickens, meaning a total requirement of 6 structures. The structures provide shade and security from predators and look similar to the following:



An onsite caretaker is proposed to ensure the chickens are appropriately managed, as follows:

- Ensure the provision of food and drinking water
- The relocation of structures to prevent a build-up of manure and pathogens
- The disposal of any dead chickens in on-farm burial pits. Burial pits are to be fenced off to exclude vermin and are to be located to align with the Department of Water and Environmental Regulation of minimum buffer zones of 50m to waterways and 100m to supply bores.

As indicated in the attached 'Application Report', biosecurity measures include:

- Protection of chickens via structures, mobile electric fencing and Maremma dogs
- Periodic relocation of chicken houses to prevent nutrient and pathogen build up
- Repeated grazing within 3 months to allow for pasture recovery
- Location of chickens to comply with buffer standards
- In the instance of a mass mortality, the transport of dead chickens to an approved rendering facility in sealed containers.


As indicated in the summary section of this report, the keeping of poultry for egg production in feedlots, sheds or rotational structures, can be considered in accordance with the Shire's Local Planning Scheme, for properties zoned 'Rural'.

In accordance with the Shire's Local Planning Scheme, the Council is encouraged to support the intensive agricultural land-use subject to conditions being outlined to manage the health of the chickens, the spread of disease and the control of vermin.

The proposal is well buffered to adjacent landholdings, the Condinup Road and the Boyup Brook townsite. As such, the proposal is not expected to detract from the rural or environmental quality of the area.

It is recommended that the Council approve the proposed 'Animal husbandry – intensive' chicken farm on Lot 12 Condinup Road, Dinninup, subject to conditions.

### 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, visitor accommodation and tourism.

### Other Strategic Links

Nil

### Statutory Environment

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

*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.*

The proposed free-range chicken farm does not constitute a prescribed activity under the *Environmental Protection Act 1986* and therefore does not require works approval or licencing from the Department of Water and Environmental Regulation.

The Environmental Protection Authority has a guide on appropriate separation distances for industries that have been associated with amenity impacts, such as poultry farms. Amenity impacts may include noise and odour and a minimum buffer distance of 300m to a dwelling is recommended.

The 'Environmental Code of Practice for Poultry in WA' provides guidance with respect to the siting and operation of poultry farms. The following minimum buffer distances are recommended:

- 500m from any existing or future residential zone
- 300m from any existing or future rural-residential zone
- 100m from the boundary of the poultry farm.

### **Sustainability and Risk Considerations**

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

The introduction of a free-range chicken farm would have a positive impact on the region and Shires' economy.

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

#### **Policy Implications**

The State Planning Policy 2.5 – Rural Planning recognises animal premises as an essential rural activity with development generally supported and encouraged on rural land, provided rural amenity and environmental impacts can be effectively managed.

#### **Risk Management Implications**

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

<b>Risk Level</b>	<b>Comment</b>
<b>Low</b>	The proposal is in line with the Shire's scheme and subject to conditions, is expected to meet regulatory standards.

**Consultation**  
Nil

#### **Resource Implications**

**Financial**  
Nil

**Workforce**  
Nil

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End

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<b>9.4.2 Subdivision Application – Lots 1575 and 5242 Boyup Brook-Kojonup Road, Scotts Brook</b>	
<b>File Ref:</b>	A15226
<b>Previous Items:</b>	Nil
<b>Applicant:</b>	Roger Machin
<b>Author and Title:</b>	A. Nicoll, Urban and Regional Planner
<b>Declaration of Interest:</b>	Nil
<b>Voting Requirements:</b>	Simple Majority
<b>Attachment Number</b>	9.4.2A Subdivision Plan

**Moved: Cr. Inglis**

**Seconded: Cr. Caldwell**

**Council Decision 24/11/248**

**That Council:**

- 1. Supports the proposal to subdivide Lots 1575 and 5242 Boyup Brook-Kojonup Rd, Scotts Brook (2 Lots into 3 Lots), subject to the following conditions:**

- a) Engineering drawings and specifications shall be submitted and approved by the Chief Executive Officer for the construction of a 6m wide gravel road and drainage facility, to be located in the existing road reserve, which is located on the western boundary of existing Lot 1575. The road is needed to provide access between proposed Lot 82 and the Boyup Brook-Kojonup Road.
- b) The full construction of a road and drainage, in the road reserve located on the western boundary of existing Lot 1575, being undertaken in accordance with the approved engineering drawings, at the cost of the proponent, to the satisfaction of the Chief Executive Officer.

**Reasons for Support**

- a) The proposal is consistent with Shire of Boyup Brook's Local Planning Scheme No. 2.
  - b) The proposed subdivision will not result in any loss of agricultural land and will allow existing rural uses to continue.
- 2. Requests the Chief Executive Officer to advise the Western Australian Planning Commission of (1) and (2) above.**

**CARRIED 7/0**  
**For: Cr Walker, Cr O'Connell, Cr Kaltenrieder, Cr Inglis, Cr King,**  
**Cr Wright, Cr Caldwell**  
**Against: Nil**

## Summary

Council is requested to support to the subdivision of land to create a 'Homestead' lot.

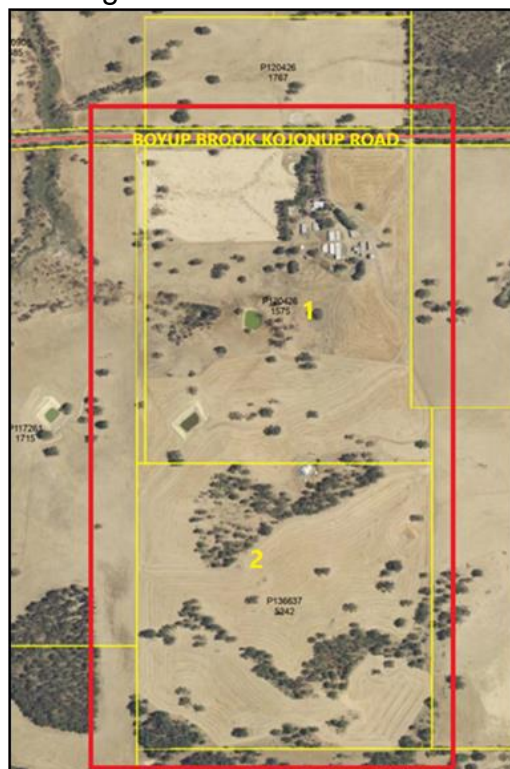
## Background

The Western Australian Planning Commission received a subdivision application, which was then forwarded to the Shire of Boyup Brook, with a request for information, comment or recommended conditions.

A 'Homestead' lot subdivision involves the creation of a small lot, which is excised from a larger farm holding for separate occupation, such as by a retiring farmer wishing to remain in an approved existing dwelling.

In this instance, the 'Homestead' lot subdivision involves the excision of 5.04 hectares from two existing farming lots and includes an existing dwelling.

### Existing Situation – Two Lots





## Proposed Situation – Lots 80, 81 and 82



### Report Detail

The property is currently zoned 'Rural' by Shire of Boyup Brook's Local Planning Scheme No. 2, with adjoining land being similarly zoned 'Rural'. The objectives of the 'Rural' zone applicable to this subdivision application include the following:


- To protect broad acre agricultural activities such as cropping and grazing.
- To maintain and enhance the environmental qualities of the landscape, vegetation, soils and water bodies, to protect sensitive areas especially the natural valley and watercourse systems from damage.

The proposed subdivision meets the objectives of the 'Rural' zone. The creation of the 5ha lot around an existing dwelling, is not expected to impact the rural character and landscape of the locality. The balance lots are suitable for the continuation of the rural land use, and are generally consistent with prevailing lot sizes.

The subdivision includes the creation of an access leg, linking to a constructed public road (MRWA). It's noted that there is an unconstructed road reserve located on the western boundary to the existing lot 1575. It is recommended that the Council agree to advise the Western Australian Planning Commission to commence a process to close the subject road and amalgamate with the existing lot(s).

In concluding, the subdivision complies with the Shire's Local Planning Scheme No.2 and Council is therefore recommended to agree to advise the Western Australian Planning Commission to support the proposed subdivision.

### 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, visitor accommodation and tourism.

### Other Strategic Links

Nil

### Statutory Environment

Pursuant to clause 25 of the Shire of Boyup Brook Local Planning Scheme No. 2 the following is outlined in respect to subdivision:

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.

The proposed subdivision does not inherently change or impact on existing land uses or the rural character of the area. Bushfire risk can be

managed in accordance with the Shire's Emergency Information & Bushfire Control 2024/2025.

### **Sustainability and Risk Considerations**

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

Nil

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

Nil

### **Policy Implications**

The Western Australian Planning Commission's 'Development Control Policy 3.4 - Rural Subdivision', outlines the requirements for rural subdivision within Western Australia. Specifically, section 6 of DCP3.4 outlines the following for which rural subdivision may be considered:

In considering applications under section 6, the WAPC will consider rural subdivision in the following exceptional circumstances:

- a) To realign lot boundaries with no increase in the number of lots, where the resultant lots will not adversely affect the rural land uses;
- b) To protect and actively conserve place of cultural and natural heritage;
- c) To allow for the efficient provision of utilities and infrastructure and/or for access to natural resources;
- d) Allow for the continued occupation of existing homesteads when they are no longer used as part of a farming operation: and
- e) For other unusual or unanticipated purposes which, in the opinion of the WAPC, do not conflict with this and other relevant policies and are necessary to the public interest.

Subdivision of the rural land, in the form proposed, is in accordance with the Western Australian Planning Commissions 'Development Control Policy 3.4 Subdivision of Rural Land', which supports the creation of 'Homestead' lots in the Shire of Boyup Brook.

### **Risk Management Implications**

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

<b>Risk Level</b>	<b>Comment</b>
<b>Low</b>	The proposal complies with scheme standards.

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**Consultation**

Nil

**Resource Implications**

**Financial**

Nil

**Workforce**

Nil

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End

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<b>9.4.3 Development Application – (Home Business – Consulting Services) – 255 Abels Road, Boyup Brook</b>	
<b>File Ref:</b>	A12310
<b>Previous Items:</b>	Nil
<b>Applicant:</b>	E Denniss
<b>Author and Title:</b>	A. Nicoll, Urban and Regional Planner
<b>Declaration of Interest:</b>	Nil
<b>Voting Requirements:</b>	Simple Majority
<b>Attachment Number</b>	9.4.3A Cover Letter

**Moved: Cr. Kaltenrieder**

**Seconded: Cr. King**

**Council Decision 24/11/249**

**That Council Resolves to:**

- A. Approve the Development Application for a ‘Home Business’ (Consulting Services), at 255 Abels Road, Boyup Brook, subject to the following conditions and advice notes:**

**Conditions:**

- 1. The Home Business is not to occupy an area greater than 50m<sup>2</sup>.**
- 2. The Home Business is not to employ more than 2 people not members of the occupier’s household.**
- 3. The retail sale or display of any goods is not to involve customers coming to the subject property.**

**Advice Notes:**

- 1. An advertising sign(s) requires an application for development approval, unless exempted in accordance with the Shire’s Scheme.**
- 2. If the development the subject of this approval is not substantially commenced within a period of 2 years, or another period specified in the approval after the date of determination, the approval will lapse and be of no further effect. 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.**
- 3. If an applicant or owner is aggrieved by this determination there is a right of review by the State Administrative Tribunal in accordance with the *Planning and Development Act 2005* Part**

**14. An application must be made within 28 days of the determination.**

**CARRIED 7/0**  
**For: Cr Walker, Cr O’Connell, Cr Kaltenrieder, Cr Inglis, Cr King,**  
**Cr Wright, Cr Caldwell**  
**Against: Nil**

### Summary

Council is requested to approve a ‘Home Business’ at 255 Abels Road, Boyup Brook. The ‘Home Business’ is for consulting services and may involve visitors from time to time (e.g. executive coaching).

### Background

The Shire received an application to undertake a Home Business activity at 255 Abels Road, Boyup Brook.



### Report Detail

The subject property is zoned ‘Rural Residential – Area No.4’ in accordance with the Shire’s scheme.

A ‘Home Business’ is a use that can be considered in the ‘Rural Residential – Area No.4’ zone, subject to the following parameters:

- Business, service or profession carried out in a dwelling or on land or in buildings around a dwelling by an occupier of the dwelling which,

does not employ more than 2 people, will not adversely affect the amenity of the neighbourhood, does not occupy an area greater than 50m<sup>2</sup> and does not involve the retail sale, display or hire of goods.

The proposal is not expected to impact the amenity of the area and including neighbours. The activity is low key, with good separation to neighbouring households. The application is expected to comply with the scheme standards for a 'Home Business'.

It is recommended that the Council approve the proposed, 'Home Business – Consulting Services', as the proposed activity complies with standards prescribed for a 'Home Business' and for the subject 'Rural Residential – Area No.4' zone.

### Shire of Boyup Brook Strategic Community Plan 2021 - 2031

	<b>Key Imperatives</b>	<b>Economic Development</b>
	<b>Outcome</b>	Be a business-friendly Shire and create conditions for economic growth.
	<b>Objective</b>	Support development of industry/business incubation, innovation and entrepreneurship using a planned approach.

### Other Strategic Links

Nil

### Statutory Environment

In accordance with the Shire's *Local Planning Scheme No.2*:

*"home business" means a business, service or profession carried out in a dwelling or on land or in buildings around a dwelling by an occupier of the dwelling which –*

- a) does not employ more than 2 people not members of the occupier's household;*
- b) will not cause injury to or adversely affect the amenity of the neighbourhood;*
- c) does not occupy an area greater than 50m<sup>2</sup>;*
- d) does not involve the retail sale, display or hire of goods of any nature;*
- e) in relation to vehicles and parking, will not result in traffic difficulties as a result of the inadequacy of parking or an increase in traffic volumes in the neighbourhood, and does not involve the presence, use or calling of a vehicle more than 3.5 tonnes tare weight; and*

*f) does not involve the use of an essential service of greater capacity than normally required in the zone.*

In accordance with the scheme provisions for the Rural Residential Area No.4, a 'Home Business is a use that is not permitted unless the local government has exercised its discretion ('D' classification) by granting development approval.

### **Sustainability and Risk Considerations**

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

Nil

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

Nil

**Policy Implications**

Nil

### **Risk Management Implications**

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

<b>Risk Level</b>	<b>Comment</b>
<b>Moderate</b>	In accordance with the <i>Planning and Development Act 2005</i> , if a development has been undertaken in contravention of planning requirements, the responsible authority may give a written direction to the owner or any other person who undertook the development.

### **Consultation**

Considering the proposal does not involve noisy activity and is separated from the nearest dwelling by approximately 230m, consultation was deemed unnecessary. Advertising is also not required, by the scheme.

### **Resource Implications**

**Financial**

Nil

**Workforce**

Nil

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End

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## 10. Minutes of Committees

### 10.1 Rylington Park Committee Minutes – 28 October 2024

Moved: Cr. O’Connell

Seconded: Cr. King

Council Decision 24/11/250

That Council:

1. Receive the unconfirmed minutes of the Rylington Park Committee Meeting held on 28 October 2024.

CARRIED 7/0

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

Against: Nil

### 10.2 Local Emergency Management Committee Minutes – 6 November 2024

Moved: Cr. O’Connell

Seconded: Cr. Wright

Council Decision 24/11/251

That Council:

1. Receive the unconfirmed minutes of the Local Emergency Management Committee Meeting held on 6 November 2024.

CARRIED 7/0

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

Against: Nil

## 11. Motions of which previous notice has been given

Nil

## 12. Late Items / Urgent Business Matters

Nil

## 13. Confidential Items of Business

### 13.1. Closure of Meeting to the Public

**Moved: Cr. Kaltenrieder****Seconded: Cr. Inglis****Council Decision 24/11/252**

1. Proceed behind closed doors as per Section 5.23(2) of the *Local Government Act 1995*, to consider item 13.1.1, the time being 6:16pm.

**CARRIED 7/0**

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

**13.1.2 Confidential Annual Community Awards**

<b>File Ref:</b>	CR/26/004
<b>Previous Items:</b>	Nil
<b>Applicant:</b>	Nil
<b>Author and Title:</b>	Nicki Jones, Manager Community Services
<b>Declaration of Interest:</b>	Nil
<b>Voting Requirements:</b>	Absolute Majority
<b>Attachment Number:</b>	13.1.2A Confidential Nomination Forms

Note: The above Council Resolution will no longer be confidential following the presentation to the winners.

**13.2 Proceed with the meeting in Public****Moved: Cr. Kaltenrieder****Seconded: Cr. Inglis****Council Decision 24/11/256****That Council:**

1. Proceed with the meeting in public, the time being 6:28pm.

**CARRIED 7/0**

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

**14. Closure**

There being no further business the meeting closed at 6:29pm.

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

\_\_\_\_\_  
Date