

Date: 20 December 2024

To: Shire President  
Deputy Shire President  
Councillors  
Community



## **Minutes – Ordinary Council Meeting**

19 December 2024

A handwritten signature in black ink, appearing to read "Long", 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

Cr Philippe Kaltenrieder

Cr Darren King

Cr Michael Wright

## **Council Officers**

Chief Executive Officer	Leonard Long
Acting Executive Manager Corporate Services	Malcolm Armstrong
Manager Community Services	Nicki Jones

## **Observers / Public Members**

Nil

### **2.2 Apologies**

Councillor	Cr David Inglis (approved leave)
Councillor	Cr Sarah Alexander (approved leave)
Executive Officer	Magdalena Le Grange (approved leave)
E/Manager Corporate Services	Carolyn Mallett (approved leave)
E/Manager Operational Services	Jason Forsyth (approved leave)

### **2.3 Request for Leave of Absence**

Nil

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

### **3.1 Deputations**

Nil

### **3.2 Petitions**

Nil

### **3.3 Presentations**

Nil

## **4. Public Question Time**

### **4.1 Response to Previous Public Questions Taken on Notice**

Nil

### **4.2 Public Question Time**

Nil

## **5. Declarations of Interest**

### **5.1 Financial and / or Proximity Interest**

- Councillor Wright declared a Financial Interest in Item 9.3.6 Sale of Lot 13129, (2730) Bridgetown-Boyup Brook Road, Boyup Brook (saleyards) being the Vice Chairman on the Co-op Board.

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

- Councillor Wright declared an Impartiality Interest in Item 9.1.1 Tender RFT 24/003 – Road maintenance due to regularly employing Blackwood Plant Hire.
- 
- Councillor King declared an Impartiality Interest in Item 9.2.1 List of Accounts Paid in November 2024, being a Director of KATT Business listed for payment for services provided.
- 
- Councillor Walker declared an Impartiality Interest in Item 9.3.6 Sale of Lot 13129, (2730) Bridgetown-Boyup Brook Road, Boyup Brook (saleyards) being a shareholder in the Co-op.
  - Councillor O'Connell declared an Impartiality Interest in Item 9.3.6 Sale of Lot 13129, (2730) Bridgetown-Boyup Brook Road, Boyup Brook (saleyards) being a shareholder in the Co-op.
  - Councillor King declared an Impartiality Interest in Item 9.3.6 Sale of Lot 13129, (2730) Bridgetown-Boyup Brook Road, Boyup Brook (saleyards) being a shareholder in the Co-op.
  - Councillor Caldwell declared an Impartiality Interest in Item 9.3.6 Sale of Lot 13129, (2730) Bridgetown-Boyup Brook Road, Boyup Brook (saleyards) being a shareholder in the Co-op.
  - Councillor Kaltenrieder declared an Impartiality Interest in Item 9.3.6 Sale of Lot 13129, (2730) Bridgetown-Boyup Brook Road, Boyup Brook (saleyards) being a shareholder in the Co-op.

## **6. Previous Council Meeting Minutes / Out of Session Confirmation**

Nil

## 6.1 Ordinary Council Meeting Minutes – 28 November 2024

**Moved: Cr. O'Connell**

**Seconded: Cr. Wright**

**Council Resolution 24/12/257**

**That the minutes of the Ordinary Council Meeting held on 28 November 2024 be confirmed as being a true and accurate record.**

**CARRIED 6/0**

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

## 7. Presidential Communications

### December

Tuesday 3rd

- 10am met with Boyup Brook District High School Principal, Melissa Reimers for a site visit looking at School Agricultural related facilities and discussing future plans for the hill area to the south of the school.

Wednesday 4th

- 7.30am Executive meet with CEO and Deputy Shire President.

Thursday 5th

- 12.45 pm attended with CEO at the Busselton City Administration building, WALGA State Council presentations by Regional Local Government alliances projects and achievements for the year. The Warren Blackwood Alliance of Councils (includes the Shire of Boyup Brook) presented an impressive report thanks especially to our Executive Officer Katie McDonnell.

Friday 6th

- 3pm Boyup Brook Community Christmas function and sausage sizzle at the Pool which was very well attended by over 100 people.

Monday 9th

- 10am visit with CEO to the DFES Manjimup Regional Operations Centre Phil Brandrett and Chris Souza gave a detailed tour of the facility whilst running through the functions and operations of each section.

Tuesday 10th

- 4pm attended with CEO and Deputy Shire President the Warren Blackwood Alliance of Councils board meeting in Nannup which included a presentation

on the UCI World Gravel Championships (cycling event) to be held in the region in 2026.

Wednesday 11th

- 5.30pm attended the Boyup Brook District High School end of year ceremony.

Thursday 12th

- 7am Rylington Park Committee meeting.
- 10am Audit and Finance Exit meeting with auditors, Shire executives and Deputy Shire President on Teams.
- 5pm attended with CEO, the South West Development Commission end of year function in Bunbury.

Wednesday 18th

- 3.40pm attended with CEO the Community Crop Boyup Brook Barley harvest and Afgri header demonstration at Charles Caldwell's property.

## **8. Councillor Questions on Notice**

Nil

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## 9. Reports of Officers

### 9.1 Operational Services

- Councillor Wright declared an Impartiality Interest in Item 9.1.1 Tender RFT 24/003 – Road maintenance due to regularly employing Blackwood Plant Hire.

9.1.1 Tender RFT 24/003 – Road maintenance	
<b>File Ref:</b>	EQ/57/004
<b>Previous Items:</b>	24/10/214
<b>Applicant:</b>	Nil
<b>Author and Title:</b>	Jason Forsyth, Executive Manager Operational Services
<b>Declaration of Interest:</b>	Nil
<b>Voting Requirements:</b>	Absolute Majority
<b>Attachment Number:</b>	9.1.1A Confidential Recommendation Report

**Moved: Cr. King**

**Seconded: Cr. Kaltenrieder**

**Council Resolution 24/12/258**

**That Council:**

1. Approve the creation of the following Panel of Pre-qualified Suppliers in terms of Regulation 24AC of the *Local Government (Functions and General) Regulations 1996* for the delivery of road maintenance, upgrades, rebuilds and the construction of new roads:

- a) Blackwood Plant Hire
- b) Wilgee
- c) Dronow
- d) Kloppers
- e) WCP.

**CARRIED BY ABSOLUTE MAJORITY 5/1**

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

**Against: Cr Caldwell**

### Summary

Council is requested to consider the approval of awarding a three-year term preferred panel contract as recommended. This preferred panel contractors will support the depot in delivering road maintenance, upgrades, rebuilds, and the construction of new roads.

## Background

At its Ordinary Council Meeting of October 2024, Council resolved as follows:

*That Council:*

1. *Request that the motion be laid on the table, and request the Chief Executive Officer to provide additional clarity on how the weightings are determined.*

*CARRIED 6/0*

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

Clarification notices were sent out to Wilgee to confirm if their prices were for wet or dry hire. Wilgee has confirmed that their prices did not include the operator cost but did include all other costs, including fuel, repairs and maintenance. The operator cost was however shown as a separate line item.

The current road contract has reached its expiration. Blackwood Plant Hire was granted a one-year contract extension last year; however, due to regulatory requirements, the contract for road maintenance, upgrades, rebuilds, and new road construction must be re-tendered.

Tenders were collected on 30 August 2024, and subsequently reviewed by a tender panel consisting of two internal staff members, Jason Forsyth and Harris Baker, along with two external consultants, John Filippone and Alison Maggs, both of whom are WALGA-approved Local Government Tender Consultants. This process adhered to the approved local government procurement procedures.

An addendum to the tender was also issued to all the tenderers advising that the tender is now to create a preferred suppliers list rather than awarding the tender to a single contractor.

The creation of a preferred suppliers list will ensure road projects are completed within the required timeframe. This will ensure that if one contractor is not available the project does not have to be put on hold and risk losing funding.

## Report Detail

Five companies submitted tenders for the three-year roads contract. Each submission was assessed against the qualitative criteria established by local government guidelines.

Below are the five companies that submitted tenders along with their indicative scores. A summary of each company is also provided for your reference.

		Blackwood		Dronow		WCP		Klopper		Wilgee	
Selection Criteria	Weighting	Raw Score	Weighted Score	Raw Score	Weighted Score	Raw Score	Weighted Score	Raw Score	Weighted Score	Raw Score	Weighted Score
		(Out of 10)		(Out of 10)		(Out of 10)		(Out of 10)		(Out of 10)	
Capacity to deliver and resources	35%	6.00	21.00	8.00	28.00	7.00	24.50	6.00	21.00	8.00	28.00
Project experience	35.0%	6.00	21.00	7.00	24.50	8.00	28.00	4.00	14.00	7.00	24.50
Key Personnel	20.0%	6.00	12.00	6.00	12.00	6.00	12.00	4.00	8.00	6.00	12.00
Local Content	10.0%	8.00	8.00	6.00	6.00	4.00	4.00	6.00	6.00	7.00	7.00
Total Score Overall		26.00	62.00	27.00	70.50	25.00	68.50	20.00	49.00	28.00	71.50
Ranked Qualitative			4		2		3		5		1

## Wilgee

### Qualitative Ranking: 1/5

Capacity to Deliver and Resources - Wilgee demonstrated through the documentation provided it has capacity and resources to deliver the Shire of Boyup Brook roads program.

The Respondent shares common Directors and has a strategic alignment with Complete Civil and Mining Solutions (CCMS), which offers resourcing and personnel support to allow for flexibility in approach. In its clarification response, Wilgee explained that CCMS and Wilgee are owned by the same family, reducing the risk to the Shire.

The maintenance and servicing of plant and equipment is shared with CCMS. It identified a reasonable fleet of heavy plant and equipment and stated it could source additional equipment if required. However, there were limited details concerning its contingency planning – it was assumed this would be through its strategic alignment with CCMS. Also, it did not provide details about warranty provisions re plant and equipment.

The Respondent outlined a range of policies related to environmental management, mental health, indigenous employment, health and safety, and modern slavery.

Project Experience – Wilgee demonstrated a high level of road work experience, having undertaken large road works projects for local government (Harvey, Ravensthorpe), Water Corporation and the private sector. This included foundation preparation, earthworks, and roadworks and flood repairs. Wilgee identified challenges it faced during the projects, and how these were addressed. It also listed the timeframes and costs associated with the projects. Its project experience would also draw from CCMS experience.

Key Personnel - It had a large staff (109 employees including 28 management/admin staff) and the key nominated personnel. It has extensive experience and a suitable skillset – there was a minimum experience of 15 years and up to 30 years. The owner / Director has at least 20 years' experience. Although CVs were not provided, there was a good description of skillset outlined. It would also access CCMS skills and resources to ensure a quality pool of resources to draw from. Resourcing is cross pollinated across Wilgee and CCMS (stated in the clarification statement).

Wilgee provided a comprehensive WHS Management Plan with reference to current WHS Act and Regulations.

Local Content – In its clarification statement, Wilgee stated that it was seeking to implement training programmes and develop local indigenous employees with the assistance of CCMS training and support. This would incorporate initiatives and assistance from the Construction Training Fund, the Civil Construction Federation, and Civil Train to align with relevant civil construction certifications. Wilgee's strategy will be to support and commit to "keeping local" within the Boyup Brook Shire region wherever possible for construction materials, accommodation, minor equipment and the sourcing of candidates for employment and training options.

Company is registered on Supply Nation and based in Bunbury. It also has a branch operating from North Boyanup so claims a regional focus. Its Project team is based in the Bunbury Office.

### **Dronow**

#### Qualitative Ranking: 2/5

Capacity to deliver and resources - Dronow demonstrated that it can deliver results and has extensive experience working for Shires in the region. However, the Evaluation Panel expressed some concerns about the risks associated with potential schedule overruns given the size of its labour force.

It demonstrated that it was well equipped and had a good range of plant machinery. Servicing and maintenance are undertaken in line with OEM requirements, but at times to ensure minimal or no impact to customers. Warranty provision provided for up to 12 months on work carried out. Materials warranty only relevant if supplied by Respondent.

Contingency measures outlined including back up equipment and access to Brooks Hire and Coates Hire if in-house back up equipment is unavailable. They provided a solution to address broken machinery within 24 hours.

Project Experience – The Evaluation Panel understood that the experience outlined appeared to centre around gravel resheeting and not sealing works. Examples discussed grading works, installation of drainage and wet hire. However, it was acknowledged that the Respondent was part of panel contracts for Main Roads WA.

Key Personnel – There was significant experience in all requirements across the staff nominated to work on this contract. The Evaluation Panel expressed a very minor concern as to whether the Respondent has the number of staff required to undertake the additional work required through the Shire's contract. In house mechanic and maintenance servicing is provided by the business owner. Also, the respondent has an apprentice in the final year of a heavy-duty plant mechanic Certificate 3.

The Respondent provided its Safety Management Plan and sound range of WHS tools e.g., risk assessment etc. However, reference to WHS legislation is still reflecting 1984 Act and 1996 Regulations instead of the updated 2020 Act and 2022 Regulations.

Local Content - Dronow offered to employ additional staff local to Boyup Brook, however, the number and roles were undefined. While it emphasised its commitment to its local community groups in Manjimup, it was also unclear if this level of commitment would extend to Boyup Brook.

Dronow is based in Manjimup.

## **WCP Civil**

### Qualitative Ranking: 3/5

Capacity to Deliver and Resources - Upon reviewing the response to the tender, it was clear that WCP had the capacity to deliver the Shire's requirements. However, the response stated their home-base would be Perth, which was considered by the Evaluation Panel to have the potential to add risks and additional costs to the Shire, particularly regarding accommodation, mobilisation and demobilisation.

WCP have an extensive range of plant and equipment, with traffic management being delivered by an in-house team. The nominated staff had extensive experience and a good skillset.

The respondent provided a contingency statement about its ability to access a pool of resources if required.

WCP also provided information on its quality assurance accreditations.

Project Experience – WCP provided strong examples demonstrating its broad range of relevant project experience, which aligned to the Shire's requirements in both project size and scope.

Key Personnel – extensively experienced staff were nominated for the contract, some with more than 20 years' experience. CVs and relevant qualifications were provided.

Local Content - There were no details provided on how WCP would engage with local Boyup Brook suppliers, nor whether or how it would engage in local community groups. It mentioned a willingness to engage local people, but it was unclear how this would be undertaken or what it would include.

The team provided by WCP would be based in Gnangara, Perth.

## **Blackwood**

### Qualitative Ranking: 4/5

Capacity to Deliver and Resources – While Blackwood has the capacity to deliver, the Evaluation Panel felt the Respondent did not address the evaluation criteria adequately, particularly the staff availability and commitment schedule.

Blackwood has a strong list of plant and equipment capable of meeting the requirements of this criterion, but it did not provide contingency measures for plant/equip or staff resources. Unfortunately, Blackwood did not indicate where plant and equipment for this Contract would be serviced.

Project Experience – Its experience was primarily focuses on gravel resheeting rather than sealing works. Blackwood provided insufficient detail around its nominated project. It did not demonstrate a proven track record of achieving outcomes, nor provide the requested details of issues that arose during the projects and how they were resolved.

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Key Personnel - Key personnel nominated had significant experience of up to 35 years, with a minimum of 5 years and all with basic traffic management certification. However, they had a limited number of Key Personnel available, which was of concern to the Evaluation Panel. There was also no mention of a mechanic to support the plant and equipment.

The Evaluation Panel expressed some reservations that the response did not identify project related management people, which would create an additional workload for Shire staff.

Organisational structure was provided, and roles and responsibilities defined. It has a strong culture of WHS practices. Blackwood stated that they are compliant with WHS requirements, however, the safety management plan still references 1984 OSH legislation, and as this is out of date legislation.

Local Content - Blackwood is in the town site of Boyup Brook. In its response to this criterion, the respondent demonstrated strong community involvement, including the appointment of local employees.

### **Klopper**

#### Qualitative Ranking: 5/5

Capacity to Deliver and Resources - The Evaluation Panel had reservations that this respondent could deliver a major road building project, although it nominated an extensive fleet of heavy plant and equipment, supported by subcontracts to three mechanics.

It stated there was a range of suppliers across the Great Southern providing parts and supplies.

Project Experience - the examples of projects were extremely limited and related to local farms building dams, contour drains and shed pads. The outcome of nominated projects, costs and scope was unclear.

Key Personnel - there were a small number of key personnel nominated, with no CVs provided – only a brief description of each employee. It appears from the information provided, that the employees have the required experience. Klopper subcontracts its support and maintenance to three mechanics, however, the location of these is not known.

A copy of the Klopper OSH Management Plan was provided; however, it did not mention WHS Act or Regulations. However, the respondent's Capability Statement refers to *WHS Act 2011* and OSH Regulations which are out of date.

Local Content - A tyre service was nominated in Boyup Brook as a supplier, with a commitment to use other local suppliers (although it was not made clear who this would be). It is heavily involved in the Kojonup local community. It also discussed its local employment strategy and is an Equal Opportunity Employer who encourages applications from women and indigenous people, however, it was unclear how this would apply to Boyup Brook.

Klopper is based in Kojonup.

### Pricing and Risk Assessment



The pricing provided was a Schedule of Rates, and the responses were used to undertake a pricing comparison across Respondents.

Pricing comparisons were done on the items that all the tenderers could provide and were all comparable with each other.

The Shire will be seeking quotations from for every project from all five (5) of the preferred suppliers, the awarding of the project will be based on the availability to undertake the project within the required timeframe and best value for money.

However, prior to any preferred supplier being requested to provide a quotation the supplier will be required to provide up-to-date Workplace Health and Safety documentation.

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

	<b>Key Imperatives</b>	<b>Built Environment</b>
	<b>Outcome</b>	Provide sustainable infrastructure that serves the current and future needs of the community.
	<b>Objective</b>	Increase safety, improve infrastructure.
	<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. Improve business and asset management systems and processes to meet our audit compliance and the needs of the community.



**Other Strategic Links**

Nil

**Statutory Environment**

*Local Government Act 1995*

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

Well-maintained roads improve access to local businesses, attracting more customers and boosting sales. This can lead to job creation and increased economic activity.

Good road conditions enhance the overall travel experience, making a community more appealing to tourists, which can significantly contribute to local economies.

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

Well-maintained roads reduce the risk of accidents, making travel safer for pedestrians, cyclists, and drivers alike. This fosters a sense of security within the community. Further, reliable road infrastructure facilitates easier movement, allowing residents to access jobs, schools, healthcare, and recreational activities, which can enhance overall quality of life.

Good infrastructure contributes to a community's overall appearance and functionality, instilling a sense of pride among residents and attracting newcomers. By ensuring safe and efficient transportation, road maintenance plays a crucial role in enhancing social cohesion and community well-being.

**Policy Implications**

Policy G9 – Purchasing

**Value for Money****Overview**

*Value for money is determined when the consideration of price, risk and qualitative factors that are assessed to determine the most advantageous outcome to be achieved.*

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*As such, purchasing decisions must be made with greater consideration than obtaining the lowest price, but also to incorporate qualitative and risk factors into the decision-making process.*

### ***Pre-Qualified Suppliers***

*To further support effective procurement in accordance with this Policy, Council or the CEO may under Delegated Authority approve the creation of a Panel of Pre-qualified Suppliers (Panel) under Regulation 24AC of the Regulations.*

*The following factors are to apply if a Panel is to be created:*

- A determination is to be made that a range of similar goods and services are required to be purchased on a continuing and regular basis.*
- There are numerous potential suppliers in the local and regional procurement-related market sector(s) that satisfy the test of 'value for money'.*
- The purchasing activity under the intended Panel is assessed as being of a low to medium risk.*
- The Panel will streamline and will improve procurement processes; and*
- A capability and capacity exist to establish, manage the risks, and achieve the benefits expected of the proposed Panel.*

### ***Establishing a Panel***

*Should it be determined that a Panel would be beneficial to be created, it must be created in accordance with Part 4, Division 3 of the Regulations.*

- a. Panels may be established for one supply requirement, or a number of similar supply requirements under defined categories within the Panel.*
- b. Panels may be established for a minimum of two (2) years and for a maximum length of time formally determined.*
- c. Evaluation criteria must be determined and communicated in the application process by which applications will be assessed and accepted.*
- d. Where a Panel is to be established at least three (3) suppliers to each category will be endeavoured to be appointed, on the basis that best value for money is demonstrated. Where less than three (3) suppliers are appointed to each category within the Panel, a category is not to be established.*

- e. *In each invitation to apply to become a pre-qualified supplier (through a procurement process advertised through a state-wide notice), a clear statement is to be provided to indicate the expected number of suppliers to put on the panel.*
- f. *Should a Panel member leave the Panel, they may be replaced by the next ranked Panel member determined in the value for money assessment should the supplier agree to do so, with this intention to be disclosed in the detailed information set out under Regulation 24AD(5)(d) and (e) of the Regulations when establishing the Panel.*

### **Distributing Work amongst Panel Members**

*To satisfy Regulation 24AD(5) of the Regulations, when establishing a Panel of prequalified suppliers, the detailed information associated with each invitation to apply to join the Panel must either prescribe whether it is intended to:*

- *Obtain quotations from each pre-qualified supplier on the Panel with respect to all purchases, in accordance with Clause 12 of this policy; or*
- *Purchase goods and services exclusively from any pre-qualified supplier appointed to that Panel, and under what circumstances; or*
- *Develop a ranking system for selection to the Panel.*

*In considering the distribution of work among Panel members, the detailed information must also prescribe whether:*

- *Each Panel member will have the opportunity to bid for each item of work under the Panel, with pre-determined evaluation criteria forming part of the invitation to quote to assess the suitability of the supplier for particular items of work. Contracts under the pre-qualified panel will be awarded based on value for money in every instance; or*
- *Work will be awarded on a ranked basis, which is to be stipulated in the detailed information set out under Regulation 24AD(5)(f) of the Regulations when establishing the Panel.*

*An invitation is to be sent to the highest ranked Panel member, who is to give written notice as to whether to accept the offer for the work to be undertaken. Should the offer be declined, an invitation to the next ranked Panel member is to be made and so forth until a Panel member accepts a Contract. Should the list of Panel members invited be exhausted with no Panel member accepting the offer to provide goods/services under the Panel, an invitation to suppliers that are not pre-qualified under the Panel, in accordance with the Purchasing Thresholds stated in section 5.5 of this Policy.*

*When a ranking system is established, the Panel must not operate for a period exceeding 12 months.*

*In every instance, a contract must not be formed with a pre-qualified supplier for an item of work beyond 12 months, which includes options to extend the contract.*

### **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>	Effective road maintenance is a crucial component of the Shire's risk management strategy, contributing to the safety, stability, and well-being of the community.

### **Consultation**

- John Filippone – Procurement Plus
- Alison Maggs – Procurement Plus

### **Resource Implications**

#### **Financial**

Contractors can provide services on an as-needed basis, allowing the shire to manage costs more effectively. This flexibility helps to avoid the fixed costs associated with permanent staff.

#### **Workforce**

Contractors often have specialised skills and knowledge that may not be available within the shire's permanent workforce. This can lead to higher-quality work without the need for extensive training or development costs.

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End

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<b>9.1.2 Treloar Street Footpath Co-contribution Proposal</b>	
<b>File Ref:</b>	RD/35/004
<b>Previous Items:</b>	Nil
<b>Applicant:</b>	Nil
<b>Author and Title:</b>	Heidi Webb, Project Officer
<b>Declaration of Interest:</b>	Nil
<b>Voting Requirements:</b>	Absolute Majority
<b>Attachment Number:</b>	Nil

<b>Moved: Cr. O'Connell</b>	<b>Seconded: Cr. Caldwell</b>
<b>Council Resolution 24/12/259</b>	
<b>That Council:</b>	
<b>1. Approve a co-contribution of \$35,000 to enable a grant application to be submitted through the Active Transport Grant stream to construct a new footpath along Treloar Street.</b>	
<b>CARRIED 6/0</b> <b>For: Cr Walker, Cr O'Connell, Cr Kaltenrieder, Cr King, Cr Wright, Cr Caldwell</b> <b>Against: Nil</b>	

### Summary

Council is requested to consider a co-contribution which would allow staff to submit a grant application which if successful will see the construction of a new footpath along Treloar Street, connecting the hospital, Senior Citizen's Lodge and 23 private residences to our Sport and Recreation area.

### Background

The Australian Government has introduced the Active Transport Fund (ATF), allocating \$100 million from 2024-25 to 2028-29 to support the development and enhancement of bicycle and walking pathways nationwide. This initiative aims to promote active transport, improve road safety, reduce transport emissions, and foster active, liveable communities.

The ATF is a merit-based program open to state and territory governments, as well as Local Government Authorities (LGAs). Eligible projects must focus on the design or construction of bicycle or walking pathways and address at least one of the program's key focus areas:

- Road safety

- Reducing transport emissions
- Active and liveable communities


### Report Detail

Constructing this footpath will create a safe route for vulnerable pedestrians, especially groups like children, seniors and individuals with disabilities.

This footpath is particularly important as it will safely connect our hospital and aged care facility with our sport and recreation area. residents, particularly those with limited mobility, the elderly, and families.

By providing a safe and accessible route to our sport and recreation area, we will encourage people to engage in outdoor physical activities. The footpath is vital for maintaining mobility, health and mental wellbeing and will help reduce the risks associated with sedentary lifestyles, such as cardiovascular disease, obesity, and mental health issues. This footpath will help ensure that vulnerable and marginalized groups, including Indigenous Australians and individuals with lower socioeconomic status, have safe and accessible routes to reach community spaces and recreation areas.

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

	Key Imperatives	Built Environment
	Outcome	Create a safe and inviting community for locals and visitors.
	Objective	Implement measures to maximise public health, safety and accessibility outcomes.

### Other Strategic Links

Nil

### Statutory Environment

*Local Government Act 1995*

### Sustainability and Risk Considerations

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

Constructing a footpath can provide significant economic benefits. It enhances accessibility, encouraging locals and tourists to visit shops, cafes, and other businesses, thereby boosting local spending.

Improved pedestrian infrastructure can increase property values, making the area more attractive for investment.

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

Constructing a footpath offers valuable social benefits to the community. It provides a safe and accessible space for walking, encouraging active lifestyles and improving overall health.

Footpaths enhance connectivity, making it easier for residents to access schools, shops, and community facilities, fostering social interaction. They also create a more inclusive environment, accommodating people with disabilities, prams, and elderly residents. Overall, footpaths contribute to a stronger sense of community and wellbeing.

**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
Moderate	Not providing a footpath could result in community members using the road to walk creating an unsafe situation and placing the Shire at risk.

**Consultation**

Nil

**Resource Implications**

**Financial**

The quoted cost for the construction of a footpath in Treloar Street is \$70,000. A condition of the grant is that the Shire is required to provide a 50% co-contribution.

The Shire has a reserve set aside for grant co-contributions which has sufficient funds available to cover the required co-contribution.

**Workforce**

Nil

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End

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## 9.2 Corporate Services

- Councillor King declared an Impartiality Interest in Item 9.2.1 List of Accounts Paid in November 2024, being a Director of KATT Business listed for payment for services provided.

9.2.1 List of Accounts Paid in November 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 November 2024

Moved: Cr. O'Connell		Seconded: Cr. Caldwell	
Council Resolution 24/12/260			
That Council:			
1. Receive the list of accounts paid in November 2024, totalling \$1,342,054.24 from Municipal account, and \$54,286.05 from Police Licensing account, as represented by:			
Municipal	EFT	EFT16529 – EFT16660	\$1,054,374.99
	Cheques	20675-20676	\$ 247.50
	Direct Payments		<u>\$ 287,431.75</u>
			\$1,342,054.24
Police Licensing			\$ 54,286.05
Grand Total			\$1,396,340.29
			CARRIED 6/0
For: Cr Walker, Cr O'Connell, Cr Kaltenrieder, 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 November 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 30 November 2024.

### Report detail

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

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	Council would be a breach of the <i>Local Government Act 1995</i> .
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**Consultation**

Nil

**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 30 November 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 30 November 2024

<b>Moved: Cr. King</b>	<b>Seconded: Cr. Wright</b>
<b>Council Resolution 24/12/261</b>	
<b>That Council:</b>	
<b>1. Receive the Monthly Financial Report for 30 November 2024, as presented (Attachment 9.2.2A).</b>	
<b>CARRIED 6/0</b>	
<b>For: Cr Walker, Cr O'Connell, Cr Kaltenrieder, Cr King, Cr Wright, Cr Caldwell</b>	
<b>Against: Nil</b>	

### Summary

The Monthly Financial Report for 30 November 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 30 November 2024 shows a closing surplus of \$5,192,278.

### 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.

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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 November 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. O'Connell**

**Seconded: Cr. Caldwell**

**Council Resolution 24/12/262**

**That Council:**

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

**CARRIED 6/0**

**For: Cr Walker, Cr O'Connell, Cr Kaltenrieder, 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

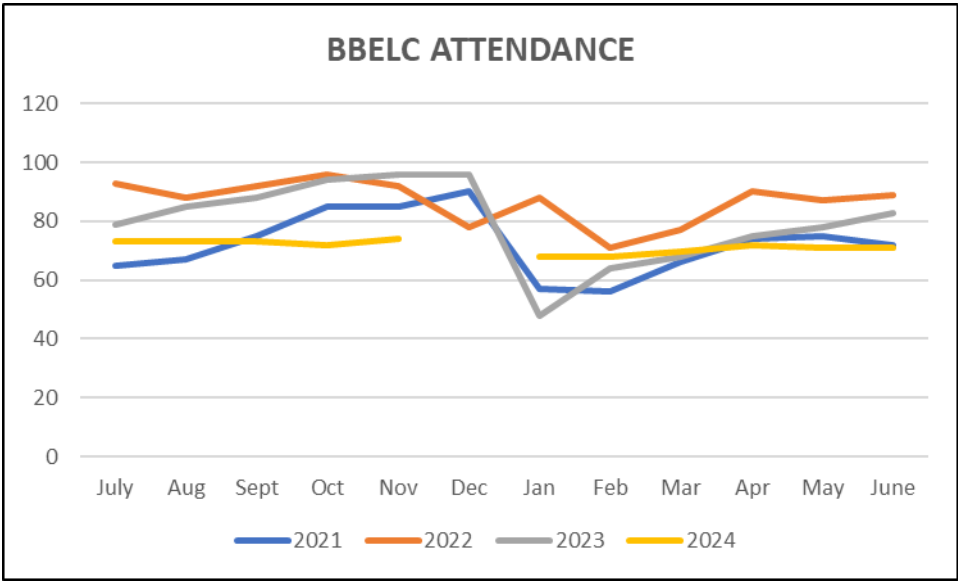
Boyup Brook Early Learning Centre is a multi-aged single space facility catering for children aged 0 – 7 years of age. Operating Tuesday to Friday from 8:15am to 5:15pm.

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.

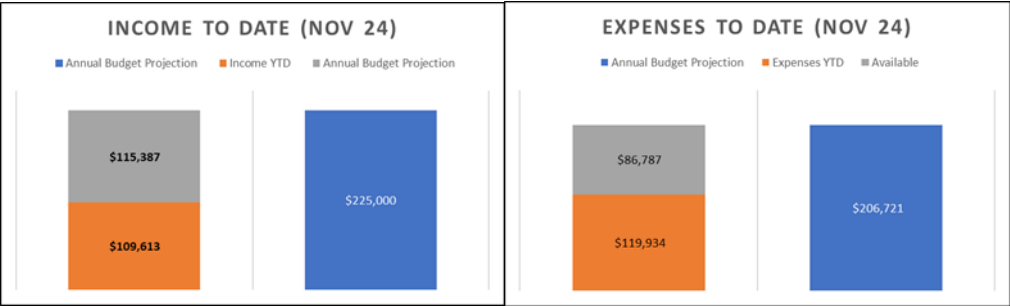
Risk Level	Comment
Moderate	The availability of early learning centres can be a factor in attracting and retaining young families in the area. Without such facilities, the Shire might experience a decline in population growth or struggle to attract new residents, which can have broader economic implications.

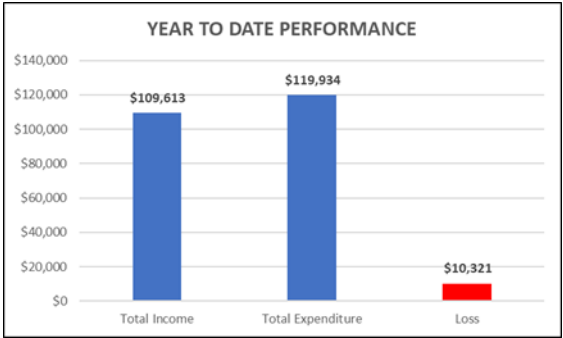
**Consultation**

Nil

**Resource Implications**

**Financial**





**Workforce**  
Nil

End

<b>9.3.2 Boyup Brook Medical Services monthly activity report for November 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. Caldwell</b>
<b>Council Resolution 24/12/263</b>	
<b>That Council:</b>	
<b>1. Receive the monthly activity report for the Boyup Brook Medical Services for November 2024.</b>	
<b>CARRIED 6/0</b> <b>For: Cr Walker, Cr O'Connell, Cr Kaltenrieder, Cr King, Cr Wright, Cr Caldwell</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.

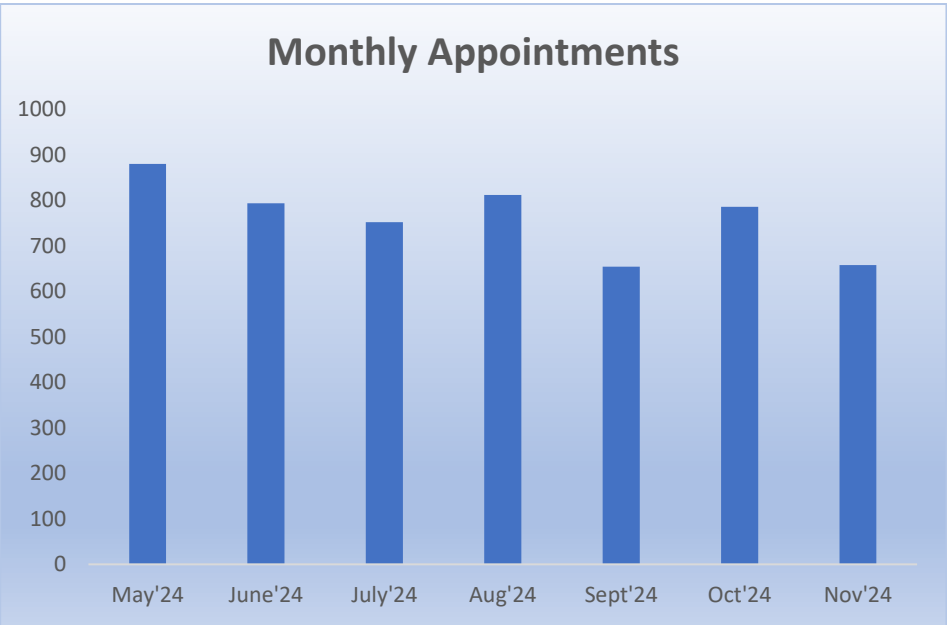
### Background

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, psychologist 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.

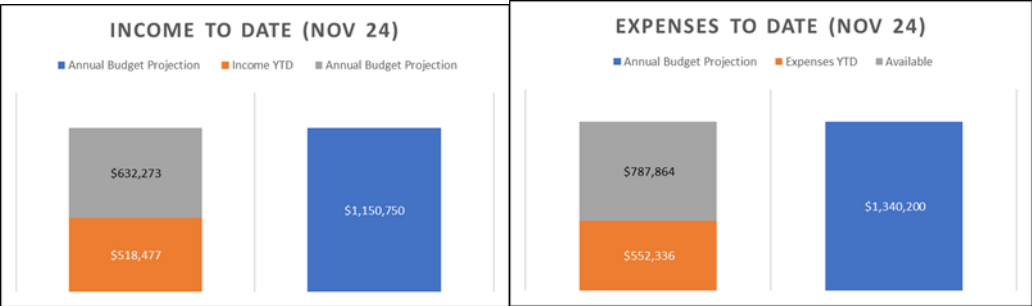
Risk Level	Comment
Moderate	Not having a medical centre would result in residents having to travel significant distances for medical care. In emergencies, the lack of a local medical centre could lead to delayed treatment and potentially poorer health outcomes. Without local healthcare services, residents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

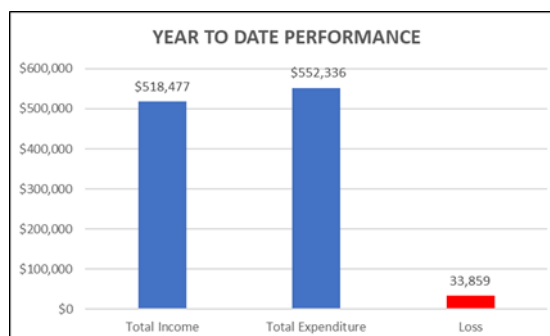
**Consultation**

Nil

**Resource Implications**

**Financial**





## 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.

The two vacant positions being the Doctor and Practice Manager position have been filled with the Doctor aiming to start in January and the Practice Manager having started on 2 December 2024.

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End

<b>9.3.3 Rylington Park monthly activity report for November 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, Farm Working Manager
<b>Declaration of Interest:</b>	Nil
<b>Voting Requirements:</b>	Simple Majority
<b>Attachment Number:</b>	Nil

**Moved: Cr. Wright****Seconded: Cr. Kaltenrieder****Council Resolution 24/12/264****That Council:**

- 1. Receive the monthly activity report for the Rylington Park Farm for November 2024.**

**CARRIED 6/0**

**For: Cr Walker, Cr O'Connell, Cr Kaltenrieder, 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

- Sprayed around sheds.

### Infrastructure and Equipment Maintenance

- Repairs to sheep yards chains on gates.
- Ongoing fencing maintenance and cleared fallen branches from fences.
- Cleaning out the workshop mostly cleaned out need shelving.
- Greased JD 6290 tractor.
- Clean up and put booms pray away.
- Built guard for the auger hopper.
- Solar pump installed and running.
- 4 lick sheep feeders onsite.
- Repairs poly pipes to get water to troughs in 44, 45.
- Cleaned all water troughs.

### Crop Management

- Dave Muir bale 456 rolls off 22 hectares.
- Barley crop – All looking good.
- Canola crop – All good.
- Reviewed Agronomy package with David Lane.

### Livestock Sales

- 106 blue XB lambs weight and grade \$148/head Walshes Processor.

### Feed on Hand

- Barley 38 tonnes.
- Lupins 3 tonnes.
- Barley straw 0 bales.
- Hay 476 bales.

### Feeding program

- Barley straw where needed.

### Livestock Handling and Management

- Weaned vaccinated drenched Merino lambs.
-

- Moved mobs as required to maximize paddock feed.
- 6 deaths (ewes).
- Drafted up Merino lambs ready for the improver school.

#### Livestock Inventory

- White Suffolk Rams: 18.
  - Merino rams: 31.
  - Merino Ewes: 2,166.
  - XB lambs: 592.
  - Merino ewe lambs: 446.
  - Merino Wether lambs: 466
- TOTAL: 3,719

#### Wool Sales

- None 36 bales in shearing shed.


#### Shearing Schools, events & trials

- 5 day learners school all went well.

#### WHS

- Working through the check sheet for the farm.

#### 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.

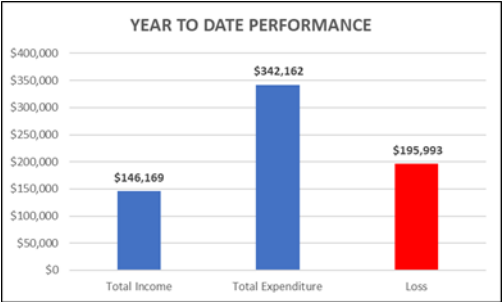
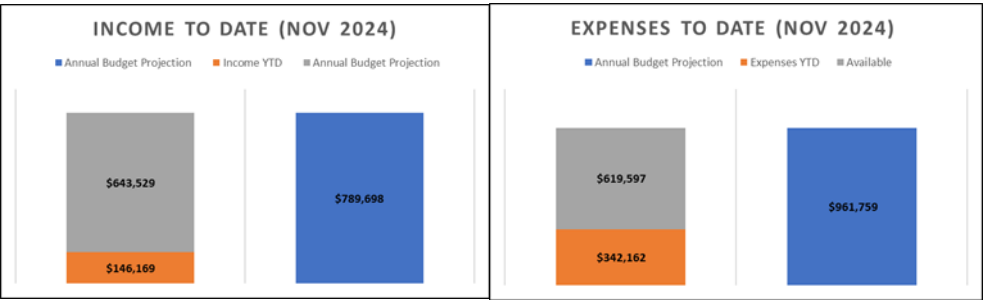
<b>Risk Level</b>	<b>Comment</b>
<b>Moderate</b>	<p>The Shire's risks regarding Rylington Park Farm include costs of operating the farm and funding programs may not always be covered by revenue or grants. Fluctuations in agricultural markets can affect the farm's economic viability.</p> <p>Extreme weather 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 November 2024</b>	
<b>File Ref:</b>	A2007
<b>Previous Items:</b>	Nil
<b>Applicant:</b>	Nil
<b>Author and Title:</b>	Malcolm Armstrong, Manager Financial Services
<b>Declaration of Interest:</b>	Nil
<b>Voting Requirements:</b>	Simple Majority
<b>Attachment Number:</b>	Nil

**Moved: Cr. O'Connell**

**Seconded: Cr. King**

**Council Resolution 24/12/265**

**That Council:**

- 1. Receive the monthly report for the Boyup Brook Caravan Park for November 2024.**

**CARRIED 6/0**

**For: Cr Walker, Cr O'Connell, Cr Kaltenrieder, 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.

## 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.

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.

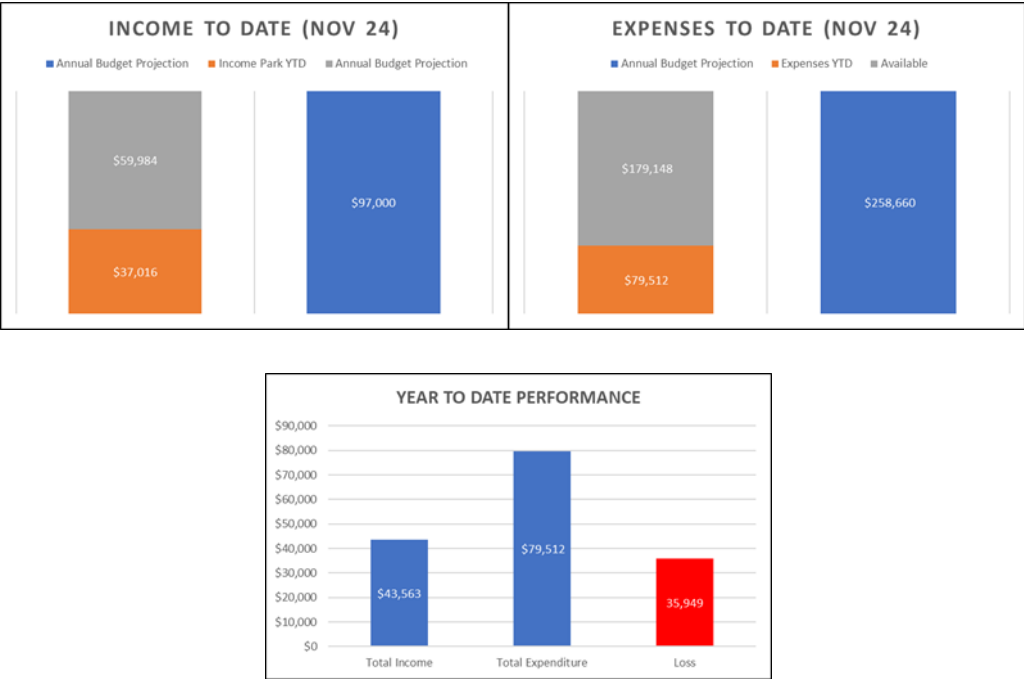
Risk Level	Comment
Moderate	The primary risk for the Shire is over-reliance on tourism, if visitor numbers decline, local businesses may experience reduced income, impacting the overall economy.

Consultation

Nil

Resource Implications

Financial



Workforce

Nil

End

<b>9.3.5 Boyup Brook Swimming Pool monthly report for November 2024</b>	
<b>File Ref:</b>	RE/45/002
<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>	Simple Majority
<b>Attachment Number:</b>	Nil

**Moved: Cr. Wright****Seconded: Cr. Caldwell****Council Resolution 24/12/266****That Council:**

- 1. Receive the monthly report for the Boyup Brook Swimming Pool for November 2024.**

**CARRIED 6/0**

**For: Cr Walker, Cr O'Connell, Cr Kaltenrieder, 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.



Report Detail

General Opening Hours

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

Saturday and Sunday 12:00pm – 6:00pm.

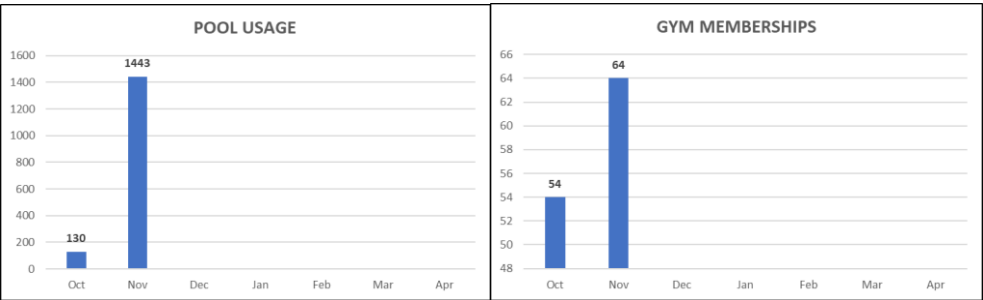
Season Passes have been popular again this year with 225 patrons using the Season Pass.

Early Morning Swim is proving to be successful with consistent patrons participating Monday, Wednesday and Friday 5:30am -7:15am. We are counting our laps and converting to kilometre collectively we swum 68km.


Water Aerobics Monday and Wednesday 8:45am has been well received again this year with a consistent 12 participates. We have changed time to 8:30am for December due to swimming lessons.

The gym is continuing to be popular with 3 month membership and we have had a good renewal rate this month. I have conducted 16 gym inductions over November.

The centre hosted a student from the Boyup Brook District High School for Work Experience between 25 – 29 November 2024.



Shire of Boyup Brook Strategic Community Plan 2021 - 2031

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

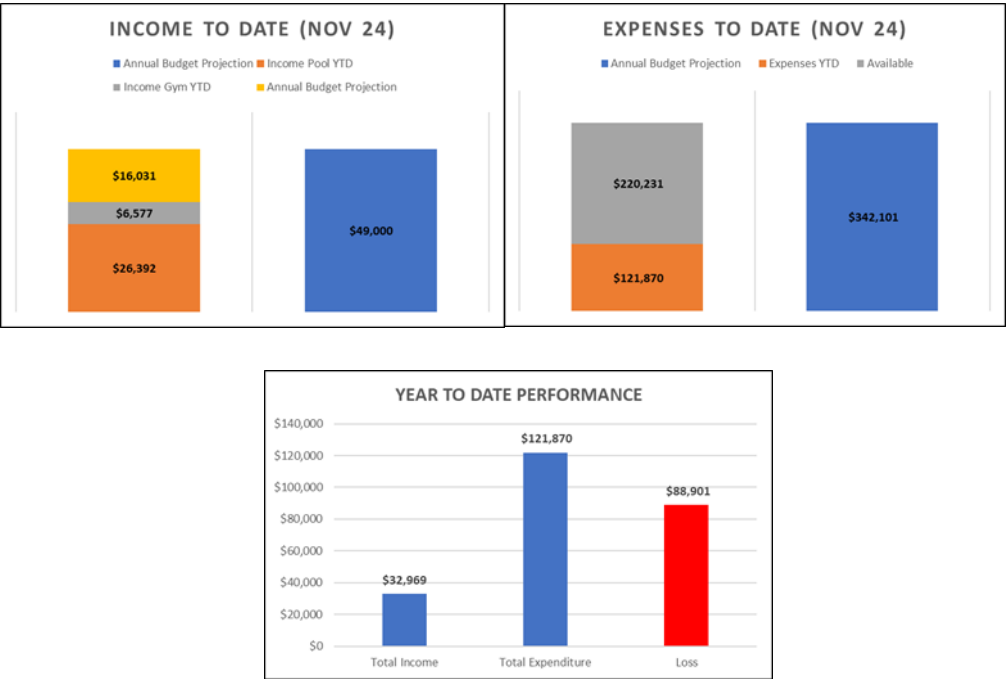
<b>Risk Level</b>	<b>Comment</b>
<b>High</b>	The main risk of having a public swimming pool lies in the ongoing costs of maintenance, staffing, and insurance, which can be significant. Pools require regular upkeep to ensure safety standards are met, and without proper management, unexpected repairs or liabilities could arise.

## **Consultation**

Nil

Resource Implications

Financial



Workforce  
Nil

End

- Councillor Wright declared a Financial Interest in Item 9.3.6 Sale of Lot 13129, (2730) Bridgetown-Boyup Brook Road, Boyup Brook (saleyards) being the Vice Chairman on the Co-op Board

Cr Wright left the Chambers at 6:10pm

Cr Wright returned to the Chambers at 6:12pm

- Councillor Walker declared an Impartiality Interest in Item 9.3.6 Sale of Lot 13129, (2730) Bridgetown-Boyup Brook Road, Boyup Brook (saleyards) being a shareholder in the Co-op.
- Councillor O'Connell declared an Impartiality Interest in Item 9.3.6 Sale of Lot 13129, (2730) Bridgetown-Boyup Brook Road, Boyup Brook (saleyards) being a shareholder in the Co-op.
- Councillor King declared an Impartiality Interest in Item 9.3.6 Sale of Lot 13129, (2730) Bridgetown-Boyup Brook Road, Boyup Brook (saleyards) being a shareholder in the Co-op.
- Councillor Caldwell declared an Impartiality Interest in Item 9.3.6 Sale of Lot 13129, (2730) Bridgetown-Boyup Brook Road, Boyup Brook (saleyards) being a shareholder in the Co-op.

<b>9.3.6 Sale of Lot 13129, (2730) Bridgetown-Boyup Brook Road, Boyup Brook (saleyards)</b>	
<b>File Ref:</b>	A40350
<b>Previous Items:</b>	Nil
<b>Applicant:</b>	Nil
<b>Author and Title:</b>	Leonard Long, Chief Executive Officer
<b>Declaration of Interest:</b>	Nil
<b>Voting Requirements:</b>	Absolute Majority
<b>Attachment Number</b>	Nil

**Moved: Cr. O'Connell**

**Seconded: Cr. Kaltenrieder**

**Council Resolution 24/12/267**

**That Council:**

- 1. Accept the "Offer to Purchase" from the Boyup Brook Cooperative Company Ltd for Lot 13129 (2730) Bridgetown-Boyup Brook Road, Boyup Brook for the amount of \$300,000.**
- 2. Allocate the net income from the sale of the property in (1.) above to the Building Reserve GL 300101.**

**CARRIED BY ABSOLUTE MAJORITY 5/0**

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

## Summary

Council is requested to consider the sale of Lot 13129 (2730) Bridgetown-Boyup Brook Road, Boyup Brook.

## Background

Council at its Ordinary Council meeting of 29 August 2024, resolved as follows:

*“Moved: Cr. Caldwell*

*Seconded: Cr. Alexander*

### *COUNCIL DECISION 24/08/178*

*That Council:*

- 1. Acknowledge the ‘Offer to Purchase’ from the Boyup Brook Co-op for Lot 13129 Bridgetown-Boyup Brook Road, Boyup Brook for the price of \$300,000.*
- 2. Request the Chief Executive Officer to advise the Boyup Brook Co-op that the property will remain on the market until 31 October 2024 to allow for any other offers to be presented to Council.*
- 3. Subject to (2.) above request the Chief Executive Officer to advertise the potential sale of Lot 13129 Bridgetown-Boyup Brook Road, Boyup Brook, in accordance with s3.58(3) of the Local Government Act 1995.*
- 4. Subject to (2.) above request the potential purchaser to provide the Shire of Boyup Brook with a development plan prepared by a suitably qualified consultant indicating the potential development proposed.*
- 5. Following compliance with (2.), (3) and (4) above will formally consider the ‘Offer to Purchase’ Lot 13129 Bridgetown-Boyup Brook Road, Boyup Brook.*

*CARRIED BY ABSOLUTE MAJORITY 7/0*

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

Council at its Ordinary Council meeting of 30 November 2023, resolved as follows:

*“Moved: Cr King*

*Seconded: Cr Caldwell*

### COUNCIL DECISION 23/11/228

*That Council:*

- 1) *Request the Chief Executive Officer to investigate the cost of subdividing Lot 13129 Bridgetown-Boyup Brook Road (Saleyards) into five (5) lots as well as any other associated cost.*
- 2) *Request the Chief Executive Officer to report the findings requested in (1.) above back to Council to consider selling or subdividing Lot 13129 Bridgetown-Boyup Brook Road (Saleyards).*

*CARRIED 7/1*

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

*Against: Cr Kaltenrieder"*

As per the resolution a further report was presented to Council outlining potential cost to develop the site. Subsequently the following resolution was passed at the 30 May 2024 Ordinary Council Meeting.

*"Moved: Cr. Inglis*

*Seconded: Cr. Caldwell*

### COUNCIL DECISION 24/05/078

*That Council:*

1. *Approve the listing of Lot 13129 Bridgetown-Boyup Brook Road (old saleyards) for sale, subject to compliance with s3.58 of the Local Government Act 1995.*
2. *Request the Chief Executive Officer to engage a Real Estate Agent to list the property in (1.) above for sale.*

*CARRIED BY ABSOLUTE MAJORITY 7/0*

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

*Against: Nil"*

### Report Detail

Lot 13129 Bridgetown-Boyup Brook Road, Boyup Brook is the location of the old saleyards. There is currently an arrangement in place with a local trucking company to use the washdown bay located on the property.

The property is 4,0753ha in size, and in terms of the Boyup Brook Town Planning Scheme No. 2 zoned “Industry – Light” (Scheme Amendment 21).

The Objective of this zoning is:

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

An ‘Offer to Purchase’ has been received from the Boyup Brook Cooperative Company Ltd to purchase the site for an amount of \$320,000 if the Shire undertake the cleanup of the site or alternatively \$300,000 and the property is purchased ‘As Is’.

In summary should the Boyup Brook Cooperative Company Ltd be successful with the purchase, it is proposed to develop the site in three (3) stages.

Stage 1: development of a large goods shed 3 – 5-year plan.

Stage 2: development of a commercial property for lease 3 – 5-year plan.

Stage 3: development of a purpose-built rural retail shed 5 – 10 year plan.

The Shire has obtained a valuation from a registered valuer, who valued the property ‘As Is’ for \$400,000.

It is Shire officers’ opinion to ensure the potential sale of the property remains open and transparent the property as required by ‘*COUNCIL DECISION 24/05/078*’ remain on the market until 31 October 2024, after which the ‘Offer to Purchase’ from the Boyup Brook Cooperative Company Ltd be progressed.

Notice of disposal of the land was advertised in The West Australian Newspaper on 7 November 2024 in accordance with Section 3.58 of the *Local Government Act 1995*. Written comments in relation to the proposed disposal were requested to be lodged by 4:30pm on Thursday 21 November 2024. No comments were received.

## 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 infrastructure.
	<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*

The statutory requirements for the disposal of local government property are found in s3.58 of the *Local Government Act 1995*. Unless the sale is exempt, the Shire can dispose of the land on one (1) of the following three (3) ways:

- Public Auction.
- Public Tender.
- By 'private treaty' (i.e., a sale to an individual privately).

**Public Auction** – If the sale is conducted by auction, the land must be sold to the highest bidder. The *Auction Sales Act 1973* deals with the legalities of a sale by auction.

**Public Tender** – If the sale is conducted by public tender, the Shire may determine what is the 'most acceptable tender, whether or not it is the highest tender'. In the sale of land, generally, the highest tender would be the most acceptable, although there may be cases where the tender is conditional, and the Shire may consider that the terms of the condition(s) mean the tender is not the most acceptable. Part four (4) of the *Local Government (Functions and General) Regulations* deals with the requirements for public tenders where the local government calls for tender for the supply of goods or services under s3.57 of the Act.



Private Treaty – It requires (in summary):

- Ascertaining the market value of the property through a valuation carried out not more than 6 months before the proposed disposition.
- Reaching a conditional agreement with a proposed purchaser (which may or may not reflect the market valuation).
- Giving two (2) week's local public notice of the proposed disposition, describing the property concerned and the details of the proposed disposition (which must include the other party's details, the market valuation and the amount at which the Shire proposes to sell).

## **Sustainability and Risk Consideration**

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

The sale of the property will result in a positive impact on the local economy because of potential development. Any potential development will also provide employment opportunities for the Boyup Brook community.

Proceeding with the sale of land surplus to the Shire's needs will reduce the 'holding' cost of such land. The sale of the land will also contribute to funding other projects within the Shire.

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

Funds received through the sale of the property will be put towards the development of a project approved by Council.

### **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>	Not proceeding with the potential sale would result in continued unnecessary holding cost for land surplus to the shires needs.

### **Consultation**

As per the *Local Government Act 1995* (s3.58) the proposed sale of the property was advertised on 7 November 2024 in The West Australian Newspaper. The advertisement called for comments on the proposed sale

to be submitted no later than 21 November 2024, no submissions were received.

### **Resource Implications**

#### **Financial**

There will be some costs associated with the sale of the property but will be absorbed in the adopted 2024/2025 budget.

The funds received through the sale of the property will be placed in Building Reserve GL300101.

#### **Workforce**

Nil

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End

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<b>9.3.7 Proposed use of Rylington Park by the Boyup Brook District High School to assist in offering a Certificate I in Agriculture at the school</b>	
<b>File Ref:</b>	CR/31/012
<b>Previous Items:</b>	Nil
<b>Applicant:</b>	Nil
<b>Author and Title:</b>	Leonard Long, Chief Executive Officer
<b>Declaration of Interest:</b>	Nil
<b>Voting Requirements:</b>	Absolute Majority
<b>Attachment Number</b>	Nil

**Moved: Cr. King**

**Seconded: Cr. Kaltenrieder**

**Council Resolution 24/12/268**

**That Council:**

- 1. Approve the use of all Rylington Park facilities as an in-kind gesture for all activities associated with student's requirements to obtain a Certificate in Agriculture.**

**CARRIED BY ABSOLUTE MAJORITY 6/0**

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

## **Summary**

Council is requested to consider assisting the Boyup Brook District High School (BBDHS) in offering a Certificate I in Agriculture.

## **Background**


The BBDHS currently does not have any year 10 students due to most students wanting to get a qualification in 'Agriculture'. The school has over the past month established a small agricultural area where they will be planting 200 olive trees and undertaking other agricultural pursuits.

## **Report Detail**

A Certificate I in Agriculture is an entry-level qualification designed for individuals interested in starting a career in agriculture. It provides foundational skills and knowledge that prepare students for basic roles in agricultural work or for further study in the field.

- Key Features and Skills include Basic Agricultural Knowledge covering fundamental principles of farming, crop production, and livestock management.
- Workplace Safety, emphasises safe work practices in an agricultural environment.
- Introductory Skills, focuses on basic tasks such as feeding animals, handling tools, maintaining equipment, and performing simple farm duties.
- Teamwork and Communication, introduces basic communication skills and working effectively as part of a team in a farming context.

### 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>	Develop and maintain partnerships with schools and 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)

Offering a Certificate I in Agriculture can provide significant economic benefits by equipping students with practical skills for local employment, retaining talent in the community, and boosting local industries.

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

Offering a Certificate I in Agriculture fosters social benefits by strengthening community ties and providing young people with practical skills to stay and contribute locally.

### 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
Low	Whilst there is no risk to the Shire directly, not assisting the BBDHS with this initiative could result in the loss of year 10 students which could begin to impact the viability of the school overall.

## Consultation

- Councillor Closed Forum
- Principal of the Boyup Brook District High School
- Farm Working Manager Rylington Park and Chief Executive Officer.

## Resource Implications

### Financial

Although the donation has not been budgeted for in the 2024/25 budget, officers are confident the funds can be allocated from other areas. This will be done through the statutory budget review in February / March 2025.

### Workforce

Nil

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End

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<b>9.3.8 Rescind and Reconsider 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>	Leonard Long, Chief Executive Officer
<b>Declaration of Interest:</b>	Nil
<b>Voting Requirements:</b>	Absolute Majority
<b>Attachment Number</b>	Nil

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

**Council Resolution 1 - 24/12/269**

**That Council:**

- 1. Change Council Decision 24/11/245 of 28 November 2024 relating to the setting of Ordinary Council Meeting dates for 2025.**

**CARRIED BY ABSOLUTE MAJORITY**

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

**Moved: Cr. O'Connell**

**Seconded: Cr. Caldwell**

**Council Resolution 2 - 24/12/270**

**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, 30 January 2025  
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.**

- 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 6/0**

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

## **Summary**

Council is requested to consider the recommended dates which recommend no Council Meeting in December and a Council meeting on the last Thursday of January.

## **Background**

The recommended change would allow officers to present the Annual Report to Council at the January meeting and have the Annual General Meeting in February each year (OAG dependent).

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**

With the improvements in the Finance section of the Shire it is likely audits (subject to the OAG) will be completed in December each year. However, the completion of the audit in December only allows officers to present the Annual Report and approved Financials to Council in February the following year. This results in the Annual General Electors meeting only able to be held in March.


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.

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 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>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**

- Shire President
- Deputy Shire President

### **Resource Implications**

#### **Financial**

Nil

#### **Workforce**

Nil

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End

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## 9.4 Planning

<b>9.4.1 Development Application – (Holiday House - unhosted) – 28 Nollajup Road, Benjinup</b>	
<b>File Ref:</b>	A10130
<b>Previous Items:</b>	Nil
<b>Applicant:</b>	J Connal
<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 Development Application

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

**Council Resolution 24/12/271**

**That Council Resolves to:**

- 1. Approve the Development Application for a ‘Holiday House’ (unhosted) at 28 Nollajup Road, Boyup Brook, subject to the following conditions and advice notes:**

**Conditions:**

- 1. The Holiday House is not to accommodate more than 12 people per night.**
- 2. No individual person is to accommodate the Holiday House for a period or periods exceeding a total of 3 months in any 12-month period.**
- 3. A fire blanket, fire extinguisher, first aid equipment and an emergency evacuation procedure is to be kept at the Holiday House for use by occupants, should an emergency occur.**

**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.**

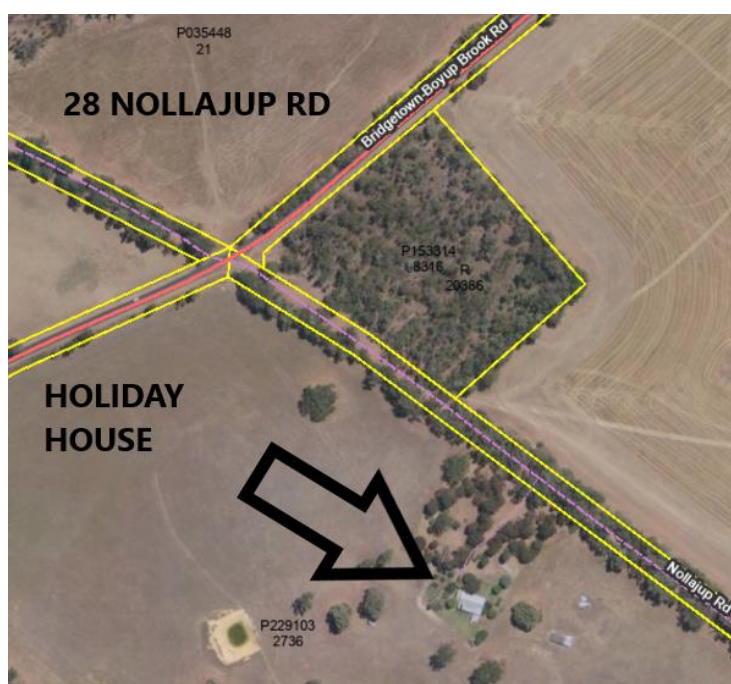
3. If an applicant or owner is aggrieved by this determination there is a right of review by the State Administrative Tribunal in accordance with the *Planning and Development Act 2005* Part 14. An application must be made within 28 days of the determination.

**CARRIED 6/0**

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

### Summary

Council is requested to approve an application for a 'Holiday House' (unhosted) at 28 Nollajup Road, Benjinup.



The subject property is zoned 'Rural'.

'Holiday House' means a single dwelling on one lot used to provide short-term accommodation but does not include a bed and breakfast.

In accordance with the Shire's Local Planning Scheme, 'Holiday House' is a use that is not permitted in the 'Rural' zone, unless the local government has exercised its discretion by granting development approval.

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## Background

The Shire received an application proposing to use an existing house for short term rental accommodation (Holiday House – unhosted).

Short-Term Rental Accommodation (STRA) refers to the practice of renting out a property or part of a property to paying guests for stays of up to three months in duration. This type of accommodation, which is usually booked through online platforms, is popular among travellers and visitors seeking temporary lodging for holidays, business trips or other short stays.

STRA is either **hosted** - where the host lives on the property during the short-term stay, or **unhosted** - where guests have exclusive use of an entire dwelling, for example a whole house, villa or apartment.

Under new planning regulations, where a STRA is not either exempt or a permitted use, a planning development approval will be required from the applicable local government. The development approval process allows local governments to assess a proposal in more detail to determine whether it is appropriate for a location and may also include consultation with neighbouring landowners.

Under new regulations, all STRA operating in Western Australia must be registered by 1 January 2025, regardless of whether a planning (development) approval is required or not. STRA owners must comply with all existing local planning laws, which may include needing development approval.

## Report Detail

The proposal involves the use of an existing house for short term rental accommodation. The house is 4bed/room, 2 bath/room.

The applicant proposes to advertise the house on AirBnB for short term rental accommodation, with a maximum 7 persons staying at any-one time.

Emergence evacuation procedures have been included in the development application and are proposed to be made available to guests, including a fire blanket, fire extinguisher and first aid.

The proposed 'Holiday House' is not expected to impact the amenity of the area. The nearest neighbouring dwelling is located approximately 1km away.


The application is expected to comply with the scheme definition for a 'Holiday House'.

It is recommended that the Council approve the proposed, 'Holiday House', as the proposed use is not expected to impact on the amenity of

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the area and will provide much needed accommodation to travellers and visitors seeking temporary lodging for holidays, business trips or other short stays.

### 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*:

- 'Holiday House' means a single dwelling on one lot used to provide short-term accommodation but does not include a bed and breakfast.
- 'Holiday House' is a use that is not permitted in the 'Rural' zone, unless the local government has exercised its discretion 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 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

	<p>authority may give a written direction to the owner or any other person who undertook the development —</p> <p>(a) to remove, pull down, take up, or alter the development; and</p> <p>(b) to restore the land as nearly as practicable to its condition immediately before the development started, to the satisfaction of the responsible authority.</p> <p>Unless otherwise provided, a person who commits an offence under the <i>Planning and Development Act 2005</i> is liable to a fine of \$200,000 and, in the case of a continuing offence, a further fine of \$25,000 for each day during which the offence continues.</p>
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### Consultation

Considering the proposal has a reasonable buffer to neighbouring housing (1km), consultation was deemed unnecessary. Advertising for this use in the 'Rural' zone 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 Regional Road Group Minutes – 25 November 2024

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

**Council Resolution 24/12/272**

**That Council:**

1. Receive the unconfirmed minutes of the Regional Road Group Meeting held on 25 November 2024 (attachment 10.1A).

**CARRIED 6/0**

**For: Cr Walker, Cr O'Connell, Cr Kaltenrieder, 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

Nil

### 14. Closure

There being no further business the meeting closed at 6:19pm.

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

\_\_\_\_\_  
Date